



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, August 18, 2021

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 Hartzheim

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska, Alderperson Chad Doran and Mayor Jake Woodford

Excused: 2 - Alderperson Michael Smith and Alderperson Nate Wolff

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[21-1175](#)

Common Council Meeting Minutes of August 4, 2021

Attachments: [CC Minutes 8-4-21.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Prohaska, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Excused: 2 - Alderperson Michael Smith and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[21-1202](#) Breastfeeding Awareness Month Proclamation

Attachments: [Breastfeeding Month Proclamation.pdf](#)

This Proclamation was presented

[21-1183](#) COVID-19 Report

Attachments: [COVID -19 Cases 8-18-21.pdf](#)

H. PUBLIC PARTICIPATION

*The following spoke regarding Item 21-1156 Summit St Reconstruction:
Jonathan Menn, 714 S Summit St
Marci Ostwald, 715 S Summit St
Scott Schumacher, 711 S Summit St*

*Item 21-1153 Health Officer Resolution:
Cathy Spears, 1223 W Marquette St*

I. PUBLIC HEARINGS

[21-1092](#) Public Hearing for Rezoning #9-21 for M&J Weyenberg, LLC Annexation from Temporary AG Agricultural District to R1-B Single Family District

Attachments: [RZ #9-21 Notice of Public Hearing.pdf](#)

The public hearing was held, no one spoke during the hearing.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[21-1156](#)

Summit Street, from Prospect Avenue to Fourth Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 26' from back of curb to back of curb, which is 2' narrower than the existing street. On-street parking would be removed within the project limits along the west side of Summit Street.

Attachments: [Summit St.-watermain breaks map & pic.pdf](#)
 [Summit St-project proposal.pdf](#)

Aldersperson Firkus moved, seconded by Aldersperson Hartzheim, that the Summit Street Reconstruction be approved. Roll Call. Motion carried by the following vote:

Aye: 7 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Denise Fenton, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim and Aldersperson Chad Doran

Nay: 6 - Aldersperson Vered Meltzer, Aldersperson Katie Van Zeeland, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz and Aldersperson Joe Prohaska

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[21-1112](#)

Request to approve the Development Agreement with Merge LLC for a mixed-use development located on the southeast corner of E. Washington Street and S. Oneida Street (103 E. Washington Street) in Tax Increment Financing District No. 11

Attachments: [Merge DA Memo 8-11-21.pdf](#)
 [0312 - Merge Development Agrm - 07-28-2021 \(with exhibits\).pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Prohaska, that the Development Agreement be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - 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 Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Nay: 1 - Aldersperson Joe Martin

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

21-1213 Suspend Rules

Alderson Doran moved, seconded by Alderson Hartzheim, that the Council Rules be suspended to potentially allow for authors of Resolution #12-R-21 to propose withdrawing the Item. Roll Call. Motion failed by the following vote:

Aye: 6 - Alderson Joe Martin, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Nay: 7 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao and Alderson Kristin Alfheim

Excused: 2 - Alderson Michael Smith and Alderson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[21-1153](#) Resolution #12-R-21 Health Officer Hiring

Attachments: [#12-R-21 Health Officer Hiring.pdf](#)
[Health Office Hiring Process.pdf](#)
[Health Officer email.pdf](#)
[Health Officer State of Wisc letter.pdf](#)
[#12-R-21 Amendment.pdf](#)

Alderson Doran moved, seconded by Alderson Prohaska, that the Resolution be approved as amended at the Board of Health. Roll Call. Motion carried by the following vote:

Aye: 8 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Alex Schultz and Alderson Kristin Alfheim

Nay: 5 - Alderson Joe Martin, Alderson Matthew Reed, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 2 - Alderson Michael Smith and Alderson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS**Balance of the action items on the agenda.**

Alderson Prohaska moved, Alderson Alfheim 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 Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Excused: 2 - Alderperson Michael Smith and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-0873](#)

R/B-Approve update to Municipal Code Section 4-392 related to electrical work by a home owner.

Attachments: [Municipal Code 4-392.pdf](#)
[Municipal Code update 4-392.pdf](#)

This Report Action Item was approved.

[21-1154](#)

Morrison Street, from Wisconsin Avenue to Glendale Avenue, be reconstructed with asphalt pavement and curb and gutter. The dimensions of the Morrison Street reconstruction project are as follows:

Wisconsin Ave - Randall St: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Randall St - Brewster St: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is 2' narrower than the existing street within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Brewster St - Glendale Ave: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is the same width as the existing street within this portion of the project. New street to be shifted 1' to the east within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

This Report Action Item was approved.

[21-1155](#)

Bartell Drive, from Prospect Ave to Pine Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street. Intersection geometry at Charles St, Hickory St, and Riverdale Dr to be modified to reduce the amount of pavement and create more traditional T-intersection layouts. New concrete sidewalk to be constructed along both sides of Bartell within the project limits. Existing parking provisions within the project limits will remain unchanged.

Attachments: [Bartell Dr-sidewalks.pdf](#)

This Report Action Item was approved.

[21-1157](#)

Request from Home Burger for a street occupancy permit to place tables and chairs in the College Avenue beautification strip at 205 W. College Avenue.

Attachments: [Home Burger Bar-tables .pdf](#)

This Report Action Item was approved.

[21-1158](#)

Request from Grant Thompson Construction, Inc. for a street occupancy permit to place a dumpster in the Roosevelt Street right-of-way at 610 E. Roosevelt Street from August 6, 2021 through October 8, 2021.

Attachments: [Grant Thompson-610 E Roosevelt St.pdf](#)

This Report Action Item was approved.

[21-1159](#)

Delete Municipal Code Article VII Sections 4-436 through 4-458 related to the Board of Heating Examiners.

Attachments: [Municipal Code VII.pdf](#)

This Report Action Item was approved.

[21-1160](#)

Request from Sara Wouters for a street occupancy permit to place a Pod in the Lawrence Street right-of-way at 1119 W. Lawrence Street from August 1, 2021 through October 31, 2021.

Attachments: [1119 W Lawrence-POD.pdf](#)

This Report Action Item was approved.

[21-1161](#)

Request from Hoffman Planning, Design & Construction Inc. for a street occupancy permit to create a construction zone during the demolition and construction of the YMCA Ramp in the Oneida Street, Lawrence Street, Morrison Street and Soldier Square right-of-way from August 26, 2021 through February 18, 2022.

Attachments: [Hoffman Planning-demo YMCA.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-1095](#)

Class "B" Beer and "Class B" Liquor License application for NAC LLC d/b/a OB's Brau Haus, Christopher Nelis, Agent, located at 523 & 525 W College Ave, contingent upon approval from all departments.

Attachments: [OB's Brau Haus.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[21-1040](#)

Request to approve Rezoning #9-21 to rezone the M&J Weyenberg Properties, LLC Annexation, formerly part of the Town of Grand Chute (Parcel #101157102), generally located at the southeast corner of Ballard Road and Ridge Haven Lane, including to the centerline of existing adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport_M&JWeyenbergAnnex_Rezoning_For07-28-21.pdf](#)

This Report Action Item was approved.

[21-1116](#)

Request to approve Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 3, City of Appleton, Wisconsin

Attachments: [MemoTIFs#3+#12Amendments_8-11-21.pdf](#)
[TID 3 PC Resolution for Amended Boundaries & Project Plan.pdf](#)
[TID No. 3 Amendment #2 FINAL Project Plan June29.2021.pdf](#)
[TID 3 CC Resolution for Amended Boundaries & Project Plan.pdf](#)

This Report Action Item was approved.

[21-1118](#)

Request to approve Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 12, City of Appleton, Wisconsin

Attachments: [MemoTIFs#3+#12Amendments_8-11-21.pdf](#)
[TID 12 PC Resolution for Amended Boundaries & Project Plan.pdf](#)
[TID No. 12 Amendment #1_FINAL Project Plan June29.2021.pdf](#)
[TID 12 CC Resolution for Amended Boundaries & Project Plan.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**
7. **MINUTES OF THE UTILITIES COMMITTEE**
8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

[21-1088](#)

Request to approve Police department table of organization modification to move one Communication Specialist to a newly created Crime Analyst position and move reporting structure for two areas.

Attachments: [Police TO modification memo.pdf](#)
[Police DRAFT 7.21.21.pdf](#)

This Report Action Item was approved.

[21-1145](#)

Request to approve Health Reimbursement Account administrator change to MidAmerica.

Attachments: [PEHP recommendation change memo.pdf](#)
[2021 AndCo RFP Recommendation letter.pdf](#)

This Report Action Item was approved.

[21-1146](#) Request to approve Police to over hire position of Lieutenant for remainder of 2021 and into early 2022.

Attachments: [Police LT over hire request 2021.pdf](#)

This Report Action Item was approved.

[21-1151](#) Request to approve Fire department to over hire position of Fire Protection Engineer.

Attachments: [Fire Protection Engineer Over Hire.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

[21-1176](#) Ordinances #35-21, #57-21 through #65-21

Attachments: [Ordinances going to Council 8-18-21.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that the Ordinances 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 Matthew Reed, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

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
- R. OTHER COUNCIL BUSINESS
- S. CLOSED SESSION

[21-1182](#)

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.

Aldersperson Meltzer moved, seconded by Aldersperson Prohaska, that the Common Council convene into closed session at 8:13 p.m. 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 Matthew Reed, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

- T. ADJOURN

Aldersperson Reed moved, seconded by Aldersperson Meltzer to reconvene into open session at 9:18 p.m. Roll Call. Motion carried 13/0.

Aldersperson Prohaska moved, seconded by Aldersperson Alfheim, that the meeting be adjourned at 9:19 p.m. 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 Matthew Reed, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk