

**City of Appleton**

**Meeting Minutes**

**Common Council**

Wednesday, June 5, 2013

7:00 p.m.

Council Chambers

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

The Invocation was given by Alderperson Dannecker.

The Mayor led the Pledge of Allegiance

**ROLL CALL OF ALDERPERSONS:**

PRESENT - Coenen, Dannecker, Garb, Hill, Jirschele, Konetzke, Lobner, Martin, Mettille, Oswald, Plank, Smith, Spears, Stueck.

EXCUSED – Croatt.

**ROLL CALL OF OFFICERS AND DEPARTMENT HEADS:**

Finance Director Remiker was excused.

**PUBLIC PARTICIPATION:**

Bob Phillips, 1777 North Mason Street – Bike Lanes on Mason Street

Kerry Williamsen, 209 North Mason Street – Bike Lanes on Mason Street

Tom Walsh, N320 Breezewood – Bike Lanes on Mason Street

Troy Kalwitz, 1728 North Mason Street – Bike Lanes on Mason Street

Lanette Martell, 708 North Fox Street – Bike Lanes on Mason Street

John Jungers, 1627 North Mason Street - Bike Lanes on Mason Street

Maureen Kalwitz, 1728 North Mason Street – Bike Lanes on Mason Street

7:25 p.m. – Mettille moved, seconded by Lobner, to extend time by 15 minutes. Voice vote. Motion carried.

Gwen Sargeant, 560 Grove Street – Bike Lanes on Mason Street

Robert Parish, 1900 South Memorial Drive – Bike Lanes on Mason Street

Don Geenen, 2208 South Horizon Drive – Bike Lanes on Mason Street

**APPROVAL OF MAY 15, 2013 MINUTES:**

Oswald moved, seconded by Mettill, to approve. Roll call vote. Minutes approved.

**BUSINESS PRESENTED BY THE MAYOR:**

None.

**PUBLIC HEARINGS:**

None.

**SPECIAL RESOLUTIONS:**

None.

**ESTABLISH ORDER OF THE DAY**

Spears requested that Item #13-368 be considered first.

#13-368 R/B – (5/15/13) Alderperson Spears – Installation of bike lanes on both sides of Mason Street, from Prospect Avenue to the north City limits, with a cross-section of 6-foot bike lanes and 12-foot travel lanes except on the EAST side of the 900 and 1000 north blocks where shared lanes are installed and from Lindbergh to the service road a bike lane shall be on the West side of Mason Street and a parking lane and bike lane shall be on the East Side. (00:35:26)

Konetzke moved, seconded by Oswald, Item #13-368 be approved.

Dannecker moved, seconded by Coenen, for the previous question. ROLL CALL VOTE - MOTION FAILED – QUESTION NOT CALLED. (00:36:21)

Discussion held on Item #13-368.

Spears moved, seconded by Smith, to amend item #13-368 to read as follows: “Installation of bike lanes on both sides of Mason Street, from Prospect Avenue to the north City limits, with a cross-section of 6-foot bike lanes and 12-foot travel lanes except on the West side of the 1700 block and on the east side of the 900,100 and 2100 north blocks where temporary shared lanes are installed until indented parking is constructed in those two blocks in 2014. From Lindbergh to Wisconsin that there is a dedicated six foot bike lane on the West of Mason Street, on the East side of Mason Street a bike lane will go from Mason to Brewster to Summit to Lindbergh with a straight shot back to Mason.

Discussion held on proposed amendment.

ROLL CALL ON AMENDMENT: Aye – 4/Stueck, Smith, Spears, Plank. Nay – 10. Excused – 1/Croatt. AMENDMENT FAILED.

Martin moved, seconded by Hill, for the previous question (Item #13-368 as reported out).

ROLL CALL VOTE ON CALL THE QUESTION: AYE – 9. NAY – 5. QUESTION NOT CALLED.

Discussion continued.

ROLL CALL ON MAIN MOTION – ITEM #13-368 AS REPORTED OUT: Aye – 9. Nay – 4/Stueck, Smith, Spears, Plank. Excused – 1/Croatt. ITEM #13-368 ADOPTED AS REPORTED OUT. (01:08:00)

### **REPORT OF THE BOARD OF PUBLIC WORKS**

13-625 Approve Intergovernmental Cooperation Agreement with the Village of Little Chute for the construction of Cherryvale Avenue.

13-630 Approve Land Dedication Agreement for Cherryvale Development with Hietpas Group.

13-631 Approve Change Order #1 to Contract 9-13 (Unit W-13) Sewer & Water Reconstruction No. 1 with Kruczek Construction, to increase for additional quantity of 12” storm sewer per City request in the amount of \$4,800.00 resulting in a decrease to contingency from \$30,000.00 to \$25,200.00. No change to overall contract amount.

Martin moved, seconded by Mettille, the Report be adopted. (01:09:43)

ROLL CALL: Aye – 14. Excused – 1/Croatt. Report adopted (01:10:34)

### **REPORT OF THE MUNICIPAL SERVICES COMMITTEE**

13-377 Request from Mark Behnke for a permanent street occupancy permit to install a ramp in the 20 foot street right-of-way behind 109 W. College Avenue with ramp materials to be approved by Parks, Recreation, Facilities and Grounds Director Gazza.

13-365 Request from ADI for a loading zone parking stall in Soldiers Square to replace stall number 131.

13-366 Approve Memorandum of Understanding YMCA parking Enforcement.

13-167 Approve proposed parking changes on Fifth Street between Walnut Street and Elm Street.

(ITEM #13-368 ADOPTED EARLIER IN THE MEETING)

13-368 R/B – (5/15/13) Alderperson Spears – Installation of bike lanes on both sides of Mason Street, from Prospect Avenue to the north City limits, with a cross-section of 6-foot bike lanes and 12-foot travel lanes except on the EAST side of the 900 and 1000 north blocks where shared

lanes are installed and from Lindbergh to the service road a bike lane shall be on the West side of Mason Street and a parking lane and bike lane shall be on the East Side.

Martin moved, seconded by Lobner, the Municipal Services Committee Report (Balance) be adopted. (01:10:48)

ROLL CALL ON BALANCE OF MUNICIPAL SERVICES COMMITTEE REPORT: Aye – 13. Nay – 1/Spears. Excused – 1/Croatt. BALANCE OF MSC REPORT APPROVED.

Smith moved, seconded by Spears, the Council Suspend its Rules to move Information Item 13-369 (Resolution #13-R-13/Jirschele) to an Action item. (01:16:10)

Discussion held on Suspending the Rules.

ROLL CALL ON SUSPENDING RULES: Aye – 5/Plank, Smith, Spears, Jirschele, Stueck. Nay – 9. Excused – 1/Croatt. RULES NOT SUSPENDED.

### **REPORT OF THE SAFETY AND LICENSING COMMITTEE:**

(ITEM #13-331 REFERRED BACK TO COMMITTEE)

13-331 Operator's License application of Brenda L. Gorges, 345 East Wisconsin Avenue, #A.

13-332 Operator's License application of Belinda F. Singh, 20 Bicentennial Court, B-1, Kaukauna.

13-333 Commercial Solicitation License application of Belinda F. Singh, 420 Bicentennial Court, B-1, Kaukauna

13-143 Operator's Licenses

13-287 2013-2015 Operator's License Renewal applications

13-288 2013-2014 Beer/Liquor License Renewal applications contingent upon department approvals.

13-378 Reserve "Class B" Beer/Liquor License application of Knotted Pianos, 215 East College Avenue

13-328 2013-2014 Taxicab Company/Limousine Service License Renewal applications contingent upon department approvals.

13-379 Salvage Dealer License Renewal application of Mach IV Motors, LLC, 724 S. Outagamie Street

13-329 Stipulation for Suspension of Class "A" Beer License of DK Petroleum, Inc., 2619 North Richmond Street for a period of ten days starting at 9:00 a.m. on Monday, June 10, 2013 through 9:00 a.m. on Thursday, June 20, 2013

Konetzke moved, seconded by Martin, the Safety and Licensing Committee Report be approved. (01:25:43)

Spears moved, seconded by Mettillie, a separate vote be taken on Item #13-331. Discussion held.

Smith requested that Item #13-331 be referred back to the Safety and Licensing Committee. SO REFERRED.

ROLL CALL ON BALANCE OF REPORT: Aye – 14. Excused – 1/Croatt. BALANCE OF REPORT ADOPTED. (01:35:26)

### **REPORT OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

13-641 Review and approve an update to the Riverheath Development Agreement.

Mettillie moved, seconded by Smith, the Community and Economic Development Committee Report be adopted. (01:35:15)

Discussion held on the Report.

ROLL CALL: Aye – 14. Excused – 1/Croatt. REPORT ADOPTED.

### **REPORT OF THE PARKS AND RECREATION COMMITTEE**

13-343 Request that Agreement with Bazil's Pub and Provisions and Olde Town Tavern for the use of Houdini Plaza BE APPROVED.

Konetzke moved, seconded by Mettillie, the Parks and Recreation Committee Report be approved. (01:38:50)

ROLL CALL: Aye – 14. Excused – 1/Croatt. REPORT ADOPTED.

### **REPORT OF THE HUMAN RESOURCES COMMITTEE**

13-324 Request to approve Teamster Valley Transit Tentative Agreement: 2013-2014 (0% and 2% lump sum); 2015-2016 (2% lump sum and 2% across the board adjustment)

Lobner moved, seconded by Smith, the Human Resources Committee Report be adopted. (01:40:12)

ROLL CALL: Aye – 14. Excused – 1/Croatt. REPORT ADOPTED.

### **REPORT OF THE FINANCE COMMITTEE**

13-626 Request to accept bid from Enterprise Systems Group in the amount of \$15,849 to complete final stage of phone system upgrade.

Konetzke moved, seconded by Mettillie, the Finance Committee Report be adopted. (01:41:33)

ROLL CALL: Aye – 14. Excused – 1/Croatt. REPORT ADOPTED.

**CONSOLIDATED ACTION ITEMS:**

None.

**ITEMS HELD:**

None.

**ORDINANCES**

13-624 Ordinance #21-13 through #37-13

Martin moved, seconded by Smith, Ordinances #21-13 through #37-13 be adopted and ordered published. (01:42:28)

ROLL CALL: Aye – 14. Excused – 1/Croatt. ORDINANCES ADOPTED AND ORDERED PUBLISHED.

**LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION (01:43:08)**

**RESOLUTIONS SUBMITTED BY ALDERPERSONS**

**MUNICIPAL SERVICES COMMITTEE**

1. #14-R-13/Smith, Stueck, Spears – “Whereas, the city of Appleton has approved a city wide master bike plan that is being reviewed by end of June 2013. Therefore, be it resolved that all occupants and owners residing in property in which any parking is removed by creation of any bike lane in the plan be notified by mail of such plans and the date that municipal services committee will review the plan.”

**FINANCE COMMITTEE**

1. #15-R-13/Spears – “Whereas, the city of Appleton has breached its promise to the citizens who own property on Mason Street that was reconstructed in 2004. Therefore, be it resolved that assessment that was paid be returned to the current owner of said property.”

**OTHER BUSINESS:**

Mettile submitted his letter of resignation today – effective June 20, 2013.

**ADJOURN**

Oswald moved, seconded by Mettill, the Council meeting adjourn. Voice vote. Motion carried. (01:55:08)

DRAFT