



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Minutes - Final Common Council

Wednesday, August 15, 2018

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:00 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Croatt.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 16 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Mayor Timothy Hanna, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Library Director Rortvedt, Director of Parks, Recreation & Facilities Gazza, Deputy Police Chief Potter, Director of Public Works Vandehey, & Director of Utilities Shaw.

Valley Transit, Human Resources, Health, & Information Technology were excused.

F. PUBLIC PARTICIPATION

The following spoke regarding item 18-1195, the design contract for the library project:

*Mille Thomas, 1 Hillock Ct
Cheri Honer, 1003 W College Ave
Will Scheffler, 522 E Pacific St
Ed Perkins, 4486 N White Hawk Dr
Barb Merry, 1431 N Briarcliff Dr
Brian Garrow, 806 W Winnebago St
Janice Qunlan, 322 South Ct
Connie Roop, 2601 N Union St
Jason Brozek, 1402 N Division St
Jill Swenson, 1501 N Elinor St
Jeanne Roberts, 110 E Florida Ave
Aaron Leschke, 1521 N Nicholas St*

The following spoke regarding item 18-1154, the amended and restated development agreement with U.S. Venture:

*Loni Hoersch, 425 Better Way
Paul Hoffman, 200 E Washington St*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES**[18-1221](#)**

Common Council Meeting Minutes of August 1, 2018

Attachments: [CC Minutes 8-1-18.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Baranowski, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[18-1222](#)

Special Common Council Meeting Minutes of August 6, 2018

Attachments: [CC Minutes 8-6-18 Spcl.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Baranowski, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[18-1223](#)

Mixed Use Library Proposal Project Update with Mindy Sorg of OPN Architects

Attachments: [Aug. 2018 Mixed Use Library Presentation.pdf](#)**The Library Project Update was presented**

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[18-1154](#)

Approval of the amendment to U.S. Venture Development Agreement (Finance, Municipal Services & Community and Economic Development Committees)

Attachments: [USV - Amendment to Dev Agrm - FINAL - 07-27-2018 2.pdf](#)[USV - Fully Executed Dev Agrm - 12-17-2017.pdf](#)[USV - Original Exhibit D to 12-19-2017 Dev Agrm 1.pdf](#)[USV - COMPARED Document - 07-31-2018.pdf](#)[USV COW memo 080318.pdf](#)[USV - REDLINED - COMPARED Document - 08-10-2018.pdf](#)**Aldersperson Croatt moved, seconded by Aldersperson Baranowski, that the Amended Restated Development Agreement be approved. Roll Call. Motion carried by the following vote:****Aye:** 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Christine Williams and Aldersperson Chris Croatt**Abstained:** 2 - Mayor Timothy Hanna and Aldersperson Cathy Spears

[18-1195](#)

Request to award contract to Commercial Horizons for design and engineering services for the Appleton Public Library for a contract of \$347,000

Attachments: [2018 Library Architect and Engineer.pdf](#)

Motion by Alderperson Croatt, seconded by Alderperson Plank to hold this item until the next Council meeting. After some discussion, Plank withdrew her second.

Alderperson Coenen then seconded the Motion to hold.

Roll Call.

Motion to hold failed 3/12 with Alderpersons Williams, Coenen, & Croatt voting Aye.

This item was then referred back to the Finance Committee by Alderperson Baranowski.

This Report Action Item was referred to the Finance Committee due back on 8/20/2018.

[18-1192](#)

Request for Finance Director to sell \$13,840,000 of General Obligation Notes

Alderperson Baranowski moved, seconded by Alderperson Lobner, that the sale of General Obligation Notes be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[18-1217](#)

Approval of updated Rules & Regulations and Permit Application for Keeping Chickens

Attachments: [Revised Chicken Keeping Requirements.pdf](#)

Alderperson Baker moved, seconded by Alderperson Meltzer, that the updated Chicken Keeping Rules, Regulations and Permit Application be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Nay: 1 - Alderperson Curt Konetzke

Abstained: 1 - Mayor Timothy Hanna

[18-1186](#)

Approve Resolution regarding Interstate Hwy 41.

Attachments: [Resolution regarding Interstate Hwy. 41..pdf](#)

Alderson Croatt moved, seconded by Alderson Konetzke, that the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Keir Dvorachek, Alderson Bob Baker, Alderson Rachel Raasch, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Matt Reed, Alderson Christine Williams, Alderson Cathy Spears and Alderson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[18-0788](#)**R/B Resolution #7-R-18 Snow Emergencies**

Submitted by: William Siebers, District 1

Date: May 16, 2018

Referred to: Municipal Services Committee

Whereas, there are only 218 days left until winter, And**Whereas**, the best time to deal with a problem is before circumstances force our hand, And**Whereas**, with all winters we will once again need to deal with winter storms, which includes calling snow emergencies, And**Whereas**, snow emergencies are exactly that, emergencies, And**Whereas**, these emergencies are called to promote the most efficient removal of snow from our streets, and also to promote safety, And**Whereas**, as common as it is to have snow storms in the winter it is also common for people to ignore the parking ban during the snow emergency, And**Whereas**, the fine for parking on the street during the snow emergency is the same as a normal parking ticket and not likely a deterrent as we would hope,**Therefore**, the fine for parking on the street during a snow emergency be more reflective of the seriousness of the situation and be increased **to \$100.**

Attachments: [Research by Alderson Siebers.pdf](#)

Alderson Raasch moved, seconded by Alderson Lobner, that the fine amount be amended to double the overnight parking fine. Roll Call. Motion failed by the following vote:

Aye: 6 - Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer and Alderperson Christine Williams

Nay: 9 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Alderperson Baranowski moved, seconded by Alderperson Konetzke, that the Resolution be approved. Roll Call. Motion failed by the following vote:

Aye: 7 - Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Joe Martin, Alderperson Cathy Spears and Alderperson Chris Croatt

Nay: 8 - Alderperson Kathleen Plank, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Matt Reed and Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Baranowski moved, Alderperson Baker seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[18-1135](#)

Resolution #10-R-18 Wayne Street Parking
Submitted by: Vered Meltzer, District 2
Date: July 18, 2018
Referred to: Municipal Services Committee
WHEREAS parking solutions should proactively address needs instead of create problems, and
WHEREAS the 15 minute parking restriction on the east side of the 1300 block of Wayne Street creates problems for the business owner on the corner of Wayne Street and Wisconsin Avenue,
THEREFORE be it resolved that the 15 minute parking restriction be removed from that location.

This Report Action Item was approved.

[18-1159](#)

Proposed 6-month trial for parking changes on Banta Court.

Attachments: [Proposed 6-month trial for parking changes on Banta Court.pdf](#)
[Lawrence University-Banta Court parking changes.pdf](#)

This Report Action Item was approved.

[18-1160](#)

Proposed parking changes related to the Oneida Street Reconstruction Project.

Attachments: [Proposed parking changes related to the Oneida St Reconstruction Project.pdf](#)

This Report Action Item was approved.

[18-1161](#)

Proposed parking changes related to the Providence Avenue/Apple Creek trail crossing enhancement project.

Attachments: [Parking changes-Providence Ave-Apple Creek trail crossing.pdf](#)

This Report Action Item was approved.

[18-1162](#)

Proposed changes to intersection control at the intersection of Center Street and North Street.

Attachments: [Proposed changes to intersection control-Center St and North St. .pdf](#)

This Report Action Item was approved.

[18-1187](#) Approve Intergovernmental Agreement for Valley Road Concrete Reconstruction/Urbanization Project between Chain Drive and Forestview Court.

Attachments: [Valley Road Concrete Reconstruction-Urbanization Project.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[18-1167](#) Operator's License application of Heather A. Poole, 1118 W. Kamps Avenue.

Attachments: [Heather A. Poole.pdf](#)
[SL Denial-Poole 8-8-18.pdf](#)
[Poole Lic. Denial Memo 8-8-18.pdf](#)

The Committee recommendation to deny the license was approved.

[18-1063](#) Winter Farm Market application of Appleton Downtown, Inc., Djuanna Hugdahl, 116 N. Appleton Street, contingent upon approval from all departments.

This Report Action Item was approved.

[18-1120](#) Operator's Licenses

Attachments: [Operator's Licenses for 8-8-18 S&L.pdf](#)

This Report Action Item was approved.

[18-1123](#) Recommendation of a Fire Records Management System Vendor

Attachments: [Fire Records Management System Memo.pdf](#)

This Report Action Item was approved.

[18-1125](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 8-8-18 S&L.pdf](#)

This Report Action Item was approved.

[18-1158](#)

Reserve "Class B" Beer/Liquor License temporary Premise Amendment application of Fox Cities Performing Arts Center, Maria S. Van Laanen, Agent, 400 W. College Ave., contingent upon approval from all departments.

Attachments: [Fox Cities PAC - Premise Amendment.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[18-1166](#)

Request to approve the Apple Ridge Annexation, located at the southeast corner of N. Ballard Road and E. Apple Creek Road currently in the Town of Grand Chute, as shown on the attached maps, and establish a temporary zoning classification of AG Agricultural District, subject to the stipulation in the attached staff report

Attachments: [StaffReport_AppleRidge_Annexation_For08-07-18.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[18-1190](#)

Request to award contract for the AWTF Chemical Systems Upgrade project to August Winter and Sons in the amount of \$698,500 with a 15% contingency of \$104,775 for a project total not to exceed \$803,275

Attachments: [Chemical Systems Upgrade Phase 1 Construction 07-31-18.pdf](#)

This Report Action Item was approved.

[18-1191](#)

Request to approve Rocky Bleier Run/Water Street amended Relocation Order

Attachments: [AMENDED Relocation Order \(08-01-2018\)_2.pdf](#)

This Report Action Item was approved.

[18-1193](#)

Request for Finance Director to sell \$3,000,000 of Stormwater Revenue Bonds

This Report Action Item was approved.

[18-1194](#) Request for Finance Director to sell \$5,345,000 of Wastewater Revenue Refunding Bonds

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[18-1179](#) Request from Mario Maggiorana to reduce his stormwater utility charges for 1600 W. Haskel Street as he does not agree that gravel parking should be considered impervious surface.

Attachments: [Mario Letter.pdf](#)
[Aerial Photo.pdf](#)

The Committee recommendation to deny the request was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

[18-1185](#) Noise Variance Request-Truth Music Jam

Attachments: [Noise Variance Request-Truth Music Jam.pdf](#)

This Report Action Item was approved.

11. REPORT OF THE COMMITTEE OF THE WHOLE

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[18-1216](#) Ordinances 77-18 to 79-18

Attachments: [Ordinances going to Council 8-15-18.pdf](#)

This Report Action Item was approved.

- P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION
- Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION
- R. OTHER COUNCIL BUSINESS
- S. ADJOURN

Alderson Baranowski moved, seconded by Alderson Baker, that the meeting be adjourned at 8:43 p.m. Roll Call. Motion carried by the following vote:

Aye: 16 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Mayor Timothy Hanna, Alderson Keir Dvorachek, Alderson Bob Baker, Alderson Rachel Raasch, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Matt Reed, Alderson Christine Williams, Alderson Cathy Spears and Alderson Chris Croatt

Kami Lynch, City Clerk