



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, December 4, 2013

7:00 pm

Council Chambers

A. CALL TO ORDER

The meeting was called to order at 7:00 P.M.

B. INVOCATION

Aldersperson Jirschele offered the invocation.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 16 - Aldersperson Patti Coenen, Aldersperson Chris Croatt, Aldersperson Greg Dannecker, Aldersperson Sarah Garb, Aldersperson Jeffrey Jirschele, Aldersperson John Robin Hill, Aldersperson Curt Konetzke, Aldersperson Kyle Lobner, Aldersperson Joe Martin, Aldersperson Kole Oswald, Aldersperson Kathleen Plank, Aldersperson Michael Smith, Aldersperson Cathy Spears, Aldersperson Peter Stueck, Mayor Timothy Hanna and Aldersperson Tim Trauger

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

PRESENT: City Clerk Peterson, City Attorney Walsh, Deputy City Attorney Totzke, Community and Economic Development Director Harkness, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Police Chief Helein, Director of Public Works Vandehey, Director of Information Technology Fox, Director of Utilities Shaw, Valley Transit General Manager Wetter, Library Director Rortvedt.

EXCUSED: Finance Director Remiker, Director of Parks, Recreation and Facilities Gazza

F. PUBLIC PARTICIPATION

None.

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[13-1781](#)

Approve November 20, 2013 Common Council meeting minutes.

Attachments: [CC Minutes 11-20-2013.pdf](#)

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

Aye: 15 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konezke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

Excused: 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[13-1780](#)

Fox Cities Performing Arts Center Annual Report presentation.

This item was presented

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[13-1743](#)

Award of 2013F Stormwater Consulting Services Contract for West Wisconsin Study Area Preliminary Engineering in an amount not to exceed \$100,000.

Attachments: [2013 F Contract Award Util Memo Brown_Caldwell.doc](#)

Aldersperson Spears moved, seconded by Aldersperson Konezke, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Aldersperson Coenen, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konezke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

Nay: 3 - Aldersperson Croatt, Aldersperson Oswald and Aldersperson Plank

Excused: 1 - Mayor Hanna

[13-1689](#)

Endorse the Outagamie County Board Resolution in Favor of a Fox Cities Regional Transit Authority

Attachments: [RTA Endorsement.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Smith, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson Coenen, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konezke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

Excused: 1 - Mayor Hanna

Abstained: 1 - Aldersperson Croatt

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Konezke moved, Aldersperson Smith seconded, to approve the balance of the action items on the agenda. The motion carried by the following vote:

Aye: 15 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konezke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

Excused: 1 - Mayor Hanna

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE
2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE
3. MINUTES OF THE CITY PLAN COMMISSION
4. MINUTES OF THE PARKS AND RECREATION COMMITTEE
5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[13-1746](#) Business and Industrial Park Land Prices

Attachments: [Land Value Memo 11-15-13.docx](#)
[NEBP11_17.jpg](#)
[Southpoint11_17.jpg](#)

This Report Action Item was approved.

6. MINUTES OF THE UTILITIES COMMITTEE

[13-1742](#) Approve Intergovernmental Agreement to permit the sale of water to St. Peter's Church in the Town of Freedom.

Attachments: [Intergovernmental Agreement .pdf](#)

This Report Action Item was approved.

[13-1768](#) Award of 2014A Stormwater Consulting Services Contract for 2014 Stormwater Management Plan Reviews to RA Smith in an amount not to exceed \$75,000.

Attachments: [2014 A Contract Award Util Memo.doc](#)

This Report Action Item was approved.

7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[13-1687](#) Approval of Valley Transit 2014 Budget

Attachments: [Valley Transit 2014 Budget.pdf](#)

This Report Action Item was approved.

[13-1688](#) Approval of Award Contract for Riders Survey to RLS & Associates for \$19,988

Attachments: [Contract for Rider Survey.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE BOARD OF HEALTH

[13-1766](#)

Request for a Noise Variance for a Department of Public Works project, scheduled from February 2014 until September 2014

Attachments: [Weyenberg Noise Variance 11-2013.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE HUMAN RESOURCES COMMITTEE

[13-1758](#)

Request to approve Police to over hire Police Officer by one position for a limited period of time.

Attachments: [2014 Over-Hire Request 111813.docx](#)

This Report Action Item was approved.

10. MINUTES OF THE FINANCE COMMITTEE

[13-1783](#)

Bids for Regulatory Upgrade Project.

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

MUNICIPAL SERVICES COMMITTEE:

"WHEREAS Section 16-10 of the City of Appleton's Municipal Code pertains to snow and ice removal on sidewalks, requiring the clearing of walks within 36 hours of the cessation of a snowfall,

And WHEREAS violations of said section of the municipal code can result in the city clearing the snow at the owner's expense,

And WHEREAS it is reasonable and understandable for property owners to be away from home for more than 36 hours at a time in the days surrounding the Thanksgiving, Christmas and New Years holidays,

And WHEREAS holiday schedules may make it difficult for property owners to make alternate snow removal arrangements during that time,

THEREFORE BE IT RESOLVED that the City of Appleton shall amend its snow and ice removal policy to allow property owners 72 hours to clear their sidewalks if a snowfall occurs between Wednesday and Sunday of the week of Thanksgiving or between December 24 and January 1."

ATTORNEY'S OFFICE:

"Be it resolved:

(1) That staff is directed to administratively correct all references in the Rules of Council and Department and Committee Functions to reflect that under the Granicus system "Reports" are now "Minutes" and that "FOR INFORMATION ONLY" is now entitled "Information Items."

(2) That Rule 12 of Department and Committee Functions be amended to read as follows:

Reports – All items appearing on the Committee/Commission/Board Agendas shall be reported out to the Common Council. Issues with critical timing shall be so indicated on the Minutes. The vote shall be recorded indicating which members voted nay or abstained from the vote. All Minutes shall have, after the signature of the Chair and the attendance of members, a section called "Information Items". Items from Committee/Commission/Boards Agendas that were postponed, tabled, withdrawn or referred to another committee shall be included in this section with a date specific for the item to be acted on and shall not be debatable. Suspensions of the Rules (2/3 vote) is needed to move an information item to an action item on any committee/commission minutes.

(3) That this resolution be placed on the Common Council Agenda as an amendment of a special rule of order, thereby subject to a vote of the majority of the entire Common Council. "

S. OTHER BUSINESS

T. ADJOURN

The meeting adjourned at 7:39 P.M.

Aldersperson Croatt moved, seconded by Aldersperson Plank, to adjourn. Motion carried unanimously.

CHARLENE M. PETERSON, CMC/WCMC
City Clerk