



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, June 1, 2016

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Council President Plank.

B. INVOCATION

The Invocation was given by Alderperson Meltzer.

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 Margret Mann, 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 - Mayor Timothy Hanna

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Clerk Lynch, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community and Economic Development Harkness, Director of Finance Saucerman, Battalion Chief Young, Health Officer Eggebrecht, Director of Information Technology Fox, Director of Parks, Recreation and Facilities Gazza, Police Captain Freeman, Director of Public Works Vandehey, Director of Utilities Shaw, Valley Transit Asst. General Manager Sandmeier, Library Director Rortvedt

F. PUBLIC PARTICIPATION

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-871](#)

Common Council Meeting Minutes of May 18, 2016

Attachments: [CC Minutes 5-18-16.pdf](#)

Alderperson Baranowski moved, seconded by Alderperson Croatt, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - 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 Cathy Spears and Alderperson Chris Croatt

Excused: 1 - Mayor Timothy Hanna

Abstained: 2 - Alderperson Margret Mann and Alderperson Christine Williams

H. BUSINESS PRESENTED BY THE MAYOR

[16-820](#) Presentation of Chad Brady Public Art Day Proclamation

[16-869](#) Committee Reappointments:
Paul McCann to the Board of Zoning Appeals
Brian Looker to the Library Board

Attachments: [COMM REAPPOINTS BD OF ZONING APPEALS LIBRARY BD 060116.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Baranowski, that the Committee Reappointments 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 Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 1 - Mayor Timothy Hanna

Abstained: 1 - Alderperson Jeffrey Jirschele

[16-870](#) Fox Cities Transit Commission Appointments:
Larry Carey Appointment
Joel Gregozeski Reappointment

Attachments: [COMMITTEE APPT FOR INFORMATION TRANSIT COMM 060116.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Coenen, that the Appointments be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, 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 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

[16-858](#) Public Hearing Notice Rezoning #3-16

Attachments: [Public Hearing RZ .pdf](#)

The Public Hearing was held. No person spoke for or against this item.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[16-822](#) Approve May 2016 Revisions to Stormwater Utility Credit Policy.

Attachments: [Memo Credit Policy Approval 05-24-2016.pdf](#)
[2016 Revised Stormwater Utility Credit Policy Combined.pdf](#)

Aldersperson Baranowski referred this item back to the Utilities Committee.

This Report Action Item was referred to the Utilities Committee

[16-830](#) Request from Fox Valley Nursery, Inc. for a street occupancy permit to use the Prospect Avenue 1-foot terrace adjacent to Jones Park as a soils testing site for the Marigold Mile for a two year period.

Attachments: [Fox Valley Nursery.pdf](#)

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

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, 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

Absent: 1 - Mayor Timothy Hanna

[16-859](#)

Request from Darrle Hoernke, 1827 S Madison Street, for a variance to Municipal Code 19-91(f)(5) to extend his driveway eight (8) feet into the front yard.

Attachments: [1827 S Madison variance request.pdf](#)

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

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, 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

Absent: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, 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 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-790](#)

Pet Store/Kennel License Renewal application of HSA Corporation d/b/a Pet Supplies Plus, Chad Bush, Applicant, 702 W. Northland Ave., contingent upon approval from all departments.

This Report Action Item was approved.

[16-791](#) Salvage Dealer's License Renewal application of Mach IV Motors LLC, Kara L. Tullberg, applicant 600 E. Hancock St. contingent upon approval from all departments.

This Report Action Item was approved.

[16-794](#) Taxi Cab Company and Limousine Service renewal application of Apple Valley Taxi LLC, James D. Jacobs, 1831 N. Bennett Street, contingent upon approvals from all departments.

This Report Action Item was approved.

[16-803](#) "Class B" Beer/Liquor License Change of Premise Description of Axelrod LLC, d/b/a Ambassador, Jordan Hereford, Agent, 117 S. Appleton St. for the dates of July 17, September 23 & 24, 2016, contingent upon approval from all departments.

This Report Action Item was approved.

[16-805](#) Taxi Cab Company and Limousine Service renewal application of People Movers Inc./Appletn Yellow Taxi Co., Paul O. Davies, 705 W. Wisconsin Avenue, contingent upon approvals from all departments.

This Report Action Item was approved.

[16-826](#) Taxi Cab Company and Limousine Service renewal application of Dynasty Limousine Service LLC, Diand and John Wolters, 314 E. Wilson Avenue, contingent upon approvals from all departments.

This Report Action Item was approved.

[16-827](#) 2016-2017 Beer/Liquor License Renewal applications, contingent upon approval from all departments.

Attachments: [2016-2017 Beer Liquor License Renewals.docx](#)

This Report Action Item was approved.

[16-828](#) "Class B" Beer/Liquor License Change of Premise Description of Theadocia LLC d/b/a SPATS, Julie A. Neubert, Agent, 733 W. College Ave., for the dates of August 4 - 7, 2016, contingent upon approval from all departments.

This Report Action Item was approved.

[16-842](#) Salvage Dealer's License Renewal application of Mr. C's Motorcycles LLC, Eric E. Egelseer, Applicant, 724 S. Outagamie St., contingent upon approval from all departments.

This Report Action Item was approved.

[16-853](#) Review of Changes to General Policy Statement on Beer/Liquor Licensing

Attachments: [LIQUOR LICENSE POLICY 2016 with edits.pdf](#)

This Report Action Item was approved.

[16-854](#) Operator's Licenses

Attachments: [Operator's Licenses for 5-25-16 S & L.pdf](#)

This Report Action Item was approved.

[16-855](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 5-25-16 S & L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[16-620](#) Request to approve Rezoning #3-16 to rezone the subject site located on E. Broadway Drive (Tax Id #31-1-9310-11 and #31-1-9310-12) from AG Agricultural District to R-1A Single-Family District as shown on the attached maps

Attachments: [StaffReport_Kurey Property_Broadway Dr_Rezoning.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[16-817](#) Request to declare contractor in default and terminate contract for Municipal Services Building Trench Drain Reconstruction to Wood Sewer & Excavating, Inc in the amount of \$199,660.

Attachments: [2016 Municipal Services Trench Drain Contract Cancellation.pdf](#)

This Report Action Item was approved.

[16-818](#) Request to approve the following 2016 Budget adjustment:

Facilities Capital Projects Fund

Alicia Park Hill Slope Project	+\$32,000
Park Pavilion Roofs Project	- \$32,000

to reallocate positive budget variance from the Park Pavilion Roofs project to the Alicia Park Hill Slope Project.

Attachments: [2016 Roof Replacement-Alica Hillside Budget Adjustment.pdf](#)

This Report Action Item was approved.

[16-857](#) Request to award Unit E-16 miscellaneous street and excavation repairs to Al Dix Concrete Inc. in an amount not to exceed \$497,000.

Attachments: [Award of Contract E-16.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[16-850](#) Request to accept the basic terms of the Letter of Intent from Esler Commercial dated May 13, 2016 and direct staff to continue to negotiate terms toward offer to purchase for approximately 7.3 acres of the southern half of Lot 20 of Southpoint Commerce Park

Attachments: [Memo re Letter of Intent 5-20-16 docx.pdf](#)

[Letter of Intent - Southpoint Commerce 5-18-16.pdf](#)

[Southpoint_Subject7 3Acres.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[16-823](#) Revision to Chapter 24 of the Municipal Code for Erosion and Sediment Control.

Attachments: [Erosion Control Ord - Redlined - 05-17-2016.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[16-834](#) Authorization to Award a Contract to Lamers Bus Lines for the Provision of Downtown Trolley Service

Attachments: [Award 2016 Trolley Contract.pdf](#)

This Report Action Item was approved.

[16-835](#) Octoberfest Fares

Attachments: [Octoberfest Fares.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[16-856](#) Ordinance 46-16

Attachments: [Ordinance going to Council 06-01-16.pdf](#)

This Report Action Item was approved.

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

#7-R-16

Submitted by Alderperson Meltzer & Alderperson Reed

*Whereas our parks are a valuable community resource, and
Whereas the current ban on dogs in parks restricts access of many members of the community who would otherwise responsibly enjoy this resource,
Therefore be it resolved that the City of Appleton allow dogs in parks under full control of a collared leash by the owner at all times.*

Referred to the Parks & Recreation Committee

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

T. ADJOURN

Alderperson Baranowski moved, seconded by Alderperson Martin, that the meeting be adjourned at 7:22 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, 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 - Mayor Timothy Hanna

Kami Lynch, City Clerk