



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, January 19, 2022

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Woodford at 7:02 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Schultz

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska, Alderperson Chad Doran and Mayor Jake Woodford

Excused: 1 - Alderperson Matthew Reed

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[21-1737](#)

Common Council Meeting Minutes of December 15, 2021

Attachments: [CC Minutes 12-15-21.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Smith, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Excused: 1 - Alderperson Matthew Reed

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[22-0001](#) Health Officer Recommendation

Attachments: [Health Officer Recommendation.pdf](#)
[C Sepers Resume.pdf](#)
[City of Appleton Health Officer Qualification Approval Letter 01 2022.pdf](#)

Alderson Meltzer moved, seconded by Alderson Hartzheim, that the Health Officer Recommendation be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Alex Schultz, Alderson Michael Smith, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 1 - Alderson Matthew Reed

Abstained: 1 - Mayor Jake Woodford

[22-0003](#) Proclamations:
- Human Trafficking Awareness Day
- Martin Luther King Jr. Day

Attachments: [Human Trafficking Awareness Day Proclamation.pdf](#)
[Martin Luther King Jr Day Proclamation.pdf](#)

[22-0002](#) COVID-19 Report

Attachments: [COVID -19 Common Council Update 01192022.pdf](#)

H. PUBLIC PARTICIPATION

No one signed up to speak during public participation.

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Hartzheim moved, Aldersperson Meltzer seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Michael Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 1 - Aldersperson Matthew Reed

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-1735](#)

Class "B" Beer and "Class C" Wine License application for Home Run Pizza LLC d/b/a Home Run Pizza, Jennifer M Cook, Agent, located at 1216 W Wisconsin Ave, contingent upon approval from all departments.

Attachments: [Home Run Pizza.pdf](#)
[Home Run Pizza SUP 6-14 Transfer_Report_1-3-22Final.pdf](#)

This Report Action Item was approved.

[21-1736](#)

Class "B" Beer and "Class B" Liquor License application for Fox River House LLC d/b/a Fox River House, Cassidy Evers, Agent, located at 211 S Walnut St, contingent upon approval from all departments.

Attachments: [Fox River House.pdf](#)
[Fox River House SUP 17-03 Transfer_Report_1-3-22Final.pdf](#)

This Report Action Item was approved.

[21-1779](#)

Request from Fire Department to enter a contract with Purina Animal Nutrition to provide confined space services for their organization.

Attachments: [0029 - Purina Confined Space Agrm 12.22.21.pdf](#)
[01-08-22_Purina_Contract_Memo.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[21-1747](#)

Request to approve Special Use Permit #4-21 for a restaurant with alcohol sales and consumption located at 1016 East Pacific Street (Tax Id #31-1-0843-00), 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 of Common Council required for approval)

Attachments: [StaffReport_AlpineSwift_SUP_For01-12-22.pdf](#)

This Report Action Item was approved.

[21-1749](#)

Request to approve Special Use Permit #5-21 for an indoor recreation use with alcohol sales and consumption located at 2009/2011 North Richmond Street (Tax Id #31-5-2326-00), 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 of Common Council required for approval)

Attachments: [StaffReport_Breaking Point_SUP_For01-12-22.pdf](#)

This Report Action Item was approved.

[21-1750](#)

Request to approve the Stone Ridge Estates West Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_StoneRidgeEstatesWest_PreliminaryPlat_For01-12-22.pdf](#)

This Report Action Item was approved.

[21-1751](#)

Request to approve the Extraterritorial Final Plat for Center Valley at 3800 located in the Town of Grand Chute as shown on the attached maps

Attachments: [StaffReport_CenterValleyat3800_FinalPlat_For 01-12-22.pdf](#)

This Report Action Item was approved.

[21-1752](#)

Request to approve the dedication of land for public right-of-way for Spartan Drive, generally located 600' east of Haymeadow Avenue to 800' west of Meade Street, connecting existing East Spartan Drive right-of-way to the west and east, (part of Tax Id #31-6-6100-62), as shown on the attached maps

Attachments: [StaffReport_SpartanDrive_StreetDedication_For01-12-22.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[21-1753](#)

Request to approve the Relocation Order for N8770 Firelane 1 for water main construction

Attachments: [0938 - Relocation Order.pdf](#)

This Report Action Item was approved.

[21-1754](#)

Request to approve the Relocation Order for Appleton Street from Washington Street to Packard Street for sidewalk construction and signal modification

Attachments: [0934-0937 - Relocation Order.pdf](#)

This Report Action Item was approved.

[21-1755](#)

Request to approve the following 2021 Budget amendments:

Vaccination Clinic Grant Fund

Health Grants and Aids	+\$118,000
Salaries and Wages	+\$ 62,100
Fringes	+\$ 15,200
Parking Permits	+\$ 300
Office Supplies	+\$ 500
Other Miscellaneous Supplies	+\$ 11,900
Outside Printing	+\$ 2,500
Miscellaneous Equipment	+\$ 500
Other Contracts/Obligations	+\$ 25,000

to record grant funds from the State Department of Health Services for 2021-2024 COVID-19 vaccination costs

Vaccination Clinic Grant Fund

Other Reimbursements	+\$104,835
Outside Printing	+\$ 7,889
Medical/Lab Supplies	+\$ 900
Other Contracts/Obligations	+\$ 96,046

to record reimbursement from Outagamie County for 60% of non-staff costs for the Fox Cities Vaccination Clinic

Vaccination Clinic Grant Fund

Miscellaneous Revenue	+\$ 18,131
Overtime	+\$ 15,411
Fringes	+\$ 2,720

to record revenue received from sale of beds used to cover costs of Fire overtime and fringes for EMS

ELC (Epidemiology & Laboratory Capacity) COVID Grant Fund

Health Grants and Aids	+\$625,900
Salaries and Wages	+\$260,000
Fringes	+\$ 30,000
Other Miscellaneous Supplies	+\$150,000
Outside Printing	+\$ 5,000
Facilities Charges	+\$ 10,000
Other Contracts/Obligations	+\$170,900

to record additional grant funds from the State Department of Health Services for 2021-2022 COVID-19 pandemic response costs

ELC (Epidemiology & Laboratory Capacity) COVID Grant Fund

Health Grants and Aids - ELC	- \$166,622
Salaries and Wages - ELC	- \$ 85,000
Fringes - ELC	- \$ 11,000
Other Contracts/Obligations - ELC	- \$ 70,622
Health Grants and Aids - Vac Clinic	+\$166,622
Salaries and Wages - Vac Clinic	+\$ 82,535
Fringes - Vac Clinic	+\$ 12,480
Miscellaneous Supplies - Vac Clinic	+\$ 65,641
Outside Printing - Vac Clinic	+\$ 5,966

to transfer ELC Grant funds to Vaccination Clinic budget to cover January - June expenses

Attachments: [Finance Committee - 2021 Health Grant Budget Amendments.pdf](#)

This Report Action Item was approved.

21-1775

Request to sole a source contract to McMahon for professional services needed to complete the 2022 Wastewater Hardscapes Improvement Project, for a contract fee of \$49,800 and a contingency of 5% to not exceed a total contract of \$52,290.

Attachments: [2022 AWWTP Hardscapes Design.pdf](#)

This Report Action Item was approved.

21-1778

Request to award the “2022 Telulah Park Pickleball Complex” to Northeast Asphalt, Inc. in the amount of \$484,862 with a contingency of \$15,138 for a total not to exceed \$500,000.

Attachments: [2022 Telulah Pickleball.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**21-1768**

Request to approve the Development Agreement (Phase II) with Merge LLC for a mixed-use development located on the southeast corner of W. Washington Street and N. Appleton Street (Tax Id #31-2-0272-00, 31-2-0272-01, and 31-2-0272-02) in Tax Increment Financing District No. 11

Attachments: [Merge Ph II DA Memo to CEDC 1-12-22.pdf](#)
[0871 - Merge - Phase 2 Dev Agrm - 2022-01-05.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[21-1783](#) Approve 2022 Private Lead / Galvanized Service Replacement Program.

Attachments: [2022 Private Lead Galvanized Service Replacement Program.pdf](#)

This Report Action Item was approved.

[21-1784](#) Award Contract Amendment 3 to Jacobs Engineering for the Water Treatment Facility Optimized Corrosion Control Treatment (OCCT) Studies in the amount of \$31,740 and a total revised contract of \$190,790.

Attachments: [OCCT Project 01-05-21.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

[21-1766](#) #15-R-21 Honeybee Rescue Resolution

Attachments: [Memo to Board of Health with Attachments.pdf](#)
[#15-R-21 Amendment.pdf](#)

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[21-1788](#) Ordinances #1-22 to #12-22

Attachments: [Ordinances to Council 1-19-22.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Smith, that the Ordinances be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Excused: 1 - Alderperson Matthew Reed

Abstained: 1 - Mayor Jake Woodford

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

*Resolution #1-R-22
Intoxicated Bartender Ordinance*

*Submitted By: Alderperson Smith
Date: 1/19/2022
Referred To: Safety & Licensing Committee*

*Whereas a need has been identified,
Be it resolved that the following resolution is submitted,
It shall be unlawful for the licensee or any employee of a licensed establishment to be under the influence of an intoxicant while performing alcohol beverage services on the licensed premises. Under the influence means that the individual has a blood alcohol content of 0.08 or more or otherwise has consumed a sufficient amount of alcohol, controlled substance, or combination of alcohol and controlled substances or any other drug, to cause the individual to be less able to exercise clear judgement and reasonable care in the exercise of services performed. If a law enforcement officer has probable cause that a violation of this section has occurred, the officer, prior to an arrest, may request the individual to provide a sample of his or her breath for a preliminary breath screening test using a device approved by the State of Wisconsin for this purpose. The officer may request the individual to provide subsequent sample(s) of his or her breath if the officer has probable cause to conduct further preliminary breath screening test(s). The result of the preliminary breath screening may be used by the law enforcement officer for the purpose of deciding whether or not the person shall be arrested for a violation of this section. Refusal to submit to a requested test may be considered by the Common Council as grounds for revocation, suspension, non-issuance, or non-renewal of the server's operator's license.*

*Resolution #2-R-22
RESOLUTION TO IMPROVE COMMUNICATION, TECHNOLOGY, & PEDESTRIAN SAFETY*

*Submitted By: Alderperson Katie Van Zeeland - District 5, Alderperson Brad Firkus - District 3, Alderperson Denise Fenton - District 6, Alderperson Nate Wolff, District 12 & Alderperson Joe Prohaska - District 14
Date: January 19, 2022
Referred To: Finance Committee*

*WHEREAS Appleton.org is an important means of communication between city officials and the public and the current website is not meeting the needs of our citizens; and
WHEREAS it is important that city communication materials are consistent in language and voice; and
WHEREAS staff has identified an unfunded need to upgrade computers and technology; and
WHEREAS the safety of pedestrians and bicyclists is of utmost importance, and the need for enhanced crosswalks has grown significantly due to increased concerns about reckless driving;
THEREFORE BE IT RESOLVED THAT city staff will create a style guide to ensure the city logo and stamp are used appropriately; and
BE IT FURTHER RESOLVED THAT funding previously set aside for city rebranding*

be reallocated as follows: \$100,000 for an Appleton.org website re-design, \$225,000 added to the enhanced crosswalk program, and \$150,000 to address much needed technology upgrades and committees of jurisdiction and staff work together to appropriate these funds accordingly.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Aldersperson Hartzheim moved, seconded by Aldersperson Meltzer, that the meeting be adjourned at 7:28 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Michael Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska, Aldersperson Chad Doran and Mayor Jake Woodford

Excused: 1 - Aldersperson Matthew Reed

Kami Lynch, City Clerk