



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, July 1, 2020

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

The Invocation was offered by Alderperson Smith.

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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska, Alderperson Corey Otis and Mayor Jake Woodford

Excused: 1 - Alderperson Patti Coenen

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Behrens, Deputy City Attorney Abshire, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Director of Information Technology Fox, Library Director Rortvedt, Director of Parks, Recreation & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Utilities Shaw, Valley Transit General Manager McDonald

F. BUSINESS PRESENTED BY THE MAYOR

[20-0807](#)

Fox Cities Area Room Tax Commission Appointments

Attachments: [RTC Appointment 7-1-20.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Reed, that the appointments 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0808](#)

Library Board Reappointments

Attachments: [Library Bd Reappts. 7-1-20.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Otis, that the reappointments 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0809](#)

COVID-19 Update

Attachments: [Regional Superintendent Meeting.pdf](#)

The update was presented

G. PUBLIC PARTICIPATION

Jennifer Stephany, ADI Executive Director spoke on Item 20-0774

The following spoke on Item 20-0782 Liquor License Renewal for Core's Lounge:

Amy Annen, 1344 W Washington St

Jane Kampf, 1347 W Washington St

Joanne Kizewski, 1339 W Washington St

H. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[20-0805](#)

Common Council Meeting Minutes of June 17, 2020

Attachments: [Council Minutes - 6-17-2020.pdf](#)

Alderperson Smith moved, seconded by Alderperson Otis, 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[20-0782](#)

2020-2021 Alcohol License renewal for Core's Lounge LLC d/b/a Core's Lounge, Kor Xiong, Agent, located at 1350 W. College Ave Suite D, contingent upon approvals from all departments by 12:00 p.m. on June 30, 2020.

Attachments: [2020-21 Additional Alcohol Renewal- Cores Lounge S&L 6-24-20.pdf](#)
[Letter Re Core's Lounge from Nathaniel Jones.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Otis, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Nay: 2 - Alderperson Joe Martin and Alderperson Alex Schultz

Excused: 1 - Alderperson Patti Coenen

Abstained: 2 - Alderperson Mike Smith and Mayor Jake Woodford

[20-0763](#)

Approve Resolution No. 2020-03, Petition for the Alteration of an At-Grade Crossing, for the proposed Locust Street Railroad Grade Crossing Modifications.

Attachments: [Locust Street Railroad Grade Crossing.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Otis, that the Report Action Item 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 Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Nay: 2 - Alderperson Joe Martin and Alderperson Nate Wolff

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0748](#)

Request for Finance Director to sell \$15,000,000 of General Obligation Promissory Notes

Alderperson Lobner moved, seconded by Alderperson Otis, that the Report Action Item 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0749](#)

Request for Finance Director to sell \$6,620,000 of Water System Revenue Bonds

Alderperson Otis moved, seconded by Alderperson Lobner, that the Report Action Item 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0750](#)

Request for Finance Director to sell \$10,995,000 of Sewerage System Revenue Refunding Bonds

Alderperson Prohaska moved, seconded by Alderperson Otis, that the Report Action Item 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0751](#)

Request for Finance Director to sell \$2,850,000 of Stormwater System Revenue Bonds

Alderperson Wolff moved, seconded by Alderperson Otis, that the Report Action Item 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Prohaska moved, Alderperson Otis seconded, to approve the balance of the agenda. The 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[20-0760](#) Approve the installation of YIELD signs on Elinor Street at Brewster Street.

Attachments: [Brewster Street-Elinor Street intersection.pdf](#)

This Report Action Item was approved

[20-0764](#) Approve the installation of STOP signs on Commercial Street at Summit Street.

Attachments: [Commercial Street-Summit Street intersection.pdf](#)

This Report Action Item was approved.

[20-0765](#) Approve the installation of STOP signs on Taylor Street at Gillett Street.

Attachments: [Gillett Street-Taylor Street intersection.pdf](#)

This Report Action Item was approved.

[20-0766](#) Approve the installation of STOP signs on Lorain Street at Story Street.

Attachments: [Lorain Street-Story Street intersection.pdf](#)

This Report Action Item was approved.

[20-0767](#) Approve the installation of STOP signs on Marquette Street at McDonald Street.

Attachments: [Marquette Street-McDonald Street intersection.pdf](#)

This Report Action Item was approved.

[20-0768](#) Approve the installation of STOP signs on Nicholas Street at Pershing Street.

Attachments: [Nicholas Street-Pershing Street intersection.pdf](#)

This Report Action Item was approved.

[20-0769](#) Approve the installation of STOP signs on Tigerlily Drive at Wayfarer Lane.

Attachments: [Tigerlily Drive-Wayfarer Lane intersection.pdf](#)

This Report Action Item was approved.

[20-0770](#)

Approve the installation of STOP signs on Woodridge Drive at Wayfarer Lane.

Attachments: [Wayfarer Lane-Woodridge Drive intersection.pdf](#)

This Report Action Item was approved.

[20-0771](#)

Request for a Street Occupancy Permit to place dumpster, job trailer, portajohn and fencing in the Morrison Street and Alley right-of-way for the Nicolet Bank at Gabriel Lofts construction (201 E. College Avenue) be approved through November 1, 2020.

Attachments: [Nicolet Bank at Gabriel Lofts Street Occupancy Permanent.pdf](#)

This Report Action Item was approved.

[20-0774](#)

Request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale from Wednesday, June 24, 2020 through Saturday, June 27, 2020 from 10:00 am to 9:00 pm on the College Avenue beautification strip from 600 W. College Avenue to 300 E. College Avenue.

Attachments: [ADI Downtown Sidewalk Sale.pdf](#)

This Report Action Item was approved.

[20-0775](#)

Request from Appleton Downtown Inc. for street occupancy permits for College Avenue (600 W. College Avenue to 300 E. College Avenue) as follows:

- a. Friday, July 17, 2020-Chalk on the Town in the sidewalk area only (noon to 9:00 pm.)
- b. Friday, August 21, 2020-Entertainment and space for retailers to display merchandise in the beautification strip area only (noon to 9:00 pm).

Attachments: [ADI Downtown Creates.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[20-0734](#)

Commercial Solicitor Application of Timothy M. Goggins, Badger Wholesale Foods.

Attachments: [Tim Goggins Solicitor Application.pdf](#)
[Badger Wholesale Denial Letter.pdf](#)

The recommendation to deny the license was approved.

[20-0724](#)

2020-2021 Cigarette and Tobacco Products License renewal for Family Dollar Stores of WI LLC d/b/a Family Dollar #23800, located at 808 W Wisconsin Avenue.

Attachments: [Tobacco License-Family Dollar S&L.pdf](#)

This Report Action Item was approved.

[20-0777](#)

2020-2021 Alcohol License renewal for Lou's Brew Cafe & Lounge, Laura Loukidis, Agent, located at 233 E College Ave, contingent upon approvals from all departments by 12:00 p.m. on June 30, 2020.

Attachments: [2020-21 Additional Alcohol Renewal- Lous Brew S&L 6-24-20.pdf](#)

This Report Action Item was approved.

[20-0785](#)

"Class B" Liquor and Class "B" Beer License Permanent Premise Amendment application for Dairyland Brew Pub, Dorri Schmidt, Agent, located at 1216 E Wisconsin Ave, contingent upon approval from all departments.

Attachments: [Dairyland Brew Pub-permanent.pdf](#)

This Report Action Item was approved.

[20-0796](#)

Request to amend Sec. 9-75 (a)(10)b of the Appleton Municipal Code regarding Photo Identification for Operator Licenses

Attachments: [Operator Lic Photo Memo - S&L 6-24-2020.pdf](#)

This Report Action Item was approved.

[20-0797](#)

Taxicab Company Renewal License Application for LIR Transportation LLC dba Fox Valley Cab, Igor Leykin, Owner, 719 W Frances St, Appleton, contingent on all department approvals.

Attachments: [Igor Leykin.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[20-0740](#)

Request to approve Special Use Permit #4-20 for a sidewalk cafe and restaurant (deli) with alcohol sales and consumption located at 222 East College Avenue (Tax Id #31-2-0321-00), 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_222CollegeAve_SUP_For06-23-20.pdf](#)

This Report Action Item was approved.

[20-0743](#)

Request to approve the Extraterritorial Final Plat for Investors Park located in the Town of Grand Chute as shown on the attached maps

Attachments: [StaffReport_InvestorsPark_Final Plat_For06-23-20.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[20-0772](#)

Request to approve Contract Amendment/Change Order No. 1 to Contract No. 24-20, Unit W-20 Sewer & Water Reconstruction No. 1 for additional time and materials required to remove an existing concrete encased sanitary sewer main in Glendale Avenue in the amount of \$53,200 resulting in a decrease to contingency from \$71,180 to \$34,498. Overall contract increases from \$3,630,180 to \$3,646,698

Attachments: [Unit W-20 Change Order No. 1.pdf](#)

This Report Action Item was approved.

[20-0773](#)

Request to approve the following 2020 Budget amendment:

Valley Transit

State Grants	+\$500,000
Salaries & Fringe Benefits	+\$156,000
Supplies	+\$244,000
Purchased Services	+\$100,000

to record CARES Act funding for transit to prevent, prepare for and respond to the COVID-19 pandemic

Attachments: [VT CARES Act Memo 05.09.2020.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE[20-0801](#)

Request to approve the Offer to Purchase from S and D II Properties, LLC to purchase Lot 4 in the Northeast Industrial Park Plat No. 4 (Tax Id #31-1-5362) on E. Goodland Drive consisting of approximately 1.44 acres at a purchase price of \$57,600 (\$40,000 per acre)

Attachments: [S and D II Properties OTP Memo 6-22-20.pdf](#)
[S and D II Properties OTP Lot 4 Goodland Dr.pdf](#)
[NEBP Plat 4 Lot 4 DR&C.pdf](#)
[Northeast Industrial Park Plat 4.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE[20-0756](#)

Award the Ridgeway Tower Project to TMI Inc., in the amount of \$174,000 with a 10% contingency of \$17,400 for a project total not to exceed \$191,400.

Attachments: [Ridgeway Tower Project 06-16-20.pdf](#)

This Report Action Item was approved.

[20-0757](#)

Request to sole source contract to Patrick Engineering for professional services needed to complete the Wastewater Electrical Distribution Upgrades Phase 4, for a contract fee of \$195,000 and a contingency of 5% to not exceed a total contract of \$204,750.

Attachments: [2020 Electrical Distribution System Upgrades Design for Substations and 5kv cabeling.pdf](#)

This Report Action Item was approved.

8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

9. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

[20-0789](#)

Accept Federal Transit Administration FY 2020 CARES Act Section 5307 Urbanized Area grant of \$7,425,047

Attachments: [CARES Act Memo to FCTC and Finance Committee 05.09.2020.pdf](#)

This Report Action Item was approved.

10. **MINUTES OF THE BOARD OF HEALTH**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[20-0810](#)

Ordinances 80-20 and 81-20

Attachments: [Ordinances 80-20 and 81-20.pdf](#)

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

Excused: 1 - Aldersperson Patti Coenen

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 #12-R-20

Resolution urging Congress to levy a revenue-neutral fee on carbon in fossil fuels

Submitted By: Alderperson Schultz – District 9, Alderperson Fenton – District 6, Alderperson Otis- District 15

Date: 7-1-2020

Referred To: Finance Committee

WHEREAS, climate scientists worldwide are in near-unanimous agreement that the Earth is warming rapidly which is causing changes in climate that are perilous to the Earth's natural systems and to human civilization; and,

WHEREAS, the primary cause of that warming is human activity, especially through the combustion of fossil fuels which emit greenhouse gases such as carbon dioxide (CO₂); and,

WHEREAS, the continued use of fossil fuels is being supported by a market failure whereby the costs of carbon emissions are not included in the price of fossil fuels; and WHEREAS, the urgent need to transition away from fossil fuels can best be accomplished with a market-based program, namely a revenue-neutral carbon fee on fossil fuel producers with a corresponding rebate or dividend to consumers; and WHEREAS, the City of Appleton established the Taskforce on Resiliency, Mitigation and Climate Adaptation to investigate and present scalable strategies to the adverse affects of Climate Change including initiatives to reduce carbon dioxide emissions, carbon sequestration and renewable energy targets, and WHEREAS, using a revenue-neutral carbon fee and dividend to reduce carbon emissions would have the following benefits:

- 1. The carbon fee would incentivize the development and use of energy efficiency and low carbon energy sources and minimize the need for onerous governmental energy regulations and subsidies that attempt to forecast winners and losers.*
- 2. The transition to low-carbon energy sources will provide a range of additional benefits including enhanced public health, job creation and strengthening of the U.S. economy, increased energy security, and increased local energy development in rural areas.*
- 3. Even though the carbon fee would temporarily increase energy costs including electric rates, and the cost of living, those costs would be offset by the revenue returned to households on an equal basis as a dividend such that the bottom 55-60% of households by income would break even or receive more in dividends than they would pay in higher living expenses.*

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Appleton, Wisconsin, that the Common Council strongly urges the United States Congress to pass legislation that levies an annually increasing revenue-neutral fee on the carbon in fossil fuels at the point of production or importation, that would be sufficient to:

- 1.a) Encourage individuals and businesses to produce and use less fossil fuels;*
- 2.b) Make the transition from fossil fuels less onerous to consumers and to the economy by returning to Americans on an equal basis all of the revenues gained from the fee;*
- 3.c) Reduce U.S. CO₂ emissions to 10% of 1990 levels by 2050;*
- 4.d) Encourage similar actions by other nations trading with the United States, by suitable carbon-content-based fees for imports, and rebates for exports, to nations that have not taken such actions.*

BE IT FURTHER RESOLVED that the Appleton City Clerk is directed to forward a

copy of this resolution to the Governor of the State of Wisconsin and those members of Congress, State Assembly and State Senate representing the citizens of the City of Appleton.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderson Siebers moved, seconded by Alderson Otis, to adjourn the meeting at 8:23 p.m.

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 Nate Wolff, Alderson Kyle Lobner, Alderson Joe Prohaska and Alderson Corey Otis

Excused: 1 - Alderson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk