



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, April 1, 2020

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:01 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Williams.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

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

All Departments were represented.

F. PUBLIC PARTICIPATION

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[20-0459](#)

Common Council Meeting Minutes of March 18, 2020

Attachments: [CC Minutes 3-18-20.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Fenton, that the Minutes be approved. 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

H. BUSINESS PRESENTED BY THE MAYOR

[20-0460](#) Police & Fire Commission Reappointment

Attachments: [PFC Appt 4-1-20.pdf](#)

Alderson Spears moved, seconded by Alderson Lobner, that the Reappointment be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Abstained: 1 - Mayor Timothy Hanna

[20-0461](#) Recognition of service of Sally Mielke

The recognition was presented

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[20-0462](#) Suspend the Council Rules and convene into the Committee of the Whole

Alderson Lobner moved, seconded by Alderson Fenton, that the Common Council convene into the Committee of the Whole. Roll Call. Motion carried by the following vote:

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

Excused: 1 - Alderson Maiyoua Thao

Abstained: 1 - Mayor Timothy Hanna

[20-0456](#)

Request to approve the Families First Compliance Policy.

Attachments: [Families First Compliance Policy1.pdf](#)

Alderson Lobner moved, seconded by Alderson Firkus, that the policy be amended to add plant operators & utilities staff. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Abstained: 1 - Mayor Timothy Hanna

Alderson Fenton moved, seconded by Alderson Lobner, that the policy be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Abstained: 1 - Mayor Timothy Hanna

[20-0440](#)

Approve Fox River Navigational System Authority Bridge Tender Agreement.

Attachments: [Fox River Locks Bridge Tender Agreement.pdf](#)

Alderson Lobner moved, seconded by Alderson Spears, that the agreement be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Abstained: 1 - Mayor Timothy Hanna

[20-0281](#)

Resolution #2-R-20, designating the month of May, 2020 as No Mow May.

Attachments: [Resolution #2-R-20-No Mow May.pdf](#)
[Resolution #2-R-20-Citizen Comments.pdf](#)
[Issues to address for Municipal Services Committee.pdf](#)

Aldersperson Van Zeeland moved, seconded by Aldersperson Firkus, that the resolution be amended to remove the 2 week grace period. Roll Call. Motion carried by the following vote:

Aye: 12 - 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 Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Nay: 3 - Aldersperson William Siebers, Aldersperson Christine Williams and Aldersperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

Aldersperson Lobner moved, seconded by Aldersperson Fenton, that the resolution be approved as amended (notwithstanding vote taken). Roll Call. Motion carried by the following vote:

Aye: 8 - Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Kyle Lobner and Aldersperson Corey Otis

Nay: 7 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Matt Reed, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[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](#)

Aldersperson Fenton moved, seconded by Aldersperson Firkus, that the request to rescind be approved. Roll Call. Motion failed by the following vote:

Aye: 6 - Aldersperson William Siebers, Aldersperson Katie Van Zeeland, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Nay: 7 - Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Kyle Lobner and Aldersperson Corey Otis

Excused: 1 - Aldersperson Joe Martin

Abstained: 2 - Alderperson Alex Schultz and Mayor Timothy Hanna

[19-1184](#)

Resolution #10-R-19 Beekeeping Permit Process Change

Attachments: [#10-R-19 Beekeeping Permit Process Changes.pdf](#)
[Current - Residential Bee Keeping Permit Requirements.pdf](#)
[Proposed - Residential Apiary Permit Requirements .pdf](#)
[Current - Residential Apiary Permit Application .pdf](#)
[Proposed - Residential Apiary Permit Application .pdf](#)

Alderperson Spears moved, seconded by Alderperson Coenen, that the resolution be amended to remove the notification process. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson Vered Meltzer, 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

Nay: 2 - Alderperson William Siebers and Alderperson Brad Firkus

Excused: 1 - Alderperson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

Alderperson Spears moved, seconded by Alderperson Coenen, that the resolution be amended to make the application process and appeal process run through the inspections department. Roll Call. Motion failed by the following vote:

Aye: 2 - Alderperson Patti Coenen and Alderperson Cathy Spears

Nay: 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Excused: 1 - Alderperson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

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

Aye: 12 - Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Nay: 2 - Alderperson William Siebers and Alderperson Cathy Spears

Excused: 1 - Alderperson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

[20-0463](#)

Reconvene to Common Council

Alderson Fenton moved, seconded by Alderson Firkus, to reconvene as the Common Council. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Abstained: 1 - Mayor Timothy Hanna

[20-0464](#)

Report of the Committee of the Whole

Alderson Lobner moved, seconded by Alderson Firkus, that the report of the Committee of the Whole 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 Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderson Lobner moved, Alderson Spears seconded, to approve the report. The motion carried by the following vote:

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

Nay: 1 - Alderson William Siebers

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[20-0385](#)

Request from Dave Rangle, 1028 S. Walden Avenue, to have his sidewalk snow removal bill of \$107.40 waived.

Attachments: [1028 S Walden waive snow bill.pdf](#)

Alderson Lobner moved, seconded by Alderson Spears, that the Report Action Item be held. Roll Call. Motion carried by the following vote:

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

Nay: 1 - Alderson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[20-0424](#)

Request from CR Structures Group Inc. for a permanent street occupancy permit to close the sidewalk and provide for a temporary sidewalk at 825 W. College Avenue from March 2, 2020 through April 30, 2021.

Attachments: [CR Structures-permanent street occupancy.pdf](#)

This Report Action Item was approved.

[20-0443](#)

Award Unit P-20, Pavement Marking Maintenance Contract (Epoxy) to Mega Rentals, Inc. in an amount not to exceed \$95,000.

Attachments: [Unit P-20 Pavement Marking.pdf](#)

This Report Action Item was approved.

[20-0445](#)

Award Unit Q-20, Pavement Marking Maintenance Contract (Paint) to Crowley Construction Corp. in an amount not to exceed \$55,000.

Attachments: [Unit Q-20 Pavement Marking.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[20-0444](#)

Action: Award the City of Appleton's "2020 Appleton Memorial Park Universal Playground Equipment Project" contract to PlayPower LT Farmington, Inc. in an amount not to exceed \$540,000.

Attachments: [2020 AMP Universal Playground Action Item .docx](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[20-0429](#)

Request to approve Contract Amendment/Change Order No. 2 to Contract No. 36-19 for Sewer & Water Reconstruction No. 3 for additional construction quantities and surface restoration needs due to unforeseen conditions encountered during construction in the amount of \$100,671 resulting in a decrease to contingency from \$51,901 to \$0.00. Overall contract increases from \$1,663,674 to \$1,712,444

Attachments: [Unit Y-19 Change Order No. 2.pdf](#)

This Report Action Item was approved.

[20-0447](#)

Request to approve a temporary suspension of the late payment charges for Wastewater, Stormwater and Refuse that are billed on the City Service Invoice

Attachments: [Late Fee COVID-19 Waiver Memo.pdf](#)
[Ordinance AMEND070.pdf](#)

This Report Action Item was approved.

[20-0448](#)

Request to approve the following 2020 Budget adjustment:

COVID-19 Special Revenue Fund

Federal Grants	+\$100,000
Personnel Costs	+ \$ 80,000
Supplies	+ \$ 10,000
Purchased Services	+ \$ 10,000

to establish an initial budget to track COVID-19 related mitigation costs and record reimbursement from FEMA and other funding sources

Attachments: [FactSheet_COVID19 Response 03132020 Final.pdf](#)

This Report Action Item was approved.

[20-0451](#)

Request to approve the following 2020 Budget adjustment:

Community Development Block Grant Fund

Salaries	+\$ 13,190
Fringe Benefits	+\$ 6,810
Federal Grants	+\$ 20,000

Continuum of Care Grant Fund

Salaries	+\$ 19,328
Fringe Benefits	+\$ 10,001
Contracted Services	+\$ 1,000
State Grants	+\$ 30,329

Emergency Housing Grant Fund

Salaries	+\$ 3,300
Fringe Benefits	+\$ 1,700
State Grants	+\$ 5,000

to record expenses and funding sources for new Coordinated Entry position in the Community Development Department

Attachments: [Finance Committee Cover memo 03-19-2020.pdf](#)
[Finance Committee CE position approval 3-16-20.pdf](#)
[Finance Committee -Emails of support CE Position.pdf](#)

This Report Action Item was approved.

[20-0452](#)

Request approval to award Unit AA-20 Rubyred Drive Bridge to Radtke Contractors, Inc in the amount of \$288,260 with a 4.1% contingency of \$11,740 for a project total not to exceed \$300,000

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

This Report Action Item was approved.

[20-0453](#)

Request approval to award Unit C-20 Sidewalk Sawcutting to ASTI Sawing, Inc in an amount not to exceed \$40,000

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

This Report Action Item was approved.

[20-0454](#)

Request approval to award Unit E-20 Miscellaneous Concrete and Street Excavation Repair to Al Dix Concrete, Inc in the amount of \$718,066 with a 5% contingency of \$36,000 for a project total not to exceed \$754,066

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

This Report Action Item was approved.

[20-0455](#)

Request approval to award Unit J-20 Mini Storm Sewer Construction to Alfson Excavating, LLC in an amount not to exceed \$200,000

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

This Report Action Item was approved.

[20-0458](#)

Request to approve ordinance temporarily amending council rules pertaining to public comment and appearances at Council and other meetings in response to CoVid-19 health emergency

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[20-0436](#)

Request to approve the farm lease for Southpoint Commerce Park with Maple Lawn Dairy (Mike Mader) to farm the remaining undeveloped land, estimated to be approximately 142.4± acres (subject to pending transactions), at a rental rate of \$160.00 per acre for five (5) years with no crop loss provision

Attachments: [Southpoint Farm Lease Memo 3-19-20.pdf](#)
[Southpoint Farming RFP Package 2-25-20.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[20-0417](#)

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

Attachments: [2020 Post Construction Ord Update Util Memo.pdf](#)
[Art VI - Stormwater - Redline Changes 03-09-2020.pdf](#)

This Report Action Item was approved.

[20-0418](#)

Approval to single source and award the 2020 StormTrap Structural Inspections of the underground structures at Appleton East High School and the Exhibition Center to Graef in an amount not to exceed \$49,818.

Attachments: [2020 AEHS StormTrap Inspection Graef Contract Award.pdf](#)

This Report Action Item was approved.

[20-0419](#)

Approval to single source and award the 2020 StormTrap Waterproofing Inspection of the underground structure at Appleton East High School to Midwest Coating Solutions, LLC (MCS) in an amount not to exceed \$22,900.

Attachments: [2020 AEHS StormTrap Inspection MCS Contract Award.pdf](#)

This Report Action Item was approved.

[20-0420](#)

Award of 2020G Stormwater Consulting Services Single Source Contract for Lightning Drive Culverts and Stormwater Practices 60% Preliminary Design to raSmith in an amount not to exceed \$107,250.

Attachments: [2020G Lightning 60% Design Contract Award Memo to raSmith 03-17-2020 .pdf](#)

This Report Action Item was approved.

[20-0449](#)

Amend Unit K-20 Native Landscape Management Contract with Applied Ecological Services, Inc. in an amount not to exceed \$16,000.

Attachments: [K-20 Amendment 1 Util Cmte Memo FINAL 03-19-2020.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[20-0427](#)

Request to approve CED adding Coordinated Entry Specialist position.

Attachments: [CED Memo for position approval.pdf](#)
[CED Cover memo 03-19-2020.pdf](#)
[CED TO 3-25-20 draft.pdf](#)
[CED Emails of support from subs.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[20-0434](#)

Award Security Services Contract

Attachments: [Award Recommendation Doc.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[20-0457](#)

Ordinances 61-20 to 71-20 for 4/1/2020 Common Council Meeting

Attachments: [Ordinances 61 to 71 for 4-1-2020 CC Mtg.pdf](#)

This Ordinance was approved.

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

Resolution #7-R-20

Employee Leave & Benefits related to COVID-19

Submitted by: Alderperson Van Zeeland – District 5, Alderperson Spears – District 12 and Alderperson Lobner – District 13

Date: April 1, 2020

Referred To: Human Resources & Information Technology Committee

BE IT RESOLVED that the City of Appleton shall not require employees to use any earned benefits or take unpaid leave due to lack of work available for the duration of the City's Declaration of Emergency related to the COVID-19 pandemic.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderperson Croatt moved, seconded by Alderperson Williams, that the meeting be adjourned at 10:14 p.m. 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 Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Excused: 1 - Alderperson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

Kami Lynch, City Clerk