



City of Appleton

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

Meeting Agenda - Final Board of Health

Wednesday, June 12, 2019

7:00 AM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[19-0805](#) May 2019 BOH Minutes

Attachments: [May 2019 BOH Minutes.pdf](#)

4. Public Hearings/Appearances

5. Action Items

[19-0788](#) Election of Chair and Vice-Chair of Board

[19-0789](#) Designate a Contact Person

[19-0790](#) Set Meeting Date, Time and Place

[19-0800](#) Vinton Construction Noise Variance Request

Attachments: [Vinton Construction Noise Variance Request.pdf](#)

[19-0801](#) DPW Noise Variance Request

Attachments: [DPW Noise Variance Request.pdf](#)

[19-0802](#) ADI Lunchtime Live & Heid Summer Concert Noise Variance Request

Attachments: [ADI Lunchtime Live & Heid Summer Concert Noise Variance Request.pdf](#)

[19-0803](#) ADI Art on the Town Noise Variance Request

Attachments: [ADI Art on the Town Noise Variance Request.pdf](#)

[19-0804](#) Mile of Music 2019 Noise Variance Request

Attachments: [Mile of Music 2019 Noise Variance Request.pdf](#)

[19-0810](#) McFleshman's Apiary Appeal

Attachments: [Neighbor Notification of Apiary Permit Application.pdf](#)
[Apiary Request Objection.pdf](#)
[McFleshman's Denial Letter.pdf](#)
[Apiary Appeal.pdf](#)

6. Information Items

[19-0798](#) April 2019 Monthly Report

Attachments: [April 2019 Monthly Report.pdf](#)

[19-0797](#) Measles Update

[19-0799](#) Noise Variance Approvals

Attachments: [Noise Variance Requests 6.12.19.pdf](#)

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

100 North Appleton Street
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www.appleton.org

Meeting Minutes Board of Health

Wednesday, May 8, 2019

7:00 AM

Council Chambers, 6th Floor

1. Call meeting to order

2. Roll call of membership

Present: 6 - Hanna, Mielke, Spears, Raasch, Vogel and Nelson

3. Approval of minutes from previous meeting

[19-0630](#)

April 2019 BOH Minutes

Attachments: [April 2019 BOH Minutes.pdf](#)

A motion was made by Alderperson Spears, seconded by Alderperson Raasch, that the minutes be approved. Motion carried by the following vote:

Aye: 6 - Hanna, Mielke, Spears, Raasch, Vogel and Nelson

4. Public Hearings/Apearances

5. Action Items

[19-0474](#)

Resolution #1-R-19 relating to e-cigarettes

Attachments: [#1-R-19 E-Cigarettes.pdf](#)
[Alderperson Joe Martin-Request.pdf](#)
[Appleton Area School District- Electronic Cigarettes Memo.pdf](#)

A motion was made by Alderperson Spears, seconded by Alderperson Raasch, to uphold the previous motion to eliminate any exemptions and approve the original resolution. A second motion was then made by Alderperson Raasch, seconded by Cathy Spears, to amend the resolution to add an exemption be made for the sampling of non-combustible products on the premises of businesses meeting the following criteria:

1. Primary activity is the retail sale of electronic delivery devices and related products, and;

2. Entry to the premises is restricted by ID check to persons 18 or older.

Motion failed by the following vote: 5-1

Motion to recommend for approval the resolution, with no exemptions, carried by the following vote:

Aye: 5 - Mielke, Spears, Vogel, Nelson and Hanna

Nay: 1 - Raasch

[19-0447](#)

MT Pockets Noise Variance Request

Attachments: [MT Pockets Noise Variance Request.pdf](#)
 [MT Pockets Noise Complaints.pdf](#)
 [MT Pockets Conversation 2018.pdf](#)

A motion was made by Alderperson Spears, seconded by Alderperson Raasch, to recommend for approval. Motion carried by the following vote:

Aye: 6 - Hanna, Mielke, Spears, Raasch, Vogel and Nelson

[19-0626](#)

Public Health Accreditation Board-Request for Submittal

Attachments: [PHAB Five Tier Accreditation Fee Schedule.pdf](#)
 [PHAB Application Tip Sheet.pdf](#)

A motion was made by Alderperson Raasch, seconded by Alderperson Spears, to approve this request. Motion carried by the following vote:

Aye: 6 - Hanna, Mielke, Spears, Raasch, Vogel and Nelson

6. Information Items

[19-0646](#)

First Quarter 2019 Report

Attachments: [First Quarter 2019 Executive Summary.pdf](#)
 [First Quarter 2019 Report.pdf](#)

This item was presented.

[19-0647](#)

First Quarter 2019 Budget Performance Review

Attachments: [Department Budget Review First Quarter 2019.pdf](#)
 [Summary Budget Review First Quarter 2019.pdf](#)

This item was presented.

[19-0624](#)

2018 Annual Report

Attachments: [2018 Annual Report.pdf](#)

This item was presented.

[19-0450](#)

2019 Senate Bill 106

Attachments: [2019 Senate Bill 106.pdf](#)

This item was presented.

[19-0625](#)

Noise Variance Approvals

Attachments: [Noise Variance Requests 5.8.19.pdf](#)

This item was presented.

7. Adjournment

A motion was made by Dr. Nelson, seconded by Alderperson Spears, that the meeting be adjourned. Motion carried by the following vote:

Aye: 6 - Hanna, Mielke, Spears, Raasch, Vogel and Nelson



VINTON CONSTRUCTION COMPANY...Road Contractors

An Equal Opportunity Employer

2705 N. Rapids Road

PO Box 1987

Manitowoc, Wisconsin 54221-1987

Office 920-682-0375 Fax 920-682-2838

June 3, 2019

Kurt Eggebrecht
Heath Officer
City of Appleton Health Department
100 N. Appleton Street
Appleton, WI 54911

RE: Request for Noise Variance
Calumet St. Pavement Repair Project

The purpose of this letter is to request a noise variance for the CTH KK pavement repair project for work that will be completed on CTH KK/Calumet St from Tellulah St to Kensington Dr. that will take place between June 17, 2019 through August 17, 2019. The variance is requested from 6 pm to 7am for the above-mentioned project location.

Due to the high traffic volumes within this corridor and to reduce impacts to the traveling public, the project has outlined certain areas of concrete repair to happen during off peak travel times. These areas are to mainly include the concrete repair located within/near the intersections Telulah Ave, Schaefer St, John/Driftwood, Lake Park and the Kensington Dr & CTH KK.

The equipment that will be used during the night work operations that may cause noise would include but not limited to concrete saws, dump trucks, ready mix trucks and backhoes.

Please review this request and let me know if you have any questions/concerns.

Sincerely,

Josh Brzezinski
Vinton Construction Co.
920-973-8946



"...meeting community needs...enhancing quality of life."

DEPARTMENT OF PUBLIC WORKS

**Engineering Division
100 North Appleton Street
Appleton, WI 54911
TEL (920) 832-6474
FAX (920) 832-6489**

May 28, 2019

Health Officer
City of Appleton Health Department
100 N. Appleton Street
Appleton, WI 54911

RE: Request for Noise Variance
Unit O-19 Sanitary Sewer CIPP Liner

Dear Mr. Eggebrecht:

This letter is to request a noise variance for an upcoming Department of Public Works project in the City of Appleton. The project will consist of installing a cured-in-place pipe (CIPP), in the sanitary and storm sewer system, and take place on the following streets and/or easements:

1. Fremont St. – East St. to Harmon St.
2. Fremont St. – 665' w/o Kernan Av. to Kernan Av.
3. Vulcan St. – North Island St. to South Island St.
4. College Av. – 54' e/o Kensington Dr. to Kensington Dr.
5. Marquette St. – 220' e/o Ulman St. to 200' w/o Alexander St.
6. Perkins St. – at Railroad
7. Summit St. – Winnebago St. to Commercial St.
8. Wisconsin Av. – Wisconsin Ct. to 60' w/o Jardin Ct.
9. Arbutus Park – 37' n/o Packard St. to Packard St.
10. Lawe St. – n/o Fox River Bridge to Fox River
11. Lawe St. – Catch Basin to Main

Plans for this project will go out for bid June 3, 2019 with a bid opening on June 17, 2019. The contractor will be given a duration of June through December of 2019 to complete the project.

Depending on the size and length of the pipe, the CIPP process can impact the sewer service to a business or resident from 8 to 24 hours for this project. The residents may hear sounds, intermittent throughout the project, related to heavy equipment such as a crane, boilers, air compressor, truck traffic and deliveries of materials. When installation of the CIPP is taking place, the boilers may run constant through the night.

There is an odor that is emitted in this CIPP process. The odor is from styrene, which is a component of the resin that cures the line. Styrene has a very distinct odor, for example, like the smell of latexes, paint or polyester resins. The City has been using this method of CIPP for many years, so I do not anticipate any problems from the odor.

The residents will be notified of the project by a courtesy notice from the City and we will also require the contractor to send a notice out one week prior to the liner installation. Additional communication from the contractor will be made to the residents where sewer interruptions will occur.

Thank you and please do not hesitate to call me at 920.832.5915 if you have any questions.

Sincerely,

Chad M. Weyenberg, P.E.
Project Engineer

c: Project File

May 6, 2019

To: Kurt Eggebrecht
From: Appleton Downtown Inc.

Mr. Eggebrecht,

Please accept this letter of request for a variance from the noise ordinance for amplified programming in Houdini Plaza, during **Lunchtime Live & Heid Summer Concert** events, when we host live music, on the following Thursdays, between the hours of 11 a.m. and 1 p.m. for Lunchtime, and 5 p.m. to 10 p.m, during Heid Summer Concerts. The music is being offered to add additional free programming to those coming to downtown.

May 30

June 6, 13, 20 and 27

July 11, 18 and 25 (no concert on July 4)

August 1*, 8, 15, 22 and 29

(note, the August 1st date is coinciding with Mile of Music and is requesting a noise variance of 11 p.m.)

Appleton Downtown Inc. and Creative Downtown Appleton Inc., will be responsible for both programming and supervision of Houdini Plaza, at all times.

If you have any questions or concerns, please do not hesitate to call or email me.

Thank you,

Djuanna Hugdahl
Event Coordinator
Appleton Downtown Inc.

May 6, 2019

To: Kurt Eggebrecht
From: Appleton Downtown Inc.

Mr. Eggebrecht,

Please accept this letter of request for a variance from the noise ordinance for amplified programming in Houdini Plaza, during **Art on the Town** events, when we host live music, on the following Friday nights, between the hours of 5 p.m. and 8 p.m. The music is being offered to add additional free programming to those participating in and at the event.

May 17
June 21
July 19
August 16
September 20

Appleton Downtown Inc. and Creative Downtown Appleton Inc., will be responsible for both programming and supervision of Houdini Plaza, at all times.

If you have any questions or concerns, please do not hesitate to call or email me.

Thank you,



Djuanna Hugdahl
Event Coordinator
Appleton Downtown Inc.

Melissa L. Suttner

From: Kurt Eggebrecht
Sent: Wednesday, June 05, 2019 2:31 PM
To: Melissa L. Suttner
Subject: FW: Mile of Music Noise Variance
Attachments: Noise Variance 2.0 2019 .pdf

For BOH agenda.
Thanks,
Kurt

From: Dana Vanevenhoven [mailto:dana@willemsmarketing.com]
Sent: Wednesday, June 05, 2019 12:55 PM
To: Kurt Eggebrecht <kurt.eggebrecht@appleton.org>
Subject: Re: Mile of Music Noise Variance

Good afternoon Kurt,
The music time for Washington Square on Thursday is now 6:00 p.m. – 9:20 p.m. and I have it highlighted in the attached copy. Sorry for the inconvenience.
I will not be attending the meeting, but I will bring it up to the team to see if anyone is available to be there. Thanks for letting me know!
If you have any questions, please let me know.

Have a great day,
Dana

Dana Vanevenhoven
Operations Director
Mile of Music Festival
(920) 810-2674
dana@willemsmarketing.com

From: Kurt Eggebrecht <kurt.eggebrecht@appleton.org>
Date: Monday, June 3, 2019 at 3:48 PM
To: Dana Vanevenhoven <dana@willemsmarketing.com>
Cc: "Melissa L. Suttner" <Melissa.Suttner@Appleton.org>
Subject: RE: Mile of Music Noise Variance

Thanks for your email. I will place this on the next Board of Health agenda to be held June 12th at 7 a.m. in room 6A of the City Center located at 100 N. Appleton Street.

Although not a requirement, it is helpful if you or your designee could attend this meeting, in the event the Board has questions.

Do you plan to attend?

Thanks,
Kurt

Kurt Eggebrecht
Health Officer
Appleton Health Department
920-832-6429
www.appleton.org



From: Dana Vanevenhoven [<mailto:dana@willemsmarketing.com>]
Sent: Monday, June 03, 2019 3:12 PM
To: Kurt Eggebrecht <kurt.eggebrecht@appleton.org>
Subject: Mile of Music Noise Variance

Hi Kurt,
Hope all is well with you this beautiful Monday! I'm attaching the updated noise variance letter for your meeting this week. If you have any questions, please let me know. And, if anything "out of the ordinary" comes up, please share.

Thank you so much,
Dana

Dana Vanevenhoven
Operations Director
Mile of Music Festival
(920) 810-2674
dana@willemsmarketing.com

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Noise Variance Summary

June 1, 2019



Hello, Kurt,

Here's the rundown for the Mile of Music Festival indoor/outdoor venues and special info for sound variance and noise approval. Thank you, as always, for your assistance.

Quick notes: Much of the Mile 7 event will be similar to last year's event, with only a few changes. As always, we are giving you all the details so that you have more info than less.

We are again requesting a variance until 11 p.m. for the outside music.

Here is a quick overview of our venue situation for Mile of Music this year which runs from August 1 through 4. These may not be exact times, but they will be very close. Again, this year the vast majority of the 850-900 live music sets will occur indoors at venues along College Avenue and the Riverfront/Flats. There will be about 70 active live music venues in all, mostly indoors, as noted within this document.

For outdoor venues, we are requesting approval until 11 p.m. for August 1-4. We anticipate Sunday going no later than 10 p.m. at a couple of the outdoor venues, perhaps only Spats (the other would be Emmett's). On Tuesday, July 31, prior to the Festival, Fox Communities Credit Union and Tundraland are planning the annual Sponsor Party/Concert. This year's event will be at The Red Lion. (They will not go past 9 p.m. outside.) Monday, August 5, we hope to do a bonus show for the hospitality workers that would not go past 9 p.m. for music. TBD

Here is the full listing of venues:

OUTDOOR VENUES/LIVE MUSIC - Full Bands - Thursday, Aug. 1 through Sunday, Aug. 4 - Start times no earlier than 10 a.m. with ending times no later than 11 p.m.

Jones Park Main Stage. Will have music on Friday, Aug 1 from 12:35 p.m. - 10:45 p.m. and Saturday, Aug 2 from 1:05 p.m. - 11:00 p.m.

Houdini Plaza Main Stage. Thursday, Aug 1 -Music Education will be from 1:00 p.m. to 1:50 p.m. The usual ADI event on Thursday night (our bands, their event) from 5:30 to approximately 10:05 p.m. Friday, Aug 2 from 2:05 p.m. – 11:00 p.m. Saturday, Aug 3 from 2:05 p.m. – 10:45 pm. Sunday, Aug 4 from 12:50 p.m. – 4:10 p.m.

Washington Square Stage. This stage is back for a third year after being very popular. Music will start on Thursday, Aug 1 from 6:00 p.m. – 9:20 p.m. Friday, Aug 2 from 12:40 p.m. – 10:35 p.m. Saturday, Aug 3 from 1:00 p.m. -10:55 p.m. We would like to include Sunday in the variance request, but do not plan to have music at this time.

Fox River House will have music on Thursday through Sunday afternoon/early evening. The music will not go past 11:00 p.m. Fox River House may have a bonus concert on the evening of Wednesday, July 31 as well.

D2's Patio will have music on Thursday, Friday and Saturday afternoons and evenings, and Sunday afternoon. Typically, music at D2 is from 11:00 a.m. until approximately 11:00 p.m.

Spats Parking Lot will have music Thursday through Saturday evenings until 11:00 p.m., and Sunday evening until 10:00 p.m., and will not go past the time approved/allowed. A bonus show for hospitality workers is again planned till about 9:00 p.m. on Monday, Aug. 5 -**TBD**

McFleshman's Outdoor Stage will have music on Thursday 7:00 p.m. – 11:00 p.m., Friday 6:00 p.m. – 11:00 p.m., Saturday 5:00 p.m.-11:00 p.m., and Sunday afternoon from 2:00 p.m. – 5:00 p.m. Music will not go past the approved/allowed deadline.

Emmett's Parking Lot, sound will be toward the Walgreen's store and not toward the houses in the back. They may have the larger truck stage again or one of the Mile of Music previous main stages. They will not go past 11:00 p.m. If it rains, they will move their shows inside.

The Alley Project at the History Museum, an outdoor venue located in the back alley of the history museum. Music is expected Friday from 1:25 p.m. – 11:00 p.m., and Saturday from 2:40 p.m. – 11:00 p.m. They are aware of the city ordinances as to when they need to be wrapped up with music and will not go past the deadline. Sound will be directed away from the museum.

Lake Ormsby/Ormsby Hall. This year, there is a possibility of a Tiny House concert stage. The music will play into the campus from just off Drew Street, scheduling would likely be from noon to 10:00 p.m. on Friday and Saturday, with Sunday afternoon a possibility.

Red Lion - Paper Valley Courtyard will have music Wednesday through Sunday as well, with it being finished by 9:30 p.m. each night.

Riverside Pub in The Flats, has full bands on its patio Thursday through Saturday until 11:00 p.m. and Sunday until 5:00 p.m.

OUTDOOR VENUES/LIVE MUSIC - Acoustic (non-drumset) - Thursday, Aug. 1 through Sunday, Aug. 4 - Start times no earlier than 10 a.m. with Ending Times no later than 11 p.m.

Bazil's will have limited music on its patio (The Bazio) Thursday through Sunday as part of the Fest.

Green Gecko will have music on its patio Friday and Saturday.

Rookie's has music on its patio Thursday through Sunday as well, no later than 11:00 p.m.

Mondo Wine Bar Outdoor Patio will have pop-ups and music education no later than 11:00 pm.

Tundraland Singing in the Shower will be located at the Red Lion outside the hotel main entrance, as it was last year. Hours of operation are approximately 10:00 a.m. - 10:00 p.m.

The Creative Parklet (next to 222 Building) may have music. If so, mostly in the afternoons and early evening with the possibility of some pop-up performances from Thursday through Sunday.

The History Museum at the Castle Front Lawn will have music education events happening from time to time, but only during the day.

Music Education events also will occur in The Grove, next to Taste of Thai, the Lawrence Conservatory Green (Next to Chapel), Houdini Plaza, and the Thrivent Plaza behind the PAC - all during the day.

The Mile of Music Bus will again make its 20-minute route through downtown Thursday-Saturday. It will run from the PAC and then over to the Chapel, then back to the PAC. Mostly on College Avenue. Though the windows are out, the volume outside the bus as it passes is not terribly loud. It's mostly a fun novelty for the folks on the bus. Bus runs from 1 p.m. to 10 p.m. Route may shorten due to construction, but the main route *relatively* remains the same.

INDOOR VENUES/LIVE MUSIC - FULL BANDS - Thursday, Aug. 1 through Sunday, Aug. 4 - Start Times no earlier than 11 a.m. and End Times between Midnight and 1 a.m. on Thursday, Friday and Saturday; Will be approximately Noon to 7 p.m. on Sunday at the various venues.

Radisson Grand Ballroom

OuterEdge Stage

Lawrence Stansbury Theater (backup location)

Bad Badger

Chadwick's

Gibson Music Hall

Stone Arch Tap Room

The Bar on the Ave

Mill Creek

Déjà Vu Martini Lounge

Appleton Beer Factory

INDOOR VENUES/LIVE MUSIC - ACOUSTIC - Thursday, Aug. 1 through Sunday, August 4 - Start Times no earlier than 10 a.m. and End Times between Midnight and 1 a.m. on Friday and Saturday; Will end earlier on Thursday night, mostly by 11 p.m.; Will be approximately Noon to 7 p.m. on Sunday at the various venues

(Venues with Singer-Songwriters, Duos, Trios)

Lawrence Memorial Chapel

City Center Plaza Atrium

Copper Rock Coffee Company

McGuinness Irish Pub

Jim's Place

Dr. Jekyll's

The Ambassador

Wooden Nickel

Bad Badger

Lou's Brew

Heid Music Store

Speakeasy Ultra Lounge

Cozy Corner, Pop-Up location

Jack's Apple Pub

OB's Brau Haus

Good Company

Red Lion Paper Valley Hotel Lobby

McFleshman's

Union Jack

Mondo Wine Bar

We may do some short pop-ups throughout the Festival footprint, but nothing after mid-evening (as in 8 or 9 p.m.). Thank you!

Dana

Dana Vanevenhoven

Mile of Music

120 N. Morrison St., Suite 200

Appleton, WI 54911 (920) 810-2674

dana@willemsmarketing.com



"...meeting community needs...enhancing quality of life."

Appleton Health Department
100 North Appleton Street
Appleton, WI 54911-4799
(920) 832-6429 (920) 832-5853 Fax

RECEIVED MAY 21 2019

May 15, 2019

NORWEST BANK WISCONSIN
PO BOX 2609
CARLSBAD CA 92018

100429

You are being notified because a neighboring business has applied for an Apiary (beekeeping) permit within 200 feet of your property located at 118 S State Street. The applicant plans to keep a beehive on the rooftop at 115 S State Street, Appleton, WI 54911. The City's beekeeping requirements include a provision of neighborhood approval. It states as follows:

NEIGHBORHOOD APPROVAL REQUIRED.

1. When a permit is applied for, all property owners within a circular area having a radius of 200 feet, centered on the premises for which a permit has been requested, shall be notified of the application by the Health Officer. Notification shall be by first-class U.S. mail.
2. Property owners shall have 14 working days to file a written objection to the Health Officer if they object to the granting of a permit.
3. Upon receipt of a written objection, the matter shall be placed on the Agenda for the Board of Health to be reviewed at the next regular meeting. The Board of Health shall allow the applicant and objector an opportunity to be heard on why the permit should or should not be issued. The Board shall make a recommendation to the Common Council regarding approval of said permit.

Should you choose to file a written objection, you may direct your letter to Kurt Eggebrecht, Health Officer Appleton Health Department, 100 North Appleton Street, Appleton, WI 54911. Or you may send an objection by e-mail to:
Kurt.Eggebrecht@Appleton.org

Melissa L. Suttner

From: Kurt Eggebrecht
Sent: Wednesday, June 05, 2019 2:36 PM
To: Melissa L. Suttner
Subject: FW: Attached Notice - Apiary (Beekeeping) Request - Objection
Attachments: 100429.pdf

Importance: High

From: Linda.Glass@wellsfargo.com [mailto:Linda.Glass@wellsfargo.com]
Sent: Tuesday, May 28, 2019 9:55 AM
To: Kurt Eggebrecht <kurt.eggebrecht@appleton.org>
Subject: Attached Notice - Apiary (Beekeeping) Request - Objection
Importance: High

Good morning Kurt,

The attached notice came to me last Friday. Based on this request, we would object to granting this request. We have customers and employees going in and out of the building and the potential of bees in the area would pose a liability for us. Please provide any additional information that is available or feel free to call to discuss further. Thank you.

Linda J. Glass, CFM, PMP
Portfolio Property Manager
Corporate Properties Group
Wells Fargo 1819 University Avenue, Green Bay, WI 54302
MAC: N9843-011
Phone: 920-438-9837
For nonemergency requests: CPG Assist Website
For business interruption or emergency requests call: 800-932-2741

Linda.Glass@wellsfargo.com

From: Zhou, Mengli <Mengli.Zhou@wellsfargo.com> **On Behalf Of** CPG Property Tax
Sent: Friday, May 24, 2019 11:25 AM
To: Glass, Linda <Linda.Glass@wellsfargo.com>
Cc: CPG Property Tax <CPGPropertyTax@wellsfargo.com>
Subject: BE 100429 Notice

Hi Linda,

Please find the attached notice recently received.

Thanks,

Mengli Zhou

Finance & Acctng Sr Analyst
Corporate Properties Group Procure-to-Pay

Wells Fargo | 333 Market Street | San Francisco, CA 94105
MAC A0109-115
Tel 415-894-3281 | Fax 866-474-5321

mengli.zhou@wellsfargo.com

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"...meeting community needs...enhancing quality of life."

Appleton Health Department
100 North Appleton Street
Appleton, WI 54911
920-832-6429

May 29, 2019

Bob Fleshman
McFleshman's Brewing Co.
115 S State St.
Appleton, WI 54911

Dear Mr. Fleshman:

On May 14, 2019, the City of Appleton Health Department received your apiary application.

As part of the permitting requirements, the Health Officer must notify all property owners within a circular area having a radius of two hundred (200) feet, centered on the premises for which a permit has been requested. If a notified property owner objects to a permit being granted, he/she may file a written objection with the Health department. Should the Health Department receive an objection, the application will be denied.

This letter is to serve as notice that the Health Department has received at least one objection to your permit request and therefore your application has been **denied**.

You may appeal this decision to the Board of Health within thirty (30) days from the date of this letter. Should you choose to appeal this decision, please send your request in writing and to my attention. The Board of Health will allow you and any objectors an opportunity to be heard as to why the permit should or should not be issued. The Board of Health will affirm, modify or set aside the denial after the hearing on the matter. You will be notified of the day and time the matter will be heard.

Enclosed is a copy of the Beekeeping Permit Requirements.

Should you have any questions about this letter, please feel free to reach me at 920-832-6429.

Respectfully,

Kurt Eggebrecht
Health Officer
Appleton Health Department

Cc: Amanda Abshire, Assistant City Attorney

June 5, 2019

City of Appleton
Board of Health
Care of: Kurt Eggebrecht

Regarding McFleshman's Brewing Co's denied application for a roof-top apiary.

roof-top apiary. Another roof-top apiary has been approved in the downtown area, and we would like to address the concerns of our neighbors and come to a resolution. To better understand the flags that have been raised and how we may be able to address them, or to come to a compromise the appeal process seems the appropriate avenue.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Bobby Fleshman", with a long horizontal stroke extending to the right.

Bobby Fleshman
Owner
McFleshman's Brewing Co.



Health Department
Monthly Report

April 2019

I. Preventing Disease

Immunization Clinics	Current Month	Year to Date	Last Year to Date
Persons Immunized	7	44	38
Immunizations administered	14	120	109

Communicable Disease Cases	Current Month	Year to Date	Last Year to Date
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Gastroenteric

Campylobacter	2	4	9
Cryptosporidiosis	0	1	0
Cyclosporiasis	0	0	0
E. Coli (STEC)	2	3	9
E. Coli (Other)	2	12	0
Giardiasis	0	3	1
Hemolytic Uremic Syndrome	0	0	0
Hook Worm	0	0	0
Listeriosis	0	1	0
Salmonellosis	1	3	4
Shigellosis	0	2	1
Vibrios	0	0	0
Yersinia	0	0	1

Other Communicable Diseases	Current Month	Year to Date	Last Year to Date
Acute Flaccid Myelitis	0	0	0
Babesiosis	0	0	0
Bacterial Meningitis	0	0	1
Blastomycosis	0	0	0
Burkholderia Pseudomallei	0	0	0
Carbon Monoxide Poisoning	1	4	0
Denque Fever	0	0	0
Ehrlichiosis / Anaplasmosis	0	1	0
Haemophilis Influenza	0	0	0
Hepatitis A	0	0	0
Hepatitis B	0	4	3
Hepatitis C	4	20	19
Histoplasmosis	0	1	0
Hospitalized Influenza	4	27	57

Invasive Group A Strep	0	0	1
Invasive Strep, Other	0	0	6
Jamestown Canyon	0	0	0
Kawasaki	0	0	1
Legionellosis	0	1	0
Leprosy	0	0	0
Lyme Disease	0	2	2
Malaria	0	0	0
Neisseria Meningitidis, Invasive Disease	0	1	0
Novel Influenza	0	0	0
Rocky Mountain Spotted Fever	0	0	0
Streptococcus group B invasive disease	0	1	1
Streptococcus pneumoniae	0	0	0
TB, Latent Infection	2	10	0
TB: Atypical	1	2	4
TB: Mycobacterium	0	2	0
Viral Meningitis	0	0	0
VISA	0	0	0
West Nile Virus	0	0	0

Vaccine Preventable	Current Month	Year to Date	Last Year to Date
Measles	0	0	0
Mumps	0	0	0
Pertussis	1	2	6
Rubella	0	0	0
Varicella	0	2	2

Sexually Transmitted Disease	Current Month		Year to Date		Last Year to Date	
	All Ages	≤18	All Ages	≤18	All Ages	≤18
Chlamydia	23	5	92	12	116	0
Gonorrhea	3	0	10	0	20	0
HIV	0	0	1	0	0	0
Other STD	0	0	0	0	0	0
Partner/Referral Program	0	0	0	0	1	0
Syphilis	1	0	2	0	2	0

Licensed Establishments	Current Month	Year to Date	Last Year to Date
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PE & D, Retail Food, Hotel/Motel, Bed & Breakfast, Manufactured Home
Community, Vending Machines, Swimming Pools, Tattoo & Body Piercing, Rec/Ed

Plan Reviews	0	2	12
Preinspections	8	18	23
Inspections	33	149	149
Reinspections	3	18	37
Complaints	4	12	13
Complaint Follow-ups	1	7	2
Consultations	51	157	177

Food Borne/Water Borne	Current Month	Year to Date	Last Year to Date
Number of Outbreaks	0	0	0
Number of Interviews	0	0	0
Number of symptomatic	0	0	0

Laboratory/Field Tests	Current Month	Year to Date	Last Year to Date
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Swimming Pool Water Samples

Total number of pools sampled	20	80	56
Total number of pools resampled	0	0	0
Total positive HPC	0	0	0
Total positive coliform	0	0	0

II. Protecting the Environment

Environmental Investigations	Current Month	Year to Date	Last Year to Date
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Community water supplies, private water supplies, surface water pollution, standing water nuisance, animal nuisances, rabies control, insect control, rodent control, hazardous substance control, indoor/outdoor air pollution, noise, radiation, garbage/rubbish, private residence/housing, other business (non-licensed)

Consultations	23	70	61
Complaints	0	8	4
Complaint Follow-ups	0	3	6

III. Promoting Health

Community Health Visits	Current Month	Year to Date	Last Year to Date
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Includes contact to elderly and adult clients, parents, and children for purposes of assessment, teaching, referrals, and case management

Patient Home/Telephone Visits	81	299	327
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IV. Protecting the Consumer

Consumer Complaints	Current Month	Year to Date	Last Year to Date
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Weights and Measures, Product Labeling, and Trade Practices

Total number of consumer complaints	4	14	15
Total number found in violation	1	3	4

Type of Establishments Inspected	Current Month	Year to Date	Last Year to Date
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Food and convenience stores, restaurants, bakery and candy stores, dairy plants and stores, drug stores, hardware stores, variety stores, gas stations, salvage and recyclers, pet shops, and garden centers, industrial manufacturing plants, concrete and asphalt plants

Total number inspected	62	239	250
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Equipment and Devices Examined	Inspected			Number Not in Compliance		
	Current Month	Year to Date	Last Year to Date	Current Month	Year to Date	Last Year to Date
Scales and balances	64	271	213	1	12	2
Measures (includes gas pumps and fuel oil truck meters)	135	145	69	1	1	8
Weights	21	24	12	0	0	0
Total	220	440	294	2	13	10

Commodity Report	Current Month	Year to Date	Last Year to Date
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Total units of product investigated	15,613	69,037	73,834
Random sample size	2,597	6,857	11,518
Total products/units found short weight	302	772	609
Total products/units found mislabeled	3	744	491

Price Scanning Inspections	Current Month	Year to Date	Last Year to Date
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Number of inspections	18	91	78
Number of items scanned	625	3,000	2,652
Pricing errors found	18	82	96

The following noise variance requests have been approved by Health Officer, Kurt Eggebrecht:

*Lawrence University Lip Sync Event
Wriston Amphitheater
May 6, 6:00pm-8:00pm*

*Lawrence University Battle of the Bands Event
Lawrence University Quad
May 11, 1:00pm-5:00pm*

*Art on the Town
Houdini Plaza
May 17, 5:00pm-8:00pm*

*Lunchtime Live
Houdini Plaza
May 30 and June 6, 11:00am-1:00pm*

*Heid Summer Concert Events
Houdini Plaza
May 30 and June 6, 5:00pm-10:00pm*

*Juneteenth Celebration
City Park
June 9, 12:00pm-6:00pm*

*McFleshman's Brewing Co. "600 Block Party"
South block of State St., south of College Ave. to the southern property line
of 115 S State St.
June 22, 12:00pm-6:00pm*

*Jazz at the Trout Season 10 Series
Houdini Plaza
September 12, 6:00pm-10:00pm*

The following noise variance request has been approved by Board of Health:

*MT Pockets
2906 E Newberry St.
Sunday afternoons between 6/1 and 9/29, 4:00pm-7:00pm*