



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, November 6, 2013

7:00 pm

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order at 7:32 P.M.*

B. INVOCATION

*Aldersperson Stueck 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, Fire Chief Vander Wyst, 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.*

*EXCUSED: Director of Human Resources Behnke and Health Officer Eggebrecht*

F. PUBLIC PARTICIPATION

*Name - Address - Topic*

*Sarah Ebertsch - 1122 West Weiland Lane - Operator's License*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[13-1624](#)

Approve October 16, 2013 Mid-Year Organizational Meeting Minutes and the October 16, 2013 Meeting Minutes.

**Attachments:**     [CC Minutes 10-16-2013 Org. Meeting.pdf](#)  
[CC Minutes 10-16-2013 7pm.pdf](#)

**Aldersperson Konetzke moved, seconded by Aldersperson Coenen, that the minutes be approved. Roll Call. 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

#### H. BUSINESS PRESENTED BY THE MAYOR

[13-1619](#)

Appointment of one member to fill the expired term of Daniel Densow: Scott J Nickel - Remainder of 2-year term to expire April 2014.

**Attachments:**     [CC 11-06-2013 Bd of Health Appointment.pdf](#)

**Aldersperson Spears moved, seconded by Aldersperson Croatt, that the appointment be approved. Roll Call. 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

[13-1620](#)

Appointment of Len Gestout, Alan Lemons, Brad McCarville, Pete Schwanke, Mike Spencer, Deb Toll, Mary Vandenberg & Tommy Wendt to the Golf Advisory Committee.

**Attachments:**     [CC 11-06-2013 Golf Advisory Committee Appointment.pdf](#)

**Aldersperson Smith moved, seconded by Aldersperson Croatt, that the appointment be approved. Roll Call. 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

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[13-1541](#)

Operator's License application of Sarah N. Ebertsch, 1122 W Weiland Lane.

**Aldersperson Spears 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 Hill, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

**Nay:** 1 - Aldersperson Jirschele

**Excused:** 2 - Aldersperson Garb and Mayor Hanna

[13-1523](#)

Request to Award "Memorial Park Restroom Facility" to "Ko-Bra Buildings" in the amount of \$258,975 with a 3% contingency of \$7,769 for a contract total not to exceed \$266,744 in addition to budget adjustment required (2/3 vote required).

Capital Projects Fund - Facilities and Construction Management

Buildings	+\$111,000
Fund Balance	- \$111,000

**Attachments:** [Memorial Park Restroom Facility Bid \(final\).doc](#)

**Aldersperson Martin moved, seconded by Aldersperson Plank, 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 Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears and Aldersperson Trauger

**Nay:** 1 - Aldersperson Stueck

**Excused:** 2 - Aldersperson Garb and Mayor Hanna

[13-1521](#)

Special Use Permit #14-13 - Wireless Planning, LLC, 1050 S. Grider Street (M-2 General Industrial District) to construct a 195' monopole wireless telecommunication tower with related ground equipment on the southern portion of the subject site. (Associated with Action Item #13- 1518)

**Attachments:** [Special Use 14-13 Attachment.pdf](#)

**Alderson Coenen moved, seconded by Alderson Plank, to suspend the rules to allow public comment. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderson Coenen, Alderson Croatt, 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

**Abstained:** 1 - Alderson Dannecker

**Lisa Carpiaux spoke regarding the cell towers.**

[13-1521](#)

Special Use Permit #14-13 - Wireless Planning, LLC, 1050 S. Grider Street (M-2 General Industrial District) to construct a 195' monopole wireless telecommunication tower with related ground equipment on the southern portion of the subject site. (Associated with Action Item #13- 1518)

**Attachments:** [Special Use 14-13 Attachment.pdf](#)

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

**Aye:** 13 - Alderson Coenen, Alderson Croatt, 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

**Abstained:** 1 - Alderson Dannecker

L. COMMITTEE REPORTS

**Balance of the action items on the agenda.**

**Alderson Spears moved, Alderson Plank seconded, to approve the balance of the action items on the agenda. The motion carried by the following vote:**

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

**Excused:** 2 - Alderperson Garb and Mayor Hanna

**1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[13-1462](#) R/B-Oswald-Operator's License application of Brandon D. Abrahamzon, 511 N. Wisconsin Avenue.

**This Report Action Item was approved.**

[13-1543](#) Operator's License application of Matthew J. Vandenberg, 400 N Richmond Street, #404.

**This Report Action Item was approved.**

[13-1544](#) Operator's Licenses.

**Attachments:** [Operator's Licenses for 10-24-13 S & L.pdf](#)

**This Report Action Item was approved.**

**2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[13-1444](#) R/B-Smith-Proposed modifications to Municipal Code Section 16-10 Snow and Ice Removal.

**Attachments:** [Amendment Municipal Code 16-10.pdf](#)

**This Report Action Item was approved.**

**3. MINUTES OF THE CITY PLAN COMMISSION**

**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**

**5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

[13-1554](#) Appeal to Current Subordination Policy

**Attachments:** [CDC Memo - subordination3.docx](#)

[Subordination Policy 2009.docx](#)

**This Report Action Item was approved.**

6. MINUTES OF THE UTILITIES COMMITTEE
7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION
8. MINUTES OF THE BOARD OF HEALTH
9. MINUTES OF THE HUMAN RESOURCES COMMITTEE
10. MINUTES OF THE FINANCE COMMITTEE

[13-1506](#)

Request to approve the following 2013 Budget adjustment:

General Fund

Facilities Charges - Parks	+\$140,000
Facilities Charges - Recreation	- \$10,000
Facilities Charges - MSB	- \$45,000
Facilities Charges - City Center	- \$85,000

To transfer funds from other City facilities charges to cover the cost of higher priority Park facility maintenance projects (2/3 vote required).

**Attachments:**     [2013 Facilities Charges Budget Adjustment rev 2.doc](#)  
[FMD Charge Estimate 2013 Gen Fund.xlsx](#)

**This Report Action Item was approved.**

[13-1520](#)

Request to award "Appleton MSB Boiler Replacement" to J. F. Ahern Co. for a contract amount of \$41,436.

**Attachments:**     [MSB Boiler Approval.docx](#)

**This Report Action Item was approved.**

[13-1443](#)

Approve Contract Amendment and Change Order No. 1 to Contract 22-13 for Unit U-13 Cherryvale Avenue Sanitary, Storm, Water Main, Grading & Graveling with Carl Bowers & Sons Construction Co., Inc. to increase for changes to the size of storm laterals and water services made by the landowner and the addition of a 42" storm sewer to serve areas to the west in the amount of \$13,909.00 resulting in no change to contract contingency. Overall Contract Amount to increase from \$344,970.00 to \$358,879.00.

**Attachments:**     [Unit U-13 Contract Amendment - Change Order No.1.pdf](#)

**This Report Action Item was approved.**

[13-1617](#)

Recommendation to sole source purchase \$35,771 of external camera equipment Avigilon Video Management System (VMS) from Lappen Security in Little Chute, WI.

**Attachments:**    [VMS Memo 2.docx](#)  
                                  [Camera's for Exterior PD 5mp.pdf](#)

**This Report Action Item was approved.**

[13-1623](#)

The following 2013 Budget Adjustment be approved -

General Fund - Health	
Other reimbursements	+\$18,700
Salaries and benefits	+\$18,700

To record funds to be received to increase the hours of the Onedia Heights nursing services (2/3 vote required).

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[13-1621](#)

Ordinances #91-13 through 97-13.

**Attachments:**    [Ordinances going to 11-06-2013.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

T. ADJOURN

*The meeting adjourned at 8:07 P.M.*

**A motion was made by Alderperson Chris Croatt, seconded by Alderperson Curt Konetzke, that the meeting be adjourned. 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