



City of Appleton

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

Meeting Minutes Common Council

Wednesday, July 10, 2013

7:00 pm

Council Chambers

A. CALL TO ORDER

B. INVOCATION

Invocation by Alderperson Jirschele

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson Patti Coenen, Alderperson Christopher W. Croatt, Alderperson Greg Dannecker, Alderperson Sarah Garb, Alderperson Jeffrey Jirschele, Alderperson John Robin Hill, Alderperson Curt Konetzke, Alderperson Kyle Lobner, Alderperson Joe Martin, Alderperson Kole Oswald, Alderperson Kathleen Plank, Alderperson Michael Smith, Alderperson Cathy Spears, Alderperson Peter Stueck and Mayor Timothy Hanna

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, Battalion Fire Chief Baker, Director of Parks, Recreation and Facilities Gazza, Police Chief Helein, Director of Public Works Vandehey, Interim Director of Information Technology Fox, Director of Utilities Shaw, Valley Transit General Manager Wetter, Library Director Rortved.

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

F. PUBLIC PARTICIPATION

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[13-859](#)

June 19, 2013 Council minutes and June 26, 2013 Special Council minutes.

Attachments: [CC Minutes 06-19-2013.pdf](#)

[CC Minutes 06-26-2013.pdf](#)

approved

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

Excused: 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

13-887 Presentation of Park and Recreation Month.

13-888 Presentation of Children's Week Proclamation.

I. PUBLIC HEARINGS

[13-860](#) Public Hearing on Special Assessments (5-P-13 Preliminary Resolution)

Attachments: [CC 07-10-2013 Notice of Public Hearing on SA 5-P-13 Preliminary Resolution.pdf](#)

No appearances.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[13-827](#) Renewal Class "B" Beer and Class "C" License application of Fortinos Bistro, Ross Kleinmann, Agent, 204 East College Avenue, contingent upon departmental approvals.

Referred back to Safety & Licensing Committee by Alderperson Martin.

The following items were separated out to be voted on individually.

Alderperson Spears asked to separate out File ID #13-812 Information Item from the Municipal Services Committee. A motion to suspend the rules to move this item up as an action item and refer back to the Committee for discussion was made.

Motion to suspend the rules failed.

motion to suspend the rules (2/3 vote)

Aye: 7 - Alderperson Coenen, Alderperson Croatt, Alderperson Jirschele, Alderperson Konezke, Alderperson Smith, Alderperson Spears and Alderperson Stueck

Nay: 7 - Alderperson Dannecker, Alderperson Garb, Alderperson Hill, Alderperson Lobner, Alderperson Martin, Alderperson Oswald and Alderperson Plank

Excused: 1 - Mayor Hanna

[13-719](#)

R/B Smith - Operator's License application of Brenda L. Gorges, 345 East Wisconsin Avenue, #A - approved by a vote of Aye -2/Oswald, Mettille; Nay - 1/Plank; Excused - 2/Smith, Garb HELD FROM 6-13-13 S & L MEETING.

Denied notwithstanding.

approved

Aye: 1 - Alderperson Oswald

Nay: 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Smith, Alderperson Spears and Alderperson Stueck

Alderperson Smith asked to separate File ID #13-818 Information Item from the Municipal Services Committee. A motion to suspend the rules to move this item up as an action item and refer back to the Committee for discussion was made.

Motion to suspend the rules failed.

motion to suspend the rules (2/3 vote)

Aye: 5 - Alderperson Croatt, Alderperson Jirschele, Alderperson Smith, Alderperson Spears and Alderperson Stueck

Nay: 9 - Alderperson Coenen, Alderperson Dannecker, Alderperson Garb, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald and Alderperson Plank

Excused: 1 - Mayor Hanna

[13-800](#)

Award sound system project for Council Chambers to Heartland Business Systems in an amount not to exceed \$7,794.

Attachments: [Heartland Business Systems.pdf](#)

approved

Aye: 13 - Alderperson Coenen, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears and Alderperson Stueck

Abstained: 1 - Alderperson Croatt

L. COMMITTEE REPORTS

A motion was made by Alderperson Konetzke, seconded by Alderperson Croatt, to vote on the balance of the action items on the agenda.

Balance of the action items on the agenda.

approved

Aye: 14 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears and Alderperson Stueck

Excused: 1 - Mayor Hanna

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[13-820](#) R/B Mettille - Operator's License application of David L. Zornow, 326 Racine Street, Menasha - approved to deny by a vote of Aye - 3/Smith, Oswald, Garb; Nay - 1/Mettille; Excused - 1/Plank.

Sponsors: Mettille

approved

[13-826](#) Class "A" Beer License application of Merina, LLC, Dharani Paudel, Agent, 1717 West College Avenue contingent upon departmental approvals.

approved

[13-830](#) Change of Agent for Appleton Hotel Venture, LLC, d/b/a Cambria Suites Appleton, 3940 North Gateway Drive, Appleton, to Toni Roloff, contingent upon police department approval.

approved

[13-823](#) Operator's Licenses

Attachments: [Operator's Licenses for 6-27-13 S & L.doc](#)

approved

[13-824](#) 2013-2015 Operator's License Renewal applications.

Attachments: [Operator's License Renewals for 06-27-2013 S&L.doc](#)

approved

[13-834](#) "Class B" Beer/Liquor License application of Asian Food of Appleton, Inc., Xue Juan Cheu, Agent, 201 West Northland Avenue, contingent upon departmental approvals.

approved

- [13-835](#) Taxicab Company renewal application of Call A Cab, LLC, 233 Chute Street, Menasha, contingent upon departmental approvals.
approved
- [13-836](#) Special Class "B" Beer License application of St. Bernard Parish Pastoral Council, Daniel P. Young, Person in Charge, 1617 W Pine Street, July 27, and July 28, 2013.
approved
- [13-848](#) Salvage Dealer License renewal application for Bee J. Enterprise, Inc., 4845 Greenville Drive, contingent upon departmental approvals.
approved

2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

- [13-798](#) Eldorado Street from Catherine Street to Wood Street be reconstructed with asphalt pavement and curb and gutter to a width of 29' from back of curb to back of curb which is 4' narrower than the existing street width.
approved
- [13-799](#) Wood Street from Eldorado Street to North Street be reconstructed with asphalt pavement and curb and gutter to a width of 29' from back of curb to back of curb which is the same width as the existing street.
approved
- [13-802](#) Request from Appleton Downtown, Inc. to expand 2-hour meter parking to 3-hour meter parking from 6:00 p.m. to 9:00 p.m. effective January 1, 2014.
approved
- [13-803](#) Request from Bob Mand for a variance to the Front Yard Parking Ordinance to widen the driveway 9 feet into the front yard at 1313 S. Ritger Street.
Attachments: [Bob Mand variance.pdf](#)
approved
- [13-804](#) Request for a permanent street occupancy permit to install a flag and lighting bracket in the College Avenue street right-of-way at 111 W. College Avenue be approved with a minimum clearance of 9 feet.
Attachments: [Fox Cities Building for the Arts flag bracket.pdf](#)
approved

[13-828](#) Approve Residential Refuse Cart Exchange/Addition Policy with an effective date of August 1, 2013.

Attachments: [Residential Refuse Cart Exchange.pdf](#)

approved

[13-829](#) Approve proposed traffic ordinance changes related to the 2013 Olde Oneida Street Reconstruction Project.

Attachments: [2013 Olde Oneida St. Reconstruction .pdf](#)

approved

[13-832](#) Award for Unit P-13 Pavement Marking Contract (Epoxy) to Brickline Inc. in the amount of \$49,941.10 plus \$15,000 contingency.

approved

3. MINUTES OF THE CITY PLAN COMMISSION

[13-767](#) Special Use Permit #6-13 - 109 W. College Avenue to expand an existing restaurant and tavern with alcohol sales with 1,200 square feet of outdoor patio area (south side of building) with alcohol consumption within Houdini Plaza.

Attachments: [Special Use 6-13 Attachments.pdf](#)

approved

[13-756](#) Special Use Permit #7-13 - 1211 E. Wisconsin Avenue for a used automobile and truck sales with display lot and car wash (detailing) facility.

Attachments: [Special Use 7-13 Attachment.pdf](#)

approved

[13-747](#) Preliminary Plat Aspen Meadow - North Meade Street

Attachments: [Aspen Meadow Attachments.pdf](#)

approved

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

6. MINUTES OF THE UTILITIES COMMITTEE

[13-785](#) Award Unit R-13 Chemical Root Foaming of Sanitary Sewers to Great Lakes TV & Seal in an amount not to exceed \$28,000.

Attachments: [Unit R-13.pdf](#)

approved

[13-857](#) Approval of an Engineering contract for the Utilities Department Air Permitting & Emissions Control Project to Short Elliott Hendrickson (S.E.H.), Inc. in the amount of \$52,640 plus a 7.5% contingency of \$4,000 for a total not to exceed project engineering cost of \$56,640.

Attachments: [Air Permit Emission Control Memo.docx](#)

approved

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

[13-790](#) Request for Finance Director to sell \$6,265,000 Stormwater Revenue Bonds.

approved

[13-791](#) Request for Finance Director to sell \$7,025,000 Water Revenue Bonds.

approved

[13-793](#) Award Video Management System (VMS) to Lappen Security in an amount not to exceed \$37,380.

Attachments: [Video Management System.pdf](#)

approved

M. CONSOLIDATED ACTION ITEMS

[13-862](#) 5-P-13 Final Resolution Authorizing Street Improvements and Levying Special Assessments Against Benefitted Property.
- Board of Public Works 6/19/13 File ID13-760.

Attachments: [Final Resolution - 5-P-13.pdf](#)

approved

O. ITEMS HELD

P. ORDINANCES

[13-871](#)

Ordinances #40-13 through #52-13.

Attachments: [Ordinances going to 07-10-2013 Council.pdf](#)

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

approved

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

Excused: 1 - Mayor Hanna

CHARLENE M. PETERSON, CMC/WCMC
City Clerk