



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, May 20, 2020

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 Otis

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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska, Alderperson Corey Otis and Mayor Jake Woodford

Excused: 1 - Alderperson Patti Coenen

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Behrens, Deputy City Attorney Abshire, 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, Library Director Rortvedt, Police Chief Thomas, Director of Parks, Recreation & Facilities Gazza, Public Works Director Vandehey, Utilities Director Shaw, Valley Transit General Manager McDonald

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[20-0571](#)

Common Council Meeting Minutes of May 6, 2020

Attachments: [CC Minutes 5-6-2020.pdf](#)

Alderperson Reed moved, seconded by Alderperson Wolff, 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[20-0572](#) Public Works Week Proclamation

Attachments: [Public Works Week Proclamation.pdf](#)

This Proclamation was presented

[20-0573](#) Monarch Butterfly Month Proclamation

Attachments: [Monarch Butterfly Month Proclamation.pdf](#)

This Proclamation was presented

[20-0575](#) Board of Review Appointments

Attachments: [BOR Appointments.pdf](#)

Alderperson Smith moved, seconded by Alderperson Lobner, that the Board of Review Appointments 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0574](#) Operational & COVID-19 Update

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[20-0581](#)

Suspend the Council Rules and Convene into the Committee of the Whole

Aldersperson Lobner moved, seconded by Aldersperson Smith, that the Common Council convene into the Committee of the Whole. 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 Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Excused: 1 - Aldersperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0566](#)

Request from Thedacare to waive the \$35/month parking permit fee for up to 20 parking permits in the Red ramp for health care workers staying at the Red Lion Hotel through the COVID-19 crisis.

Attachments: [Red Ramp fee waived for Health Care workers-Red Lion.pdf](#)

Aldersperson Smith moved, seconded by Aldersperson Siebers, that the Request be amended to have the Council review the use/status of the request again after June 30th. Roll Call. Motion failed by the following vote:

Aye: 3 - Aldersperson William Siebers, Aldersperson Matthew Reed and Aldersperson Mike Smith

Nay: 11 - Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Excused: 1 - Aldersperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

Aldersperson Prohaska moved, seconded by Aldersperson Fenton, that the Request be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Nay: 2 - Alderperson Matthew Reed and Alderperson Mike Smith

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0567](#)

Request from Israel Del Toro for an exception to the Street Terrace Policy for a fence and raised box garden. If approved by Council a certificate of insurance, \$40 annual street occupancy permit and hold harmless agreement with the City will be required.

Attachments: [826 E South St-Variance Terrance Policy.pdf](#)

Alderperson Smith moved, seconded by Alderperson Van Zeeland, that the Report Action Item be amended to require the fencing to be placed at a 2 ft setback from the curb. Roll Call. Motion failed by the following vote:

Aye: 6 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Maiyoua Thao, Alderperson Matthew Reed and Alderperson Mike Smith

Nay: 8 - Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Denise Fenton, Alderperson Alex Schultz, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

Alderperson Meltzer moved, seconded by Alderperson Otis, that the Request be approved. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Nay: 4 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Matthew Reed and Alderperson Mike Smith

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0556](#)

"Class B" Liquor and Class "B" Beer License application for Gregg VanDinter, located at 812 S Olde Oneida St. (old Union Jack's), contingent upon approval from all departments.

Attachments: [Gregg VanDinter.pdf](#)

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

Aye: 13 - 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 Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 2 - Alderperson Joe Martin and Mayor Jake Woodford

Balance of the action items on the agenda.

Alderperson Prohaska moved, Alderperson Fenton seconded, to approve the balance of the agenda. The 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0583](#)

Reconvene to Common Council

Alderperson Fenton moved, seconded by Alderperson Wolff, that to Rise and Report as the Common Council. 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-0582](#)

Report of the Committee of the Whole

Alderperson Smith moved, seconded by Alderperson Prohaska, to approve the Report of the Committee of the Whole. 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[20-0564](#)

Request from Rye Restaurant for a Street Occupancy Permit to place tables and chairs in the College Avenue beautification strip at 300/308 W. College Avenue be approved.

Attachments: [Rye Restaurant-Street Occupany Permit.pdf](#)

This Report Action Item was approved.

[20-0565](#)

Request from Judy's Italian Ice and Gelato for a Street Occupancy Permit to place tables and chairs in the College Avenue beautification strip at 745 W. College Avenue be approved.

Attachments: [Judy's Italian Ice and Gelato Ice Cream-Street Occupancy Permit.pdf](#)

[20-0568](#)

Approve InterGovernmental Agreement with the Town of Grand Chute and Outagamie County for intersection improvements at CTH OO/Oneida Street, CTH OO/Ballard Road and CTH OO/Roemer Road scheduled for construction in 2021.

Attachments: [Cty Hwy OO Intersection Improvements.pdf](#)

This Report Action Item was approved.

[20-0569](#)

Request from Miller Electric for a permanent Street Occupancy Permit to have their fence and parking lot 12 feet into the Melvin Street right-of-way (4 feet less than existing situation).

Attachments: [Miller Electric Melvin St. Parking Lot Rehab.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[20-0545](#)

Reserve "Class B" Liquor and Class "B" Beer Change of Agent application for Rye Inc d/b/a Rye Restaurant, Nicolas K Morse, NEW Agent, located at 308 W College Ave, contingent upon approval from Police Department.

Attachments: [Nicolas K. Morse S&L 5-13-20.pdf](#)

This Report Action Item was approved.

[20-0546](#)

Class "B" Beer and "Class B" Liquor License application for The Original Music Collaborative LLC d/b/a Gibson Community Music Hall, David G Willems, Agent, located at 211 W College Ave, contingent upon approval from all departments.

Attachments: [Gibson Community Music Hall.pdf](#)

This Report Action Item was approved.

[20-0547](#)

"Class B" Liquor and Class "B" Beer License application for Pierri Pizza LLC d/b/a Pierri Pizza, Riley W Brice, Agent, located at 815 W. College Ave, contingent upon approval from all departments.

Attachments: [Pierri Pizza.pdf](#)

This Report Action Item was approved.

[20-0548](#)

"Class A" Liquor and Class "A" Beer License Change of Agent application for Wal-Mart Stores East LP d/b/a Wal-Mart #2958, Jason R Klunck, New Agent, located at 3701 E. Calumet St.

Attachments: [Jason R Klunck S&L.pdf](#)

This Report Action Item was approved.

[20-0552](#)

"Class A" Liquor and Class "A" Beer License Change of Agent application for Walgreens Co, d/b/a Walgreens #5102, Troy Rustad, New Agent, located at 700 W. College Ave, contingent upon approval from Police Department.

Attachments: [Troy Rustad S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[20-0550](#)

Request to approve the Extraterritorial Final Plat for Jenkel Fields located in the Town of Center as shown on the attached maps and subject to the condition in the attached staff report

Attachments: [StaffReport_JenkelFields_FinalPlat_For05-20-20.pdf](#)

This Report Action Item was approved.

[20-0551](#)

Request to approve the Extraterritorial Preliminary Plat for Investors Park located in the Town of Grand Chute as shown on the attached maps

Attachments: [StaffReport_InvestorsPark_PrePlat_For05-20-20.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**
- 9. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**
- 10. **MINUTES OF THE BOARD OF HEALTH**
- M. **CONSOLIDATED ACTION ITEMS**
- N. **ITEMS HELD**

[20-0470](#)

Resolution #5-R-20
Naming of the Hydroelectric Heritage Trailway
(HHT / Hydro)

Attachments: [#5-R-20 Hydroelectric Heritage Trailway.pdf](#)

Aldersperson Prohaska moved, seconded by Aldersperson Smith, that the Resolution 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

O. ORDINANCES

[20-0579](#)

Repeal Ordinance #71-20; and Adopt Ordinance #74-20

Attachments: [Ordinance #74-20.pdf](#)

Alderperson Smith moved, seconded by Alderperson Lobner, that the Ordinance 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

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

#10-R-20

Liquor License Fees

Submitted By: Alderperson Wolff, District 12

Date: 5/20/2020

Referred To: Finance Committee

Whereas, on March 17th the state enacted the safer at home order, closing bars and restaurants; and

Whereas, liquor licenses are due by the month of June, one month following 2 months of being closed; and

Whereas, bars have gone through financial hardship; and

Whereas, the City has a responsibility to help local businesses in their time of need during this unprecedented crisis.

Now, Therefore Be It Resolved, that the City waive the \$20 per day late fee that is assessed on liquor license applications after June 15th, and that the City shall only require a minimum payment of \$50 plus a \$20 publication fee and \$7 background check fee for licensed establishments by June 30th to receive the license; with the remaining balance of liquor license fees to be paid by October 1st.

R. OTHER COUNCIL BUSINESS

[20-0577](#)

Director's Reports

Attachments: [Final Director Reports to Common Council.pdf](#)

[Fire- Policy 1 CGA CoronaVirus Guidelines.pdf](#)

[Fire- Policy 2 Requesting RTF Response.pdf](#)

[Fire- Policy 3 3-054 COVID-19 Response.pdf](#)

[Fire - Policy 4 Appleton Fire Department Return to Work for COVID.pdf](#)

[Fire Policy 5 3-055 FD Response During Civil Unrest.pdf](#)

S.

ADJOURN

Alderperson Siebers moved, seconded by Alderperson Prohaska, that the meeting be adjourned at 8:42 p.m. 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk