



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, October 5, 2016

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:01 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Croatt.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 16 - 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, Alderperson Chris Croatt and Mayor Timothy Hanna

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, Fire Chief VanderWyst,
Director of Human Resources Behnke,
Lt. Weiske representing Police, Director of Public Works Vandehey,
Director of Utilities Shaw*

F. PUBLIC PARTICIPATION

*The following individual spoke during Public Participation:
Kyle Marx, 2206 E John St Regarding Item 16-1522 Consideration of his Operator
License Application*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-1533](#)

Common Council meeting minutes of September 21, 2016

Attachments: [CC Minutes 9-21-16.pdf](#)

Alderperson Baranowski moved, seconded by Alderperson Dannecker, that the Minutes 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 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

Abstained: 1 - Alderperson Margret Mann

H. BUSINESS PRESENTED BY THE MAYOR

[16-1534](#) Presentation of Fire Prevention Week Proclamation

This Presentation was presented

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[16-1520](#) Revised Special Event Policy

Attachments: [Special Event Policy 9-23-16.pdf](#)
[Special Event Policy - Jan. 2010.pdf](#)
[Special Events Expense 2015.pdf](#)
[Special Event Policy Update Memo to S&L.pdf](#)
[Special Event Policy 9-23-16 Redlined.pdf](#)

Alderperson Konetzke referred this item back to the Safety & Licensing Committee.

This Report Action Item was referred to the Safety and Licensing Committee due back on 10/12/2016.

[16-1522](#) Operator's License application of Kyle J. Marx, 2206 E. John St.

Attachments: [Kyle J Marx.pdf](#)
[SL Denials- K. Marx.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Konetzke, that the recommendation to deny the license 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

[16-1457](#)

Operator's License application of Donald R. Hayden, W4082 Rock Road.

Attachments: [Donald R. Hayden.pdf](#)
[SL Denials- D. Hayden.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Croatt, that the license be denied. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Nay: 3 - Alderperson Curt Konetzke, Alderperson Patti Coenen and Alderperson Vered Meltzer

Excused: 1 - Mayor Timothy Hanna

[16-1436](#)

Operator's License application of Michelle L. Tegen, 1556 E. Moon Beam Trail.

Attachments: [Michelle Tegen.pdf](#)
[Tegan denial.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Martin, that the recommendation to deny the license be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Kathleen Plank, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Nay: 2 - Alderperson William Siebers and Alderperson Vered Meltzer

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderson Croatt moved, Alderson Martin seconded, to approve the report. The motion carried by the following vote:

Aye: 15 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Greg Dannecker, Alderson Christine Williams, Alderson Cathy Spears and Alderson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE[16-1418](#)

Mary Street, from North Street to Pacific Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 26', which is 1' narrower than the existing street. The curb and gutter along the east west side of Mary Street will be narrowed by 1', which will save 5 4 existing street trees along the east west side of the street. Parking would be prohibited along the east side of Mary Street within the project limits.

Attachments: [Attachment regarding trees.pdf](#)

This Report Action Item was approved.

[16-1513](#)

Request from Valley New School to create a secured bike parking area for their students in the old smoking indented area of City Center Street.

Attachments: [Valley New School bike parking.pdf](#)

This Report Action Item was approved.

[16-1514](#)

Approve Amendment No. 3 to a R.A. Smith National, Inc. for additional services related to the S. Oneida Street Design in the amount of \$13,571.19 for a revised not to exceed contract amount of \$814,159.28.

Attachments: [Amendment #3-Oneida Street Design.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-1464](#) Operator's Licenses

Attachments: [Operator's Licenses for 9-28-16 S & L.pdf](#)

This Report Action Item was approved.

[16-1469](#) Class "A" Beer License - Change of Agent of Kwik Trip, Matthew A. Oetzel, Agent, 2120 E. Edgewood Dr., contingent upon approval from the Police Department.

This Report Action Item was approved.

[16-1470](#) "Class B" Beer/Liquor License application of Taste of Thai Appleton LLC, d/b/a Taste of Thai, Natcha Jitmaiwong, Agent, 321 E. College Ave., contingent upon approval from all departments.

This Report Action Item was approved.

[16-1488](#) "Class A" Beer/Liquor License - Change of Agent of Walgreens, Jason J. Jarmuskiewicz, Agent, 729 W. Northland Ave, contingent upon approval from the Police Department.

This Report Action Item was approved.

[16-1489](#) "Class B" Beer/Liquor License - Change of Agent of Applebee's, John L. Chastain, Agent, 3040 E. College Ave., contingent upon approval from the Police Department.

This Report Action Item was approved.

[16-1497](#) Secondhand Article License application of Kay Jewelers, 3845 E. Calumet St., Megan L. Stepniewski, Applicant, contingent upon approval from all departments.

This Report Action Item was approved.

[16-1519](#) Kennel License application of Woof Lodge & Rescue, Khrysta M. Plamann, Applicant, 2705 S. Lake Park Rd., contingent upon approval from all departments.

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[16-1492](#)

Request to approve Special Use Permit #5-16 for a restaurant with alcohol sales and service at 106 S. State Street, 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 (2/3 vote required)

Attachments: [StaffReport_Mr. Taco_SpecialUsePermit#5-16.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[16-1498](#)

Action: Request Approval of Updated Recreation Program Fee Waiver Policy

Attachments: [Fee Waiver Policy Memo \(9-26-16\).doc](#)

[Fee Waiver Policy, Clean & Redlined \(9-26-16\).pdf](#)

This Report Action Item was approved.

[16-1499](#)

Action Item: Request to Adopt the Proposed Revised Chapter 13 Park Ordinances and Park Rules

Attachments: [Chapter 13 Park Ordinance Memo \(9-26-16\).docx](#)

[Chapter 13, Parks Rules & Regs Redlined & Clean Format \(9-26-16\).pdf](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[16-1523](#)

Request to award Unit CC-16 Milis Drive and Eisenhower Drive Sewer and Water to Kruczek Construction, Inc in the amount of \$255,555.55 with a 5% contingency of \$12,800 for a project total not to exceed \$268,355.55.

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

This Report Action Item was approved.

[16-1524](#)

Request to approve Bid Package #1 into the Guaranteed Maximum Price Amendment for the Fox Cities Exhibition Center construction project for a contract not to exceed \$3,595,039, and approve the related 2016 Budget adjustment:

<u>Exhibition Center Construction Project</u>	
Building Construction	\$3,595,039
Room Tax Revenue/Proceeds of Debt	\$3,595,039

To award bid package #1 to Calnin & Goss for earthwork and earth retention (2/3 vote required).

Attachments: [Finance Committee FCEC Bid #1 Award.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[16-1377](#)

City Program Funding Approval and City Proposals for 2017 CDBG Funding

Here is a link to all of the Project RUSH reports and the Housing Survey from Wilder:

<http://www.fchc.net/annual-report-documents/>

Attachments: [City Proposals Memo to CEDC Amended 9-28-16.pdf](#)
[CDBG Policy.pdf](#)
[CEDD CDBG Application.pdf](#)
[Dept Proposals CEDC Memo ORIGINAL 9-14-16.pdf](#)
[CDBG PowerPoint Presentation 2016.pdf](#)
[Aldersperson Lobner's Questions re Small House Community.pdf](#)

This Report Action Item was approved.

[16-1528](#)

****CRITICAL TIMING**** Request to approve the Offer to Purchase from Onstage Audio, LLC to purchase Lot 4, Northeast Industrial Park Plat 4 for a price of \$50,000.00 (\$34,722.22 per acre), comprised of approximately 1.44 acres, be countered to reflect a purchase price of \$52,992.00 (\$36,800.00 per acre) and amend Lines 287 and 293 as referenced in the attached memo

Attachments: [Onstage Audio OTP Memo 9-30-16.pdf](#)
 [Onstage Audio Offer to Purchase - Parcel 1-5362.pdf](#)
 [Bldg rendering.pdf](#)
 [Goodland Drive Utilities.pdf](#)
 [Northeast Industrial Park Plat 4.pdf](#)
 [AvailableSites 9-30-16.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[16-1501](#)

Award Motor Control Center Electrical Maintenance Contract to Midwest Electrical Testing in the amount of \$17,725 with a 10% contingency of \$1,773 for a project total not to exceed \$19,498.

Attachments: [MCC Electrical Contract for AWWTP.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[16-1535](#)

Ordinance 57-16 through 75-16

Attachments: [Ordinances going to Council 10-5-16.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
- R. OTHER COUNCIL BUSINESS
- S. CLOSED SESSION
- T. ADJOURN

Alderson Baranowski moved, seconded by Alderson Konetzke, that the meeting be adjourned at 7:48 p.m. Roll Call. Motion carried by the following vote:

Aye: 16 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Greg Dannecker, Alderson Christine Williams, Alderson Cathy Spears, Alderson Chris Croatt and Mayor Timothy Hanna

Kami Lynch, City Clerk