



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, September 18, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

The Invocation was offered by Alderperson Martin

C. PLEDGE OF ALLEGIANCE TO THE FLAG

[19-1391](#)

Oaths of Office for Newly Elected Alderpersons in District 6 and District 15

Clerk Lynch administered the Oaths

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 Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Corey Otis and Mayor Timothy Hanna

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, Health Officer Eggebrecht, Director of Human Resources Matz, Library Director Rortvedt, Director of Parks, Recreation, & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Utilities Shaw

The following were excused:

Information Technology

Valley Transit

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-1401](#)

Common Council meeting minutes of September 4, 2019

Attachments: [CC Minutes 9-4-19.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Van Zeeland, that the minutes 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 Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Abstained: 2 - Aldersperson Cathy Spears and Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

H. PUBLIC PARTICIPATION

The following individuals spoke during public participation:

*Item 19-0796 Soldier's Square
Milt Melander, 720 E Washington St.
Gwen Sargeant, 2401 W Cherokee Dr.
George Schroeder, 4705 Buttercup Ct.
Ryan Lenergan, 1208 Saunders Rd.*

*Item 19-1402 U.S. Venture
Mike Thomas, Appleton
Walter Blank, 2623 E Sundance Dr.
John Schmidt, U.S. Venture*

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[19-1319](#)

Request to approve Mayor salary for the 2020-2024 term.

Attachments: [elected official info.pdf](#)
[elected official info #2.pdf](#)
[Elected official salary survey.pdf](#)

This request was referred to the Human Resources & Information Technology Committee due back on 9/25/2019.

[19-1320](#)

Request to approve City Attorney salary for the 2020-2024 term.

This request was referred to the Human Resources & Information Technology Committee due back on 9/25/2019.

[19-1294](#)

Class "B" Beer License application for KKY Pool Hall, Yer Xiong, Owner, located at 339 W Wisconsin Ave Unit 1, contingent upon approval from all departments.

Attachments: [Liquor License-KKY Pool Hall.pdf](#)

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

Aye: 14 - Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Nay: 1 - Aldersperson William Siebers

Abstained: 1 - Mayor Timothy Hanna

[19-0796](#)

Resolution #5-R-19: Rededication and Revitalization of Soldier's Square

Attachments: [Reso #5-R-19 Memo to CEDC 9-11-19.pdf](#)
[#5-R-19 Soldier's Square.pdf](#)
[Soldier Square Ramp Deed Restriction Opinion 09-05-2019.pdf](#)
[Reso #5-R-19 Memo to CEDC 6-12-19.pdf](#)
[Original Deed from 1851.pdf](#)
[Historical Newspaper Articles.pdf](#)
[Muni Services Minutes 11-11-08.pdf](#)
[Council Minutes 11-19-08.pdf](#)
[Civil War Monument Condition Report.pdf](#)
[Excerpt from Comp Plan re Soldier Square-YMCA Park Ramp Area.pdf](#)
[1922 Comprehensive Plan.pdf](#)
[Map of Streets-Area in 1922.pdf](#)

This resolution was referred to the Community & Economic Development Committee due back on 9/25/2019.

[19-1249](#)

R/B-Request from Sal Galante, 510 E. Frances Street, for a variance to Municipal Code 19-91 (f)(5) to extend the driveway 13 feet into the front yard.

Attachments: [Driveway variance-510 E Frances St.pdf](#)

Aldersperson Spears moved, seconded by Aldersperson Schultz, that the driveway variance be amended from 13ft to 7ft. Roll Call. Motion failed by the following vote:

Aye: 7 - Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Corey Otis

Nay: 8 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Patti Coenen, Aldersperson Kyle Lobner and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Aldersperson Croatt moved, seconded by Aldersperson Firkus, that the driveway variance be approved. Roll Call. Motion carried by the following vote:

Aye: 8 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Nay: 7 - Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams and Aldersperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

[19-1329](#)

Approve request to install "The Collective" sculpture within the E. College Avenue and N. Catherine Street right-of-way.

Attachments: [The Collective sculpture.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Firkus, that the request 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 Matt Reed, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Abstained: 2 - Aldersperson Alex Schultz and Mayor Timothy Hanna

[19-1353](#)

Resolution #12-R-19 regarding Warning Siren Operation & Maintenance.

Attachments: [#12-R-19 Warning Sirens.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Schultz, 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 Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Kyle Lobner and Aldersperson Corey Otis

Nay: 2 - Aldersperson Cathy Spears and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Lobner moved, Aldersperson Reed seconded, to approve the balance of the agenda. The 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 Matt Reed, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Abstained: 2 - Aldersperson Alex Schultz and Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-1327](#)

Request from Eco Candle Company for a street occupancy permit to install a new awning that extends 2 feet into the College Avenue right-of-way at 123 W. College Avenue be approved with a minimum clearance of 8'9".

Attachments: [Eco Candle Company.pdf](#)

This Report Action Item was approved.

[19-1328](#)

Approve amended Guidelines for Signs in the Street Right-of-Way.

Attachments: [Signs in Street Right-of-Way.pdf](#)

This Report Action Item was approved.

[19-1330](#) Approve Amendment No. 6 to Patrick Engineering for the Oneida Street Bridge Project in an amount of \$25,000 for a total revised not to exceed contract of \$660,010.

Attachments: [Amendment No. 6 to Patrick Engineering-Oneida Street Bridge.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-1338](#) Operator's Licenses

Attachments: [Operator's Licenses for 9-11.pdf](#)

This Report Action Item was approved.

[19-1358](#) Secondhand Article Dealer License application for Music & Sports Collector World, John J. Kennedy, Owner, located at 1037 W Wisconsin Ave, contingent upon approval from all departments.

Attachments: [Music & Sport Collector World S&L 9-11-19.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[19-1264](#) Action Item: Request to Approve Adoption of the City of Appleton Comprehensive Outdoor Recreation Plan 2019-2023

Attachments: [Comprehensive Outdoor Recreation Plan Memo \(08-26-19\).docx](#)
[Appleton CORP DRAFT 8-20-19 largeversion.pdf](#)
[Appleton CORP Revision List.pdf](#)
[Appleton CORP DRAFT updated 9-4-19.pdf](#)
[Appleton CORP FINAL SV.pdf](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[19-1344](#)

Request the approval of the proposed installation of the "Final Alarm" sculpture at Fire Station #1 (700 N. Drew Street)

Attachments: [2019 Final Alarm Approval Memo.pdf](#)

This Report Action Item was approved.

[19-1345](#)

Request to approve the following 2019 Budget adjustment:

Public Works Capital Projects Fund

Street Light Infill Projects	- \$23,000
Street Light Retrofits	+\$23,000

to transfer funds from the street light infill project to the street light retrofit project (2/3 of Common Council required for approval)

Attachments: [LED Street Light Project.pdf](#)

This Report Action Item was approved.

[19-1346](#)

Request to award Midway Road Lift Station Phase II Improvements Projects bid to August Winter and Sons, Inc in the amount of \$136,500 plus a 7.5% contingency of \$10,238 for a total cost not to exceed \$146,739

Attachments: [Midway PhII Improvements Bid Award_AWS.pdf](#)

This Report Action Item was approved.

[19-1350](#)

Request to award the City of Appleton 2019 Parks Hardscapes Project - Vulcan Heritage contract to Highway Landscapers, Inc in the amount of \$57,000 with a contingency of \$5,000 for a project total not to exceed \$62,000

Attachments: [2019 Vulcan Heritage Hardscapes Phase 2.pdf](#)

This Report Action Item was approved.

[19-1351](#)

Request to award the City of Appleton 2019 Fire Station #4 HVAC Upgrades contract to Baumgart Mechanical, Inc in the amount of \$61,050 with a contingency of \$6,000 for a project total not to exceed \$67,050, and approve the following 2019 Budget adjustment:

Facilities Capital Improvement Projects Fund

2019 Fire Station #1 Roof Replacement Project	- \$10,000
2019 Fire Station #4 HVAC Upgrades	+\$10,000

to transfer funds from the Fire Station #1 Roof Replacement project to the Fire Station #4 HVAC Upgrades project (2/3 of Common Council required for approval)

Attachments: [2019 Fire Station #4 HVAC Upgrades with Budget transfer.pdf](#)

This Report Action Item was approved.

[19-1397](#)

Award of contract for Unit AA-19 Bear Creek Culvert and Retaining Wall to Highway Landscapers for \$581,163 with a contingency of \$58,116 for a project total not to exceed \$639,279.

Attachments: [FC-9-18-19 - Award of Contract Unit AA-19.pdf](#)

This Report Action Item was approved.

[19-1398](#)

Contract Amendment and Change Order No. 1 to contract 81-19 for Unit O-19 CIPP Liner for slip lining of deteriorated 36" Storm Sewer in lieu of originally bid CIPP Liner in the amount of \$45,000 resulting in no change to contingency. Overall contract increases from \$250,022 to \$295,022

Attachments: [Unit O-19 Change Order No.1.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[19-1311](#)

City Program Funding Approval and City Proposals for 2020 Community Development Block Grant (CDBG) Funding

Attachments: [City proposals memo to CEDC 09-11-19.pdf](#)

[CDBG Policy Adopted July 2015.pdf](#)

[2020 Summer of Service Application.pdf](#)

This Report Action Item was approved.

[19-1312](#)

Request to update the Business Enhancement Grant Guidelines for Tax Incremental Financing District #11-East College Avenue area and Tax Incremental Financing District #12-Downtown West

Attachments: [Memo on Business Enhancement Grant Program Updates September 2019.pdf](#)
[BusinessEnhancementGrantProgram_ProposedUpdatesSept2019_TIF 11.pdf](#)
[BusinessEnhancementGrantProgram_ProposedUpdatesSept2019_TIF 12.pdf](#)

This Report Action Item was approved.

[19-1371](#)

Request to submit a Counter to the Offer to Purchase from Hayden Properties, LLC or its assigns to purchase Lots 30, 31, 32 and 33 in Southpoint Commerce Park Plat 3 and Parcel ID #31-9-5714-00, comprising a total of approximately 49.84 acres, subject to lot size as determined by survey, at a purchase price of \$1,893,920 (\$38,000 per acre)

Attachments: [Hayden Properties LLC OTP Memo to CEDC 9-10-19.pdf](#)
[F Street Development Cover Letter_9-10-19.pdf](#)
[Hayden Properties Offer to Purchase + Addendum.pdf](#)
[Southpoint Land Aerial.pdf](#)
[Southpoint Land Aerial #2.pdf](#)
[SPCP Subject Parcel Map_9-10-19.pdf](#)
[SPCP Deed Restrictions.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[19-1296](#)

Request to approve reclassifying the one FTE Administrative Support Specialist position in Police Identification Unit to the third Forensic Evidence Specialist position in the Identification Unit.

Attachments: [Police - ID Unit TO Modification Request 2019.pdf](#)
[Police DRAFT 8.30.19.pdf](#)

This Report Action Item was approved.

[19-1337](#) Request to approve Utilities Department to overhire the position of Master Electrician to allow time to train new hire before current employee retires.

Attachments: [Utilities Master Electrician Overhire 09-05-19.pdf](#)

This Report Action Item was approved.

[19-1396](#) Request to approve DPW to overhire position of Master Electrician for a period of 30 days.

Attachments: [DPW master electrician overhire request.pdf](#)

This Report Action Item was approved.

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

R. OTHER COUNCIL BUSINESS

[19-1402](#) Discussion concerning US Venture Bluff Site Development and Status of Project

Attachments: [USV - FAQs, Parking Ramp Presentation 9-4-19.pdf](#)

[19-1392](#) Suspend the Council Rules and convene into the Committee of the Whole

[19-1322](#)

Action Item: Request Approval To Deny the Proposed Installation of the "Season III Better Days Sculpture" Within Houdini Plaza Per the Recommendation of the Appleton Public Art Committee

Attachments: [Park and Rec Memo-Houdini Plaza Acre of Art.pdf](#)

This Report Action Item was approved.

[19-1323](#)

Action Item: Request Approval of the Proposed Installation of the "Season III Gyan Sculpture" Within Jones Park Per the Recommendation of the Appleton Public Art Committee

Attachments: [Park and Rec Memo-Jones Park Acre of Art.pdf](#)

This Report Action Item was approved.

[19-1324](#)

Action Item: Request Approval of the Proposed Installation of the "Season III To The Moon Alice Sculpture" Within Vulcan Heritage Park Per the Recommendation of the Appleton Public Art Committee

Attachments: [Park and Rec Memo-Vulcan Heritage Park Acre of Art.pdf](#)

This Report Action Item was approved.

[19-1393](#)

Reconvene to Common Council

[19-1394](#)

Report of the Committee of the Whole

S. CLOSED SESSION

[19-1400](#)

The Common Council will go into closed session according to State Statute § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session regarding the bluff site development and then reconvene into open session.

Alderson Croatt moved, seconded by Alderson Meltzer, that the Common Council convene into closed session at 8:11 p.m. 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 Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Abstained: 1 - Mayor Timothy Hanna

T. ADJOURN

Martin moved, seconded by Croatt to reconvene in open session. Roll Call. Motion carried 15/0 and at 9:33 p.m. the Council reconvened into open session. No action was taken in closed session.

Alderperson Lobner moved, seconded by Alderperson Siebers, that the meeting be adjourned at 9:34 p.m. Roll Call. Motion carried by the following vote:

Aye: 16 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Corey Otis and Mayor Timothy Hanna

Kami Lynch, City Clerk