



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, March 16, 2016

7:00 PM

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order by Mayor Hanna at 7:00 p.m.*

B. INVOCATION

*The Invocation was given by Alderperson Jirschele.*

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 Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

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

F. PUBLIC PARTICIPATION

*Charlotte Olson, 725 E Roeland - Municipal Services Item 16-349, Snow Removal Fee*  
*Revis Engle, 86 Northbreeze Dr - Safety & Licensing Item 16-358, Operator License*  
*Tanya Rulston Engle, 86 Northbreeze Dr - Safety & Licensing Item 16-358, Operator License*  
*Jim Fletcher, 1319 S Lutz Dr - Municipal Services Item 15-2051, CTH JJ & Ballard Rd*  
*Troy Mleziva, 1626 Oak St, La Crosse - Municipal Services Item 15-2051, CTH JJ & Ballard Rd*  
*Todd Vanzeeland, 2000 Edgewood Dr - Municipal Services Item 15-2051, CTH JJ & Ballard Rd*  
*Trevor Reznar, 2930 W College Ave - Municipal Services Item 15-2051, CTH JJ & Ballard Rd*

## G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-396](#)

Common Council Meeting Minutes of March 2, 2016

**Attachments:** [CC Minutes 3-2-2016.pdf](#)**Alderson Croatt moved, seconded by Alderson Baranowski, that the Minutes be approved. Roll Call. Motion carried by the following vote:****Aye:** 13 - Alderson Chris Croatt, Alderson Greg Dannecker, Alderson Joe Martin, Alderson Christine Williams, Alderson Vered Meltzer, Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Kyle Lobner and Alderson Jeffrey Jirschele**Abstained:** 2 - Alderson Cathy Spears and Mayor Timothy Hanna

## H. BUSINESS PRESENTED BY THE MAYOR

[16-313](#)

Presentation of St. Joseph's 150th Jubilee Year Proclamation

[16-314](#)

Announcement of the winning poems for the 2016 Sidewalk Poetry Program

[16-384](#)

Appointment of Dana Reader to the Exhibition Center Advisory Committee of the Appleton Redevelopment Authority

**Attachments:** [APPT TO EC ADVISORY COMM OF THE ARA DANA READER 031116.pdf](#)**Alderson Konetzke moved, seconded by Alderson Martin, that the Appointment be approved. Roll Call. Motion carried by the following vote:****Aye:** 14 - Alderson Chris Croatt, Alderson Greg Dannecker, Alderson Joe Martin, Alderson Cathy Spears, Alderson Christine Williams, Alderson Vered Meltzer, Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Kyle Lobner and Alderson Jeffrey Jirschele**Abstained:** 1 - Mayor Timothy Hanna

## I. PUBLIC HEARINGS

[16-398](#)

Public Hearing- Comprehensive Plan Amendment #1-16

**Attachments:** [Class I Public Hearing Notice Newspaper E Werner Rd Comp Plan Amend.pdf](#)*The Public Hearing was held. No person spoke for or against the item.*

[16-400](#)

Public Hearing - Rezoning #1-16

**Attachments:**     [Public Hearing - RZ #1-16.pdf](#)*The Public Hearing was held. No person spoke for or against the item.*

## J.     SPECIAL RESOLUTIONS

## K.     ESTABLISH ORDER OF THE DAY

[16-349](#)

Request from Charlotte Olson, 725 E. Roeland Avenue to have her sidewalk snow removal bill of \$75 waived.

**Attachments:**     [Snow removal bill-725 E. Roeland Ave.pdf](#)  
                              [Snow removal 725 Roeland Avenue.pdf](#)

**Aldersperson Baranowski moved, seconded by Aldersperson Martin, that the recommendation to deny the request be approved. A Notwithstanding vote was taken. Roll Call. Motion carried to grant Ms. Olson's request and waive the fee by the following vote:**

**Aye:** 11 - Aldersperson Joe Martin, Aldersperson Cathy Spears, Aldersperson Christine Williams, Aldersperson Vered Meltzer, Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner and Aldersperson Jeffrey Jirschele

**Nay:** 3 - Aldersperson Chris Croatt, Aldersperson Greg Dannecker and Aldersperson Margret Mann

**Abstained:** 1 - Mayor Timothy Hanna

15-2051

Recommend to Outagamie County Highway Department to reconstruct CTH JJ from Ballard Road to Lightning Drive as follows:

Reconstruct the existing roadway with concrete pavement having the following design components as shown on attached sketch and described below:

- o Construct a raised concrete median with two left-turn access points to the north.
- o Provide an enhanced pedestrian crosswalk of Edgewood Drive at the west side of the Appleton North High School (ANHS) entrance.
- o Construct a single-lane roundabout with east, west, north, and south approaches at the Lightning Drive intersection, with right-of-way sufficient for future roundabout expansion to two lanes, if needed.
- o Construct one 12-foot eastbound and one 12-foot westbound through lane (plus 2.5-foot curb and gutter)
- o Construct one 4-foot eastbound and one 4-foot westbound bike lane (plus 2.5-foot curb and gutter)
- o Construct one 5-foot concrete sidewalk along north right-of-way line and one 10-foot asphalt multi-use trail along south right-of-way line.
- o Construct a dedicated eastbound right-turn lane at the ANHS entrance.
- o Construct a dedicated westbound left-turn lane at Ballard Road.
- o Construct a second through lane for westbound traffic at the approach to Ballard Road.
- o Construct a second through lane for eastbound traffic from Ballard Road to the ANHS right turn lane.
- o Construct approximately 600' of Lightning Drive north of Edgewood Drive with one northbound through lane, one southbound through lane, and a two-way-left-turn lane.
- o Construct a stormwater pond meeting state and local stormwater management requirements northeast of the Edgewood/Lightning intersection.

**Attachments:**    [CTH JJ Project Goals.pdf](#)  
                              [Design map CTH JJ.pdf](#)  
                              [CTH JJ Design Concept-Todd Van Zeeland.pdf](#)

Aldersperson Spears moved, seconded by Aldersperson Croatt, that the Recommendation to Outagamie County Highway Department be approved. Roll Call. Motion carried by the following vote:

**Aye:** 13 - Alderperson Chris Croatt, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

**Nay:** 1 - Alderperson Greg Dannecker

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Lobner moved, seconded by Alderperson Dannecker, that the original Motion be amended to approve Option 2 for the project. Roll Call. The Motion to amend failed by the following vote:**

**Aye:** 2 - Alderperson Greg Dannecker and Alderperson Kyle Lobner

**Nay:** 12 - Alderperson Chris Croatt, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen and Alderperson Jeffrey Jirschele

**Abstained:** 1 - Mayor Timothy Hanna

[15-2076](#)

#17-R-15/Martin

RESOLUTION- Public Art in Street right-of-way

WHEREAS, Sec. 23-507. Signs in the right-of-way. No signs shall be placed upon any street right-of-way

WHEREAS, Public art is something that is created with imagination and skill and that is beautiful or that expresses important ideas or feelings

WHEREAS, The city has approved murals, works created by artists: paintings, sculptures, etc.

NOW THEREFORE BE IT RESOLVED, The City of Appleton Attorney's office is directed to prepare a new ordinance that would allow commercial companies and foundations to attach their names to public art. In a way that is not obtrusive or offensive in the street right-of-way.

**Attachments:** [Guidelines for Signs in the Street Right-of-Way.pdf](#)

**Alderperson Martin moved, seconded by Alderperson Croatt, that the Resolution be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderperson Chris Croatt, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

**Nay:** 2 - Alderperson Greg Dannecker and Alderperson Kathleen Plank

**Abstained:** 1 - Mayor Timothy Hanna

[16-358](#)

Operator's License application of Revis D. Engle, 86 Northbreeze Drive.

**Attachments:** [16-358 Attachment- R. Engle Application.pdf](#)

**Alderperson Lobner moved, seconded by Alderperson Baranowski, that the recommendation for denial be approved. A Notwithstanding vote was taken.**

**Roll Call. Motion to approve the license carried by the following vote:**

**Aye:** 11 - Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann and Alderperson Patti Coenen

**Nay:** 3 - Alderperson Chris Croatt, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

**Abstained:** 1 - Mayor Timothy Hanna

## L. COMMITTEE REPORTS

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

### **Balance of the action items on the agenda.**

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

**Aye:** 14 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

**Abstained:** 1 - Mayor Timothy Hanna

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-341](#) Approve streetscape elements for the S. Oneida Street Reconstruction Project.

**Attachments:** [S. Oneida Street Streetscape Elements.pdf](#)

**This Report Action Item was approved.**

[16-346](#) Award of Contract for 2016 Land Acquisition Services for Oneida Street reconstruction to OMNNI Associates, Inc. in an amount not to exceed \$193,000.

**Attachments:** [2016 Land Acquisition-Oneida Street.pdf](#)

**This Report Action Item was approved.**

[16-348](#) Approve Amendment No. 1 to OMNNI Associates, Inc. for additional land acquisition services related to the STH 47/CTH OO Project in the amount of \$15,775.00 for a revised not to exceed amount of \$50,525.00.

**Attachments:** [Amendment No. 1 to OMNNI Associates.pdf](#)

**This Report Action Item was approved.**

[16-352](#) Award 2016 Bridge Inspections Services Contract to Collins Engineers, Inc. in an amount not to exceed \$30,000.

**Attachments:** [2016 Bridge Inspections Services Contract.pdf](#)

**This Report Action Item was approved.**

## **2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[16-326](#) Request for an extension on the Reserve "Class B" Beer/Liquor License application for RiverHeath Hospitality LLC for the new Marriott Courtyard Hotel, RiverHeath Way. Kris L. Oates, Agent, Mark Geall, Contact Person.

**This Report Action Item was approved.**

[16-302](#) Secondhand Article License Renewal application of Heid Music, Kristin J. Masarik, Applicant, 308 E. College Ave., contingent upon approval from all departments.

**This Report Action Item was approved.**

[16-306](#) Class "A" Beer License application of Banee Corporation d/b/a Appleton Citgo, Parmeet Kaur Arora, Agent, 1717 W. College Ave., contingent upon approval from all departments.

This Report Action Item was approved.

[16-310](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 3-9-16 S & L.pdf](#)

This Report Action Item was approved.

[16-325](#) Request to Approve the Adoption of the Winnebago County Natural Hazard Mitigation Plan.

**Attachments:** [Winnebago County Natural Hazard Mitigation Plan.pdf](#)

This Report Action Item was approved.

### 3. MINUTES OF THE CITY PLAN COMMISSION

[16-120](#) Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-16 for Lot 1 of Glacier Ridge Plat (Tax Id #31-1-9300-01) located along the south side of E. Werner Road, west of N. Ballard Road from Commercial and One and Two-Family Residential designation to Multifamily Residential designation as shown on the attached map and approve the attached resolution

**Attachments:** [StaffReport\\_EWernerRd\\_CompPlan+Rezoning\\_For02-08-16.pdf](#)  
[Docs Submitted by Neighborhood at 1-25 PC meeting.pdf](#)  
[Glacier Ridge\\_Restrictive Covenants.pdf](#)

This Report Action Item was approved.

[16-122](#) Request to approve Rezoning #1-16 for Lot 1 of Glacier Ridge Plat (Tax Id #31-1-9300-01) located along the south side of E. Werner Road, west of N. Ballard Road, including to the centerline of the adjacent right-of-way, as shown on the attached maps, from R-1B Single-Family District to R-3 Multi-Family District

**Attachments:** [StaffReport\\_EWernerRd\\_CompPlan+Rezoning\\_For02-08-16.pdf](#)  
[Docs Submitted by Neighborhood at 1-25 PC meeting.pdf](#)  
[Glacier Ridge\\_Restrictive Covenants.pdf](#)

This Report Action Item was approved.

**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE****5. MINUTES OF THE FINANCE COMMITTEE**[16-323](#)**\*CRITICAL TIMING\***

Request for approval to reallocate funds in the amount of \$305,660 budgeted in 2016 for Leona Pond Land Acquisition to the Northland Pond Construction Project.

**Attachments:** [Northland Const Leona Land FINAL 03-01-2016.pdf](#)

This Report Action Item was approved.

[16-338](#)

Request to award Unit A-16 Concrete Paving to Vinton Construction in the amount of \$3,181,258.91 with a 4.3% contingency of \$138,000 for a project total not to exceed \$3,319,258.91.

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

This Report Action Item was approved.

**6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**[16-330](#)

**\*\*CRITICAL TIMING\*\*** Request to approve the allocation of 2016 Community Development Block Grant funding as described in the attached memorandum

**Attachments:** [Alloc Recs Memo to CEDC Final Award 3-03-16.pdf](#)  
[Alloc Recs Memo to CEDC 11-11-15.pdf](#)  
[Revised Alloc Recs Spreadsheet 3-3-2016.pdf](#)  
[2016 CDBG Executive Summary of Recommendations Revised Award 3-03-16.pdf](#)

This Report Action Item was approved.

**7. MINUTES OF THE UTILITIES COMMITTEE**[16-319](#)

Approve revisions to Article VI Chapter 20 of Municipal Code to be effective May 1, 2016.

**Attachments:** [Post Construction Ord - Redline - 02-15-16.pdf](#)  
[Article VI Chapter 20.pdf](#)

This Report Action Item was approved.

[16-320](#)

Accept the 2015 Annual Stormwater Report for submittal to the Wisconsin Department of Natural Resources.

Attachments:     [2015 Annual report.pdf](#)

This Report Action Item was approved.

[16-322](#)

Award of Phase V Sanitary Sewer Flow Monitoring Contract to R.A. Smith National, Inc. in an amount not to exceed \$100,000.

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

This Report Action Item was approved.

[16-331](#)

Award Matthias Tower Clean and Inspect Project to McMahon and Associates, Inc. in the amount of \$5,596 with a 5% contingency of \$280 for a project total not to exceed \$5,876 and authorization to negotiate a sole source future engineering contract with McMahon and Associates, Inc.

Attachments:     [Matthias Tower Clean and Inspect Engineering Award.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**

**M. CONSOLIDATED ACTION ITEMS**

**O. ITEMS HELD**

**P. ORDINANCES**

[16-359](#)

Ordinance 16-16 through Ordinance 41-16

Attachments:     [Ordinances going to Council 3-16-16.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

**Alderson Baranowski moved, seconded by Alderson Martin, that the meeting be adjourned at 8:04 p.m. Roll Call. Motion carried by the following vote:**

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

Kami Lynch, City Clerk