



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, September 20, 2023

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 Croatt.

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

[23-1095](#)

Common Council Meeting Minutes of September 6, 2023

Attachments: [CC Minutes 9-6-23.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Del Toro, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - 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 Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Abstained: 2 - Alderperson Kristin Alfheim and Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[23-1115](#) Board Reappointments

Attachments: [Sept 20 CAB BZA ReAppt Memo.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that the Reappointments be approved. 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

H. PUBLIC PARTICIPATION

The following spoke regarding Items 23-0934 & 23-0935 Clearwater Creek Rezoning and Preliminary Plat:

Michelle Mader, 275 E Spartan Dr.

Alaine Morgan, 5667 N Summerland Dr.

Patrick Dedoyard, 5667 N Summerland Dr.

Ben Alberts, 249 E Spartan Dr.

Kara Harbick, 5733 N Summerland Ct.

Abby Maslanka, representing Martenson & Eisele Engineering

Jennifer Sunstrom, representing REALTORS Association of Northeast Wisconsin

Jill Hendricks, representing Clearwater Creek Development

Kate Alberts, 249 E Spartan Dr.

Tom Rooney, representing Mark Winter Homes Inc.

Scott Harbick, 5733 N Summerland Ct.

The following spoke regarding Item 23-0994 Business Improvement District 2024 Operating Plan:

Jennifer Stephany, representing Appleton Downtown Inc.

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[23-1012](#)

Resolution #9-R-23 Mental Health Awareness & Services

Attachments: [#9-R-23 mental health awareness.pdf](#)

This item was referred back by Alderperson Katie Van Zeeland.

This Resolution was referred to the Board of Health

[23-1087](#)

Request from The Boldt Company for a permanent street occupancy permit for the Fox Commons City Center Plaza construction site perimeter fencing and staging on Oneida Street south of Washington Street (from E Washington Street to N. Appleton Street) for a period ending on December 31, 2023.

Attachments: [Boldt City Center Perm Road Closure Permit.pdf](#)

Alderperson Fenton moved, seconded by Alderperson Van Zeeland, that the Street Occupancy Permit 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

[23-0934](#)

Request to approve Rezoning #5-23 to rezone the vacant land generally located along the extension of E. Sweetwater Way, south of E. Spartan Drive and east of N. Haymeadow Avenue, for the Fourth Addition to Clearwater Creek (Tax Id #31-6-6201-00 and part of #31-6-6200-00), as shown on the attached maps, from AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport_4th Addn Clearwater Creek Rezoning_For8-9-23.pdf](#)
[Scott Berg Email.pdf](#)
[Gregg Mader Email.pdf](#)
[Email to Ald Hayden with Responses 8-25-23.pdf](#)
[Resident Handout-Clearwater Creek 9-6-23.pdf](#)
[Resident Opposition Handout- Clearwater Creek 9-6-23.pdf](#)
[Jill Hendricks Response 9-12-23.pdf](#)
[Resident Handout - Clearwater Creek 9-20-23.pdf](#)

Alderperson Firkus moved, seconded by Alderperson Hartzheim, that the Rezoning be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Joss Thyssen, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 3 - Alderperson Israel Del Toro, Alderperson Patrick Hayden and Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

[23-0935](#)

Request to approve the Fourth Addition to Clearwater Creek Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_4th Addn Clearwater Creek PreliminaryPlat_For8-9-23.pdf](#)
[Email to Ald Hayden with Responses 8-25-23.pdf](#)
[Resident Handout-Clearwater Creek 9-6-23.pdf](#)
[Resident Opposition Handout- Clearwater Creek 9-6-23.pdf](#)
[Jill Hendricks Response 9-12-23.pdf](#)
[Resident Handout - Clearwater Creek 9-20-23.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Hartzheim, that the Preliminary Plat be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Joss Thyssen, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 4 - Alderperson Vered Meltzer, Alderperson Israel Del Toro, Alderperson Patrick Hayden and Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

[23-0994](#)

****CRITICAL TIMING**** Annual review and request to approve the Downtown Appleton Business Improvement District (BID) 2024 Operating Plan

Attachments: [StaffReport_2024BIDOperatingPlan_For09-13-23.pdf](#)
[2024 BID Operational Plan.pdf](#)
[2022 BID Annual Report.pdf](#)
[2022 BID Audit - Financial Statements.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Firkus, that the Downtown Appleton BID 2024 Operating Plan 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

[23-1086](#)

2024 City Clerk's Office License Fee Changes

Attachments: [2024 City Clerk Fee Schedule Updates.pdf](#)
[Alcohol + Amusement Fee Data for 2024 Updates.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Van Zeeland, that the fee changes be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - 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 Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 3 - Alderperson William Siebers, Alderperson Israel Del Toro and Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

[23-1085](#)

Appleton Municipal Code, Chapter 6 Revisions for the Fire Department
-09-07-23_Ch_6_Ordinance_Memo
-09-07-23_Ch_6_Fire_2023_Revisions
-09-07-23_AFD_Fee_Schedule

Attachments: [09-07-23_AFD_Fee_Schedule.pdf](#)
[09-07-23_Ch_6_Fire_2023_Revisions.pdf](#)
[09-07-23_Ch_6_Ordinance_Memo.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Fenton, that the Municipal Code Revisions be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - 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

Nay: 1 - Alderperson William Siebers

Abstained: 1 - Mayor Jake Woodford

[23-1013](#)

Resolution #10-R-23 Allocation of State Shared Revenue Aid

Attachments: [#10-R-23 Allocation of State Shared Revenue Aid.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Van Zeeland, that the recommendation to deny the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - 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 and Aldersperson Nate Wolff

Nay: 4 - Aldersperson William Siebers, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[23-0664](#)

Resolution #6-R-23, Addition of Bird Safe Glass requirements to Appleton Municipal Code

Attachments: [#6-R-23 Bird Safe Glass Resolution-Final.pdf](#)
[Resolution 6-R-23 Bird Friendly Glass Response.pdf](#)
[Email re Stop the Fallout Campaign-Resolution 6-R-23 Bird Safe Glass.pdf](#)
[#6-R-23 AMENDED Bird Safe Glass Resolution.pdf](#)

Amendment to:

- Strike "Addition of" from the Resolution name.
- Strike "requirements to Appleton Municipal Code" from the Resolution name and replace with "recommendations".
- Strike the summary paragraph in its entirety.
- Strike "and" at the end of the second to last paragraph.
- Strike the final Be It Resolved clause in its entirety.

Aldersperson Hartzheim moved, seconded by Aldersperson Croatt, that the Resolution be amended. Roll Call. Motion failed by the following vote:

Aye: 5 - Aldersperson Brad Firkus, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Nay: 10 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones and Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

Amendment to strike the summary paragraph in its entirety.

Aldersperson Schultz moved, seconded by Aldersperson Meltzer, that the Resolution be amended. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderperson Vered Meltzer, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff and Alderperson Christopher Croatt

Nay: 5 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Vaya Jones, Alderperson Sheri Hartzheim and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Alderperson Schultz moved, seconded by Alderperson Del Toro, that the Resolution be approved as amended. Roll Call. Motion failed by the following vote:

Aye: 5 - Alderperson Vered Meltzer, Alderperson Israel Del Toro, Alderperson Joss Thyssen, Alderperson Alex Schultz and Alderperson Nate Wolff

Nay: 10 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Hartzheim moved, Alderperson Van Zeeland 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 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

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-1065](#)

Class "B" Beer and "Class C" Wine License application for Off The Vine Woodfire Pizza Co LLC d/b/a Broken Tree Pizza, Keith Schreiner, Agent, located at 201 S Riverheath Way Suite 1100, contingent upon approval from the Police department.

Attachments: [Broken Tree Pizza 2023-2024.pdf](#)

This Report Action Item was approved.

[23-1082](#)

Class "B" Beer and "Class C" Wine License application for A&V Custom Creations LLC d/b/a Board & Brush Creative Studio Appleton, Vanessa Schoen, Agent, located at 109 N Durkee St, contingent upon approval from Community Development, Health and Police departments.

Attachments: [Board and Brush Creative Studio Appleton.pdf](#)

This Report Action Item was approved.

[23-1068](#)

Class "B" Beer and "Class B" Liquor License Permanent Premise Amendment for Two Bucks Only II LLC d/b/a Maritime Bar, Daniel Burton, Agent, located at 336 W Wisconsin Ave, contingent upon approval from all departments.

Attachments: [Maritime Bar S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[23-1047](#)

Request to approve Special Use Permit #10-23 for a restaurant with alcohol sales and consumption use located at 1619 W. College Avenue, Suite A (Tax Id #31-3-0049-00), 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_1619WCollegeAv_SUP_For9-13-23.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[23-1092](#)

Request to approve Change Order #3 to contract 72-22 for Unit H-21 Redundant Raw Water Line to increase for unanticipated site conditions in the amount of \$200,000 resulting in a decrease to contingency from \$444,549.71 to \$244,549.71. No change to overall contract amount.

Attachments: [H-21 Change Order 3 memo.pdf](#)
[Unit H-21 Change Order No 3.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[23-1084](#)

Amend 2021D Stormwater Consulting Services Contract for Lightning Drive Extension Final Design with raSmith by an increase of \$27,500 for a total contract amount not to exceed \$159,500.

Attachments: [2021D Lightning Drive raSmith Amend Memo 09-12-23 Util Cmte FINAL_r1.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[23-1072](#)

Authorization to Purchase Office Furniture

Attachments: [Whitman Office Furniture Purchase.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

[23-1042](#)

Policy AHD001_Creation and Maintenance of Policies

Attachments: [AHD001_Creation and Maintenance of Policies_09.06.2023.pdf](#)

This Report Action Item was approved.

[23-1043](#)

Proposed City Ordinance Update: Chapter 11, Manufactured and Mobile Homes and Mobile Home Communities

Attachments: [0884 - BoH Memo.pdf](#)
[Chapter 11 Manufactured Homes Ordinance Update.pdf](#)

This Report Action Item was approved.

[23-1044](#)

Proposed City Ordinance Update: Chapter 9, Article XVIII. Tattoo and Body Piercing Establishments

Attachments: [Article XVIII Tattoo and Body Piercing Establishments Memo.pdf](#)
[Article XVIII Tattoo and Body Piercing Establishments Ordinance Change Proposal.pdf](#)

This Report Action Item was approved.

[23-1054](#)

Noise Variance: Madison Middle School Construction

Attachments: [2023-2024 Conditional Noise Variance Request Boldt.pdf](#)

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[23-1094](#)

Ordinances #86-23 and #89-23

Attachments: [Ordinances to Council 9-20-23.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that the Ordinances be approved. 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

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

Aldersperson Hartzheim moved, seconded by Aldersperson Siebers, that the meeting be adjourned at 9:28 p.m. Roll Call. Motion carried by the following vote:

Aye: 16 - 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, Aldersperson Chad Doran and Mayor Jake Woodford

Kami Lynch, City Clerk