



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, August 18, 2021

7:00 PM

Council Chambers

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[21-1175](#) Common Council Meeting Minutes of August 4, 2021

Attachments: [CC Minutes 8-4-21.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

[21-1202](#) Breastfeeding Awareness Month Proclamation

Attachments: [Breastfeeding Month Proclamation.pdf](#)

[21-1183](#) COVID-19 Report

Attachments: [COVID -19 Cases 8-18-21.pdf](#)

- H. PUBLIC PARTICIPATION

- I. PUBLIC HEARINGS

[21-1092](#) Public Hearing for Rezoning #9-21 for M&J Weyenberg, LLC Annexation
from Temporary AG Agricultural District to R1-B Single Family District

Attachments: [RZ #9-21 Notice of Public Hearing.pdf](#)

- J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[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](#)

Legislative History

6/21/21	Municipal Services Committee	recommended for approval
7/7/21	Common Council	referred to the Municipal Services Committee
7/12/21	Municipal Services Committee	held
7/26/21	Municipal Services Committee	recommended for approval
8/4/21	Common Council	referred to the Municipal Services Committee
8/9/21	Municipal Services Committee	amended

Motion to amend and adopt updated language attached to Agenda (Firkus, second by Siebers).

[21-1154](#)

Morrison Street, from Wisconsin Avenue to Glendale Avenue, be reconstructed with asphalt pavement and curb and gutter. The dimensions of the Morrison Street reconstruction project are as follows:

Wisconsin Ave - Randall St: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Randall St - Brewster St: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is 2' narrower than the existing street within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Brewster St - Glendale Ave: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is the same width as the existing street within this portion of the project. New street to be shifted 1' to the east within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Legislative History

8/9/21	Municipal Services Committee	recommended for approval
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[21-1155](#)

Bartell Drive, from Prospect Ave to Pine Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street. Intersection geometry at Charles St, Hickory St, and Riverdale Dr to be modified to reduce the amount of pavement and create more traditional T-intersection layouts. New concrete sidewalk to be constructed along both sides of Bartell within the project limits. Existing parking provisions within the project limits will remain unchanged.

Attachments: [Bartell Dr-sidewalks.pdf](#)

Legislative History

8/9/21	Municipal Services Committee	recommended for approval
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[21-1156](#)

Summit Street, from Prospect Avenue to Fourth Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 26' from back of curb to back of curb, which is 2' narrower than the existing street. On-street parking would be removed within the project limits along the west side of Summit Street.

Attachments: [Summit St.-watermain breaks map & pic.pdf](#)
[Summit St-project proposal.pdf](#)

Legislative History

8/9/21	Municipal Services Committee	recommended for approval
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[21-1157](#)

Request from Home Burger for a street occupancy permit to place tables and chairs in the College Avenue beautification strip at 205 W. College Avenue.

Attachments: [Home Burger Bar-tables .pdf](#)

Legislative History

8/9/21	Municipal Services Committee	recommended for approval
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[21-1158](#)

Request from Grant Thompson Construction, Inc. for a street occupancy permit to place a dumpster in the Roosevelt Street right-of-way at 610 E. Roosevelt Street from August 6, 2021 through October 8, 2021.

Attachments: [Grant Thompson-610 E Roosevelt St.pdf](#)

Legislative History

8/9/21	Municipal Services Committee	recommended for approval
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[21-1159](#)

Delete Municipal Code Article VII Sections 4-436 through 4-458 related to the Board of Heating Examiners.

Attachments: [Municipal Code VII.pdf](#)

Legislative History

8/9/21	Municipal Services Committee	recommended for approval
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[21-1160](#)

Request from Sara Wouters for a street occupancy permit to place a Pod in the Lawrence Street right-of-way at 1119 W. Lawrence Street from August 1, 2021 through October 31, 2021.

Attachments: [1119 W Lawrence-POD.pdf](#)

Legislative History

8/9/21 Municipal Services recommended for approval
 Committee

[21-1161](#)

Request from Hoffman Planning, Design & Construction Inc. for a street occupancy permit to create a construction zone during the demolition and construction of the YMCA Ramp in the Oneida Street, Lawrence Street, Morrison Street and Soldier Square right-of-way from August 26, 2021 through February 18, 2022.

Attachments: [Hoffman Planning-demo YMCA.pdf](#)

Legislative History

8/9/21 Municipal Services recommended for approval
 Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-1095](#)

Class "B" Beer and "Class B" Liquor License application for NAC LLC d/b/a OB's Brau Haus, Christopher Nelis, Agent, located at 523 & 525 W College Ave, contingent upon approval from all departments.

Attachments: [OB's Brau Haus.pdf](#)

Legislative History

8/11/21 Safety and Licensing recommended for approval
 Committee

3. MINUTES OF THE CITY PLAN COMMISSION

[21-1040](#)

Request to approve Rezoning #9-21 to rezone the M&J Weyenberg Properties, LLC Annexation, formerly part of the Town of Grand Chute (Parcel #101157102), generally located at the southeast corner of Ballard Road and Ridge Haven Lane, including to the centerline of existing adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport M&JWeyenbergAnnex Rezoning For07-28-21.pdf](#)

Legislative History

7/28/21 City Plan Commission recommended for approval
 Proceeds to Council on August 18, 2021.

[21-1116](#)

Request to approve Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 3, City of Appleton, Wisconsin

Attachments: [MemoTIFs#3+#12Amendments_8-11-21.pdf](#)

[TID 3 PC Resolution for Amended Boundaries & Project Plan.pdf](#)

[TID No. 3 Amendment #2 FINAL Project Plan June29.2021.pdf](#)

[TID 3 CC Resolution for Amended Boundaries & Project Plan.pdf](#)

Legislative History

8/11/21 City Plan Commission recommended for approval

[21-1118](#)

Request to approve Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 12, City of Appleton, Wisconsin

Attachments: [MemoTIFs#3+#12Amendments_8-11-21.pdf](#)

[TID 12 PC Resolution for Amended Boundaries & Project Plan.pdf](#)

[TID No. 12 Amendment #1 FINAL Project Plan June29.2021.pdf](#)

[TID 12 CC Resolution for Amended Boundaries & Project Plan.pdf](#)

Legislative History

8/11/21 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[21-1112](#)

Request to approve the Development Agreement with Merge LLC for a mixed-use development located on the southeast corner of E. Washington Street and S. Oneida Street (103 E. Washington Street) in Tax Increment Financing District No. 11

Attachments: [Merge DA Memo_8-11-21.pdf](#)

[0312 - Merge Development Agrm - 07-28-2021 \(with exhibits\).pdf](#)

Legislative History

8/11/21 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[21-1088](#)

Request to approve Police department table of organization modification to move one Communication Specialist to a newly created Crime Analyst position and move reporting structure for two areas.

Attachments: [Police TO modification memo.pdf](#)

[Police DRAFT 7.21.21.pdf](#)

Legislative History

8/11/21 Human Resources & Information Technology Committee recommended for approval

- [21-1145](#) Request to approve Health Reimbursement Account administrator change to MidAmerica.

Attachments: [PEHP recommendation change memo.pdf](#)
[2021 AndCo RFP Recommendation letter.pdf](#)

Legislative History

8/11/21 Human Resources & Information Technology Committee recommended for approval

- [21-1146](#) Request to approve Police to over hire position of Lieutenant for remainder of 2021 and into early 2022.

Attachments: [Police LT over hire request 2021.pdf](#)

Legislative History

8/11/21 Human Resources & Information Technology Committee recommended for approval

- [21-1151](#) Request to approve Fire department to over hire position of Fire Protection Engineer.

Attachments: [Fire Protection Engineer Over Hire.pdf](#)

Legislative History

8/11/21 Human Resources & Information Technology Committee recommended for approval

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

- [21-1153](#) Resolution #12-R-21 Health Officer Hiring

Attachments: [#12-R-21 Health Officer Hiring.pdf](#)
[Health Office Hiring Process.pdf](#)
[Health Officer email.pdf](#)
[Health Officer State of Wisc letter.pdf](#)
[#12-R-21 Amendment.pdf](#)

Legislative History

8/11/21

Board of Health

recommended for approval

Spears motioned, seconded by Meltzer that paragraph 1 of the resolution be amended as follows:

Remove "put forth new guidance in the City requiring" and replace it with "in consultation with Interim Health Officer Jensen, affirmed the CDC Guidance on the use of masks and required"

Roll call. Motion carried by the following vote: 6-0, Mayor Woodford abstained

Spears motioned, seconded by Fuchs that paragraph 2 of the resolution be amended as follows:

To the end of the paragraph, add "resulting in Health Officer Eggebrecht serving the city for an additional year, a nationwide search was initiated in March of 2021 for a Health Officer who meets the City's expectations for quality and qualifications"

Roll call. Motion carried by the following vote: 6-0, Mayor Woodford abstained

Spears motioned, seconded by Dr. Vogel that paragraph 3 of the resolution be amended as follows:

After "Common Council", remove "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 replace it with "and Board of Health hereby express their appreciation of the outstanding job that Interim Director Jensen and the Appleton Health Department do as they continue to perform at the high level serving the citizens of Appleton"

Roll call. Motion carried by the following vote: 6-0, Mayor Woodford abstained

Spears motioned, seconded by Meltzer that paragraph 4 of the resolution be amended as follows:

After "Common Council" add "and the Board of Health" express their support of" and remove the word "urge";

After "practicably as possible", remove "and prior to enacting or implementing any further COVID-19

guidance or mandates in the City" and replace with "who meets the qualifications required to lead a Level III Health Department"

Roll call. Motion carried by the following vote: 6-0, Mayor Woodford abstained

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[21-1176](#) Ordinances #35-21, #57-21 through #65-21

Attachments: [Ordinances going to Council 8-18-21.pdf](#)

- P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION
- Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION
- R. OTHER COUNCIL BUSINESS
- S. CLOSED SESSION

[21-1182](#)

The Common Council will go into closed session according to State Statute § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session regarding the bluff site development and then reconvene into open session.

- T. ADJOURN

Kami Lynch, City Clerk

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Remote meeting attendance may be permitted pursuant to Section 2-29 of the Appleton Municipal Code and Rules of Council.