



City of Appleton

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

Meeting Minutes - Final-revised Common Council

Wednesday, October 2, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:03 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Schultz.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

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

Excused: 2 - Alderperson Brad Firkus and Alderperson Matt Reed

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Library Director Rortvedt, Director of Parks, Recreation, & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Valley Transit General Manager Mc Donald

The following were excused:

Health

Human Resources

Information Technology

Utilities

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-1431](#)

Common Council Meeting Minutes of September 18, 2019

Attachments: [CC Minutes 9-18-19.pdf](#)

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

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Excused: 2 - Alderperson Brad Firkus and Alderperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

[19-1432](#) Fire Prevention Week Proclamation

This Proclamation was presented.

[19-1436](#) National Coming Out Day Proclamation

This Proclamation was presented.

[19-1435](#) Appointments to the Board of Zoning Appeals

Attachments: [APPT TO BOARD OF ZONING APPEALS - 10-02-2019.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Lobner, that the Board of Zoning appointments be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Excused: 2 - Alderperson Brad Firkus and Alderperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

H. PUBLIC PARTICIPATION

The following individuals spoke during public participation:

*Item 19-0796 Soldier's Square
Laura Leimer, 720 E Washington St.*

*Item 19-1402 U.S Venture
Thomas Wiltzius, 406 N Richmond St.
Jay Plamann, 601 Carrington Ln.
Bob Dekoch, W3862 Highview Dr.
Patti Habeck, 1611 E Meadowgrove Blvd.
Walter Blank, 2623 E Sundance Dr.
Mike Thomas, 1 Hillview Ct.
John Pfeferle, 200 E Washington St.
Paul, Hoffman, 200 E Washington St.
Hope Karth, 16 Robincrest Ct.
Tom Roessler, 3023 E Fallcreek Ln.
Deb Blank, 2673 E Sundance Dr.
Nathan Litt, 1 Lawrence Ct.
Bill Breider, 218 E Lawrence Ct.
Cindy Schotsky, 1101 S Oneida St.
Deb Johnson, 300 W College. Ave.
Jennifer Stephany, ADI
John Schmidt, 212 N Green Bay Rd.
Brad Cebulski, 606 E Woodcrest Dr.
Tony Lindberg, 219 W Arrowhead Ln.
David Oliver, 533 E Franklin St.
Peter Kelly, Neenah*

*Item 19-1407 Special Use Permit #9-19
Colin Cassady*

*Item 19-1420 Appleton Development LLC curb cut
Daniel Hoff, 225 E Wayfarer Ln.
Michael Green, N1395 Shaky Ln.*

I. PUBLIC HEARINGS

[19-1403](#) Public Hearing, Street Vacation for S. Locust Street

Attachments: [Public Hearing - S Locust St.pdf](#)

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

J. SPECIAL RESOLUTIONS

[19-1404](#)

Final Resolution for Street Vacation for S. Locust Street

Attachments: [South Locust Street - Final Resolution.pdf](#)

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

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Excused: 2 - Alderson Brad Firkus and Alderson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

19-1460

Motion to Reconsider Items:

19-1322

19-1323

19-1324

Alderson Martin moved, seconded by Alderson Lobner, that the items be reconsidered. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderson William Siebers, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Nay: 1 - Alderson Vered Meltzer

Excused: 2 - Alderson Brad Firkus and Alderson Matt Reed

Abstained: 3 - Alderson Denise Fenton, Alderson Alex Schultz and Mayor Timothy Hanna

[19-1419](#)

R/B-Resolution #11-R-19 regarding the creation of a parking lot on the former Blue Ramp site.

Attachments: [Resolution #11-R-19.pdf](#)

This Resolution was referred to the Municipal Services Committee due back on 10/7/2019.

[19-1420](#)

Request from Appleton Development LLC for a curb cut on College Avenue at 1023 W. College Avenue. Curb cuts on this segment of College Avenue require Common Council approval per Resolution #84-R-90.

Attachments: [Appleton Development LLC-1023 W College Ave curb cut.pdf](#)

Aldersperson Coenen moved, seconded by Aldersperson Croatt, that the request for the curb cut be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Excused: 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

[19-1407](#)

Request to approve Special Use Permit #9-19 for a community living arrangement (CLA) serving 28 persons at 975 East John Street (Tax Id #31-1-0772-01), to run with the land, with an exception to the Aldermanic District 4 CLA capacity limitation per Section 23-52(b)(2)(a) of the Zoning Ordinance, as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_EaglePointLotTwo_SUP_For09-24-19.pdf](#)

Aldersperson Spears moved, seconded by Aldersperson Meltzer, that the Special Use Permit application be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Excused: 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

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 PROPOSED REVISIONS 9-25-19.pdf](#)
[Reso #5-R-19 Memo to CEDC 9-11-19.pdf](#)
[#5-R-19 Soldier's Square.pdf](#)
[Soldier Square Ramp Deed Restriction Opinion 09-05-2019.pdf](#)
[Reso #5-R-19 Memo to CEDC 6-12-19.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 AMENDMENT 10-2-2019.pdf](#)

Alderson Fenton moved, seconded by Alderson Williams, that the Resolution be amended as attached. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Alex Schultz, Alderson Christine Williams, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Nay: 1 - Alderson Patti Coenen

Excused: 2 - Alderson Brad Firkus and Alderson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

Alderson Martin moved, seconded by Alderson Lobner, that the Resolution be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 8 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Alex Schultz and Alderson Christine Williams

Nay: 5 - Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Excused: 2 - Alderson Brad Firkus and Alderson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

[19-1422](#)

Request from Antonio Hernandez, 1231 S. Telulah Avenue, for a variance to Municipal Code 19-91(f)(5) to extend the driveway 8 feet into the front yard.

Attachments: [Antonio Hernandez-1231 S. Telulah variance.pdf](#)

Vote is notwithstanding an aye vote approves the request and a nay vote denies it.

Aldersperson Williams moved, seconded by Aldersperson Martin, that the variance request be approved. Roll Call. Motion carried by the following vote:

Aye: 9 - Aldersperson William Siebers, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Nay: 4 - Aldersperson Vered Meltzer, Aldersperson Denise Fenton, Aldersperson Christine Williams and Aldersperson Patti Coenen

Excused: 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Meeting went into Recess at 9:10 p.m.

Meeting Reconvened at 9:15 p.m.

Balance of the action items on the agenda.

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

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Excused: 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

3. MINUTES OF THE CITY PLAN COMMISSION

[19-1410](#)

Request to approve the dedication of land for public right-of-way for a portion of Spartan Drive generally located east of Haymeadow Avenue (part of Tax Id #31-6-6200-00 and #31-6-6201-00), as shown on the attached maps

Attachments: [StaffReport_SpartanEastofHaymeadow_PubDedic_For09-24-19.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[19-1415](#)

Amend 2019G French Road Urbanization Study Contract with raSmith by an amount not to exceed \$9,100.

Attachments: [2019G French Urbanization Amendment 1 Memo Util Cmte 09-17-2019 final.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[19-1362](#)

Drug and Alcohol Policy Update

Attachments: [Drug Free Workplace with CDL Valley Transit.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO
COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

RESOLUTION #13-R-19

Climate Change

Date: October 2, 2019

Submitted By: Alderperson Schultz – District 9, Alderperson Meltzer – District 2, Alderperson Fenton – District 6, & Alderperson Otis – District 15

Referred To: Parks & Recreation Committee

WHEREAS, the United Nations Intergovernmental Panel on Climate Change (IPCC) issued a report in October 2018 titled, “Global Warming of 1.5°C, an IPCC special report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty”, and the United States Global Change Research Program released the “Fourth National Climate Assessment” (NCA4) in November 2018, which found:

- The global climate is diverting from its prehistoric pattern due primarily to human activity since the Industrial Revolution, including increased greenhouse gas emissions, deforestation, and other land use changes.*
- Human activities have increased the average global temperature by approximately 1.0°C (1.8°F) since the early 1800s, and will likely rise to 1.5°C (2.7°F) between 2030 and 2052, and 2.0°C (3.6°F) under current emissions, making the Earth significantly less habitable for humans and wildlife alike; and*

WHEREAS, the August 2016 report by the Environmental Protection Agency on Wisconsin’s future climate affirmed that Wisconsin’s climate is changing over the past century, has already warmed about two degrees (F), and also finding:

- Ice cover on the Great Lakes is forming later or melting sooner and in the coming decades, the state will have more extremely hot days. These warming trends will lead to greater algal blooms, more frequent and severe storms which increase pollutant run-off into the lakes, and produce heat waves dangerous to vulnerable populations like the young, elderly, sick and poor.*
- Wisconsin will likely experience a decline to 1980s levels in agricultural productivity, a downturn in the forest industry as trees succumb to temperature changes and the advancement of invasive species, loss of biodiversity as many plant and animal species go extinct and increased public health problems from poorer air quality due to increases in ground-level ozone, extended length of pollen seasons, and deadlier than ever urban heat island effects; and*

WHEREAS, the United Nations Framework Convention on Climate Change, of which the United States is a Member State, adopted the Paris Agreement (Paris Climate Accord) in 2016, a global plan to counteract climate change and prevent the average global temperature from rising to or above 2°C, and

WHEREAS, The overwhelming threats from climate change and human induced stressors to our environment, infrastructure, economy, and residents’ health require that we take bold mitigation and adaptation measures to address these consequences of climate change well beyond the many successful measures already employed on City properties, grounds and facilities; and

WHEREAS, Climate change will impact all residents of Appleton, but will disproportionately affect communities already facing disparities in socioeconomic and health resources, and as such, climate action is necessary to advance social equity;

and

WHEREAS, Efforts to reduce carbon emissions, adapt to climate change impacts and address issues of environmental pollution and waste will benefit Appleton residents through cost savings, stable energy prices, job opportunities and increased local revenues, social equity, improved air and water quality, and improved public health; and

WHEREAS, A climate action plan is the best platform to outline urgently needed comprehensive mitigation and adaptation strategies to address a changing climate, excessive waste, persistent non-point pollution as well as introduce new opportunities to embrace localized alternative energy production, reforestation for carbon sinking, enhanced focus on smart buildings and environmentally sound growth, composting and rainwater retention and reuse, increased public transit and non-motorized transportation opportunities, and expansion of locally grown and ready available non-processed food sources, and more;

NOW THEREFORE BE IT RESOLVED, Appleton hereby establishes a taskforce named the "Appleton Taskforce on Resiliency, Climate Mitigation and Adaptation" to convene area leaders for the purpose of making practical recommendations consistent with the 2018 IPCC and NCA4 reports so our community may move significantly toward the goal of achieving net zero greenhouse gas emissions by 2050, or sooner, mitigate the adverse effects of multiple sources pollution, reduce waste in energy and food production streams, address resource depletion and other human-induced environmental stressors, increase our protection efforts of native biodiversity and reduce the spread of invasive species, and adapt to the growing threats of climate change by establishing enhanced conservation and alternative use policies that empower corporations, business and individual citizens to deploy alternative methods of traditional resource management and energy production;

BE IT FURTHER RESOLVED, the Taskforce will be composed of 10 members appointed by the Mayor which shall include a city department head, 2 members of Common Council, 2 individuals from Intergovernmental Agencies and/or Institutions of Higher Learning, 2 individuals from NGOs working on Climate Change mitigation and/or resiliency, and 3 other volunteer residents of Appleton. The Taskforce will elect its own Chair and the Chair will be empowered to create subcommittees as necessary for research and recommendations to the Taskforce. Taskforce members will serve 2-year terms subject to reappointment by the Mayor.; and,

BE IT FURTHER RESOLVED, the Taskforce shall advise the City of its recommendations which shall include, but not be limited to, providing:

- A roadmap of required and measurable governmental actions to accomplish greenhouse gas reduction goals consistent with IPCC goals;*
- A comprehensive list of actionable initiatives to address climate mitigation, all aspects of waste management, biodiversity protection and enhanced resiliency, including potential costs for implementation where practical,*
- A list of outside experts, the City may contract with for technical expertise who may further the goals of the Taskforce; and*

BE IT FURTHER RESOLVED, the Taskforce shall be formed and meet as soon as practicable and shall present their findings to the Common Council within six months of resolutions' passage and bi-annually for the two year duration of the taskforce service.

*Resolution #14-E-19
Reasonable Accommodations in Building & Zoning Codes
Date: October 2, 2019
Submitted By: Alderperson VanZeeland – District 5
Referred To: Attorney's Office*

Therefore Be It Resolved, that the City of Appleton will include, within the terms of building and zoning codes, reasonable accommodations for persons with disabilities.

R. OTHER COUNCIL BUSINESS

[19-1402](#)

Discussion concerning US Venture Bluff Site Development and Status of Project

Attachments: [USV - FAQs, Parking Ramp Presentation 9-4-19.pdf](#)

S. CLOSED SESSION

[19-1433](#)

The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session regarding the bluff site development and pursuant to State Statute §19.85(1)(g) concerning pending litigation which we are or likely to be involved concerning the St. Joe's site and then reconvene into open session.

Alderperson Croatt moved, seconded by Alderperson Martin, that the Common Council convene into closed session at 9:33 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Excused: 2 - Alderperson Brad Firkus and Alderperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

T. ADJOURN

Lobner moved, seconded by Spears to reconvene in open session. Roll Call. Motion carried 13/0 and at 10:45 p.m. the Council reconvened into open session. No action was taken in closed session.

Alderperson Croatt moved, seconded by Alderperson Otis, that the meeting be adjourned at 10:46 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Corey Otis and Mayor Timothy Hanna

Excused: 2 - Alderperson Brad Firkus and Alderperson Matt Reed

Kami Lynch, City Clerk