



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Minutes - Final Community & Economic Development Committee

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Wednesday, December 13, 2023

6:30 PM

Council Chambers, 6th Floor

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1. Call meeting to order

Chair Fenton called the meeting to order at 6:30 p.m.

2. Pledge of Allegiance

3. Roll call of membership

**Present:** 3 - Fenton, Del Toro and Wolff

**Excused:** 2 - Jones and Thyssen

*Others present:*

*Cole Alsbach, Fox Commons Properties LLC*

*Sam Schmidt, Fox Commons Properties LLC*

*Danny Atable, Fox Common Properties/Boldt*

4. Approval of minutes from previous meeting

[23-1423](#)

CEDC Minutes from 10-25-23

**Attachments:** [CEDC Minutes 10-25-23.pdf](#)

**Wolff moved, seconded by Del Toro, that the Minutes be approved. Roll Call.**

**Motion carried by the following vote:**

**Aye:** 3 - Fenton, Del Toro and Wolff

**Excused:** 2 - Jones and Thyssen

5. Public Hearing/Appearances

6. Action Items

[23-1424](#)

Request to approve a variance to Section 13 of the Southpoint Commerce Park Plats No. 1, 2 & 3 Deed Restrictions and Covenants to allow a 12 month extension to the City's right to repurchase Lot 1, CSM #3549 (Tax Id #31-9-5712-40) from Oshkosh AAP, LLC

**Attachments:**    [Oshkosh AAP Powerline Trail Variance Request Memo 12-13-23.pdf](#)  
[SPCP Deed Restrictions.pdf](#)  
[Oshkosh AAP, LLC Accepted OTP 11-9-23.pdf](#)

**Del Toro moved, seconded by Wolff, that the variance to Section 13 of Southpoint Commerce Park Plats No. 1, 2 & 3 Deed Restrictions and Covenants be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:**    3 -    Fenton, Del Toro and Wolff

**Excused:**    2 -    Jones and Thyssen

[23-1425](#)

Request to approve an extension of the purchase date from September 29, 2023 to July 31, 2024 under the Development Agreement (Phase II) with Merge LLC for a mixed-use development located on the southeast corner of W. Washington Street and N. Appleton Street (Tax Id #31-2-0272-00) in Tax Increment Financing District No. 11

**Attachments:**    [Merge Ph II DA Extend Purchase Date Memo to CEDC 12-13-23.pdf](#)  
[Request from Merge Purchase Date Extension Development Agreement.pdf](#)  
[1st Amendment to Dev Agrm Merge Ph II 2-3-23.pdf](#)  
[Merge Ph II Blue Ramp Recorded Dev Agrm 2-16-22.pdf](#)

**Del Toro moved, seconded by Wolff, that the extension of the purchase date from September 29, 2023 to July 31, 2024 under the Development Agreement (Phase II) with Merge LLC be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:**    3 -    Fenton, Del Toro and Wolff

**Excused:**    2 -    Jones and Thyssen

[23-1426](#)

Request to approve a "no build" easement on and over a certain portion of the parcel located on the southeast corner of W. Washington Street and N. Appleton Street (Tax Id #31-2-0272-00) to be signed by the City upon receipt of \$40,000.00 from Fox Commons Properties, LLC

**Attachments:**     [Fox Commons Easement Request Memo 12-13-23.pdf](#)  
[Ltr Signed by Fox Commons and Merge Re Terms of No Build Easement.pdf](#)  
[Sketch of Proposed Easement Area on Former Blue Ramp Site.pdf](#)  
[Redline - No Build Easement \(11.13.23\)-36056159-v3 and No Build Easement \(11.13.23\)-36056159-v4 - 36104438.1.pdf](#)

Wolff moved, seconded by Del Toro, that the "no build" easement on and over a certain portion of the parcel located on the southeast corner of W. Washington street and N. Appleton Street be recommended for approval. Roll Call. Motion carried by the following vote:

**Aye:** 3 - Fenton, Del Toro and Wolff

**Excused:** 2 - Jones and Thyssen

[23-1427](#)

Request to approve the allocation of approximately \$86,550 in City Program Funding for 2024 Program Year Community Development Block Grant (CDBG) Funding for a joint Appleton Health/Police Departments Community Resource Navigator position (not to exceed 15% public service cap of final CDBG 2024PY allocation amount)

**Attachments:**     [CRN Position CDBG Funding Request CEDC Memo 12-13-23.pdf](#)  
[Community Resource Navigator CDBG 2024 Health-PD Full Application.pdf](#)  
[2023CommunityResourceNavigator.pdf](#)  
[Community Resource Navigator Job Description.pdf](#)  
[Dec BoH TO Draft.pdf](#)

*Three (3) additional attachments were added to this item that were provided on the 12-13-23 HR & IT Committee and Board of Health Agendas.*

Wolff moved, seconded by Del Toro, that the allocation of approximately \$86,550 in City program funding for CDBG 2024 Program Year for a Community Resource Navigator position (not to exceed 15% public service cap of final CDBG 2024PY allocation amount) be recommended for approval. Roll Call. Motion carried by the following vote:

**Aye:** 3 - Fenton, Del Toro and Wolff

**Excused:** 2 - Jones and Thyssen

[23-1434](#)

Resolution #2023-05 Support and Authorize the Submittal of a Community Development Investment (CDI) Grant to the Wisconsin Economic Development Corporation (WEDC) by Fox Commons Properties, LLC

**Attachments:**    [Memo\\_CDI Grant\\_FoxDen\\_CEDC\\_12-13-23.pdf](#)  
[Resolution#2023-05\\_CityofAppletonSupport\\_CDIGrant\\_FoxCommons.pdf](#)  
[CDI Executive Summary Fox Commons Properties LLC.pdf](#)  
[Fox Den Food Hall draftv1.pdf](#)  
[WEDC Community Development Investment Grant Overview.pdf](#)

**Del Toro moved, seconded by Wolff, that Resolution #2023-05 be recommended for approval. Roll Call. Motion carried by the following vote:**

**Aye:** 3 - Fenton, Del Toro and Wolff

**Excused:** 2 - Jones and Thyssen

## **7. Information Items**

[23-1462](#)

Request to Over Hire Real Estate Property Lister (appears on the Human Resources & Information Technology Committee agenda as an action item)

**Attachments:**    [Memo\\_CED\\_OverhireRequest\\_PropertyLister.pdf](#)

**This item was presented.**

## **8. Adjournment**

**Wolff moved, seconded by Del Toro, that the meeting be adjourned at 6:57 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 3 - Fenton, Del Toro and Wolff

**Excused:** 2 - Jones and Thyssen