



# City of Appleton

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

## Meeting Minutes Common Council

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Wednesday, March 19, 2014

7:00 pm

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order at 7:01 P.M.*

B. INVOCATION

*Aldersperson Jirschele offered the Invocation.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 14 - Aldersperson Patti Coenen, Aldersperson Chris Croatt, Aldersperson Greg Dannecker, Aldersperson Jeffrey Jirschele, Aldersperson John Robin Hill, Aldersperson Kyle Lobner, Aldersperson Joe Martin, Aldersperson Kathleen Plank, Aldersperson Michael Smith, Aldersperson Cathy Spears, Aldersperson Peter Stueck, Mayor Timothy Hanna, Aldersperson Tim Trauger and Aldersperson Polly Dalton

**Excused:** 2 - Aldersperson Sarah Garb and Aldersperson Curt Konetzke

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, Interim Finance Director Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Police Chief Helein, Director of Public Works Vandehey, Director of Information Technology Fox, Director of Utilities Shaw, Library Director Rortvedt.*

*EXCUSED: Director of Parks, Recreation and Facilities Gazza, Valley Transit General Manager Wetter*

## F. PUBLIC PARTICIPATION

*Name - Address - Topic*

*Michael L. Kading - Appleton Road - Bike Lanes*

*Mario Maggiorana - 1715 S. Hycrest Drive - Garbage Pick-up*

*Elizabeth Laux - 303 S. Walnut Street - Noise Variance*

**MOTION TO SUSPEND THE RULES TO ALLOW ADDITIONAL TIME FOR PUBLIC PARTICIPATION**

*Cheryl Zadrzil - 2920 W. Heritage Avenue - Bike Lanes*

*David Babcock - 511 E. South River Street - Bike Lanes*

*Jan Heifner - 2911 W. Heritage Avenue - Bike Lanes*

*Richard Gosse - 1334 W. Cloverdale Drive - Bike Lanes*

*Bob Phillips - 1737 N. Mason Street - Bike Lanes*

**MOTION TO SUSPEND THE RULES TO ALLOW ADDITIONAL TIME FOR PUBLIC PARTICIPATION**

*Terry Dawson - 907 N. Fair Street - Bike Lanes*

*Gary Pire - 618 E. Fremont Street - Bike Lanes*

*Tricia Kissinger - 134 S. Alicia Drive - Bike Lanes*

*Paul Kuehn - 2319 S. Telulah Avenue - Bike Lanes*

*John Cuff - 401 E. Apple Creek Road - Bike Lanes*

*Kerry Williamsen - 209 N. Mason Street - Bike Lanes*

**MOTION TO SUSPEND THE RULES TO ALLOW ADDITIONAL TIME FOR PUBLIC PARTICIPATION**

*Bob Parish - 2324 S. Carpenter Street - Bike Lanes*

*Jennifer Stephany - 116 N. Appleton Street - Noise Variance, Farm Market Application*

*Mary Pat Kuen - 715 S. Lilas Drive - Noise Variance*

*Jean Detjen - 17 Crestview Court - Noise Variance*

*Ronna Swift - 230 W. Seymour Street - Noise Variance*

*Patti Coenen - 410 W. Prospect Avenue - Noise Variance*

## G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

**14-487** Approve March 5, 2014 Council Meeting Minutes.

**Attachments:** [CC Minutes 03-05-2014.pdf](#)

**Aldersperson Dannecker moved, seconded by Aldersperson Stueck, that the minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck, Aldersperson Trauger and Aldersperson Dalton

**Excused:** 3 - Aldersperson Garb, Aldersperson Konezke and Mayor Hanna

## H. BUSINESS PRESENTED BY THE MAYOR

**14-485**            Announcement of the winning poems for the 2014 Sidewalk Poetry Program.

**14-494**            Presentation of International Day of Happiness Recognition.

I.    PUBLIC HEARINGS

**14-498**            Public Hearing for Rezoning #2-14 2000 Block of Plank Road.

**Attachments:**    [CC 03-19-2014 - Public Hearing - RZ #2-14.pdf](#)

*Name - Address*

- Josh Dukelow - 809 E. Hancock Street*
- Patti Roovers - 3208 S. Huckleberry Lane*
- David A. Frederick - 3200 Huckleberry Lane*
- Brenda Coulter - 3124 Huckleberry Lane*
- Keegan Coulter - 3124 Huckleberry Lane*
- Melanie Simon - 3316 Huckleberry Lane*
- Sheila Scheinke - 4830 Ballard Road*
- Tom Wood - 2718 N. Meade Street*

*Item is held until the April 16, 2014 Council meeting and the Public Hearing remains open.*

**14-499**            Public Hearing for Proposed Text Amendment Chapter 23 - Section 23-101(b) NC Nature Conservancy District - Principal Permitted Uses. (Bow Hunting)

**Attachments:**    [Public Hearing - 2014 - Chapter 23 Text Amendment - Bow Hunting.pdf](#)

*Name - Address*  
*None*

**14-500**            Public Hearing for Proposed Text Amendment Chapter 23 - Article X. Floodplain Zoning Division.

**Attachments:**    [Public Hearing - 2014 - Chapter 23 Text Amendment - Article X Floodplain Zoning.pdf](#)

*Name - Address*  
*None*

J.    SPECIAL RESOLUTIONS

K.    ESTABLISH ORDER OF THE DAY

- 14-313** Rezoning #2-14 - Prospera Credit Union for Lot 1 of CSM 2618 located along Plank Road and HWY 441 from R-1A Single-family District to R-3 Multi-family Residential District .

**Attachments:** [CPC Rezoning 2-14 Staff Report 2-24-14.pdf](#)

*Held until the April 16, 2014 meeting.*

**Aldersperson Croatt moved, seconded by Aldersperson Smith, that the Report Action Item be held until the April 16, 2014 meeting. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck, Aldersperson Trauger and Aldersperson Dalton

**Nay:** 1 - Aldersperson Hill

**Excused:** 3 - Aldersperson Garb, Aldersperson Konezke and Mayor Hanna

- 14-398** Farm Market Application of Appleton Downtown, Inc., Djuanna Hugdahl, corner of Oneida and Washington - grassy area behind City Center Plaza, Wednesdays June 4, 2014 through September 22, 2014 contingent upon approvals from all departments.

*Referred back by Aldersperson Plank*

**This Report Action Item was referred to the Safety and Licensing Committee**

**14-434**

Installation of bike lanes on both sides of Fremont Street as follows:

Oneida St to Monroe St (total width =43')

A 6' bike lane be marked on the south side only. Other existing geometry would remain as-is.

No parking.

Monroe St to Madison St (total width=43')

- \* 1-8' parking lane (north side of street)
- \* 2-6' bike lanes
- \* 2-11.5' travel lanes

Madison St to Kernan Av (total width=36')

- \* 2-6' bike lanes
- \* 2-12' travel lanes
- \* No parking

Kernan Av to Walden Av (total post-reconstruction width=40')

- \* 2-5' bike lanes
- \* 2-11' travel lanes
- \* 1-8' parking lane (south side of street)

Walden Av to Telulah Av (total post-reconstruction width=40')

- \* 1-8' parking lane (north side of the street)
- \* 2-5' bike lanes
- \* 2-11' travel lanes

**Attachments:**[Fremont Street Bike Lanes.pdf](#)[5 year Bike Lane and Trail Plan.pdf](#)[Petition against Bike Lanes on Fremont St.pdf](#)[2nd Petition against Bike Lanes on Fremont St.pdf](#)

*Referred back by Alderperson Martin*

**This Report Action Item was referred to the Municipal Services Committee**

**Aldersperson Lobner moved, seconded by Aldersperson Spears, to suspend the rules to convene into Committee of the Whole for Item #14-434, the installation of bike lanes on both sides of Fremont Street. The Mayor states this requires a 2/3 vote needing 9 ayes. Roll Call. Motion failed by the following vote:**

**8 - Ayes: Aldersperson Coenen, Aldersperson Croatt, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Lobner, Aldersperson Smith, Aldersperson Spears and Aldersperson Dalton**

**5 - Nays: Aldersperson Dannecker, Aldersperson Martin, Aldersperson Plank, Aldersperson Stueck and Aldersperson Trauger**

**Excused: Aldersperson Garb, Aldersperson Konetzke, Mayor Hanna**

**14-336** Request from owner Mario Maggiorana to have the City of Appleton collect refuse and recycling at the Walden Square Townhouses.

**Attachments:** [Mario Maggiorana-Refuse and Recycling.pdf](#)

**Aldersperson Croatt moved, seconded by Aldersperson Dannecker, that the recommendation from the committee to deny be upheld. The Mayor stated an aye vote denies. Roll Call. Motion carried by the following vote:**

**Aye:** 9 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Hill, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Stueck, Aldersperson Trauger and Aldersperson Dalton

**Nay:** 4 - Aldersperson Coenen, Aldersperson Jirschele, Aldersperson Smith and Aldersperson Spears

**Excused:** 3 - Aldersperson Garb, Aldersperson Konetzke and Mayor Hanna

**14-495** **\*\*CRITICAL TIMING ISSUE\*\***

Subdivision Fund

Request to approve the carryover of \$136,000 of unused 2013 budget funds into 2014 to complete construction of all streets approved in the 2014 Budget (2/3 vote required).

**Attachments:** [Finance Committee memo - 3-17-2014.pdf](#)

**Aldersperson Dannecker moved, seconded by Aldersperson Stueck, 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 Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck, Aldersperson Trauger and Aldersperson Dalton

**Excused:** 3 - Alderperson Garb, Alderperson Konetzke and Mayor Hanna

**14-423** SPECIAL USE PERMIT APPLICATION #3-14 - Hoffman Planning, Design & Construction, Inc. - St. Mary's - Group Day Care

**Attachments:** [CPC St Mary's Staff Report 3-10-14.pdf](#)

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

**Aye:** 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Jirschele, Alderperson Hill, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck, Alderperson Trauger and Alderperson Dalton

**Excused:** 3 - Alderperson Garb, Alderperson Konetzke and Mayor Hanna

**14-392** Noise variance request for Fox River House

**Attachments:** [Fox River House noise variance request 2014.docx](#)

[Neighborhood letter-FRH 2014.pdf](#)

[Emails against Fox River House noise variance.pdf](#)

[Neutral email.pdf](#)

[Emails in support of Fox River House music1.pdf](#)

**Alderperson Spears moved, seconded by Alderperson Lobner, to convene into Committee of the Whole for Item #14-392. They Mayor stated this requires a 2/3 vote needing 9 ayes. The City Attorney explained an abstention does not count toward quorum so 8 votes are needed. Roll Call. Motion carried by the following vote:**

**Aye:** 8 - Alderperson Croatt, Alderperson Hill, Alderperson Lobner, Alderperson Martin, Alderperson Smith, Alderperson Spears, Alderperson Trauger and Alderperson Dalton

**Nay:** 4 - Alderperson Dannecker, Alderperson Jirschele, Alderperson Plank and Alderperson Stueck

**Excused:** 3 - Alderperson Garb, Alderperson Konetzke and Mayor Hanna

**Abstained:** 1 - Alderperson Coenen

**Alderperson Smith moved, seconded by Alderperson Spears, to approve Item #14-392 under Committee of the Whole. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderperson Croatt, Alderperson Dannecker, Alderperson Jirschele, Alderperson Hill, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck, Alderperson Trauger and Alderperson Dalton

**Excused:** 3 - Alderperson Garb, Alderperson Konetzke and Mayor Hanna

**Abstained:** 1 - Alderperson Coenen

**Alderson Smith moved, seconded by Alderson Croatt, to Rise and Report (reconvene as Council) . Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck, Alderson Trauger and Alderson Dalton

**Excused:** 3 - Alderson Garb, Alderson Konetzke and Mayor Hanna

**Abstained:** 1 - Alderson Coenen

**Alderson Dannecker moved, seconded by Alderson Smith, that the Committe of the Whole Report be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck, Alderson Trauger and Alderson Dalton

**Excused:** 3 - Alderson Garb, Alderson Konetzke and Mayor Hanna

**Abstained:** 1 - Alderson Coenen

**L. COMMITTEE REPORTS**

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

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

**Aye:** 13 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck, Alderson Trauger and Alderson Dalton

**Excused:** 3 - Alderson Garb, Alderson Konetzke and Mayor Hanna

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

**14-302** Operator's License application of Christina M. Hester, 751 Madison Street, Neenah.

**This Report Action Item was approved.**

**14-395** Operator's Licenses

**Attachments:** [Operator's Licenses for 03-13-14 S&L.pdf](#)

**This Report Action Item was approved.**



- 14-463** The "Class B" Beer/Liquor License Application of Apollon II, LLC, Craig A. Persha, Agent, 207 North Appleton Street, contingent upon approvals from all departments.

**This Report Action Item was approved.**

- 14-399** Farm Market Application of Appleton Downtown, Inc., Djuanna Hugdahl, College Avenue between Appleton and Drew & Houdini Plaza, Saturdays June 18, 2014 through October 25, 2014 contingent upon approvals from all departments.

**This Report Action Item was approved.**

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

- 14-465** Request from Mr. Andrew Knudsen, 1220 W. Lawrence Street, to have his sidewalk snow removal bill of \$75 waived.

**Attachments:** [Request from Mr. Andrew Knudsen.pdf](#)

**This Report Action Item was approved.**

**14-413**

**Attachments:** [Award 2014 Bridge Inspection Contract to Bloom Co.pdf](#)

**This Report Action Item was approved.**

- 14-416** Eliminate Frances Street (Mason Street to Locust Street) partial reconstruction from our 2014 Asphalt Program and re-budget in 2015.

**Attachments:** [Contract Award & Funding for 2014 Asphalt.pdf](#)

**This Report Action Item was approved.**

- 14-429** Preliminary Resolution 3-P-14 for asphalt paving and driveway aprons be adopted and refer the matter to the Finance Committee to determine the assessment rate.

**Attachments:** [Preliminary Resolution 3-P-14.pdf](#)

**This Report Action Item was approved.**

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

- 14-319** Zoning Ordinance Text Amendment -Section 23-101(b) NC Nature Conservancy District - Delete Bow Hunting for Deer as a Principal Permitted Use in the NC Nature Conservancy District.

**Attachments:** [Staff Report Bow hunting Amend Feb 24 2014.pdf](#)

This Report Action Item was approved.

- 14-321** Zoning Ordinance Text and Map Amendment - Floodplain Zoning relating to Section 23-206(b) Official Maps and Revisions and Flood Insurance Rate Map Panel Number 55087C0319D.

**Attachments:** [Staff Report Flood Plain Amend Feb 24 2014.pdf](#)

This Report Action Item was approved.

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

- 14-400** Approval to adopt the recommended change to Ordinance 13-4; Weapons within City Parks.

**Attachments:** [Ordinance Language \(3-12-14 Mtg\).pdf](#)

This Report Action Item was approved.

- 14-403** Approval to award contract for four (4) pool heaters at Erb Pool to PBBS Equipment Corp in the amount of \$53,780, with a contingency of \$5,380 for a contract not to exceed \$59,160

**Attachments:** [2014 CIP Erb Pool Boilers \(3-12-14 Meeting\).docx](#)

This Report Action Item was approved.

- 14-407** Award Playground Equipment Purchase at Woodland Park to Miller & Associates

**Attachments:** [Woodland Park Playground Equipment CIP \(3-12-14 Meeting\).docx](#)

This Report Action Item was approved.

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

**14-424** Update Vacant Lots Northeast Business Park & Southpoint Commerce Park.

**Attachments:** [Vacant Lot Memo Northeast & Southpoint parks 3-10-14.pdf](#)  
[NEBPDevelopmentAgreement 3-10-14.pdf](#)  
[Southpoint CEDC 03-10-14.pdf](#)

This Report Action Item was approved.

**6. MINUTES OF THE UTILITIES COMMITTEE**

**14-464** Preliminary Resolution 4-P-14 for Sanitary Sewer, Sanitary Laterals, Storm Sewer and Storm Laterals be adopted and refer the matter to the Finance Committee to determine the assessment rate.

**Attachments:** [4-P-14 Sanitary Storm Sewer Laterals.doc](#)

This Report Action Item was approved.

**14-469** Award sole source Phosphorus Effluent Analyzer to Hach Company in the amount of \$15,522.50.

**Attachments:** [Hach Effluent Analyzer.doc](#)

This Report Action Item was approved.

**7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

**14-449** Approval to Purchase Truck for Maintenance to Replace 1995 Mobile Repair Truck

**Attachments:** [Service Vehicle Memo.pdf](#)

This Report Action Item was approved.

**8. MINUTES OF THE BOARD OF HEALTH****9. MINUTES OF THE HUMAN RESOURCES COMMITTEE**

**14-430** Request to approve recommended compensation adjustments for specific Utilities Department personnel

**Attachments:** [Utilites compensation adjustment Memo 03-10-14.pdf](#)  
[Utilites Compensation evaluation 03-10-14.pdf](#)  
[Utilites Compensation adjustment costing 03-10-14.pdf](#)

This Report Action Item was approved.

## 10. MINUTES OF THE FINANCE COMMITTEE

**14-353** Award Unit A-14 Concrete Paving to Ptaschinski Construction, Inc. in the amount of \$5,579,362.11 with a 2% contingency of \$115,000.00 for a project total not to exceed \$5,694,362.11.

**Attachments:** [Award of Contract A-14.pdf](#)

This Report Action Item was approved.

**14-409** Request to Donate Obsolete SCBAs to the Outagamie County Sheriff's Department.

**Attachments:** [Donation of SCBAs to Outagamie County Sheriff's Department.pdf](#)

This Report Action Item was approved.

**14-439** Request to approve the postponement of the Frances Street asphalt reconstruction project from 2014 to 2015, the reallocation of these funds to other 2014 approved asphalt street projects, and the following 2014 Budget adjustment:

General Fund - DPW	
Asphalt Reconstruction	+\$95,000
Concrete Reconstruction	-\$95,000

to record transfer of funding for award of contract for Unit B-14 (2/3 vote required).

**Attachments:** [Asphalt Reconstruction Memo.pdf](#)

This Report Action Item was approved.

**14-441** Request to deny claim for excessive assessment for Walgreens, Co., real estate property keys 31-4-6162-01, 31-5-1173-00, 31-6-7601-00, 31-5-4253-00, 31-5-4250-00.

**Attachments:** [Walgreens.pdf](#)

**This Report Action Item was approved.**

**14-442** Request to deny claim for excessive assessment for CVS Pharmacy, real estate property key 31-5-2381-00.

**Attachments:** [CVS Pharmacy.pdf](#)

**This Report Action Item was approved.**

**14-443** Request to deny claim for unlawful personal property tax for Prime Design parcel number 31-4-0872-00.

**Attachments:** [Prime Design.pdf](#)

**This Report Action Item was approved.**

**14-444** Request to deny claim for unlawful personal property tax for Winnebago Dental Lab parcel number 31-5-4316-00.

**Attachments:** [Winnebago Dental Lab.pdf](#)

**This Report Action Item was approved.**

**14-445** Request to approve claim for unlawful personal property tax for Eyemart Express parcel number 31-7-0725-25, and refund \$111.44.

**Attachments:** [Eyemart Express.pdf](#)

**This Report Action Item was approved.**

**14-458** CEA Review Committee Report from February 25, 2014.

**Attachments:** [CEA Committee Report.pdf](#)

**This Report Action Item was approved.**

**14-459** Approve Finance Committee Report 3-P-14 for Asphalt Pavement and Driveway Aprons.

**Attachments:** [Report 3-P-14.pdf](#)

**This Report Action Item was approved.**

**14-460** Approve Finance Committee Report 4-P-14 for Sanitary Sewer, Storm Sewer and Laterals.

**Attachments:** [Report 4-P-14.pdf](#)

**This Report Action Item was approved.**

**14-461** Award Unit W-14 Sewer & Water Main Reconstruction #1 to Kruczek Construction, Inc. in the amount of \$2,112,000.00 with a 3.5% contingency of \$75,000.00 for a project total not to exceed \$2,187,000.00.

**Attachments:** [Award of Contract W-14.pdf](#)

**This Report Action Item was approved.**

**14-462** Award Unit B-14 Asphalt Pavement Reconstruction to Vinton Construction in the amount of \$1,000,149.95 with a 2.5% contingency of \$25,000.00 for a project total not to exceed \$1,025,149.95. Contingent on approval of Item 14-439.

**Attachments:** [Award of Contract B-14.pdf](#)

**This Report Action Item was approved.**

- 14-466** Request for the Recommended Compensation Adjustments for Specific Utilities Department Personnel and the following 2014 Budget Adjustment be approved:

Water Utility	
Salaries	+ \$21,400
Fringe Benefits	+ \$3,190
Fund Balance	- \$24,590

to fund additional salary and fringe benefit costs related to adjusting staff salaries to market rates (2/3 vote required).

**Attachments:** [Utilites and HR Memo 03-05-14 rev1 \(2\).docx](#)  
[Utility Compensation Adjustment .pdf](#)

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

- 14-484** Consolidated Action Item:

Request to approve recommended compensation adjustments for specific Utilities Department personnel.  
File #14-430 Human Resources Committee Action Item;  
File #14-466 Finance Committee Action Item;  
File #14-470 Utilities Committee Information Item.

**This Report Action Item was approved.**

O. ITEMS HELD

P. ORDINANCES

- 14-486** Ordinance #9-14

**Attachments:** [Ordinance going to 03-19-2014 Council.pdf](#)

**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

*REFERRED TO THE ORGANIZATIONAL MEETING*

*#7-R-14 – Lobner/Croatt*

*“BE IT RESOLVED that no member of the common council shall speak on behalf of an absent member of the council unless reading directly from a written statement from the absent member with the expressed consent of said member.”*

*REFERRED TO THE MAYORS OFFICE*

*#8-R-14 – Lobner/Dannecker/Croatt/Dalton/Coenen*

*“WHEREAS the City of Appleton appoints citizen members to various boards, commissions and authorities.*

*And WHEREAS citizen members are appointed to these bodies to offer unique insight, expertise or perspective.*

*and WHEREAS that insight, expertise or perspective is missing when those members are frequently absent.*

*THEREFORE BE IT RESOLVED that the City of Appleton and its Common Council shall not reappoint members of boards, commissions or authorities that meet more than once annually if they have been absent from greater than 30% of assigned meetings during either the duration of their previous term or the 12 months prior to the end of their term.”*

S. OTHER BUSINESS

**14-483**

The Common Council will meet in closed session to confer with legal counsel concerning strategy to be adopted by the body with respect to litigation in which it is involved or likely to become involved regarding Fox River PCBs issues pursuant to the exceptions contained in §19.85(1)(g) of the Wisconsin Statutes. The Common Council will then reconvene into an open session and conduct further business.

**Aldersperson Spears moved, seconded by Aldersperson Croatt, to convene into closed session. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck, Aldersperson Trauger and Aldersperson Dalton

**Excused:** 3 - Aldersperson Garb, Aldersperson Konezke and Mayor Hanna



**Meeting went into Recess and then reconvened.**

**14-502** Approval of City payment for Fox River clean up.

**Alderson Plank moved, seconded by Alderson Spears, to amend adding "Authorize City Attorney to sign all appropriate documents" be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck, Alderson Trauger and Alderson Dalton

**Excused:** 4 - Alderson Coenen, Alderson Garb, Alderson Konetzke and Mayor Hanna

**Alderson Plank moved, seconded by Alderson Hill, to approve City payment for Fox River clean up and authorize City Attorney to sign all appropriate documents be approved, as amended. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck, Alderson Trauger and Alderson Dalton

**Excused:** 4 - Alderson Coenen, Alderson Garb, Alderson Konetzke and Mayor Hanna

**T. ADJOURN**

*The meeting adjourned at 10:28 P.M.*

**A motion was made by Alderson Michael Smith, seconded by Alderson Peter Stueck, that the meeting be adjourned. The motion carried by the following vote:**

**Aye:** 13 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Jirschele, Alderson Hill, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck, Alderson Trauger and Alderson Dalton

**Excused:** 3 - Alderson Garb, Alderson Konetzke and Mayor Hanna

CHARLENE M. PETERSON, CMC/WCMC  
City Clerk