

## Item 24-0766: Resolution #7-R-24 To Rescind the No Mow May Ordinance Language Common Council

Wed, Jul 17, 2024 7:00PM

### Mayor Jake Woodford 26:30

All right. Any other items for a separate vote? All right, hearing none, we'll get started then with the item from municipal services. Oh. Did I miss—I see some folks in the queue. Did I miss? Are you are you looking to speak on separate items? Or are you—on the on the item? Okay. Okay. Okay, so we need a motion. This is item 24-0766 No Mow May. We have a motion and a second to approve. So now we can open the floor for discussion. And Alder Fenton, go ahead.

### Aldersperson Denise Fenton (District 6) 27:24

Thank you, Your Honor. Um, I'd like to offer an amendment to the substituted amendment just to clarify some things with the city code language. And, and so that would be in the be it further resolved where it says "both residential and commercial lawns," I want—I'd like to amend that to "developed lots" to keep it consistent with the city code.

### Mayor Jake Woodford 28:00

All right, so we have a motion and a second to amend. any discussion on the amendment? Alder Schultz?

### Aldersperson Alex Schultz (District 9) 28:15

No discussion on that.

### Mayor Jake Woodford 28:16

Okay. All right. Seeing no discussion, please cast your votes. We have a motion and a second to amend. That motion passes 13 to zero.

### Mayor Jake Woodford 28:37

We're back to the item as amended. Further discussion. Alder Schultz.

### Aldersperson Alex Schultz (District 9) 28:46

Thank you, Mayor. Anybody who's been following this knows that we had a pretty robust discussion at committee following the introduction of the amendment by substitution, which had two purposes. One was to essentially agree with the original—content or the objective of the original resolution, which was essentially to go back to a period of 24/7 12-months-a-year enforcement of the weed policy, and essentially get rid of No Mow May, but also to clean up some of the language in that original resolution, which I think's potentially misleading and just didn't do a service to the original authors. So that's why we're here.

### Aldersperson Alex Schultz (District 9) 29:32

I would just say that this is a comfort place for us to be as a community. The question was asked to me today, "Why are you getting rid of No Mow May?" And the answer is we need to pivot. Because of the way the climate is acting and the way the seasons are shifting or zones are shifting seasons are changing, it's really difficult to put a stop and start date on this notion of letting your grass grow in spring so that it can emerge and do the things it needs to do for pollinators and other species. So, I think we're all sort of on the same page supporting the idea of going back to weed enforcement and understanding that once your lawn gets to a really high point, it's not

doing much service unless it's flowering at three feet, and at which point, you might as well create a flower garden out of those tall grasses.

**Aldersperson Alex Schultz (District 9) 30:23**

So, I answered that question today, basically saying we're not getting rid of No Mow May, we're introducing Slow Mow Summer, essentially, doing the things we're trying to do. And after five years with of this in the community, I think many people are getting comfortable trying to do some alternative things with their yards, and so we want to encourage that. We don't want to find ourselves, like we did this year, with a lot of yards over two or three feet by the time we got to June 1 because there's this notion that if you participating, you want to make that target date. And so, the target date becomes problematic.

**Aldersperson Alex Schultz (District 9) 30:59**

So that's essentially it. The community as a whole, I think, needs to pivot. We need to pivot. We need to keep doing things that educate the community on what is a good yard, and if you're gonna let it grow, are you doing the right thing? If you're letting your dandelions grow and going to seed, you're probably not doing the right thing. If you're allowing bull thistle and other things that are invasives grow three feet tall, you're probably not doing the right thing. But if you do have a yard that doesn't grow really long, and you let it go, and it's got a lot of good flowering things and violets and other things that help the pollinators even though they might not be natives, then you might be doing the right thing. And you also might be thinking about different ways to take care of that lawn, different ways to, you know, make it go through the winter with some cover and not clear it up because you're now thinking differently about what you're doing with that turf grass. So that's it. I would encourage everyone to support the resolution. We're getting rid of No Now May, and we're introducing Slow Mow Summer Thank you.

**Mayor Jake Woodford 31:57**

Alder Hartzheim.

**Aldersperson Sheri Hartzheim (District 13) 31:59**

Thank you, chair. As I am not a member of this committee but did sort of sit in on a lot of these discussions, I would like to offer an amendment and I would like to offer it via paper to everyone who would be looking at this in the Council. So, I have copies Am I permitted to distribute them before I discuss this?

**Mayor Jake Woodford 32:19**

Yes.

**Aldersperson Sheri Hartzheim (District 13) 32:20**

Thank you

**Mayor Jake Woodford 33:02**

Just before we continue discussion, I'll give the Council a moment to read the materials.

**Aldersperson Sheri Hartzheim (District 13) 33:08**

Thank you.

**Aldersperson Sheri Hartzheim (District 13) 33:49**

So, chair with your permission, if I can just boil it down.

**Mayor Jake Woodford 33:52**

Go ahead.

**Aldersperson Sheri Hartzheim (District 13) 33:53**

I would like for us to return to what we had before, which is an eight-inch maximum. That I believe is something that we can all agree works for the city and had worked for the city for a long, long time. But I don't disagree that we should be working towards supporting pollination and pollinators, and I believe that a better way to do it, as Alder Schultz said, is Slow Mow Summer. So, I think this substitution for the therefore be it resolved in the resolution as submitted by amendment. Does that make any sense? Does that make sense to everyone? I would like to remove the "therefore be it resolved" on the existing that we're talking about today and replace them with this. And this, I believe does better than what was presented and come to in the committee.

**Aldersperson Sheri Hartzheim (District 13) 34:49**

I believe it gets us to the happy medium that we have with—the balance between what we can work with our neighbors and the aesthetic—the neighborhood aesthetic that was mentioned in the whereas clauses—and still supporting this Slow Mow Summer policy. With these two things, I think we as a Council and as a city can come to an agreement an actual agreement that we can all agree on.

**Aldersperson Sheri Hartzheim (District 13) 35:18**

I'm dissatisfied with the way that the amendment came from committee because I do—don't believe that the 10 inches is going to be helpful because it does not satisfy the neighborhood aesthetic portion of the discussion. So, I would like us to think about this as a way of moving forward to support Slow Mow Summer and also to support folks who really don't want their neighborhoods to become something that they don't—they weren't satisfied with this past May. Thank you.

**Mayor Jake Woodford 35:53**

And just for purposes of folks who don't have this packet in front of them, would you would you please read your read your amendment or I'm happy to read it.

**Aldersperson Sheri Hartzheim (District 13) 36:02**

I can read it.

**Mayor Jake Woodford 36:03**

Okay. Please, please read it out.

**Aldersperson Sheri Hartzheim (District 13) 36:04**

Therefore be it resolved that based on the evolving evidence regarding the best practices for a balanced approach to pollinator support and turf maintenance, the Common Council of the City of Appleton hereby takes formal action to remove the language in the current code rescinding the No Mow May program. This includes working with the city attorney's office to repeal ordinance 26-22 adopted on April 6 2022, and restore section 12-58 from its former—from its form prior to that date, in order to enforce the city's long grass ordinance during the entire growing season, including the month of May

**Aldersperson Sheri Hartzheim (District 13) 36:41**

And be it further resolved that the Common Council of the City of Appleton direct city staff to replicate the Slow Mow Summer program information as promoted by the 1000 Islands Environmental Center in Kaukauna, Wisconsin, making it compatible with City of Appleton branding. This includes but is not limited to the following actions: (1) the permanent posting of slomo summer graphics and information branded for the city of Appleton

as in the example found online, (And then the online citation is state—is cited there) on the city of Appleton’s website, (2) a monthly posting of this information and or link to the Slow Mow Summer city website page on at least one city of Appleton social media platform at least once a month through May—from May through November, and (3) the development and inclusion of a one page support pollinators document as in the example found online (and again, the online citation is stated there) in each year of the city's public works guide.

**Mayor Jake Woodford 37:39**

Thank you. Motion has been made and seconded. So, we can open the floor for discussion on the amendment. Alder Fenton.

**Aldersperson Denise Fenton (District 6) 37:50**

I'm gonna yield for right now.

**Mayor Jake Woodford 37:53**

Okay. Discussion on the amendment. Alder Alfheim.

**Aldersperson Kristin Alfheim (District 11) 38:03**

Thank you, chair. I came into Council when the No Mow May discussion was just getting up and running. And I will tell you that as an individual in Appleton I learned a lot from the efforts. We changed our habits at our house. We did not fully comply with No Mow May; however we did more or less often, and we raised our deck. We understood the value of what we're trying to accomplish. There is no doubt that this summer, we all received calls; it was rough. It was a rough season. And for people who do take pride in their lawns, it became very, very disheartening in our community.

**Aldersperson Kristin Alfheim (District 11) 38:52**

I appreciate all of the work that has gone into discussions on how to make it better, and I appreciate what alder Hartzheim has brought to the table. I think the best thing we can do is educate, and by making it an official part of the city saying this is who we are, this is why we're doing it in a consistent message, we have a better shot of actually impacting all of the families who are not just passionate about pollinators but realize with just a little small change in what they're doing throughout the year they can actually make an impact.

**Aldersperson Kristin Alfheim (District 11) 39:28**

I also believe that the eight-inch rule is sufficient. I really do. Anything over eight inches to me is difficult to mow. That's a realistic answer. If we can accomplish it with science that we are getting what we need to help the environment and still maintaining the beautiful city that we are, I think that this is a very forward example of how the city can be committed to this and we can earn more people who believe in sustaining the pollinators while really respecting our beautiful city as it is. So, I would support this amendment. Thank you.

**Mayor Jake Woodford 40:08**

Alder Croatt.

**Aldersperson Chris Croatt (District 14) 40:10**

Thank you, Mayor. I would agree with all of those comments made by my colleague Alder Alfheim, completely agree. I think this is a—you know as the author or co-author with Alder Hayden on the original resolution, I think we've had a lot of really good discussion about what can we do in Appleton and move forward and learn from what—learn from No Mow May and move on to a program that maybe is a little less impactful to some neighborhoods but also still takes into account all of the benefits of this practice. I really liked this program. I like

what Kaukauna has done, 1000 Island Environmental Center has done. I definitely can get behind this, and hopefully the rest of the Council can too. Thank you.

**Mayor Jake Woodford** 40:57

Alder Doran.

**Alderman Chad Doran (District 15)** 41:00

Thank you. I would agree also. This is a—seems like a very reasonable compromise. I think when the original No Mow May program came forward, if I recall, the program was really aimed at education, and I think that this amendment also really seems to be centered around education which is really the goal here. And I think, as Alderman Alfheim stated, people have been learning a lot. And as we've sort of seen this program evolve, we've seen some of the downsides of its current form also. And this, I think, seeks to strike that balance that that sort of makes everyone happy here and still offers the educational piece in a number of ways that really helps further, I think, what the original intent of the No Mow May program was to begin with.

**Alderman Chad Doran (District 15)** 41:50

And also, I would just add, I think, at that time, the ask of the original authors was for the city to take a chance on trying something, and it did. We learned some things. And I think this is another opportunity for us to take a chance on trying something a little bit different that might, like I said, restore that balance, I think, that everyone's looking for, and make everyone in the city happy. So, I think this is really a worthwhile effort at finding compromise, and I would encourage our colleagues to support that.

**Mayor Jake Woodford** 42:21

Alder Firkus.

**Alderman Brad Firkus (District 3)** 42:22

Thank you, Mayor. I would say I prefer this amendment to what came out of committee. But I do want to ask, some of these items would that are listed after the further be it resolved would I would imagine would have some level of cost. It might be kind of small and absorbable by existing in within existing department budgets, but I guess I just would want to float that question. Is there—would there be any anticipated costs of going forward with what is in this amended or alternative resolution that we may have to take into consideration? Thank you.

**Mayor Jake Woodford** 43:03

I would say that in terms of updating documents and creating branded materials, that's something we can do in house. My only suggestion would be there's a lot of information in the Public Works guide. It's a it's a very dense document, and it would likely displace other content if the requirements were was a full page of information in that documents. So, my only suggestion for your consideration would be a little bit more flexibility for staff as they design the Public Works guide to include that information but with without mandating that it require an entire page. That would be my only suggestion if the Council was interested in mitigating any potential costs because, you know, adding pages to a magazine, you're often adding then two pages, which does significantly increase the cost to answer your question. Alder Schultz.

**Alderman Alex Schultz (District 9)** 44:04

Thank you, Mayor. I wish to thank my colleague for bringing this resolution forward and giving it a little bit more, I guess, teeth, pertinence, by including what we've been trying to do and that's the educational component. And if what we end up doing as a city is including information even this little bit that's in front of us today, that's a

substantial step forward, and I think as we develop the website, I think that should be an easy goal and easily attainable.

**Aldersperson Alex Schultz (District 9) 44:38**

I have no issues with this proposed resolution. Again, that 10 inches at committee was an attempt to keep some sense of No Mow as a thing in Appleton, but if this is the direction we're going and we focus ourselves on education, then we're attaining what we set out to attain. So, I agree with all of my colleagues who have already spoken, and I will support this resolution.

**Mayor Jake Woodford 45:09**

Alder van Zeeland?

**Aldersperson Katie Van Zeeland (District 5) 45:12**

Thank you, Chair. I'm inclined to support this. I think that this is moving things forward. And it's really in line with the current science that we have. We're not supposed to have lawns that are two feet tall to support pollinators, and I think that the problem isn't the people who are really participating in this program. There's a tweet that's gone around it says: gestures to my unmown yard, "I'm choosing to let my yard grow wild to help the pollinators;" waves that stack of dirty dishes, "This too is for the pollinators;" trips over a pile of laundry, "pollinators." And, and that's what we're up against. And I think we really need to take steps like this so we can continue. I did also like—I'd like to—oh, I probably can't. Can I amend as is, per what the mayor told us about the Public Works page?

**Mayor Jake Woodford 46:10**

Yes, right now, this is a proposed amendment. So, it is amendable.

**Aldersperson Katie Van Zeeland (District 5) 46:16**

So, I would propose an amendment to let's see, I guess just say a development inclusion of support pollinators information. We could probably get rid of the mandate for the Public Works guide since we will be updating the website and that may actually be easier.

**Mayor Jake Woodford 46:39**

So just so we have it, could you just clearly state your amendment. I want to make sure we understand.

**Aldersperson Katie Van Zeeland (District 5) 46:46**

I'm just marked this up and then I'll read it for you.

**Mayor Jake Woodford 46:48**

That's fine.

**Aldersperson Katie Van Zeeland (District 5) 46:52**

Um, so we'll just say "number three, the development and inclusion of support pollinators information as in the example found online."

**Mayor Jake Woodford 47:02**

So then striking the remainder?

**Aldersperson Katie Van Zeeland (District 5) 47:04**

Correct.

**Mayor Jake Woodford 47:10**

We have a motion and a second to amend. So, we'll now begin discussion on the amendment to the amendment. We'll clear the queue and start over. Alder Hartzheim.

**Aldersperson Sheri Hartzheim (District 13) 47:23**

Thank you, chair. As author of the amendment that's being amended, I appreciate this amendment. I—my purpose was to try to make this as cost efficient for the city as possible yet still an education component, and I think that that this amendment does that thank you.

**Mayor Jake Woodford 47:40**

Alder Meltzer.

**Aldersperson Vered Meltzer (District 2) 47:42**

Thank you. I have a question about the amendment. So, it says "the development and inclusion." So, the way—the way Alder Van Zeeland's second-degree amendment is amending this, we no—we lose what we're including it in. So, I think striking the stuff after the hyperlink doesn't make sense to me. I think that still saying that will include support pollinators information in the city's public works guide, I think that that is good, helpful action, and I don't believe that the mayor's suggestion was telling us to leave the Public Works guide alone. I think we're looking for a way to just not add more pages to it. Thank you.

**Mayor Jake Woodford 48:28**

All right, given that—just from a procedural perspective here, given that this is an amendment to the amendment, at this point, that's not amendable. However, in the interest of facilitating your discussion, if the author and the seconder wish to make changes to their to their amendment to the amendment, I would I would rule that in order unless there was objection from the Council. So, I just leave that out there as your as your discussion continues as an as an option for you, if you wish. Alder Croatt.

**Aldersperson Chris Croatt (District 14) 49:06**

Thank you, Mayor. I'll yield to the authors of the amendment. I was going to make the similar comment that Alder Meltzer did.

**Mayor Jake Woodford 49:15**

Is there any further discussion? Alder Van Zeeland.

**Aldersperson Katie Van Zeeland (District 5) 49:20**

I would be willing to withdraw the amendment if somebody else had—if the seconder would also and if Alder Meltzer would like to propose another amendment.

**Mayor Jake Woodford 49:32**

so, I believe alder Hartzheim was the second are on this. Are you willing to withdraw? You're welcome to we'll continue the discussion with Alder Hartzheim. We'll come back to Alder van Zeeland in a moment.

**Aldersperson Sheri Hartzheim (District 13) 49:50**

Thank you, chair. As the seconder of the amendment, I would like to request of the amender that only the words "one page" be stricken in this amendment. And if you can make that amendment to your amendment to the amendment, I would gladly second it.

**Mayor Jake Woodford** 49:50

Alder van Zeeland.

**Aldersperson Katie Van Zeeland (District 5)** 49:51

If Alder Hartzheim would like to withdraw their second, I would withdraw my previous amendment and amend as Alder Hartzheim has stated.

**Mayor Jake Woodford** 50:23

Okay.

**Aldersperson Sheri Hartzheim (District 13)** 50:23

And seconded.

**Mayor Jake Woodford** 50:24

So, the second second's been withdrawn. The amendment to the amendment has been withdrawn. Alder Van Zeeland, do you have the floor.

**Aldersperson Katie Van Zeeland (District 5)** 50:35

I think it's obvious, and I hope everyone votes for it. Thank you.

**Mayor Jake Woodford** 50:39

Okay. An amendment has been offered that would strike "a one page", the words "a one page." So, it was—actually "one page" would be stricken. That's all. All right, so that's the motion to amend the amendment, and we do have a second for that. Any discussion? Hearing none, please cast your votes. This is on the amendment to the amendment. Motion passes 13 to zero.

**Mayor Jake Woodford** 51:17

We're now back to the amendment as amended. Further discussion. Alder Meltzer.

**Aldersperson Vered Meltzer (District 2)** 51:24

Thank you. I want to thank my colleague Aldersperson Hartzheim for submitting this amendment and for attending the committee meetings. I want to thank all of my colleagues for the robust discussion we've had this year. This year, we have really been able to get into the science and also listen to our community and look for compromises in a way that I don't think we have been able to do around No Mow May before. I think that previously our work in this area has been characterized sort of as a constant, uphill battle, and sort of constantly dealing with conflict surrounding this issue. And I think that we have successfully found a way out of that with what we have before us.

**Aldersperson Vered Meltzer (District 2)** 52:10

So, I really appreciate all the work that's been done. And I think that we're moving in a really good direction as a city with this. I think anything we can do to really heighten the visibility and push out those educational pieces. This has been sort of the elusive unicorn that we've been hunting and chasing for a long time. So, it—I really appreciate where we've come to at this time as a Council, and I hope we will support this. Thank you.

**Mayor Jake Woodford** 52:39

Any further discussion on the amendment as amended? Hearing none, please cast your votes. Motion passes 13 to zero. The item has been amended.



**Mayor Jake Woodford** 52:56

We're now back to the item. Any further discussion? All right, hearing none, please cast your votes. Motion passes 13 to zero. The item has been approved.