



City of Appleton

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

Meeting Minutes - Final-revised Common Council

Wednesday, March 2, 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 Wolff.

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 Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska, Alderperson Chad Doran and Mayor Jake Woodford

Excused: 1 - Alderperson Joe Martin

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All Departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[22-0214](#)

Common Council Meeting Minutes of February 16, 2022

Attachments: [CC Minutes 2-16-22.pdf](#)

Alderperson Prohaska moved, seconded by Alderperson Hartzheim, 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Excused: 1 - Alderperson Joe Martin

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[22-0239](#)

Proclamations:

- Age-friendly Community
- Be Active Wisconsin Month
- Colorectal Cancer Awareness Month

Attachments:

[Age-Friendly Community Proclamation.pdf](#)

[Be Active Wisconsin Month Proclamation.pdf](#)

[Colorectal Cancer Awareness Month Proclamation.pdf](#)

[22-0240](#)

COVID-19 Report

Attachments:

[2022.03.02_CouncilReport.pdf](#)

H. PUBLIC PARTICIPATION

There was no one signed up to speak during public participation.

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[22-0194](#)

Request to replace hotel signage on the College Avenue Skywalk with sign for Vince Lombardi's Steakhouse.

Attachments:

[Vince Lombardi's.pdf](#)

Alderson Prohaska moved, seconded by Alderson Hartzheim, that the Signage Request be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Michael Smith, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 1 - Alderson Joe Martin

Abstained: 2 - Alderson Alex Schultz and Mayor Jake Woodford

[22-0212](#)

Preliminary Resolution 1-P-22 for Concrete Pavement, Driveway Aprons and Sidewalk Construction be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Resolution 1-P-22.pdf](#)

Alderson Prohaska moved, seconded by Alderson Hartzheim, that the Preliminary Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Michael Smith, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderson Fenton moved, Alderson Hartzheim seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Michael Smith, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[22-0191](#)

Approve Plan Review Services Contract for Large Projects to E-Plan Exam.

Attachments: [Plan Review Services for Large Projects.pdf](#)

This Report Action Item was approved.

[22-0193](#)

Approve modifications to the Downtown Parking Policy for City Employees.

Attachments: [Downtown Parking Policy-City Employees.pdf](#)

This Report Action Item was approved.

[22-0195](#)

Request from Greenfire for a street occupancy permit for a crane and construction staging area to extend 30 feet into the Oneida Street right-of-way at 103 W. College Avenue through December 31, 2022.

Attachments: [Street Occupancy-103 W College Ave.pdf](#)

This Report Action Item was approved.

[22-0201](#)

Approve parking restriction change on the 800 block of W. Eighth Street (Badger Avenue to Pierce Avenue). Follow-up to six-month trial period.

Attachments: [800 Block of W. Eighth St.pdf](#)

This Report Action Item was approved.

[22-0202](#)

Approve parking restriction change on the 100 block of W. College Avenue adjacent to Houdini Plaza. Follow-up to six-month trial period.

Attachments: [100 Block of W. College Avenue.pdf](#)

This Report Action Item was approved.

[22-0203](#)

Approve installation of STOP signs on Locust Street at Oklahoma Street. Follow-up to six-month trial period.

Attachments: [Locust St-Oklahoma Street intersection.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[22-0047](#)

Reserve "Class B" Liquor and Class "B" Beer License application for Jackson Investment Group d/b/a Jimmy's on the Ave, April Anderson, Agent, located at 409 W College Ave, contingent upon approval from the Community Development, Health and Inspections departments.

Attachments: [Jimmys on the Ave.pdf](#)

This Report Action Item was approved.

[22-0067](#)

Class "B" Beer License application for The Breaking Point d/b/a Breaking Point, Courtney J Hayden, Agent, located at 2011 N Richmond St, contingent upon approval the Health and Inspections departments.

Attachments: [Breaking Point.pdf](#)
[Resolution The Breaking Point SUP#5-21 SIGNED.pdf](#)
[StaffReport_Breaking Point_SUP_For01-12-22.pdf](#)

This Report Action Item was approved.

[22-0083](#)

Cigarette License application for Fox River House LLC d/b/a Fox River House, Cassidy Evers, Agent, located at 211 S Walnut St.

Attachments: [Fox River House S&L.pdf](#)

This Report Action Item was approved.

[22-0129](#)

Class "B" Beer License application for Taco House LLC d/b/a Taco House, Roberto Martinez, Agent, located at 135 E Wisconsin Ave, contingent upon approval from the Finance and Inspections departments.

Attachments: [Taco House.pdf](#)
[Resolution 135 E Wisconsin Ave SUP#3-20 SIGNED attached to liquor license.pdf](#)

This Report Action Item was approved.

[22-0188](#)

Change of Agent application for Aldi Inc d/b/a Aldi #69, Jamison Pierce, New Agent, located at 2310 S Kensington Dr.

Attachments: [Jamison Pierce S&L.pdf](#)

This Report Action Item was approved.

[22-0189](#)

Change of Agent application for Aldi Inc d/b/a Aldi #68, Michael J Haash, New Agent, located at 116 N Linwood Ave.

Attachments: [Michael J Haasch S&L.pdf](#)

This Report Action Item was approved.

[22-0208](#)

Auto-Aid Addendum with the Neenah/Menasha Fire Rescue

Attachments: [Auto-Aid_Neenah_Menasha_Memo.pdf](#)
[22-0078 - Addendum to Automatic Aid Agrm.pdf](#)
[2011 Auto Aid Agreement MOU.pdf](#)
[2010 Shared Response.pdf](#)

This Report Action Item was approved.

[22-0209](#)

Urban Search and Rescue Contract

Attachments: [Urban Search and Rescue Memo.pdf](#)
[Urban Search and Rescue 2022-2024 Agreement.pdf](#)
[2021 Act 104.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[22-0162](#)

Request to approve the dedication of land for public right-of-way for a portion of Appleton Street, generally located east of Appleton Street and south of Washington Street (parts of Tax Id #31-2-0272-00 and #31-2-0272-01), as shown on the attached maps

Attachments: [StaffReport_AppletonStIndentedArea_StreetDedication_For02-23-22.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[22-0197](#)

Request to award Unit A-22 Concrete Paving to Vinton Construction in the amount of \$4,382,958 with a 2.5% contingency of \$107,000 for a project total not to exceed \$4,489,958

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

This Report Action Item was approved.

[22-0198](#)

Request to award Unit Z-22 Sewer & Water Reconstruction to Calnin & Goss, Inc in the amount of \$1,380,182 with a 7.5% contingency of \$103,514 for a project total not to exceed \$1,483,695

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

This Report Action Item was approved.

[22-0199](#)

Request to approve Finance Committee Report 1-P-22 for Concrete Pavement, Sidewalk Construction and Driveway Aprons

Attachments: [Report 1-P-22.pdf](#)

This Report Action Item was approved.

[22-0215](#)

Request to deny Manos Holdings (Dental Associates) request for refund of 2021 real estate property taxes for 2115 E Evergreen Dr, Appleton, WI (parcel 31-1-6510-39)

Attachments: [Requests for refund of property taxes.pdf](#)
[Manos Holdings.pdf](#)

This Report Action Item was approved.

[22-0216](#)

Request to deny Vantage Financial Leasing request for refund of 2020 personal property taxes for parcel 31-2-99-4280-50

Attachments: [Requests for refund of property taxes.pdf](#)
[Vantage Financial 2020.pdf](#)

This Report Action Item was approved.

[22-0217](#)

Request to approve Vantage Financial Leasing request to rescind 2021 personal property taxes for parcel 31-2-99-4280-50

Attachments: [Requests for refund of property taxes.pdf](#)
[Vantage Financial 2021.pdf](#)

This Report Action Item was approved.

[22-0218](#)

Request to approve Smart Choice MRI request to rescind 2021 personal property taxes for parcel 31-9-99-0132-30

Attachments: [Requests for refund of property taxes.pdf](#)
[Smart Choice MRI.pdf](#)

This Report Action Item was approved.

[22-0219](#)

Request to approve the following 2022 Budget amendment:

COVID-19 Response Grant Fund

Health Grants & Aids	+\$120,900
Salaries	+\$ 66,407
Fringes	+\$ 35,128
Travel/Training	+\$ 12,059
Office Supplies	+\$ 2,787
Other Contracts/Obligations	+\$ 4,519

to record additional grant funds from the State Department of Health Services for 2022-2023 to establish, expand, train, and sustain the public health workforce to support COVID-19 activities

Attachments: [2022 PHEP Workforce Grant.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[22-0170](#)

Request to approve recommended funding of \$15,000 for 2022 sponsorships for Appleton Downtown Inc. (ADI) programs as outlined in the attached document

Attachments: [Memo to CEDC on ADI Sponsorships 2022.pdf](#)
[ADI Support Proposal to City 2022.pdf](#)
[CompPlan_ADIRelatedExcerpts.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[22-0165](#)

Approve updates to Municipal Code Chapter 20, Article VI, Stormwater Management Standards and Planning.

Attachments: [2022 Ordinance changes to UC combined.pdf](#)

This Report Action Item was approved.

[22-0166](#)

Approve 2021 Annual Stormwater Report to the Wisconsin Department of Natural Resources.

Attachments: [2021 MS4 Annual Report to UC .pdf](#)

This Report Action Item was approved.

[22-0167](#)

Approve Sole Source Organic Recycling Contractor Services contract to Hsu Growing Supply for a three-year term ending December 31, 2024 in the amount not to exceed \$247,500.

Attachments: [220209_UCM_Hsu_contract_2022-24.pdf](#)

This Report Action Item was approved.

[22-0168](#)

Permit transfer approval from Appvion Operations, Inc. n/k/a Appleseed Operations, Inc. (the Prior Owner) to Appvion, LLC (the New Owner) - Pretreatment Program Permit No. 21-03.

Attachments: [220214_memo_action_item_Permit_transfer_Letter.pdf](#)
[Transfer of Industrial User Wastewater Discharge Permit Letter.pdf](#)

This Report Action Item was approved.

[22-0178](#)

Award of Unit K-22 Native Landscape Management Contract to RES, Inc., in an amount not to exceed \$192,385.00.

Attachments: [K-22_Contract_Award_Util_Memo_02-15-2022_Final.pdf](#)

This Report Action Item was approved.

[22-0179](#)

Award of Single Source Contract to NES Ecological Services for 2022 Wetland Delineation Services in an amount not to exceed \$20,137.00

Attachments: [2022C_Wetland_Delineations_Contract_Award_Memo_Util_Cmte_02-15-2022_Final.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[22-0184](#)

Request to approve Pool Manager position to pay grade 8 in Seasonal Pay Plan.

Attachments: [Pool_Manager_Pay_Grade_Memo.pdf](#)
[Seasonal_Pay_Plan_draft.pdf](#)

This Report Action Item was approved.

[22-0185](#)

Request to approve over-hire for Benefits Coordinator position in H.R.

Attachments: [HR Overhire memo.pdf](#)

This Report Action Item was approved.

[22-0186](#)

Request to approve change to Information Technology table of organization.

Attachments: [IT Table of Organization Change Memo.pdf](#)
[Information Technology TO draft 2-23-22.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

#4-R-22

RESOLUTION ON CLEAN WATER AND TREATY RIGHTS

Submitted by: Alderperson Meltzer – District 2, Alderperson Schultz – District 9, & Alderperson Wolff – District 12

Date: March 2, 2022

Referred To: Special Session of the Common Council

WHEREAS the Upper Mississippi watershed and the western Great Lakes, as well as the rights and sovereignty of Indigenous people, along with many historic cultural sites, are threatened by Enbridge Energy's construction of Line 3, an expanded, rerouted, tar sands pipeline passing through northern Minnesota, and portions of Line 5, a reroute of an old, corroding crude oil pipeline that crosses many sensitive and vulnerable environmental and cultural areas in Northern Wisconsin, and threatens the safety and wellbeing of not just Northern Wisconsin but our entire state including Appleton; and

WHEREAS, Enbridge has a history of catastrophic oil spills in the upper midwest, including in in 1991 in Minnesota when 1.7 million gallons of oil spilled near the Prairie River, and in 2010 in Michigan when 1.1 million gallons of tar sands oil spilled into the Kalamazoo River; and,

WHEREAS, from 2002 to 2018, Enbridge and its joint ventures and subsidiaries reported 307 hazardous liquids incidents to federal regulators - one incident every 20 days on average - which released a total of 2.8 million gallons of hazardous liquids; and,

WHEREAS, in June 2021, Enbridge employees were arrested and charged in human trafficking while working on Enbridge Line 3; and,

WHEREAS, on May 3, 2021, Mayor Woodford commemorated the lives of those missing and murdered Indigenous women and girls and acknowledged that resource extraction is directly related to human trafficking;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Appleton support the rights of the Anishinaabe to hunt, fish and gather established by treaties, including their actions to protect the land and waters of the Upper Mississippi and Great Lakes watersheds on which those rights are practiced, by opposing the construction of Enbridge Lines 3 and 5.

BE IT FURTHER RESOLVED that the Common Council of the City of Appleton call on all residents of Appleton to raise awareness about this important struggle for Indigenous sovereignty and environmental justice by learning from Indigenous leaders, Native organizations and other organizations such as stopline3.org, narf.org, oilandwaterdontmix.org and to support water protection efforts in any way they can.

BE IT FURTHER RESOLVED that the Common Council of the City of Appleton call upon the Wisconsin DNR to reject Enbridge's permit application for the construction of Line 5 across so many vulnerable environmental and cultural areas in Northern Wisconsin.

BE IT FURTHER RESOLVED that the Common Council of the City of Appleton call upon every elected leader at the local, state and federal level with the authority to stop

the construction of Lines 3 and 5 to do so immediately.

BE IT FINALLY RESOLVED that the Common Council of the City of Appleton hereby recommend that the city of Appleton reject any request for mutual aid by Enbridge Inc. for the purpose of constructing and operating Lines 3 and 5.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Aldersperson Smith moved, seconded by Aldersperson Hartzheim, that the meeting be adjourned at 7:22 p.m. 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 Matthew Reed, Aldersperson Alex Schultz, Aldersperson Michael Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 1 - Aldersperson Joe Martin

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk