



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, October 16, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:10 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Croatt.

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 Matt Reed, Alderperson Alex Schultz, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Corey Otis and Mayor Timothy Hanna

Excused: 1 - Alderperson Christine Williams

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community & Economic Development Harkness, Fire Chief Hansen, Health Officer Eggebrecht, Director of Human Resources Matz, Police Chief Thomas, Director of Public Works Vandehey, Valley Transit General Manager Mc Donald

The following were excused:

Finance

Information Technology

Parks, Recreation, & Facilities

Utilities

Library

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-1539](#)

Common Council Meeting Minutes of October 2, 2019

Attachments: [CC Minutes 10-2-19_REVISED.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Lobner, 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 Matt Reed, Alderperson Alex Schultz, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Excused: 1 - Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

[19-1540](#) Appleton Fire Department Award Presentation

Awards were presented to the following individuals:

- Captain Jason Lee*
- Relief Driver Kelly Lynch*
- Firefighter/Inspector Keegan Murphy*
- Lieutenant Mike Becker (Absent)*
- Driver/Engineer Tim Blob*
- Firefighter Matt Dercks*
- Acting Officer Tyler Zunker*
- Driver/Engineer Ben Lee*
- Firefighter Steve Jahr*
- Lieutenant Michelle Bialas*
- Firefighter David Hammer*
- Firefighter Adam Paisar*

H. PUBLIC PARTICIPATION

No one spoke during public participation.

I. PUBLIC HEARINGS

[19-1452](#) Public Hearing, Rezoning #8-19 Haymeadow Stormwater Pond

Attachments: [RZ #8-19 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

[19-1608](#)

Reconsider Item 19-0706 Soldier's Square Resolution

Alderson Reed moved, seconded by Alderson Martin, that the request to reconsider the resolution be approved. This item when then go back to the Community & Economic Development Committee. Roll Call. Motion carried by the following vote:

Aye: 8 - Alderson William Siebers, Alderson Joe Martin, Alderson Matt Reed, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Nay: 6 - Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao and Alderson Alex Schultz

Excused: 1 - Alderson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[19-1441](#)

Request to approve Special Use Permit #10-19 for an event center with alcohol sales and consumption located at 513 West College Avenue (Tax Id #31-3-1005-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_The 513_SUP_For10-08-19.pdf](#)

Alderson Croatt moved, seconded by Alderson Martin, that the Special Use Permit be approved. 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 Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

Excused: 1 - Alderson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[19-1326](#)

Request from Todd Santoro to have the sidewalk removed from the entire block of E. Kramer Lane.

Attachments: [Sidewalks on Kramer Lane.pdf](#)

This request was referred to the Municipal Services Committee due back on 10/21/2019.

[19-1322](#)

Action Item: Request Approval To Deny the Proposed Installation of the "Season III Better Days Sculpture" Within Houdini Plaza Per the Recommendation of the Appleton Public Art Committee

Attachments: [Park and Rec Memo-Houdini Plaza Acre of Art.pdf](#)

Aldersperson Spears moved, seconded by Aldersperson Martin, that the request to deny 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 Matt Reed, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Nay: 3 - Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton and Aldersperson Maiyoua Thao

Excused: 1 - Aldersperson Christine Williams

Abstained: 2 - Aldersperson Alex Schultz and Mayor Timothy Hanna

[19-1323](#)

Action Item: Request Approval of the Proposed Installation of the "Season III Gyan Sculpture" Within Jones Park Per the Recommendation of the Appleton Public Art Committee

Attachments: [Park and Rec Memo-Jones Park Acre of Art.pdf](#)

Aldersperson Spears moved, seconded by Aldersperson Martin, that the request 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 Matt Reed, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Nay: 3 - Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton and Aldersperson Maiyoua Thao

Excused: 1 - Aldersperson Christine Williams

Abstained: 2 - Aldersperson Alex Schultz and Mayor Timothy Hanna

[19-1324](#)

Action Item: Request Approval of the Proposed Installation of the "Season III To The Moon Alice Sculpture" Within Vulcan Heritage Park Per the Recommendation of the Appleton Public Art Committee

Attachments: [Park and Rec Memo-Vulcan Heritage Park Acre of Art.pdf](#)

Aldersperson Spears moved, seconded by Aldersperson Martin, that the request be approved. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Nay: 3 - Alderperson Katie Van Zeeland, Alderperson Denise Fenton and Alderperson Maiyoua Thao

Excused: 1 - Alderperson Christine Williams

Abstained: 2 - Alderperson Alex Schultz and Mayor Timothy Hanna

[19-1486](#)

Operator's Licenses

Attachments: [Operator's Licenses for 10-9.pdf](#)

Alderperson Martin moved, seconded by Alderperson Croatt, that the operator licenses be approved. 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 Denise Fenton, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Excused: 1 - Alderperson Christine Williams

Abstained: 2 - Alderperson Maiyoua Thao and Mayor Timothy Hanna

[19-1409](#)

Request to approve Rezoning #8-19 to rezone the area generally located east of Haymeadow Avenue and south of Spartan Drive (part of Tax Id #31-6-6201-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from AG Agricultural District and PD/R-2 Planned Development Two-Family District to PI Public Institutional District

Attachments: [StaffReport_HaymeadowStormwater_Rezoning_For09-24-19.pdf](#)

Alderperson Martin moved, seconded by Alderperson Thao, that the rezoning 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 Matt Reed, Alderperson Alex Schultz, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

Excused: 1 - Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[19-1472](#)

Request to approve proposed changes to the Art in Public Places Policy as identified in the attached revised policy

Attachments: [Memo to CEDC Revised APAC Policy October 2019.pdf](#)
[StaffReport Revised Policy For10-01-19.pdf](#)

Aldersperson Martin moved, seconded by Aldersperson Firkus, that the policy changes 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 Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Excused: 1 - Aldersperson Christine Williams

Abstained: 2 - Aldersperson Alex Schultz and Mayor Timothy Hanna

[19-1319](#)

Request to approve Mayor salary for the 2020-2024 term.

Attachments: [elected official info.pdf](#)
[elected official info #2.pdf](#)
[Elected official salary survey.pdf](#)

Aldersperson Martin moved, seconded by Aldersperson Spears, that the Mayor salary 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 Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Excused: 1 - Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[19-1320](#)

Request to approve City Attorney salary for the 2020-2024 term.

Aldersperson Croatt moved, seconded by Aldersperson Martin, that the City Attorney salary 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 Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Excused: 1 - Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Martin moved, Aldersperson Croatt seconded, to approve the balance of the agenda. The 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 Matt Reed, Aldersperson Alex Schultz, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

Excused: 1 - Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-1417](#)

R/B-Approve artwork for decorative Rocky Bleier street name sign.

Attachments: [Rocky Bleier artwork for street sign name .pdf](#)

This Report Action Item was approved.

[19-1469](#)

Request from Catalyst Construction for a street occupancy permit for 120 feet of Durkee Street sidewalk and 105 feet of Washington Street sidewalk for the construction of the Avant Apartments from October, 2019 through August, 2020. Adjacent meters will be bagged and invoiced per the City's Meter Bag Policy.

Attachments: [Catalyst Construction-street occupancy permit.pdf](#)

This Report Action Item was approved.

[19-1477](#)

Request from Aldersperson Siebers to cease the one-way N. Clark Street trial based on residents concerns regarding automated garbage and recycling collection.

This Report Action Item was approved.

[19-1478](#)

Approve proposed parking changes on the 100 block of S. Meade Street.

Attachments: [Proposed parking changes on the 100 block of S. Meade St.pdf](#)

This Report Action Item was approved.

[19-1479](#)

Approve installation of STOP signs on Locust Street at Parkway Boulevard (Follow-up to six month trial period).

Attachments: [Locust St at Parkway Blvd-STOP signs.pdf](#)

This Report Action Item was approved.

[19-1481](#)

Approve installation of one new wood pole street light on the west side of the 2000 block of S. Matthias Street.

Attachments: [Installation of new street light on 2000 block of S. Matthias St.pdf](#)

This Report Action Item was approved.

[19-1505](#)

Appeal from Children's Hospital to bag 4 meters on Lawrence Street adjacent to Red Ramp for bus parking associated with the 21st Annual Halloween Costume Party at Waverly Beach. This request was administratively denied per the Meter Bag Policy.

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-1368](#)

Class "B" Beer and "Class B" Liquor License application for Tracy L. Stokes d/b/a Study Hall Grill & Pub, located at 313 E Calumet St, contingent upon approval from all departments.

Attachments: [Liquor License-Study Hall S&L 9-25-19.pdf](#)

This Report Action Item was approved.

[19-1434](#)

Class "A" Beer and "Class A" Liquor License Change of Agent application for Skogen's Foodliner d/b/a Festival Foods, Andrew J. Brehmer, New Agent, located at 1200 W Northland Ave.

Attachments: [Andrew J. Brehmer S&L 10-9-19 .pdf](#)

This Report Action Item was approved.

[19-1493](#) Farm Market Application for Appleton Downtown Inc., Djuanna Hugdahl, 333 W College Ave, Suite 100, contingent upon approval of all departments.

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

This Report Action Item was approved.

[19-1506](#) 2019 Cigarette/Tobacco License application for Marley's Smoke Shop, located at 530 W College Ave.

Attachments: [Marley's Smoke Shop 2019 S&L 10-9-19.pdf](#)

This Report Action Item was approved.

[19-1507](#) 2019 Cigarette/Tobacco License application for RxLink University Pharmacy, located at 133 E. College Ave.

Attachments: [RxLink University Pharmacy S&L 10-9-19.pdf](#)

This Report Action Item was approved.

[19-1536](#) Class "A" Beer and "Class A" Liquor License Change of Agent application for Aldi #68, Jamison Pierce, New Agent, located at 116 N. Linwood Ave

Attachments: [Jamison Pierce S&L 10-16-19.pdf](#)

This Report Action Item was approved.

[19-1537](#) Class "B" Beer and Reserve "Class B" Liquor License Change of Agent application for The Bar on the Ave, Jamison Pierce, New Agent, located at 427 W. College Ave

Attachments: [Mark R Miller S&L 10-16-19.pdf](#)

This Report Action Item was approved.

[19-1538](#) Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Dairyland Brew Pub for October 19, 2019, contingent upon approval from all departments.

Attachments: [Dairyland Brew Pub with diagram.pdf](#)

This Report Action Item was approved.

[19-1541](#) Operator's Licenses

Attachments: [Operator's Licenses for 10-16.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**[19-1480](#)

Action Item: Request Approval of Reid Golf Course's 2020 Rates Policy

Attachments: [2020 Golf Rates Memo.doc](#)
[Reid Rate Policy Redline 2020.pdf](#)
[Reid Rate Policy 2020 Final.docx](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE[19-1555](#)

Approval of Saint Joseph's Stipulation

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**7. MINUTES OF THE UTILITIES COMMITTEE**[19-1447](#)

Amend 2019J Stormwater Consulting Services Contract for Phase I Final Design and Construction documents and 2019 Construction Related Services (CRS) for Spartan Drive with Brown and Caldwell (BC) in an amount not to exceed \$36,540.

Attachments: [2019J Spartan Phase I final design BC Amendment Memo.pdf](#)

This Report Action Item was approved.

[19-1451](#)

Anticipated award of contract for Unit N-19 Spot Repairs, Protruding Tap and Mineral Deposit Removal (Bids to be opened on Monday, October 7, 2019.)

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

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[19-1490](#)

Request to approve the Appleton Police Professional Association 2020-2024 contract with changes per the tentative agreement and rates changes of:

2020: 1.00% on April 1st and 1.25% on October 1st

2021: 1.00% on April 1st and 1.25% on October 1st

2022: 1.00% on April 1st and 1.50% on October 1st

2023: 1.50% on April 1st and 1.50% on October 1st

Attachments: [APPA Tentative Agreement 9-27-19 final.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[19-1464](#)

Approve Staff Vehicle Purchase

Attachments: [Award Recommendation for a Support Vehicle FCTC Action Item 19-1464.docx.pdf](#)

This Report Action Item was approved.

[19-1465](#)

Approve Pass Agreement between Valley Transit and Fox Valley Technical College

Attachments: [Agreement with FVTC - Pass Agrm 2020.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[19-1508](#)

Ordinance #91-19, Haymeadow Stormwater Pond Rezoning

Attachments: [Ordinance going to Council 10-16-19.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

Resolution #15-R-19

Youth Mental Health Protection

Date: October 16, 2019

Submitted By: Alderperson Meltzer – District 2, Alderperson Firkus – District 3, Alderperson VanZeeland – District 5

Referred To: Board of Health

Whereas, Conversion therapy, also known as reparative therapy, is the practice of trying to change a person's sexual orientation or gender identity; and
Whereas, Science recognizes that being lesbian, gay, bisexual, or transgender is part of the natural spectrum of human identity and is not a disease, disorder, or illness; and
Whereas, The practice of conversion therapy is based on scientifically unfounded approaches not subject to peer review and is often conducted in a violent and damaging manner; and

Whereas, The American Psychological Association issued a report in 2009 that concluded that conversion therapy can pose critical health risks to lesbian, gay, and bisexual people including depression, suicidality, substance abuse, stress, and disconnection with family and friends; and

Whereas, the American Academy of Pediatrics revealed alarming levels of attempted suicide among transgender youth because of society's oppression and lack of acceptance; and

Whereas, the American Academy of Pediatrics emphasize the urgency of building welcoming and safe communities for LGBTQ young people, particularly for transgender youth; and

Whereas, Several states and municipalities have banned the practice; and

Whereas, A bill to ban conversion therapy was introduced at the federal level, which stalled in U.S. Congress in 2016; and

Whereas, The Therapeutic Fraud Prevention Act, which is based in consumer fraud and focuses on banning any conversion therapy that charges money, was filed in the U.S. Senate in April 2017;

Now, Therefore, let it be resolved that the City of Appleton seeks to protect LGBTQ youth by adopting a Youth Mental Health Protection ordinance which prohibits any licensed medical or mental health professional from engaging in conversion therapy with any person under 18 years of age;

Furthermore, "Conversion therapy" will be defined as any practices or treatments offered or rendered to consumers for a fee, including psychological counseling, that seeks to change a person's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. "Conversion therapy" does not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity;

Furthermore, "medical or mental health professional" means any individual who is licensed by the City or State to engage in a profession related to physical or mental health, including any interns, trainees, or apprentices who provide medical or mental health services under the supervision of a licensed medical or mental health professional;

Furthermore, anyone found in violation to the ban will be subject to a forfeiture of

\$1000, each day a person is found to have practiced conversion therapy shall be considered a separate violation.

Resolution #16-R-19

Small Cell Wireless Equipment

Date: October 16, 2019

Submitted By: Alderperson Schultz, District 9 & Alderperson Spears, District 12

Referred To: Finance Committee

WHEREAS, small cell wireless equipment is designed to boost cellular service from the existing wireless carriers and will enable those carriers to implement 5G technology by placing these installations on existing streetlights and utility poles; and

WHEREAS, concerns have been raised about the health risks of 5G technology including small cell installations. Studies have linked low-level wireless radio frequency radiation exposures to adverse biological effects including DNA single and double strand breaks, oxidative damage, disruption of cell metabolism, increased blood brain barrier permeability, melatonin reduction disruption to brain glucose metabolism and generation of stress proteins. This list warrants additional scientific studies before residents are put at risk; and

WHEREAS, the health hazards of 5G technology have been intensely debated at the federal level before Congress and the Federal Communications Commission (FCC).

There does not appear to be any widely accepted definitive scientific study that proves one way or the other whether small cell installations — emitting extremely high or “millimeter wave” frequencies above 24 GHz — may have an adverse health impact, though in 2011 the World Health Organization classified radio frequency radiation as a possible 2B carcinogen; and

WHEREAS, the only applicable FCC standards for radio-frequency radiation emissions were set in 1996 and did not consider the use of modern wireless equipment like small cells that will be located close to residences. Mere compliance with the FCC’s outdated standards does not assure safety; and

WHEREAS, the State of Wisconsin has preempted local governments from regulating the installation of small cells as it relates to their potential health effects or proximity to residential areas; and

WHEREAS, the FCC adopted regulations in 2018 that are intended to facilitate the installation of 5G technology “underscore[ing] the FCC’s commitment to ensuring that the United States wins the global race to 5G,” as stated in the FCC Press Release dated September 26, 2018; and

WHEREAS, global communications and technological advancements are important components of the state and federal economy but need not come at the expense of the public’s health. As the world’s leading economy the United States can and should “win the global race” while protecting its residents from potential long term health effects that will only further harm the economy in the future; and

WHEREAS, the FCC’s action allows private cell providers the right to put antennas and transmission control boxes on city-owned streetlight poles and privately-owned utility wood poles subject to only minimal limitations. This means that a 5G antenna could be mounted on the streetlight or utility pole in front of a resident’s home, and there would be little the resident could do about it. Given the health concerns described above, the City believes this should cause great concern for all City residents; and

WHEREAS, the City of Appleton’s Health in All Policy Ordinance states that Stakeholder engagement is essential for ensuring the Health and Well-being of our citizens when reviewing technology advancement and their potential health risks, and WHEREAS, we the undersigned find it is in the best interest of the residents to urge the state and federal governments to initiate independent scientifically reliable studies of the health effects of small cell wireless and 5G technology on residential

populations and develop guidelines for the installation of this technology that will protect the health and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED; The Mayor and the City of Appleton hereby urge the state and federal governments to initiate independent scientifically reliable studies of the health effects of small cell wireless and 5G technology on residential populations and develop guidelines for the installation of this technology that will protect the health and welfare of the public.

BE IT FURTHER RESOLVED; The Common Council hereby directs the City Clerk to transmit a copy of this Resolution to all appropriate entities.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderson Siebers moved, seconded by Alderson Coenen, that the meeting be adjourned at 8:14 pm. 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 Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt, Alderson Corey Otis and Mayor Timothy Hanna

Excused: 1 - Alderson Christine Williams

Kami Lynch, City Clerk