



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, August 4, 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 Prohaska.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

*Alderperson Van Zeeland participated virtually.
Alderperson Schulz arrived at 7:25 p.m.*

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 Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska, Alderperson Chad Doran and Mayor Jake Woodford

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[21-1094](#)

Common Council Meeting Minutes of July 21, 2021

Attachments: [CC Minutes 7-21-21.pdf](#)

Alderperson Prohaska moved, seconded by Alderperson Hartzheim, 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 Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Absent: 1 - Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[21-1106](#) Recognition of poems selected for the 2021 Sidewalk Poetry Program

This Sidewalk Poems were presented

[21-1107](#) Certificate of Recognition for the Bogenschutz Family

The Certificate of Recognition was presented

[21-1108](#) Certificates of Recognition for the Emergency Operations Center

The Certificates of Recognition were presented

[21-1110](#) ARPA Fund Allocation Process

[21-1123](#) COVID-19 Report

Attachments: [COVID -19 Cases August 2.pdf](#)

H. PUBLIC PARTICIPATION

*John Petit, 2100 S. Telulah Ave., spoke regarding Item 21-0853
Oliver Zornow, Building For Kids, spoke regarding Item 21-1056
Andrew Graf, representing the developer for Rezoning #8-21, spoke regarding Item
21-0853*

I. PUBLIC HEARINGS

[21-0920](#) Public Hearing for Comprehensive Plan Map Amendment #2-21 - Core LLC from One and Two Family Residential Land Use to Mixed Use Land Use

Attachments: [Public Hearing Notice Comp Plan Amend #2-21.pdf](#)

The Public Hearing was held, no one spoke during the hearing.

[21-0921](#)

Public Hearing for Rezoning #7-21 along W. Packard Street, N. Richmond Street, and W. Harris Street

Attachments: [RZ #7-21_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

[21-0847](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 for 719 West Packard Street (Tax Id #31-5-1232-00) from future One and Two-Family Residential land use designation to Mixed Use land use designation, as shown on the attached map, and approve the attached Resolution

Attachments: [StaffReport_FormerVFWSite_CompPlan+Rezoning_For06-23-21.pdf](#)
[EmailFromAnaHauser_07-14-21.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Martin, that the Comprehensive Plan Future Land Use Amendment be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - 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 Michael Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[21-0849](#)

Request to approve Rezoning #7-21 for subject parcels generally located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00), including the adjacent one-half (1/2) right-of-way of West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street, as shown on the attached maps, from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District

Attachments: [StaffReport_FormerVFWSite_CompPlan+Rezoning_For06-23-21.pdf](#)
[EmailFromAnaHauser_07-14-21.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Doran, that the Rezoning 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[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 Item was referred back to the Municipal Services Committee.

[21-0946](#)

Request to approve the allocation of excess General Fund balance at December 31, 2020 and the following related 2021 Budget amendments:

General Fund

Transfer Out - Debt Service/Capital Projects Fund	+\$3,840,000
Transfer Out - Industrial Park Land Fund	+\$ 250,000
Transfer Out - Facilities Capital Projects Fund	+\$ 185,000
Transfer Out - IT Capital Projects Fund	+\$ 65,000
Mayor's Office	+\$ 75,000
Public Works Department	+\$ 200,000
Finance Department	+\$ 50,000
General Fund Balance - Reserve for Brand Study	+\$ 450,000
General Fund Balance	-\$5,115,000

Debt Service/Capital Projects Fund

Transfer In - General Fund	+\$3,840,000
Debt Service Reduction	+\$3,840,000

Industrial Park Land Fund

Transfer In - General Fund	+\$ 250,000
Industrial Park Land	+\$ 250,000

Facilities Management Capital Projects Fund

Transfer In - General Fund	+\$ 185,000
Parks Improvements	+\$ 175,000
City Hall Improvements	+\$ 10,000

Information Technology Capital Projects Fund

Transfer In - General Fund	+\$ 65,000
Council Chamber AV Project	+\$ 65,000

to allocate excess general fund balance at 12/31/20 per City Fund Balance Policy (2/3 vote of Council required)

Attachments: [Finance Committee - Fund Balance Policy 2021.pdf](#)
[Mayor Memo.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Firkus, that the Budget Amendments be approved as amended in Committee. Roll Call. Motion carried by the following vote:

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

Nay: 2 - Alderperson Katie Van Zeeland and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[21-1032](#)

Mayor's Response to Resolution #9-R-21, Transportation Utility Study

Attachments: [#9-R-21 TU Resolution.pdf](#)
[Transportation Utility Study Resolution Response Memo.pdf](#)

Alderperson Doran moved, seconded by Alderperson Prohaska, that the Resolution 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Hartzheim moved, Alderperson Fenton seconded, to approve the balance of the agenda. The 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-0870](#)

Approve updated Sidewalk Maintenance Policy.

Attachments: [Sidewalk Maintance Policy.pdf](#)

This Report Action Item was approved.

[21-0872](#)

Approve update to Municipal Code Section 4-141 regarding prohibited accessory buildings.

Attachments: [Municipal Code 4-141.pdf](#)
[Update-Section 4-141 Municipal Code.pdf](#)

This Report Action Item was approved.

[21-1049](#)

Request from AT&T for a street occupancy permit to place a cabinet in the terrace at 2018 S. Kernan Avenue.

Attachments: [AT&T- 2018 S Kernan Ave.pdf](#)

This Report Action Item was approved.

[21-1050](#)

Request from AT&T for a street occupancy permit to place a cabinet in the terrace at 1407 W. Kamps Avenue.

Attachments: [AT&T-1407 W Kamps Ave.pdf](#)

This Report Action Item was approved.

[21-1052](#)

Request from AT&T for a street occupancy permit to place a cabinet in the terrace at 1130 W. Commercial Street.

Attachments: [AT&T-1130 W Commercial St.pdf](#)

This Report Action Item was approved.

[21-1053](#)

Request from Ruby's Pantry for a monthly street occupancy permit to close a portion of Ida Street the first Tuesday of each month from 2:00 p.m. to 7:00 p.m. adjacent to First English Lutheran Church.

Attachments: [First English Lutheran Church-St Occ Permit.pdf](#)

This Report Action Item was approved.

[21-1054](#)

Approve updated 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.

Attachments: [CTH OO-Intersection Improvements.pdf](#)

This Report Action Item was approved.

[21-1055](#) Approve Six Month Trial Period to convert existing 5 minute loading zone (5:00 p.m. to 11:00 p.m.) and taxi loading zone only (11:00 p.m. to 3:00 a.m.) to a standard 15-minute loading zone (5:00 p.m. to 3:00 a.m.) for the six parking stalls on the north side of the 400 W. College Avenue block adjacent to the Fox Cities PAC.

Attachments: [400 W College Ave-parking meters.pdf](#)

This Report Action Item was approved.

[21-1056](#) Request from Building for Kids Children's Museum for a street occupancy permit to install stickers and spray paint for a safe route to the museum. All installation and maintenance is the responsibility of the museum.

Attachments: [Building for Kids-St Occ Permit.pdf](#)

This Report Action Item was approved.

[21-1060](#) Approve proposed traffic control for Trail View Estates South Subdivision.

Attachments: [Trail View Estate South Subdivision.pdf](#)

This Report Action Item was approved.

[21-1061](#) Approve proposed traffic control for the Sixth and Seventh Additions to Emerald Valley Subdivision.

Attachments: [Subdivision traffic control-Emerald Valley.pdf](#)

This Report Action Item was approved.

[21-1064](#) Approve proposed parking restrictions related to the Bennett Street/Wisconsin Avenue enhanced pedestrian crossing.

Attachments: [Parking changes-Bennett St-Wisconsin Ave.pdf](#)

This Report Action Item was approved.

[21-1065](#) Approve proposed parking restrictions related to the Meade Street/Grant Street enhanced pedestrian crossing.

Attachments: [Parking changes-Meade St-Grant St.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE[21-1051](#)

Class "A" Beer and "Class A" Liquor- Cider Only Change of Agent application for Kwik Trip Inc, d/b/a Tobacco Outlet Plus Grocery, Pattie Jo Vergenz, New Agent, located at 1342 W Prospect Ave, contingent upon approval from the Police Department.

Attachments: [Pattie Jo Vergenz S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE****5. MINUTES OF THE FINANCE COMMITTEE**[21-0949](#)

Request to award the 2021 Water Treatment Facility Fire Alarm project to Faith Technologies, Inc in the amount of \$51,228 with a contingency of \$10,000 for a project total no to exceed \$61,228

Attachments: [2021 WT Fire Alarm.pdf](#)

This Report Action Item was approved.

[21-1069](#)

Request to accept a grant from Mary Beth Nienhaus in the amount of \$500,000 for the construction of a pickleball complex at Telulah Park

Attachments: [2021 Donation for Pickleball Courts.pdf](#)

This Report Action Item was approved.

[21-1075](#)

Request approval of Change Order #1 for Contract 42-21 for the 2021 Parks Hardscapes Project - AMP Parking Lot #3 Reconstruction Project for installing Engineered Base Stabilizer (EBS) and drain tile in the amount of \$60,947 resulting in an increase of the contingency from \$50,000 to \$60,947 and an increase to the overall contract amount of \$10,947

Attachments: [2021 AMP Parking Lot #3 Renovation Change Order #1.pdf](#)

This Report Action Item was approved.

[21-1076](#)

RIVERSIDE CEMETERY ASSOCIATION submitting a request for payment for maintenance of Veteran's graves

Attachments: [Riverside Cemetery - 2021 Veteran Grave Care Reimbursement.pdf](#)
[Riverside Cemetery - Veterans July 2020 to June 2021.pdf](#)
[Riverside Cemetery - Military Report - 7-14-2021.xlsx](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[21-1042](#)

Amend 2021A Stormwater Management Plan Review contract with Brown and Caldwell by an increase of \$20,000 for a total contract amount not to exceed \$57,500.

Attachments: [2021A SWM Plan Review BC Amendment Memo Util Cmte.pdf](#)

This Report Action Item was approved.

[21-1043](#)

Amend 2021B Stormwater Management Plan Review contract with raSmith by an increase of \$20,000 for a total contract amount not to exceed \$57,500.

Attachments: [2021B SWM Plan Review raSmith Amendment Memo Util Cmte.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[21-0830](#)

Request to approve Information Technology to overhire position of Help Desk Analyst.

Attachments: [Help Desk Overhire Request 2021.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

[21-0853](#)

Request to approve Rezoning #8-21 for the subject undeveloped parcel located on Coolidge Court (Tax Id #31-9-1117-00), including the adjacent one-half (1/2) right-of-way, as shown on the attached maps, from PD/C-2 Planned Development General Commercial District #34-84 to R-3 Multi-Family District

Attachments: [StaffReport_CoolidgeCourt_Rezoning_For06-23-21.pdf](#)

Alderson Prohaska moved, seconded by Alderson Hartzheim, that the Rezoning 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 Matthew Reed, Alderson Alex Schultz, Alderson Michael Smith, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Abstained: 1 - Mayor Jake Woodford

O. ORDINANCES

[21-1093](#)

Ordinances #40-21, #42-21 through #56-21

Attachments: [Ordinances going to Council 8-4-21.pdf](#)

Alderson Fenton moved, seconded by Alderson Hartzheim, that the Ordinances 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 Matthew Reed, Alderson Alex Schultz, Alderson Michael Smith, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

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-21
Scavenging of Solid Waste/Recyclables*

*Submitted By: Alderperson Smith – District 10
Date: 8/4/2021
Referred To: Municipal Services Committee*

Whereas Appleton has restructured bulk item pickups for a number of reasons, one being to reduce the number of useful items sent prematurely to the landfill and

Whereas a common practice is for individuals to collect items off the terrace on garbage/recycling night and

Whereas this is an illegal act by city ordinance Sec. 15-32 Scavenging Solid Waste or recyclables for collection,

Be it resolved that city ordinance Sec 15-32 be rescinded as a way to legalize an act which would then legally help reduce items sent prematurely to a landfill.

Sec. 15-32 Scavenging Solid Waste or recyclables for collection is below:

*Sec. 15-32. Scavenging of solid waste or recyclables placed for collection. Authorized personnel. It shall be unlawful for any person other than authorized City employees or county recycling contractors to go through, sort or take anything from any solid waste or recyclables that have been set out for the purpose of being picked up by City refuse collection personnel. Yard waste, grass clippings and brush are not included in the prohibitions set forth in this paragraph.
(Ord 166-08, §1, 11-11-08; Ord 24-14, §1, 5-13-14)*

*#11-R-21
Sidewalks near Linwood Park*

*Submitted By: Alderperson Smith – District 10
Submitted On: 8/4/2021
Referred To: Parks & Recreation Committee*

Whereas Linwood Park has sidewalks around the majority of its perimeter and,

Whereas easy access to parks is important to young and old,

Be it resolved that those parts of the perimeter of Linwood Park without sidewalks be connected to sidewalks already in existence, specifically needed sidewalk on Franklin St and Douglas St

#12-R-21
Health Officer Hiring

Submitted By: Alderperson Martin – District 4, Alderperson Reed – District 8,
Alderperson Hartzheim – District 13, Alderperson Doran – District 15
Date: 8/4/2021
Referred To: Board of Health

WHEREAS, on August 4, 2021, City of Appleton Mayor Jacob A Woodford put forth new guidance in the City requiring masking in indoor public City facilities; and

WHEREAS, the permanent position of Health Officer for the City of Appleton has been vacant since early June, 2021, and the Mayor and city staff were aware of the pending retirement of the previous Health Officer since prior to the first COVID-19 cases in Appleton in early 2020;

THEREFORE, BE IT RESOLVED that the Members of the City of Appleton Common Council hereby express their concern that the City has undertaken health initiatives and enacted a public health mandate while the position of Health Officer remains vacant; and

BE IT FURTHER RESOLVED that the Members of the City of Appleton Common Council urge the Mayor to prioritize and expedite the hiring of a Health Officer as quickly and as practicably as possible and prior to enacting or implementing any further COVID-19 guidance or mandates in the City.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderperson Prohaska moved, seconded by Alderperson Smith, that the meeting be adjourned at 8:30 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 Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk