



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, September 21, 2016

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:08 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Jirschele.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Mayor Timothy Hanna

Excused: 1 - Alderperson Margaret Mann

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Clerk Lynch, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief VanderWyst, Health Office Eggebrecht, Director of Information Technology Fox, Director of Parks, Recreation, & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Utilities Shaw, Valley Transit General Manager McDonald

F. PUBLIC PARTICIPATION

The following spoke during Public Participation:

*Michelle Tegen, 1556 E Moon Beam Trail Re: Item 16-1436 Operator's License
Paul Thompson, 1036 E North St Re: Item 16-1418 Mary Street Reconstruction
Tom Harrasch, 517 N Mary St Re: Item 16-1418 Mary Street Reconstruction
Jennifer Stephany, 3209 S White Birch Re: Item 16-1386 BID Operating Plan*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-1486](#)

Common Council Meeting Minutes of September 7, 2016

Attachments: [CC Minutes 9-7-16.pdf](#)**Aldersperson Baranowski moved, seconded by Aldersperson Dannecker, that the Minutes be approved. Roll Call. Motion carried by the following vote:****Aye:** 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Chris Croatt**Excused:** 1 - Aldersperson Margret Mann**Abstained:** 2 - Aldersperson Cathy Spears and Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[16-1485](#)

Presentation of J.J. Keller Family Foundation Day Proclamation

This Presentation was presented[16-1484](#)

Presentation by Fox Cities Regional Partnership

This Presentation was presented

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[16-1435](#)

Resolution Declaring a Change of the District 4 Polling Place to Memorial Presbyterian Church located at 803 E College Ave.

Attachments: [2016 Resolution Changing District 4 Polling Place.pdf](#)**Aldersperson Baranowski moved, seconded by Aldersperson Croatt, that the Resolution be approved. Roll Call. Motion carried by the following vote:****Aye:** 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt**Excused:** 1 - Aldersperson Margret Mann**Abstained:** 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[16-1418](#)

Mary Street, from North Street to Pacific Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 26', which is 1' narrower than the existing street. The curb and gutter along the east side of Mary Street will be narrowed by 1', which will save 5 existing street trees along the east side of the street. Parking would be prohibited along the east side of Mary Street within the project limits.

Attachments: [Attachment regarding trees.pdf](#)

Aldersperson Meltzer moved, seconded by Aldersperson Plank, that the Report Action Item be amended to narrow the West side of the street by 1 foot to save the more mature trees on that side of the street and remove the trees on the East side of the street which are under/near power lines. Roll Call. Motion to amend failed by the following vote:

Aye: 3 - Aldersperson Kathleen Plank, Aldersperson Patti Coenen and Aldersperson Vered Meltzer

Nay: 11 - Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Margret Mann

Abstained: 1 - Mayor Timothy Hanna

Aldersperson Konetzke referred this item back to the Municipal Services Committee.

This Report Action Item was referred to the Municipal Services Committee due back on 9/27/2016.

[16-1417](#)

Catherine Street, from Washington Street to North Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. New concrete sidewalk would be constructed along the east side of Catherine Street from Franklin Street to Eldorado Street. Existing parking provisions within the project limits will remain unchanged.

This was referred back to Committee by Aldersperson Meltzer.

This Report Action Item was referred to the Municipal Services Committee due back on 9/27/2016.

[16-1377](#)

City Program Funding Approval and City Proposals for 2017 CDBG Funding

Attachments: [Dept Proposals CEDC memo.pdf](#)

This item was referred back to Committee by Alderperson Lobner.

This Report Action Item was referred to the Community & Economic Development Committee due back on 9/28/2016.

[16-1436](#)

Operator's License application of Michelle L. Tegen, 1556 E. Moon Beam Trail.

Attachments: [Michelle Tegen.pdf](#)

This item was referred back to Committee by Alderperson Jirschele.

This Report Action Item was referred to the Safety and Licensing Committee due back on 9/28/2016.

[16-1467](#)

Request to approve the offer to purchase of 210 W. Edgewood Drive in the Town of Grand Chute and authorize the budget adjustment from the Industrial Park Land Fund for the associated acquisition and due diligence costs not to exceed \$610,000.00

Attachments: [Memo to CEDC & Finance on Purchase of 210 W Edgewood Dr.pdf](#)
[210EdgewoodAirPhoto.pdf](#)
[210EdgewoodMap.pdf](#)
[Future Land Use Revise6 16.pdf](#)
[210 W Edgewood Accepted Offer.pdf](#)

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

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 1 - Alderperson Margret Mann

Abstained: 1 - Mayor Timothy Hanna

[16-1487](#)

Request to approve the following 2016 Budget adjustment:

Industrial Park Land Fund

Land	+\$610,000
Fund Balance	- \$610,000

to record funds for the purchase of 210 W Edgewood Drive (2/3 vote required)

Attachments: [Memo to CEDC & Finance on Purchase of 210 W Edgewood Dr.pdf](#)
[210EdgewoodAirPhoto.pdf](#)
[210EdgewoodMap.pdf](#)
[Future Land Use Revise6 16.pdf](#)
[210 W Edgewood Accepted Offer.pdf](#)

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

Aye: 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Margret Mann

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Margret Mann

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-1336](#)

Request from Brad Engel for a variance to extend the driveway at 1813 N. Charlotte Street 10 feet into the front yard.

Attachments: [1813 N Charlotte Street-driveway.pdf](#)

This Report Action Item was approved.

[16-1411](#)

Approve City of Appleton Downtown Business Access Assistance Policy.

Attachments: [Appleton Downtown Business Access Assistance Policy.pdf](#)

This Report Action Item was approved.

[16-1413](#)

Lynndale Drive, from Leonard Street to Everett Street, be reconstructed with concrete pavement to a width of 41' from back of curb to back of curb, which is 8' narrower than the existing street. New concrete sidewalk would be constructed along both sides of Lynndale Drive within the project limits at all locations where existing sidewalk does not exist. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[16-1414](#)

Lincoln Street, from Olde Oneida Street to approximately 230' east of Olde Oneida Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 37' from back of curb to back of curb, which is 4' wider than the existing street. Lincoln Street, from approximately 230' east of Olde Oneida Street to Madison Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[16-1415](#)

Marquette Street, from Division Street to Oneida Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[16-1416](#)

Summer Street, from Morrison Street to Drew Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 35' from back of curb to back of curb, which is 2' narrower than the existing street. Summer Street, from Drew Street to Union 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 4' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[16-1419](#)

The alley west of Perkins Street, from Charles Street to Perkins Street, be reconstructed with concrete pavement to a width of 20' from edge of pavement to edge of pavement, which is the same width as the existing alley. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[16-1420](#)

Kamps Avenue, from Fire Station #5 to Douglas Street, be reconstructed with concrete pavement to a width of 29' from back of curb to back of curb, which is 4' wider than the existing street. New concrete sidewalk would be constructed along the south side of Kamps Avenue within the project limits. Parking would be prohibited along the south side of Kamps Avenue within the project limits.

This Report Action Item was approved.

[16-1421](#)

Drew Street, from Glendale Avenue to Pershing 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. Curb bumpouts would be constructed at the intersections with Marquette Street, Byrd Street, and Lindbergh Street to improve the pedestrian safety along Drew Street adjacent to Franklin Elementary School. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[16-1422](#)

Sanders Street, from Seymour Street to Verbrick Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[16-1423](#)

Reeve Street, from Linwood Street to Winnebago Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 27' from back of curb to back of curb, which is 1' narrower than the existing street. The curb and gutter along the north side of Reeve Street will be narrowed by 1', which will save 7 existing street trees along the north side of the street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[16-1424](#)

Winnebago Street, from Linwood Street to Badger Avenue, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[16-1426](#) Approve Amendment No. 1 to the Collins Engineers, Inc. Contract for the Movable Bridge Inspections to design repairs needed for the trunnion foundation and a girder drainage protection system for the Olde Oneida Street Bridge over the Navigational Canal in an amount not to exceed \$7,620 (revised contract amount of \$87,620).

Attachments: [Collins Engineers.pdf](#)

This Report Action Item was approved.

[16-1427](#) Approve No Parking Zone on Harrison Street, east of Oneida Street.

Attachments: [No Parking Zone Harrison Street.pdf](#)

This Report Action Item was approved.

[16-1428](#) Approve traffic related ordinance changes for the John Street Reconstruction Project from Banta Court to Matthias Street.

Attachments: [Traffic related ordinance change John Street.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-1345](#) "Class A" Beer/Liquor License - Change of Agent of Ultimate Mart LLC, d/b/a Pick 'N Save #8187, Kenneth A. Voss, Agent, 511 W. Calumet St., contingent upon approval from the Police Department.

This Report Action Item was approved.

[16-1354](#) Class "A" Beer License - Change of Agent of Kwik Trip Inc., Bryan D. Hartjes, Agent, 4085 E. Calumet St., contingent upon approval from the Police Department.

This Report Action Item was approved.

[16-1355](#) Taxi Cab Company and Limousine Service application of Mo's Taxi Service, Momodou Sanneh, 1524 Schaefer Circle, #6, contingent upon approval from all departments.

This Report Action Item was approved.

[16-1361](#) "Class B" Beer/Liquor License Change of Premise Description of TNE, Inc. d/b/a Emmetts Bar & Grill, Sharon L. Reader, Agent, 139 N. Richmond St., for events on September 23 & 24, 2016, contingent upon approval from all departments.

Attachments: [Change of Description-Emmetts Bar & Grill.pdf](#)

This Report Action Item was approved.

[16-1365](#) Operator's Licenses

Attachments: [Operator's Licenses for 9-14-16 S & L.pdf](#)

This Report Action Item was approved.

[16-1406](#) Request to Modify the Training Tower Capital Improvement Project

Attachments: [2016 CIP Project Modification - Training Tower upgrade.pdf](#)

This Report Action Item was approved.

[16-1434](#) Operator's License application of John W. Moreland, 4 Sherman Place.

Attachments: [John Moreland.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[16-1384](#) Request to approve the dedication of land for public right-of-way for Spartan Drive, Sommers Drive and Haymeadow Avenue as shown on the attached maps

Attachments: [StaffReport_StreetDedication_Spartan-Sommers-Haymeadow.pdf](#)

This Report Action Item was approved.

[16-1385](#) Request to approve the dedication of land for public right-of-way for N. Meade Street and Spartan Drive as shown on the attached maps

Attachments: [StaffReport_MeadeStSpartanDr_StreetDedication_For09-12-16.pdf](#)

This Report Action Item was approved.

[16-1386](#)

****CRITICAL TIMING**** Annual review and request to approve the Downtown Appleton Business Improvement District (BID) 2017 Operating Plan

Attachments: [StaffReport_2017BIDOperatingPlan_For09-12-16.pdf](#)
[2017 BID Operational Plan.pdf](#)
[2015 BID Annual Report.pdf](#)
[2015 Year End BID Communication Report.pdf](#)
[2015 Year End BID Financial Statements Report.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[16-1324](#)

Request to reject awarding Water Garden Redevelopment Project at the Scheig Center in Memorial Park to Solutions 101, Inc. for a contract amount of \$164,608.66.

Attachments: [2016 Scheig Center Water Recommendation with Rettler Letter \(8-23-16\).pdf](#)

This Report Action Item was approved.

[16-1401](#)

Approve Contract Amendment and Change Order No. 1 to contract 33-16 for Unit X-16 Sewer & Water Reconstruction No.2 for additional stone backfill material required on Glendale Avenue due to extremely unstable soil conditions encountered during construction in the amount of \$60,000 resulting in a decrease to contingency from \$46,000 to \$1,000. Overall contract increased from \$1,721,570 to 1,736,570.

Attachments: [Contract Amendment and Change Order No.1 Unit X-16.pdf](#)

This Report Action Item was approved.

[16-1402](#)

Award Unit O-16 Sanitary Sewer and Storm Sewer CIPP Lining to Insituform Technologies USA, LLC in the amount of \$121,131.50 with a 10% contingency of \$12,000 for a project total not to exceed \$133,131.50.

Attachments: [Insitu Form Award 2016.pdf](#)

This Report Action Item was approved.

[16-1403](#)

Award Unit Z-16 Sewer and Water Main Reconstruction No. 3 to Carl Bowers & Sons Construction Co, Inc. in the amount of \$813,365 with a 4.2% contingency of \$34,000 for a project total not to exceed \$847,365.

Attachments: [Bowers Award 2016.pdf](#)

This Report Action Item was approved.

[16-1404](#)

Request to approve revisions to the Procurement Card Policy.

Attachments: [Procurement Card Policy Changes 2016.pdf](#)

This Report Action Item was approved.

[16-1407](#)

Request to award the contract for the 2016 D-Building Lab Remodel project at the Wastewater Treatment Plant to Cardinal Construction Co, Inc in the amount of \$104,765 with a contingency of \$5,000 for a contract total not to exceed \$109,765, and approve the following 2016 Budget adjustment:

Wastewater Utility Capital Projects

D-Building Lab Remodeling Project	+\$28,000
Belt Filter Press Electrical Improvement Project	- \$21,000
Plumbing Improvement Project	- \$7,000

to transfer positive budget variance from Belt Filter Press and Plumbing projects to the D-Building Lab Remodeling Project.

Attachments: [2016 WW D-Building Lab Remodel award.pdf](#)

This Report Action Item was approved.

[16-1408](#)

Request to award contract for the 2016 Parks LED Lighting Upgrade project to Van Ert Electric Company, Inc in the amount of \$87,500 with a contingency of \$4,000 for a contract total not to exceed \$91,500, and approve the following 2016 Budget adjustment:

Facilities Capital Projects

Police Station Deck Repairs Project	- \$18,000
LED Lighting Upgrade Project	+\$18,000

to transfer positive budget variance from the Police Station Deck Repairs project to the LED Lighting Upgrade project.

Attachments: [2016 Parks LED Lighting award.pdf](#)

This Report Action Item was approved.

[16-1409](#)

Request to award the contract for 2016 Hardscape Repairs Project to MCC, Inc in the amount of \$118,723.72 with a contingency of \$3,800 for a project not to exceed \$122,523.72.

Attachments: [2016 Hardscapes Project Award.pdf](#)

This Report Action Item was approved.

[16-1425](#)

Request to award contract for the 2016 Wastewater Hardscape Repairs project to MCC, Inc in the amount of \$118,030.62 with a contingency of \$17,000 for a project not to exceed \$135,030.62.

Attachments: [WW Hardscapes Project.pdf](#)

This Report Action Item was approved.

[16-1430](#)

Request to award contract for 2016 Transit Center Roof Repairs project to Northern Metal and Roofing Co, Inc in the amount of \$31,545 with a contingency of \$5,000 for a project not to exceed \$36,545.

Attachments: [2016 Transit Center Roof Replacement.pdf](#)

This Report Action Item was approved.

[16-1433](#)

Request to approve \$1,232,156 advance from the general fund to TIF 6 for 2016 capital costs.

Attachments: [TIF 6 Advance 2016.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[16-1312](#)

Request to approve the Alexander Company & Iconica Development Agreement for Eagle Point for an approximate 8.1 acre site at 935 E. John Street in Tax Increment Financing District No. 8

Attachments: [Memo on Alexander Co Iconica Development Agreement for E John Street.pdf](#)
[Eagle Point Development Agreement FINAL 9-16-16.pdf](#)
[TIF8.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[16-1392](#)

Award Matthias Tower Construction Contract to Maguire Iron, Inc. in the amount of \$94,200 with a 10% contingency of \$9,420 and a total not to exceed \$103,620.

Attachments: [Matthias Tower Construction Award Memo.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

[16-1389](#)

Noise Variance Request - Unit O-16 Sanitary & Storm Sewer

Attachments: [Noise Variance Request - Unit O-16 Sanitary & Storm Sewer.pdf](#)

This Report Action Item was approved.

- M. CONSOLIDATED ACTION ITEMS
- N. ITEMS HELD
- O. ORDINANCES
- P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION
- Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION
- R. OTHER COUNCIL BUSINESS
- S. CLOSED SESSION
- T. ADJOURN

Alderman Baranowski moved, seconded by Alderman Coenen, that the meeting be adjourned at 8:05 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderman Kathleen Plank, Alderman William Siebers, Alderman Curt Konetzke, Alderman Ed Baranowski, Alderman Patti Coenen, Alderman Kyle Lobner, Alderman Jeffrey Jirschele, Alderman Matt Reed, Alderman Vered Meltzer, Alderman Joe Martin, Alderman Greg Dannecker, Alderman Christine Williams, Alderman Cathy Spears, Alderman Chris Croatt and Mayor Timothy Hanna

Excused: 1 - Alderman Margret Mann

Kami Lynch, City Clerk