



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, May 1, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

The Invocation was offered by Alderperson Schultz.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Alderperson Coenen arrived at 7:10 p.m.

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Mayor Timothy Hanna

Excused: 1 - Alderperson Chris Croatt

Absent: 1 - Alderperson Keir Dvorachek

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community and Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Director of Human Resources Matz, Director of Parks, Recreation, and Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Utilities Shaw, Valley Transit General Manager Mc Donald

*The following departments were excused:
Information Technology and Library*

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-0620](#)

Common Council Meeting Minutes of:
April 17, 2019 Organizational Meeting
April 17, 2019 Council Meeting

Attachments: [CC Org Meeting Minutes 4-17-19.pdf](#)
[CC Minutes 4-17-19.pdf](#)

Alderson Raasch moved, seconded by Alderson Firkus, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Rachel Raasch, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Cathy Spears and Alderson Kyle Lobner

Excused: 2 - Alderson Patti Coenen and Alderson Chris Croatt

Absent: 1 - Alderson Keir Dvorachek

Abstained: 1 - Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

[19-0621](#)

Municipal Clerks Week Proclamation

This Proclamation was presented

H. PUBLIC PARTICIPATION

*The following individuals spoke during public participation:
Item 19-0608 Re: Superior Street Skywalk signage
Brian Gottlieb, 2418 Crestview Dr. Appleton
Jennifer Stephany, ADI, 333 College Ave. Appleton*

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[19-0614](#)

Reserve Class "B" Beer and "Class B" Liquor application of Jai Sung Mah, located at 122 W. Wisconsin Ave, Nusara Yang, Owner, contingent upon approval from all departments

Attachments: [Liquor License-Jai Sung Mah.pdf](#)

This item was referred back to committee by Alderperson Spears.

This Report Action Item was referred to the Safety and Licensing Committee due back on 5/8/2019.

[19-0431](#)

"Class B" Beer/Liquor Temporary Premise Amendment application for Sangria's Mexican Grill, Sarah Gregory, Agent, 215 S Memorial Dr for May 4, 2019, contingent upon approval from all departments.

Attachments: [Sangrias Mexican Grill.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Meltzer, that the Premise Amendment request be amended to include Saturday May 4th from 10:00 a.m. to 10:00 p.m. in addition to the original request. 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 Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears and Alderperson Kyle Lobner

Excused: 1 - Alderperson Chris Croatt

Absent: 1 - Alderperson Keir Dvorachek

Abstained: 1 - Mayor Timothy Hanna

Alderperson Lobner moved, seconded by Alderperson Martin, that the Premise Amendment be approved as amended. 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 Rachel Raasch, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears and Alderperson Kyle Lobner

Excused: 1 - Alderperson Chris Croatt

Absent: 1 - Alderperson Keir Dvorachek

Abstained: 1 - Mayor Timothy Hanna

[19-0325](#)

R/B-Approve proposed changes to the Sidewalk Maintenance Policy.

Attachments: [Sidewalk Maintenance Policy.pdf](#)
[Amended Sidewalk Maintenance Policy.pdf](#)

Aldersperson Martin moved, seconded by Aldersperson Van Zeeland, that the Sidewalk Maintenance Policy be approved. Roll Call. Motion carried by the following vote:

Aye: 10 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Rachel Raasch, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz and Aldersperson Cathy Spears

Nay: 3 - Aldersperson Christine Williams, Aldersperson Patti Coenen and Aldersperson Kyle Lobner

Excused: 1 - Aldersperson Chris Croatt

Absent: 1 - Aldersperson Keir Dvorachek

Abstained: 1 - Mayor Timothy Hanna

[19-0608](#)

Request from Tundraland to replace Radisson Paper Valley signage on the Superior Street Skywalk with their signage.

Attachments: [Tundraland signage.pdf](#)

Aldersperson Martin moved, seconded by Aldersperson Van Zeeland, that the signage 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 Rachel Raasch, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Kyle Lobner

Nay: 1 - Aldersperson Patti Coenen

Excused: 1 - Aldersperson Chris Croatt

Absent: 1 - Aldersperson Keir Dvorachek

Abstained: 1 - Mayor Timothy Hanna

[19-0456](#)

Action Item: Request Approval of 2019 Updated Turf Management Plan

Attachments: [2019 Turf Management Plan memo.doc](#)
[Turf Management Policy 2019 Final.doc](#)
[Turf Management Policy 2019 Red-Lined Draft.doc](#)

Aldersperson Raasch moved, seconded by Aldersperson Martin, that the Turf Management Plan 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 Rachel Raasch, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears and Aldersperson Kyle Lobner

Excused: 1 - Aldersperson Chris Croatt

Absent: 1 - Aldersperson Keir Dvorachek

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Martin moved, Aldersperson Lobner seconded, to approve the balance of the agenda. The 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 Rachel Raasch, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears and Aldersperson Kyle Lobner

Excused: 1 - Aldersperson Chris Croatt

Absent: 1 - Aldersperson Keir Dvorachek

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-0595](#) Preliminary Resolution 1-P-19 for Concrete Pavement, Driveway Aprons and Sidewalk Construction be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Preliminary Resolution 1-P-19.pdf](#)

This Report Action Item was approved.

[19-0596](#) Preliminary Resolution 2-P-19 for Sidewalk Construction on Hall Avenue be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Preliminary Resolution 2-P-19.pdf](#)

This Report Action Item was approved.

[19-0597](#) Award 2019 Asphalt Milling Contract to Northeast Asphalt in an amount not to exceed \$85,000.

Attachments: [2019 Asphalt milling contract-Northeast Asphalt.pdf](#)

This Report Action Item was approved.

[19-0598](#) Approve parking changes in the area of the Foster Elementary School (follow-up to a 6-month trial).

Attachments: [Parking changes -Foster Elementary School.pdf](#)

This Report Action Item was approved.

[19-0599](#) Approve conversion of Morrison Street (College Avenue to Harris Street) and Harris Street (Morrison Street to Oneida Street) from 1-way traffic to 2-way traffic.

Attachments: [Conversion of Morrison St and Harris St.pdf](#)

This Report Action Item was approved.

[19-0600](#) Anticipated Award for Unit P-19, Pavement Marking Contract.

Attachments: [Amended Unit P-19.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-0486](#)

"Class B" Beer/Liquor license - Change of Agent application for Eager Beaver LLC, dba Eager Beaver Bar & Grill, located at 1400 W 2nd St, contingent upon approval from all departments.

Attachments: [Mark R. Joosten S&L.pdf](#)

This Report Action Item was approved.

[19-0503](#)

Class "B" Beer and "Class B" Liquor application of Oneida Street South LLC, located at 1200 S. Oneida St, Katelyn E. James, Agent, contingent upon approval from all departments

Attachments: [Oneida Street South LLC.pdf](#)

This Report Action Item was approved.

[19-0527](#)

Reserve "Class B" Beer/Liquor License -Temporary Premise Amendment for Fox Cities Building for the Arts, Christina Turner, Agent, 111 W. College Ave, September 12, 2019, contingent upon approval from all departments.

Attachments: [Fox Cities Bldg for the Arts.pdf](#)

This Report Action Item was approved.

[19-0530](#)

"Class B" Beer/Liquor License - Change of Agent application for Mi Casa Mexican Grill, Maria de Jesus Rodriguez, Agent, located at 2190 S Memorial Dr., contingent upon approval from the Police Department.

Attachments: [Maria de Jesus Rodriguez S&L 4-24-19.pdf](#)

This Report Action Item was approved.

[19-0534](#)

Reserve "Class B" Beer/Liquor Licence - Change of Agent application for Fox Cities Building for the Arts/Trout Museum of Art, Christina S. Turner, Agent, located at 111 W. College Ave, contingent upon approval from Police Department.

Attachments: [Christina S. Turner S&L 4-24-19.pdf](#)

This Report Action Item was approved.

[19-0541](#)

Operator's Licenses

Attachments: [Operator's Licenses for 4-24-19 S& L.pdf](#)

This Report Action Item was approved.

[19-0542](#)

Class "A" Beer License - Change of Agent application for Ballard Motomart, Jason G. Mazanec, Agent, located at 2838 N. Ballard Rd., contingent upon approval from Police Department.

Attachments: [Jason Mazanec S&L 4-24-19.pdf](#)

This Report Action Item was approved.

[19-0543](#)

Renewal Operator's Licenses

Attachments: [RENEWAL Licenses for 4-24-19 S&L .pdf](#)

This Report Action Item was approved.

[19-0547](#)

"Class B" Beer/Liquor License - Change of Agent application for VFW Post 2778, Cassandra Mannebach, Agent, located at 501 N. Richmond St., contingent upon approval from Police Department

Attachments: [Cassandra E. Mannebach S&L 4-24-19.pdf](#)

This Report Action Item was approved.

[19-0574](#)

"Class A" Beer/Liquor license - Change of Agent application for Target Store T1248, Allison Hemker, Agent, located at 1800 S Kensington Dr., contingent upon approval from the Police Department.

Attachments: [Allison M. K. Hemker S&L 4-24-19.pdf](#)

This Report Action Item was approved.

[19-0612](#)

Secondhand Article License application of Troy Crawford, d/b/a Game Stop #3349, 2640 W College Ave, contingent upon approval from all departments.

Attachments: [Game Stop #3349 S&L 4-24-19.pdf](#)

This Report Action Item was approved.

[19-0613](#)

Secondhand Article License application of Troy Crawford, d/b/a Game Stop #5520, 2640 W College Ave, contingent upon approval from all departments.

Attachments: [Game Stop #5520 S&L 4-24-19.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[19-0519](#)

Request to approve the dedication of land for public right-of-way for Spartan Drive and Meade Street, generally located west of N. Meade Street and south of E. Broadway Drive (part of Tax Id #31-6-6100-60), as shown on the attached maps

Attachments: [StaffReport_SpartanWestOfMeade_StreetDedication_For04-23-19.pdf](#)

This Report Action Item was approved.

[19-0520](#)

Request to approve the dedication of land for public right-of-way for the vision corner located on the east side of N. Kurey Drive and E. Broadway Drive road intersection (part of Tax Id #31-1-9310-22), as shown on the attached maps

Attachments: [StaffReport_KureyDrEastSide_VisionCornerStreetDedication_For04-23-19.pdf](#)

This Report Action Item was approved.

[19-0521](#)

Request to approve the dedication of land for public right-of-way for the vision corner located on the west side of N. Kurey Drive and E. Broadway Drive road intersection (part of Tax Id #31-1-9310-27), as shown on the attached maps

Attachments: [StaffReport_KureyDrWestSide_VisionCornerStreetDedication_For04-23-19.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[19-0536](#)

Action: Award the City of Appleton's 2019 Pierce Park Playground Equipment Project Contract to Lee Recreation, LLC. in an amount not to exceed \$130,000

Attachments: [2019 Pierce Playground Park and Rec. Memo.docx](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[19-0549](#) Request to award the 2019 AWWTP Hardscape Repairs Project/Clarifier Assess Roads contract to Highway Landscapers, Inc in the amount of \$49,993 with a contingency of \$10,000 for a project total not to exceed \$59,993

Attachments: [2019 AWWTP Hardscapes \(Clarifier Road\).pdf](#)

This Report Action Item was approved.

[19-0550](#) Request to award the 2019 Parks Hardscape Repairs Project - Kiwanis Park contract to RJM Construction, LLC in the amount of \$29,801 with a contingency of \$8,000 for a project total not to exceed \$37,801

Attachments: [2019 Parks Hardscape Repairs \(Kiwanis Park\).pdf](#)

This Report Action Item was approved.

[19-0557](#) CEA Review Committee Report

Attachments: [CEA Review MeetingMinutes9-Apr-2019-01-51-03.pdf](#)

This Report Action Item was approved.

[19-0558](#) Request to award the 2019 Green Parking Ramp Office Remodeling Project to Cardinal Construction Co, Inc in the amount of \$203,942 with a contingency of \$12,658 for a project total not to exceed \$216,600

Attachments: [2019 Green Parking Ramp Office Remodeling Project .pdf](#)

This Report Action Item was approved.

[19-0559](#) Request to award the 2019 City Hall First Floor Finance Area Remodeling Project contract to Miron Construction Co, Inc in the amount of \$194,238 with a contingency of \$6,962 for a project total not to exceed \$201,200

Attachments: [2019 City Hall First Floor Finance Remodel .pdf](#)

This Report Action Item was approved.

[19-0605](#) Request to award Unit D-19 Sidewalk Construction to Fischer Ulman Construction, Inc in an amount not to exceed \$310,000

Attachments: [Award of Contract Unit D-19.pdf](#)

This Report Action Item was approved.

[19-0606](#) Request to approve Finance Committee Report 1-P-19 for Concrete Pavement, Sidewalk Construction and Driveway Aprons

Attachments: [Report 1-P-19.pdf](#)

This Report Action Item was approved.

[19-0607](#) Approve Finance Committee Report 2-P-19 for Sidewalk Construction

Attachments: [Report 2-P-19.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[19-0565](#) ****CRITICAL TIMING**** Request to counter the Offer to Purchase from Valley Tool, Inc. or its assigns to purchase Lots 1, 2, and 3 on Goodland Drive in the Northeast Industrial Park Plat No. 4, consisting of approximately 4.36 acres, at a purchase price of \$160,000 (\$36,697.25 per acre) with the Counter Offer amending various lines in the Offer as referenced in the attached documents

Attachments: [Valley Tool Memo 4-19-19.pdf](#)
[Valley Tool_OTP_Lots 1-2-3 Goodland Dr_4-17-19.pdf](#)
[Valley Tool - Counter Offer 1_2.pdf](#)
[NEIP Plat No 4 Covenants and Restrictions.pdf](#)
[Map_Available Sites NE Bus Park_04182019.pdf](#)
[NEBPUilities.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[19-0525](#)

Request to sole source contract to Patrick Engineering for professional services needed to complete the Wastewater Electrical Distribution Upgrades Phase 3, for a contract fee of \$296,500 and a contingency of 5% to not exceed a total contract of \$311,325.

Attachments: [2019 Electrical Distribution System Upgrades Design for PDC Building Transformer and Circuit Switchers.pdf](#)

This Report Action Item was approved.

[19-0535](#)

Award Engineering Services Contract for the Lindbergh Standpipe Project to Strand Associates, Inc. in the amount of \$63,900 with a 10% contingency of \$6,390 for a project total not to exceed \$70,290

Attachments: [LindberghProject - Engineering Award 04-17-19.doc](#)

This Report Action Item was approved.

[19-0603](#)

Award the 2019 AWWTP Improvements Project Engineering Phase to McMahon in the amount of \$169,886 with a 10% contingency of \$16,989 for a Project Total not to exceed \$186,875

Attachments: [2019 AWWTP Improvements Project-McMahon.doc](#)

This Report Action Item was approved.

[19-0604](#)

Award Construction of a Receiving Station to Highway Landscapers, Inc., in the amount of \$61,497 and a 5% contingency of \$3,075 for a total cost not to exceed \$64,572

Attachments: [Receiving Station Construction 04-17-19.doc](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[19-0588](#)

Request for Public Works to change 4 Operator positions to 4 Operator I positions.

Attachments: [DPW reorg Operator to Op 1.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[19-0571](#)

Authorization to award contract for Generator Project

Attachments: [2019 Valley Transit Generator.pdf](#)

This Report Action Item was approved.

[19-0572](#)

Authorization to award contract to Lamers for Downtown Trolley service

Attachments: [FCTC Lamers contract memo.pdf](#)

This Report Action Item was approved.

[19-0575](#)

Authorization to enter into contract with Star Protection & Patrol for security services

Attachments: [Star Protection and Patrol Contract - Final 04.15.2019.pdf](#)

This Report Action Item was approved.

[19-0577](#)

Adopt 2019 updated Title VI Program

Attachments: [Valley Transit Title VI Program 2019 FINAL.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[19-0618](#)

Ordinances 43-19 to 49-19

Attachments: [Ordinances going to Council 5-1-19.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

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[19-0622](#)

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.

Alderson Lobner moved, seconded by Alderson Meltzer, that the Common Council convene into Closed Session at 7:33 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Rachel Raasch, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears and Alderson Kyle Lobner

Excused: 1 - Alderson Chris Croatt

Absent: 1 - Alderson Keir Dvorachek

Abstained: 1 - Mayor Timothy Hanna

T. ADJOURN

Alderson Lobner moved, seconded by Alderson Coenen to reconvene into open session at 8:08 p.m.

Roll Call. Motion carried 13/0

No action was taken in Closed Session

Alderson Martin moved, seconded by Alderson Schultz, that the meeting be adjourned at 8:09 p.m. 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 Rachel Raasch, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Mayor Timothy Hanna

Excused: 1 - Alderson Chris Croatt

Absent: 1 - Alderson Keir Dvorachek

Kami Lynch, City Clerk