



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, May 6, 2020

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 Thao

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 Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska, Alderperson Corey Otis and Mayor Jake Woodford

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Behrens, Deputy City Attorney Abshire, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Director of Information Technology Fox, Library Director Rortvedt, Police Chief Thomas, Director of Parks, Recreation & Facilities Gazza, Public Works Director Vandehey, Utilities Director Shaw, Valley Transit General Manager McDonald

F. BUSINESS PRESENTED BY THE MAYOR

[20-0542](#)

Proclamation of Municipal Clerks Week May 3rd to 9th, 2020

Attachments: [Municipal Clerks Week.pdf](#)

This Proclamation was presented

[20-0543](#)

Proclamation of May 14th as Hmong American Day

Attachments: [Hmong American Day May 14.pdf](#)

This Proclamation was presented

G. PUBLIC PARTICIPATION

H. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[20-0533](#)

Common Council Meeting Minutes of April 22, 2020 Organizational Meeting and Regular Council Meeting

Attachments: [CC Minutes 4-22-20 Org. Mtg..pdf](#)
 [CC Minutes 4-22-20.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Smith, that the Minutes 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 Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[20-0534](#)

Suspend the Council Rules and convene into the Committee of the Whole

Aldersperson Reed moved, seconded by Aldersperson Lobner, that the Council convene as the Committee of the Whole. 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 Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0530](#)

Resolution #9-20 - Local Government Term Limits Referendum Question

Attachments: [Lobner and Finance Committee - Attorney Office Response to Resolution 04-30-2020 1.pdf](#)

Aldersperson Coenen moved, seconded by Aldersperson Wolff that this Resolution be held until the first Council meeting in June. Roll Call. Motion carried by the following vote:

Aye: 9 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Patti Coenen and Aldersperson Corey Otis

Nay: 6 - Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Nate Wolff, Aldersperson Kyle Lobner and Aldersperson Joe Prohaska

Abstained: 1 - Mayor Jake Woodford

[20-0516](#)

Request from CR Structures for a Permanent Street Occupancy Permit for the north footing wall to extend 24" into the College Avenue right-of-way and five column pad footings to extend 12" into the College Avenue right-of-way be approved.

Attachments: [CR Structures-Permanent Street Occupancy Permit.pdf](#)

Aldersperson Otis moved, seconded by Aldersperson Prohaska, that the Report Action Item be amended to add the address of the Permanent Street Occupancy Permit: 823 W College Ave. 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 Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

Aldersperson Smith moved, seconded by Aldersperson Prohaska, that the Item be approved as amended. 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 Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0540](#)

Request to Approve Naming of Lundgaard Park

Attachments: [Park Rec Committee Letter.pdf](#)
[Naming of Public Parklands Policy Memo.pdf](#)
[Naming of Public Parklands Policy.pdf](#)
[Northside Park Aerial.pdf](#)

Aldersperson Smith moved, seconded by Aldersperson Lobner, that the naming of Lungaard Park 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 Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0527](#)

Resolution #8-R-20 City of Appleton Brand Study

Attachments: [#8-R-20 Branding Resolution-format.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Coenen, that the Resolution be referred to staff and then be brought back on Budget Saturday. Roll Call. Motion carried by the following vote:

Aye: 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Nay: 3 - Aldersperson Joe Martin, Aldersperson Alex Schultz and Aldersperson Mike Smith

Abstained: 1 - Mayor Jake Woodford

[20-0529](#)

Request to approve temporary suspension of Sec. 9-23 of the Municipal Code requiring the payment of certain unpaid and delinquent debts as a condition precedent to the issuance of licenses or permits by the City

Attachments: [Finance Committee - License Waiver COVID-19.pdf](#)
[AMEND073.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Prohaska, that the Temporary Suspension of Sec. 9-23 of the Municipal Code be amended to include (in the Therefore Be It Resolved statement): "with the exception of hotel room taxes". 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 Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

Alderperson Lobner moved, seconded by Alderperson Smith, that the Temporary Suspension of Sec. 9-23 of the Municipal Code be approved as amended. 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 Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

Balance of the action items on the agenda.

Alderperson Lobner moved, Alderperson Prohaska seconded, to approve the balance of the agenda. The 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 Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0535](#)

Reconvene to Common Council

Alderperson Smith moved, seconded by Alderperson Prohaska, to Reconvene as the Common Council. 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 Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

[20-0536](#)

Report of the Committee of the Whole

Alderperson Smith moved, seconded by Alderperson Coenen, that the Report of the Committee of the Whole 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 Patti Coenen, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[20-0522](#)

Request to award the Phase I Construction Contract to Miron Construction Company for the Intake and Shore Well Pumping Station 2020 project in the amount of \$3,607,005 with a 10% contingency of \$360,700 and a total not to exceed \$3,967,705

Attachments: [2020 Construction - Lake Station Project 04-23-20.pdf](#)

This Report Action Item was approved.

[20-0523](#)

Request to award Unit D-20 Sidewalk Construction to Fischer Ulman Construction, Inc in an amount not to exceed \$310,000

Attachments: [Award of Contract Unit D-20.pdf](#)

This Report Action Item was approved.

[20-0531](#)

Request to accept a DNR Stewardship grant in the amount of \$249,000 for the construction of the Lawe STreet Trestle Trail

Attachments: [2020 DNR Stewardship Grant - Lawe St.pdf](#)

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[20-0515](#)

Request to approve the Re-Allocation of 2020-2021PY Community Development Block Grant (CDBG) public service funds as specified in the attached revised community partner allocation recommendations

Attachments: [Alloc Recs Memo to CEDC Modified Award 05-06-2020.pdf](#)
[Alloc Recs Memo to CEDC Final Award 03-11-2020.pdf](#)
[REVISED 05-06-2020 CDBG Community Partner Recommendations.pdf](#)
[REVISED 05-06-2020 CDBG Simple Summary.pdf](#)
[Community Foundation COVID Response to Community Needs.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[20-0517](#)

Award AWWTP Final Clarifier Tank Underdrain Valve Vault Pipe Replacement to Piping Service Inc. in an amount not to exceed \$17,800.

Attachments: [190420_UC Memo Final Clarifier Tank Drainage Piping PSI.pdf](#)

This Report Action Item was approved.

[20-0532](#)

Recommendation to approve entering into the Amended InterGovernmental Cooperation Agreement with the Village of Little Chute contingent upon the Village of Little Chute also approving the Agreement.

Attachments: [InterGovernmental Cooperation Agreement.pdf](#)
[Appleton-Little Chute - 2020 Agreement - 4-30-20.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[20-0507](#)

Approval of Payments

Attachments: [February 2020 payments.pdf](#)
[March 2020 payments.pdf](#)

This Report Action Item was approved.

[20-0509](#)

Approval of Contract with Red Shoes Inc

Attachments: [Award Recommendation Red Shoes.pdf](#)

This Report Action Item was approved.

[20-0514](#)

Approval of Bid Award to Wisconsin Lift Truck

Attachments: [Award Recommendation Wisconsin Lift Truck.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

[20-0465](#)

Request to approve Special Use Permit #2-20 for an indoor recreational use with alcohol sales and consumption located at 1400 West College Avenue (Tax Id #31-5-1799-00), 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_1400 W College Ave_SUP_For04-22-20.pdf](#)
[RE Appleton Axe proposed plan.msg](#)
[Sydney Witt Email Comments_4-25-20.pdf](#)

Aldersperson Coenen moved, seconded by Aldersperson Lobner, that the Special Use Permit be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Mike Smith, Aldersperson Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 2 - Aldersperson Joe Martin and Mayor Jake Woodford

O. ORDINANCES

[20-0528](#)

Ordinance #73-20 License Renewal Waiver of Fees

Attachments: [AMEND073.doc.pdf](#)
 [Ord. 73-20 AMENDED.pdf](#)

Aldersperson Prohaska moved, seconded by Aldersperson Coenen, that the Ordinance be approved (as amended in Committee of the Whole). 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 Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

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
- R. OTHER COUNCIL BUSINESS
- S. CLOSED SESSION

[20-0537](#)

The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purpose of discussing the investment of public funds and real estate negotiations where competitive or bargaining reasons require a closed session concerning the parcel north of Midway Road and south of Plank Road located in the Village of Harrison as well as terms of an intergovernmental agreement with the Town of Buchanan regarding properties near Newberry Street. **At the conclusion of its discussion, the Common Council will adjourn in closed session with no action being taken.**

Aldersperson Lobner moved, seconded by Aldersperson Wolff, that the Common Council convene into closed session at 8:08 p.m. 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 Patti Coenen, Aldersperson Nate Wolff, Aldersperson Kyle Lobner, Aldersperson Joe Prohaska and Aldersperson Corey Otis

Abstained: 1 - Mayor Jake Woodford

T. ADJOURN

No action was taken in closed session.

Alderson Smith moved, seconded by Alderson Reed to adjourn the meeting at 8:40 p.m.

Roll Call. Motion carried 15/0.

Kami Lynch, City Clerk