



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, February 5, 2020

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 Firkus.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Corey Otis and Mayor Timothy Hanna

Excused: 2 - Alderperson Maiyoua Thao and Alderperson Chris Croatt

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, Assistant City Attorney Abshire, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Director of Human Resources Matz, Director of Parks, Recreation & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey

The following were excused:

Information Technology

Library

Utilities

Valley Transit

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[20-0164](#)

Common Council Meeting Minutes of January 22, 2020

Attachments: [CC Minutes 1-22-20.pdf](#)

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

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Corey Otis

Excused: 2 - Alderperson Maiyoua Thao and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

[20-0166](#) 2020 Burn Awareness Proclamation

The Proclamation was presented

H. PUBLIC PARTICIPATION

There was no one signed up to speak during public participation.

I. PUBLIC HEARINGS

[20-0139](#) Public hearing for Erb Street Vacation

Attachments: [Publication Document NErbSt_StreetVacation.pdf](#)

The public hearing was held, no one spoke during the hearing.

[20-0151](#) Public Hearing regarding Rezoning #11-19: Evergreen Heights Annexation

Attachments: [Class II PublicHearingNotice_EvergreenHeights_Rezoning_CC_2-5-2020.pdf](#)

The public hearing was held, no one spoke during the hearing.

J. SPECIAL RESOLUTIONS

[20-0140](#) Final resolution for Erb Street Vacation

Attachments: [Erb Street Vacation Final Resolution.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Spears, that the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Corey Otis

Excused: 2 - Alderperson Maiyoua Thao and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[20-0109](#)

Request to approve proposed changes to the Art in Public Places Policy as identified in the attached revised policy

Attachments: [Memo to CEDC Revised APAC Policy February 2020.pdf](#)
[StaffReport Revised Art in Public Places Policy For2-4-20.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Coenen that the Item be held until the March 18th Council Meeting. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Corey Otis

Excused: 2 - Alderperson Maiyoua Thao and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[20-0129](#)

Request to install a street light at 333 W. River Road. Street light to be a standard unit unless at least one resident signs the waiver of special assessment to upgrade the light to a decorative unit.

Attachments: [Street light installed at 333 W. River Road.pdf](#)

Alderperson Martin moved, seconded by Alderperson Firkus, that the Street Light Installation be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Corey Otis

Nay: 1 - Alderperson Alex Schultz

Excused: 2 - Alderperson Maiyoua Thao and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[19-0796](#)

Resolution #5-R-19: Rededication and Revitalization of Soldier's Square

Attachments: [#5-R-19 Soldier's Square.pdf](#)
[Reso #5-R-19 Memo to CEDC 6-12-19.pdf](#)
[Reso #5-R-19 Memo to CEDC 9-11-19.pdf](#)
[Soldier Square Ramp Deed Restriction Opinion 09-05-2019.pdf](#)
[Original Deed from 1851.pdf](#)
[Historical Newspaper Articles.pdf](#)
[Muni Services Minutes 11-11-08.pdf](#)
[Council Minutes 11-19-08.pdf](#)
[Civil War Monument Condition Report.pdf](#)
[Excerpt from Comp Plan re Soldier Square-YMCA Park Ramp Area.pdf](#)
[1922 Comprehensive Plan.pdf](#)
[Map of Streets-Area in 1922.pdf](#)
[#5-R-19 Soldier's Square PROPOSED REVISIONS 9-25-19.pdf](#)
[#5-R-19 Soldier's Square AMENDMENT 10-2-2019.pdf](#)
[Soldiers Square Resolution - redlined 01-23-2020 1.pdf](#)
[Soldiers Square Resolution - clean version 01-23-2020.pdf](#)

Aldersperson Coenen moved, seconded by Aldersperson Fenton, that the Resolution be approved as amended in the attached most recent version. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Corey Otis

Excused: 2 - Aldersperson Maiyoua Thao and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[20-0097](#)

Reserve "Class B" Liquor and Class "B" Beer License Application for Fox River Boat Holding Co. d/b/a River Tyme Bistro, Christine Williams, Agent, located at 425 W Water St Ste 100, contingent upon approval from all departments.

Attachments: [River Tyme Bistro.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Firkus, that the License be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Matt Reed, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Corey Otis

Excused: 2 - Alderperson Maiyoua Thao and Alderperson Chris Croatt

Abstained: 3 - Alderperson Alex Schultz, Alderperson Christine Williams and Mayor Timothy Hanna

20-0110

Request to approve the Planning Option Agreement with Merge, LLC (d/b/a Merge Urban Development Group) for a potential mixed-use development located on the former Blue Ramp and Conway Hotel sites

- Attachments:**
- [Merge Option Memo to CEDC 1-29-20.pdf](#)
 - [Planning Option Agreement Merge LLC-City of Appleton_v3_Signed.pdf](#)
 - [Map Blue Ramp+Conway Hotel.pdf](#)
 - [Letter of Intent Merge 11-29-19.pdf](#)
 - [Merge Projects + References.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Coenen, that the Agreement be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Corey Otis

Nay: 1 - Alderperson Joe Martin

Excused: 2 - Alderperson Maiyoua Thao and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Van Zeeland moved, Alderperson Lobner seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Corey Otis

Excused: 2 - Alderperson Maiyoua Thao and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[20-0124](#) Request from Bernie Laird, 115 N. Mason Street, to have his sidewalk snow removal bill of \$85.80 waived.

Attachments: [115 N Mason St-snow removal bill waived.pdf](#)

The recommendation to deny the request was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[20-0141](#) "Class B" Liquor and Class "B" Beer New Agent application for Apollon II LLC d/b/a Apollon, New Agent Kelly-Jo M Kramarczyk, located at 207 N Appleton St.

Attachments: [Kelly-Jo M Kramarczyk S&L 2-5-20.pdf](#)

This Report Action Item was approved.

[20-0142](#) Class "A" Beer and "Class A" Liquor License Change of Agent application for Skogen's Foodliner Inc d/b/a Festival Foods, New Agent, Jonathan J Arlt, located at 1200 W Northland Ave.

Attachments: [Jonathan J Arlt S&L 2-5-20.pdf](#)

This Report Action Item was approved.

[20-0163](#) 2019-2020 Cigarette License application for Dolgencorp, LLC d/b/a Dollar General Store #21851, located at 1010 W College Ave, contingent upon approval from all departments.

Attachments: [Dollar General Store #21851 S&L 2-5-20.pdf](#)

This Report Action Item was approved.

[20-0159](#) License Application for Taxicab Company, Budget Medical Transportation, LLC, 2401 W Jonathon Dr, Appleton, 54914, contingent upon approval from all departments

Attachments: [Budget Medical Transportation, LLC.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[19-1940](#)

Request to approve Planned Development (PD) Rezoning #11-19 to rezone the subject parcels generally located east of North Richmond Street and south of West Evergreen Drive (Tax Id #31-6-5601-00, #31-6-5601-01, #31-6-5601-02, #31-6-5601-03, #31-6-5601-04, and #31-6-5601-05) from Temporary AG Agricultural District and C-2 General Commercial District to PD/C-2 Planned Development General Commercial District #11-19, including the adjacent one-half (1/2) right-of-way of North Richmond Street (aka S.T.H. 47), West Evergreen Drive, North Alvin Street, and Interstate 41, as shown on the attached maps and subject to the conditions in the attached staff report, along with the attached Implementation Plan Document and Development Plan

Attachments: [StaffReport_EvergreenHeights_Rezoning_For01-07-20.pdf](#)
[EmailInputOnRezoning#11-19_Backman_01-06-20.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[20-0134](#)

Request to award Unit W-20 Sewer & Water Main Reconstruction No. 1 to Kruczek Construction, Inc in the amount of \$3,559,000 with a 2% contingency of \$71,180 for a project total not to exceed \$3,630,180

Attachments: [Award of Contract Unit W-20.pdf](#)

This Report Action Item was approved.

[20-0136](#)

Request to approve the following 2019 Budget adjustment:

General Fund - Park Maintenance

Supplies and Materials	+\$17,116
Donations	+\$17,116

to record receipt of donation from the Friends of the Appleton Skate Park

Attachments: [Skateboard Donation Request 2019.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[20-0126](#)

****CRITICAL TIMING**** Request to accept the Amendment to the Offer to Purchase from Hayden Properties, LLC or its assigns to purchase Lots 30, 31, 32 and 33 in Southpoint Commerce Park Plat 3 and Parcel ID #31-9-5714-00, comprising a total of approximately 49.84 acres, subject to lot size as determined by survey, at a purchase price of \$1,893,920 (\$38,000 per acre) (Amendments include changes to the timeframe for land under contract)

- Attachments:** [Amendment OTP Hayden Properties LLC Memo to CEDC 1-23-20.pdf](#)
[2nd Amendment to Offer Hayden Properties Buyer Signed.pdf](#)
[Hayden Properties LLC OTP Memo to CEDC 9-10-19.pdf](#)
[F Street Development Cover Letter 9-10-19.pdf](#)
[Hayden Properties Offer to Purchase + Addendum.pdf](#)
[Southpoint Land Aerial.pdf](#)
[Southpoint Land Aerial #2.pdf](#)
[SPCP Subject Parcel Map 9-10-19.pdf](#)
[SPCP Deed Restrictions.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[20-0121](#)

Request to approve the Fire Fighter union contract for a 3 year term with the following wage adjustments:
2.25% increase on 10/1/2020
2.25% increase on 10/1/2021
2.25% increase on 10/1/2022

- Attachments:** [IAFF Tentative Agreements 2020-2022.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

[20-0167](#)

Ordinances 6-20 to 13-20

Attachments: [Ordinances for 02052020 CC Meeting.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

RESOLUTION #2-R-20

Designating the month of May, 2020, as No Mow May

Date: February 5, 2020

Submitted By: Alderperson Schultz – District 9, Alderperson Martin – District 4, Alderperson Meltzer – District 2, Alderperson Otis – District 15, Alderperson Fenton – District 6, Alderperson Firkus – District 3

Referred To: Municipal Services Committee

WHEREAS, as a BEE CITY USA affiliate, the City of Appleton and its designated community advocacy group for pollinator awareness and engagement, Pollenablers-Fox Cities, is directed to “Develop and implement a program to create or expand pollinator-friendly habitat on public and private land, to galvanize communities to adopt sustainable pollinator-friendly land management practices, and;

WHEREAS, the City of Appleton is in a unique position, being both a BEE CITY USA affiliate and also hosting a BEE CITY CAMPUS, to leverage both designations to significantly increase pollinator-friendly habitat by encouraging pollinator-friendly lawn-care practices and by incentivizing its citizens to take direct and meaningful action on their own properties, and

WHEREAS, ideal pollinator-friendly habitat is comprised of mostly native wildflowers, grasses, vines, shrubs, and trees blooming in succession throughout the growing season, is free or nearly free of pesticides, is comprised of undisturbed spaces including leaf and brush piles, un-mown fields or field margins, fallen trees and other dead wood for nesting and overwintering; and provides connectivity between habitat areas to support pollinator movement and resilience; and

WHEREAS, the formative period for establishment of pollinator insect species occurs in late spring and early summer when pollinator species emerge from hibernation or suspended animation and when supporting plants emerge and blossom, offering crucial life cycle habitat and forage opportunities; and these opportunities are dramatically reduced with early spring leaf litter removal and grass mowing; now, therefore,

BE IT RESOLVED, that the City of Appleton and Pollenablers-Fox Cities, along with their partnering organizations, jointly recognize No Mow May to actively promote and educate the community about the critical period of pollinator emergence, generation of crucial pollinator-supporting habitat and early spring foraging opportunities, and;

BE IT FURTHER RESOLVED, that for the duration of the month of May, the City of Appleton shall suspend the enforcement of Municipal Code Chapter 12, Article III - Weeds and Wild Growth, permitting all residents to voluntarily delay lawn-care and litter removal practices until June, allowing pollinators to emerge and early flowering grasses and forbes to establish, which may result in ground-cover exceeding established ordinance height restrictions, and; that following the month of May, the City of Appleton shall not issue citations for excessive “weed” growth for an additional grace period of 2 weeks.

R. OTHER COUNCIL BUSINESS

[20-0165](#)

Suspend the Council Rules to adjust the April Meeting Schedule as follows:

April 1, 2020 Common Council Meeting 7:00 p.m.

April 6 - April 10, 2020 NO MEETINGS THIS WEEK

April 13 - April 17, 2020 Committee Meetings

April 21, 2020 Informal Organizational Meeting (Oaths of Office)

April 22, 2020 Organizational Meeting 6:00 p.m.; Common Council 7:00 p.m.

April 27 - May 1, 2020 Committee Meetings

Aldersperson Lobner moved, seconded by Aldersperson Coenen, that the Changes to the April Meeting Schedule be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Corey Otis

Excused: 2 - Aldersperson Maiyoua Thao and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

S. ADJOURN

Aldersperson Lobner moved, seconded by Aldersperson Coenen, that the meeting be adjourned at 7:34 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Corey Otis

Excused: 2 - Aldersperson Maiyoua Thao and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Kami Lynch, City Clerk