



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, April 20, 2022

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 Meltzer.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Mayor Jake Woodford, Alderperson Israel Del Toro, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Christopher Croatt

Excused: 1 - Alderperson Chad Doran

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All Departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[22-0477](#)

Common Council Meeting Minutes of April 6, 2022

Attachments: [CC Minutes 4-6-22.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Meltzer, 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 Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Israel Del Toro, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Christopher Croatt

Excused: 1 - Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[22-0486](#) Board & Commission Reappointments

Attachments: [April 2022 Misc Committee Reappts Memo.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Fenton, that the Reappointments be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Israel Del Toro, Aldersperson Joss Thyssen, Aldersperson Vaya Jones and Aldersperson Christopher Croatt

Excused: 1 - Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[22-0315](#) Public Hearing on the proposed amendment of Article X of Chapter 23 of the Municipal Code, relating to Floodplain Zoning.

Attachments: [Notice of Public Hearing TA 1-22 Floodplain Ch. 23.pdf](#)

The Public Hearing was held, no one spoke during the hearing.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

[22-0410](#) Class "B" Beer and "Class B" Liquor License Change of Agent application for GT Limited d/b/a Rascals Bar & Grill, Karen Blodgett, New Agent, located at 702 E Wisconsin Ave.

Attachments: [Karen A Blodgett S&L.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Fenton, that the Change of Agent be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Israel Del Toro, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Christopher Croatt

Excused: 1 - Alderperson Chad Doran

Abstained: 2 - Alderperson Katie Van Zeeland and Mayor Jake Woodford

[22-0454](#)

Request to Purchase Fire Truck via Sole Source.

Attachments: [04-06-22 Sole Source Engine.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Firkus, that the Request to Purchase a Fire Truck via Sole Source be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Israel Del Toro, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Christopher Croatt

Excused: 1 - Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[22-0363](#)

Class "B" Beer and "Class C" Wine License application for Area 509 LLC d/b/a Area 509, Reginald Desamour, Agent, located at 1025 N Badger Ave, contingent upon approval from the Community Development and Health departments.

Attachments: [Area 509.pdf](#)

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

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Israel Del Toro, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Christopher Croatt

Excused: 1 - Alderperson Chad Doran

Abstained: 2 - Alderperson Alex Schultz and Mayor Jake Woodford

Balance of the action items on the agenda.

Alderperson Fenton moved, Alderperson Hartzheim 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 Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Israel Del Toro, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Christopher Croatt

Excused: 1 - Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[22-0423](#)

Request from All Tied up for a street occupancy permit to place tables and chairs in the College Avenue beautification strip at 324 E. College Avenue.

Attachments: [All Tied Up Floral Cafe.pdf](#)

This Report Action Item was approved.

[22-0424](#)

Request from Hilton Appleton Paper Valley Hotel to extend their street occupancy permit for dumpsters on College Avenue (Meters CAW 301, 303 & 305) through April 30, 2022.

Attachments: [Hilton Appleton Paper Valley-dumpsters.pdf](#)

This Report Action Item was approved.

[22-0425](#)

Request from Hilton Appleton Paper Valley Hotel for a street occupancy permit for a construction container on the Superior Street side of 333 W. College Avenue through May 31, 2022.

Attachments: [Hilton Appleton Paper Valley-storage container.pdf](#)

This Report Action Item was approved.

[22-0426](#)

Approve Inter Governmental Agreement with Outagamie County for the CTH JJ (Lightning Drive to Cherryvale Avenue) Reconstruction Project.

Attachments: [CTH JJ-Lightning Dr to Cherryvale Ave.pdf](#)

This Report Action Item was approved.

[22-0427](#)

Approve Inter Governmental Agreement with Outagamie County for the CTH E & EE (CTH JJ to Applehill Boulevard) Reconstruction Project.

Attachments: [CTH E & EE.pdf](#)

This Report Action Item was approved.

[22-0428](#)

Approve designation of 9 parking stalls in the Red Ramp for the Hilton Hotel.

This Report Action Item was approved.

[22-0455](#)

Approve parking restriction change on the 400 block of W. College Avenue. Follow-up to Six-Month Trial Period.

Attachments: [400 block of W College Ave.pdf](#)

This Report Action Item was approved.

[22-0456](#)

Approve parking restriction change on the 300/400 block of N. Division Street. Follow-Up to Six-Month Trial Period.

Attachments: [300-400 block of N Division St.pdf](#)

This Report Action Item was approved.

[22-0457](#)

Approve request from Creative Downtown Appleton Inc. to install a parklet on the west side of N. State Street at parking stalls #178 and #179 per the On-Street Parklet Policy.

Attachments: [Parklet-N State St.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[22-0462](#)

Alcohol License Revocation Hearing for Core's Lounge, LLC - Kor Xiong, Agent

Attachments: [Core's Lounge Complaint 3-29-22.pdf](#)
[Core's Lounge Lic. Status Letter.pdf](#)
[Core's Lounge Summons.pdf](#)
[Core's Lounge Revocation Hearing Exhibits 1-17 \(No 10\).pdf](#)
[Core's Lounge Revocation Hearing- Report to the Common Council.pdf](#)

The attached report recommending the revocation of the license was approved.

[22-0232](#)

Class "B" Beer and "Class C" Wine License application for All Tied Up Floral Cafe LLC d/b/a All Tied Up Floral Cafe, Aaron Phillipson, Agent, located at 324 E College Ave, contingent upon approval from the Community Development, Health, Public Works and Inspections departments.

Attachments: [All Tied Up Floral Cafe.pdf](#)
[Resolution_324ECollegeAve_SUP#3-22_SIGNED.pdf](#)

This Report Action Item was approved.

[22-0375](#)

Class "B" Beer and Reserve "Class B" Liquor License application for Topsy Taco & Tequila Bar LLC d/b/a Topsy Taco & Tequila Bar, Sarah J Gregory, Agent, located at 127 S Memorial Dr, contingent upon approval from the Community Development, Health and Inspections departments.

Attachments: [Topsy Taco & Tequila Bar.pdf](#)
[Resolution_127SMemorialDr_SUP#2-22_SIGNED.pdf](#)

This Report Action Item was approved.

[22-0415](#)

Class "B" Beer and "Class B" Liquor License Change of Agent application for Urban Modern Kitchen LLC d/b/a Urban Modern Kitchen, Regina R Hueckman, New Agent, located at 800 E Wisconsin Ave.

Attachments: [Regina R Hueckman -2nd S&L.pdf](#)

This Report Action Item was approved.

[22-0416](#)

"Class A" Liquor License application for Kedaar LLC d/b/a Appleton Clark, Lekha Timilsaina, Agent, located at 1200 W Wisconsin Ave, contingent upon approval from the Finance and Inspections departments.

Attachments: [Appleton Clark.pdf](#)

This Report Action Item was approved.

[22-0417](#)

Class "B" Beer and "Class B" Liquor Temporary Premise Amendment for Dairyland Brew Pub, Dorri Schmidt, Agent, located at 1216 E Wisconsin Ave, contingent upon approval from the Fire, Health, Inspections and Police departments.

Attachments: [Dairyland Brew Pub S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[22-0349](#)

Request to approve Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code relating to Section 23-205(b)(2) General provisions; Official maps and revisions; Official maps based on other studies, as identified in the attached staff report

Attachments: [StaffReport AmendFloodplainOrd AppleFields CLOMR For03-23-22.pdf](#)

This Report Action Item was approved.

[22-0447](#)

Request to approve Special Use Permit #5-22 for a restaurant with alcohol sales and service located at 1103 West College Avenue (Tax Id #31-3-1064-00), 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 1103WCollegeAve SUP For04-13-22.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[22-0485](#)

Request to approve the following 2022 Budget amendment:

CEA Replacement Fund

Debt Proceeds	+\$345,000
CEA Replacement	+\$410,800
Vehicles	+\$755,800

To purchase a PUC Engine using debt proceeds and available CEA replacement funds (2/3 vote of Council required)

Attachments: [2022 Fire Truck Purchase.pdf](#)
 [04-06-22 Sole Source Engine.pdf](#)

This Report Action Item was approved.

[22-0461](#)

Request approval to award the Sole Source Purchase of Grit Classifier System #2 Rebuild Parts through Saveco North America Inc in the amount of \$37,936

Attachments: [Grit Classifier Rebuild Work.pdf](#)

This Report Action Item was approved.

[22-0463](#)

Request to award the Wastewater Treatment Plant Sludge Thickening Building fire alarm system alterations contract to Faith Technologies in the amount of \$28,160 along with the following 2022 Budget adjustment:

Wastewater Sludge Thickening Bldg Fire Alarm CIP proj	+\$28,160
Wastewater Utility Belt Filter project	- \$28,160

to transfer available funds from the Wastewater Utility Belt Filter project to the new Wastewater Sludge Thickening Building Fire Alarm modification CIP project

Attachments: [2022 AWWTP Fire Alarm System Alterations.pdf](#)

This Report Action Item was approved.

[22-0464](#)

Request to approve the following 2022 Budget amendments:

Water

Distribution Operations and Maintenance	+\$43,850
Distribution Capital Improvements	- \$43,850

Wastewater

Collection Systems	+\$40,000
Public Works Capital Improvements	- \$40,000

Stormwater

Facility Maintenance	+\$90,000
Capital Construction	- \$90,000

General Fund

Street Repair	+\$15,000
Sidewalk Construction	- \$15,000

to reclassify capital budget funds to operations budgets for miscellaneous concrete and street repair costs (2/3 vote of Council required)

This Report Action Item was approved.

[22-0465](#)

Request to award Unit J-22 Mini Storm Sewer Construction to Alfson Excavating, LLC in an amount not to exceed \$200,000

Attachments: [Award of Contract Unit J-22.pdf](#)

This Report Action Item was approved.

[22-0466](#)

Request to award Unit X-22 Sewer & Water Main Reconstruction No. 2 to Kruczek Construction, Inc in the amount of \$877,778 with a 7.5% contingency of \$65,833 for a project total not to exceed \$943,611

Attachments: [Award of Contract Unit X-22.pdf](#)

This Report Action Item was approved.

[22-0468](#)

Request to approve Contract Amendment / Change Order No. 1 to contract 11-22, Unit W-22 Sewer and Water Reconstruction No. 1 for the addition of ARPA funding to facilitate removal and replacement of public-side lead water services encountered during water main reconstruction in the amount of \$20,000 resulting in no change to contract contingency. Overall contract increases from \$1,469,167 to \$1,489,167

Attachments: [Unit W-22 Change Order No. 1.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[22-0449](#)

Approval to single source and award 2022E Stormwater Consulting Services Contract for assistance with the Interstate 41 Reconstruction Project to Brown and Caldwell in an amount not to exceed \$30,000.

Attachments: [2022E Single Source 41 Reconstruction BC award.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

[22-0478](#)

Ordinances #27-22 to #33-22

Attachments: [Ordinances to Council 4-20-22.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Hartzheim, that the Ordinances be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Israel Del Toro, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Christopher Croatt

Excused: 1 - Alderperson Chad Doran

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

#5-R-22

Water Main Resolution

Submitted By: Alderperson Doran, District 15

Date: April 20, 2022

Referred To: Department of Public Works

Whereas the City of Appleton as a local unit of government has a primary expectation to provide basic infrastructure and public safety services for the community and;
Whereas the City of Appleton is falling behind its goals and expectations for road and utility infrastructure, borrowing for roughly 80% of annual road projects and experiencing a near record amount of water main breaks in 2021, costing the city \$1.2 million dollars to fix, demonstrating an immense and necessary response to a problem that has been pushed off for too long and;
Whereas a 2019 consultant report outlined improvements to water utility infrastructure in Appleton, noting the city should replace more than 30 miles of water mains between 2020-2024, but has completed roughly just five miles so far and;
Whereas the city has roughly four miles of four inch water mains and 35 miles of six inch water mains remaining in service, as opposed to the eight inch water mains throughout the rest of the city that have been standard since at least the 1980s, creating a service equity issue and;
Whereas all of these examples should compel us as elected officials to take swift and immediate action to fund these critical services the city provides;
Therefore be it resolved to address this most basic of service equity issues, the Common Council directs the city staff to reallocate \$6 million in American Rescue Plan Act funds to the replacement of first, the remaining four inch water mains in the city and then six inch water mains to match the eight inch standard throughout the remainder of the city and;
Be it further resolved that wherever practical, locations where those water mains can be replaced in the terraces are prioritized over locations that will require corresponding street reconstruction, with the projects timed to meet the federal deadline for using ARPA funds.

Summary of intent for RESOLUTION #6-R-22

RESOLUTION #6-R-22 calls for the immediate addition of a "Revitalization of Soldier's Square" project to the 5-year CIP and asks that the City move with reasonable speed to initiate an RFP process, once resolution is approved.
It does NOT identify nor request any specific sources of funding for the project.

RESOLUTION #6-R-22

Adding the Revitalization of Soldier's Square project to the 5-year CIP

Submitted By: Alderperson Schultz – District 9, Alderperson Del Toro – District 4

Date: April 20, 2022

Referred To: Municipal Services Committee

WHEREAS; Resolution #5-R-19, passed by Common Council in January of 2020, called for the City of Appleton to commit to an effort to revitalize Soldier's Square and recapture the former function of the hallowed space without prohibiting any future

ancillary development and without unduly impacting present parking and traffic movement in the Square; and

WHEREAS; The passage of that resolution also approved the restoration delay and potential relocation of the Spanish-American War Memorial, currently in Pierce Park, in any foreseeable future redevelopment plans of Soldier's Square, as well as affording the opportunity to have more recent conflicts memorialized without any direct cost to the City of Appleton, and

WHEREAS; the City approved and partially completed the full restoration of the Civil War memorial in Soldier's Square in 2021, with the scheduled completion in 2022, and has acquired and possesses, in partnership with Sculpture Valley, replacement cannon and an original USS Maine plaque, essential components of a full restoration of the Spanish American War Memorial; and

WHEREAS; the recovery of the previously occupied space by the former parking structure has now visually separated the utilitarian garbage and recycle enclosure from the new YMCA ramp, visually positioning it and an island the heart of newly adjusted and recovered space of Soldier's Square, and

WHEREAS; an evaluation of the Soldier's Square area with City staff and stakeholders in late 2021 initiated conversations about potential improvements to the layout to create a partially revitalized Soldier's Square which might affect only a bare minimum number of exiting parking stalls while allowing for the relocation of the Spanish-American War memorial; and

WHEREAS; Soldier's Square, was meant to provide a place of solace and contemplation, where our memorials could be appreciated for their aesthetic and symbolic value beyond their intrinsic commemorative purpose, and complement the mission of the civic spaces in which they reside by connecting us and causing us to reflect on something larger than ourselves;

NOW THEREFORE, BE IT RESOLVED;

That "Soldier's Square", for the purposes of this Resolution, shall be defined as that portion of right of way approximately 80' by 365' in size, bounded by the following: South of College Avenue, West of Morrison Street, North of Lawrence Street, and East of Oneida Street; and

BE IT FURTHER RESOLVED;

That the City of Appleton immediately add the "Revitalization of Soldiers Square" project to the 5YR CIP and move with reasonable speed to initiate the RFP process to begin the design phase for revitalizing Soldier's Square.

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[22-0487](#)

The Common Council may go into closed session pursuant to State Statute §19.85(1)(a) for the purpose of deliberating the revocation of an alcohol license and then reconvene into open session.

The Common Council did not convene into closed session.

T. ADJOURN

Aldersperson Hartzheim moved, seconded by Aldersperson Croatt, that the meeting be adjourned at 7:28 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Israel Del Toro, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Christopher Croatt

Excused: 1 - Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk