



City of Appleton

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

Meeting Minutes Common Council

Wednesday, May 6, 2015

7:00 PM

Council Chambers

A. CALL TO ORDER

Meeting was called to order at 7:02 pm.

B. INVOCATION

Offered by Alderperson Konetzke.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Mayor Timothy Hanna, Alderperson Polly Dalton, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

Excused: 1 - Alderperson Margret Mann

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

PRESENT: Clerk Collins, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Police Chief Thomas, Director of Public Works Vandehey, Director of Information Technology Fox, Director of Utilities Shaw.

EXCUSED: Director of Parks, Recreation & Facilities Gazza, Valley Transit General Manager Wetter, Library Director Rortvedt.

F. PUBLIC PARTICIPATION

NAME - ADDRESS - TOPIC

Jenni Eickelberg - 119 Green Way Dr - Weight of the Fox Valley

Melissa Kraemer Badtke - 400 Ahnaip St - Weight of the Fox Valley

Bill Breider - 965 Twelve Oaks - Weight of the Fox Valley

Lee Vogel - N2621 Meade St - Weight of the Fox Valley

Peter Kelly - 1117 Nicolet Blvd - Weight of the Fox Valley

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-681](#)

Common Council Meeting Minutes:

April 21, 2015 - Informal Organizational Meeting

April 22, 2015 - Organizational Meeting

April 22, 2015 - Common Council Meeting

Attachments:[CC Minutes 04-21-2015.pdf](#)[CC Minutes 04-22-2015 - Organizational.pdf](#)[CC Minutes 04-22-2015.pdf](#)

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

Aye: 14 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 1 - Aldersperson Mann

Abstained: 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[15-707](#)

Appointment of Peter Stueck to the Appleton Redevelopment Authority.

Attachments:[Appointment to ARA Biography Expired Term 050615.pdf](#)

Aldersperson Martin moved, seconded by Aldersperson Baranowski, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski and Aldersperson Jirschele

Nay: 3 - Aldersperson Dalton, Aldersperson Coenen and Aldersperson Lobner

Excused: 1 - Aldersperson Mann

Abstained: 1 - Mayor Hanna

[15-618](#)

Presentation of A Week To Celebrate Policing Proclamation.

- [15-686](#) Presentation of the following Appleton Police Department Awards:
Officer of the Year - Officer Ryan Condon
Civilian Community Service Award - Samuel P. Langenfeld
Civilian Medal of Gallantry - Ethan B. Jeffers

- [15-699](#) Presentation of Public Service Recognition Week Proclamation.

I. PUBLIC HEARINGS

- [15-619](#) Public Hearing - Rezoning #3-15 - North Meade Street.

No person spoke for or against the rezoning.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

- [15-612](#) Request to approve the Appleton Downtown, Inc. request for installation of twenty-one (21) interchangeable banners on light poles, which would hang in the public right-of-way a minimum of eight (8) feet above the sidewalk, along College Avenue between Badger Avenue and Drew Street pending approval by the Municipal Services Committee

Attachments: [StaffReport ADI BannerRequest For04-27-15.pdf](#)

Held at Common Council.

Aldersperson Croatt moved, seconded by Aldersperson Dannecker, that the Report Action Item be held. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 1 - Aldersperson Mann

Abstained: 1 - Mayor Hanna

[15-652](#)

Request from Appleton Downtown Incorporated for a street occupancy permit for the new banners on College Avenue. ~~along with their request to waive the installation fee identified in C.7 of the City of Appleton Banner Policy.~~

Attachments: [Request from ADI for new banner.pdf](#)

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

[15-648](#)

Request to approve the Second Addition to Emerald Valley Final Plat subject to the attached conditions

Attachments: [2nd Add Emerald Valley Final Plat Staff Review.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Dannecker, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 1 - Aldersperson Mann

Abstained: 1 - Mayor Hanna

[15-654](#)

Approve placement of bike corral at same location as 2014 (231 E. College Avenue) from May 7, 2015 through September 24, 2015.

Attachments: [Bike Corral at 231 E. College Avenue.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Dalton, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 1 - Aldersperson Mann

Abstained: 1 - Mayor Hanna

[15-693](#)

Weight of the Fox Valley

Attachments: [WOTFV Resolution.pdf](#)
[WOTFV Appleton Board of Health.pdf](#)
[3222 WOTFV General Infographic FNL.pdf](#)
[ECWRPC - Bicycle and Pedestrian Plan.pdf](#)

Moved by Alderperson Martin, seconded by Alderperson Lobner to call the question. Motion carried. Moved by Alderperson Martin, seconded by Alderperson Konetzke, to amend the resolution language from 'promote' awareness back to the original language 'support' awareness. Roll call vote: Aye - 6 (Dannecker, Martin, Dalton, Williams, Konetzke, Baranowski), Nay - 8 (Croatt, Spears, Meltzer, Plank, Siebers, Coenen, Lobner, Jirschele). Motion failed.

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

Aye: 13 - Alderperson Croatt, Alderperson Dannecker, Alderperson Martin, Alderperson Spears, Alderperson Dalton, Alderperson Williams, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Baranowski, Alderperson Coenen and Alderperson Lobner

Nay: 1 - Alderperson Jirschele

Excused: 1 - Alderperson Mann

Abstained: 1 - Mayor Hanna

[15-537](#)

Request to approve Rezoning #3-15 to rezone the subject site located east of North Meade Street and north of East Broadway Drive (part of Parcel #31-1-9310-15) from AG Agricultural District to R-1A Single-Family District as shown on the attached map

Attachments: [StaffReport_KureyProperty_Rezoning_For04-06-15.pdf](#)

Public Hearing held on May 6, 2015.

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

Aye: 13 - Alderperson Croatt, Alderperson Dannecker, Alderperson Martin, Alderperson Spears, Alderperson Williams, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Baranowski, Alderperson Coenen, Alderperson Lobner and Alderperson Jirschele

Nay: 1 - Alderperson Dalton

Excused: 1 - Alderperson Mann

Abstained: 1 - Mayor Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

A motion was made by Alderperson Ed Baranowski, seconded by Alderperson Kathleen Plank, that the Balance of the Agenda is approved. The motion carried by the following vote:

Aye: 14 - Alderperson Croatt, Alderperson Dannecker, Alderperson Martin, Alderperson Spears, Alderperson Dalton, Alderperson Williams, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Baranowski, Alderperson Coenen, Alderperson Lobner and Alderperson Jirschele

Excused: 1 - Alderperson Mann

Abstained: 1 - Mayor Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[15-477](#)

Request from Tom Purdy for a permanent street occupancy permit to install private subdivision signage in the Apple Hill Boulevard street right-of-way.

Attachments: [Applehill Blvd Private signage.pdf](#)
[Apple Hills Farms call to Service.pdf](#)

This Report Action Item was approved.

[15-651](#)

Request from Appleton Sign for a permanent street occupancy permit to install a sign that extends into the College Avenue street right-of-way 5 feet. Guidelines used for administrative approval is a maximum projection of 4 feet into the street right-of-way. This request to supercede 15-286.

Attachments: [Request Appleton Sign for Permanent Street Occ.pdf](#)

This Report Action Item was approved.

[15-286](#)

Request from Appleton Sign for a permanent street occupancy permit to install a sign that extends into the College Avenue street right-of-way 8.5 feet. Guidelines used for administrative approval is maximum projection of 4 feet into the street right-of-way.

Attachments: [Request from Appleton Sign.pdf](#)

This Report Action Item was approved.

[15-653](#) Request from Appleton Downtown Incorporated for a street occupancy permit to host a Sidewalk Sale on May 9, 2015 from 10:00 a.m. to 3:00 p.m. on the amenity strip from 600 W. College Avenue through 300 E. College Avenue.

Attachments: [Request from ADI for a Street Occ-sidewalk sale.pdf](#)

This Report Action Item was approved.

[15-655](#) Request from Studio 123 for a permanent street occupancy permit to install an entrance awning with the poles within the street right-of-way at 213 E. College Avenue with a minimum clearance of 7 feet.

Attachments: [Request from Studio 123-Awning.pdf](#)

This Report Action Item was approved.

[15-656](#) Install YIELD signs on Whittier Drive at Browning Street.

Attachments: [Install YIELD signs on Whittier Drive at Browning Street.pdf](#)

This Report Action Item was approved.

[15-658](#) Approve parking restrictions on Winslow Avenue between Conkey Street and Progress Drive.

Attachments: [Approve parking restrictions on Winslow Ave..pdf](#)

This Report Action Item was approved.

[15-657](#) Approve parking changes near St. Francis Xavier Middle School and install STOP signs on Morrison Street at McArthur Street.

Attachments: [Approve parking changes near St. Francis Xavier Middle School.pdf](#)
[Pictures St. Francis Xavier Middle School.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[15-625](#) Commercial Solicitation License application of Craig M. Jackowski, 411 E. Franklin Street.

This Report Action Item was approved.

[15-586](#) Commercial Solicitation License application of Danica M. Ebben, 1065 Debra Street, Wrightstown.

This Report Action Item was approved.

[15-587](#) Commercial Solicitation License application of Elijah M. Jewson, 1251 Maloney Road, Kaukauna.

This Report Action Item was approved.

[15-660](#) Operator's Licenses

Attachments: [Operator's Licenses for 04-30-2015.pdf](#)

This Report Action Item was approved.

[15-617](#) Change of Agent, "Class A" Beer/Liquor License of Target Corporation d/b/a Target Store T1248, 1800 S. Kensington Dr., Alexandria L. Blahnik, Agent, contingent upon approval from the Police Department.

This Report Action Item was approved.

[15-582](#) Change of Agent - "Class A" Beer/Liquor License of Walgreen Co., d/b/a Walgreens #12019, 2803 N. Meade St., James B. Douglas, Agent, contingent upon approval from the Police Department.

This Report Action Item was approved.

[15-595](#) Change of Agent - "Class B" Beer/Liquor License for Appleton Yacht Club, Andrew T. Potter, New Agent, 1200 S. Lutz Drive, contingent upon approval from the Police Department.

This Report Action Item was approved.

[15-571](#) Class "A" Beer License application of Kwik Trip Inc., Bryan D. Hartjes, Agent, 730 E. Wisconsin Ave., contingent upon approvals from all departments.

This Report Action Item was approved.

[15-572](#) Class "A" Beer License application of Kwik Trip Inc., Jessica A. Hartjes, Agent, 306 N. Richmond St., contingent upon approvals from all departments.

This Report Action Item was approved.

[15-620](#) Farm Market application for Long Cheng Marketplace, Mai Youa Thao, Fridays, Saturdays and Sundays, May through September, 2015, outside within the fenced in area at 1804 S. Lawe Street.

This Report Action Item was approved.

[15-585](#) Grant Application - Reserve "Class B" Beer/Liquor License of Rye Restaurant, 308 W. College Ave., Ronald C. Schoenfeld, Agent, contingent upon approval from all departments.

This Report Action Item was approved.

[15-622](#) Secondhand Article License application of Side Quest Gaming LLC, John J. Steudel, Applicant, 502 W. College Avenue, contingent upon approvals from all departments.

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[15-639](#) Action: Award contract to C.R. Meyer in the amount of \$18,535 for City Park fountain repairs. In addition, requesting approval of \$2,000 in contingency in the event additional work is determined to be needed. Total contract not to exceed \$20,535.

Attachments: [2015 City Park Fountain Repairs \(4-29-15\).pdf](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[15-641](#) Request to approve resolution to terminate Tax Incremental District #5.

Attachments: [TIF 5 Memo 4-22-15.pdf](#)
[TIF 5 - Termination Resolution \(April 2015\).pdf](#)

This Report Action Item was approved.

[15-638](#)

Request to award contract for Wastewater Treatment Plant asphalt roadways to MCC, Inc. in the amount of \$84,613.85 with a contingency of \$8,461.85 for a contract total not to exceed \$93,075.70.

Attachments: [2015 Wastewater Parking Lot Repairs Bid Recommendation.pdf](#)

This Report Action Item was approved.

[15-675](#)

Request to award contract for Water Filtration Plant asphalt roadways to Northeast Asphalt, Inc. in the amount of \$49,270 with a contingency of \$9,854 for a contract total not to exceed \$59,124.

Attachments: [2015 Waster Filtration Asphalt Repairs Bid Recommendation.pdf](#)

This Report Action Item was approved.

[15-643](#)

Request to award Unit D-15 Sidewalk Reconstruction to Fischer-Ulman Construction, Inc. in an amount not to exceed \$203,000

Attachments: [Award of Contract D-15.pdf](#)

This Report Action Item was approved.

[15-644](#)

Request to award Unit W-15 Sewer and Water Reconstruction No. 1 to Van Straten Construction Company, Inc. in the amount of \$2,496,405 with a 4% contingency of \$100,000 for a project total not to exceed \$2,596,405.

Attachments: [Units W-15 and X-15.pdf](#)
 [Award of Contract W-15.pdf](#)

This Report Action Item was approved.

[15-645](#)

Request to award Unit X-15 Sewer and Water Reconstruction No. 2 to Dorner, Inc. in the amount of \$1,841,938 with a 4% contingency of \$73,000 for a project total not to exceed \$1,914,938.

Attachments: [Units W-15 and X-15.pdf](#)
 [Award of Contract X-15.pdf](#)

This Report Action Item was approved.

[15-673](#) Request to award contract for Appleton Memorial Park Northwest Parking Lot renovation to Northeast Asphalt, Inc. in the amount of \$139,760 with a contingency of \$27,952 for a contract not to exceed \$167,712.

Attachments: [2015 AMP NW Parking Lot Bid Recommendation.pdf](#)

This Report Action Item was approved.

[15-674](#) Request to reallocate \$15,000 of the positive variance from the Library Movable Partition Wall project toward the replacement of the Library Entrance Door project.

Attachments: [2015 Library Entrance Door Replacement Budget Adjustment.pdf](#)

This Report Action Item was approved.

[15-646](#) Request to award of Unit J-15 Mini Storm Sewer Construction to Vanco Construction, Inc. in an amount not to exceed \$200,000.

Attachments: [Award of Contract J-15.pdf](#)

This Report Action Item was approved.

[15-677](#) Request approval of the Mediation Settlement Agreement between Relyco and the City of Appleton in the amount of \$72,500.

Attachments: [Settlement Agrm - Relyco and City of Appleton.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[15-647](#) Postpone the Sanders Street watermain replacement project between Seymour Street and Verbrick Street to coincide with the revised street resurfacing project schedule.

Attachments: [Award memo for Units W-15 and X-15.pdf](#)

This Report Action Item was approved.

- [15-663](#) Award Contract to Fiberglass Solutions, Inc. for Hypochlorite Fiberglass Reinforced Plastic Tank Conditions Assessment & Repair Work in the amount of \$28,673 plus a 5% contingency of \$1,434 for a total not to exceed cost of \$30,107.

Attachments: [Fiberglass Tank Conditions Repair.pdf](#)

This Report Action Item was approved.

- [15-679](#) Approval of Engineering Services for Water Plant Softener #3 and #4 Rehabilitation including Field Services to Robert E. Lee and Associates in the amount of \$59,800 and a 5% contingency of \$2,990 for a project total not to exceed \$62,790.

Attachments: [Softener Engineering.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

- [15-690](#) Noise Variance Request - S. Onedia Street Bridge Project

Attachments: [Noise Variance Request - S. Oneida Street Bridge.pdf](#)

This Report Action Item was approved.

- [15-691](#) Noise Variance Request - LU-Aroo Concert at Warch Campus Center

Attachments: [Noise Variance Request - LR-Aroo Concert.pdf](#)

This Report Action Item was approved.

- [15-698](#) Noise Variance Request - John Hoffman, St. Francis Xavier Violinist

Attachments: [Noise Variance Request - John Hoffman, Violinist.pdf](#)

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

[15-702](#)

Consolidated Action:

Item 15-612 - City Plan Commission

Item 15-652 - Municipal Services Committee

Item 15-612 held at Council. Item 15-652 referred back to the Municipal Services Committee.

O. ITEMS HELD

P. ORDINANCES

[15-683](#)

Ordinances 35-15 and 36-15.

Attachments: [Ordinances going to 05-06-2015 Council.pdf](#)

This Report Action Item was approved.

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER COUNCIL BUSINESS

T. ADJOURN

Meeting adjourned at 8:15 pm.

Aldersperson Baranowski moved, seconded by Aldersperson Spears, that the meeting be adjourned. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Mayor Hanna, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 1 - Aldersperson Mann

Dawn A. Collins, City Clerk