



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, June 2, 2021

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 Siebers.

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 Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Joe Prohaska, Alderperson Chad Doran and Mayor Jake Woodford

Excused: 2 - Alderperson Katie Van Zeeland and Alderperson Sheri Hartzheim

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[21-0729](#)

Common Council Meeting Minutes of May 19, 2021

Attachments: [CC Minutes 5-19-21.pdf](#)

Alderperson Prohaska moved, seconded by Alderperson Doran, 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 Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Joe Prohaska and Alderperson Chad Doran

Excused: 2 - Alderperson Katie Van Zeeland and Alderperson Sheri Hartzheim

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[21-0772](#) Reappointment of Linda Marx to the Board of Review

Attachments: [6-1-21 reappointment BOR.pdf](#)

Aldersperson Alfheim moved, seconded by Aldersperson Prohaska, that the Reappointment 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 Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Katie Van Zeeland and Aldersperson Sheri Hartzheim

Abstained: 1 - Mayor Jake Woodford

[21-0684](#) Certificate of Appreciation for Health Officer, Kurt Eggebrecht.

The Certificate of Appreciation was presented, and Health Officer Eggebrecht was thanked for his service to the City.

[21-0754](#) Proclamations:
- Pride Month
- CPR & AED Awareness Week
- Gun Violence Awareness Day
- Juneteenth Celebration Day

Attachments: [Pride Month Proclamation.pdf](#)
[CPR AED Awareness Week Proclamation.pdf](#)
[Gun Violence Awareness Day Proclamation.pdf](#)
[Juneteenth Celebration Day Proclamation.pdf](#)

[21-0756](#) COVID-19 Update

Attachments: [COVID -19 Cases June 01.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[21-0683](#)

Public Hearing for Rezoning #4-21 for U.S. Venture Inc. from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District.

Attachments: [RZ #4-21 Notice of Public Hearing.pdf](#)

No one spoke during the hearing.

[21-0749](#)

Public Hearing for W. Prospect Ave. & S. Douglas St. Street Vacation

Attachments: [Public Hearing - Prospect and Douglas.pdf](#)

No one spoke during the hearing.

J. SPECIAL RESOLUTIONS

[21-0748](#)

Final Resolution for the W. Prospect Ave. and S. Douglas St. Street Vacation

Attachments: [Final Resolution Prospect and Douglas.pdf](#)

Aldersperson Smith moved, seconded by Aldersperson Prohaska, that the Resolution 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 Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Katie Van Zeeland and Aldersperson Sheri Hartzheim

Abstained: 1 - Mayor Jake Woodford

K. ESTABLISH ORDER OF THE DAY

[21-0715](#)

Resolution #8-R-21 Resolution expressing support for Knowles-Nelson Stewardship Program

Attachments: [#8-R-21 Knowles-Nelson Program w-attach-rev.pdf](#)

Aldersperson Reed moved, seconded by Aldersperson Smith, that the Resolution be amended to strike the second to last paragraph after Knowles-Nelson Stewardship Program.

This Amendment was withdrawn, no vote was taken on the amendment.

Alderson Reed moved, seconded by Alderson Smith, that the Resolution be amended to strike the last part of the second to last paragraph after ten years to read as follows:

'that the City of Appleton supports the reauthorization of the Knowles-Nelson Stewardship Program for ten years'

Roll Call. Motion carried by the following vote:

Aye: 4 - Alderson William Siebers, Alderson Matthew Reed, Alderson Mike Smith and Alderson Joe Prohaska

Nay: 9 - Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Alex Schultz, Alderson Kristin Alfheim, Alderson Nate Wolff and Alderson Chad Doran

Excused: 2 - Alderson Katie Van Zeeland and Alderson Sheri Hartzheim

Abstained: 1 - Mayor Jake Woodford

Alderson Schultz moved, seconded by Alderson Fenton, that the Resolution be amended to strike 'in Governor Evers' from the second to last paragraph so it reads:

"that the City of Appleton supports the reauthorization of the Knowles-Nelson Stewardship Program for ten years and consideration of the proposed budget request of \$70 million per year, and"

Roll Call. Motion carried by the following vote:

Aye: 10 - Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Mike Smith, Alderson Kristin Alfheim, Alderson Nate Wolff and Alderson Joe Prohaska

Nay: 3 - Alderson William Siebers, Alderson Joe Martin and Alderson Chad Doran

Absent: 3 - Alderson Katie Van Zeeland, Alderson Sheri Hartzheim and Mayor Jake Woodford

Alderson Prohaska moved, seconded by Alderson Meltzer, that the Resolution be approved as amended. Roll Call. Motion Carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Mike Smith, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Joe Prohaska and Alderson Chad Doran

Nay: 1 - Alderson Joe Martin

Excused: 2 - Alderson Katie Van Zeeland and Alderson Sheri Hartzheim

Abstained: 1 - Mayor Jake Woodford

[21-0691](#)

****CRITICAL TIMING**** Request to approve a six (6) month extension to 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 Extension Memo_5-26-21.pdf](#)
[20-0044 - MERGE - 2nd Extension - 05-19-2021.pdf](#)
[Merge Option Term Extension #1_November 2020.pdf](#)
[Signed Planning Option Agreement Merge 2-6-20.pdf](#)
[Map_Blue Ramp+Conway Hotel.pdf](#)
[Letter of Intent Merge 11-29-19.pdf](#)
[Merge Projects + References.pdf](#)

Aldersperson Reed moved, seconded by Aldersperson Fenton, that the extension 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 Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Katie Van Zeeland and Aldersperson Sheri Hartzheim

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Katie Van Zeeland and Aldersperson Sheri Hartzheim

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-0657](#)

Request from Mike Krejcarek, 717 N. Richmond Street, for a variance to Municipal Code 19-91 (f)(5) to extend driveway 10 feet into greater front yard.

Attachments: [717 N Richmond St.pdf](#)

This Report Action Item was approved.

[21-0717](#)

Request from Miller Electric for a permanent street occupancy permit to install an overhead pipe bridge structure and associated piers in the Douglas Street right-of-way at 702 S. Douglas Street be approved contingent on

- Minimum overhead clearance of 17'-5"
- Minimum sidewalk clearance of 4' for ADA compliance

Attachments: [Miller Electric-Douglas Street.pdf](#)

This Report Action Item was approved

[21-0718](#)

Request from Hoffman Planning, Design & Construction to modify the permanent street occupancy permit for the YMCA Ramp footings and foundations to extend into the right-of-way as follows:

- Oneida Street-5 feet (no change)
- Lawrence Street-7 feet
- Morrison Street-7 feet
- Soldiers Square-8 feet

Attachments: [YMCA Ramp footings.pdf](#)

This Report Action Item was approved.

[21-0725](#)

Request from Appleton Downtown Inc. for a street occupancy permit for Street Music Week, June 14-18, 2021 in the College Avenue beautification strip between Drew Street and Badger Avenue.

Attachments: [ADI-Street Music Week.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-0370](#) Class "B" Beer and Reserve "Class B" Liquor License Temporary Premise Amendment application for Fox Cities Building for the Arts d/b/a Trout Museum of Art, Christina Turner, Agent, located at 111 W College Ave, on August 27, 2021, contingent upon approval from all departments.

Attachments: [Trout Museum of Art S&L.pdf](#)

This Report Action Item was approved.

[21-0696](#) Reserve "Class B" Liquor and Class "B" Beer License application for RH Events LLC d/b/a Poplar Hall, Sandy Emerich, Agent, located at 141 S Riverheath Way, contingent upon approval from all departments.

Attachments: [Poplar Hall.pdf](#)

This Report Action Item was approved.

[21-0735](#) 2021-2022 Additional Alcohol License renewals, contingent upon approvals from all departments by 12:00 p.m. on June 30, 2021.

Attachments: [2021-22 Alcohol License Renewals-2nd set FINAL.pdf](#)

This Report Action Item was approved.

[21-0736](#) Taxi Cab Company License application for Antonio's Transportation Service, Corey A. Gaines, Owner, 240 Algoma Blvd, Oshkosh, WI.

Attachments: [Corey Antonio Gaines.pdf](#)

This Report Action Item was approved.

[21-0737](#) Class "B" Beer and Reserve "Class B" Liquor License Temporary Premise Amendment application for Fox Cities Building for the Arts d/b/a Trout Museum of Art, Christina Turner, Agent, Houdini Plaza, on June 5, 2021, contingent upon approval from all departments.

Attachments: [Trout Museum Exhibit Opening S&L.pdf](#)

This Report Action Item was approved.

[21-0738](#) 2021-2022 Additional Mechanical Amusement Device License renewals, contingent upon approval from all departments by 12:00 p.m. on June 30, 2021.

Attachments: [2021 Additional Amusement Devices.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[21-0590](#)

Request to approve Rezoning #4-21 to rezone 15 parcels in the area generally located south of Lawrence Street, west of Durkee Street, north of Water Street, and east of Morrison Street (Tax Id #31-2-0159-00, #31-2-0160-00, #31-2-0161-00, #31-2-0163-00, #31-2-0164-00, #31-2-0165-00, #31-2-0166-00, #31-2-0167-00, #31-2-0168-00, #31-2-0169-00, #31-2-0170-00, #31-2-0171-00, #31-2-0172-00, #31-2-0173-00, and #31-2-0174-00), including to the centerline of the adjacent South Morrison Street, East Lawrence Street, South Durkee Street, East Water Street, East Kimball Street, and South Oak Street right-of-way, as shown on the attached maps, from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District

Attachments: [StaffReport_USVenture_Rezoning_For05-12-21.pdf](#)

This Report Action Item was approved.

[21-0695](#)

Request to approve the First Addition to Broadway Hills Estates Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_FinalPlat_1stAddBroadwayHillsEstates_For5-26-21.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[21-0719](#)

Request to award Unit E-21 Miscellaneous Concrete & Street Excavation Repair to Fischer-Ulman Construction, Inc in the amount of \$532,500 with a 6.2% contingency of \$33,000 for a project total not to exceed \$565,500

Attachments: [Award of Contract Unit E-21.pdf](#)

This Report Action Item was approved.

[21-0720](#)

Request to award Unit L-21 Sewer and Water Construction - Lightning Drive and Edgewood Drive to Feaker and Sons Co, Inc in the amount of \$1,004,464 with a 5% contingency of \$50,000 for a project total not to exceed \$1,054,464

Attachments: [Award of Contract Unit L-21 Rebid.pdf](#)

This Report Action Item was approved.

[21-0721](#)

Request to award Unit Y-21 Sewer & Water Reconstruction No. 3 to Kruczek Construction, Inc in the amount of \$797,798 with a 7.5% contingency of \$60,073 for a project total not to exceed \$857,871

Attachments: [Award of Contract Unit Y-21.pdf](#)

This Report Action Item was approved.

[21-0722](#)

Request to award Unit AA-21 Pacific Street over Peabody Park Bridge Maintenance to Norcon Corporation in the amount of \$207,717 with a 15% contingency of \$31,157 for a project total not to exceed \$238,874

Attachments: [Award of Contract Unit AA-21.pdf](#)

This Report Action Item was approved.

[21-0723](#)

Request to approve the following 2021 Budget amendments:

Public Works Capital Projects Fund

Spartan Drive Land	+\$73,107
Lightning Drive Land	- \$73,107

Stormwater Utility

Land	+\$64,893
Storm Sewer Reconstruction	- \$64,893

to reallocate positive bid variances to purchase land for future Spartan Drive and associated stormwater management (2/3 vote of Council required)

Attachments: [Land Acquisition.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[21-0692](#)

****CRITICAL TIMING**** Request to approve the Offer to Purchase from Bose 1 Investments, LLC and 4 Ross Investments, LLC, and/or its assigns, to purchase Lot 1 of CSM 3609 (Tax Id #31-9-5712-00), Lot 26 (Tax Id #31-9-5712-26), Lot 27 (Tax Id #31-9-5712-27), Lot 28 (Tax Id #31-9-5712-28) and Lot 29 (Tax Id #31-9-5712-29) Southpoint Commerce Park Plat No. 3, comprising a total of approximately 30.44 acres, at a purchase price of \$1,217,600.00 (\$40,000 per acre)

Attachments: [Bose 1 Investments and 4 Ross Investments OTP Memo 5-26-21.pdf](#)
[Bose 1 Investments and 4 Ross Investments OTP 5-18-21.pdf](#)
[SouthpointCommerceParkMap_SubjectParcel_5_2021.pdf](#)
[SPCP Deed Restrictions.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[21-0699](#)

Award Unit R-21 Chemical Root Foaming of Sanitary Sewers to Duke's Root Control in an amount not to exceed \$25,000.

Attachments: [R-21 Bid Tab.pdf](#)

This Report Action Item was approved.

[21-0700](#)

Award the Sole Source Purchase of Secondary Clarifier Drive Rebuild Parts through Evoqua Water Technologies LLC in the amount of \$105,964.

Attachments: [210519_Finance Memo_Final Clarifier Rebuild Work.pdf](#)

This Report Action Item was approved.

[21-0701](#)

Award the 2021 Secondary Clarifier Drive Removal, Rebuild, and Reinstallation Contract to Sabel Mechanical in the amount of \$174,302 with a 15% contingency of \$26,145 for a project total not to exceed \$200,447.

Attachments: [210519_Finance Memo_Final Clarifier Rebuild Work.pdf](#)

This Report Action Item was approved.

[21-0702](#)

Approve Amendment #1 to McMahon contract for 2021 Solids Dewatering Equipment Upgrades to increase for additional HVAC design and construction management services in the amount of \$27,000 resulting in a decrease to contingency from \$32,587 to \$5,587. Overall contract increased from \$325,872 to \$352,872.

Attachments: [utilities memo - Engineering Dewatering Equipment 05-21-21.pdf](#)

This Report Action Item was approved.

[21-0727](#)

Award Organic Recycling Contractor Services to Hsu Growing Supply for an extended one (1) year term ending December 31, 2021.

Attachments: [210517_UCM_HSU_contract_extension_2021.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**

[21-0755](#)

Ordinance #18-21

Attachments: [Ordinances Going to Council 6-2-21.pdf](#)

Aldersperson Prohaska moved, seconded by Aldersperson Meltzer, that the Ordinance 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 Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Katie Van Zeeland and Aldersperson Sheri Hartzheim

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
- R. OTHER COUNCIL BUSINESS
- S. ADJOURN

Alderson Smith moved, seconded by Alderson Martin, that the meeting be adjourned at 7:51 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Mike Smith, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 2 - Alderson Katie Van Zeeland and Alderson Sheri Hartzheim

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk