



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, September 5, 2018

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:07 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Spears.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Bob Baker, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Mayor Timothy Hanna

Excused: 2 - Alderperson Joe Martin and Alderperson Christine Williams

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Director of Human Resources Matz, Library Director Rortvedt, Director of Parks, Recreation, & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Diversity Coordinator Nelson

The following departments were excused:

Information Technology

Utilities

Valley Transit

F. PUBLIC PARTICIPATION

The following spoke regarding Item 18-1195 Contract to Commercial Horizons for Library work:

- Ronna Swift, 230 W Seymour St*
- Kara Sullivan, 500 N Vine St*
- Jason Brozek, 1402 N Division St*
- Jonna Higgins, 909 Cambridge Ct*
- Tom Phillips, 921 W Third St*
- Pat Exarhos, N4298 Meade St*
- Nick Ross, 426 E Atlantic St*

Rebecca Kent, 303 Victoria St spoke regarding Item 18-1233 Stormwater Reimbursement

Curt Witynski, Leauge of WI Municipalities spoke regarding Item 18-1270 Contribution for Dark Store campaign

Jennifer Stephany, ADI spoke regarding Item 18-1230 2019 BID Operating Plan

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[18-1284](#)

Common Council Meeting Minutes of August 15, 2018

Attachments: [CC Minutes 8-15-18.pdf](#)

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

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 2 - Aldersperson Joe Martin and Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[18-1290](#)

National Rail Safety Week Proclamation

This Proclamation was presented

[18-1291](#)

Honoring Senator Roger Roth as a Municipal Champion

Curt Wytynski, Deputy Director of the League of Wisconsin Municipalities presented the Municipal Champion Award to Senator Roger Roth for his active role/support in a variety of legislation affecting municipalities.

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[18-1281](#)

Resolution Authorizing Sewer System Revenue Refunding Bonds

Attachments: [Appleton 2018 Sewer Revenue Refunding Bonds - Final Award Resolution.pdf](#)

Aldersperson Plank moved, seconded by Aldersperson Baranowski, that the Resolution be amended to reflect the proper amount of \$5,245,000 as shown in the updated Resolution attached. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 2 - Aldersperson Joe Martin and Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

Aldersperson Croatt moved, seconded by Aldersperson Baranowski, that the Resolution be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 2 - Aldersperson Joe Martin and Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[18-1282](#)

Resolution Authorizing Storm Water System Revenue Bonds

Attachments: [Appleton 2018 Storm Water Revenue Bonds - Final Award Resolution.pdf](#)

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

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 2 - Aldersperson Joe Martin and Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[18-1283](#)

Resolution Authorizing General Obligation Promissory Notes, Series 2018A

Attachments: [Appleton 2018A G.O. Promissory Notes - Final Award Resolution.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Baker, that the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 2 - Aldersperson Joe Martin and Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[18-1233](#)

Request from Ms. Rebecca Kent to have stormwater reimbursement for 303 S. Victoria Street back to January 2004 instead of 6-year timeframe that Utilities Committee and Council have previously authorized.

Attachments: [R Kent Victoria Street Stormwater Reimbursement.pdf](#)

This Report Action Item was referred to the Utilities Committee by Aldersperson Baranowski due back on 9/25/2018.

[18-1242](#)

Request to approve the 2019 Special Assessment Policy.

Attachments: [2019 Special Assessment Policy.pdf](#)

This Report Action Item was referred to the Finance Committee by Aldersperson Coenen due back on 9/10/2018

[18-1195](#)

Request to award contract to Commercial Horizons for design and engineering services for the Appleton Public Library for a contract of \$347,000. This includes \$122,961 for work completed to date and \$4,000 for site analysis specific to the Soldier Square site.

Attachments: [2018 Library Architect and Engineer.pdf](#)

Aldersperson Spears moved, seconded by Aldersperson Coenen, that the Item be amended to pay the \$122,961 that has been spent to date and hold the remaining amount for two weeks. Roll Call. Motion failed by the following vote:

Aye: 2 - Aldersperson Patti Coenen and Aldersperson Cathy Spears

Nay: 11 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Bob Baker, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Keir Dvorachek

Excused: 2 - Alderperson Joe Martin and Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

Alderperson Baker moved, seconded by Alderperson Croatt, that the awarding of the contract and payment be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Bob Baker, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Keir Dvorachek

Nay: 2 - Alderperson Patti Coenen and Alderperson Cathy Spears

Excused: 2 - Alderperson Joe Martin and Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[18-1022](#)

Request to approve contract for Granicus services for next three years

Attachments: [2018 Granicus Contract Renewal 3yr.pdf](#)
[WI Appleton Renewal Q-23670 2018JULY23.pdf](#)
[REVISED Granicus Renewal 2018 August 16..pdf](#)

Alderperson Baranowski moved, seconded by Alderperson Croatt, that the contract be approved, with utilization of ipads in 2019. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Bob Baker, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Keir Dvorachek

Excused: 2 - Alderperson Joe Martin and Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[18-1270](#)

Request to approve \$5,000 contribution to the League of Wisconsin Municipalities to support their "Close the Dark Store Loopholes" campaign. Funding would come from general fund balance.

Attachments: [League Dark Store Campaign 2018.pdf](#)

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

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Bob Baker, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Keir Dvorachek

Excused: 2 - Alderperson Joe Martin and Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Bob Baker, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Keir Dvorachek

Excused: 2 - Alderperson Joe Martin and Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[18-1256](#)

Request from Mr. Frank Schadt for a street occupancy permit to have two (2) propane fireplaces within a portion of the College Avenue sidewalk at 525 W. College Avenue be denied.

Attachments: [525 W College Ave-two propane tanks.pdf](#)

The recommendation to deny the request was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[18-1213](#)

Class "A" Beer License - Change of Agent of Kwik Trip #639, Shannon A. Otte, Agent, 2175 S. Memorial Drive, contingent upon approval from the Police Department.

This Report Action Item was approved.

[18-1257](#)

Operator's Licenses

Attachments: [Operator's Licenses for 08-22-2018 S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[18-1230](#)

****CRITICAL TIMING**** Annual review and request to approve the Downtown Appleton Business Improvement District (BID) 2019 Operating Plan

Attachments: [StaffReport_2019BIDOperatingPlan_For08-21-18.pdf](#)
[2019 BID Operational Plan.pdf](#)
[2017 BID Annual Report.pdf](#)
[2017 BID Audit - Financial Statements.pdf](#)
[2017 BID Audit - Management Communications.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[18-1274](#)

A Resolution authorizing and providing for the sale and issuance of \$13,840,000 General Obligation Promissory Notes, Series 2018, and all related details

Attachments: [Appleton 2018A G.O. Promissory Notes - Award Resolution.pdf](#)

This Report Action Item was approved.

[18-1275](#)

A Resolution authorizing and providing for the sale and issuance of \$3,000,000 Stormwater System Revenue Bonds, Series 2018, and all related details

Attachments: [Appleton 2018 Storm Water Revenue Bonds - Award Resolution.pdf](#)

This Report Action Item was approved.

[18-1276](#)

A Resolution authorizing and providing for the sale and issuance of \$5,400,000 \$5,245,000 Wastewater System Revenue Refunding Bonds, Series 2018, and all related details

Attachments: [Appleton 2018 Sewer Revenue Refunding Bonds - Award Resolution.pdf](#)

This Report Action Item was approved.

[18-1244](#)

Request to approve accepting the Home Depot grant in the amount of \$13,200.

Attachments: [2018 Home Depot Grant.pdf](#)

This Report Action Item was approved.

[18-1267](#)

Request to award contract to AAR Advanced Asbestos for remediation of asbestos and lead for the Blue Ramp Demolition for a contract of \$28,640 and a contingency of 15% for a contract not-to-exceed \$32,936

Attachments: [2018 Blue Ramp Remediation.pdf](#)

This Report Action Item was approved.

[18-1293](#)

Request to award Unit Y-18 Evergreen Drive Storm Sewer Construction to Dorner, Inc in the amount of \$880,170 with a 5% contingency of \$44,009 for a project total not to exceed \$924,179.

Attachments: [Award of Contract Unit Y-18.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 & INFORMATION TECHNOLOGY COMMITTEE**

[18-1240](#)

Request to approve Health Department reorganization to change the .75 fte Health Preparedness Coordinator to a 1.0 Emergency Management Coordinator.

Attachments: [Health Reorg 8-2018.pdf](#)
[Health Reorg TO 8-16-18.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[18-1278](#)

Ordinances 80-18 to 90-18

Attachments: [Ordinances going to Council 9-5-18.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

Resolution #11-R-18 Utility Bill Adjustment Policy

Submitted by: Edward S Baranowski, District 5

Date: September 5, 2018

Referred to: Utilities Committee

*Whereas, the City of Appleton's recently re-evaluated the non-pervious areas for commercial properties and,
Whereas, said re-evaluation has resulted in some adjustments to which commercial properties are being charged for Stormwater and,
Whereas the Utility does not have a policy / code to follow for any adjustments to Stormwater rates, therefore,
Be it resolved, the Utility develop a policy / code for adjustments to bills.*

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[18-1294](#)

The Common Council will go into closed session according to State Statute §19.85(e) for the purpose of discussions regarding deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session concerning funding for the Appleton Public Library and then reconvene into open session.

The Common Council did not convene into closed session.

T. ADJOURN

Aldersperson Croatt moved, seconded by Aldersperson Baranowski, that the meeting be adjourned at 8:39 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt, Aldersperson Keir Dvorachek and Mayor Timothy Hanna

Excused: 2 - Aldersperson Joe Martin and Aldersperson Christine Williams

Kami Lynch, City Clerk