



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, October 7, 2020

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: 16 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska, Alderperson Corey Otis and Mayor Jake Woodford

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented, with the exception of Information Technology, who was excused.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[20-1261](#)

Common Council Meeting Minutes of September 16, 2020

Attachments: [CC Minutes 9-16-2020.pdf](#)

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

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[20-1262](#)

Public Arts Committee Reappointments

Attachments: [MEMO_Council Public Arts Comm ReAppt 2020.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Otis, that the Reappointments be approved. 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 Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-1263](#)

Previously Presented Proclamations:

Indigenous Peoples Day

National Coming Out Day

Fire Prevention Week

Attachments: [Indigenous Peoples Day Proclamation.pdf](#)[National Coming Out Day Proclamation.pdf](#)[Fire Prevention Week Proclamation.pdf](#)[20-1264](#)

COVID-19 Update

Attachments: [COVID -19 Cases 10-6.pdf](#)

This Item was presented

H. PUBLIC PARTICIPATION

The following spoke during public participation:

Chelsea Bongert, W2162 Daisy Ln, Brillion - RE: Item 20-1205 Monument in Ellen Kort Peace Park

Charles Lubner, 1314 W College Ave Unit 1 - RE: Item 20-1219 Special Use Permit

I. PUBLIC HEARINGS

[20-1154](#)

Public Hearing for an Intergovernmental Cooperation Agreement between the City of Appleton and the Town of Buchanan regarding corporate boundaries.

Attachments: [Public Hearing Notice Appleton Buchanan Municipal Agreement 2020.pdf](#)

The following spoke during the hearing:

Barry Davission, W3383 Newberry St.

Steve & Shelley Baumann, N629 Kensington Dr. submitted comments by email prior to the meeting, and this email was distributed to the Common Council

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[20-1205](#)

Action Item: Request Approval of the Conceptual Design - Proposed Sexual Assault Survivors Monument-Placed Within the Future Ellen Kort Peace Park

Attachments: [Sexual Assault Survivors Monument Memo.pdf](#)

Alderson Otis moved, seconded by Alderson Prohaska, that the Conceptual Design be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Mike Smith, Alderson Patti Coenen, Alderson Nate Wolff, Alderson Kyle Lobner, Alderson Joe Prohaska and Alderson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-1219](#)

Request to approve Special Use Permit #5-20 for an automobile sales and display lot located at 1314 West College Avenue (Tax Id #31-5-1770-01), 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_AccessMobilityVansInc_SUP_For09-22-20.pdf](#)
[EmailFromAld.SmithSupportingRequest_9-21-20.pdf](#)

Alderson Smith moved, seconded by Alderson Siebers, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Absent: 1 - Mayor Jake Woodford

[20-1228](#)

Douglas Street, from Commercial Street to Wisconsin Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

Alderperson Smith moved, seconded by Alderperson Siebers, that the Item be amended to include: Following 3 months of the street's completion, a survey be sent to the residents of Douglas Street (of the affected reconstruction area) to seek the desire for one-sided parking.

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 Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Patti Coenen and Alderperson Joe Prohaska

Nay: 3 - Alderperson Nate Wolff, Alderperson Kyle Lobner and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

Alderperson Smith moved, seconded by Alderperson Reed, that the Report Action Item be approved as amended. 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 Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Corey Otis

Nay: 3 - Alderperson Mike Smith, Alderperson Nate Wolff and Alderperson Joe Prohaska

Abstained: 1 - Mayor Jake Woodford

[20-1230](#)

Elsie Street, from Mason Street to Richmond Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

Alderson Smith moved, seconded by Alderson Prohaska, that the Item be amended to include: Following 3 months of the street's completion, a survey be sent to the residents of Elsie Street (of the affected reconstruction area) to seek the desire for one-sided parking..

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 Matthew Reed, Alderson Alex Schultz, Alderson Mike Smith, Alderson Patti Coenen, Alderson Nate Wolff, Alderson Kyle Lobner and Alderson Joe Prohaska

Nay: 1 - Alderson Corey Otis

Abstained: 1 - Mayor Jake Woodford

Alderson Smith moved, seconded by Alderson Prohaska, that the Item be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Patti Coenen, Alderson Kyle Lobner and Alderson Corey Otis

Nay: 3 - Alderson Mike Smith, Alderson Nate Wolff and Alderson Joe Prohaska

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderson Fenton moved, Alderson Otis seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Mike Smith, Alderson Patti Coenen, Alderson Nate Wolff, Alderson Kyle Lobner, Alderson Joe Prohaska and Alderson Corey Otis

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE[20-1229](#)

Atlantic Street, from Oneida Street to Lawe Street, be reconstructed with concrete pavement and curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved

[20-1230](#)

Elsie Street, from Mason Street to Richmond Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[20-1234](#)

Request for a Street Occupancy Permit to place construction equipment, jersey barriers and fencing in the 300 block E. College Avenue right-of-way and the 300 block E. Johnston Street right-of-way to facilitate construction of a multi-tenant retail/residential project be approved through October 1, 2021.

Attachments: [Street Occupancy Permit-300 Block E. College Ave.pdf](#)

This Report Action Item was approved.

[20-1246](#)

Approve parking changes related to the Carpenter Street Reconstruction Project (Taft Avenue to Fremont Street).

Attachments: [Parking changes-Carpenter St project.pdf](#)

This Report Action Item was approved.

[20-1247](#)

Approve parking changes related to the Prospect Avenue Reconstruction Project (Haskell Street to west City Limits).

Attachments: [Parking changes-Prospect Av project..pdf](#)

This Report Action Item was approved.

[20-1248](#)

Approve renegotiated agreement with Outagamie County for Traffic-Related Services.

Attachments: [Agreement Outagamie Cty for Traffic-Related Services.pdf](#)

This Report Action Item was approved.

[20-1249](#)

Approve the installation of STOP signs on Spring Street at Summit Street (Follow-up to Six Month Trial Period).

Attachments: [STOP signs on Spring St at Summit St.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[20-1250](#)

Class "B" Beer and "Class B" Liquor License Permanent Premise Amendment application for Skogen's Foodliner Inc, d/b/a Festival Foods, Paul Klinkhammer, Agent, located at 1200 W Northland Ave, contingent upon approval from all departments.

Attachments: [Festival Foods - permanent.pdf](#)

This Report Action Item was approved.

[20-1255](#)

Class "B" Beer and "Class C" Wine License application for Poppy Avenue Boutique & Clean Beauty Bar, Audra Balof, Agent, located at 161 S Riverheath Way Suite 2600 & Suite 2700.

Attachments: [Poppy Avenue Boutique & Clean Beauty Bar.pdf](#)
[Recommended Denial of Alcohol License- Poppy Avenue- Final.pdf](#)

This recommendation to deny the license was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[20-1222](#)

Request to approve the Intergovernmental Cooperation Agreement between the City of Appleton and the Town of Buchanan to create a revised common municipal boundary line between the municipalities and assign zoning classification to the properties identified for incorporation into the City of Appleton by adoption of the attached Resolution and subject to the stipulation in the attached staff report

Attachments: [StaffReport_BuchananBoundaryAdjustment_For09-22-20.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[20-1214](#)

Request to approve Third Addition to Clearwater Creek Development Agreement

Attachments: [Clearwater Creek Development Agreement.pdf](#)

This Report Action Item was approved.

[20-1223](#)

Request to award the 2020 Wastewater Treatment Plant Asbestos Flooring Removal project to Cardinal Construction Co. Inc in the amount of \$38,797 with a contingency of 10% for a project total not to exceed \$42,677

Attachments: [2020 AWWTP Asbestos Flooring Project.pdf](#)

This Report Action Item was approved.

[20-1224](#)

Request to award the 2020 Fire Station #1 Bathroom Renovation project to Miron Construction Co. Inc in the amount of \$182,257 with a contingency of 10% for a project total not to exceed \$200, 483 and the following 2020 budget adjustment:

Facilities Management Capital Projects

2020 Fire Station #6 Hardscapes Project	- \$50,000
2020 Fire Station #1 Bathroom Renovation Project	+\$50,000

to transfer funds between projects to allow for the meeting of current ADA codes

Attachments: [2020 Fire Station #1 Bathroom Remodel with Budget transfer.pdf](#)

This Report Action Item was approved.

[20-1236](#)

Request to approve Broadway Hills Estate (Phase 1) Development Agreement

Attachments: [Broadway Hills Estates DA.pdf](#)

This Report Action Item was approved.

[20-1242](#)

Request to award the 2020 Ionization HVAC project to Energy Control and Design, Inc for a sole-source contract not to exceed \$125,000

Attachments: [2020 Ionization - ECD.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[20-1211](#)

Request to approve revisions to the City of Appleton Subordination Policy for the Homeowner Rehabilitation Loan Program as set forth in the attached document

Attachments: [Revised Subordination Policy Memo 9-23-20.pdf](#)
[Subordination Policy 2020.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[20-1245](#)

Approved updated Water Leak Policy

Attachments: [Water Leak Policy Version 9-17-20.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

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

#17-R-20

Trick-or-Treating

Submitted By: Alderperson Smith, District 10

October 7, 2020

Referred To: Safety & Licensing Committee

Whereas as at the time of this submission, 10 deaths from the Covid-19 virus have been reported in Appleton and as reported in the Oct. 6th edition of the Post Crescent "Appleton has recorded its sixth record breaking count of Covid-19" and;

Whereas, the cities Appleton and Menasha, and the counties of Calumet, Outagamie, and Winnebago Health Departments made a joint statement declaring a health emergency, and;

Whereas, school districts including Appleton, Menasha, Oshkosh, and other surrounding communities have not started face-to-face teaching or have gone to virtual classrooms, and

Whereas, according to an article in the Sept. 22, 2020 edition of the USA Today, the CDC says that "door-to-door or handing out treats from trunks are the riskiest activities for preventing the spread of the virus,".

Now Therefore, Be It Resolved that for the safety of all Appleton citizens and guests that this year's Appleton Halloween trick-or-treating be canceled.

#18-R-20

Fire Department EMT Service Level

Submitted By: Alderperson Siebers, District 1; Alderperson Van Zeeland, District 5;

Alderperson Reed, District 8; Alderperson Schultz, District 9; Alderperson Lobner, District 13

October 7, 2020

Referred To: Safety & Licensing Committee

Whereas, the Appleton Fire Department is committed to provide the community with outstanding emergency medical services; and

Whereas, emergency medical incidents account for 67% of the total incidents the Fire Department responded to over the past 5 years; and

Whereas, the Appleton Fire Department arrives on scene and initiated patient care 72% of the time prior to the arrival of a transport ambulance; and

Whereas, the City of Appleton recognizes the increased need for emergency medical services and the impact they have on our community; and

Whereas, the City of Appleton is committed to providing the highest level of pre-hospital medical care to its citizens and visitor through the skills provided at the Emergency Medical Technician – Basic Non-Transport level.

Now, Therefore Be it Resolved, that the City of Appleton, Wisconsin, Common Council, endorses the Appleton Fire Department to apply to the State of Wisconsin, Department of Health Services to increase the Appleton Fire Department's medical service level to Emergency Medical Technician – Basic Non-Transport.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderson Otis moved, seconded by Alderson Prohaska, that the meeting be adjourned at 8:28 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Mike Smith, Alderson Patti Coenen, Alderson Nate Wolff, Alderson Kyle Lobner, Alderson Joe Prohaska and Alderson Corey Otis

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk