



City of Appleton

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

Meeting Minutes Common Council

Wednesday, October 2, 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: 15 - Aldersperson Patti Coenen, Aldersperson Chris Croatt, Aldersperson Greg Dannecker, 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

Excused: 1 - Aldersperson Sarah Garb

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, Finance Director Remiker, Interim Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Director of Parks, Recreation and Facilities Gazza, 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.

F. PUBLIC PARTICIPATION

Name - Address - Topic

Dawn Ristow, 3601 Commerce Street, Ste 1, Community & Economic Development Committee #13-1393 2013 CDBG Annual Action Plan.

Juie Filapek, 221 E. Roosevelt St., Community & Economic Development Committee #13-1393 2013 CDBG Annual Action Plan.

Chelsea Grow, 720 W. Fifth St., Community & Economic Development Committee #13-1393 2013 CDBG Annual Action Plan.

Beth Schrom, 720 W. Fifth St., Community & Economic Development Committee #13-1393 2013 CDBG Annual Action Plan.

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[13-1415](#)

Approve September 18, 2013 Council meeting minutes.

Attachments: [CC Minutes 09-18-2013.pdf](#)

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

Aye: 14 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Oswald, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck and Alderson Trauger

Excused: 2 - Alderson Garb and Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[13-1416](#)

Presentation of Fire Prevention Week Proclamation.

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[13-1393](#)

2013 CDBG Annual Action Plan Substantial Amendment allocation recommendations.

Attachments: [Kole-Arbutus.pdf](#)
[CDBG 2013 Funding Allocations.pdf](#)
[CompassionateHome.pdf](#)
[ESFV.pdf](#)
[HarborHouse.pdf](#)
[ParksandRec.pdf](#)
[SFV.pdf](#)

Alderson Konetzke moved, seconded by Alderson Stueck, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Oswald, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck and Alderson Trauger

Excused: 2 - Alderson Garb and Mayor Hanna

[13-1414](#)

Approve Settlement of 2011-2012 assessed values - Target Corp. v. City of Appleton

Attachments: [Brosman, DeAnn - Memo to Finance Committee 09-30-13.pdf](#)

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

Aye: 13 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

Nay: 1 - Aldersperson Konetzke

Excused: 2 - Aldersperson Garb and Mayor Hanna

[13-1424](#)

Request to approve the following 2013 Budget Adjustment:

| | |
|---------------------------|------------|
| Unclassifieds | |
| Reserve for Contingencies | - \$47,498 |
| Tax Refund | +\$47,498 |

to fund the settlement reached with Target on property assessment for 2011 and 2012 (2/3 vote required)

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

Aye: 13 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

Nay: 1 - Aldersperson Konetzke

Excused: 2 - Aldersperson Garb and Mayor Hanna

[13-1425](#)

Approve 74.37 excessive assessment claim submitted by Target for 2013 assessed value

Attachments: [2013 Claim for Excessive Assessment \(2\).pdf](#)

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

Aye: 13 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

Nay: 1 - Aldersperson Konetzke

Excused: 2 - Aldersperson Garb and Mayor Hanna

[13-1303](#)

Operator's License application of Rhonda S. Abitz, 119 E. Mitchell Avenue.

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

Aye: 11 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

Nay: 3 - Aldersperson Dannecker, Aldersperson Konetzke and Aldersperson Plank

Excused: 2 - Aldersperson Garb and Mayor Hanna

[13-1304](#)

Operator's License application of Marsha L. Anthony, 532 N. Meade Street.

This Report Action Item was referred to the Safety and Licensing Committee by Aldersperson Smith.

This Report Action Item was referred to the Safety and Licensing Committee

[13-1368](#)

Approve Alternative 10C in the West Wisconsin Drainage Study.

Attachments: [West Wisc Study Approval Request Alt.docx](#)
 [Phase 3 - Results Comparison Combined-100yr.pdf](#)

This Report Action Item was referred to the Utilities Committee by Aldersperson Croatt.

This Report Action Item was referred to the Utilities Committee

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Smith moved, Aldersperson Konetzke seconded, to approve the report. The motion carried by the following vote:

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

Excused: 2 - Aldersperson Garb and Mayor Hanna

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[13-1305](#)

Commercial Solicitation license of Robert J. Schulfer, 1402 N. Graceland Avenue.

This Report Action Item was approved.

[13-1353](#) Operator's License application of Matthew J. Vanden Bloomer, 5535 W. Sandra Drive.

This Report Action Item was approved.

[13-1354](#) Operator's Licenses

Attachments: [Operator's Licenses for 09-26-13 S & L.pdf](#)

This Report Action Item was approved.

[13-1355](#) Class "A" Beer License application of Appleton Citgo, Dharani Paudel, 1717 W. College Avenue, contingent upon departmental approvals.

This Report Action Item was approved.

2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[13-1278](#) R/B-Dannecker-Request from Janeine Cardin to appeal her \$50 Weed Administration Fee for 821 S. Memorial Drive.

Attachments: [Janeine Cardin.pdf](#)

This Report Action Item was approved.

[13-1369](#) Request from Edwin Shelling to appeal his \$160 Weed Administration Fee for 312 S. Pierce Avenue.

Attachments: [Edwin Shelling weed pictures.pdf](#)

This Report Action Item was approved.

[13-1370](#) Request from Henry Grishaber for a permanent street occupancy for portion of existing building that lies within street right-of-way at 1937 E. John Street.

Attachments: [Henry Grishaber-Street Occupancy+.pdf](#)

This Report Action Item was approved.

[13-1371](#) Request from Mark Busnelli for an exception to the Side Yard Parking ordinance to allow an RV to be parked on the side yard with grass and not pavement at 1300 E. Glendale Avenue.

Attachments: [Mark Busnelli exception to side yard parking.pdf](#)

This Report Action Item was approved.

[13-1372](#) Request from Ryan Burington to have the property at 4841 N. Applebend Drive officially precluded from access to Ashbury Drive.

Attachments: [Ryan Burington.pdf](#)

This Report Action Item was approved.

[13-1373](#) Proposed traffic ordinance changes related to the 2013 Washington Street Reconstruction Project.

Attachments: [Traffic ordinance-2013 Washington St.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[13-1387](#) Dedication of Public Right-of-Way - 1937 E. John Street.

Attachments: [1937 John Street Attachment.pdf](#)

This Report Action Item was approved.

[13-1388](#) Dedication of Public Right-of-Way along Oneida Street and Rocky Bleier Run.

Attachments: [Oneida-Rocky Bleier Attachment.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[13-1375](#) Reid Golf Course 2014 Fees

Attachments: [Memo - 2014 Golf Rates \(9-25-13 Meeting\).doc](#)
[2014 Golf Rates Policy-Draft \(9-25-13 Meeting\).doc](#)

This Report Action Item was approved.

5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[13-1392](#) Elimination of the Rental Rehabilitation Loan Program

Attachments: [CEDC Memo - Rental Rehab Program.docx](#)

This Report Action Item was approved.

6. MINUTES OF THE UTILITIES COMMITTEE

[13-1413](#)

Award High Pressure Aeration Piping Project to August Winter & Sons, Inc. in an amount of \$132,650 plus a 12% contingency of \$15,900 for a total not to exceed project cost of \$148,550.

Attachments: [Aeration Tank #2 Pipe Repair.doc](#)

This Report Action Item was approved.

[13-1359](#)

Amend 2013A/C contract with AECOM for Stormwater Plan reviews to decrease the contract by \$10,000 and amend 2013B Stormwater Consulting Services Contract to Endpoint Solutions for the Bellaire Ravine Drainage Area Study Update to increase the contract in an amount not to exceed \$10,000.

Attachments: [2013B Bellaire Drainage Study Amendment Memo.docx](#)

This Report Action Item was approved.

[13-1396](#)

Award Spectralink Phone System Wireless Access Points and configuration to Advanced Wireless in the amount of \$229,915.27 and a 10% contingency of \$22,992 for a project total not to exceed \$252,906.

Attachments: [Spectralink Access Points.doc](#)

This Report Action Item was approved.

7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

8. MINUTES OF THE BOARD OF HEALTH

9. MINUTES OF THE HUMAN RESOURCES COMMITTEE

[13-1367](#)

Request to approve United Health Care as the third party administrator for the City's medical plan for 2014.

Attachments: [UHC renewal for 2014.pdf](#)

This Report Action Item was approved.

[13-1408](#)

Request to approve Delta Dental as the third party administrator for the City's dental plan for 2014.

This Report Action Item was approved.

10. MINUTES OF THE FINANCE COMMITTEE

[13-1342](#)

The following 2013 Budget Adjustment be approved -

| | |
|------------------------------------|------------|
| Capital Projects - Public Safety | |
| Transfer out to TIF 8 - Riverheath | +\$350,000 |

| | |
|--------------------------------|------------|
| Capital Projects - TIF 8 | |
| Transfer in from Public Safety | +\$350,000 |

To reverse \$350,000 of the original 2012 General Obligation Proceeds reallocation for the \$1.6 million Riverheath Infrastructure Loan to account for the clarification that the lift station and force main are included as eligible costs. After this adjustment, the amount allocated to Riverheath from the 2012 General Obligation issue is \$1,100,000 leaving \$500,000 to be included in the 2014 General Obligation Issue for completion of the concrete. When the project was originally broken into two phases in December of 2012, \$850,000 of the 2012 proceeds was re-allocated to Public Safety Capital Fund for the radio project and included in the 2012-2013 carryover. This adjustment is required to complete the funding of the transaction for 2013 (2/3 vote required).

Attachments: [TIF 8.pdf](#)

This Report Action Item was approved.

[13-1351](#)

Request to approve recommendation to contract with CDW-G for replacement of network core and edge switches in the amount of \$216,337.68 plus a contingency of \$21,633.77 for a total not to exceed \$237,971.45.

Attachments: [Network Infrastructure Finance Memo.pdf](#)

This Report Action Item was approved.

[13-1381](#)

Request from Mr. Ryan Burington for waiver of his \$1,874.89 Concrete Paving Special Assessment bill for property located at 4841 N. Applebend Drive.

Attachments: [Request for Waiver of Paving Assessment - 4841 N Applebend.pdf](#)

This Report Action Item was approved.

[13-1382](#)

Request to award Unit U-13 Cherryvale Avenue Sewer, Water, Grading & Graveling to Carl Bowers & Sons Construction Company, Inc. in the amount of \$344,970.00 with a 10% contingency of \$35,000.00 for a project total not to exceed \$379,970.00.

Attachments: [Award of contract for Unit U-13 Cherryvale Ave Sewer Water Grade and Gravel.pdf](#)

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[13-1419](#)

Ordinance #83-13.

Attachments: [Ordinance going to 10-02-2013 Council.docx](#)

This Report Action Item was approved.

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

[13-1417](#)

The Council will meet in closed session to discuss status of labor negotiations, pursuant to the exemptions contained in State Statutes 19.85 (1) (c) and (e).

Alderson Martin moved, seconded by Alderson Croatt, that the Council meet in closed session, pursuant to the exemptions contained in State Statutes 19.85 (1) (c) and (e). Roll Call. Motion carried by the following vote:

Aye: 14 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Oswald, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck and Alderson Trauger

Excused: 2 - Alderson Garb and Mayor Hanna

[13-1418](#)

The Council will reconvene into an open session and conduct further business.

Alderson Spears moved, seconded by Alderson Croatt, to reconvene into open session. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Oswald, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck and Alderson Trauger

Excused: 2 - Alderson Garb and Mayor Hanna

T. ADJOURN

A motion was made by Alderperson Joe Martin, seconded by Alderperson Chris Croatt, to adjourn. The motion carried by the following vote:

Aye: 14 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

Excused: 2 - Alderperson Garb and Mayor Hanna

CHARLENE M. PETERSON, CMC/WCMC
City Clerk