



JOINT REVIEW BOARD SUPPLEMENTAL DATA

**TAX INCREMENTAL FINANCING DISTRICT #13
SOUTHPOINT COMMERCE PARK
CITY OF APPLETON, WISCONSIN**

PREPARED BY:
CITY OF APPLETON
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
JULY 2023

JOINT REVIEW BOARD SUPPLEMENTAL DATA

The Tax Increment Finance section in the Wisconsin Statutes defines the specific composition and responsibilities of the Joint Review Board (JRB) for the consideration of a Tax Increment Financing District (TIF District). Wisconsin Statutes Section 66.1105(4)(i) also defines the information the municipality proposing the TIF District must provide the JRB to assist in its review of the TIF District creation. The following is a summary of the composition and responsibilities of the JRB, including the decision criteria defined by TIF Law, and the supplemental data required to be provided by the City of Appleton for the JRB consideration of the proposed TIF District #13.

JOINT REVIEW COMPOSITION FOR TIF DISTRICT #13

- One representative chosen by the City of Appleton
- One representative chosen by Calumet County
- One representative chosen by Kimberly Area School District
- One representative chosen by Fox Valley Technical College
- One public member

The public member and the board's chairman were selected by a majority of the other board members before the City of Appleton's Plan Commission public hearing.

RESPONSIBILITIES OF JOINT REVIEW BOARD

- Review the public record, planning documents, and the resolution passed by the local legislative body or plan commission. As part of its deliberations, the board may hold additional hearings on the proposal.
- Approve or reject the creation of the district by a majority vote within 45 days of receiving the creation resolution adopted by the Common Council authorizing the proposed TIF District. No district may be created and no project plan amended unless approved by a majority vote of the Joint Review Board.
- Issue a written explanation describing why any proposal it rejects fails to meet one or more of the criteria outlined below.

DECISION BY JOINT REVIEW BOARD

The Joint Review Board shall base its decision to approve or deny the proposed TIF District on the following criteria:

- Whether the development expected in the tax incremental district would occur without the use of tax incremental financing – thus meeting the “but for” requirement.
- Whether the economic benefits of the tax incremental district, as measured by increased employment, business, and personal income and property value, are sufficient to compensate for the costs of the improvements.
- Whether the benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing districts.

A copy of a resolution authorizing the creation of a TIF District by the Joint Review Board that meets the statutory decision criteria above is included in Appendix A.

TIF DISTRICT SUPPLEMENTAL DATA FOR THE JOINT REVIEW BOARD
[Defined in 66.1105(4)(i)]

1. **The specific items that constitute the project costs; the total dollar amount of these project costs to be paid with the tax increments, and the amount of tax increments to be generated over the life of the tax incremental district.**

The Project Plan for TIF District #13 provides the detailed information on the proposed project costs, total dollar amount, and the total amount of tax increment. Beginning with *Section 2 Statement of Kind, Number and Location of Proposed Public Works and Improvement Projects Within the District or the ½ Mile Buffer Zone* on Page 4 is the detailed explanation of the types of proposed projects. *Section 4 List of Project Costs* provides the details of the proposed project costs on Page 9. *Section 6 Economic Feasibility Study* beginning on Page 11 itemizes the total amount of tax increments projected based on proposed projects over the life of the district. The City of Appleton reserves the right to such additions or deletions to the project list to the full extent allowed by law. The City reserves the right to implement only those projects that remain economically viable as the project period proceeds. Costs identified in the Project Plan are preliminary estimates made prior to design considerations and are subject to change after planning is completed.

2. **The amount of the value increment when the project costs in subd. 1 (above) are paid in full and the tax incremental district is terminated.**

The project total value increment and the projected date of the TIF District #13 to be terminated is included in *Section 6 Economic Feasibility Study* beginning on Page 11 of the Project Plan.

3. **The reasons why the project costs in subd. 1 (above) may not or should not be paid by the owners of property that benefits by improvements within the tax incremental district.**

- Industrial development would not happen on these properties in need of infrastructure without the creation and assistance of TIF #13 because of the significant expense required to install the necessary improvements. When projects do not make economic sense, businesses and developers look elsewhere for opportunities.

- Property owners benefiting from the project(s) pay the costs through increased property taxes, which benefit all of the taxing jurisdictions when the TIF District is closed.
- Property owners in other taxing jurisdictions will, in all likelihood, pay no more than they would have if the district had not been created because the value increments experienced would not have occurred without the TIF, so all things being equal, their share of the levies would be the same.
- Ultimately, the entire community benefits from providing industrial sites for development by attracting investment, retaining jobs and supporting the creation of new jobs in our community.

4. **The share of the projected tax increment in subd. 1 estimated to be paid by the owners of taxable property in each of the taxing jurisdictions overlying the tax incremental district.**

The share of the projected tax increment from each overlying taxing district based on the proposed projects are included on Page 11 *Section 6 Economic Feasibility Study*, of the Project Plan.

5. **The benefits that the owners of taxable property in the overlying taxing jurisdictions will receive to compensate them for their share of the projected tax increments in subd. 4.**

- Increased property values and infrastructure would probably not occur without the creation of TIF #13. When the TIF is terminated, the increased property values will become part of the tax base for all jurisdictions.
- The District will foster economic growth and stability. It will provide opportunities for existing businesses to grow and expand without the need to leave the community.
- An inventory of “ready to build” industrial sites garners more interest when securing a new business or accommodating the needs of an existing business.
- New development(s), made feasible with new infrastructure, will result in the creation of new jobs and retention of others. The additional employment opportunities will help the local economy through the purchase of goods and services, the purchase or lease of residential property, and, ultimately, the payment of taxes.
- The new development(s) will serve as a catalyst to other development(s) and redevelopment within the surrounding area.
- The availability of infrastructure to these properties provides a strong climate to do business.
- By maintaining an attractive environment for private investment, the City will help ensure a healthy tax base and economy.

6. **A copy of the plan commission and board/council TID resolutions.**

Copies of the resolutions adopted by the Plan Commission (signed) and Common Council (signed) are included as Appendix B.

7. **Copies of planning documents and public record.**

Copies of the following planning documents and public records are also being provided by the City of Appleton:

- Class II Public Hearing Notice for the June 28, 2023 City Plan Commission public hearing and meeting
- Minutes from the June 28, 2023 City Plan Commission public hearing and meeting adopting the boundaries and Project Plan of TIF District #13. A copy of the video record of the meeting is also available online for public viewing at:
<https://cityofappleton.legistar.com/MeetingDetail.aspx?ID=1101177&GUID=64E45D2E-A05C-44D9-BD4D-3FA0810BA7F8&Options=info|&Search=>
- Minutes from the July 19, 2023 Common Council meeting adopting the creation resolution for TIF District #13 and approving the Plan Commission recommendation for the boundaries and Project Plan of TIF District #13. A copy of the video record of the meeting is also available online for public viewing at:
<https://cityofappleton.legistar.com/MeetingDetail.aspx?ID=1099776&GUID=52265030-C06C-41DC-8C50-6300B98344E7&Options=info|&Search=>

APPENDIX A

**JOINT REVIEW BOARD RESOLUTION
RESOLUTION APPROVING THE PROJECT PLAN & BOUNDARY FOR THE
CREATION OF TAX INCREMENTAL DISTRICT #13
IN THE CITY OF APPLETON, WISCONSIN**

WHEREAS, the City of Appleton, Wisconsin (the “City”) seeks to create Tax Incremental District #13; and

WHEREAS, Wisconsin Statutes Section 66.1105 requires that a Joint Review Board (the “JRB”) shall convene to review the proposal; and

WHEREAS, the Joint Review Board consists of one representative chosen by the School District, one representative chosen by the Technical College District, and one representative chosen by the County, all of whom have the power to levy taxes on property within Tax Incremental District #13, and one representative chosen by the City and one public member; and

WHEREAS, the public member and JRB’s chairperson were selected by a majority vote of the other JRB members before the public hearing was held under Wisconsin Statutes Sections 66.1105(4)(a) and (e); and

WHEREAS, all JRB members were appointed and the first JRB meeting held within 14 days after the notice was published under Wisconsin Statutes Sections 66.1105(4)(a) and (e); and

WHEREAS, the JRB has reviewed the public record, planning documents, and the resolution adopted by the City Plan Commission approving the project plan and boundaries for the district and the resolution adopted by the Common Council approving the creation of the district under Wisconsin Statutes Sections 66.1105 (4)(f), (4)(g), and (4)(gm);

NOW, THEREFORE BE IT RESOLVED by the Joint Review Board for the City of Appleton, Calumet County portion, that Tax Incremental District #13 meets the following criteria:

1. The development expected in the tax incremental district would not occur without tax increment financing.
2. The economic benefits of the tax incremental district, as measured by increased employment, business, and personal income and property value, are sufficient to compensate for the cost of the improvements.
3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing districts.

BE IT FURTHER RESOLVED that the Joint Review Board approves the project plan and boundary for creation of this tax incremental district.

Adopted this 2nd day of August, 2023.

TIF District #13 Joint Review Board

Approve ___/Deny ___	_____	Jeri Ohman, City of Appleton (JRB Chairperson)
Approve ___/Deny ___	_____	David Maccoux, Calumet County
Approve ___/Deny ___	_____	Becky Hansen, Kimberly Area School District
Approve ___/Deny ___	_____	Amy Van Straten, Fox Valley Technical College
Approve ___/Deny ___	_____	Tony Saucerman, Public Member

APPENDIX B

RESOLUTION NO. 23-CPC-01 CITY PLAN COMMISSION

RESOLUTION DESIGNATING THE PROPOSED BOUNDARIES AND APPROVING A PROJECT PLAN FOR TAX INCREMENTAL DISTRICT #13 CITY OF APPLETON, WISCONSIN

WHEREAS, Section 66.1105 of the Wisconsin Statutes (the "Tax Increment Law") provides the authority and establishes procedures for creating tax incremental districts and approving the project plans; and

WHEREAS, the City of Appleton, after completing preliminary planning work, scheduled, gave public notice of, and on June 28, 2023 held a public hearing before the City Plan Commission wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of a tax incremental district and the proposed boundaries thereof, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the chief executive officers of Calumet County and the Fox Valley Technical College District (the other entities having the power to levy taxes on property located within the proposed District) and the Board of Education of the Kimberly Area School District (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the City Plan Commission, after due consideration following the said public hearing, determined the creation of a tax incremental district within the area described by the boundary description attached to this resolution as Exhibit A hereof will provide the City of Appleton with a viable method of financing the costs of needed improvements and public works projects within said district and creating more "ready to build" lots for the expansion of business and industry, thereby creating incentives and opportunities for appropriate private development, including new development and rehabilitation of existing development, which will contribute to the overall development of the City; and

WHEREAS, it finds that not less than 50 percent by area of real property within such district is suitable for industrial development within the meaning of Wisconsin Statute Section 66.1101 "Promotion of industry; industrial sites" and is being created as an "Industrial" TID; and

WHEREAS, it finds the improvement of the area in Tax Incremental District #13 is likely to enhance significantly the value of substantially all the other real property in the district by promoting industrial development; and

WHEREAS, the City of Appleton Plan Commission has prepared a Project Plan for Tax Incremental District #13, attached as Exhibit B, which includes:

1. Intent and purpose of Tax Increment Financing District #13;
2. A statement of the kind, number, and location of proposed public works and improvement projects within the district and the ½ mile buffer zone;
3. Qualification of the proposed TIF District based on City valuation;
4. A list of estimated project costs;
5. A statement on non-project costs;

6. An economic feasibility study;
7. A description of the methods of financing and the time when such costs or monetary obligations are to be incurred;
8. Proposed changes of zoning ordinances, master plan, map, building codes, maps, and City ordinances;
9. A statement indicating how the creation of the district promotes orderly development of the City;
10. Estimate of property to be devoted to retail use;
11. A statement of a proposed method for the relocation of any persons or businesses to be displaced;
12. A map showing the district boundaries and a map of the ½ mile buffer zone;
13. A map showing existing uses and conditions of real property in such district;
14. A map showing proposed improvements and public works projects;
15. A listing of the parcels and legal description of the district; and
16. An opinion of the City Attorney on the compliance of the project plan with Wisconsin Statutes, Section 66.1105(4); and

WHEREAS, the project costs directly serve for the purchase, reservation and development of industrial sites by the City, along with the installation of utilities and roadways; and

WHEREAS, the equalized value of taxable property in the district, plus the value increment of all other existing districts does not exceed 12% of the total value of equalized taxable property within the City; and

WHEREAS, the percentage of territory within the Tax Incremental District #13 that is estimated will be devoted to retail business at the end of the maximum expenditure period is under 35%; and

WHEREAS, the boundaries for Tax Incremental District #13 does not include any annexed territory not within the boundaries of the City of Appleton on January 1, 2004; and

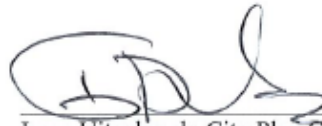
WHEREAS, the Project Plan is economically feasible and is in conformity with the City of Appleton Comprehensive Plan 2010-2030; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, before the Common Council may create any tax incremental district, the Plan Commission must designate the boundaries of such district and submit its recommendation concerning the creation of such district to the Common Council;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Appleton as follows:

1. That the City Plan Commission hereby designates the boundaries specified in the boundary description attached to this resolution as Exhibit A hereof and entitled "Legal Boundary Description of Tax Incremental District #13, City of Appleton, Wisconsin", as the boundaries of said Tax Incremental District #13, and recommends that the said district be created by the Common Council of the City of Appleton within the area enclosed by the said boundaries.
2. That the City Plan Commission hereby adopts such Project Plan for Tax Incremental District #13, attached to this Resolution as Exhibit B, and recommends to the Common Council the approval of such Project Plan as its creation promotes the orderly development of the City.

Adopted this 28th day of June, 2023.

A handwritten signature in black ink, appearing to read 'Isaac Uitenbroek', written over a horizontal line.

Isaac Uitenbroek, City Plan Commission Vice Chair

Attest:



Kami L. Lynch, City Clerk

EXHIBIT A

**LEGAL BOUNDARY DESCRIPTION OF TAX INCREMENTAL DISTRICT #13
CITY OF APPLETON, WISCONSIN**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE NE ¼ OF THE NE ¼, PART OF THE NW ¼ OF THE NE ¼, PART OF THE NE ¼ OF THE NW ¼, PART OF THE SE ¼ OF THE NW ¼, ALL OF THE SE ¼ OF THE NE ¼, ALL OF THE SW ¼ OF THE NE ¼, ALL OF THE NE ¼ OF THE SE ¼, ALL OF THE SE ¼ OF THE SE ¼, ALL OF THE SW ¼ OF THE SE ¼, ALL OF THE NW ¼ OF THE SE ¼, ALL OF THE NE ¼ OF THE SW ¼, AND ALL OF THE SE ¼ OF THE SW ¼, OF SECTION 4,

PART OF THE NE ¼ OF THE NE ¼, PART OF THE NW ¼ OF THE NE ¼, PART OF THE NE ¼ OF THE NW ¼, OF SECTION 9, ALL IN TOWNSHIP 20 NORTH, RANGE 18 EAST, CITY OF APPLETON, CALUMET COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING THE E ¼ OF SAID SECTION 4 AND BEING THE POINT OF BEGINNING;

THENCE S00°14'16"W 2636.69 FEET, COINCIDENT WITH THE EAST LINE OF THE SE ¼ OF SAID SECTION 4 TO THE SOUTHEAST CORNER THEREOF;

THENCE S00°30'32"W 40.00 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF MIDWAY ROAD;

THENCE N89°43'14"W 2619.90 FEET, PARALLEL TO AND 40 FEET DISTANT FROM THE SOUTH LINE OF THE SE ¼ OF SAID SECTION 4 AND BEING COINCIDENT WITH THE SOUTH LINE OF MIDWAY ROAD;

THENCE NORTHWESTERLY 159.45 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 761.57 FEET AND THE CHORD OF WHICH BEARS N83°43'18"W 159.15 FEET, COINCIDENT WITH THE SOUTHERLY LINE OF MIDWAY ROAD;

THENCE N77°43'26"W 120.93 FEET, COINCIDENT WITH THE SOUTHWESTERLY LINE OF MIDWAY ROAD TO THE SOUTH LINE OF THE SW ¼ OF SAID SECTION 4;

THENCE N89°21'16"W 1043.36 FEET, COINCIDENT WITH THE SOUTH LINE OF THE SW ¼ OF SAID SECTION 4 TO THE MOST WESTERLY LINE OF LOT 3 OF CERTIFIED SURVEY MAP NO.2932;

THENCE N00°22'38"E 2658.96 FEET, COINCIDENT WITH THE WEST LINE OF SAID LOT 3 AND THEN THE WEST LINE OF SOUTHPOINT COMMERCE PARK PLAT NO.3 AND THEN THE WEST LINE OF SOUTHPOINT COMMERCE PARK PLAT NO.2;

THENCE N00°06'12"W 591.59 FEET, COINCIDENT WITH THE WEST LINE OF SAID SOUTHPOINT COMMERCE PARK PLAT NO.2 TO THE SOUTHEASTERLY LINE OF PLANK ROAD;

THENCE NORTHEASTERLY AND EASTERLY COINCIDENT WITH THE SOUTHEASTERLY AND SOUTHERLY LINE OF PLANK ROAD AND ITS EASTERLY EXTENSION TO THE EAST LINE OF EISENHOWER DRIVE;

THENCE N00°07'53"E 394.12 FEET, COINCIDENT WITH THE EAST LINE OF EISENHOWER DRIVE TO THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO.2932;

THENCE S89°28'07"E 987.58 FEET, COINCIDENT WITH THE NORTH LINE OF SAID LOT 1 TO THE EAST LINE OF THE NE ¼ OF SECTION 4, T20N, R18E;

THENCE S00°31'53"W 1798.73 FEET, COINCIDENT WITH THE EAST LINE OF THE NE ¼ OF SAID SECTION 4 TO THE EAST ¼ CORNER OF SAID SECTION 4 AND THE POINT OF BEGINNING.

**RESOLUTION NO. 2023-01
COMMON COUNCIL**

**RESOLUTION CREATING, DESCRIBING, AND MAKING CERTAIN FINDINGS
AND APPROVING PROJECT PLAN FOR
TAX INCREMENTAL DISTRICT #13
CITY OF APPLETON, WISCONSIN**

WHEREAS, the overall development of the City of Appleton is recognized as a major need of the City; and

WHEREAS, the City of Appleton desires to create a tax incremental district, in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes (the "Tax Increment Law"), in order to provide a viable method of financing the costs of needed improvements and public works projects within said district and creating more "ready to build" lots for the expansion of business and industry, thereby creating incentives and opportunities for appropriate private development, including new development and rehabilitation of existing development, which will contribute to the overall development of the City; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the City Plan Commission on June 28, 2023 held a public hearing concerning the proposed creation of a tax incremental district and proposed project plan thereof in the City of Appleton, wherein interested parties were afforded a reasonable opportunity to express their views; and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the chief executive officers of Calumet County and the Fox Valley Technical College District (the other entities having the power to levy taxes on property located within the proposed District) and the Board of Education of the Kimberly Area School District (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said public hearing, the City Plan Commission designated the boundaries of the proposed tax incremental district and recommended to the Common Council that it create such tax incremental district within the area enclosed by said boundaries, as specified in the boundary description attached to this Resolution as Exhibit A and entitled "Legal Boundary Description of Tax Incremental District #13, City of Appleton, Wisconsin"; and

WHEREAS, the City of Appleton Plan Commission has prepared and adopted a Project Plan for Tax Incremental District #13, which includes:

1. Intent and purpose of Tax Increment Financing District #13;
2. A statement of the kind, number, and location of proposed public works and improvement projects within the district and the ½ mile buffer zone;
3. Qualification of the proposed TIF District based on City valuation;
4. A list of estimated project costs;
5. A statement on non-project costs;
6. An economic feasibility study;
7. A description of the methods of financing and the time when such costs or monetary obligations are to be incurred;

8. Proposed changes of zoning ordinances, master plan, map, building codes, maps, and City ordinances;
9. A statement indicating how the creation of the district promotes orderly development of the City;
10. Estimate of property to be devoted to retail use;
11. A statement of a proposed method for the relocation of any persons or businesses to be displaced;
12. A map showing the district boundaries and a map of the ½ mile buffer zone;
13. A map showing existing uses and conditions of real property in such district;
14. A map showing proposed improvements and public works projects;
15. A listing of the parcels and legal description of the district; and
16. An opinion of the City Attorney on the compliance of the Project Plan with Wisconsin Statutes, Section 66.1105(4); and

WHEREAS, the Plan Commission has submitted such Plan to the Common Council and recommended approval thereof; and

WHEREAS, the Common Council hereby approves such Project Plan and finds the Plan feasible and in conformity with the master plan;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Appleton as follows:

1. Pursuant to the Tax Increment Law, there is hereby created in the City of Appleton, a tax incremental district to be known as "Tax Incremental District #13, City of Appleton, Wisconsin" the boundaries of which shall be those recommended to the Common Council by the Plan Commission, as specified in the attached Exhibit A.
2. The Common Council hereby finds and declares that:
 - a. Not less than 50 percent by area of real property within such district is suitable for industrial development within the meaning of Wisconsin Statute Section 66.1101 "Promotion of industry; industrial sites" and is being created as an "Industrial" TID; and
 - b. The real property within the District is zoned for manufacturing, industrial, warehousing, distribution, and other like uses and will remain zoned for industrial use for the life of the District; and
 - c. The improvement of such area is likely to enhance significantly the value of substantially all the other real property in the said tax incremental district by promoting industrial development; and
 - d. The project costs directly serve for the purchase, reservation and development of industrial sites by the City, along with the installation of utilities and roadways; and
 - e. The equalized value of taxable property of the district plus the value increment of all existing districts within the City does not exceed 12 percent of the total equalized value of the taxable property within the City of Appleton; and

- f. Finds, pursuant to Section 66.1105(5)(b) that under 35 percent of the real property within the district will be devoted to retail business at the end of the district's maximum expenditure period; and
- g. The boundaries for Tax Incremental District #13 does not include any annexed territory not within the boundaries of the City of Appleton on January 1, 2004; and
- h. The Project Plan is economically feasible and is in conformity with the City of Appleton Comprehensive Plan 2010-2030.

The District is hereby created as of January 1, 2023. The City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2023, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

The City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property that are within Tax Incremental District No. 13, specifying thereon the name of the said tax incremental district, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

Adopted this 19th day of July, 2023.



Jacob A. Woodford, Mayor

Attest:


Kami L. Lynch, City Clerk

EXHIBIT A

**LEGAL BOUNDARY DESCRIPTION OF TAX INCREMENTAL DISTRICT #13
CITY OF APPLETON, WISCONSIN**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE NE ¼ OF THE NE ¼, PART OF THE NW ¼ OF THE NE ¼, PART OF THE NE ¼ OF THE NW ¼, PART OF THE SE ¼ OF THE NW ¼, ALL OF THE SE ¼ OF THE NE ¼, ALL OF THE SW ¼ OF THE NE ¼, ALL OF THE NE ¼ OF THE SE ¼, ALL OF THE SE ¼ OF THE SE ¼, ALL OF THE SW ¼ OF THE SE ¼, ALL OF THE NW ¼ OF THE SE ¼, ALL OF THE NE ¼ OF THE SW ¼, AND ALL OF THE SE ¼ OF THE SW ¼, OF SECTION 4,

PART OF THE NE ¼ OF THE NE ¼, PART OF THE NW ¼ OF THE NE ¼, PART OF THE NE ¼ OF THE NW ¼, OF SECTION 9, ALL IN TOWNSHIP 20 NORTH, RANGE 18 EAST, CITY OF APPLETON, CALUMET COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING THE E ¼ OF SAID SECTION 4 AND BEING THE POINT OF BEGINNING;

THENCE S00°14'16"W 2636.69 FEET, COINCIDENT WITH THE EAST LINE OF THE SE ¼ OF SAID SECTION 4 TO THE SOUTHEAST CORNER THEREOF;

THENCE S00°30'32"W 40.00 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF MIDWAY ROAD;

THENCE N89°43'14"W 2619.90 FEET, PARALLEL TO AND 40 FEET DISTANT FROM THE SOUTH LINE OF THE SE ¼ OF SAID SECTION 4 AND BEING COINCIDENT WITH THE SOUTH LINE OF MIDWAY ROAD;

THENCE NORTHWESTERLY 159.45 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 761.57 FEET AND THE CHORD OF WHICH BEARS N83°43'18"W 159.15 FEET, COINCIDENT WITH THE SOUTHERLY LINE OF MIDWAY ROAD;

THENCE N77°43'26"W 120.93 FEET, COINCIDENT WITH THE SOUTHWESTERLY LINE OF MIDWAY ROAD TO THE SOUTH LINE OF THE SW ¼ OF SAID SECTION 4;

THENCE N89°21'16"W 1043.36 FEET, COINCIDENT WITH THE SOUTH LINE OF THE SW ¼ OF SAID SECTION 4 TO THE MOST WESTERLY LINE OF LOT 3 OF CERTIFIED SURVEY MAP NO.2932;

THENCE N00°22'38"E 2658.96 FEET, COINCIDENT WITH THE WEST LINE OF SAID LOT 3 AND THEN THE WEST LINE OF SOUTHPPOINT COMMERCE PARK PLAT NO.3 AND THEN THE WEST LINE OF SOUTHPPOINT COMMERCE PARK PLAT NO.2;

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THENCE S00°31'53"W 1798.73 FEET, COINCIDENT WITH THE EAST LINE OF THE NE ¼ OF SAID SECTION 4 TO THE EAST ¼ CORNER OF SAID SECTION 4 AND THE POINT OF BEGINNING.

**NOTICE OF PUBLIC HEARING
REGARDING THE PROPOSED PROJECT PLAN AND BOUNDARY
FOR CREATING TAX INCREMENTAL DISTRICT (TID) NUMBER 13
IN THE CITY OF APPLETON, WISCONSIN**

NOTICE IS HEREBY GIVEN, that the City of Appleton Plan Commission will hold a Public Hearing on Wednesday, June 28, 2023 at 3:30 P.M. in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, Appleton, WI 54911 to consider creation of the proposed project plan and boundary for Tax Incremental District (TID) 13 in the City of Appleton.

City of Appleton TID 13 is located in the City’s Southpoint Commerce Park, generally bounded by Plank Road, Coop Road, Midway Road, and along Quest Drive.

TID 13 will be designated as an “Industrial” TID based upon the finding that the area within TID 13 is suitable for industrial development within the meaning of Wisconsin Statute Section 66.1101 “Promotion of industry; industrial sites”. This provides for the purchase, reservation and development of industrial sites by the City along with the installation of utilities and roadways. The primary purpose of the TID is to install infrastructure between Coop Road and Eisenhower Drive, thereby creating more “ready to build” lots for the expansion of business and industry.

Proposed public project improvements may include, but are not limited to: construction and/or reconstruction of streets, sanitary sewer collection system, water distribution system, and storm water drainage facilities, installation or relocation of electric and/or natural gas service, telephone, fiber, and cable, environmental audits and remediation, promotion and development, professional services, financing costs and other related administrative costs, and land assembly, clearance and real estate acquisitions.

The City may enter into agreements with property owners, lessees, or developers for the purpose of sharing costs to encourage the desired kind of improvements based on the purpose of this District and assure tax base is generated sufficient to recover project costs. Not every project will demand the same level of funding. These payments would be negotiated on a project basis in order to attract new taxable property or rehabilitate existing property in the District. No cash grants or loans will be provided until the Common Council adopts a development agreement and a copy of such agreement will be retained in the City’s official records for the TID.

The proposed costs include projects within the proposed boundary and within a one-half mile radius of the proposed boundary of the district.

At said hearing, all persons will be given a reasonable opportunity to be heard and express their views on the proposed creation of the district and the proposed project plan. A copy of the TID 13 project plan and boundary is available and will be provided upon request from 8:00 A.M. until 4:30 P.M. in the Community & Economic Development Department, 5th Floor of Appleton City Hall, 100 N. Appleton Street, Appleton, WI. Questions can be directed to Kara Homan, Director of Community & Economic Development Department, at 920-832-6468 or by email at kara.homan@appleton.org. The proposed TID 13 project plan and boundary is also available at <https://www.appleton.org/government/community-and-economic-development>.

Dated: June 7, 2023

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT
CITY HALL-100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911
920-832-6468

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

RUN: June 13, 2023
June 20, 2023



City of Appleton

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

Meeting Minutes - Final City Plan Commission

Wednesday, June 28, 2023

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order by Vice Chair Uitenbroek at 3:30 p.m.

2. Pledge of Allegiance

3. Roll call of membership

Present: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

Others present:

Lisa Nebel, ThedaCare, 3000 E. College Avenue, Suite A

Tom Steiner, ThedaCare, 130 Second Street, Neenah

4. Approval of minutes from previous meeting

[23-0730](#)

City Plan Minutes from 6-14-23

Attachments: [City Plan Minutes 6-14-23.pdf](#)

Palm moved, seconded by Fenton, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

5. Public Hearing/Appearances

[23-0733](#)

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 (Associated with Action Item #23-0734)

Attachments: [InformalPublicHearingNotice_TheHeritage_SUP#8-23+Rezoning#4-23.pdf](#)

This public hearing was held, and no one spoke on the item.

[23-0731](#)

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 (Associated with Action Item #23-0732)

Attachments: [ClassIIPublicHearingNoticeNewspaper_2600SHeritageWoodsDr_SUP#8-23.pdf](#)
[InformalPublicHearingNotice_TheHeritage_SUP#8-23+Rezoning#4-23.pdf](#)

This public hearing was held, and no one spoke on the item.

[23-0735](#)

Proposed district boundaries and the Project Plan for Tax Incremental Financing District #13 in Southpoint Commerce Park, City of Appleton, Wisconsin (Associated with Action Item #23-0736)

Attachments: [Class II Plan Commission June 28 Public Hearing Notice TIF 13.pdf](#)

This public hearing was held, and no one spoke on the item.

6. Action Items

[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_For8-28-23.pdf](#)

Fenton moved, seconded by Neuberger, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

[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](#)

Fenton moved, seconded by Neuberger, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

[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

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](#)

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.

Neuberger moved, seconded by Fenton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

[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](#)

Neuberger moved, seconded by Fenton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford

7. Information Items

8. Adjournment

Robins moved, seconded by Fenton, that the meeting be adjourned at 3:48 p.m. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Robins, Dane, Uitenbroek, Neuberger and Fenton

Excused: 1 - Mayor Woodford



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, July 19, 2023

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Woodford at 7:01 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Croatt.

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 Patrick Hayden

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All Departments were represented.

This was approved

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[23-0788](#)

Common Council Meeting Minutes of June 21, 2023

Attachments: [CC Minutes 6-21-23.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Meltzer, 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 Patrick Hayden

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[23-0866](#) 2023 Flag Day Parade Awards

Corey Otis presented the 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

*The following spoke regarding Item 23-0613 from Safety & Licensing Committee,
Core's Lounge Alcohol License:
Amy Ross Annen, 1344 W Washington St.*

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](#)

*The following spoke during the Public Hearing:
Eric Schacht, Lawrence University*

[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](#)

The Public Hearing was held. No one spoke during the hearing.

[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](#)

The Public Hearing was held. No one spoke during the hearing.

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](#)

This Report Action Item was approved

[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](#)

This Report Action Item was approved

K. ESTABLISH ORDER OF THE DAY

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

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

This Item was referred back to the Safety and Licensing Committee by Alderperson Siebers, due back on 7/26/2023.

[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

Aldersperson Alfheim moved, seconded by Aldersperson Wolff, that the Items related to the Sexual Assault Survivors Monument 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 Patrick Hayden

Abstained: 1 - Mayor Jake Woodford

[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](#)

Alderperson Croatt moved, seconded by Alderperson Jones, that the Recommendation to deny the alcohol license 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 Patrick Hayden

Abstained: 1 - Mayor Jake Woodford

[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_For8-28-23.pdf](#)

Alderperson Fenton moved, seconded by Alderperson Van Zeeland, that the Special Use Permit 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 Patrick Hayden

Abstained: 1 - Mayor Jake Woodford

[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](#)

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

Aye: 13 - 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 Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Excused: 1 - Alderperson Patrick Hayden

Abstained: 2 - Alderperson Vaya Jones and Mayor Jake Woodford

[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](#)

Alderperson Fenton moved, seconded by Alderperson Jones, that the Comprehensive Plan Amendment be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, 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 Patrick Hayden

Abstained: 3 - Alderperson Israel Del Toro, Alderperson Katie Van Zeeland and Mayor Jake Woodford

[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_For8-14-23.pdf](#)

Alderson Fenton moved, seconded by Alderson Jones, that the Rezoning be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, 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 Patrick Hayden

Abstained: 3 - Alderson Israel Del Toro, Alderson Katie Van Zeeland and Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderson Fenton moved, Alderson Van Zeeland seconded, to approve the balance of the agenda. The 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 Patrick Hayden

Abstained: 1 - Mayor Jake Woodford

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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-0825](#)

Request to Accept Absentee Ballot Envelope Subgrant from the WEC

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

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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.docx](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[23-0771](#)

CEA Review Committee Report

Attachments: [CEA Minutes 6-12-23.pdf](#)**This Report Action Item was approved.**[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](#)**This Report Action Item was approved.**[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 \(Reject Bids\).pdf](#)**This Report Action Item was approved.**[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](#)**This Report Action Item was approved.**

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](#)

This Report Action Item was approved.

[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 Manager 3 LLC.pdf](#)
[Exhibit A Subject Area Map Southpoint 14 Acres.pdf](#)

This Report Action Item was approved.

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](#)

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[23-0762](#)

Authorization to Purchase Replacement Bus Shelters

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

This Report Action Item was approved.

[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](#)

This Report Action Item was approved.

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](#)

This Report Action Item was approved.

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)

Aldersperson Hartzheim moved, seconded by Aldersperson Fenton, that the E. Circle Street Vacation Items 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 Patrick Hayden

Abstained: 1 - Mayor Jake Woodford

[23-0861](#)

Consolidated Action Items: Tax Incremental District #13

Item 23-0736 City Plan Commission

Item 23-0769 Common Council Resolution (Special Resolutions)

Aldersperson Schultz moved, seconded by Aldersperson Van Zeeland, that the TID #13 Items 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 Patrick Hayden

Abstained: 1 - Mayor Jake Woodford

N. ITEMS HELD

O. ORDINANCES

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

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

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, 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 Patrick Hayden

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

[23-0901](#) Resolution #7-R-23 - Local Government Funding Legislation Resolution Expressing Support for Wisconsin

Attachments: [#7-R-23 Local Govt Funding Legislation Support.pdf](#)

[23-0903](#) Resolution #8-R-23 Creating Appleton Conservancy Park

Attachments: [#8-R-23 Appleton Conservancy Park Resolution .pdf](#)

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that the meeting be adjourned at 7:45 p.m. 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 Patrick Hayden

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk