



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, May 19, 2021

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Woodford at 7:01 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Hartzheim

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 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

[21-0687](#)

Common Council Meeting Minutes of May 5, 2021

Attachments: [CC Minutes 5-5-21.pdf](#)

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

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[21-0680](#) APD Officer of the Year Award

The APD Officer of the year was presented to Officer Chue Thao

[21-0684](#) Certificate of Appreciation for Health Officer, Kurt Eggebrecht.

This Item was held until the next Council meeting.

[21-0685](#)

Proclamations:

- Creative Economy Week
- Public Works Week
- Hmong American Day
- Neurofibromatosis Awareness Day Proclamation
- American Legion Poppy Day Proclamation
- CDC Mask Guidance Update Proclamation

Attachments: [Creative Economy Week Proclamation.pdf](#)
[Public Works Week Proclamation.pdf](#)
[Hmong American Day Proclamation.pdf](#)
[Neurofibromatosis Awareness Day Proclamation.pdf](#)
[American Legion Poppy Day Proclamation.pdf](#)
[CDC Mask Guidance Update Proclamation.pdf](#)

The Proclamations were presented

[21-0682](#) Board and Commission Appointments

Attachments: [5-19-21 Appointments'Plan Comm'BOH'BOR \(002\).pdf](#)

Aldersperson Meltzer moved, seconded by Aldersperson Smith, that the appointments 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 Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Absent: 1 - Mayor Jake Woodford

[21-0681](#) COVID-19 Update

Attachments: [COVID -19 Cases 5-19-21.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[21-0675](#) Initial Resolution for Oak St. and Kimball St. Street Vacation

(Taken up under Consolidated Action Items)

Attachments: [InitialResolution_OakStKimballSt_StreetVacation.pdf](#)

This Initial Resolution was approved

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Firkus moved, Aldersperson Doran seconded, to approve the agenda. The 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 Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-0608](#) Request for a permanent street occupancy permit for landscape islands to extend into the S. Frontage Road right-of-way no more than 27 feet at 2245 W. College Avenue.

Attachments: [Permanent Street Occupancy 2255 W College Ave.pdf](#)

This Report Action Item was approved.

[21-0609](#) Approve E. Kimball Street and Oak Street Vacation as shown on Exhibit "A".

Attachments: [Kimball St-Oak Street Vacation.pdf](#)

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-0581](#) Class "B" Beer License application for Hmong Express LLC d/b/a Hmong Express, Ka Ying Thao, Agent, located at 1216 N Division St, contingent upon approvals from all departments.

Attachments: [Hmong Express.pdf](#)

This Report Action Item was approved.

[21-0607](#) 2021-2022 Alcohol License Renewals, contingent upon approvals from all departments by 12:00 p.m. on June 30, 2021.

Attachments: [2021 Liquor License Renewals.pdf](#)

This Report Action Item was approved.

[21-0638](#) 2021-2022 Mechanical Amusement Device License renewals, contingent upon approvals from all departments by 12:00 p.m. on June 30, 2021.

Attachments: [2021 Amusement Devices.pdf](#)

This Report Action Item was approved.

[21-0642](#) 2021-2022 Cigarette and Tobacco Product License renewals.

Attachments: [2021 Cigarette.pdf](#)

This Report Action Item was approved.

[21-0650](#) Salvage Dealer License application for Mach IV Motors, Kara Tullberg, Applicant, located at 600 E Hancock St, contingent upon approval from all departments.

Attachments: [Mach IV Motors S&L.pdf](#)

This Report Action Item was approved.

[21-0651](#) Salvage Dealer License application for Mr C's Motorcycles, Janet Ristau, Applicant, located at 724 S Outagamie St, contingent upon approval from all departments.

Attachments: [Mr C's Motorcycles S&L.pdf](#)

This Report Action Item was approved.

[21-0652](#)

Salvage Dealer License application for Golper Supply Co, Inc., David Golper, Applicant, located at 1810 W Edgewood Dr, contingent upon approval from all departments.

Attachments: [Golper Supply Co S&L.pdf](#)

This Report Action Item was approved.

[21-0653](#)

Pet Store License application for Just Pets, Craig Weborg, Applicant, located at 2009 N Richmond St, contingent upon approval from all departments.

Attachments: [Just Pets S&L.pdf](#)

This Report Action Item was approved.

[21-0654](#)

Pet Store License application for HSA Corporation d/b/a Pet Supplies Plus, Angela DeHaan, Applicant, located at 702 W Northland Ave, contingent upon approval from all departments.

Attachments: [Pet Supplies Plus S&L.pdf](#)

This Report Action Item was approved.

[21-0655](#)

Class "B" Beer and "Class C" Wine License Change of Agent application for Urban Modern Kitchen LLC d/b/a Urban Modern Kitchen, Regina Hueckman, New Agent, located at 800 E Wisconsin Ave, contingent upon approval from Appleton Police Department.

Attachments: [Regina R Hueckman S&L.pdf](#)

This Report Action Item was approved.

[21-0658](#)

Secondhand Article Dealer License application for The Statement Piece LLC, Lena-Sara Gustman, Applicant, located at 745 W College Ave, contingent upon approval from all departments.

Attachments: [The Statement Piece S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[21-0592](#)

Request to approve the street discontinuance to vacate portions of South Oak Street and East Kimball Street public right-of-way, generally located south of East Lawrence Street and east of South Morrison Street, subject to the condition in the attached staff report, and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_OakStKimballSt_StreetVacation_For05-12-21.pdf](#)

This Report Action Item was approved.

[21-0593](#)

Request to approve the dedication of land for public right-of-way for East Lawrence Street, generally located south and east of the intersection of Morrison Street and Lawrence Street (part of Tax Id #31-2-0162-00, #31-2-0161-00, #31-2-0159-00, and #31-2-0160-00), as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_LawrenceEastOfMorrison_StreetDedication_For05-12-21.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[21-0604](#)

Action Item: Resolution for DNR Grant Application for the David & Rita Nelson River Crossing Bridge and Trail

Attachments: [DNR Grant Resolution.pdf](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[21-0634](#)

Award the Engineering Contract for the 2021 Pierce Park Pavement Renovation Project to the Rettler Corporation in the amount of \$39,600 plus a 10% contingency for a total not to exceed a project engineering cost of \$43,560.

Attachments: [2021 Pierce Park Pavement Renovation Project Design.pdf](#)

This Report Action Item was approved.

[21-0635](#)

Request to reallocate \$20,790 positive bid variance from our Coop Road Asphalt Resurfacing Project to the asphalt paving of a widened shoulder along CTH E (Apple Creek Road) in the 2021 Asphalt Capital Paving Program (4240).

Attachments: [Coop Road Asphalt Resurfacing Project.pdf](#)

This Report Action Item was approved.

[21-0636](#)

Request to rescind the 2019-2020 Personal property tax bills for Wisconsin Registered Agent LLC totaling \$109.72.

Attachments: [Request to rescind Personal property tax bills.pdf](#)
[2019 tax bill acct 31199275710.pdf](#)
[2020 tax bill acct 31199275710.pdf](#)

This Report Action Item was approved.

[21-0637](#)

Request to approve Land Dedication Agreement for Lightning Drive and Stormwater Pond with Apple Tree Appleton Four LLC.

Attachments: [18-0513 - Apple Tree - Land Dedication Agreement - FINAL.pdf](#)

This Report Action Item was approved.

[21-0641](#)

Request to award Change Order 2 for the Phase I Lake Station Construction Contract to Miron Construction Company in an amount \$14,038.43 decreasing project contingency from \$187,485.35 to \$173,446.92.

Attachments: [Change Order 2- Lake Station Project 05-06-21.pdf](#)

This Report Action Item was approved.

[21-0644](#)

Request to award the City of Appleton's "Municipal Services Building Solar Installation Project" contract to Current Electric in the amount of \$386,200 with a contingency of \$50,000 for a project total not to exceed \$436,200.

Attachments: [2021 MSB Solar Project.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE[21-0677](#)

Request to approve a lease (initial term of 1 year with 4 annual renewal terms) with Erv Van Camp to farm the undeveloped land at 110 and 210 W. Edgewood Drive, estimated to be approximately 21.25 acres, at the rental rate of \$60 per acre for the initial term, with 5% annual escalators, with no crop loss provision

Attachments: [FarmLeaseMemo_110&210 W Edgewood_5-19-21.pdf](#)
[0333 - Van Camp Farm Lease - Edgewood Drive \(jlg\).pdf](#)
[Edgewood Farm Lease Map EXHIBIT A.pdf](#)
[EXHIBIT B Small Exposure Leases.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE[21-0631](#)

Award Unit F-21, Sanitary and Storm Sewer Cleaning and Televising, to Green Bay Pipe and TV, LLC in an amount not to exceed \$272,500.

Attachments: [F-21 Contract Award Form.pdf](#)
[F-21 Bid Tab.pdf](#)

This Report Action Item was approved.

[21-0633](#)

Award the Lead Service Line Replacement Plan to Arcadis in an amount not to exceed \$52,626.

Attachments: [Lead Service Line Replacement Plan.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE[21-0618](#)

Request to modify the Salary Administration Policy regarding assigned shift change.

Attachments: [Assigned Shift Change.pdf](#)
[Salary Administration Policy changes 2021.pdf](#)

This Report Action Item was approved.

[21-0619](#) Request to approve Department of Public Works - Parking Utility to eliminate one full time Ramp Attendant position.

Attachments: [DPW Parking TO Change.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

[21-0645](#) Noise Variance Request

Attachments: [Noise Variance Mile of Music.pdf](#)

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

[21-0686](#) **Oak/Kimball Street Vacation - Consolidated Action Items**

21-0609 Municipal Services Committee
21-0592 City Plan Commission
21-0675 Initial Resolution

Aldersperson Smith moved, seconded by Aldersperson Prohaska, that the Consolidated Action Items 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 Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

N. ITEMS HELD

O. ORDINANCES

[21-0679](#)

Ordinance #17-21 to Temporarily Amend Council Rules Pertaining to Council, Board and Commission Meetings in Response to the Coronavirus Disease (COVID-19)

Attachments: [Ordinance #17-21 for 5-19-21 Council.pdf](#)

Smith moved, seconded by Reed to approve the Ordinance.

The Ordinance was amended by substitution (see below), therefore, since it was replaced with the amendment below, no vote was taken on this original motion.

Aldersperson Doran moved, seconded by Aldersperson Hartzheim, that the Ordinance be amended by substitution, to repeal the ordinance effective June 1, 2021 . This amendment by substitution was further amended (below) to repeal the ordinance effective July 1, 2021. The vote below reflects a vote on an amendment to the Ordinance, (by substitution) to repeal Ordinance 74-20, temporarily amending the Council Rules effective July 1, 2021. Roll Call.

Motion carried by the following vote:

Aye: 9 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Matthew Reed, Aldersperson Mike Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Joe Prohaska

Nay: 6 - Aldersperson Vered Meltzer, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Aldersperson Alfheim moved, seconded by Aldersperson Prohaska, that the Ordinance be amended by substitution to repeal the Ordinance 74-20 effective July 1, 2021 (instead of the original proposal of June 1, 2021). Roll Call. Motion carried by the following vote:

Aye: 9 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Matthew Reed, Aldersperson Mike Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Joe Prohaska

Nay: 5 - Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz and Aldersperson Chad Doran

Abstained: 2 - Aldersperson Joe Martin and Mayor Jake Woodford

[21-0678](#)

Ordinance #16-21

Attachments: [Ordinance #16-21 for 5-19-21 Council.pdf](#)

Aldersperson Smith moved, seconded by Aldersperson Hartzheim, that the Ordinance 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 Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson 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

RESOLUTION #8-R-21

Resolution expressing support for the Knowles-Nelson Stewardship Program

May 19, 2021

Submitted By: Alderperson Schultz – District 9, Alderperson Fenton – District 6, Alderperson Meltzer – District 2

Referred To: Parks & Recreation Committee

WHEREAS; the Wisconsin Legislature created the Knowles-Nelson Stewardship Program in 1989 to preserve valuable natural areas and wildlife habitat, protect water quality and fisheries, and expand opportunities for outdoor recreation, and;
WHEREAS; the Knowles-Nelson Stewardship Program is set to expire in 2022, a matching funds program that has supported land acquisition and capital development by the Wisconsin Department of Natural Resources (WDNR), local governments, and nonprofit conservation organizations to preserve valuable natural areas, wildlife habitat, water quality and outdoor recreation for public benefit around the state, and;
WHEREAS; the Fox Cities region has benefited tremendously from KNSP, a vital funding component in the implementation of 170 land conservation and recreation projects totaling \$18 million dollars in economic benefit which have expanded recreational opportunities and access to the Fox River Corridor's natural infrastructure contributing greatly to the quality-of-life enjoyed in the Fox Cities, and;
WHEREAS; the City of Appleton has been awarded Stewardship funds in the recent past to support the Lawe Street Trestle improvement project which opened in the fall of 2020 to significant public use and praise, and currently has scheduled a number of key Fox River crossing projects to complete the contiguous network of trails along the Hydrologic Heritage Trailway, driven by the City's Trails Master Plan which, in the absence of essential KNSP matching philanthropic funds, will be dramatically hampered and significantly delayed, and;
WHEREAS; demand for outdoor recreation opportunities continues to grow, especially in the current era of COVID which is seeing trail use increase one-hundredfold, with trail improvements consistently ranked as the most desired and needed amenity of Appleton residents, and these needs that can be met with the KNSP's minimal burden on the taxpayer, roughly \$20 annually which returns a maximum benefit to the community through land conservation, recreational infrastructure and economic growth,
NOW THEREFORE, BE IT RESOLVED, that the City of Appleton acknowledges and considers the Knowles- Nelson Stewardship Program a valuable tool to preserve and restore natural areas, wildlife habitat, and water quality while supporting the development of public nature-based outdoor recreation opportunities that promote economic development and enhance quality of life, and
BE IT FURTHER RESOLVED, that the City of Appleton supports the reauthorization of the Knowles-Nelson Stewardship Program for ten years and consideration of the proposal in Governor Evers budget request of \$70 million per year, and
BE IT FINALLY RESOLVED, that the City of Appleton Clerk be directed to forward a copy of this resolution to members of the Senate Joint Finance Committee, State Representatives of the Fox Cities, Governor Evers and the Wisconsin Department of Natural Resources Secretary, 101 S. Webster Street, Madison, WI 53702.

Attachments:

KNSP Fox Valley Investments

KNSP Fox Valley Investments – Loop the Little Lake

KNSP Fox Valley Investments – Ne.Ison Family Heritage Crossing

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderson Martin moved, seconded by Alderson Alfheim, that the meeting be adjourned at 8:08 p.m. 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 Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk