



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, August 21, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:05 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Lobner.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Mayor Timothy Hanna

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Finance Director Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Police Chief Thomas, Director of Public Works Vandehey

The following departments were excused:

Community & Economic Development

Human Resources

Parks, Recreation & Facilities

Information Technology

Utilities

Valley Transit

Library

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-1232](#)

Common Council Meeting Minutes of August 7, 2019

Attachments: [CC Minutes 8-7-19.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Coenen, that the Minutes 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 Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

H. PUBLIC PARTICIPATION

Bill Recker, 1317 N Durkee St, Item: 19-1179 E-cigarette use in minors

Yer Xiong, 224 E Florida Ave, Item: 19-1152 Special Use Permit

The following spoke on Item: 19-0412 Truancy:

John Wiley, 2578 Touchmark Dr

Jeanne Roberts, President LWV

Mariann Schiedermeyer, N159 State Park Rd

Beth Kilishek, N159 State Park Rd

Helen Nagler, 932 E Commercial St

O'Cil Christopher, 300 N Appleton St

Monica Dan, 1020 E Windfield Pl

Chavez Dan, 1020 E Windfield Pl

Ronna Swift, 230 W Seymour St

Deb Truymen, 840 Cambridge Ct

Ruth Elmer, 427 Hidden Ridge Way

Amber McGinley, 617 N Clark St

Emma Shakeshaft, ACLU of WI

Terri Christopher, 300 N Appleton St

Alvin Dupree, 921 E Foxmoor Ln

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[19-1228](#) Initial Resolution for S. Locust Street Vacation

Attachments: [Locust Street - Initial Resolution.pdf](#)

This Report Action Item was approved.

K. ESTABLISH ORDER OF THE DAY

[19-1233](#)**Consolidated Action Items: Locust Street Vacation - between alley & railroad tracks****Item 19-1228** Initial Resolution**Item 19-1161** Municipal Services Committee**Item 19-1156** City Plan Commission

Alderson Croatt moved, seconded by Alderson Lobner, that the Consolidated Action Items for the Locust Street Vacation be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Alderson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[19-1152](#)

Request to approve Special Use Permit #8-19 to allow alcohol sales and service in conjunction with a pool hall located at 339 West Wisconsin Avenue, Lower Level Unit (Tax Id #31-6-0100-00), 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_KKYPoolHall_SUP_For08-13-19.pdf](#)

Alderson Spears moved, seconded by Alderson Croatt, that the Special Use Permit be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Alderson Chris Croatt

Nay: 1 - Alderson William Siebers

Abstained: 1 - Mayor Timothy Hanna

[19-0412](#)

Resolution #3-R-19 directing that Section 10-42 of the Municipal Code regarding truancy, be repealed

Attachments: [#3-R-19 Repealing Truancy Ord..pdf](#)
[Truancy Resolution Talking Points- Chief Thomas-4-1-19.pdf](#)
[SRO and Truancy Resolution.pdf](#)
[SL Memo re Dispositions 08-02-2019.pdf](#)

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

Aye: 10 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Patti Coenen, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Nay: 3 - Aldersperson Brad Firkus, Aldersperson Christine Williams and Aldersperson Kyle Lobner

Abstained: 1 - Mayor Timothy Hanna

[19-1179](#)

Resolution #9-R-19 Regulating E-Cigarette/Nicotine delivery device use in young adults

Attachments: [#9-R-19.pdf](#)

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

Aye: 12 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Chris Croatt

Nay: 1 - Aldersperson Vered Meltzer

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: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-1160](#)

Request from EnviroForensics, LLC for a permanent street occupancy permit for the parking lane along the west side of N. Meade Street between Hancock Street and Winnebago Street from August 19, 2019 through November 30, 2019.

Attachments: [EnviroForensics, LLC-Permanent Street Occupany Permit.pdf](#)

This Report Action Item was approved.

[19-1161](#)

Approve S. Locust Street Vacation between the alley and the CN R/R tracks.

Attachments: [S. Locust Street Vacation.pdf](#)

This Report Action Item was approved.

[19-1162](#)

Approve Authorizing Resolution for Urban Forestry Grant and Urban Forestry Catastrophic Storm Grant Programs.

Attachments: [Urban Forestry Grant-Urban Forestry Catastrophic Storm Grant.pdf](#)

This Report Action Item was approved.

[19-1163](#)

Request from Apple Tree, LLC for a permanent street occupancy permit for eleven (11) cluster box mail units (CBU) in location approved by the Department of Public Works (including 2-foot clearance from the street).

Attachments: [Apple Tree LLC-Cluster box mail untis.pdf](#)

This Report Action Item was approved.

[19-1164](#)

Request from Endeavor Environmental Services for a permanent street occupancy permit to install a monitoring well in the sidewalk area at 1331 N. Bennett Street.

Attachments: [Endeavor Environmental Services-Permanent Street Occupancy permit.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-1038](#)

Resolution #7-R-19 regarding Alternate Mode of Transportation

Attachments: [#7-R-19 Alternate Mode of Transportation w. attach..pdf](#)
[SL - Resolution #7-R-19-Croatt 07-25-2019 \(002\).pdf](#)

This Report Action Item was approved.

[19-1201](#)

Operator's License application for Jesse C. Howell

Attachments: [Jesse Howell Application.pdf](#)
[SL Memo - Howell License Denial 08-13-2019.pdf](#)

The recommendation to deny the license was approved.

[19-1060](#)

"Class A" Liquor and Class "A" Beer License Change of Agent application, Joshua M. Buck, for Walgreens, located at 3330 E. Calumet St, contingent upon approval from the Police Department.

Attachments: [Joshua M. Buck S&L 8-14-19.pdf](#)

This Report Action Item was approved.

[19-1061](#)

"Class A" Liquor and Class "A" Beer License Change of Agent application, Richard Varick, for Walgreens, located at 2803 N. Meade St, contingent upon approval from the Police Department.

Attachments: [Richard Varick S&L 8-14-19 .pdf](#)

This Report Action Item was approved.

[19-1118](#)

Class "B" Beer License application for Lao Thai, Susan Xiong, Owner, located at 1804 S Lawe St Ste 203, contingent upon approval from all departments.

Attachments: [Liquor License-Lao Thai.pdf](#)

This Report Action Item was approved.

[19-1139](#)

Class "B" Beer License application for May's Kitchen, May Vang, Agent, located at 1804 S. Lawe St #204, contingent upon approval from all departments.

Attachments: [Liquor License-Mays Kitchen.pdf](#)

This Report Action Item was approved.

[19-1140](#)

Appleton Police Department application for the Edward Byrne Memorial Justice Assistance Grant (JAG) #2019-H3708-WI-DJ.

This Report Action Item was approved.

[19-1169](#) Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Fat Sammy's, Angela Gaines, Agent, located at 2500 S. Oneida St, September 8, 2019, contingent upon approval from all departments.

Attachments: [Fat Sammys.pdf](#)

This Report Action Item was approved.

[19-1205](#) Operator's Licenses

Attachments: [Operator's Licenses for 8-14 .pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[19-1156](#) Request to approve the street discontinuance to vacate a portion of South Locust Street public right-of-way generally located north of the Wisconsin Central Railroad and approximately 136 feet south of West College Avenue and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_LocustSt_StreetVacation_For08-13-19.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[19-1172](#) Approve request for the Finance Director to sell \$18,660,000 of General Obligation Notes

This Report Action Item was approved.

[19-1173](#) Request to award the City of Appleton Yellow Ramp Light Fixture Replacement purchase order to Crescent Electric Supply Co in the amount of \$165,161

Attachments: [2019 Yellow Ramp Light Fixtures.pdf](#)

This Report Action Item was approved.

[19-1174](#)

RIVERSIDE CEMETERY ASSOCIATION submitting a request for payment for maintenance of Veteran's graves.

Attachments: [Riverside Cemetery - Veteran Grave Care Reimbursement 2018-2019.pdf](#)

This Report Action Item was approved.

[19-1186](#)

Request to award Unit Z-19 Sewer & Water Construction - Sommers Drive, Spartan Drive and Haymeadow Avenue to Kruczek Construction, Inc in the amount of \$933,333 with a 4.8% contingency of \$45,000 for a project total not to exceed \$978,333

Attachments: [Award of Contract Unit Z-19.pdf](#)

This Report Action Item was approved.

[19-1195](#)

Request to award the City of Appleton Yellow Ramp Light Fixture Installation project contract to Michels Power in the amount of \$60,900 with a contingency of \$10,000 for a project total not to exceed \$70,900

Attachments: [2019 Yellow Ramp Light Fixture Installation.pdf](#)

This Report Action Item was approved.

- 6. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**
- 7. **MINUTES OF THE UTILITIES COMMITTEE**
- 8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**
- 9. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**
- 10. **MINUTES OF THE BOARD OF HEALTH**
- M. **CONSOLIDATED ACTION ITEMS**
- N. **ITEMS HELD**
- O. **ORDINANCES**

[19-1227](#)

Ordinances 83-19 to 85-19

Attachments: [Ordinances going to Council 8-21-19.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
- R. OTHER COUNCIL BUSINESS
- S. ADJOURN

Alderson Coenen moved, seconded by Alderson Martin, that the meeting be adjourned at 8:34 p.m. 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 Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Mayor Timothy Hanna

Kami Lynch, City Clerk