



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, June 7, 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 Meltzer.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Alderperson Schultz appeared virtually.

Present: 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 Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt, Alderperson Chad Doran and Mayor Jake Woodford

Excused: 1 - Alderperson Kristin Alfheim

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All Departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[23-0605](#)

Common Council Meeting Minutes of May 17, 2023

Attachments: [CC Minutes 5-17-23.pdf](#)

Alderperson Van Zeeland moved, seconded by Alderperson Hayden, 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

Excused: 1 - Alderperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[23-0622](#) Introduction of Andy Anaam, Communications & Public Engagement Manager

[23-0636](#) Library Bid Opening Process

[23-0623](#) Proclamations:
- Pride Month
- CPR AED Awareness
- Juneteenth Celebrations
- Gun Violence Awareness Day
- Refugee Day

Attachments: [Pride Month Proclamation.pdf](#)
[CPR AED Awareness Week Proclamation.pdf](#)
[Juneteenth Celebration Day Proclamation.pdf](#)
[Gun Violence Awareness Day Proclamation.pdf](#)
[Refugee Day Proclamation.pdf](#)

H. PUBLIC PARTICIPATION

*The following spoke regarding Item 23-0561 Development Agreement with Fox Commons Properties, LLC:
Lee Vogel, representing Mosaic Family Health at 229 S Morrison Street
Ronna Swift, 230 W Seymour Street*

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[23-0588](#)

Request from JoAnn Fidika at 1619 E. Pauline Street for a Terrace Occupancy Permit to keep an existing 3' fence in the street terrace along N. Wilmer Avenue.

Attachments: [2023.05.16_1619 Pauline Terrace Occupancy Permit.pdf](#)

Alderson Meltzer moved, seconded by Alderson Thyssen, that the Street Occupancy Permit request be approved. 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 Patrick Hayden, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Excused: 1 - Alderson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-0561](#)

Request to approve the Development Agreement with Fox Commons Properties, LLC for improvements and redevelopment of the property located at 10 E. College Avenue (Tax Id #31-2-0290-01) in Tax Increment Financing District No. 11

Attachments: [FoxCommons_MemoToCEDC_05242023_Final.pdf](#)
[0747 - FOX COMMONS DEVELOPMENT AGREEMENT - 05-23-2023 - edit shown.pdf](#)
[Fox Commons Press Release \(06.05.2023\) FINAL-dist.pdf](#)
[Fox Commons FAQ Document.pdf](#)

Alderson Fenton moved, seconded by Alderson Croatt, that the Development Agreement be approved. 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 Patrick Hayden, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Excused: 1 - Alderson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-0596](#)

Special Event Application Denial Appeals - Smoshfest

Attachments: [Smosh Fest Denial Recommendation Letter 05.18.23.pdf](#)
 [Smosh Fest Application.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that the denial of the Special Event 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 Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Hartzheim moved, Aldersperson Del Toro 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 Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[23-0586](#)

Approve the three-party engineering design services contract between the City of Appleton, Wisconsin DOT and Ayres Associates Inc. for the design of Lawe Street (College Avenue to Wisconsin Ave). Compensation for authorized services for this contract shall not exceed \$439,934.38 with the WisDOT responsible for \$339,441 and the City responsible for \$100,493.38. Funding cap determined by the previously approved State/Municipal Agreement for a State-LET Urbanized Area STP-Urban Program Project.

Attachments: [Three Party Design Engineering Services Contract COA WisDOT Ayres 49842474-1400045926-2.pdf](#)

This Report Action Item was approved.

[23-0587](#)

Approve the Local Highway Bridge Inspection Agreement between Outagamie County and City of Appleton to delineate local bridges that are the responsibility of the City to inspection in order to comply with the National Bridge Inspection Standards, Code of Federal Regulations Title 23, Part 650, Subpart C.

Attachments: [Local Bridge Inspection Agreement - City of Appleton.pdf](#)

This Report Action Item was approved.

[23-0589](#)

Request from Mud & Prints for a Street Occupancy Permit to place overhead Edison lights above the sidewalk and beautification strip at 311 E. College Avenue.

Attachments: [2023.05.17 MudandPrints Permit to Occupy.pdf](#)

This Report Action Item was approved.

[23-0590](#)

Request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale every third Friday from June to August 2023 (June 16, July 21, August 18, 2023) on the College Avenue beautification strip from 900 W. College Avenue to 300 E. College Avenue.

Attachments: [ADI Ltr to City re Permit to Occupy Downtown Creates Sidewalk Sale 5.18.23.pdf](#)

This Report Action Item was approved.

[23-0592](#)

Request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale on Friday, August 4, Saturday August 5 and Sunday August 6, 2023 from 10:00 am to 6:00 pm (during Mile of Music) on the College Avenue beautification strip from 900 W. College Avenue to 300 E. College Avenue.

Attachments: [ADI Ltr to City re Permit to Occupy MOM Sidewalk Sales 5.18.23.pdf](#)

This Report Action Item was approved.

[23-0593](#)

Request from KJL Properties for a permanent street occupancy permit to allow trucks and trailers to occupy the western end of W. Reeve Street during loading and unloading for 1843 W. Reeve Street.

Attachments: [2023.05.18_1843 W Reeve Street Permanent Street Occupancy Permit.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-0519](#)

Class "B" Beer and "Class B" Liquor License Change of Agent application for RH Events LLC d/b/a Poplar Hall, Nicole Burleson, New Agent, located at 141 S Riverheath Way.

Attachments: [Nicole Burleson S&L.pdf](#)

This Report Action Item was approved.

[23-0522](#)

Pet Store License Renewal application for Fish Cave LLC, Ton Vang, Applicant, located at 2110 S Memorial Dr, contingent upon approval from the Inspections department.

Attachments: [Fish Cave S&L.pdf](#)

This Report Action Item was approved.

[23-0541](#)

Pet Store License Renewal application for HSA Corporation d/b/a Pet Supplies Plus, Angela DeHaan, Applicant, located at 702 W Northland Ave, contingent upon approval from the Inspections department.

Attachments: [Pet Supplies Plus S&L.pdf](#)

This Report Action Item was approved.

[23-0548](#)

Pet Store License Renewal application for Just Pets, Craig Weborg, Applicant, located at 2009 N Richmond St, contingent upon approval from the Fire and Inspections departments.

Attachments: [Just Pets S&L.pdf](#)

This Report Action Item was approved.

[23-0549](#)

Class "B" Beer and "Class B" Liquor Temporary Premise Amendment application for S C Carrow Corp d/b/a Rookies Sports Bar & Grill, Steven Carrow, Agent, located at 325 N. Appleton St, on August 3-5, 2023, for Mile of Music, contingent upon approval from the Community Development, Health and Inspections departments.

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

This Report Action Item was approved.

[23-0565](#)

Additional 2023-2024 Alcohol License Renewal applications, contingent upon approval from all departments by 12:00 p.m. on June 30, 2023.

Attachments: [2023-24 Alcohol License Renewals-2nd set.pdf](#)

This Report Action Item was approved.

[23-0598](#)

Additional 2023-2024 Cigarette and Tobacco Products License Renewals

Attachments: [2023-2024 Additional Cigarette Renewals.pdf](#)

This Report Action Item was approved.

[23-0606](#)

2023-2024 Mechanical Amusement Device License renewals, contingent upon approval from all departments by 12:00 p.m. on June 30, 2023.

Attachments: [Amusement Device renewals 2023-24.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[23-0552](#)

Request to approve Special Use Permit #4-23 for an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption located at 2701 North Oneida Street (Tax Id #31-6-7651-00), 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_2701NOneidaSt_SUP_For5-24-23.pdf](#)

This Report Action Item was approved.

[23-0554](#)

Request to approve Special Use Permit #5-23 for a bar and grill with alcohol sales and consumption use located at 2811 East Newberry Street (Tax Id #31-4-5747-00), 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_2811ENewberrySt_SUP_For5-24-23.pdf](#)

This Report Action Item was approved.

[23-0557](#)

Request to approve The Villas at Meade Pond Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_VillasatMeadePond_FinalPlat_For5-24-23.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[23-0563](#)

Request to approve the following 2023 Budget Amendment:

Hazardous Materials Fund

Vehicles	+ \$22,040
Fund Balance Applied	+ \$22,040

Central Equipment Agency Fund

Sale of City Property	+ \$22,040
Trans Out - Capital Projects	+ \$22,040

to record Hazardous Materials Fund purchase of vehicle from CEA (2/3 vote of Council required)

Attachments: [2023 HazMat Vehicle.pdf](#)

This Report Action Item was approved.

[23-0567](#)

Request to award the City of Appleton's 2023 Masonry Repairs Project contract to Masonry Restoration, Inc. in the amount of \$162,675 with a contingency of \$15,000 for a project total not to exceed \$177,675.

Attachments: [2023 AWWTP Masonry Repairs Project.pdf](#)

This Report Action Item was approved.

[23-0603](#)

Request to approve cash advance from Stormwater Utility Fund to Wastewater Utility Fund in an amount not to exceed \$3,000,000 to replace issuance of long term revenue bonds in 2023.

Attachments: [2023 Short Term Funding.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[23-0638](#)

Request to release the historic Development Agreement dated June 1, 1985 contingent on approval of the proposed new Development Agreement with Fox Commons Properties, LLC for the property located at 10 E. College Avenue (Tax Id #31-2-0290-01) in Tax Increment Financing District No. 11 (Associated with Action Item #23-0561)

Attachments: [FoxCommons_RequestReleaseofHistoricDevelopAgreement_MemotoCEDC6-5-23.pdf](#)
[Release of Development Agreement \(MBF 6.5.23\) - 35110934.1.pdf](#)
[Exception 10a - Development Agreement \(003\).pdf](#)
[Fox Commons FAQ Document.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[23-0569](#)

Request to Approve changes to address wage compression for Police Lieutenant and Captains using their hourly base rate vs. top Senior Sergeant rate and to add compensation for transports, time in court, and criminal guard duty.

Attachments: [Salary Administration Policy 2023 SB.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[23-0581](#)

Authorization to enter into a second option year with Lamers Bus Lines Inc. to provide the Downtown Appleton Trolley Services

Attachments: [Recommendation memo for Downtown Trolley Service.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

[23-0662](#)

Resolution #5-R-23, Joining the Wisconsin Local Government Climate Coalition

Attachments: [#5-R-23 WLGCC Resolution.pdf](#)[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](#)

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Aldersperson Fenton moved, seconded by Aldersperson Van Zeeland, that the meeting be adjourned at 7:40 p.m. 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 Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk