



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, June 15, 2022

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 Meltzer

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, 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

Excused: 1 - Alderperson Maiyoua Thao

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All Departments were represented and the Library was excused.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[22-0774](#)

Common Council Meeting Minutes of June 1, 2022

Attachments: [CC Minutes 6-1-22.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Van Zeeland, 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 Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Excused: 1 - Alderperson Maiyoua Thao

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[22-0779](#) Library Board Appointments

Attachments: [Appointments Memo 6'15'2022.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Meltzer, that the appointments 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 Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Maiyoua Thao

Abstained: 1 - Mayor Jake Woodford

[22-0780](#) Aldersperson Committee Replacement Appointment

Attachments: [Alder Committee Replacement Memo.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Thyssen, that the Committee replacement 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 Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Maiyoua Thao

Abstained: 1 - Mayor Jake Woodford

[22-0781](#) City Assessor Recommendation

Attachments: [City Assessor Recommendation to Council Memo.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Hartzheim, that the City Assessor recommendation 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 Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Excused: 1 - Alderperson Maiyoua Thao

Abstained: 1 - Mayor Jake Woodford

[22-0783](#)

Proclamations
- Make Music Day
- Dump the Pump Day

Attachments: [Make Music Day Proclamation.pdf](#)
[Dump the Pump Day Proclamation.pdf](#)

[22-0782](#)

Presentation from the League of Wisconsin Municipalities

H. PUBLIC PARTICIPATION

*The following spoke regarding Items #22-0613 & 22-0615 of City Plan Commission:
Aaron Soto, N1423 Fawn Ridge Dr
Mary Fuller, Providence Ave Condominium*

I. PUBLIC HEARINGS

[22-0603](#)

Public Hearing for Comprehensive Plan Map Amendment #2-22 Apostolic Truth Church from One and Two Family Residential and Multi-Family Land Use to Public Institutional Land Use

Attachments: [Public Hearing Notice Comp Plan Amend #2-22.pdf](#)

The public hearing was held, no one spoke during the hearing.

[22-0604](#)

Public Hearing for Rezoning #3-22 for Apostolic Truth Church from R-1A Single-Family District to P-I Public Institutional District

Attachments: [RZ #3 22 Notice of Public Hearing.pdf](#)

The public hearing was held, no one spoke during the hearing.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[22-0613](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-22 for the subject parcel located on N. French Road, bordered by E. Glory Lane, N. Providence Avenue, and E. Ashbury Drive (Tax Id #31-1-7400-00) from future One and Two-Family Residential land use designation and Multi-Family land use designation to Public Institutional land use designation as shown on the attached map and approve the attached Resolution

Attachments: [StaffReport_ApostolicChurch_CompPlan+Rezoning_For05-11-22.pdf](#)
[Paula Meyer Email.pdf](#)
[Neighborhood Brochure From Apostolic Truth Church.pdf](#)

Aldersperson Alfheim moved, seconded by Aldersperson Croatt, that the Comprehensive Plan Amendment be approved. Roll Call. Motion carried by the following vote:

Aye: 9 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Maiyoua Thao

Abstained: 6 - Aldersperson Vered Meltzer, Aldersperson Denise Fenton, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Nate Wolff and Mayor Jake Woodford

[22-0615](#)

Request to approve Rezoning #3-22 for the subject parcel located on N. French Road, bordered by E. Glory Lane, N. Providence Avenue, and E. Ashbury Drive (Tax Id #31-1-7400-00), including the adjacent one-half (1/2) right-of-way, as shown on the attached maps, from R-1A Single-Family District to P-I Public Institutional District

Attachments: [StaffReport_ApostolicChurch_CompPlan+Rezoning_For05-11-22.pdf](#)
[Paula Meyer Email.pdf](#)
[Neighborhood Brochure From Apostolic Truth Church.pdf](#)

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

Aye: 9 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Maiyoua Thao

Abstained: 6 - Aldersperson Vered Meltzer, Aldersperson Denise Fenton, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Nate Wolff and Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Van Zeeland moved, Aldersperson Hartzheim seconded, to approve the balance of the agenda. The 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 Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Maiyoua Thao

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[22-0723](#)

Anticipated award for Unit Q-22 Pavement Marking Contract (Paint). Bids to be opened Monday, May 23, 2022.

Attachments: [Anticipated award for Unit Q-22 Pavement Marking Contract.pdf](#)

This Report Action Item was approved.

[22-0754](#)

Approve proposed parking changes on S. Driscoll Street (between Charles Street and the railroad tracks). Follow-up to six month trial period.

Attachments: [Parking change on S. Driscoll St.pdf](#)

This Report Action Item was approved.

[22-0755](#)

Possible 6-Month trial for parking changes on Pacific Street (Drew Street to Lawe Street).

Attachments: [Parking change on Pacific St..pdf](#)
[Emails -Pacific St-Drew St to Lawe St.pdf](#)

The Committee's recommendation to deny was approved.

[22-0756](#)

Approve proposed ordinance changes related to the A-22 Appleton Street Reconstruction Project.

Attachments: [A-22 Appleton Street Project.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[22-0679](#)

Class "B" Beer and "Class B" Liquor License application for Dairyland Brew Pub LLC, Michele Preston, Agent, located at 1216 E Wisconsin Ave, contingent upon approval from the Finance and Health departments.

Attachments: [Dairyland Brew Pub LLC.pdf](#)

This Report Action Item was approved.

[22-0727](#)

"Class A" Liquor License application for Depu LLC d/b/a Northland Mobil, Chiranjibi Lamichhane, Agent, located at 105 W Northland Ave.

Attachments: [Northland Mobil.pdf](#)

This Report Action Item was approved.

[22-0728](#)

"Class A" Liquor License application for BSS Corporation d/b/a Richmond Mobil, Buddi Subedi, Agent, located at 3401 N Richmond St.

Attachments: [Richmond Mobil.pdf](#)

This Report Action Item was approved.

[22-0729](#)

"Class A" Liquor License application for Jaliyan Gas LLC d/b/a Wisconsin Avenue Pantry, Nilesh M Patel, Agent, located at 111 W Wisconsin Ave.

Attachments: [Wisconsin Avenue Pantry.pdf](#)

This Report Action Item was approved.

[22-0730](#)

"Class A" Liquor License application for Sai Krupa LLC d/b/a Richmond St Citgo, Nilesh Patel, Agent, located at 1601 N Richmond St.

Attachments: [Richmond St Citgo.pdf](#)

This Report Action Item was approved.

[22-0737](#)

Salvage Dealer License renewal application for Mach IV Motors LLC, Kara Tullberg, Applicant, located at 600 E Hancock St, contingent upon approval from the Inspections department.

Attachments: [Mach IV Motors S&L.pdf](#)

This Report Action Item was approved.

[22-0763](#)

Class "B" Beer and "Class B" Liquor License Change of Agent application for Lawrence University d/b/a Viking Room, Brittany M. Bell, New Agent, located at 615 E College Ave.

Attachments: [Brittany M Bell S&L.pdf](#)

This Report Action Item was approved.

[22-0767](#)

Additional 2022-2023 Mechanical Amusement Device License renewals, contingent upon approval from all departments by 12:00 p.m. on June 30, 2022.

Attachments: [Additional Amusement Device renewals 2022-23.pdf](#)

This Report Action Item was approved.

[22-0768](#)

Additional 2022-2023 Cigarette and Tobacco Products License renewals.

Attachments: [Additional Cigarette renewals 2022-23.pdf](#)

This Report Action Item was approved.

[22-0770](#)

Additional 2022-2023 Alcohol License Renewal applications, contingent upon approvals from all departments by 12:00 p.m. on June 30, 2022.

Attachments: [2022-23 Alcohol License Renewals-4th set.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[22-0749](#)

Request to approve Special Use Permit #6-22 for a car wash use located at 3200 E. Express Court (Tax Id #31-4-5568-00), as shown on the attached materials 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_Peak Car Wash_SUP_For06-08-22.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**5. MINUTES OF THE FINANCE COMMITTEE****6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE****[22-0786](#)**

Request for a variance to the Deed Restrictions and Covenants to allow the transfer of Lots 30, 31, 32 and 33 in Southpoint Commerce Park Plat 3 and Lot 1 of CSM #3978 from F Street Appleton 2, LLC to F Street Appleton 3, LLC and to extend the requirement to commence construction of a building on these lots from the required 12 months from said transfer to 36 months; this waiver is not transferable, survivable, or assignable and the City's repurchase rights remain on the property

Attachments: [F Street 2 Variance Request Memo 6-15-22.pdf](#)
[Variance Request Email F Street 6-10-22.pdf](#)
[CSM 3978.pdf](#)
[570928 - Deed & Receipt.pdf](#)
[SPCP Deed Restrictions.pdf](#)

This Report Action Item was approved.

[22-0371](#)

Counter the Offer to Purchase from River Valley One, LLC and/or assigns to purchase Lot 1 of CSM 3549 in Southpoint Commerce Park (Tax Id #31-9-5712-40), consisting of approximately 7.22 acres

Attachments: [River Valley One Offer to Purchase Memo to CEDC 6-8-22.pdf](#)
[Offer to Purchase 9-5712-40 SPCP River Valley One LLC.pdf](#)
[SPCP Deed Restrictions.pdf](#)
[Subject Parcel 6 6 2022.pdf](#)

This Report Action Item was approved.

[22-0741](#)

Request to waive the City's repurchase rights for Tax Id #31-1-6510-18, Lot 18 in the Northeast Business Park Plat No. 2, the northeast corner of Enterprise Avenue and Intertech Court, allowing the transfer from Single Month LLC and/or assigns to Joe Neilitz and/or assigns; this waiver is not transferable, survivable, or assignable and the City's repurchase rights remain on the property

Attachments: [Memo Romenesko Waive Repurchase Request NEBP #1-6510-18 6-8-22.pdf](#)
[Variance Request Email Romenesko Development 3-2-22.pdf](#)
[Offer to Purchase Lot 18 NEBP Joe Neilitz.pdf](#)
[Covenants and Restrictions NEBP No. 2.pdf](#)
[Subject Parcel 1-6510-18.pdf](#)

This Report Action Item was approved.

[22-0743](#)

Request to approve the 2021 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program

Attachments: [CAPER memo to CEDC 6-8-22.pdf](#)
[2021 CDBG CAPER Draft for Public Comment.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[22-0736](#)

Award 2022 AWWTP Preliminary Heat Exchanger and Blended Sludge Piping Replacement Project Engineering Services Amendment #1 increasing the McMahon total contract amount by \$3,800 from \$26,300 to \$30,100 and increase contingency from \$2,630 to \$4,000 for a Project Total not to exceed \$34,100.

Attachments: [Contract Amend #1 McMahon 2022 AWWTP Prelim HEX-Blended Sludge Piping.pdf](#)

This Report Action Item was approved.

[22-0738](#)

Amend 2022A Stormwater Management Plan Review Contract with Brown and Caldwell by an increase of \$20,000 for a total contract amount not to exceed \$67,500.

Attachments: [2022A SWM Plan Review BC Amendment Memo Util Cmte.pdf](#)

This Report Action Item was approved.

[22-0752](#)

Request Approval of the Electronic Compliance Maintenance Annual Report (eCMAR) for 2021 and Request the following Resolution be presented to the Common Council for approval:

Whereas, the City of Appleton manages, operates, and maintains a sewer collection system and wastewater treatment plant; and

Whereas, treatment efforts produce a liquid effluent and a biosolids that are returned to the environment; and

Whereas, the State of Wisconsin evaluates wastewater utilities throughout the State of Wisconsin through an electronic Compliance Maintenance Annual Report (eCMAR); and

Whereas, Appleton received the score of 3.73 GPA; and

Whereas, the State of Wisconsin requests the Common Council pass a resolution accepting the eCMAR report;

Now, therefore, be it resolved by the City Council that the City of Appleton:

Article 1. Continue supporting treatment and maintenance programs at the utility

Article 2. Continue planning efforts that will address and promote long term performance results at the facility.

Attachments: [2021 eCMAR Validated.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**
- M. CONSOLIDATED ACTION ITEMS**
- N. ITEMS HELD**

O. ORDINANCES

[22-0777](#)

Ordinances #43-22 and #44-22

Attachments: [Ordinances to Council 6-15-22.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Hartzheim, that the Ordinances 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 Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Maiyoua Thao

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

#7-R-22

Street Terrace Policy Modifications

Submitted By: Alderperson Del Toro, District 4

Date: June 15, 2022

Referred To: Department of Public Works

Whereas the city's current Street Terrace Policy prohibits planting: Plants in excess of 3 ft, Hedges, Vegetable gardens, plants within three feet of a hydrant, traffic hazards like loose stone, railroad ties, mulch and sand surfaces; and

Whereas the city's current Street Terrace Policy requires, that property owners comply with the city's weed ordinance, maintain an elevation flush with the sidewalk and that the city's restoration cost to the terrace is limited to the cost of a typical terrace; and

Whereas the city's current Street Terrace Policy requires, a \$40 annual permit and proof of insurance. And;

Whereas Street Terraces are currently occupied throughout the city without requesting formal permission, and;

Whereas Appleton's street terraces provide opportunities for communities to build gardens, beautify our streets, provide fresh food to homes in need, help control and reduce storm water runoff and provide good environmental resources for our city's biodiversity.

Therefore be it resolved that home owners who wish to develop these terraces may do so by registering the use of their terrace free of charge with the municipal department on a yearly basis. And must still be adhering to safety standards which include:

- Prohibiting planting any vegetation in excess of 48 inches in non-corner lots and 36 inches in corner lots,*
- Prohibiting plants within three feet of fire hydrants*
- Prohibiting traffic hazards like loose stone, or railroad ties.*
- Prohibiting the planting of trees not approved by the Forestry Department,*
- Prohibiting the planting of invasive and non-native species*
- If terraces remain unoccupied they must continue to adhere to the city's weed ordinance and registration is not required.*

Acceptable uses of terrace include the use of these spaces for

- vegetable gardens,*
- the use of mulch to maintain weeds in control,*
- planting native flora*

Failure to register the occupied terrace may result in a city fine. The city will first issue a warning to any reported terraces that are delinquent and the property manager will have 2 weeks from the date of issue of the notice to resolve or appeal. Fines will be strictly enforced every two weeks until the problem terrace is restored to acceptable conditions. Fines will be \$40 every two weeks until the problem is resolved. If the terrace is not remediated within 6 weeks the city will mow the terrace and restore it at the expense of the property owner.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderson Hartzheim moved, seconded by Alderson Del Toro, that the meeting be adjourned at 7:49 p.m. Roll Call. Motion carried by the following vote:

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

Excused: 1 - Alderson Maiyoua Thao

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk