



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, October 17, 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 Raasch.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Bob Baker, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Mayor Timothy Hanna

Excused: 2 - Alderperson Joe Martin and Alderperson Matt Reed

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Police Captain Olson, Director of Parks, Recreation & Facilities Gazza, Deputy Director of Utilities Stempa.

The following were excused:

Library

Valley Transit

Information Technology

Human Resources

F. PUBLIC PARTICIPATION

No one signed up to speak during public participation.

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[18-1488](#)

Common Council Meeting Minutes of October 3, 2018

Attachments: [CC Minutes 10-3-18.pdf](#)

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

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 2 - Aldersperson Joe Martin and Aldersperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[18-1491](#)

Appleton Fire Department Citizen Awards

The Citizen Awards were presented

[18-1498](#)

Public Arts Committee Appointments

Attachments: [APPTS TO PUBLIC ARTS COMM.pdf](#)

Aldersperson Konezke moved, seconded by Aldersperson Baker, that the Committee Appointments be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 2 - Aldersperson Joe Martin and Aldersperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[18-1403](#)

Request to approve \$193,000 for Phase V, Part II payment of outstanding legal fees related to the financing of the Fox Cities Exhibition Center and deny Phase V Out of Scope payment in amount of \$129,143

Attachments: [vonBriesen Final Bills.pdf](#)
[vonBriesen Bills.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Raasch, that the payment item and referral of out of scope billings be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 2 - Aldersperson Joe Martin and Aldersperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

[18-1453](#)

Request to approve the following 2018 Budget adjustment:

TIF 11 Capital Projects Fund

Capital Outlay	+ \$2,354,153
Proceeds of Debt	+ \$2,354,153

to establish a 2018 budget for the construction of a public parking ramp at the U.S. Venture site

Attachments: [Finance Committee - USV Ramp 2018 Budget Request.pdf](#)

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

Aye: 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Nay: 1 - Aldersperson Curt Konezke

Excused: 2 - Aldersperson Joe Martin and Aldersperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 2 - Aldersperson Joe Martin and Aldersperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE[18-1461](#)

Carpenter Street, from Taft Avenue to Calumet Street, be reconstructed with concrete pavement and curb and gutter to a width of 37' from back of curb to back of curb, which is the same width as the existing street. Proposed curb bump-outs are to be constructed at the intersections with Murray Avenue and Coolidge Avenue to improve pedestrian safety and calm traffic flow. A dedicated left turn lane will also be incorporated on the south side of the intersection at Carpenter Street and Calumet Street.

Carpenter Street, from Calumet Street to Fremont Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 33' from back of curb to back of curb, which is the same width as the existing street. This portion of Carpenter Street is proposed to be shifted 1' to the east in an effort to preserve existing terrace trees along the west side of the street. Existing parking provisions within the project limits will remain unchanged. A dedicated left turn lane will also be incorporated on the north side of the intersection at Carpenter Street and Calumet Street.

This Report Action Item was approved.

[18-1462](#)

Morrison Street, from Hancock Street to Wisconsin Avenue, be reconstructed with asphalt pavement and concrete curb & gutter. The dimensions of the Morrison Street reconstruction project are as follows:

Hancock St - Summer St: New asphalt pavement to be constructed to a width of 28' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

Summer St - Wisconsin Ave: New asphalt pavement to be constructed to a width of 37' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[18-1463](#)

Opechee Street, from Pacific Street to Leminwah Street, be reconstructed with concrete pavement. The dimensions of the Opechee Street reconstruction project are as follows:

Pacific St - 125' east of Pacific St: New concrete pavement to be constructed to a width of 20', which is the same width as the existing street within this portion of the project.

100' west of Leminwah St - Leminwah St: New concrete pavement to be constructed to match the existing widths and configuration.

Existing trail between the 2 segments of Opechee Street to be reconstructed with asphalt pavement to a width of 8 to 10', based on available space.

Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[18-1464](#)

Valley Road, from 250' west of Chain Drive to 165' east of Forestview Court, be reconstructed with concrete pavement and concrete curb & gutter to a width of 48' from back of curb to back of curb., which is 23' wider than the existing street.

Valley Road is proposed to be reconstructed with 1 travel lane in each direction, a two-way left turn lane, bike lanes along both sides of the street, and new 5' sidewalk along both sides of street, within the project limits.

On street parking would be ~~restricted~~ **(prohibited)** along Valley Road.

This Report Action Item was approved.

[18-1465](#)

Approve proposed changes to Municipal Code Section 4-392 related to property owners performing their own electrical work.

Attachments: [Update to Section 4-392 of the Municipal Code.pdf](#)

This Report Action Item was approved.

[18-1466](#)

Approve proposed changes to Municipal Code Sections 4-343 and 4-346 related to enforcement and notification of this Chapter.

Attachments: [Update to Sections 4-343 and 4-346 of the Municipal Code.pdf](#)

This Report Action Item was approved.

[18-1467](#)

Request from Travis Frischmann for a variance to the driveway paving section of Municipal Code 19-91 for a grass driveway. This request is required by Outagamie County staff and supported by City of Appleton staff.

Attachments: [5128 Fugi Ct.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[18-1414](#) "Class A" Liquor License application of Apotheke Wellness, LLC, 3020 E. College Ave., Suite B, Sarah A. Fabry, Agent, contingent upon approval from all departments.

Attachments: [Apotheke Wellness application.pdf](#)

This Report Action Item was approved.

[18-1442](#) "Class A" Beer/Liquor License - Change of Agent of Wal-Mart Stores East LP, Randi M. Thom, Agent, 3701 E. Calumet St., contingent upon approval from the Police Department.

This Report Action Item was approved.

[18-1447](#) Operator's Licenses

Attachments: [Operator's Licenses for 10-10-18 S & L.pdf](#)

This Report Action Item was approved.

[18-1456](#) "Class B" Beer/Liquor License Premise Amendment application of S C Carrow Corp, d/b/a Rookies, Steven C. Carrow, Agent, 325 N. Appleton Street, contingent upon approval from all departments.

Attachments: [Change of Description - Rookies.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[18-1431](#) Request to approve the Apple Ridge Final Plat as shown on the attached maps and subject to the attached conditions

Attachments: [StaffReport_FinalPlat_AppleRidge_10-9-18.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[18-1440](#)

Award the Fire Station #5 2018 Remodeling project contract to Miron Construction Co. Inc in the amount of \$40,669 with a contingency of 7% for a project total not to exceed \$43,516

Attachments: [2018 Fire Station #5 Remodeling.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[18-1458](#)

Approval of a 1% Rate Increase for Receiving Station Waste Haulers effective January 1, 2019.

Attachments: [Receiving Station Rate Changes 10-04-18.pdf](#)

This Report Action Item 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

M. CONSOLIDATED ACTION ITEMS

[18-1492](#)

Consolidated Action Items:
[18-1469](#) Community & Economic Development Committee
[18-1455](#) Finance Committee

This Report Action Item was approved.

[18-1469](#)

Request to approve Apple Ridge Development Agreement

Attachments: [Apple Ridge Development Agreement - Clean - 09-28-2018.pdf](#)

This Report Action Item was approved.

[18-1455](#)

Request to approve Apple Ridge Development Agreement

Attachments: [Apple Ridge Development Agreement - Clean - 09-28-2018.pdf](#)

This Report Action Item was approved.

N. ITEMS HELD

O. ORDINANCES

[18-1470](#)

Ordinances 94-18 to 96-18

Attachments: [Ordinances going to Council 10-17-18.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

[18-1490](#)

Suspension of the Council Rules to cancel the November 21, 2018 Common Council meeting due to the Thanksgiving holiday.

Alderson Croatt moved, seconded by Alderson Baker, that the meeting cancellation be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Curt Konezke, Alderson Ed Baranowski, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Bob Baker, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Keir Dvorachek

Excused: 2 - Alderson Joe Martin and Alderson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

S. ADJOURN

Alderson Baranowski moved, seconded by Alderson Baker, that the meeting be adjourned at 7:13 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Curt Konezke, Alderson Ed Baranowski, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Bob Baker, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt, Alderson Keir Dvorachek and Mayor Timothy Hanna

Excused: 2 - Alderson Joe Martin and Alderson Matt Reed

Kami Lynch, City Clerk