



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, June 19, 2019

7:00 PM

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order by Mayor Hanna at 7:02 p.m.*

B. INVOCATION

*The Invocation was offered by Alderperson Meltzer*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Mayor Timothy Hanna

**Excused:** 1 - Alderperson Joe Martin

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, Police Chief Thomas, Director of Public Works Vandehey*

*The following were excused:*

*Health*

*Human Resources*

*Information Technology*

*Library*

*Parks, Recreation, & Facilities*

*Utilities*

*Valley Transit*

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-0862](#) Common Council Meeting Minutes of June 5, 2019

**Attachments:** [CC Minutes 6-5-19.pdf](#)

**Aldersperson Van Zeeland moved, seconded by Aldersperson Firkus, that the Minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Rachel Raasch, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Chris Croatt

**Excused:** 1 - Aldersperson Joe Martin

**Abstained:** 1 - Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

[19-0864](#) Children's Week Proclamation

**This item will be presented at the July 10th meeting**

[19-0865](#) National Pollinator Week Proclamation

**This Proclamation was presented**

[19-0866](#) Myasthenia Gravis Awareness Month Proclamation

**This Proclamation was presented**

[19-0878](#) LGBTQ+ Month Proclamation

**This Proclamation was presented**

[19-0868](#) Parade Committee Awards

**This item was presented**

[19-0869](#) Plan Commission Appointment

**Attachments:** [APPT TO PLAN COMM Sabrina Robins 061919.pdf](#)

**Aldersperson Lobner moved, seconded by Aldersperson Croatt, that the Plan Commission appointment 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 Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Chris Croatt

**Excused:** 1 - Alderperson Joe Martin

**Abstained:** 1 - Mayor Timothy Hanna

H. PUBLIC PARTICIPATION

*The following individuals spoke during Public Participation:*

*Item 19-0810 Re: McFleshman's Apiary Appeal*

*Israel Del Toro, 826 E South St. Appleton*

*Ronna Swift, 230 W Seymour St. Appleton*

*Bobby Fleshman, 115 S South St. Appleton*

*Item 19-0751 Re: Increasing monthly parking permits fee*

*Executive Director of ADI, Jennifer Stephany*

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[19-0751](#)

Approve increasing monthly parking permits from \$30/month to \$40/month as part of the 2020 Budget with a January 1, 2020 implementation date.

**Attachments:** [Proposals for 2020 Budget consideration.pdf](#)

*This item was referred back to Municipal Services by Alderperson Coenen.*

**This Report Action Item was referred to the Municipal Services Committee due back on 6/24/2019.**

[19-0749](#)

Approve increasing Street Excavation Permits from \$40 to \$100 as part of the 2020 Budget with a January 1, 2020 implementation date.

**Attachments:** [Proposals for 2020 Budget consideration.pdf](#)

**Alderperson Croatt moved, seconded by Alderperson Coenen, that the Street Excavation Fees effective January 1, 2020 be amended to: \$100 fee for all work that affects the terrace and sidewalk only, and a \$250 fee for all work that impacts pavement and/or curb and gutter. Roll Call. Motion carried by the following vote:**

**Aye:** 11 - Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Chris Croatt

**Nay:** 2 - Alderperson William Siebers and Alderperson Alex Schultz

**Excused:** 1 - Alderperson Joe Martin

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Croatt moved, seconded by Alderperson Lobner, that the Street Excavation Fees effective January 1, 2020 be approved as amended. Roll Call. Motion carried by the following vote:**

**Aye:** 11 - Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Chris Croatt

**Nay:** 2 - Alderperson William Siebers and Alderperson Alex Schultz

**Excused:** 1 - Alderperson Joe Martin

**Abstained:** 1 - Mayor Timothy Hanna

[19-0750](#)

Approve a \$.0.50 fee/week for the 30 gallon refuse carts as part of the 2020 Budget with a January 1, 2020 implementation date.

**Attachments:** [Proposals for 2020 Budget consideration.pdf](#)

**Alderperson Croatt moved, seconded by Alderperson Raasch, that the \$0.50 fee/week for the 30 gallon refuse carts 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 Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Chris Croatt

**Nay:** 1 - Alderperson Cathy Spears

**Excused:** 1 - Alderperson Joe Martin

**Abstained:** 1 - Mayor Timothy Hanna

[19-0752](#)

Approve the elimination of the City's Commercial Recycling Program as part of the 2020 Budget with a January 1, 2020 implementation date.

**Attachments:** [Proposals for 2020 Budget consideration.pdf](#)

**Aldersperson Croatt moved, seconded by Aldersperson Raasch, that the elimination of the City's Commercial Recycling program be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Rachel Raasch, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Chris Croatt

**Excused:** 1 - Aldersperson Joe Martin

**Abstained:** 1 - Mayor Timothy Hanna

[19-0810](#)

McFleshman's Apiary Appeal

**Attachments:** [Neighbor Notification of Apiary Permit Application.pdf](#)  
[Apiary Request Objection.pdf](#)  
[McFleshman's Denial Letter.pdf](#)  
[Apiary Appeal.pdf](#)

**Aldersperson Lobner moved, seconded by Aldersperson Croatt, that the Apiary permit application be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Rachel Raasch, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Chris Croatt

**Excused:** 1 - Aldersperson Joe Martin

**Abstained:** 1 - Mayor Timothy Hanna

## L. COMMITTEE REPORTS

### Balance of the action items on the agenda.

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

**Aye:** 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Chris Croatt

**Excused:** 1 - Alderperson Joe Martin

**Abstained:** 1 - Mayor Timothy Hanna

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-0731](#)

Approve Secure Bicycle Parking Policy.

**Attachments:** [Secure Bicycle Parking Policy.pdf](#)

This Report Action Item was approved.

[19-0743](#)

Approve Motorcycle/Moped Parking Policy.

**Attachments:** [Motorcycle-Moped Parking Policy.pdf](#)

This Report Action Item was approved.

[19-0747](#)

Request from Gabriel Lofts for a Street Occupancy Permit for a portion of the Alley, Morrison Street, and College Avenue during demolition and earth retention work. Once this phase is completed, a pedestrian zone will be created along College Avenue for the duration of the project (anticipated completion date no later than end of 2020).

**Attachments:** [Gabriel Lofts-Street Occupancy Permit.pdf](#)

This Report Action Item was approved.

[19-0754](#)

Approve Inter-Governmental Agreement with Outagamie County and the Town of Grand Chute for Prospect Avenue Reconstruction between Seminole Road and Bartell Drive.

**Attachments:** [Inter-Governmental Agreement-Outagamie Cty and the Town of Grand Chute.pdf](#)

This Report Action Item was approved.

[19-0614](#)

Reserve "Class B" Liquor application of Jai Sung Mah, located at 122 W. Wisconsin Ave, Nusara Yang, Owner.

**Attachments:**    [Liquor License-Jai Sung Mah.pdf](#)  
[Denial- Yang 2019.pdf](#)

**This Report Action Item was approved.**

[19-0829](#)

2019 Class "B" Beer License renewal application for Jai Sung Mah Pool Club, Nusara Yang, owner, located at 122 W. Wisconsin Ave.

**Attachments:**    [2019 Renewal for Jai Sung Mah Pool Club-Beer License.docx](#)  
[Denial- Yang 2019.pdf](#)

**This Report Action Item was approved.**

[19-0791](#)

Approval of additional 2019-2020 Beer/Liquor License renewals contingent upon approval from all departments by 12:00 p.m. on June 28, 2019.

**Attachments:**    [Late Renewals- Updated 6-11-19.pdf](#)

**This Report Action Item was approved.**

[19-0818](#)

2019 Cigarette/Tobacco License Renewals

**Attachments:**    [2019 Cigarette renewals-S&L 6-12-19.pdf](#)

**This Report Action Item was approved.**

[19-0771](#)

Pet Store License renewal application for Petco #1656, located at 3829 E. Calumet St.

**Attachments:**    [Petco -1656 S&L 6-12-19.pdf](#)

**This Report Action Item was approved.**

[19-0784](#)

Salvage Dealer's License renewal application for Green Meadow Recycling, Inc, located at 2220 W. Everett St, contingent upon approvals from all departments.

**Attachments:**    [Green Meadow Recycling S&L 6-12-19.pdf](#)

**This Report Action Item was approved.**

[19-0785](#) Temporary Premise Amendment application for Tempest Coffee Collective, located at 181 S. Riverheath Way Ste 1100, on July 13 and September 21, 2019, contingent upon approvals from all departments.

**Attachments:** [Tempest Coffee Colletive.pdf](#)

**This Report Action Item was approved.**

[19-0816](#) Salvage Dealer's License renewal application for Appleton Aluminum Recycling Inc, located at 300 N Kensington Dr, contingent upon approval from all departments.

**Attachments:** [Appleton Aluminum Recycling S&L 6-12-19.pdf](#)

**This Report Action Item was approved.**

[19-0822](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 6-12-19 S & L.pdf](#)

**This Report Action Item was approved.**

[19-0823](#) Renewal Operator's Licenses

**Attachments:** [RENEWAL Operator Licenses for 6-12-19 s & L.pdf](#)

**This Report Action Item was approved.**

[19-0826](#) Taxi Cab Company Renewal License application of Atlas Taxi, Matthew J. Hyde, 1125 W Main St Lot 17, Little Chute, WI 54140.

**Attachments:** [Atlas Taxi.pdf](#)

**This Report Action Item was approved.**

[19-0827](#) Taxi Cab Company Renewal License application of Dynasty Limousine Service, LLC, Diana Wolters, 314 E Wilson Ave.

**Attachments:** [Dynasty Limo.pdf](#)

**This Report Action Item was approved.**



[19-0828](#)

Salvage Dealer's License renewal application for Mach IV Motors LLC, located at 600 E Hancock St, contingent upon approvals from all departments.

**Attachments:** [Mach IV Motors S&L 6-12-19.pdf](#)

**This Report Action Item was approved.**

[19-0832](#)

Taxi Cab Company Renewal License application fro LIR Transportation (Fox Valley Cab), Igor Leykin, 719 W Frances St, Appleton, WI 54914

**Attachments:** [LIR Transportation.pdf](#)

**This Report Action Item was approved.**

[19-0834](#)

Salvage Dealer's License renewal application for Mr C's Motorcycles LLC, located at 724 S Outagamie St, contingent upon approvals from all departments.

**Attachments:** [Mr Cs Motorcycles LLC S&L 6-12-19.pdf](#)

**This Report Action Item was approved.**

[19-0835](#)

Secondhand Article Dealer License application for EcoATM, LLC, located at 511 N. Ballard Ave, contingent upon approvals from all departments.

**Attachments:** [EcoATM LLC - PicknSave Ballard S&L 6-12-19.pdf](#)

**This Report Action Item was approved.**

[19-0836](#)

Secondhand Article Dealer License application for EcoATM, LLC, located at 511 West Calumet St, contingent upon approvals from all departments.

**Attachments:** [EcoATM LLC - PicknSave Calumet S&L 6-12-19.pdf](#)

**This Report Action Item was approved.**

[19-0848](#)

Pet Store License renewal application for Just Pets, Craig Weborg, Person in Charge, located at 2009 N. Richmond St, contingent upon approvals from all departments.

**Attachments:** [Just Pets S&L 6-12-19.pdf](#)

**This Report Action Item was approved.**

### 3. MINUTES OF THE CITY PLAN COMMISSION

[19-0807](#)

Request to approve the Cypress Homes - N. Haymeadow Avenue Annexation consisting of 5.518 acres m/l located south of W. Edgewood Drive and west of N. Haymeadow Avenue (E. Clearfield Lane, E. Stratford Lane and E. Wentworth Lane dead-end at the subject property), currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

**Attachments:** [StaffReport\\_Cypress\\_Annexation\\_For06-11-19.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

[19-0794](#)

Request to approve the 2018 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program

**Attachments:** [CAPER memo to CEDC 06-12-19.pdf](#)  
[2018-2019 CAPER Draft for Public Comment.pdf](#)

This Report Action Item was approved.

[19-0819](#)

**\*\*CRITICAL TIMING\*\*** Request to approve the Real Estate Purchase Agreement from Scannell Properties, LLC or its assigns to purchase Lots 26, 27, 28 and 29 in Southpoint Commerce Park Plat 3 and Parcel ID #31-9-5712-00, comprising a total of approximately 30.44 acres, subject to lot size as determined by survey, at a purchase price of \$1,004,520.00 (\$33,000 per acre)

**Attachments:** [Appleton PSA Cover Letter 6.6.19.pdf](#)  
[Scannell Properties LLC OTP Memo to CEDC 6-12-19.pdf](#)  
[Purchase Agreement v2 6.7.2019 Eisenhower Dr. Scannell.pdf](#)  
[SPCP Scannell Properties Map.pdf](#)  
[SPCP Deed Restrictions.pdf](#)

This Report Action Item was approved.

[19-0830](#)

**\*\*CRITICAL TIMING\*\*** Request to approve the Offer to Purchase from Messenger Property Management, LLC (MPM LLC) and/or assignee to purchase Lots 5 and 11 in Southpoint Commerce Park Plat 1, consisting of approximately 2.32 and 3.25 acres respectively, at a purchase price of \$222,800 (\$40,000 per acre) and staff be authorized to negotiate and execute a development or like agreement providing City investment in the project of up to 50% of the land purchase amount (50% of \$222,800 = \$111,400)

**Attachments:** [Messenger Property Management OTP Memo to CEDC 6-12-19.pdf](#)  
[Messenger Property Management OTP Lots 5 & 11.pdf](#)  
[Messenger Property Management OTP Lots 5 & 11 pages 4,5.pdf](#)  
[SPCP Messenger Property Management Map.pdf](#)  
[SPCP Deed Restrictions.pdf](#)

This Report Action Item was approved.

## 7. MINUTES OF THE UTILITIES COMMITTEE

[19-0815](#)

Amend 2019H Wetlands Delineation Contract with NES by an amount not to exceed \$2,200.

**Attachments:** [2019H Wetlands Delineation Amendment1 Memo Util Cmte 06-06-2019 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

## 10. MINUTES OF THE BOARD OF HEALTH

[19-0800](#)

Vinton Construction Noise Variance Request

**Attachments:** [Vinton Construction Noise Variance Request.pdf](#)

This Report Action Item was approved.

[19-0801](#)

DPW Noise Variance Request

**Attachments:** [DPW Noise Variance Request.pdf](#)

This Report Action Item was approved.

[19-0802](#)

ADI Lunchtime Live &amp; Heid Summer Concert Noise Variance Request

**Attachments:** [ADI Lunchtime Live & Heid Summer Concert Noise Variance Request.pdf](#)

**This Report Action Item was approved.**

[19-0803](#)

ADI Art on the Town Noise Variance Request

**Attachments:** [ADI Art on the Town Noise Variance Request.pdf](#)

**This Report Action Item was approved.**

[19-0804](#)

Mile of Music 2019 Noise Variance Request

**Attachments:** [Mile of Music 2019 Noise Variance Request.pdf](#)

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[19-0855](#)

Ordinance 68-19, Cypress Homes - Haymeadow Annexation

**Attachments:** [Ordinance going to Council 6-19-19.pdf](#)

**This Report Action Item was approved.**

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

## Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

*Resolution #6-R-19  
Massage Establishments*

*Date: June 19, 2019  
Submitted by: Alderperson Coenen, District 11  
Referred To: Safety & Licensing Committee*

*Whereas, the City of Appleton welcomes massage businesses that employ licensed therapists through the State of Wisconsin, and  
Whereas, the majority of these businesses provide healthy legitimate services, some do not and instead foster health and safety risks; and  
Whereas, the State of Wisconsin allows municipalities to create ordinances that apply specifically to massage establishments; and  
Therefore, Be It Resolved, the City of Appleton explore creating an ordinance requiring massage business establishments to be licensed by the city with a free/low fee. The ordinance should allow city employees to enter the business anytime during business hours.*

## R. OTHER COUNCIL BUSINESS

### [19-0863](#)

Determine and approve the process by which the current aldermanic vacancy in District 15 and anticipated aldermanic vacancy in District 6 will be filled.

**Alderson Croatt moved, seconded by Alderson Meltzer, that the City hold a special election to fill the aldermanic vacancies in District 6 & District 15. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Alderson Chris Croatt

**Nay:** 1 - Alderson Rachel Raasch

**Excused:** 1 - Alderson Joe Martin

**Abstained:** 1 - Mayor Timothy Hanna

## S. ADJOURN

**Alderson Raasch moved, seconded by Alderson Spears, that the meeting be adjourned at 8:08 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 Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Mayor Timothy Hanna

**Excused:** 1 - Alderperson Joe Martin

Kami Lynch, City Clerk