



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, June 3, 2020

7:00 PM

Council Chambers

Due to system upgrades, live video will be unavailable for this meeting.

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 Schultz.

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

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

[20-0608](#)

Common Council Meeting Minutes of May 20, 2020

Attachments: [CC Minutes 5-20-2020.pdf](#)

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

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[20-0628](#) Juneteenth Celebration Proclamation

Attachments: [Juneteenth Celebration Day Proclamation.pdf](#)

This Proclamation was presented

[20-0629](#) LBGTQ+ Month Proclamation

Attachments: [LBGTQ+ Month Proclamation.pdf](#)

This Proclamation was presented

[20-0626](#) COVID-19 Update

Attachments: [Covid 19 weekly total graph - to 5-31-20.pdf](#)

The Update was presented

H. PUBLIC PARTICIPATION

*Jennifer Stephany, representing ADI spoke on the following items:
20-0605 Liquor License Fees
20-0591 Farm Market Application*

I. PUBLIC HEARINGS

[20-0561](#) Public Hearing for Proposed Rezoning of the 3rd Addition to Clearwater Creek

Attachments: [ClassIIPublicHearingNoticeNewspaper_3rdAddClearwaterCreek_Rezoning#1-20.pdf](#)

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

[20-0562](#)

Public Hearing for Special Assessment 1-P-20

Attachments: [1-P-20 Public Hearing Notice.pdf](#)*The public hearing was held, no one spoke during the hearing.*[20-0563](#)

Public Hearing for Special Assessment 2-P-20

Attachments: [2-P-20 Public Hearing Notice.pdf](#)*The public hearing was held, no one spoke during the hearing.***J. SPECIAL RESOLUTIONS**[20-0559](#)Final Resolution for Special Assessment 1-P-20
Sanitary Laterals, Storm Laterals and Storm Main**Attachments:** [Final Resolution 1-P-20 Sanitary Storm Laterals Main & Liner.pdf](#)**Aldersperson Lobner moved, seconded by Aldersperson Smith, that the Report Action Item 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 Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis**Absent:** 1 - Mayor Jake Woodford[20-0560](#)Final Resolution for Special Assessment 2-P-20
Concrete Pavements, Driveway Aprons, Sidewalk Construction**Attachments:** [Final Resolution 2-P-20 Concrete Paving Sidewalks and Aprons.pdf](#)**Aldersperson Smith moved, seconded by Aldersperson Lobner, that the Report Action Item 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 Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis**Absent:** 1 - Mayor Jake Woodford**K. ESTABLISH ORDER OF THE DAY**

[20-0610](#)

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

Aldersperson Fenton moved, seconded by Aldersperson Otis, that the Council convene into the Committee of the Whole. 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 Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0587](#)

Request to approve Rezoning #1-20 to rezone the area generally located along North Haymeadow Avenue and East Spartan Drive for the Third Addition to Clearwater Creek (part of Tax Id's #6-6201-00, 6-6200-00, 6-6001-02 and 6-6202-29 and all of Tax Id's #6-6202-27 and 6-6202-28) including the road right-of-way of Haymeadow Avenue and Spartan Drive, as shown on the attached maps, from AG Agricultural District, PD/R-2 Planned Development Two-family District, PD/R-3 Planned Development Multifamily District, and P-I Public Institutional District to R-1B Single-family District

Attachments: [StaffReport_3rdAddClearwaterCreek_Rezoning_For6-3-20.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Otis, that the Rezoning 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 Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0588](#)

Request to approve the Third Addition to Clearwater Creek Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_3rdAddClearwaterCreek_PreliminaryPlat_For6-3-20.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Lobner, that the Preliminary Plat 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 Mike Smith, Alderperson Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0605](#)

Resolution #10-R-20 - Liquor License Fees

Attachments: [#10-R-20 Liquor License Fees.pdf](#)

Alderperson Fenton moved, seconded by Alderperson Martin, 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 Mike Smith, Alderperson Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

K. ESTABLISH ORDER OF THE DAY

Alderperson Prohaska moved, seconded by Alderperson Otis, that the balance of the Committee of the Whole items 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 Mike Smith, Alderperson Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0611](#)

Reconvene to Common Council

Alderperson Smith moved, seconded by Alderperson Otis, to rise and report. 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 Mike Smith, Alderperson Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0612](#)

Report of the Committee of the Whole

Alderson Lobner moved, seconded by Alderson Otis, that the Report of the Committee of the Whole 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 Mike Smith, Alderson Patti Coenen, Alderson Nate Wolff, Alderson Kyle Lobner, Alderson Joe Prohaska and Alderson Corey Otis

Abstained: 1 - Mayor Jake Woodford

Balance of the action items on the agenda.

Alderson Prohaska moved, Alderson Otis seconded, to approve the report. The 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 Mike Smith, Alderson Patti Coenen, Alderson Nate Wolff, Alderson Kyle Lobner, Alderson Joe Prohaska and Alderson Corey Otis

Abstained: 1 - Mayor Jake Woodford

1. MUNICIPAL SERVICES COMMITTEE[20-0599](#)

Approve Amendment No. 1 to Collins Engineers for Bridge Maintenance Design of the Lawe Street and Pacific Street Bridges in the amount of \$9,317.80 for a total revised not to exceed contract of \$58,477.80.

Attachments: [Bridge Maintenance Design Agreement Lawe St and Pacific St.pdf](#)

This Report Action Item was approved.

[20-0600](#)

Request from WE Energies for a permanent Street Occupancy Permit to install meters and a protective bollard in the E. Johnson Street side of 218 E. College Avenue.

Attachments: [WE Energies Permanent Street Occupancy Permit-E. Johnson St.pdf](#)

This Report Action Item was approved.

2. CITY PLAN COMMISSION

[20-0549](#)

Request to approve the Plamann Park Annexation consisting of approximately 264 acres generally located east of Meade Street and south of Broadway Drive, currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

Attachments: [StaffReport_PlamannPark_Annexation_For06-03-20.pdf](#)

This Report Action Item was approved.

3. PARKS AND RECREATION COMMITTEE

4. FINANCE COMMITTEE

[20-0601](#)

Request to approve the Intergovernmental Cooperation Agreement between City of Appleton and Village of Harrison concerning services

Attachments: [Intergovernmental Cooperation Agreement.pdf](#)

This Report Action Item was approved.

[20-0606](#)

Request to approve Amendment No. 2 to the Apple Ridge Subdivision Development Agreement

Attachments: [Amendment No.2 to Apple Ridge Development Agreement.pdf](#)

This Report Action Item was approved.

[20-0627](#)

Request to approve Intergovernmental Cooperation Agreement with the Town of Buchanan to create a revised common boundary line

Attachments: [6-3-2020 DPW -MEMO T. Buchanan Boundary Agreement.pdf](#)
[Buchanan Signed Appleton Agreement.pdf](#)

This Report Action Item was approved.

5. COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

6. UTILITIES COMMITTEE

[20-0597](#)

Award Phase 3 Optimized Corrosion Control Treatment Apparatus Construction Project to Great Lakes Mechanical in the amount of \$121,340 with a 10% contingency of \$12,134 and a total not to exceed cost of \$133,474.

Attachments: [OCCT Apparatus Project 05-11-20.pdf](#)

This Report Action Item was approved.

[20-0598](#)

Award Unit F-20, Sewer Cleaning & Televising to Green Bay Pipe & TV, LLC in an amount not to exceed \$239,500.

Attachments: [F-20 Bid Tabs.pdf](#)

This Report Action Item was approved.

7. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**
8. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**
9. **MINUTES OF THE BOARD OF HEALTH**
- L. **COMMITTEE REPORTS**
1. **MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[20-0576](#)

2020-2021 Alcohol License renewals, contingent upon approval from all departments by 12:00 p.m. on June 30, 2020.

Attachments: [2020-21 Alcohol License Renewals-1.docx](#)

Aldersperson Fenton moved, seconded by Aldersperson Otis, that the Report Action Item 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 Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Absent: 1 - Mayor Jake Woodford

Abstained: 1 - Aldersperson Maiyoua Thao

[20-0592](#)

Farmer's Market Application for Long Cheng Marketplace, 1804 S Lawe St, Appleton, WI 54915. (contingent on approval from all departments.)

Attachments: [Long Cheng Marketplace.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Otis, that the Report Action Item 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 Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Absent: 1 - Mayor Jake Woodford

Abstained: 1 - Aldersperson Maiyoua Thao

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

Aldersperson Otis moved, seconded by Aldersperson Prohaska, that the remaining Report of the Safety & Licensing Committee 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 Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0578](#)

2020-2021 Alcohol License renewal, with a special exception to the license non-use policy, for Oneida Street South LLC, Katelyn James, Agent, contingent upon approvals from all departments by 12:00 p.m. on June 30, 2020

Attachments: [2020-21 Alcohol License Renewal Oneida St South LLC.docx](#)

This Report Action Item was approved

[20-0591](#)

Farmer's Market Application for Appleton Downtown, Inc. (ADI), 333 W College Ave Ste 100 Appleton, WI 54911. (contingent on approval from all departments.)

Attachments: [ADI Farm Market App.pdf](#)
[ADI Farm Market Letter.pdf](#)

This Report Action Item was approved

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

[20-0530](#)

Resolution #9-20 - Local Government Term Limits Referendum Question

Attachments: [Lobner and Finance Committee - Attorney Office Response to Resolution 04-30-2020_1.pdf](#)
[#9-R-20 Term Limits.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Coenen, that the Report Action Item be held. 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 Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

O. ORDINANCES

[20-0609](#)

Ordinances 75-20 and 76-20

Attachments: [Ordinances 75-20 and 76-20.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Otis, that the Ordinances 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 Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

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

#11-R-20
Outdoor Alcohol Service

Submitted By: Alderperson Smith, District 10
Date: June 3, 2020
Referred To: Municipal Services Committee

WHEREAS, the City of Appleton currently has a process administered by the City Clerk wherein an establishment licensed under Ch. 125 Wis. Stats. may seek a temporary amendment of its premises description to allow for sales in certain outdoor areas including private parking lots and within the amenity strip as defined in Sec. 9-256 of the Municipal Code.

NOW THEREFORE BE IT RESOLVED,

1) City staff shall process applications to temporarily amend the premises description of an establishment licensed under Ch. 125 Wis. Stats. as expeditiously as possible such that the application is reviewed by the Common Council within fourteen (14) days of receipt. Temporary amendments to the premise's description may be granted from the time of issuance to October 1, 2020. The applicant shall be advised in writing and acknowledge that the permission granted is temporary in nature and expires on October 1, 2020.

2) That the use of sidewalk cafes is temporarily amended to allow for expanded use of the amenity strip and hours of service as follows:

Sec. 9-262(a)(1) The parameters of the sidewalk café shall be limited to the area of the amenity strip located immediately in front of the establishment and shall not extend beyond the width of the property line unless written permission is granted by the immediately adjacent property owner to also use the amenity strip immediately in front of that owner's property.

Sec. 9-262(b)(4) The permit holder may begin serving alcoholic beverages in the sidewalk café at 11:00 a.m. All alcoholic beverages must be removed from the sidewalk café by 9:30 p.m.

These changes would remain in effect until October 1, 2020 and, due to their temporary nature, would not be codified in the Appleton Municipal Code.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderperson Otis moved, seconded by Alderperson Siebers, that the meeting be adjourned at 8:24 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 Mike Smith, Alderperson Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk