



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, February 19, 2020

7:00 PM

Council Chambers

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A. CALL TO ORDER

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

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 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 Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Corey Otis and Mayor Timothy Hanna

**Excused:** 1 - Alderperson Patti Coenen

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Director of Human Resources Matz, Director of Information Technology Fox, Director of Parks, Recreation & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey*

*The following departments were excused:*

*Utilities*

*Valley Transit*

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[20-0232](#)

Common Council Meeting Minutes of February 5, 2020

**Attachments:** [CC Minutes 2-5-20.pdf](#)

**Alderperson Croatt moved, seconded by Alderperson Van Zeeland, 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 Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

**Absent:** 2 - Alderperson Patti Coenen and Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

[20-0233](#) Census Committee Update

**Attachments:** [2020 Census Committee Update - 2-11-2020.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[20-0225](#) Public Hearing for Rezoning #12-19 North Erb Street.

**Attachments:** [CC ClassIIPublicHearingNoticeNewspaper\\_Aldi\\_rezoning.pdf](#)

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

[20-0235](#) Public Hearing on Amending Comprehensive Plan Future Land Use Plan #2-19.

**Attachments:** [ClassIPublicHearingNoticeNewspaper\\_Aldi\\_CompPlanAmend\\_CC\\_2-19-2020.pdf](#)

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

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[20-0160](#) Request to award Heartland Business Solutions the contract to purchase and implement a new network core switching system. The amount requested is \$52,178.68 with a 10% contingency for a project total of \$57,400.

**Attachments:** [Network Core Replacement.pdf](#)

**Alderperson Lobner moved, seconded by Alderperson Martin, that the Request to Award the Contract 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 Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Corey Otis

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 2 - Alderperson Chris Croatt and Mayor Timothy Hanna

[19-1703](#)

WPHA Racial Equity Resolution

**Attachments:** [WPHA Racial Equity Resolution.pdf](#)  
[CHR2019 WI.pdf](#)

**Alderperson Spears moved, seconded by Alderperson Van Zeeland, that the Resolution be amended to add that it will be forwarded to state and local representatives. Roll Call. Motion carried by the following vote:**

**Aye:** 9 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

**Nay:** 5 - Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao and Alderperson Christine Williams

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Otis moved, seconded by Alderperson Lobner, that the Resolution be approved as amended. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - 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 Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

[20-0205](#)

Request to award Unit A-20 Concrete Paving to Vinton Construction in the amount of \$4,721,645.37 with a 1.8% contingency of \$86,000.00 for a project total not to exceed \$4,807,645.37 and approve the related 2020 Budget amendment:

**Public Works Capital Projects Fund**

Infrastructure Construction	+ \$150,000
Land	- \$150,000

To provide funding for the 2020 concrete paving program (2/3 vote of Common Council required)

**Attachments:**     [Award of Contract Unit A-20.pdf](#)

**Aldersperson Martin moved, seconded by Aldersperson Croatt, that awarding the contract 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 Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

**Excused:** 1 - Aldersperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

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

**Aldersperson Van Zeeland moved, Aldersperson Croatt 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 Alex Schultz, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

**Excused:** 1 - Aldersperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[20-0192](#) Request from King Brokerage Ltd. for two Designated Stalls in the Red Ramp.

**Attachments:** [King Brokerage Ltd stalls for Red Ramp.pdf](#)

**This Report Action Item was approved.**

[20-0012](#) Request from Johnson Bank to convert one 15-minute loading zone stall to a "Johnson Bank Parking Only" stall per the Downtown Purchased Parking Policy.

**Attachments:** [Johnson Bank Parking Stall.pdf](#)

*This item was 'received and filed' at the Committee meeting prior to Council. No action was taken on this item.*

[19-1886](#) R/B-Request to rescind approval for "The Collective" sculpture within the E. College Avenue and N. Catherine Street right-of-way.

**Attachments:** [The Collective log of public dialogue-.pdf](#)

*This item was held in the Committee meeting prior to Council, no action was taken on the item.*

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[20-0181](#) Reserve "Class B" Liquor and Class "B" Beer License application for The 513 Appleton LLC d/b/a The 513, Kolby Knuth, Agent, located at 513 W College Ave, contingent upon approval from all departments.

**Attachments:** [The 513.pdf](#)

**This Report Action Item was approved.**

[20-0183](#) Operator's Licenses

**Attachments:** [2-12-2020.pdf](#)

**This Report Action Item was approved.**

[20-0219](#) License Application for Taxicab Company, Budget Medical Transportation, LLC, 2401 W Jonathan Drive, Appleton, Owner-Anthony Xiong, contingent on approval from all departments.

**Attachments:** [Budget Medical Transportation, LLC.pdf](#)

**This Report Action Item was approved.**

[20-0220](#)

License Application for Taxicab Company for Bustamove Party Bus, LLC, N2969 State Rd 47, Appleton, Owner-Justin Geise, contingent on approval from all departments.

**Attachments:** [Bustamove Party Buss LLC.pdf](#)

This Report Action Item was approved.

[20-0186](#)

Request to Apply for the Wisconsin Hazardous Materials Response System Grant

**Attachments:** [Request to Apply for the WI Hazardous Materials Response System Grant.pdf](#)

This Report Action Item was approved.

### 3. MINUTES OF THE CITY PLAN COMMISSION

[19-1942](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-19 for the subject parcels generally located on North Erb Street, north of West Michigan Street (Tax Id #31-6-2860-00 and #31-6-2861-00) from future One and Two-Family Residential land use designation to Commercial land use designation as shown on the attached map and approve the attached Resolution (Associated with Action Item #'s 19-1944 & 19-1945)

**Attachments:** [StaffReport\\_Aldi\\_CompPlan+Rezoning\\_For1-7-20.pdf](#)

This Report Action Item was approved.

[19-1944](#)

Request to approve Rezoning #12-19 to rezone the subject parcels generally located on North Erb Street, north of West Michigan Street (Tax Id #31-6-2860-00 and #31-6-2861-00), as shown on the attached maps, from R-1B Single-Family District to C-2 General Commercial District (Associated with Action Item #'s 19-1942 & 19-1945)

**Attachments:** [StaffReport\\_Aldi\\_CompPlan+Rezoning\\_For1-7-20.pdf](#)

This Report Action Item was approved.

[19-1945](#)

Request to approve Certified Survey Map #22-19, which crosses a plat boundary, to split the parcel located at 611 West Northland Avenue (Tax Id #31-6-7704-00) into two lots and combine existing parcels located on North Richmond Street (Tax Id #'s 31-6-7691-00 and 31-6-7692-00) and North Erb Street (Tax Id #'s 31-6-2860-00 and 31-6-2861-00) with the newly created parcel, subject to the conditions in the attached staff report and as shown on the attached maps (Associated with Action Item #'s 19-1942 & 19-1944)

**Attachments:** [StaffReport\\_Aldi\\_CrossingPlatBoundary\\_For1-7-20.pdf](#)

This Report Action Item was approved.

#### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

#### 5. MINUTES OF THE FINANCE COMMITTEE

[20-0206](#)

Request to award Unit S-20 Roemer Road Box Culvert Replacement to Lunda Construction in the amount of \$766,779 with a 6.5% contingency of \$50,000 for a project total not to exceed \$816,779

**Attachments:** [Award of Contract Unit S-20.pdf](#)

This Report Action Item was approved.

[20-0208](#)

Request to award the 2020 Scheig Center Parking Lot project to Peters Concrete Company in the amount of \$601,657 with a contingency of 10% for a total not to exceed \$661,823

**Attachments:** [2020 Scheig Center Parking Lot Improvements.pdf](#)

This Report Action Item was approved.

[20-0209](#)

Request to award the City of Appleton's 2020 Facilities and Grounds Operations Center Modification contract to Blue Sky Contractors in the amount of \$202,988 with a contingency of \$20,000 for a project total not to exceed \$222,988

**Attachments:** [2020 Facilities\\_Grounds Building Modifications \(003\).pdf](#)

This Report Action Item was approved.

[20-0210](#)

Request to award the City of Appleton's Wastewater A & S Building HVAC Upgrades Phase 1 project contract to EGI Mechanical, Inc in the amount of \$598,435 with a contingency of 10% for a project total not to exceed \$658,279

**Attachments:** [2020 AWWTP A-Building HVAC Upgrades.pdf](#)

**This Report Action Item was approved.**

[20-0211](#)

Request to award the City of Appleton's 2020 Pierce Park Lighting Upgrades Phase 1 project contract to Bodart Electric Service, Inc in the amount of \$156,564 with a contingency of 10% for a project total not to exceed \$172,220

**Attachments:** [2020 Pierce Park Lighting upgrades Phase 1.pdf](#)

**This Report Action Item was approved.**

[20-0212](#)

Request to award the 2019 AWWTP Electrical Distribution Upgrades Phase 2 Project contract to Van Ert Electric, Inc. in the amount of \$2,305,900 with a contingency of 10% for a project total not to exceed \$2,536,490.

**Attachments:** [2020 AWWTP Electrical Distribution Upgrades Phase 2.pdf](#)

**This Report Action Item was approved.**

[20-0213](#)

Request to award the City of Appleton's 2019 Water Treatment Facility HVAC Upgrades Phase 2 Project - Chiller Water Pump Replacement contract to Great Lakes Mechanical, Inc in the amount of \$54,500 with a contingency of \$6,000 for a project total not to exceed \$60,500

**Attachments:** [2019 Water Treatment Facility HVAC Upgrades.pdf](#)

**This Report Action Item was approved.**

[20-0215](#)

Request to approve Amended Relocation Order for construction of a storm sewer in the area of Alvin Street

**Attachments:** [Pathways Church - AMENDED Relocation Order - 2020.pdf](#)

**This Report Action Item was approved.**



[20-0216](#)

Request to approve staff authorization to enter into a settlement agreement to resolve pending tax lawsuits with Wal-Mart

**Attachments:** [Wal-mart settlement memo to finance committee.pdf](#)

This Report Action Item was approved.

**6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

**7. MINUTES OF THE UTILITIES COMMITTEE**

[20-0175](#)

Approve second amendment to the 2019J Stormwater Consulting Services Contract for Phase 1 Final Design and Construction documents and Construction Related Services (CRS) for Spartan Drive with Brown and Caldwell (BC) in an amount not to exceed \$10,548.

**Attachments:** [2019J Spartan BC Second Amendment Memo.pdf](#)

This Report Action Item was approved.

**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

[Res 020-17](#)

Resolution 1-R-20 City Administrator

**Attachments:** [Resolution #1-R-20 City Administrator.pdf](#)  
[HR-IT Coenen - Resolution #1-R-20 - Form of Government.pdf](#)  
[Resolution #1-R-20 memo.pdf](#)

The Resolution was approved.

**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

**10. MINUTES OF THE BOARD OF HEALTH**

[19-1948](#)

#18-R-19 Emotional Support Animals

**Attachments:** [#18-R-19 Emotional Support Animals.pdf](#)

The recommendation to deny the Resolution was approved.

[19-1828](#)

Noise Variance Request - Fox River House 2020

**Attachments:** [Noise Variance Request - Fox River House 2020.pdf](#)  
[Fox River House - Bill Siebers.pdf](#)

**This Report Action Item was approved.**

[20-0172](#)

Noise Variance Request - Unit - O-20 Sanitary Sewer CIPP Liner

**Attachments:** [2020-01-24 Noise Variance.pdf](#)

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[20-0224](#)

Ordinances 14-20 and 15-20

**Attachments:** [Ords for 2-19-2020 CC.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 #3-R-20*

*Date: February 19, 2020*

*Submitted By: Alderperson Meltzer – District 2, Alderperson Firkus – District 3, Alderperson Martin – District 4, Alderperson Van Zeeland – District 5, Alderperson Fenton – District 6, Alderperson Thao – District 7, Alderperson Schultz – District 9, Alderperson Williams – District 10, Alderperson Coenen – District 11, Alderperson Spears – District 12, Alderperson Lobner – District 13, Alderperson Croatt – District 14, Alderperson Otis- District 15*

*Referred To: Finance Committee*

*WHEREAS the Wisconsin State Legislature is directed to redistrict legislative districts at its next session following each federal census.*

*AND WHEREAS the goal of redistricting should be the creation of fair maps, not partisan gain.*

*AND WHEREAS transparency is necessary in executing any governmental responsibility.*

*AND WHEREAS on April 3, 2018, Outagamie County held an advisory referendum in which 72% of the voters supported a nonpartisan redistricting process.*

*AND WHEREAS a January 2019 Marquette University Law School poll showed that 72% of respondents supported having a nonpartisan commission draw the maps.*

*THEREFORE BE IT RESOLVED that the Appleton Common Council supports a transparent non-partisan redistricting process for the State of Wisconsin.*

R. OTHER COUNCIL BUSINESS

S. ADJOURN

**Alderperson Martin moved, seconded by Alderperson Lobner, that the meeting be adjourned at 7:50 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 Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Corey Otis and Mayor Timothy Hanna

**Excused:** 1 - Alderperson Patti Coenen

Kami Lynch, City Clerk