



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, March 20, 2024

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Woodford at 7:00 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 Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt, 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

[24-0301](#)

Common Council Meeting Minutes of March 6, 2024

Attachments: [CC Minutes 3-6-24.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Del Toro, 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 Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

H. PUBLIC PARTICIPATION

The following individuals spoke regarding Item# 24-0279 Rye Restaurant Planter Boxes:

Danielle Weyenberg, 310 W College Ave

Nathan Weyenberg, 310 W College Ave

Nick Morse, 308 W College Ave

Mackenzie Vandenberg, 308 W College Ave

The following spoke regarding Item# 24-0269 USV Development Agreement:

Jennifer Stephany, 333 W College Ave

Mercedes Bereza, 425 Better Way

James Fenlon, 425 Better Way

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[24-0279](#)

Approve request from RYE Restaurant for an annual street occupancy permit along 308 W. College Avenue for a window box overhang/obstruction.

Attachments: [RYE Window Planter - Amenity.pdf](#)

Aldersperson Van Zeeland moved, seconded by Aldersperson Schultz, that the Item be amended to place a contingency on the approval of the Street Occupancy Permit for modifications to the Special Use Permit to make the planter boxes ADA compliant. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Aldersperson Alfheim moved, seconded by Aldersperson Fenton, that the Street Occupancy Permit be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Nay: 2 - Alderperson Vered Meltzer and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[24-0259](#)

Award Single Source K-24 Native Landscape Management Contract to NES Ecological Services - A Division of Robert E. Lee & Associates, in an amount not to exceed \$192,345.12.

Attachments: [K-24 contract award util memo 03-12-2024 Final.pdf](#)

Alderperson Fenton moved, seconded by Alderperson Croatt, that the Contract award be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 4 - Alderperson William Siebers, Alderperson Israel Del Toro, Alderperson Alex Schultz and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[24-0313](#)

The Common Council may go into closed session according to State Statute §19.85(1)(e) for the purposes of deliberating or negotiating the purchasing of public properties and the investing of public funds, regarding the U.S. Venture development project and then reconvene into open session.

Prior to action on Item #24-0269 the Common Council convened into Closed Session.

Alderperson Hartzheim moved, seconded by Alderperson Van Zeeland, that the Common Council convene into Closed Session at 7:52 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[24-0269](#)

Request to approve the Development Incentive Agreement with USV 222, LLC for improvements and redevelopment of the property located at 222 W. College Avenue (Tax Id #31-2-0257-00) in Tax Increment Financing District No. 11

Attachments: [USVMemo_MemoCEDC_030152024_Final.pdf](#)
[2024.03.15_FinalDraft_Clean_USV_222_Bldg - Dev Agrm - Final.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Croatt, that the Common Council rise and report and reconvene into open session at 8:33 p.m. Roll Call. Motion carried 15/0.

Aldersperson Croatt moved, seconded by Aldersperson Van Zeeland, that the Development Incentive Agreement be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Christopher Croatt

Nay: 1 - Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Hartzheim moved, Aldersperson Hayden seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[24-0276](#)

Approve the installation of all-way stop control at the intersection of Capitol Drive and Conkey Street. Follow up to a six month trial period.

Attachments: [Conkey Capitol \(post 6-mo eval for 2-way stop to all-way stop\).pdf](#)

This Report Action Item was approved.

[24-0277](#)

Approve the proposed parking change on Drew Street, north of North Street. Follow up to a six month trial period.

Attachments: [Drew n-o North \(post 6-mo eval\).pdf](#)

This Report Action Item was approved.

[24-0278](#)

Approve request from Northcentral Construction Corporation for a temporary street occupancy permit within Oneida Street and Harris Street for the construction of Rise Apartment for a period ending on June 30, 2024.

Attachments: [Rise Apartments 24-025-T.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0319](#)

Municipal Code Revisions Re: Alarm Fees

Attachments: [Revised Alarm Fees Memo.pdf](#)

[Revised Alarm Fees Municipal Code.pdf](#)

This Report Action Item was approved.

[24-0227](#)

Class "A" Beer/"Class A" Liquor License application for Thapa Petroleum LLC, d/b/a Appleton Clark, Ganesh Thapa, Agent, located at 1200 W Wisconsin Avenue, contingent upon approval from the Health and Fire Departments.

Attachments: [Thapa Petroleum LLC_Redacted.pdf](#)

This Report Action Item was approved.

[24-0233](#)

Class "B" Beer/"Class B" Liquor License application for Sonys Bistro LLC d/b/a Meade Street Bistro, Synona Meyer, Agent, located at 2729 N. Meade Street, contingent upon approval from the Health, Public Works, and Police Departments.

Attachments: [Meade Street Bistro Application_Redacted.pdf](#)

This Report Action Item was approved.

[24-0304](#)

Class "A" Beer & "Class A" Liquor License Change of Agent application for Aldi Inc Wisconsin d/b/a Aldi #86, New Agent, Chris Ryan Subert, located at 2702 N. Richmond Street

Attachments: [Aldi #86 Change of Agent.pdf](#)

This Report Action Item was approved.

[24-0305](#)

Class "A" Beer & "Class A" Liquor License Change of Agent application for Aldi Inc Wisconsin d/b/a Aldi #68, New Agent, Brittney Ann Wagner, located at 116 N Linwood Avenue

Attachments: [Aldi #68 Change of Agent.pdf](#)

This Report Action Item was approved.

[24-0311](#)

Class "B" Beer and "Class B" Liquor Premise Amendment application for Antojitos Mexicanos LLC d/b/a Antojitos Mexicanos, Fernando Almanza, Agent, located at 204 E College Ave, contingent upon approval from the Finance Department.

Attachments: [Antojitos Mexicanos LLC - Premise Amendment.pdf](#)

This Report Action Item was approved.

[24-0300](#)

Class "B" Beer Premise Amendment application for Appleton Axe LLC d/b/a Appleton Axe, Patrick Van Abel, Agent, located at 1400 W College Ave, contingent upon approval from the Community Development, Fire, Health and Inspections Departments.

Attachments: [Appleton Axe LLC - Premise Amendment.pdf](#)

This Report Action Item was approved.

[24-0247](#)

Cigarette, Tobacco, and Electronic Vaping Device Retail License application for Thapa Petroleum LLC d/b/a Appleton Clark, Ganesh Thapa, Agent, located at 1200 W Wisconsin Ave.

Attachments: [Thapa Petroleum LLC - CTV.pdf](#)

This Report Action Item was approved.

[24-0248](#)

Tobacco, and Electronic Vaping Device Retail License application for Top Dogz Vape Shop LLC d/b/a Top Dogz, Jennifer Peters, Agent, located at 1347 W Wisconsin Ave.

Attachments: [Top Dogz Vape Shop LLC - CTV.pdf](#)

This Report Action Item was approved.

[24-0266](#)

Cigarette, Tobacco, and Electronic Vaping Device Retail License application for Indianhead Oil Co LLC d/b/a Circle K #2746526, Brad Larson, Agent, located at 1935 E Calumet St.

Attachments: [Indianhead Oil Co. LLC - CTV.pdf](#)

This Report Action Item was approved.

[24-0288](#)

Electronic Vaping Device Retail License application for Good Nature EVAPOR LLC, Benjamin Grothe, Agent, located at 420 E. Northland Ave, Ste E.

Attachments: [Good Nature EVAPOR LLC - CTV.pdf](#)

This Report Action Item was approved.

3. **MINUTES OF THE CITY PLAN COMMISSION**
4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**
5. **MINUTES OF THE FINANCE COMMITTEE**

[24-0284](#)

Request to award Unit G-24 Southpoint Commerce Park Sewer & Water, Grade & Gravel to Carl Bowers & Sons Inc in the amount of \$2,301,282.52 with a 2.8% contingency of \$65,000 for a project total not to exceed \$2,366,282.52.

Attachments: [Contract Award Form Unit G-24.pdf](#)
[G-24 bid tab.pdf](#)

This Report Action Item was approved.

6. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

[24-0251](#)

Request to approve the City of Appleton maintain its current selling prices for business/industrial park land and hold option fees as described in the attached documents

Attachments: [Business-Industrial Park Land Value Memo to CEDC 3-13-24.pdf](#)
[Exhibit A-Ind Land Sales Comparison.pdf](#)
[Exhibit B-Ind Land Sales Ask Price Comparison.pdf](#)
[Southpoint Commerce Park Map 9 2023.pdf](#)

This Report Action Item was approved.

Request to approve the Development Incentive Agreement with USV 222, LLC for improvements and redevelopment of the property located at 222 W. College Avenue (Tax Id #31-2-0257-00) in Tax Increment Financing District No. 11

Request to approve the Development Incentive Agreement with USV 222, LLC for improvements and redevelopment of the property located at 222 W. College Avenue (Tax Id #31-2-0257-00) in Tax Increment Financing District No. 11

[24-0269](#)

Request to approve the Development Incentive Agreement with USV 222, LLC for improvements and redevelopment of the property located at 222 W. College Avenue (Tax Id #31-2-0257-00) in Tax Increment Financing District No. 11

Attachments: [USVMemo_MemoCEDC_030152024_Final.pdf](#)
[2024.03.15_FinalDraft_Clean_USV_222_Bldg_-_Dev_Agrm_-_Final.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[24-0258](#)

Approve 2023 Annual Stormwater Report to DNR.

Attachments: [2023 MS4 Annual Report_03-12-2024 Util Committee.pdf](#)

This Report Action Item was approved.

[24-0263](#)

Award the 2024 Ash Tree Removal Contract to Foley's Tree Service, LLC in an amount not to exceed \$375,000.

Attachments: [Ash Tree Removal Contract Award.pdf](#)

This Report Action Item was approved.

[24-0265](#) Award Appleton Water Treatment Facility Clearwell Repairs Project Base Bid to August Winter and Sons, Inc. in the amount of \$242,000 with 20% contingency of \$48,400 for a project total not to exceed \$290,400.

Attachments: [240308_UC Memo AWTF Clearwell Repair Award_AWS.pdf](#)

This Report Action Item was approved.

8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

9. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

10. **MINUTES OF THE BOARD OF HEALTH**

1. [24-0241](#) Environmental Health Pool Fees

Attachments: [2024.03.06_EHPoolMemo_0.pdf](#)

This Report Action Item was approved.

2. [24-0249](#) Amendment to Rodent Control Article III

Attachments: [2024.03.07_Amendment to Rodent Control Article III_0.pdf](#)
[0103 - Rodent Control Article III \(2024 update\).pdf](#)

This Report Action Item was approved.

M. **CONSOLIDATED ACTION ITEMS**

N. **ITEMS HELD**

O. **ORDINANCES**

P. **LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION**

Q. **RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION**

[24-0340](#) Resolution #3-R-24 Environmental Education Resolution

Attachments: [#3-R-24 Environmental Education Resolution.pdf](#)

[24-0341](#) Resolution #4-R-24 Sustainable Use of Pesticides

Attachments: [#4-R-23 Sustainable Use of Pesticides.pdf](#)

R. OTHER COUNCIL BUSINESS

[24-0312](#) Request to Reconsider Item #24-0214 Glendale & Whitman Yard Waste Site Hours of Operation

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that Item# 24-0214 be Reconsidered. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Nay: 2 - Aldersperson Israel Del Toro and Aldersperson Joss Thyssen

Abstained: 1 - Mayor Jake Woodford

[24-0214](#) Approve the proposed modification to the Glendale and Whitman Yard Waste Site hours of operation.

Motion to approve on 3/6/24 failed 6/6

Attachments: [2024.02.26_Yard Sites Schedule Proposal.pdf](#)

Aldersperson Meltzer moved, seconded by Aldersperson Wolff, that the Item be amended to change the proposal of the Winter hours at the Glendale site to be open the last Saturday of the month for the months: November, January, February & March. Roll Call. Motion failed by the following vote:

Aye: 3 - Aldersperson Vered Meltzer, Aldersperson Patrick Hayden and Aldersperson Alex Schultz

Nay: 12 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Joss Thyssen, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Aldersperson Hartzheim moved, seconded by Aldersperson Fenton, that the Modifications of the Yard Waste Site Hours be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 1 - Alderperson Vered Meltzer

Abstained: 1 - Mayor Jake Woodford

S. CLOSED SESSION

The Closed Session was taken up prior to action on Item # 24-0269

T. ADJOURN

Alderperson Fenton moved, seconded by Alderperson Hartzheim, that the meeting be adjourned at 9:18 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk