



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, June 21, 2017

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:04 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Dvorachek.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Mayor Timothy Hanna, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 2 - Alderperson Kathleen Plank and Alderperson Chris Croatt

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, Director of Human Resources Matz, Director of Parks Recreation & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Utilities Shaw & Valley Transit General Manager Mc Donald Fire Chief Vander Wyst, Director of Information Technology Fox, and Library Director Rortvedt were excused.

F. PUBLIC PARTICIPATION

*The following spoke during public participation:
Yvonne Kehl, 607 Theresa Ct, Kimberly Item: 17-913 Honorary Street Name for DR. G. MANN'S WAY
Elder M. Williams, 1331 E Wisconsin Ave Item 17-913 Honorary Street Name for DR. G. MANN'S WAY
Jake Woodford, Lawrence University, 606 N Bateman St Item 17-858 LU move a house from 122 N Union to 229 N Union*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[17-933](#) Common Council Meeting Minutes of June 7, 2017

Attachments: [CC Minutes 6-7-17.pdf](#)

Alderson Meltzer moved, seconded by Alderson Konetzke, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Greg Dannecker, Alderson Christine Williams, Alderson Keir Dvorachek and Alderson Bob Baker

Excused: 2 - Alderson Kathleen Plank and Alderson Chris Croatt

Abstained: 2 - Alderson Cathy Spears and Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[17-930](#) Presentation of Flag Day Parade Awards

This Report Action Item was presented

[17-931](#) Presentation of Parks and Recreation Month Proclamation

This Report Action Item was presented

[17-932](#) Presentation of Children's Week Proclamation

This Report Action Item was presented

[17-937](#) Presentation of the Pollinator Proclamation

This Report Action Item was presented

[17-934](#) Appointment of Will Bloedow, Suzanne Brault Pagel and Nancy Scheuerman to the Library Board

Attachments: [COMM APPT FOR INFO LIBRARY 06-21-2017.pdf](#)

Alderson Baranowski moved, seconded by Alderson Dannecker, that the Appointments be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Greg Dannecker, Alderson Christine Williams, Alderson Cathy Spears, Alderson Keir Dvorachek and Alderson Bob Baker

Excused: 2 - Alderson Kathleen Plank and Alderson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

[17-885](#) Public Hearing for Rezoning #2-17

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

The Public Hearing was held. No one spoke during the public hearing.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[17-913](#) Request from B.A.B.E.S., Inc. to appeal the staff denial for a Temporary Honorary Street Name Sign for "DR. G. MANNS WAY" to be installed for their July 14, 2017 Founder's Day Celebration.

Attachments: [Request from B.A.B.E.S-Temporary Street Name Sign.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Dannecker, that the Temporary Honorary Street Name be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

Excused: 2 - Aldersperson Kathleen Plank and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[17-851](#) Request from Kevin Pullen, 2600-2602 S. Horizon Drive, for a variance to Municipal Code 19-91 (f)(5) to extend his driveway 4' 9" into the front yard of both sides of the duplex.

Attachments: [Kevin Pullen-2600 S Horizon Drive.pdf](#)

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

Aye: 13 - Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

Excused: 2 - Alderperson Kathleen Plank and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[17-858](#)

Request from Lawrence University to move a house from 122 N. Union Street to 229 N. Union Street be approved contingent upon an approved moving route.

Attachments: [Building permit-122 N Union St to 229 N Union St.pdf](#)

Alderperson Konetzke moved, seconded by Alderperson Dannecker, that the moving of a house be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 2 - Alderperson Kathleen Plank and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[17-805](#)

2017-18 Beer/Liquor License Renewal applications, contingent upon approval from all departments.

Attachments: [Beer-Liquor License Renewals 2017-18.pdf](#)

Alderperson Dannecker moved, seconded by Alderperson Lobner, that the Liquor License Renewals be approved (contigent upon departmental approvals). Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 2 - Alderperson Kathleen Plank and Alderperson Chris Croatt

Abstained: 2 - Alderperson Patti Coenen and Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 13 - Alderperson William Siebers, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 2 - Alderperson Kathleen Plank and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[17-936](#) Award sole source parking structure concept design & estimating services contract to Walker Parking Consultants.

Attachments: [Walker Parking Consultants.pdf](#)

This Report Action Item was approved.

[17-783](#) Recommend award of Unit Q-17 Pavement Marking Contract (Paint) to Crowley Construction Corp. in the amount of \$44,918.45 plus a \$5,000 contingency for a project total not to exceed \$49,918.45.

This Report Action Item was approved.

[17-850](#) Request from Christensen Heating & Air Conditioning for a Street Occupancy Permit to install a sign that extends up to three (3) feet into the Wisconsin Avenue Street right-of-way with a minimum clearance of 12 feet.

Attachments: [Christiansen Heating and Air Conditioning.pdf](#)

This Report Action Item was approved.

[17-852](#) Approve proposed parking changes near Lincoln Elementary School to create a dedicated parking spot for the crossing guard.

Attachments: [Lincoln Elementary.pdf](#)

This Report Action Item was approved.

[17-853](#) Approve proposed parking changes on Oklahoma Street, east of Mason Street.

Attachments: [Parking changes Oklahoma Street, east of Mason St.pdf](#)

This Report Action Item was approved.

[17-855](#) Approve proposed parking changes on Capitol Drive near Edna Ferber Elementary School.

Attachments: [Ferber Elementary.pdf](#)

This Report Action Item was approved.

[17-856](#) Approve proposed parking restriction on the north side of North Street at Durkee Street.

Attachments: [Parking restriction North St. to Durkee St.pdf](#)

This Report Action Item was approved.

[17-859](#) Request from Jill Gauger to have the \$50 Weed Administration Fee waived for 12 Ramlen Court.

Attachments: [12 Ramlen Court weed assessment.pdf](#)

This Report Action Item was approved.

[17-860](#) Install all-way stop control at the Walnut Street/Eighth Street intersection.

Attachments: [Intersection traffic at Walnut St. and Eighth Street.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[17-676](#) Review of Changes to General Policy Statement on Beer/Liquor Licensing

Attachments: [LIQUOR LICENSE POLICY 2017 -May edits.pdf](#)

[LIQUOR LICENSE POLICY 2017 - June 14 SL.pdf](#)

This Report Action Item was approved.

[17-883](#) "Class B" Beer/Liquor License - change of premise description of Tandem Wine & Beer, George H. Koenig, Agent, 1350 W. College Ave., contingent upon approval from all departments.

Attachments: [Change of Description-Tandem.pdf](#)

This Report Action Item was approved.

[17-793](#) Pet Store/Kennel License Renewal application of H.S.A. Corporation d/b/a Pet Supplies Plus #97, Steve Adams, Applicant, 702 W. Northland Ave., contingent upon approval from all departments.

This Report Action Item was approved.

[17-794](#) Pet Store/Kennel License Renewal application of Just Pets, Craig L. Weborg, Applicant, 2009 N. Richmond St., contingent upon approval from all departments.

This Report Action Item was approved.

[17-796](#) Taxi Cab Company Renewal application of LIR Transportation LLC, DBA Fox Valley Cab, Igor Leykin, 719 W. Frances Street, contingent upon approvals from all departments.

This Report Action Item was approved.

[17-800](#) Pet Store/Kennel License Renewal application of PETCO #1656, 3829 E. Calumet St., contingent upon approval from all departments.

This Report Action Item was approved.

[17-831](#) "Class B" Beer/Liquor License - temporary change of premise description of TNE, Inc., d/b/a Emmett's, Sharon L. Reader, Agent, 139 N. Richmond St., for an event on August 3 - 6, 2017, contingent upon approval from all departments.

Attachments: [TNE Inc - Emmetts.pdf](#)

This Report Action Item was approved.

[17-832](#) "Class B" Beer/Liquor License - Change of Agent of Apple Hospitality Group LLC d/b/a Applebee's Neighborhood Grill & Bar, 3040 E. College Ave., Robert M. Ottesen, Agent, contingent upon approval from the Police Department.

This Report Action Item was approved.

[17-842](#) "Class B" Beer/Liquor License - temporary change of premise description of Gregg VanDinter d/b/a Riverside Bar & Grill, 906 S. Olde Oneida St., for an event on August 3 - 6, 2017, contingent upon approval from all departments.

Attachments: [Change of Description-Gregg VanDinter.pdf](#)

This Report Action Item was approved.

[17-848](#) "Class B" Beer/Liquor License - temporary change of premise description of SPATS, Julie Neubert, Agent, 733 W. College Ave. for an event on August 3-7, 2017, contingent upon approval from all departments.

Attachments: [Change of Description-SPATS.pdf](#)

This Report Action Item was approved.

[17-854](#) Operator's Licenses

Attachments: [Operator's Licenses for 06-14-17 S&L.pdf](#)

This Report Action Item was approved.

[17-857](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 6-14-17 S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[17-755](#) Request to approve Rezoning #2-17 to rezone 301 West Lawrence Street (Jones Park) (Tax Id #31-2-0119-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from P-I Public Institutional District to CBD Central Business District

Attachments: [StaffReport_Rezoning #2-17_JonesPark.pdf](#)

This Report Action Item was approved.

[17-818](#) Request to approve Special Use Permit #6-17 for an essential services facility (utility substation) and electronic tower located at 419 E. Winnebago Street (Tax Id #31-1-0108-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote required)

Attachments: [StaffReport_WeEnergiesWinnebagoSt_SUP_For06-13-17.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[17-914](#) Request to approve Contract for Unit X-17/AA-17 Sewer & Water Reconstruction No. 2 be awarded to Kruczek Construction, Inc. in the amount of \$1,115,115 with a 7% contingency for a contract not to exceed \$1,193,173.

Attachments: [AA-17 & X-17.pdf](#)

This Report Action Item was approved.

[17-915](#) Request to award relocation services contract related to the demolition of the Blue Parking Ramp to Corre in an amount not to exceed \$77,800.

Attachments: [Proposal-City of Appleton \(REVISED\).pdf](#)

This Report Action Item was approved.

[17-923](#) Approval of Bus Washer Refurbish Agreement in amount not to exceed \$103,405.

Attachments: [Bus Washer Refurbish.pdf](#)

This Report Action Item was approved.

[17-839](#) Request to approve the Kurey Ridge Agreement regarding trail and storm sewer easements, roadway dedication, and stormwater management contribution of \$22,146.

Attachments: [Kurey Ridge Agreement.pdf](#)

This Report Action Item was approved.

[17-874](#)

Request to approve payment to von Briesen & Roper, S.C. for real estate services performed under the "Hourly Services" provision of the Phase III agreement related to the construction of the Fox Cities Exhibition Center and approve the following related 2017 Budget adjustment:

Exhibition Center Capital Projects Fund

Consulting Services	+\$15,765
Debt Proceeds/Room Tax	+\$15,765

to provide funding for real estate services related to the construction of the Fox Cities Exhibition Center.

Attachments: [von Briesen Bill 5-17-17.pdf](#)

This Report Action Item was approved.

[17-876](#)

Request to approve Contract Amendment/Change Order No. 1 to contract 8-17 for Unit CC-17 Bridge Maintenance to increase for additional quantities of concrete deck repairs in the amount of \$20,000 resulting in no change to contingency. Overall contract increased from \$192,925 to \$212,925.

Attachments: [Unit CC-17 Contract Amendment-Change Order No.1.pdf](#)

This Report Action Item was approved.

[17-877](#)

Request to approve Contract Amendment/Change Order No. 2 to contract 9-17 for Unit U-17 Sewer and Water Reconstruction No. 2 to increase for additional water main and sanitary sewer items added to scope of work by the City in the amount of \$14,121 resulting in a decrease to contingency from \$74,003 to \$68,347. Overall contract increased from \$2,472,520 to \$2,480,985.

Attachments: [Unit U-17 Contract Amendment-Change Order No.2.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[17-830](#)

Request to approve the 2016 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program

Attachments: [CAPER memo to CEDC 6-7-17.pdf](#)
[CAPER 2016-2017.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[17-834](#)

Award of 2017D Evergreen Drive and Alvin Street Stormwater Management Alternatives Evaluation, in an amount not to exceed \$34,840, and authorization to single source the future design contract and construction related services contract, with McMahon Associates, Inc.

Attachments: [2017 Evergreen Alvin Contract Award.docx](#)

This Report Action Item was approved.

[17-879](#)

Request Approval of the Electronic Compliance Maintenance Annual Report (eCMAR) for 2016 (attached) and Request the following Resolution be presented to the Common Council for approval:

Whereas, the City of Appleton has successfully been operating a biosolids compost program in cooperation with the Outagamie Department of Solid Waste; and

Whereas, Outagamie County has committed to continue allowing biosolids composting during the next five years on over five acres of County property; and

Whereas, the City of Appleton had applied for and has now been re-issued a Wisconsin Pollution Discharge Elimination System (WPDES) permit; and

Whereas, the WPDES permit application requested and the facility was approved for a biosolids compost program and outfall; and

Whereas, the City of Appleton now meets requirements of NR 204 for biosolids storage due to the reissuance of the WPDES permit as of April 1, 2017;

Now, therefore, be it resolved by the City Council that the City of Appleton:

Article 1. Continues supporting an active biosolids compost program.

Article 2. Continue planning for long term composting facility.

Attachments: [Electronic Maintenance Compliance Memo \(6-13-17\).docx](#)
[Compliance Maintenance Annual Report \(6-13-17\).pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[17-871](#)

Request to approve Valley Transit reorganization for the following:

- * Add 1.0 fte Transit Operations Specialist
- * Reduce Community Relations Specialist from 1.0 fte down to .5 fte
- * Reduce Road Supervisors from 2.0 fte down to 1.5 fte
- * Change Communication Technicians from 2 full time and three .5 fte positions to 3 full time and one .5 fte

Attachments: [VT Request to Change T.O. 06.09.2017.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

[17-884](#)

Ordinance 41-17

Attachments: [Ordinance going to Council 6-21-17.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

#13-R-17

Submitted by Alderperson Lobner, District 13

Referred to: Valley Transit Commission

WHEREAS in 2014 the Fox Cities Transit Commission was expanded from eight to 15 members.

AND WHEREAS a 15-member commission requires a quorum of eight members present to hold meetings and conduct business.

AND WHEREAS the Transit Commission currently has just eleven active members and four vacant seats, including two belonging to the City of Appleton, one belonging to the Town of Grand Chute and one formerly belonging to the Town of Harrison.

AND WHEREAS the Commission's low number of active members makes it difficult for the group to reach quorum and act on time-sensitive issues.

THEREFORE BE IT RESOLVED that the Fox Cities Transit Commission shall contract to 13 members, eliminating one vacant seat from the City of Appleton and the seat formerly held by the Town of Harrison.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderperson Baranowski moved, seconded by Alderperson Baker, that the meeting be adjourned at 7:41 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Mayor Timothy Hanna, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 2 - Alderperson Kathleen Plank and Alderperson Chris Croatt

Kami Lynch, City Clerk