



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, March 15, 2023

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Woodford at 7:02 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 Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt, 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

[23-0231](#)

Common Council Meeting Minutes of March 1, 2023

Attachments: [CC Minutes 3-1-23.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Van Zeeland, 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 Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[23-0253](#)

Public Hearing on Special Resolution 1-P-23; Concrete Pavement, Driveway Aprons, and Sidewalk Construction
Amethyst Drive (Bluetopaz Dr to Aquamarine Dr)
Amethyst Drive (Providence Ave (w/o) to Bluetopaz Dr)
Bluetopaz Dr (Providence Ave (w/o) to Amethyst Dr)

Attachments: [1-P-23 Public Hearing Notice.pdf](#)

The following spoke during the Public Hearing:

- Dan Dahl, 5654 N Amethyst Drive
- Elizabeth Miller, 5636 N Amethyst Drive
- Devin O'Brien, 3111 E Blue Topaz Drive

[23-0255](#)

Public Hearing on Special Resolution 2-P-23; Sanitary Laterals, Storm Laterals, and Storm Main
Alice St (Drew St to Union St)
Linwood Ave (College Ave to Summer Ave)
Rankin St (College Ave to Alton St)
Summit St (Packard St to Elsie St)
Summit St (Prospect Ave to Fourth St)

Attachments: [2-P-23 Public Hearing Notice.pdf](#)

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

J. SPECIAL RESOLUTIONS

[23-0254](#)

Final Resolution 1-P-23; Concrete Pavement, Sidewalk Construction, and Driveway Aprons

Attachments: [Final Resolution 1-P-23 Concrete Paving Sidewalks and Aprons.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Croatt, that the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[23-0256](#)

Final Resolution 2-P-23; Sanitary Laterals, Storm Laterals, and Storm Main

Attachments: [Final Resolution 2-P-23 Sanitary Laterals, Storm Laterals, Storm Main.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Croatt, that the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

K. ESTABLISH ORDER OF THE DAY

[23-0229](#)

Request to award the 2023 AWWTP Hardscape Renovation Project contract to Vinton Construction Co., Inc. in the amount of \$499,980.65 with a 12% contingency of \$60,000 for a project total not to exceed \$559,980.65, along with the following budget amendment:

2023 AWWTP Roof Replacement Project	- \$150,000
2023 AWWTP Hardscape Renovation Project	+ \$150,000

To adjust for the increased cost of the project.

Attachments: [2023 AWWTP Hardscapes Repairs with Budget transfer.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Firkus, that the Contract Award be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Mayor Jake Woodford

23-0230

Request to award Unit A-23 Concrete Paving to Vinton Construction Co., Inc. in the amount of \$5,331,314.05 with a 2% contingency of \$106,626.28 for a project total not to exceed \$5,437,940.33 (ATTACHMENTS), contingent upon approval of the following:

- Postpone new concrete paving on Amethyst Drive (Bluetopaz Dr. to Aquamarine Dr.) to 2024 and re-budget funds in 2024.
- Reallocate \$200,000 from our 2023 Lightning Drive stream crossing/pond construction project and re-budget these funds in 2024.

Budget Amendment TIF 11:

Debt Proceeds	+\$ 1,025,000
Infrastructure Construction	+\$ 1,025,000

To amend the project costs within TIF 11 and increase the 2023 General Obligation debt issue for the same amount.

Attachments: [Attachement - Finance Committee - 3-06-23 - Award Memo and Request for Budget Amendment - Units A-23 and B-23.pdf](#)
[Award of Contract Unit A-23.pdf](#)

Alderson Fenton moved, seconded by Alderson Croatt, that the Contract Award be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff and Alderson Christopher Croatt

Nay: 2 - Alderson Sheri Hartzheim and Alderson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[23-0234](#)

Request to award Unit B-23 Asphalt Pavement Reconstruction to Vinton Construction Co., Inc. in the amount of \$684,731.28 with a 4% contingency of \$27,500 for a project total not to exceed \$712,231.28. (ATTACHMENT), contingent upon approval of the following:

- Postpone asphalt paving on Helen Street (Pauline St. to Glendale Ave.) to 2024 and re-budget funds in 2024.

Attachments: [Award of Contract Unit B-23.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Croatt, that the Contract Award be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff and Aldersperson Christopher Croatt

Nay: 2 - Aldersperson Sheri Hartzheim and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Hartzheim moved, Aldersperson Van Zeeland seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-0201](#)

License Transfer of the Class "B" Beer and "Class B" Liquor License for Grand Meridian Inc d/b/a Grand Meridian, Christopher M Vandeyacht, Agent, located at 2621 N Oneida St, contingent upon approval from the Finance, Fire and Inspections departments.

Attachments: [License Transfer - Grand Meridian.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

[23-0235](#)

Request to award Unit C-23 Sidewalk Sawcutting to ASTI Sawing, Inc. in an amount not to exceed \$30,000. (ATTACHMENT)

Attachments: [Award of Contract Unit C-23.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[23-0209](#)

Request to approve staff entering a written agreement with Urbane 115, LLC, pursuant to Section 4.1.1 of the Development Agreement (Phase I), to extend the completion date to November 30, 2023 and grant staff authority to administratively approve an additional six (6) month extension to May 31, 2024, if warranted, for a mixed-use development located on the southeast corner of E. Washington Street and S. Oneida Street (Tax Id #31-2-0281-01) in Tax Increment Financing District No. 11

Attachments: [Urbane 115 LLC Ph 1 DA Extension of Terms Memo to CEDC 3-8-23.pdf](#)
[Request from Merge-Urbane 115 for Phase 1 Completion Extension.pdf](#)
[1st Amendment to Merge-Urbane 115 Development Agreement Recorded Ph 1.pdf](#)
[Merge Conway TIF #11 Development Agreement Recorded Ph 1.pdf](#)

This Report Action Item was approved.

[23-0210](#)

Request to approve an agreement between the City of Appleton and Urbane 115 LLC to memorialize responsibilities for the Community Development Investment (CDI) grant awarded by the Wisconsin Economic Development Corporation (WEDC) for the redevelopment located at 115 E. Washington Street (Tax Id #31-2-0281-01)

Attachments: [Urbane 115 LLC CDI Grant Agreement Memo to CEDC 3-8-23.pdf](#)
[CDI Grant Administration Agrm-Urbane 115+City of Appleton.pdf](#)
[Contract for Execution-CDI Grant-WEDC+City of Appleton.pdf](#)
[WEDC CDI Grant Urbane 115 LLC Memo to CEDC 9-28-22.pdf](#)
[Resolution #2022-07 WEDC CDI Grant Urbane 115 LLC SIGNED.pdf](#)

This Report Action Item was approved.

[23-0211](#)

Request to approve the City of Appleton increase its current selling prices for business/industrial park land and hold option fees as described in the attached documents

Attachments: [Business-Industrial Park Land Value Memo to CEDC 3-8-23.pdf](#)
[Exhibit A-Ind Land Sales Comparison.pdf](#)
[Exhibit B-Ind Land Sales Ask Price Comparison.pdf](#)
[Southpoint Commerce Park Map_2-23.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[23-0216](#)

Approve 2022 Annual Stormwater Report to DNR

Attachments: [2022 MS4 Annual report w attachments.pdf](#)

This Report Action Item was approved.

[23-0217](#)

Award of Unit K-23 Native Landscape Management Contract to NES Ecological Services - A Division of Robert. Lee & Associates, in an amount not to exceed \$215,000.

Attachments: [K-23 Contract Award Util Memo FINAL 03-01-2023.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[23-0218](#)

Request for Over Hire of Residential Building Inspector Position.

Attachments: [Overhire Memo 3-1-23.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****O. ORDINANCES**[23-0252](#)

Ordinance #13-23

Attachments: [Ordinances to Council 3-15-23.pdf](#)**Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that the Ordinance be approved. Roll Call. Motion carried by the following vote:**

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson 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**[23-0276](#)

Resolution #2-R-23 Resolution to Eliminate No Mow May

Attachments: [#2-R-23 Resolution to Eliminate No Mow May \(1\).pdf](#)**R. OTHER COUNCIL BUSINESS**

S. ADJOURN

Alderson Hartzheim moved, seconded by Alderson Croatt, that the meeting be adjourned at 7:41 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk