



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, September 16, 2015

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

Offered by Alderperson Lobner

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 13 - Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Polly Dalton, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

Excused: 2 - Alderperson Chris Croatt and Alderperson Ed Baranowski

Presiding: 1 - Mayor Timothy Hanna

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

PRESENT: Deputy City Clerk Sova, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community and Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Director of Parks, Recreation and Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Library Director Rortvedt, Director of Utilities Shaw

EXCUSED: Director of Information Technology Fox, Valley Transit General Manager Wetter

F. PUBLIC PARTICIPATION

Name - Address - Topic
Stevie Schmidt - 910 South Midpark Drive - Bees
Craig Skidmore - 1550 Acorn Court #20 - Cab License
Robert Klemp - 633 North Linwood Avenue - Hedge and Fence Removal
Anne Robinson - 331 East Hancock Street - Bees
Susan Farrar - 920 North Leminwah Street - Bees
Jennifer Stephany - 116 North Appleton Street - 2016 BID Plan

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-1443](#) Common Council Meeting Minutes from September 2, 2015

Attachments: [CC Minutes 09-02-2015.pdf](#)

Aldersperson Martin moved, seconded by Aldersperson Konetzke, that the Meeting Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Baranowski

Abstained: 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[15-1477](#) Appointment of Sonia Barham to the Fox Cities Transit Commission

Attachments: [CC 09-16-2015 - Committee Appt for Transit Commission.pdf](#)

Aldersperson Konetzke moved, seconded by Aldersperson Martin, that this appointment be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Baranowski

Abstained: 1 - Mayor Hanna

I. PUBLIC HEARINGS

[15-1478](#)

Public Hearing - Street Vacation - South Badger Avenue

Attachments: [CC 09-16-2015 - Public Hearing - Badger Avenue.pdf](#)

No person spoke for or against this item

J. SPECIAL RESOLUTIONS

[15-1480](#)

Final Resolution: South Badger Avenue

Attachments: [CC 09-16-2015 - Final Resolution - Badger Avenue.pdf](#)

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

Aye: 13 - Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Baranowski

Abstained: 1 - Mayor Hanna

K. ESTABLISH ORDER OF THE DAY

[15-1421](#)

****CRITICAL TIMING**** Annual review and request to approve the Business Improvement District (BID) 2016 Operating Plan

Attachments: [2016 BID Operating Plan Staff Report.pdf](#)

[2016 BID Operating Plan.pdf](#)

[2014 BID Annual Report.pdf](#)

[2014 Year End BID Communication Report.pdf](#)

[2014 Year End BID Financial Statements Report.pdf](#)

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

Aye: 13 - Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Baranowski

Abstained: 1 - Mayor Hanna

[15-1455](#)

Taxicab Driver's License application of Craig S. Skidmore, 1550 Acorn Court, Menasha.

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

Aye: 13 - Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Baranowski

Abstained: 1 - Mayor Hanna

[15-967](#)

Referral from City Plan Commission; Resolution #8-R-15 - Dalton/Meltzer

Amended Resolution #8-R-15 be amended as follows:

Whereas it has become popular for backyard gardeners to raise Mason Bees to aid in pollination of garden plants and backyard orchards; and

Whereas, since Mason Bees pose negligible stinging threat and provide significant benefits for the production of fruits and vegetables in backyards and community gardens,

Now, therefore, the Common Council of Appleton does amend the bee keeping ordinance to allow Mason Bees in any other zoned areas other than PI and urban farms.

Attachments: [Bee Resolution.pdf](#)
 [Bees in Residential Zone.pdf](#)
 [Beekeeping Permit Requirements .pdf](#)
 [Apiary Permit Application 2015.pdf](#)

Amendment 1 (Dalton): Amend Resolution #8-R-15 to revert back to the original resolution language allowing honey bees

After discussion on this item, Aldersperson Plank called the question and the vote was taken

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

Aye: 9 - Aldersperson Martin, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Siebers, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Nay: 4 - Aldersperson Dannecker, Aldersperson Spears, Aldersperson Plank and Aldersperson Konetzke

Excused: 2 - Aldersperson Croatt and Aldersperson Baranowski

Abstained: 1 - Mayor Hanna

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

Aye: 9 - Aldersperson Martin, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Siebers, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Nay: 4 - Aldersperson Dannecker, Aldersperson Spears, Aldersperson Plank and Aldersperson Konetzke

Excused: 2 - Aldersperson Croatt and Aldersperson Baranowski

Abstained: 1 - Mayor Hanna

[15-1431](#)

Request from Mr. Robert Klemp for a variance to the Street Terrace Policy for his fence and bushes outside of the 60-foot obstruction zone.

Attachments: [Robert Klemp-633 N Linwood.pdf](#)

This Report Action Item was referred to the Municipal Services Committee

[15-1425](#)

Award rehabilitation and painting of Water Plant Softener #4 to Howard Grote and Sons in the amount of \$248,806 with a 5% contingency of \$12,440 for a project total not to exceed \$261,246.

Attachments: [Softener Painting 09-02-15.pdf](#)

This Report Action Item was referred to the Utilities Committee

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 13 - Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Baranowski

Abstained: 1 - Mayor Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[15-1432](#)

Approve Amendment No. 3 to the Bloom Companies, LLC contract for the Jackman Street Shared Use Path Project to design modifications to the stairs so the decorative lights are integral to the stair structure in an amount not to exceed \$3,924.83 (Revised contract amount of \$91,500.83).

Attachments: [Bloom Companies-Jackman St.pdf](#)

This Report Action Item was approved.

[15-1433](#)

Approve Amendment No. 1 to the Collins Engineers, Inc contract for the Bridge Dive Inspections to design repairs needed to pier #1 of the Olde Oneida Street Bridge over the Fox River caused by scour in an amount not to exceed \$4,213.88 (Revised contract amount of \$28,188.86).

Attachments: [Collins Engineers Inc..pdf](#)

This Report Action Item was approved.

[15-1434](#)

Addition of bike lanes on Roemer Road between Glendale Avenue and Capitol Drive.

Attachments: [Bike lanes on Roemer Road.pdf](#)
[Boldt Company-Roemer Road.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[15-1410](#)

Salvage Dealer Renewal application of Mr C's Motorcycles, LLC, Janet L. Egelseer, Applicant, 724 S. Outagamie St., contingent upon approval from all departments.

This Report Action Item was approved.

[15-1412](#)

Salvage Dealer's License Renewal application of Appleton Aluminum Recycling Inc., Charles O. Desten, Applicant, 300 N. Kensington Dr., contingent upon approval from all departments.

This Report Action Item was approved.

[15-1416](#) Class "A" Beer License application of SG Petroleums LLC, d/b/a SG Petroleums, Suyash Goel, Agent, 2811 E. Newberry Street, contingent upon approval from all departments.

This Report Action Item was approved.

[15-1428](#) Taxicab Company and Limousine Service License application of Superior Transport, Lorenzo Jackson, Owner, 1365 Lucerne Drive, Menasha, contingent upon approval from all departments.

This Report Action Item was approved.

[15-1438](#) Operator's Licenses

Attachments: [Operator's Licenses for 9-9-15 S&L.pdf](#)

This Report Action Item was approved.

[15-1454](#) Taxicab Driver's License application of Michael L. Cotter, 1821 N. Racine Street.

This Report Action Item was approved.

[15-1444](#) Operator's License application of Brice A. Masters, 2833 Main Avenue, Kaukauna.

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[15-1367](#) Request to approve Special Use Permit #11-15 for alcohol sales and service for on-site consumption in conjunction with an existing day spa which will also be licensed as a restaurant, at 1024 S. Olde Oneida Street, as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report

Attachments: [SUP #11-15 #2 Staff Review.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE[15-1476](#)

Request to approve the following 2015 Budget Adjustment:

General Fund - Dept of Public Works

Miscellaneous State Aids	- \$25,000
Plant Material	+\$17,000
Herbicides/Pesticides	+\$ 1,000
Protective clothing/Equipment	+\$ 7,000

to recognize the grant award received from the Department of Natural Resources and request spending authority to purchase an Emerald Ash Borer treatment system, safety gear and additional trees to be planted to fill in urbanized areas.

Attachments: [DNR Grant.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**7. MINUTES OF THE UTILITIES COMMITTEE****8. MINUTES OF THE HUMAN RESOURCES COMMITTEE****9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION****10. MINUTES OF THE BOARD OF HEALTH****M. CONSOLIDATED ACTION ITEMS****O. ITEMS HELD****P. ORDINANCES**[15-1456](#)

Ordinances going to 09/16/2015 Council

Attachments: [Ordinances going to 09-16-2015 Council.pdf](#)

This Report Action Item was approved.

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

The meeting adjourned at 7:50 p.m.

Alderson Coenen moved, seconded by Alderson Lobner, that the meeting be adjourned. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderson Dannecker, Alderson Martin, Alderson Spears, Mayor Hanna, Alderson Dalton, Alderson Williams, Alderson Meltzer, Alderson Plank, Alderson Siebers, Alderson Konetzke, Alderson Mann, Alderson Coenen, Alderson Lobner and Alderson Jirschele

Excused: 2 - Alderson Croatt and Alderson Baranowski

Jamie L. Sova, Deputy City Clerk