



# City of Appleton

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

## Meeting Agenda - Final-revised Common Council

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Wednesday, July 19, 2023

7:00 PM

Council Chambers

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- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES
  - [23-0788](#) Common Council Meeting Minutes of June 21, 2023
  - Attachments:* [CC Minutes 6-21-23.pdf](#)
- G. BUSINESS PRESENTED BY THE MAYOR
  - [23-0866](#) 2023 Flag Day Parade Awards
  - [23-0867](#) Proclamations:
    - Children's Week
    - Parks & Recreation Month*Attachments:* [Childrens Week Proclamation.pdf](#)  
[Parks and Recreation Month Proclamation.pdf](#)
  - [23-0868](#) Budget Process Overview
- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS

[23-0693](#) Public Hearing for Comprehensive Plan Map Amendment #1-23 Lawrence University from Public/Institutional Land Use to Central Business District Land Use

**Attachments:** [Public Hearing Notice Comp Plan Amend #1-23.pdf](#)

[23-0719](#) Public Hearing for Rezoning #3-23 Lawrence University from PI Public/Institutional District to CBD Central Business District

**Attachments:** [RZ #3-23 Notice of Public Hearing.pdf](#)

[23-0787](#) Public Hearing for Rezoning #4-23 The Heritage from PD/R-3 #G-98 Planned Development Multi-family District to R-3 Multi-family District

**Attachments:** [RZ #4-23 Notice of Public Hearing.pdf](#)

## J. SPECIAL RESOLUTIONS

[23-0769](#) Resolution Creating and Approving Project Plan for Tax Incremental District #13  
(Taken up under Consolidated Action Items)

**Attachments:** [Resolution Common Council TIF 13 .pdf](#)

[23-0831](#) Initial Resolution for the Street Vacation of E. Circle Street from N. Durkee Street to N. Drew Street  
(Taken up under Consolidated Action Items)

**Attachments:** [Circle Street Vacation - Initial Resolution - FINAL.pdf](#)

## K. ESTABLISH ORDER OF THE DAY

## L. COMMITTEE REPORTS

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[23-0759](#) Request from Rise Apartments LLC for a Permanent Street Occupancy Permit to install a 3' deep building awning 10' above the sidewalk grade in the W. Harris Street and N. Oneida Street right of way at 113 W. Harris Street.

**Attachments:** [2023.06.21 Rise Perm Street Occ Permit Application.pdf](#)

**Legislative History**

6/26/23	Municipal Services Committee	recommended for approval
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[23-0804](#) Approve Commercial Variance Process Services Contract for Large Projects to the E-Plan Exam.

**Attachments:** [Memo EPlan.pdf](#)  
[Contract Amendment\\_Information Materials.pdf](#)  
[E-Plan Exam - Fully Executed Contract.pdf](#)

**Legislative History**

7/10/23          Municipal Services          recommended for approval  
 Committee

[23-0805](#) Approve street vacation for a portion of E. Circle Street west of Drew Street and east of Durkee Street as shown on Exhibit "A".  
 (Taken up under Consolidated Action Items)

**Attachments:** [Circle Street Vacation.pdf](#)

**Legislative History**

7/10/23          Municipal Services          recommended for approval  
 Committee

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-0613](#) Class "B" Beer License application for Core's Lounge LLC d/b/a Core's Lounge, Kor Xiong, Agent, located at 1350 W College Ave Suite D.

**Attachments:** [Core's Lounge.pdf](#)  
[CoresLounge 2023 Lic Denial Letter.pdf](#)  
[Fact and Findings Document Cores Lounge Signed 7-17-2023.pdf](#)

**Legislative History**

6/14/23          Safety and Licensing          held  
 Committee

6/28/23          Safety and Licensing          recommended for denial  
 Committee

*The following spoke regarding this license application:  
 Amy Annen, 1334 W Washington St, Appleton WI 54914  
 Nate Jones, 1350 W Washington St, Appleton WI 54914*

[23-0824](#) Fire Department Service Agreement for Gold Cross Ambulance

**Attachments:** [Service Agreement for Gold Cross Ambulance.pdf](#)

**Legislative History**

7/12/23          Safety and Licensing          recommended for approval  
 Committee

*Nick Romenesko, 1920 Biscayne Dr, Little Chute appeared on behalf of Gold Cross and addressed the committee.*

[23-0825](#) Request to Accept Absentee Ballot Envelope Subgrant from the WEC

**Attachments:** [C Appleton 45201 \\$7559.83 Envelope Subgrant Award Ltr.pdf](#)

**Legislative History**

7/12/23 Safety and Licensing recommended for approval  
Committee

[23-0710](#) Temporary Class "B" Beer and "Class B" Liquor Premise Amendment application for TNE Inc d/b/a Emmett's Bar & Grill, Sharon Reader, Agent, located at 139 N Richmond St, on August 3-7, 2023, for Mile of Music, contingent upon approval from the Health and Inspections departments.

**Attachments:** [Emmetts Bar & Grill S&L.pdf](#)

**Legislative History**

6/28/23 Safety and Licensing recommended for approval  
Committee

[23-0739](#) Temporary Class "B" Beer and "Class B" Liquor License Premise Amendment application for DDCT, Inc d/b/a Jim's Place, Stacy Hoffman, Agent, located at 223 E College Ave, on August 3-6, 2023, contingent upon approval from the Inspections department.

**Attachments:** [Jim's Place S&L.pdf](#)

**Legislative History**

7/12/23 Safety and Licensing recommended for approval  
Committee

[23-0717](#) Request to apply for WE Energies Grant for EMS Supplies and Training Items

**Attachments:** [Request to Apply for WE Energies Grant for EMS Supplies and Training Items.d](#)

**Legislative History**

6/28/23 Safety and Licensing recommended for approval  
Committee

[23-0740](#) Temporary Class "B" Beer and "Class B" Liquor License Premise Amendment for Wooden Nickel Restaurant & Lounge Inc d/b/a Wooden Nickel Sports Bar & Grill, Anthony Mueller, Agent, located at 217 E College Ave, on August 3-6, 2023, contingent upon approval from the Inspections department.

**Attachments:** [Wooden Nickel S&L.pdf](#)

**Legislative History**

7/12/23 Safety and Licensing recommended for approval  
Committee

[23-0747](#) Class "A" Beer and "Class A" Liquor - Cider Only Change of Agent application for Kwik Trip Inc d/b/a Kwik Trip #639, Alexandra D Beck, New Agent, located at 2175 S Memorial Dr.

**Attachments:** [Alexandra D Beck S&L.pdf](#)

**Legislative History**

6/28/23 Safety and Licensing Committee recommended for approval

[23-0749](#) Temporary Class "B" Beer and "Class B" Liquor Premise Amendment application for Stone Arch Brewpub Inc, Steven Lonsway, Agent, located at 1004 S Olde Oneida St, on August 3-6, 2023, for Mile of Music, contingent upon approval from all departments.

**Attachments:** [Stone Arch Brewpub - Mile of Music S&L.pdf](#)

**Legislative History**

6/28/23 Safety and Licensing Committee recommended for approval

[23-0750](#) Temporary Class "B" Beer and Reserve "Class B" Liquor Premise Amendment for Fox Cities Performing Arts Center, Maria Van Laanen, Agent, located at 400 W College Ave, on August 16, 2023, contingent upon approval from all departments.

**Attachments:** [Fox Cities PAC S&L.pdf](#)

**Legislative History**

6/28/23 Safety and Licensing Committee recommended for approval

[23-0778](#) Class "B" Beer and "Class B" Liquor License application for Taste of Thai Fox Valley LLC d/b/a Taste of Thai, Chisa Jitmaiwong, Agent, located at 321 E College Ave, contingent upon approval from all departments.

**Attachments:** [Taste of Thai.pdf](#)

**Legislative History**

6/28/23 Safety and Licensing Committee recommended for approval

[23-0781](#) Class "B" Beer and "Class B" Liquor Permanent Premise Amendment application for WHW Gastropub LLC d/b/a Meade Street Bistro, Daniel J. Hoff Sr, Agent, located at 2729 N Meade St, contingent upon approval from the Health and Inspections departments.

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

**Legislative History**

7/12/23 Safety and Licensing Committee recommended for approval

[23-0789](#) Late Pet Store Renewal application for Wild Habitats, Brady Bartel, Applicant, located at 1350 W College Ave Ste B, contingent upon approval from the Inspections department.

**Attachments:** [Wild Habitats S&L.pdf](#)

**Legislative History**

7/12/23	Safety and Licensing Committee	recommended for approval
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[23-0790](#) Cigarette and Tobacco Products License application for James Holder d/b/a D8D Hemp, located at 2929 N Richmond St Ste 1.

**Attachments:** [D8D Hemp S&L.pdf](#)

**Legislative History**

7/12/23	Safety and Licensing Committee	recommended for approval
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[23-0801](#) Class "B" Beer and "Class B" Liquor Transfer of Premise application for Taste of Thai Fox Valley LLC d/b/a Taste of Thai, Chisa Jitmaiwong, Agent, New location at 1222 S Oneida St, contingent upon approval from the Community Development, Health, Inspections and Police departments.

**Attachments:** [Taste of Thai Transfer of Premise.pdf](#)

**Legislative History**

7/12/23	Safety and Licensing Committee	recommended for approval
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[23-0802](#) Class "B" Beer and "Class B" Liquor Permanent Premise Amendment application for Santino LLC d/b/a Houdini's Escape Gastropub, located at 1216 S Oneida St, contingent upon approval from the Community Development, Health, Inspections and Police departments.

**Attachments:** [Houdini's Escape S&L.pdf](#)

**Legislative History**

7/12/23	Safety and Licensing Committee	recommended for approval
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[23-0818](#) Late 2023-2024 Class "B" Beer License Renewal application for Hmong Express LLC d/b/a Hmong Express, Ka Ying Thao, Agent, located at 1216 N Division St, contingent upon approval from the Finance and Inspections departments.

**Attachments:** [Hmong Express.pdf](#)

**Legislative History**

7/12/23	Safety and Licensing Committee	recommended for approval
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### 3. MINUTES OF THE CITY PLAN COMMISSION

[23-0633](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-23 for the subject parcels located at 313, 315, and 319 E. College Avenue (Tax Id #31-2-0005-00), 321 E. College Avenue (Tax Id #31-2-0007-00), and vacant lots (Tax Id #31-2-0008-00 and 31-2-0009-00) located along E. College Avenue on the southwest corner of E. College Avenue and Drew Street from future Public/Institutional land use designation to future Central Business District land use designation as shown on the attached map and approve the attached Resolution

**Attachments:** [StaffReport LawrenceUniversity CompPlan+Rezoning For6-14-23.pdf](#)

**Legislative History**

6/14/23 City Plan Commission recommended for approval  
*Proceeds to Council on July 19, 2023.*

[23-0635](#)

Request to approve Rezoning #3-23 for the subject parcels located at 313, 315, and 319 E. College Avenue (Tax Id #31-2-0005-00) and vacant lots (Tax Id #31-2-0008-00 and 31-2-0009-00) located along E. College Avenue on the southwest corner of E. College Avenue and Drew Street, including to the centerline of the adjacent street and alley right-of-way, as shown on the attached maps, from P-I Public Institutional District to CBD Central Business District

**Attachments:** [StaffReport LawrenceUniversity CompPlan+Rezoning For6-14-23.pdf](#)

**Legislative History**

6/14/23 City Plan Commission recommended for approval  
*Proceeds to Council on July 19, 2023.*

[23-0732](#)

Request to approve Special Use Permit #8-23 to conform and expand a community living arrangement (CLA) a/k/a community based residential facility (CBRF) located at 2600 S. Heritage Woods Drive (Tax Id #31-8-2020-00 & 31-8-2025-00) serving a total capacity of 51 persons, 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 2600SHeritageWoodsDr SUP For6-28-23.pdf](#)

**Legislative History**

6/28/23 City Plan Commission recommended for approval

[23-0734](#)

Request to approve Rezoning #4-23 for the subject site located at 2600 S. Heritage Woods Drive (Tax Id #31-8-2020-00 & 31-8-2025-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from PD/R-3 Planned Development Amendment #G-98 Multi-family District to R-3 Multi-family District

**Attachments:** [StaffReport 2600SHeritageWoodsDr Rezoning For6-28-23.pdf](#)

**Legislative History**

6/28/23 City Plan Commission recommended for approval

[23-0736](#)

Request to approve Resolution designating the proposed district boundaries and approving the Project Plan for Tax Incremental Financing District #13 in Southpoint Commerce Park, City of Appleton, Wisconsin (Taken up under Consolidated Action Items)

**Attachments:** [Resolution\\_City Plan Commission\\_TIF 13.pdf](#)  
[Updated Page 9 for TIF District 13 Project Plan.pdf](#)  
[TIF District 13 Project Plan DRAFT June 28 2023.pdf](#)  
[Resolution\\_Common Council\\_TIF 13 .pdf](#)

**Legislative History**

6/28/23 City Plan Commission recommended for approval  
*Staff stated some changes were made to some of the figures listed under Section 4 on Page 9 of the project plan. The updated Page 9 with the proposed changes in red font was distributed to the Commission. The updated project plan (now incorporating the changes to Page 9) is attached.*

[23-0737](#)

Request to approve the dedication of land for public right-of-way for portions of N. Providence Avenue and E. Baldeagle Drive located adjacent to N. Lightning Drive as shown on the attached maps

**Attachments:** [StaffReport\\_ProvidenceBaldeagle\\_StreetDedication\\_For6-28-23.pdf](#)

**Legislative History**

6/28/23 City Plan Commission recommended for approval

[23-0793](#)

Request to approve Special Use Permit #9-23 for an automobile sales and display lot located at 1524 W. Civic Street (Tax Id #31-3-0124-00), 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\\_1524WCivicSt\\_SUP\\_For7-12-23.pdf](#)

**Legislative History**

7/12/23 City Plan Commission recommended for approval

[23-0795](#)

Request to approve the street discontinuance to vacate a portion of E. Circle Street public right-of-way located west of N. Drew Street and east of N. Durkee Street and adopt the Initial Resolution and exhibit map (Taken up under Consolidated Action Items)

**Attachments:** [StaffReport\\_ECircleSt\\_StreetVacation\\_For7-12-23.pdf](#)

**Legislative History**

7/12/23 City Plan Commission recommended for approval

[23-0823](#)

Request to approve the location of the proposed Sexual Assault Survivors Monument within Ellen Kort Peace Park, per Wis. State Statute §62.23(5), as shown on the attached plans (Taken up under Consolidated Action Items)

**Attachments:** [Memo\\_Plan Commission SexualAssaultSurvivorMonument\\_For7-12-23.pdf](#)

**Legislative History**



7/12/23 City Plan Commission recommended for approval

#### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[23-0809](#) Action: Adopt the Proposed Revised Reid Golf Course and Appleton Memorial Park Stormwater Utility Agreements for Stormwater Ponds

**Attachments:** [AMP and Reid Stormwater Pond Utility Agreements.pdf](#)

**Legislative History**

7/10/23 Parks and Recreation Committee recommended for approval

[23-0811](#) Request Approval of the Final Design - Sexual Assault Survivors Monument - Placed Within Ellen Kort Peace Park  
(Taken up under Consolidated Action Items)

**Attachments:** [Park&RecMemo\\_SexualAssaultSurvivorsMonument\\_FinalDesign.pdf](#)

**Legislative History**

7/10/23 Parks and Recreation Committee recommended for approval

#### 5. MINUTES OF THE FINANCE COMMITTEE

[23-0771](#) CEA Review Committee Report

**Attachments:** [CEA Minutes 6-12-23.pdf](#)

**Legislative History**

6/26/23 Finance Committee recommended for approval

[23-0772](#) Request to apply for a Safe Drinking Water Loan and to approve a Resolution declaring official intent to reimburse expenditures for loan disbursement payments.

**Attachments:** [Memo SDWLP Application Resolution.pdf](#)

[CensusTracts.pdf](#)

[Resolution - Intent to Reimburse.pdf](#)

**Legislative History**

6/26/23 Finance Committee recommended for approval

[23-0773](#) Request to reject bid from Kiefer U.S.A. for the 2023 Memorial Park Miracle League Field Resurfacing Project.

**Attachments:** [2023 Memorial Park Miracle League Field Resurfacing Project \(Reject Bids\).pd](#)

**Legislative History**

6/26/23 Finance Committee recommended for approval

[23-0777](#)

Request to award the City of Appleton's 2023 Dance Studio Flooring contract to CMG Flooring, in the amount of \$65,943 with a contingency of \$10,000 for a project total not to exceed \$75,943, along with the following budget amendment:

2023 City Hall Elevator Project	- \$100,000
2023 Dance Studio Move/Construction	+ \$100,000

To record costs related to the Dance Studio relocation project (2/3 vote of Council required)

**Attachments:** [2023 Dance Studio Floor.pdf](#)

**Legislative History**

6/26/23          Finance Committee          recommended for approval

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

[23-0783](#)

**\*\*CRITICAL TIMING\*\*** Request to approve Amendment #6 to the Offer to Purchase from Hayden Properties, LLC to purchase Lot 26 (Tax Id #31-9-5712-26), Lot 27 (Tax Id #31-9-5712-27), Lot 28 (Tax Id #31-9-5712-28) and Lot 29 (Tax Id #31-9-5712-29) Southpoint Commerce Park Plat No. 3 and Tax Id #31-9-5712-00 to modify and amend the property purchased by replacing Exhibit A with the new Exhibit A comprising approximately 16 acres (Associated with File #23-0784)

**Attachments:** [Hayden Properties LLC Amendment 6 to OTP Memo\\_7-12-23.pdf](#)  
[Buyer Signed 6th Amendment to OTP + New Exhibit A Hayden Properties.pdf](#)  
[Hayden Properties Accepted OTP 10-20-21.pdf](#)  
[Hayden Properties II Executed Amendment 1.pdf](#)  
[Hayden Properties II Executed Amendment 2.pdf](#)  
[Hayden Properties II Executed Amendment 3.pdf](#)  
[Hayden Properties II Executed Amendment 4.pdf](#)  
[Hayden Properties II Executed Amendment 5.pdf](#)  
[Subject Area Map\\_Southpoint\\_16 Acres.pdf](#)

**Legislative History**

7/12/23          Community & Economic          recommended for approval  
 Development Committee

[23-0784](#)

**\*\*CRITICAL TIMING\*\*** Request to approve the Offer to Purchase from F Street Manager 3, LLC to purchase a portion of the vacant land described as Lot 26 (Tax Id #31-9-5712-26), Lot 27 (Tax Id #31-9-5712-27), Lot 28 (Tax Id #31-9-5712-28) and Lot 29 (Tax Id #31-9-5712-29) Southpoint Commerce Park Plat No. 3 and Tax Id #31-9-5712-00, such portion consisting of approximately 14 acres, as shown on the attached Exhibit A, at a purchase price of \$574,000.00 (\$41,000 per acre) (Associated with File #23-0783)

**Attachments:** [Buyer Signed OTP + Addendum Adjacent Excess Land 14 Acres F Street Ma](#)  
[Exhibit A Subject Area Map Southpoint 14 Acres.pdf](#)

**Legislative History**

7/12/23	Community & Economic Development Committee	recommended for approval
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**7. MINUTES OF THE UTILITIES COMMITTEE**

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

[23-0753](#)

APD Reorganization.

**Attachments:** [Support Services Memo.pdf](#)  
[Police DRAFT 5.4.23.pdf](#)  
[Professional Development Administrative Specialist.pdf](#)

**Legislative History**

6/28/23	Human Resources & Information Technology Committee	recommended for approval
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[23-0827](#)

Changes to the Table of Organization for Health and Community and Economic Development.

**Attachments:** [2023.07.5\\_HealthTOChange\\_c.pdf](#)  
[Community Health Supervisor.pdf](#)  
[Health Department Draft 7.5.23.pdf](#)  
[Community & Economic Development Draft 7.05.23.pdf](#)

**Legislative History**

7/12/23	Human Resources & Information Technology Committee	recommended for approval
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**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

[23-0762](#) Authorization to Purchase Replacement Bus Shelters

**Attachments:** [Bus Shelter purchase memo and quotes.pdf](#)

**Legislative History**

6/27/23	Fox Cities Transit Commission	recommended for approval
6/27/23	Fox Cities Transit Commission	amended

*Amended to include optional solar panels.*

[23-0763](#) Authorization to enter into the First Option Year Extension with Star Protection and Patrol for Security Services at the Downtown Transit Center

**Attachments:** [Star Protection Memo.pdf](#)  
[Star Protection 2023- Proposal For Price Increase.pdf](#)

**Legislative History**

6/27/23	Fox Cities Transit Commission	recommended for approval
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**10. MINUTES OF THE BOARD OF HEALTH**[23-0815](#) Changes to the Table of Organization for Health and Community and Economic Development

**Attachments:** [2023.07.5\\_HealthTOChange\\_0.pdf](#)  
[TableOrganizationHealthDepartment7.5.23.pdf](#)  
[CommunityHealthSupervisor\\_JobDescription.pdf](#)  
[TableOrganizationCommEconDevDept7.5.23.pdf](#)  
[CoordinatedEntrySpecialist\\_JobDescription.pdf](#)

**Legislative History**

7/12/23	Board of Health	recommended for approval
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**M. CONSOLIDATED ACTION ITEMS**[23-0859](#) Consolidated Action Items: E. Circle Street Vacation  
*Item 23-0805* Municipal Services Committee  
*Item 23-0795* City Plan Commission  
*Item 23-0831* Initial Resolution (Special Resolutions)[23-0861](#) Consolidated Action Items: Tax Incremental District #13  
*Item 23-0736* City Plan Commission  
*Item 23-0769* Common Council Resolution (Special Resolutions)

- [23-0865](#)      Consolidated Action Items: Sexual Assault Survivors Monument in Ellen Kort Peace Park  
*Item 23-0823 City Plan Commission*  
*Item 23-0811 Parks & Recreation Committee*

N.      ITEMS HELD

O.      ORDINANCES

- [23-0832](#)      Ordinances #20-23 to #85-23

**Attachments:** [Ordinances to Council 7-19-23.pdf](#)

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

Kami Lynch, City Clerk

*Reasonable accommodations for persons with disabilities will be made upon request and if feasible.*

*Remote meeting attendance may be permitted pursuant to Section 2-29 of the Appleton Municipal Code and Rules of Council.*