



City of Appleton

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

Meeting Agenda - Final Municipal Services Committee

Monday, April 24, 2023

4:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[23-0417](#) Minutes from April 10, 2023

Attachments: [Minutes from April 10 2023.pdf](#)

4. Public Hearings/Apearances

5. Action Items

[23-0412](#) Anticipated Award of Unit CC-23 College Ave Lane Reconfiguration Pavement Marking Contract. Quotes to be opened Thursday, April 20, 2023.

Memo to be distributed at meeting.

[23-0455](#) Resolution #3-R-23 Street Light Installation Policy

Attachments: [#3-R-23 Street Light Policy Resolution .pdf](#)

[23-0413](#) Election of Vice Chair.

[23-0414](#) Election of Central Equipment Agency Board Member.

6. Information Items

[23-0164](#) Resolution #1-R-23 Adoption of Language to Control the Unintended Misuse/Overuse of Pesticides, Herbicides and Fertilizers on Public Property

This Resolution has been withdrawn by the authors. No discussion or action will take place on this item, it is for information only.

Attachments: [#1-R-23 Chemical Fertilizer and Pesticide Use.pdf](#)
[Withdrawal Res 1-R-23 Lawncare Chem Memo.pdf](#)

[23-0415](#) Designate Contact Person

[23-0416](#) Set Meeting Date and Time

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.

**We are currently experiencing intermittent issues/outages with our audio/video equipment. Meeting live streams and recordings are operational but unreliable at times. This is due to delays in receiving necessary system hardware components. We continue to look for solutions in the interim and we hope to have these issues resolved soon.*



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Meeting Minutes - Final Municipal Services Committee

Monday, April 10, 2023

4:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

2. Roll call of membership

Present: 5 - Firkus, Doran, Siebers, Thyssen and Van Zeeland

3. Approval of minutes from previous meeting

[23-0347](#)

Minutes from March 20, 2023

Attachments: [Minutes from March 20 2023.pdf](#)

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

Aye: 5 - Firkus, Doran, Siebers, Thyssen and Van Zeeland

4. **Public Hearings/Appearances**

5. **Action Items**

[23-0276](#)

Resolution #2-R-23 Resolution to Eliminate No Mow May

Attachments: [#2-R-23 Resolution to Eliminate No Mow May \(1\).pdf](#)

[DPW No Mow May Memo \(4-12-23\).pdf](#)

Resolution #2-R-23 Resolution to Eliminate No Mow May

Resolution #2-R-23 Resolution to Eliminate No Mow May

Doran moved, seconded by Firkus, that the Report Action Item be recommended for approval. Roll Call. Motion failed by the following vote:

Aye: 1 - Doran

Nay: 4 - Firkus, Siebers, Thyssen and Van Zeeland

Van Zeeland moved, seconded by Firkus, that the Report Action Item be recommended for denial. Roll Call. Motion carried by the following vote:

Aye: 4 - Firkus, Siebers, Thyssen and Van Zeeland

Nay: 1 - Doran

[23-0336](#)

Request from Legendairy Cookies 'N Creamery for a street occupancy permit to place tables and chairs in the College Avenue beautification strip at 101 E. College Avenue.

Attachments: [Legendairy Occupancy Permit.pdf](#)

Firkus moved, seconded by Thyssen, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Firkus, Doran, Siebers, Thyssen and Van Zeeland

[23-0337](#)

Award Complete Streets/Pedestrian Study Contract to ALTA Planning + Design in an amount not to exceed \$75,000.00.

Attachments: [Complete Street Ped Crossing Study Contract Award.pdf](#)

Firkus moved, seconded by Thyssen, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Firkus, Doran, Siebers, Thyssen and Van Zeeland

[23-0338](#)

Award of contract for 2023 Parking Ramp Professional Engineering and Construction Administration Services to Desman Design Management in the amount not to exceed \$50,480.00.

Attachments: [Award of Contract - Desman 2023 Parking Ramp Maintenance Design Services.pdf](#)

Firkus moved, seconded by Van Zeeland, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Firkus, Doran, Siebers, Thyssen and Van Zeeland

6. Information Items

[23-0342](#)

Inspections Division Permit Summary Comparison Report for March 2023

Attachments: [Inspections YTD Summary 3.31.23.pdf](#)

[23-0343](#)

Parking Utility Revenue Update through March 2023

Attachments: [03-2023 Financial Analysis - Parking Revenues.pdf](#)

[23-0344](#)

Proposed Table of Organization Changes - DPW & CED

Attachments: [Reorganization CEDandDPW Final Memo.pdf](#)

[23-0352](#)

2022 Tree City USA

Attachments: [2022 Tree City USA.pdf](#)

7. Adjournment

**Firkus moved, seconded by Thyssen, that the meeting be adjourned. Roll Call.
Motion carried by the following vote:**

Aye: 5 - Firkus, Doran, Siebers, Thyssen and Van Zeeland

Resolution #3-R-23
RESOLUTION TO RE-EXAMINE THE CITY OF APPLETON
STREET LIGHT INSTALLATION POLICY

Date: April 19, 2023

Submitted by: Alderperson Nate Wolff – District 12

Referred To: Municipal Services Committee

WHEREAS the City of Appleton adopted the street light installation policy in October 2007 stating that ***“The intended purpose of street lighting is to light the public rights-of-way to levels which are proportionate with the level of vehicular and pedestrian traffic. This relates directly to higher levels of light on more heavily traveled roadways and, conversely, lower levels of lighting on lesser traveled roadways. There is certainly overlap between street lighting’s use for vehicle and pedestrian traffic safety and its favorable use as a deterrence and aid in response to public safety. The City of Appleton Traffic Section will offer support and recommendations for street lighting levels for use in traffic safety. The application of street lighting beyond these recommendations for public safety falls outside our area of expertise and the financial obligations of the Department. However, the Traffic Section will provide technical support and guidance with the implementation process of all street lighting in public rights-of-way. The City of Appleton Traffic Section will conduct reviews of street lighting for traffic safety during the roadway design process and at the request of the public, city staff and alderpersons. Any recommendations for new street lighting will be passed through the City’s Municipal Service Committee (MSC) and Common Council for review and approval. Any requests that do not meet these criteria will be denied administratively. Appeals may be brought to the MSC and Common Council for consideration and action.”*** and;

WHEREAS the City of Appleton leases over 90% of the streetlights in the city at a cost of over \$1,000,000, and;

WHEREAS the overall budget for street lighting has increased over 18% from 2022 to 2023 and while the conversion from HID to LED is expected to save approximately \$70,000 per year, that savings will not begin to be realized until 2025, and;

WHEREAS it is appropriate to reexamine policies from time to time;

THEREFORE BE IT RESOLVED that the Department of Public Works will review the current street lighting policy and make recommendations for changes with the goal of reducing overall cost while still fulfilling the mission to provide and maintain consistent quality street lighting throughout the City.

RESOLUTION #1-R-23

ON THE ADOPTION OF LANGUAGE TO CONTROL THE UNINTENDED MISUSE OR AND OVERUSE OF PESTICIDES, HERBICIDES AND FERTILIZERS ON PUBLIC PROPERTY

Date: February 15, 2023

Submitted By: Alderperson Del Toro – District 4, Alderperson Meltzer – District 2, Alderperson Fenton – District 6, Alderperson Schultz – District 9, Alderperson Wolff – District 12

Referred To: Legal Services Department, Department of Public Works, Department of Parks & Recreation, Health Department

Resolution Summary:

This resolution commits to educating our community regarding the proper use of lawn care chemicals including fertilizer, and pesticides. The resolution takes into consideration that chemicals should be applied with using the explicit guidelines stated by their labels and only under certain conditions. This resolution reflects the city's commitment to a cleaner environment and protects the health and well-being of users the public right of way.

WHEREAS, the runoff from private application and overuse of chemical fertilizers and lawn care products can enter into our local waterways and negatively impact water quality; and

WHEREAS, the misuse of chemical non-organic lawn treatments causes unintended drift and scatter on city sidewalks and adjacent properties which can be hazardous to the health of our citizen's, our pet's and our urban wildlife populations; and

WHEREAS, spray application of chemical fertilizers, herbicides and pesticides are ineffective when applied under certain environmental conditions and may drift by wind dispersal or wash off into our stormwater system; and

WHEREAS, the City of Appleton is committed to good stewardship of our natural ecosystems as evidenced by our standing certifications as a Bird City, Bee City, Monarch City and Tree City USA, and

WHEREAS, the City of Appleton is committed to maintaining a healthy watershed and reducing chemical runoff into our water bodies; and

WHEREAS, the City of Appleton adopted a Health in all Policies ordinance which inherently covers regulations governing public property including city sidewalks, terraces and other public rights-of-way and the misuse of potentially hazardous applications of non-organic controls which may be absorbed or ingested by our citizens and our pets; and

WHEREAS, the Municipal Code of the City of Appleton includes definitions, regulations and means of enforcement of private citizen requirements to maintain safe, open and hazard-free sidewalks; and

WHEREAS, Wisconsin Law offers protection (ATCP 29.50) against overspray and chemical drift of pesticide that protects local and commercial food producers;

LET IT BE RESOLVED that the city is committed to working to educate the public about best use of lawn care chemicals, guidelines and regulations, reporting methods and will include educational information of such on the City website, social media, and in any applicable city mailings and publications; and

BE IT FURTHER RESOLVED, that chemical fertilizers (to include sprays, granular and powder form pesticides (which include herbicides and insecticides) shall not be applied to city-owned public rights-of-way, which is commonly the edge of the sidewalk adjacent to the property owner. These rules and regulations are to apply to all private and public property with areas less than 5 acres; and

BE IT FURTHER RESOLVED, that liquid or aerosolized chemical pesticides and fertilizers applied by private citizens, shall be applied only to their property and should not spread beyond property boundaries into city-owned or privately-owned neighboring properties. Application of lawn-care chemicals must follow the application guidelines stated on the chemical's label where the "label is the law"; and

BE IT FURTHER RESOLVED, that chemical fertilizers and pesticides shall not be applied on any property during any rainy days (or potentially rainy weather) or on windy days (winds in excess of 5 miles per hour) or at temperatures above 80°F (the point where these chemicals can become volatilized and ineffective); and

BE IT FURTHER RESOLVED, that any property that uses chemical fertilizers and pesticides, whether personally applied or contracted, shall display visible signage of the exact chemical compounds being applied to their lawns along with contact information for local poison control in case of bystander or pedestrian unintentional exposure, and

BE IT FURTHER RESOLVED, that any lawn care chemical application will not be allowed in areas within 250 ft from any site identified by Driftwatch, FieldWatch and BeeCheck state registry; and

BE IT FURTHER RESOLVED, any application by a private citizen which can be identified as being in violation of these pesticide application guidelines may be subject to the same fines established for violation of existing sidewalk policy, and;

BE IT FURTHER RESOLVED, that in extreme cases where manual removal or mowing of noxious weeds as defined by the state of WI has proven to be ineffective, a permit to spray may be applied for and granted by the city for application of chemical treatments in areas less than 5 acres.



"...meeting community needs...enhancing quality of life."

OFFICE OF THE MAYOR

Jacob A. Woodford
100 North Appleton Street
Appleton, Wisconsin 54911
Phone: (920) 832-6400
Email: Mayor@Appleton.org

TO: Chairperson Katie Van Zeeland; Municipal Services Committee Members
FROM: Mayor Jacob A. Woodford
DATE: April 20, 2023
RE: Withdrawal of Resolution 1-R-23 – Chemical Fertilizer and Pesticide Use

Resolution 1-R-23 – Chemical Fertilizer and Pesticide Use has been withdrawn by the authors per Rule 34. The authors have indicated their intent to rework the Resolution and resubmit it in the future.

No further action on Resolution 1-R-23 from Council is required.