



# 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, August 21, 2024

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

[24-1058](#) Common Council Meeting Minutes of August 7, 2024

**Attachments:** [CC Minutes 8-7-24.pdf](#)

G. BUSINESS PRESENTED BY THE MAYOR

[24-1093](#) Confirmation of Appointment - Police & Fire Commission

**Attachments:** [August 21 2024 Council Appointments Memo.pdf](#)

[24-1128](#) Metropolitan Planning Organization (MPO) Policy Board

**Attachments:** [8.21.24 MPO Policy Board Memo.pdf](#)

[24-1094](#) Women's Equality Day Proclamation

**Attachments:** [Women's Equality Proclamation 2024.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[24-1072](#) Initial Resolution for the Street Vacation of N. Sampson Street, South of E. Winnebago Street  
(Taken up under Consolidated Action Items)

**Attachments:** [Sampson Street - Initial Resolution - Final.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[24-1036](#) Approve Boldt Permanent Street Occupancy Permit and Sign Permit for 5 Awnings in College Avenue Right-of-Way Associated with the Fox Commons Project

**Attachments:** [Location 1 Awning Applications.pdf](#)

[Location 2 Awning Applications.pdf](#)

[Location 3 Awning Applications.pdf](#)

[Location 4 Awning Applications.pdf](#)

[Main Entrance Awning Applications.pdf](#)

**Legislative History**

8/12/24	Municipal Services Committee	recommended for approval
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[24-1037](#) Approve Findorff Long Term Temporary Street Occupancy Permit in Oneida Street and City Center Street for Fox Commons Construction

**Attachments:** [J.H Findorff - City Center St - long term permit 9-6-24.pdf](#)

**Legislative History**

8/12/24	Municipal Services Committee	recommended for approval
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[24-1038](#) Approve RODAC Long Term Temporary Street Occupancy Permit for dumpster within Morrison Street parking lane north of College Ave through 11/15/2024

**Attachments:** [RODAC - long-term occupancy permit 9-14-24.pdf](#)

**Legislative History**

8/12/24	Municipal Services Committee	recommended for approval
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[24-1039](#) Award of Contract for Land Acquisition Services for Lawe Street reconstruction to Moss & Associates, in an amount not to exceed \$217,000

**Attachments:** [MSC Memo Land Acquisition services Lawe St 08-12-2024.pdf](#)

**Legislative History**



[24-1050](#) Amendment Request - Service Contract for Traffic Signal Control and Management Software

**Attachments:** [SISP Contract Award Amendment Memo.pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee

[24-1051](#) Variance Request for Driveway Extension - 3039 N. Ballard Rd

**Attachments:** [3039 N Ballard Rd Drive Extension Variance Request Memo.pdf](#)

**Legislative History**

8/12/24 Municipal Services recommended for approval  
Committee  
*Staff's recommendation to deny the variance was recommended for approval.*

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0834](#) Non-Renewal of the Class "B" Fermented Malt Beverage & "Class B" Liquor License for Corner Pub, 1123 N Mason Street. Kim Williams, Agent.

**Attachments:** [Corner Pub Alcohol Lic Non-Renewal MEMO - Atty.pdf](#)

[2024 Corner Pub Non-Renewal Hearing Notice.pdf](#)

[2023 Non-Use of License Letter- Corner Pub.pdf](#)

[CORNER\\_PUB 2023 Inspection Report.pdf](#)

[CORNER\\_PUB 2024 Inspection Report.pdf](#)

[Corner Pub 2024.2025 Renewal.pdf](#)

[Kim Williams-inspection letter.pdf](#)

[Inspections S&L Memo- Corner Pub 7-9-2024.pdf](#)

[7-10-24 - Corner Pub- Report of S&L to Common Council.pdf](#)

[Council Follow-up Memo CornerPub 7-15-24.pdf](#)

[7-24-24 Corner Pub Report of S&L to Council.pdf](#)

[8-14-24 Corner Pub S&L Findings of Fact.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing held  
Committee  
*Kim Williams addressed the committee*

7/10/24 Safety and Licensing recommended for approval  
Committee  
*Motion failed 2/3*

7/10/24	Safety and Licensing Committee	recommended for approval
	<i>Approve a 60 day extension (commencing July 10th) for the licensee to complete remaining work to reopen the business and for the alcohol license to no longer be deemed abandoned.</i>	
	<i>Motion failed 2/3.</i>	
7/10/24	Safety and Licensing Committee	recommended for approval
	<i>Approve the non-renewal of the alcohol license in accordance with the findings of the attached report.</i>	
	<i>Motion carried 3/2.</i>	
7/17/24	Common Council	referred to the Safety and Licensing Committee
7/24/24	Safety and Licensing Committee	recommended for approval
	<i>Recommend approval of the non-renewal of the license. Motion Failed 2/3</i>	
7/24/24	Safety and Licensing Committee	recommended for approval
	<i>Extend the license abandonment period to August 15th 2024. Motion Carried 3/2.</i>	
7/24/24	Safety and Licensing Committee	amended
	<i>Further extend abandonment to August 31st. Motion Failed 2/3</i>	
8/7/24	Common Council	referred to the Safety and Licensing Committee
8/14/24	Safety and Licensing Committee	recommended for approval
	<i>Motion to approve the renewal of the alcohol license. Passed 4/1</i>	

[24-0986](#)

Class "B" Beer and Reserve "Class B" Liquor License Permanent Premises Amendment application for Rye Inc d/b/a Rye Restaurant, Nicolas Morse, Agent, located at 308 W. College Ave, contingent upon approval from all departments.

**Attachments:** [Rye Restaurant Premise Amend. 2024.pdf](#)

**Legislative History**

8/14/24	Safety and Licensing Committee	recommended for approval
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[24-0987](#)

Class "A" Beer and "Class A" Liquor License application for Dolgencorp LLC d/b/a Dollar General #6535, John Greene, Agent, located at 1320 W. Wisconsin Ave.

**Attachments:** [Dollar General 6535 Redacted.pdf](#)

**Legislative History**

8/14/24	Safety and Licensing Committee	recommended for approval
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[24-0988](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Dolgencorp LLC d/b/a Dollar General #6535, John Greene, Agent, located at 1320 W. Wisconsin Ave.

**Attachments:** [Dollar General 6535 Tob Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0989](#) Class "A" Beer and "Class A" Liquor License application for Dolgencorp LLC d/b/a Dollar General #21851, John Greene, Agent, located at 1010 W. College Ave.

**Attachments:** [Dollar General 21851 Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0990](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Dolgencorp LLC d/b/a Dollar General #21851, John Greene, Agent, located at 1010 W. College Ave.

**Attachments:** [Dollar General 21851 Tob Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0992](#) Class "B" Beer and Reserve "Class B" Liquor License Temporary Premises Amendment application for The Trout Museum of Art Inc d/b/a Trout Museum of Art, Christina Turner, Agent, located at 111 W. College Ave on Sept. 5, 2024 from 6 p.m. to 10 p.m. for Party for museum, contingent upon approval from the Health, Inspections, and Public Works Departments.

**Attachments:** [Trout Museum Premise Amend. 9.5.24.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0993](#) Class "B" Beer and Reserve "Class B" Liquor License Temporary Premises Amendment application for Fox Cities Performing Arts Center Inc d/b/a Fox Cities Performing Arts Center, Maria Van Laanen, Agent, located at 400 W. College Ave, on August 21, 2024 from 3 p.m. to 9 p.m. for outdoor cookout Event, contingent upon approval from all departments.

**Attachments:** [Fox Cities PAC Temp Premise Amend 8.21.24.pdf](#)

[Temp Premises Amendment - PAC - Special Issuance Order 8.19.24.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-0994](#) Class "B" Beer and Reserve "Class B" Liquor License Temporary Premises Amendment application for Fox Cities Performing Arts Center Inc d/b/a Fox Cities Performing Arts Center, Maria Van Laanen, Agent, located at 400 W. College Ave, on October 4, 2024 from 4 p.m. to 1- p.m. for fundraiser Event, contingent upon approval from all departments.

**Attachments:** [Fox Cities PAC Temp Premise Amend 10.4.24.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1004](#) Class "B" Beer & Reserve "Class B" Liquor License application for Rivera Restaurants LLC d/b/a Mr. Frogs on the Ave, Vanessa Alvarado, Agent, located at 409 W. College Ave, contingent upon approval from the Health, Inspections, and Public Works departments.

**Attachments:** [Rivera Restaurants LLC Reserve Class B Combo Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1006](#) Class "B" Beer and Reserve "Class B" Liquor License application for Gonzalez Mexican Grill LLC d/b/a Gonzalez Mexican Grill, Carolina Gonzalez Ramirez, Agent, located at 2190 S. Memorial Dr, contingent upon approval from the Finance, Inspections, and Public Works departments.

**Attachments:** [Gonzalez Mexican Grill LLC Class B Reserve Combo Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1009](#) Class "B" Beer License application for Lilac Enterprise LLC d/b/a May's Kitchen, May Vang, Agent, located at 1804 S. Lawe St. Ste 204.

**Attachments:** [May's Kitchen Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1010](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Jaliyan Gas LLC d/b/a Wisconsin Avenue Pantry, Nilesh Patel, Agent, located at 111 W. Wisconsin Ave.

**Attachments:** [Wisconsin Ave Pantry CTV Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1011](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Swami LLC d/b/a Northland Amoco, Kanu Patel, Agent, located at 800 E. Northland Ave.

**Attachments:** [Northland Amoco Tobacco Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

[24-1012](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Sai Krupa LLC d/b/a Richmond Citgo, Niles Patel, Agent, located at 1601 N. Richmond St.

**Attachments:** [Richmond Citgo Tobacco Redacted.pdf](#)

**Legislative History**

8/14/24 Safety and Licensing Committee recommended for approval

### 3. MINUTES OF THE CITY PLAN COMMISSION

[24-1032](#) Request to approve the street discontinuance to vacate a portion of N. Sampson Street public right-of-way located south of E. Winnebago Street and adopt the Initial Resolution and exhibit map

**Attachments:** [StaffReport NSampsonSt StreetVacation For8-14-24.pdf](#)

**Legislative History**

8/14/24 City Plan Commission recommended for approval

[24-1033](#) Request to approve the land disposition of the land locked parcel located between E. Winnebago Street and Bellaire Court (Tax Id #31-1-1275-00), in accordance with Wis. Stat. §62.23(5) pertaining to surplus of public lands, as shown on the attached map

**Attachments:** [DispositionofSurplusLand MemotoCPC For8-14-24.pdf](#)

**Legislative History**

8/14/24 City Plan Commission recommended for approval

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

[24-1054](#) 2024 Reid Irrigation Update Memo

**Attachments:** [2024 Reid Irrigation Update Memo.pdf](#)

[2024 Reid Irrigation Update Sole Source Request.pdf](#)

**Legislative History**

8/12/24 Parks and Recreation Committee recommended for approval



[24-1055](#) Irish Fest - Request Private Event Memo

**Attachments:** [Irish Fest - Request Private Event Memo.pdf](#)

**Legislative History**

8/12/24	Parks and Recreation Committee	recommended for approval
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*Approval of action as noted in the 8/12/2024 memo*

[24-1057](#) Mom Prom Memo - Raffle License

**Attachments:** [Mom Prom Memo - Raffle License.pdf](#)

**Legislative History**

8/12/24	Parks and Recreation Committee	recommended for approval
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*Approve request to obtain a raffle license for event as set forth in memo.*

**5. MINUTES OF THE FINANCE COMMITTEE**[24-0972](#) Resolution #8-R-24 to Require a Super Majority Vote on Wheel Tax or Wheel Tax Related Fee Increases

**Attachments:** [#8-R-24 Require Super Majority Vote on Wheel Tax Fee Changes.pdf](#)

**Legislative History**

7/22/24	Finance Committee	held
8/12/24	Finance Committee	recommended for approval

[24-1063](#) Request to approve to de-obligate a portion of two existing ARPA fund allocations and re-obligate to Human Resources Strategic Planning Project

**Attachments:** [Finance Committee Memo - HR Strategic Planning ARPA.pdf](#)

**Legislative History**

8/12/24	Finance Committee	recommended for approval
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[24-1064](#) Request to approve State/Municipal Financial Agreement for I-41/Ballard Interchange Project (2025 City Cost Share \$435,200).

**Attachments:** [I-41 Ballard SMFA Finance Memo w Attachment 08-12-2024.pdf](#)

**Legislative History**

8/12/24	Finance Committee	recommended for approval
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[24-1069](#)

Request to approve the following budget amendments:

**Valley Transit Fund**

Federal Grants (RAISE)	+\$25,000,000
Federal Grants (ARPA)	+\$ 1,800,000
Buildings	+\$26,800,000

To fund Transit Center reconstruction project with grant funds (2/3 vote of Council required)

**Valley Transit Fund**

Federal Grants (Section 5339b)	+\$15,000,000
Buildings	+\$15,000,000

To fund Whitman facility remodel with grant funds (2/3 vote Council required)

**Valley Transit Fund**

Federal Grants (Cares Act)	+\$4,191,645
Buildings	+\$4,191,645

To fund Whitman facility remodel with grant funds (2/3 vote of Council required)

**Legislative History**

8/12/24      Finance Committee      recommended for approval

6.      **MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE**
7.      **MINUTES OF THE UTILITIES COMMITTEE**
8.      **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**
9.      **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

[24-0976](#)

Authorization to Accept Fiscal Year 2024 Federal 5339 (b) Funds for \$12,000,000 for the Whitman Facility Remodel Phase 2

**Attachments:** [FY24 Bus Grant Award for Appleton - Congratulations! email .pdf](#)

**Legislative History**

7/23/24      Fox Cities Transit      recommended for approval  
 Commission  
*Proceeds to Council on August 21, 2024.*

8/12/24      Finance Committee      recommended for approval

[24-0977](#) Authorization to Accept Fiscal Year 2024 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant for \$25,000,000 for the Downtown Appleton Regional Transit Multimodal Hub

**Attachments:** [2024 RAISE Grant Award letter.pdf](#)

**Legislative History**

7/23/24	Fox Cities Transit Commission	recommended for approval
	<i>Proceeds to Council on August 21, 2024.</i>	
8/12/24	Finance Committee	recommended for approval

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

[24-1022](#) Policy Review: N200 Child Passenger Safety Program

**Attachments:** [POL\\_N200\\_Child Passenger Safety Program DRAFT.pdf](#)  
[POL\\_N200\\_Attachments.pdf](#)

**Legislative History**

8/14/24	Board of Health	recommended for approval
	<i>Presented by Deputy Director, Sonja Jensen.</i>	

*A motion was made by Alderperson Vaya Jones, seconded by Alderperson Nate Wolff, that Policy Review: N200 Child Passenger Safety Program was recommended for approval. The motion carried by the following vote:*

[24-1026](#) Animal Ordinance Memorandum

**Attachments:** [2024.08.02 AnimalOrdinanceMemorandum a.pdf](#)

**Legislative History**

8/14/24	Board of Health	recommended for approval
	<i>Presented by Health Officer, Charles Sepers.</i>	

*A motion was made by Alderperson Nate Wolff, seconded by Deborah Werth, that Animal Ordinance Memorandum was recommended for approval. The motion carried by the following vote:*

**M. CONSOLIDATED ACTION ITEMS**

[24-1092](#) Street Vacation for N Sampson Street Consolidated Action Items  
 24-1032 City Plan Commission - *recommended for approval*  
 24-1046 Municipal Services Committee - *recommended for approval*  
 24-1072 Initial Resolution

**N. ITEMS HELD**

**O. ORDINANCES**

[24-1090](#) Ordinances #100-24 & #101-24

**Attachments:** [Ordinances to Council 8-21-24.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.*