



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
www.appletonwi.gov

## Meeting Agenda - Final-revised Common Council

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Wednesday, January 15, 2025

7:00 PM

Council Chambers

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- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES  
[24-1650](#) Common Council Meeting Minutes of December 18, 2024  
*Attachments:* [CC Minutes 12-18-24.pdf](#)
- G. BUSINESS PRESENTED BY THE MAYOR  
[25-0010](#) Confirmation of Appointment Amendment for CDBG Advisory Committee  
*Attachments:* [Memo CDBG Appt.pdf](#)
- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[24-1613](#) Award 2025 Illicit Discharge Detection and Elimination Ongoing Field Screening Services Contract to Westwood Infrastructure, Inc. in an amount not to exceed \$35,000

**Attachments:** [MSC Award Memo 2025 IDDE Field Screening Services 01-06-2024.pdf](#)

**Legislative History**

1/6/25	Municipal Services Committee	recommended for approval
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[24-1614](#) Award M-25 2025 Materials Testing & Contaminated Soils Contract to Westwood Infrastructure, Inc. in an amount not to exceed \$100,000

**Attachments:** [MSC M-25 Contract Award Memo 01-06-2025.pdf](#)

**Legislative History**

1/6/25	Municipal Services Committee	recommended for approval
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[24-1615](#) Approve Long Term Temporary Occupancy Permit to Integrity Environmental Services for dumpster in parking lane of Superior St north of College Ave, from 2/6/2025 through 11/30/2025.

**Attachments:** [MSC LTT Occupancy Permit\\_Integrity Enviro\\_Superior St Dumpster\\_01-06-2025.pdf](#)

**Legislative History**

1/6/25	Municipal Services Committee	recommended for approval
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## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0420](#) Class "B" Beer and Reserve "Class B" Liquor License application for Delaires LLC d/b/a Delaire's, David Boulanger, Agent, located at 823 W. College Ave, contingent upon approval from the Health and Inspections departments.

**Attachments:** [Delaire's Alcohol Class B Beer Reserve Liquor 4.10.24 REDACTED.pdf](#)

[Delaire's Attachment.pdf](#)

[Documents distributed by Alder Van Zeeland 10.23.24.pdf](#)

[APD Delaire's letter to S&L 11.27.24.docx](#)

[OEO to Appleton City Clerk re Holding Licensing Hearing - Delaire's LLC.pdf](#)

[2025 Delaire's Business Plan.pdf](#)

[Delaire's 2025 Alcohol License Questionnaire \(Updated\) - signed.pdf](#)

**Legislative History**

10/9/24	Safety and Licensing Committee	recommended for approval
10/16/24	Common Council	referred to the Safety and Licensing Committee
10/23/24	Safety and Licensing Committee	held

12/11/24	Safety and Licensing Committee	held
1/8/25	Safety and Licensing Committee	recommended for approval

*David Boulanger was present and addressed the committee.  
Emil Ovbiagele, OVB Law & Consulting, 826 N Plankinton Ave, Milwaukee, WI, was present and addressed the committee.*

[24-1611](#)

Secondhand Article Dealer License renewal application for T&S Sports d/b/a Play It Again Sports, Michael Milloy, Agent, located at 611 W Northland Ave, contingent upon approval from the Health department.

**Attachments:** [Play It Again Sports.Secondhand Article Renewal.12.10.24.REDACTED.pdf](#)

Legislative History

1/8/25	Safety and Licensing Committee	recommended for approval
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**3. MINUTES OF THE CITY PLAN COMMISSION****4. MINUTES OF THE PARKS AND RECREATION COMMITTEE****5. MINUTES OF THE FINANCE COMMITTEE**[24-1623](#)

Request to approve Contract Amendment #1 with Restoration Systems Inc. for Green Ramp Barrier Panel Emergency Repairs Phase 1, in an increase of \$17,225, for a new not-to-exceed contract total of \$64,455.

**Attachments:** [Finance Memo Green Ramp Phase 1 Repairs Contract Amend 1 01-06-2025.p](#)

Legislative History

1/6/25	Finance Committee	recommended for approval
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[24-1624](#)

Request to award the 2025 Interior Finishes and Furniture Project - Community Development to Chet Wesenberg Architect, LLC. for a sole-source contract not-to-exceed \$67,400.

**Attachments:** [2025 Community Development AE Services.pdf](#)

[Sole Source Community Dev.pdf](#)

Legislative History

1/6/25	Finance Committee	recommended for approval
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**6. MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE**[24-1607](#)

Request to approve City Program Funding for 2025 Community Development Block Grant (CDBG) Funding as specified in the attached document

**Attachments:** [CDBG City Allocations Prelim Rec Memo to CDC 1-8-25.pdf](#)

Legislative History

1/8/25	Community Development Committee	recommended for approval
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**7. MINUTES OF THE UTILITIES COMMITTEE**[24-1635](#)

Approve Contract Amendment #1 to Applied Technologies Inc. as a part of the AWWTP Column and Plank Storage Upgrades for additional design and construction management services in the amount of \$4,900 increasing the contract amount from \$25,500 to \$30,400.

**Attachments:** [250103\\_ATI\\_SSB\\_WallPlankModif\\_Contract Amendment #1.pdf](#)

**Legislative History**

1/7/25

Utilities Committee

recommended for approval

**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE****9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION****10. MINUTES OF THE BOARD OF HEALTH****M. CONSOLIDATED ACTION ITEMS****N. ITEMS HELD****O. ORDINANCES****P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION****Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION****R. OTHER COUNCIL BUSINESS****S. CLOSED SESSION**[25-0001](#)

The Common Council may go into closed session according to State Statute §19.85(1)(e) (deliberating or negotiating the purchasing of public properties, investing of public funds or conducting other specific public business when competitive or bargaining reasons require a closed session) for the purpose of deliberating or negotiating items related to the disposition of land in the Downtown District. Upon conclusion of the closed session, the Common Council will then reconvene into open session.

**T. ADJOURN**

Kami Lynch, City Clerk

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

*Remote meeting attendance may be permitted pursuant to Section 2-29 of the Appleton Municipal Code and Rules of Council.*



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, December 18, 2024

7:00 PM

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order by Mayor Woodford at 7:00 p.m.*

B. INVOCATION

*The Invocation was offered by Alderperson Firkus.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Mayor Jake Woodford

**Excused:** 3 - Alderperson Patti Heffernan, Alderperson Vaya Jones and Alderperson Chad Doran

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*All Departments were represented.*

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[24-1600](#)

Common Council Meeting Minutes of December 4, 2024

**Attachments:** [CC Minutes 12-4-24.pdf](#)

**Alderperson Fenton moved, seconded by Alderperson Meltzer, that the Minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim and Alderperson Christopher Croatt

**Excused:** 3 - Alderperson Patti Heffernan, Alderperson Vaya Jones and Alderperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[24-1521](#) Parade Committee Awards Presentation

*Corey Otis presented the 2024 Christmas Parade awards.*

[24-1599](#) Confirmation of Appointment

**Attachments:** [Dec 18 2024 Council Appointment Memo.pdf](#)

**Aldersperson Hartzheim moved, seconded by Aldersperson Hayden, that the appointment be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Christopher Croatt

**Excused:** 3 - Aldersperson Patti Heffernan, Aldersperson Vaya Jones and Aldersperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

H. PUBLIC PARTICIPATION

*There were no members of the public present to speak during public participation.*

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[24-1598](#) Approve Water Rate Study Consultant.

**Attachments:** [Water Rate Study award consultant memo Dec 2024.pdf](#)

**Aldersperson Firkus moved, seconded by Aldersperson Meltzer, that the Water Rate Study Consultant of Trilogy be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Christopher Croatt

**Excused:** 3 - Aldersperson Patti Heffernan, Aldersperson Vaya Jones and Aldersperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

[24-1546](#)

Approval to hire CP2 Consulting for the City of Appleton Strategic Guide Facilitation Services.

**Attachments:** [Strategic Planning RFP Memo.pdf](#)  
[CP2 Strategic Plan Proposal.pdf](#)

**Aldersperson Croatt moved, seconded by Aldersperson Meltzer, that the hiring of the consultant be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 11 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff and Aldersperson Christopher Croatt

**Nay:** 1 - Aldersperson Sheri Hartzheim

**Excused:** 3 - Aldersperson Patti Heffernan, Aldersperson Vaya Jones and Aldersperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

[24-1569](#)

Request to approve the Relocation Order for the Lawe Street reconstruction project from College Avenue to Spring Street.

**Attachments:** [0515 - Lawe - Relocation Order \(12-02-2024\).pdf.pdf](#)

**Aldersperson Hartzheim moved, seconded by Aldersperson Croatt, that the Relocation order be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Christopher Croatt

**Excused:** 3 - Aldersperson Patti Heffernan, Aldersperson Vaya Jones and Aldersperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

**Balance of the action items on the agenda.**

**Aldersperson Hartzheim moved, Aldersperson Meltzer seconded, to approve the balance of the agenda. The motion carried by the following vote:**



**Aye:** 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim and Alderperson Christopher Croatt

**Excused:** 3 - Alderperson Patti Heffernan, Alderperson Vaya Jones and Alderperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[24-1562](#) Approve 2025 Morrison Street Asphalt Reconstruction Traffic Calming Design Changes.

**Attachments:** [Morrison St Design Changes 12-09-2024 .pdf](#)

This Report Action Item was approved.

[24-1563](#) Award 2025 Contract for Operation, Maintenance, and Monitoring at the Closed City of Appleton Landfill to SCS Engineers, in an amount not to exceed \$76,361.

**Attachments:** [Award 2025 SCS Mackville 12-09-2024 .pdf](#)

This Report Action Item was approved.

[24-1564](#) 2025 Sole Source Purchase Request - Various Traffic Equipment & Technologies

**Attachments:** [Sole Source Purchase Request - Traffic Equipment 2025.pdf](#)

This Report Action Item was approved.

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-1495](#) Operator License for Crystal Williams.

**Attachments:** [Crystal Williams Application.pdf](#)  
[Crystal Williams Clerk's Letter.pdf](#)  
[Crystal Williams denial letter.pdf](#)  
[Crystal Williams supplemental denial.pdf](#)  
[Crystal Williams Operator License Memo.pdf](#)  
[Letter provided by Crystal Williams 12.11.24.pdf](#)

The recommendation to deny the license was approved.

[24-1500](#)

2025 Secondhand Jewelry, Secondhand Article, and Pawnbroker License renewal applications, contingent upon approval from all departments.

**Attachments:** [2025 SECONDHAND.PAWN RENEWALS.pdf](#)

**This Report Action Item was approved.**

[24-1501](#)

Class "B" Beer and "Class B" Liquor License application for Sushi Lover in Appleton LLC d/b/a Sushi Lover, Zhen Zhen Sun, Agent, located at 527 W. College Ave, contingent upon approval from the Community Development, Health, and Inspections departments.

**Attachments:** [Sushi Lover in Appleton LLC.Alcohol.Class B Beer Liquor.11.11.24.REDACTED.pdf](#)

**This Report Action Item was approved.**

[24-1502](#)

Class "B" Beer and "Class B" Liquor License application for Eldorado Moon LLC d/b/a Missfits Tavern, Hollyann Strunc, Agent, located at 317 N. Appleton St, contingent upon approval from the Community Development, Health and Inspections departments.

**Attachments:** [Missfits Tavern.Eldorado Moon LLC.Alcohol.Class B Beer Liquor.11.11.24.REDACTED.pdf](#)

**This Report Action Item was approved.**

[24-1519](#)

Class "B" Beer and "Class B" Liquor License application for Taste of Thai Appleton LLC d/b/a Mad Elephant, Chisa Jitmaiwong, Agent, located at 1222 S. Oneida St, contingent upon approval from the Community Development, Health, and Inspections departments.

**Attachments:** [Mad Elephant.Tast of Thai Appleton LLC. Alcohol. Class B Beer Liquor.11.25.24.REDACTED.pdf](#)

**This Report Action Item was approved.**

[24-1506](#)

Police Department Requests Approval of Sole Source Purchase for Load Bearing Vests

**Attachments:** [2025 Sole Source Memo.pdf](#)  
[Armor Express - PD.pdf](#)

**This Report Action Item was approved.**

[24-1566](#) Fire Department Request to Apply - Assistance to Firefighter Grant

**Attachments:** [Request to Apply AFG SCBA.pdf](#)

This Report Action Item was approved.

[24-1567](#) Fire Department Request to Purchase Cardiac Monitors

**Attachments:** [12-04-24 Request to Purchase Cardiac Monitors.pdf](#)

This Report Action Item was approved.

**3. MINUTES OF THE CITY PLAN COMMISSION**

**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**

**5. MINUTES OF THE FINANCE COMMITTEE**

[24-1570](#) Request to approve contract extension for BMC ARPA Grant Administration Contract.

**Attachments:** [MemoContractExtension\\_BMCARPA.pdf](#)

This Report Action Item was approved.

[24-1571](#) Request to approve Development Agreement for Lumbini Estates (Saket, LLC).

**Attachments:** [0288 - Lumbini - Development Agreement - Draft 12-03-2024.pdf.pdf](#)  
[LumbiniEstate DAMemo 12052024.pdf](#)

This Report Action Item was approved.

[24-1572](#) Request to approve write off of \$49,609.68 of accounts receivable invoices and \$23,407.02 of personal property taxes (outstanding over one year).

**Attachments:** [AR Write Off List 2024.pdf](#)  
[PP Write off List 2024.pdf](#)

This Report Action Item was approved.

**6. MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE**

**7. MINUTES OF THE UTILITIES COMMITTEE**

[24-1531](#)

Award Organic Recycling Contractor Services to Hsu Growing Supply for an extended one (1) year term ending December 31, 2025.

**Attachments:** [241202\\_UCMHSU\\_contract\\_extension\\_2025.pdf](#)

**This Report Action Item was approved.**

[24-1532](#)

Award 2025A Stormwater Management Plan review contract to Brown and Caldwell in an amount not to exceed \$80,000.

**Attachments:** [2025A BC Plan Review Award Util Memo 12-10-2024.pdf](#)

**This Report Action Item was approved.**

[24-1533](#)

Award 2025B Stormwater Management Plan review contract to raSmith in an amount not to exceed \$30,000.

**Attachments:** [2025B raSmith Plan Review Award Util Memo 12-10-2024\\_r1.pdf](#)

**This Report Action Item was approved.**

[24-1534](#)

Award N-24 Spot Repairs, Protruding Taps & Mineral Deposit Removal to New Restoration and Recovery Services, LLC dba Aqualis, in an amount not to exceed \$129,512.50

**Attachments:** [N-24 Contract Award Form w Bid Tabs.pdf](#)

**This Report Action Item was approved.**

[24-1535](#)

Amend K-24 Native Vegetation Contract (K-24) with Robert E. Lee & Associates, Inc. dba NES Ecological Services by an increase of \$15,000, from \$192,345.12 to a new amount not to exceed \$207,345.12.

**Attachments:** [K-24 NES Contract Amend Util Memo 12-10-2024.pdf](#)

**This Report Action Item was approved.**

[24-1536](#)

Approve Contract Amendment #2 to McMahon as part of the Wastewater Treatment Plant Grit Removal, Blended Sludge Piping and Heat Exchanger Replacement Project for additional design and construction management services in the amount of \$18,900.

**Attachments:** [241120\\_Uilities Memo\\_HEX Project Contract Amendment2.pdf](#)

**This Report Action Item was approved.**

[24-1580](#) Approval of an Engineering Services Contract for the North and Ridgeway Tower Coating Projects to Dixon Engineering, Inc. in the amount of \$129,390 plus a 7.5% contingency of \$9,704 for a total cost of \$139,094.

**Attachments:** [2025 North-Ridgeway Tower Coating Services Contact Award Memo.pdf](#)

This Report Action Item was approved.

**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

[24-1545](#) Approval to Over Hire for the Deputy Director Human Resources Position.

**Attachments:** [Over Hire HR Deputy Director.pdf](#)

This Report Action Item was approved.

**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

[24-1553](#) Approve the Intermunicipal Agreement with Outagamie County for Specialized Transportation Services for 2025 Contingent on Outagamie County Approval

**Attachments:** [2025 Outagamie County Contract.pdf](#)

This Report Action Item was approved.

[24-1554](#) Approve the Intermunicipal Agreement with Winnebago County for Specialized Transportation Services for 2025 Contingent on Winnebago County Approval

**Attachments:** [2025 Winnebago County Contract.pdf](#)

This Report Action Item was approved.

[24-1555](#) Approve the Intermunicipal Agreement with Calumet County for Specialized Transportation Services for 2025 Contingent on Calumet County Approval

**Attachments:** [2025 Calumet County Contract.pdf](#)

This Report Action Item was approved.

[24-1556](#)

Approve the Intermunicipal Agreement with the City of Neenah for Northern Winnebago Dial-A-Ride Service for 2025 Contingent on City of Neenah Approval

**Attachments:** [2025 NWDAR Neenah Contract.pdf](#)

This Report Action Item was approved.

[24-1557](#)

Approve the Intermunicipal Agreement with the Village of Fox Crossing for the Northern Winnebago Dial-A-Ride Services for 2025 Contingent on the Village of Fox Crossing Approval

**Attachments:** [2025 NWDAR Fox Crossings Contract.pdf](#)

This Report Action Item was approved.

**10. MINUTES OF THE BOARD OF HEALTH**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[24-1597](#)

The Common Council may go into closed session according to State Statute §19.85(1)(e) (deliberating or negotiating the purchasing of public properties, investing of public funds or conducting other specific public business when competitive or bargaining reasons require a closed session) for the purpose of deliberating or negotiating items related to the proposed Valley Transit Mixed Use Development. Upon conclusion of the closed session, the Common Council will then reconvene into open session.

**Aldersperson Hartzheim moved, seconded by Aldersperson Meltzer, that the Common Council convene into Closed Session at 7:22 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Christopher Croatt

**Excused:** 3 - Aldersperson Patti Heffernan, Aldersperson Vaya Jones and Aldersperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

## T. ADJOURN

*Aldersperson Hartzheim moved, seconded by Aldersperson Fenton, to reconvene into open session at 8:17 p.m. Roll Call. Motion carried 12/0 and at 8:17 the Council reconvened in open session. No action was taken in closed session.*

**Aldersperson Hartzheim moved, seconded by Aldersperson Croatt, that the meeting be adjourned at 8:18 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Christopher Croatt

**Excused:** 3 - Aldersperson Patti Heffernan, Aldersperson Vaya Jones and Aldersperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

Kami Lynch, City Clerk



# CITY OF APPLETON

**Date:** January 17, 2025

**To:** Common Council

**From:** Mayor Jacob A. Woodford

**Subject:** Confirmation of Appointments for  
CDBG ADVISORY COMMITTEE

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Due to a recurring scheduling conflict with the expected meeting times, Alder Wolff has had to step down from his appointment to the CDBG Advisory Committee. Alder Jones has offered to fill the vacancy.

**Committee:** CDBG Advisory Committee

**New Appointment:** Alder Vaya Jones – Term Ends April 2025





DEPARTMENT OF  
**PUBLIC  
WORKS**

## MEMORANDUM

**Date:** January 6, 2025  
**To:** Municipal Services Committee  
**From:** Laura Jungwirth, Director of Public Works  
Peter Neuberger, City Engineer/Deputy Director of Public Works  
Luke Vandenberg, Project Engineer  
**Subject:** Award 2025 Illicit Discharge Detection and Elimination Ongoing Field Screening Services Contract to Westwood Infrastructure, Inc. in an amount not to exceed \$35,000

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The Department of Public Works recommends award of the 2025 Illicit Discharge Detection and Elimination Ongoing Field Screening Services Contract to Westwood Infrastructure, Inc. (Westwood) in an amount not to exceed \$35,000.

Work under this contract includes the following:

- Field screening of stormwater outfalls.
- NR216 Reporting in accordance with WPDES General MS4 Stormwater Permit.
- Review of the current (2020) Ongoing Field Screening Program to be consistent and in compliance with the 2025 MS4 Stormwater Permit, which is expected to be issued later in 2025.
- Response and tracking of Illicit Discharges.

In March 2024 DPW issued a Request for Proposals (RFP) to five consultants. Two proposals were received. The RFP and 2024 award memo stated: *“with satisfactory performance by the consultant, Ongoing Illicit Discharge Field Screening services may be negotiated with the selected consultant on a yearly basis for up to four additional years (through 2028).”*

Based on the continued quality of work by Westwood throughout 2024, DPW recommends award of the 2025 contact to Westwood for the second year of approval.



DEPARTMENT OF  
**PUBLIC  
WORKS**

**MEMORANDUM**

**Date:** January 6, 2025  
**To:** Municipal Services Committee  
**From:** Laura Jungwirth, Director of Public Works  
Peter Neuberger, City Engineer/Deputy Director of Public Works  
Luke Vandenberg, Project Engineer  
**Subject:** Award M-25 2025 Materials Testing & Contaminated Soils Contract to Westwood Infrastructure, Inc. in an amount not to exceed \$100,000

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The Department of Public Works recommends award of the M-25 2025 Materials Testing & Contaminated Soils Contract to Westwood Infrastructure, Inc., (Westwood) in an amount not to exceed \$100,000.

In January 2024, DPW issued a Request for Proposals (RFP) to twelve consulting firms. Two proposals were received, and the Common Council approved DPW's recommendation to contract with Westwood for 2024 Materials Testing & Contaminated Soils consulting services. The 2024 award memo and Request for Proposals stated: *"With satisfactory performance by the selected consultant services may be negotiated with the selected consultant and approved by the Common Council on a yearly basis for an additional 4 years."* Based on the consistently high quality of work during 2024, staff recommends awarding to Westwood the 2025 contract as the second year of the approval.

Work under this contract includes the following primary tasks:

- Material testing for concrete, asphalt, and soils
- Contaminated material response, analysis, and permitting
- Styrene testing for cast in place pipe (CIPP)
- Environmental investigations
- Geotechnical investigations

Although the proposal included unit cost data, the actual work needed during the year is unknown at this time. Funding for this work is included in each individual budget (concrete, asphalt, sidewalk, sanitary, storm and water). Expenditures will be for actual services performed and may be less than the awarded amount. A contract amendment will be brought to committee at the appropriate time if additional funding is necessary.



# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
 Effective Date: 1/2/25  
 Expiration Date: 2/22/25  
 Non-Refundable Fee: 40.00  
 Paid (yes or no): 167882484

Rev. 05-2024

### Applicant Information

Name (print): Tony Balthazor Company: Integrity Environmental Services INC  
 Address: 1821 Dolphin Drive Telephone: 262-777-1861  
Waukesha WI 53186 E-mail: tbalthazor.ies@gmail.com  
 Applicant Signature: \_\_\_\_\_ Date: 12-13-2024

### Occupancy Information

General Description/Reason: Dumpster placement in a metered parking lane  
Construction  
 Street Address: 222 W. College Ave Appleton WI Sidewalk/roadway obstruction requested  Y or  N  
 - or -  
 Multiple Streets: loading zone at Superior street and College avenue  
 Date(s) From: 1/2/25 To: 11/30/25 35 days or <  35 days or >   
 (Requires Committee and Council Approval)

### (Department use only)

#### Occupancy Type

- Permanent - Obstruction (\$40)
- Temporary - Obstruction (\$40)
- Amenity/Annual (\$40)
- Blanket/Annual (\$250)
- Block Party (\$15)

#### Sub-Type

- Awning
- Dumpster
- Sign
- Obstruction / Other
- POD / Container

#### Location

- Sidewalk
- Terrace
- Roadway

### Additional Requirements

Plan/Sketch  Certificate of Insurance  Bond Committee and Council Approval  
 Other : \_\_\_\_\_ Date: \_\_\_\_\_

### Traffic Control Requirements

N/A

Contact Traffic Division (920-832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure.  
 Additional Requirements: \_\_\_\_\_

Type of Street: \_\_\_\_\_ Proposed Traffic Control: \_\_\_\_\_  
 Arterial/CBD  City Manual Page(s) 12  
 Collector  State Manual Page(s) \_\_\_\_\_  
 Local  Other (attach plan) \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

### This permit approval is subject to the following conditions:

1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted.
5. **Dumpsters/PODs/Containers shall be located within 12" of face of curb.**
- 6.

This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies, be properly barricaded and lighted, and be performed in a safe manner. By applying for and accepting this permit, the applicant assumes full liability and/or any costs incurred by the City for corrective work required to bring the subject area into compliance with said ordinances, standards, policies and permit conditions. No occupancy shall occur prior to approval of this permit by the Department of Public Works.

The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume complete and full liability and responsibility, in accordance with existing ordinances and policies, in the event of injury or damage to persons or property resulting from their facilities within the public right-of-way.

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 (Department of Public Works)

**DEPARTMENT OF PUBLIC WORKS**

**METER BAG APPLICATION**

Fee is \$9.00 per day plus tax or any part thereof. **THIS FEE WILL BE CHARGED FOR EVERY DAY THE METER BAG IS RESERVED** (excluding Sundays and Holidays).

**NOTE:** Meter bags shall not be used on red meters. If a red meter is found bagged, the bag will be removed and the vehicle will be ticketed.

Company Name Integrity Environmental

Agent Tony Balharzor

Company Address 1821 Dolphin Drive

Phone Number 262-777-1861

Reason Construction

Location 222 W. College Ave. parking space is on Superior Street

\*REQUIRED\*

Meter Zone & Space# ~~196~~ Loading zone south of Johnston St Alley

Date(s) ~~12-25-2025~~ 12-25-2025

(Department use only)

Amount Due \$ 427.28 Recp 167882484  
(\$9.00 per bag per day plus tax)

Approved by \_\_\_\_\_  
Department of Public Works Representative

Today's Date 12/17/24

**Insurance and Bond Coverage:**

Insurance Carrier: KNI Insurance

Insurance Agent Name and Phone Number: ~~William~~ Jeff Knuese 262-970-9221

Policy Number: 12EMP2302200

Policy Period: 11-8-24 to 11-8-2025

\* Bond Carrier: \_\_\_\_\_

\* Bond Agent Name and Phone Number: \_\_\_\_\_

\* Bond Number: \_\_\_\_\_

\* Bond Period: \_\_\_\_\_

I confirm that I have the authority to sign and certify the information contained herein as the permittee/licensee or duly authorized representative of the entity obtaining this permit/license. I have reviewed and understand the insurance and bonding requirements of the City of Appleton. I hereby certify that I, or the company I represent have insurance and a bond in the amounts required to obtain this permit/license. I have named the City of Appleton as an additional insured for purposes of this permit/license and have provided the name of my insurance and bond carriers, the policy numbers and policy periods above. Further, I agree to maintain appropriate insurance coverage for the duration of this permit/license and to indemnify against any and all liability, loss, damage and expenses and costs including attorneys' fees arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant, anyone directly or indirectly employed by any of them, which may arise from the use of city right of way or property under this permit or license.

I certify that this application, and all information and documentation provided therein, is true and accurate.

Company Name: Integrity Environmental

Print Name: Tony Balthazor

Signature: 

Date: 12-17-24

\* Bonds are required for the following types of work only:

- Plumbing in the public right-of-way: \$5,000.00 Performance Bond (Code Section 4-265)
- Sewer lateral sealing in the public right-of-way: \$5,000.00 Performance Bond (Code Section 4-188(c))
- Moving of Buildings: \$2,000.00 Performance Bond (Code Section 4-207(5))
- Cement Finisher's License: \$2,000.00 Performance Bond (Municipal Code Section 9-33)

Form  
AB-200

## Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_      Class "B" Beer ..... \$ 100  
 "Class A" Liquor ..... \$ \_\_\_\_\_      "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_      Reserve "Class B" Liquor \$ 10500  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$ 10,600
Background Check Fee	\$ 60
Publication Fee	\$ 7
<b>Total Fees</b>	<b>\$ 10,667</b>

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <u>Delaire's LLC</u>			
2. Business Trade Name or DBA <u>Delaire's</u>			
3. FEIN		4. Wisconsin Seller's Permit Number <u>456-1031294282-04</u>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <u>Wisconsin</u>		7. Date of Organization <u>9/20/2022</u>	8. Wisconsin DFI Registration Number <u>D073986</u>
9. Premises Address <u>823 <del>827</del> W. College Ave.</u>			
10. City <u>Appleton</u>		11. State <u>WI</u>	12. Zip Code <u>54914</u>
13. County <u>Outagamie</u>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>		15. Aldermanic District <u>11</u>
16. Premises Phone <u>727-808-9092</u>	17. Premises Email <u>delaires.wb@gmail.com</u>		18. Website _____
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. <u>1779 sq. ft. premise where alcohol will be sold and stored. Alcohol consumed in bar area. Alcohol will be sold over bartop and stored in a backroom.</u>			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the details of violation below. Attach additional sheets if necessary.		
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No  
 beverages.

If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

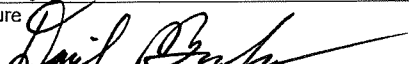
Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Boulanger	David	owner	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Boulanger	First Name David	M.I. D
Title owner	Email	Phone
Signature 	Date 4/10/24	

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk 4-10-2024	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	



# City of Appleton Alcohol License Questionnaire

1. Name of Applicant: David Boulanger

2. Name of Business: Delaire's

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) Coffee bar

3. Address of Business: 827 W. College Ave, Appleton WI 54914  
823

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes \_\_\_\_\_ No X

AND/OR been convicted of a felony? Yes \_\_\_\_\_ No X

If yes to either question, please explain in detail below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. List all partners, shareholders or investors of your business. Include full name, middle initial and date of birth. Please use additional sheets if necessary.

<u>David</u>	<u>D</u>	<u>Boulanger</u>	
First name	M.I.	Last name	Date of Birth / /
First name	M.I.	Last name	Date of Birth / /
First name	M.I.	Last name	Date of Birth / /
First name	M.I.	Last name	Date of Birth

6. Name of person/corporation you are buying the premise and equipment from?

Name: \_\_\_\_\_  
First name Middle Initial Last name

Address: \_\_\_\_\_  
City State ZIP



7. What was the previous name and primary nature of the business operating at this location?

Name: Empty / VACANT

(Check Applicable Box(s) to identify primary business activity)

- Restaurant  
 Tavern/Night Club/Wine Bar  
 Microbrewery/Brewpub  
 Painting/Craft Studio  
 Other (describe) \_\_\_\_\_

8. Was this premise licensed for alcohol sales/consumption during the past license year?

Yes \_\_\_\_\_ If yes, please contact the Community and Economic Development Department at 832-6468 about obtaining a copy of an existing Special Use Permit and related requirements that may run with property.

No X If no, please contact the Community and Economic Development Department at 832-6468 about obtaining a Special Use Permit. A Special Use Permit may be required for your business activity prior to the issuance of a Liquor License, pursuant to the City of Appleton Zoning Ordinance.

9. If alcohol sales were a previous use in this building, when did the operation cease?

\_\_\_\_\_ months ago.

10. Seating capacity: Inside 15 Outside 0

11. Operating hours (Inside the building): 10AM - 10PM  
Operating hours (Outdoor seating areas): —

12. Employees/Staff

Number of floor personnel 1 Number of door checkers \_\_\_\_\_

13. In general, state the size and operational details of the proposed establishment:

a. Gross floor building area of the premises to be licensed: 1779 square feet.


b. Gross outdoor seating areas of the premises to be licensed: 0 square feet.

c. Below, identify the operational details of the proposed establishment:

Serving coffee with liquor.

See attached business plan for more details.

Open every day 10am-10pm

  
Signature

4/10/24  
Date

<b>Agent Type</b> (check one)	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) Delaire's LLC	
2. Business Trade Name or DBA Delaire's	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	


<b>Part B: Agent Information</b>			
1. Last Name Boulanger	2. First Name David	3. M.I. D	
4. Email		5. Phone	
6. Home Address 1024 Sumac Drive			
7. City West Bend	8. State WI	9. Zip Code 53090	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? ..... Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? ..... Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? ..... See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →

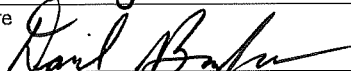
**Part D: Business Attestation**

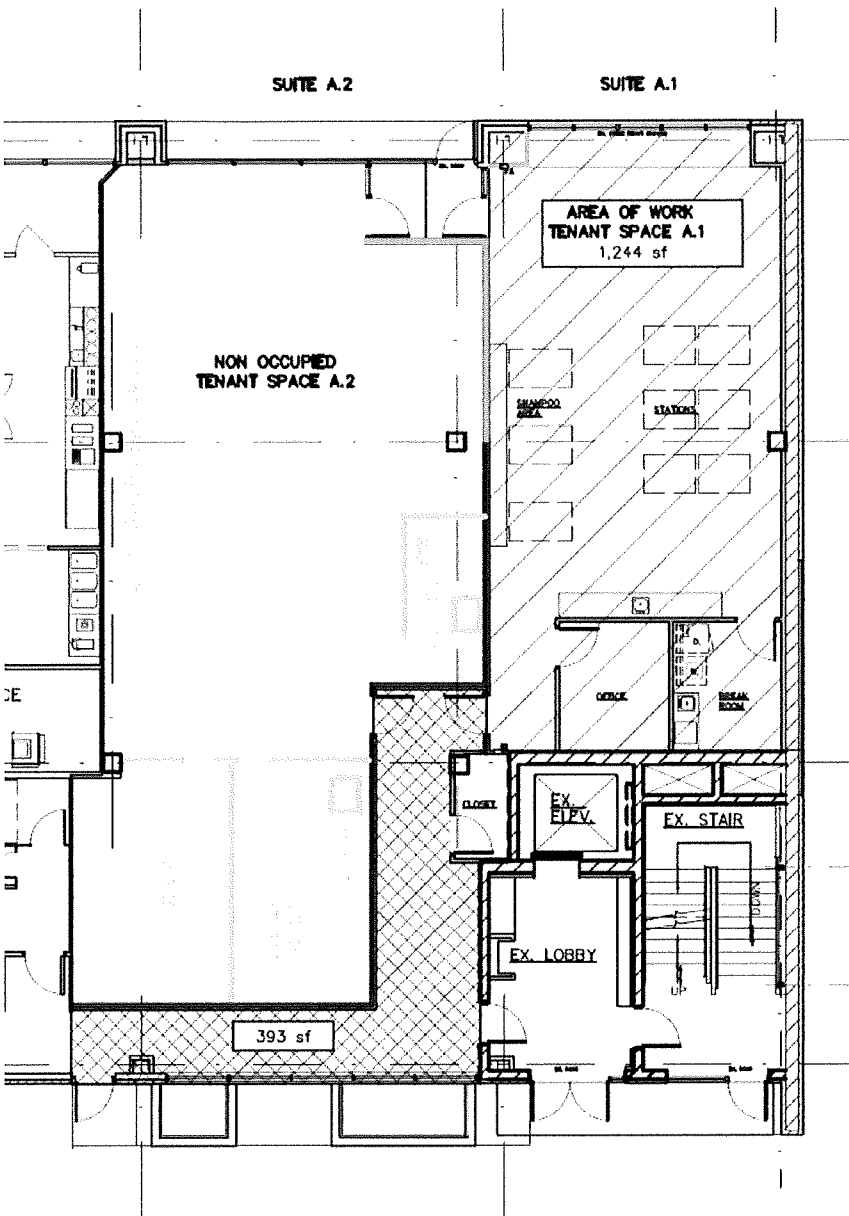
READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name <b>Boulanger</b>		First Name <b>David</b>		M.I. <b>D</b>
Title <b>Owner</b>	Email		Phone	
Signature 			Date <b>4/10/24</b>	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name <b>Boulanger</b>		First Name <b>David</b>		M.I. <b>D</b>
Signature 			Date <b>4/10/24</b>	



## **Business Plan: Delaire's**

### **Executive Summary:**

Deலை's is a unique establishment that combines the cozy ambiance of a traditional coffee shop with the sophisticated offerings of a cocktail bar. Located in the heart of Appleton, our café aims to provide a welcoming environment where customers can enjoy expertly crafted coffee beverages during the day and indulge in signature cocktails in the evening.

### **Business Description:**

Deலை's will offer a diverse menu of high-quality coffee drinks, including espresso, cappuccino, latte, and specialty brews sourced from premium beans. Our skilled baristas will be trained to create exquisite coffee creations that cater to both traditional coffee aficionados and adventurous palates.

In addition to our coffee offerings, Delaire's will hold a liquor license, allowing us to serve a curated selection of spirits, wines, and craft beers. Our cocktail menu will feature innovative concoctions that blend classic recipes with modern twists, providing customers with a unique drinking experience.

### **Target Market:**

Our target market includes a diverse range of individuals, including coffee enthusiasts, professionals seeking a relaxed workspace, students looking for a study spot, and individuals seeking a casual yet sophisticated atmosphere to socialize with friends or colleagues.

### **Competitive Advantage:**

Deலை's distinguishes itself from traditional coffee shops by offering alcoholic beverages, creating a one-of-a-kind experience for customers. Our commitment to quality extends beyond our coffee beans to our selection of spirits, ensuring that every drink served meets the highest standards.

Additionally, our café will prioritize customer service, aiming to create a welcoming and inclusive environment where patrons feel valued and comfortable. Our knowledgeable staff will be trained to provide personalized recommendations and cultivate a sense of community among customers.

### **Marketing Strategy:**

Deலை's will utilize a multi-faceted marketing approach to attract customers and build brand awareness. This strategy will include:

1. **Social media marketing:** Engaging with customers through platforms such as Instagram, Facebook, and Twitter to showcase our offerings, promote special events, and interact with our online community.
2. **Local partnerships:** Collaborating with nearby businesses, such as bookstores or art galleries, to cross-promote our café and attract a diverse clientele.
3. **Event hosting:** Hosting regular events, such as live music performances, trivia nights, or cocktail workshops, to create buzz and attract new customers.
4. **Loyalty programs:** Implementing a loyalty program to reward repeat customers and encourage customer retention.

### **Financial Plan:**

Delaire's anticipates initial startup costs for equipment, furnishings, and renovations. We project steady growth in revenue over the first few years of operation, driven by increasing customer traffic and sales volume.

Revenue streams will primarily come from the sale of coffee beverages, alcoholic drinks, and light food offerings. We will carefully monitor expenses, including inventory, staffing, and marketing, to ensure profitability and sustainable growth.


In the event additional financing is required, Delaire's has the option to secure a line of credit of up to \$200,000 from one of our current businesses, providing flexibility to manage cash flow and unexpected expenses.

### **Conclusion:**

Delaire's offers a unique concept that combines the warmth of a coffee shop with the allure of a cocktail bar. With a focus on quality, innovation, and exceptional customer service, we are confident that our café will become a beloved destination for coffee enthusiasts and cocktail aficionados alike, operating from 10 am to 10 pm to accommodate our diverse customer base.

# Proposed Grafton lounge bar stalls at Plan Commission

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 [gmtdaily.com/news\\_graphic/business/proposed-grafton-lounge-bar-stalls-at-plan-commission/article\\_6760f1a2-9575-11ec-aa9d-8f6037bb0a82.html](https://gmtdaily.com/news_graphic/business/proposed-grafton-lounge-bar-stalls-at-plan-commission/article_6760f1a2-9575-11ec-aa9d-8f6037bb0a82.html)

By Melanie Boyung - Special to the News Graphic

February 24, 2022

GRAFTON — A proposal for a gaming lounge bar in downtown Grafton stalled this week, as the Plan Commission tabled the conditional use permit the business will require in order to obtain more information.

David Boulanger submitted an application for the conditional use permit to the Plan Commission, which met Tuesday. Boulanger said the proposed business for 1208 12th Ave., the former location of Lash Boutique in the commercial complex at the corner of 12th Avenue and Washington Street, would be a small establishment called Bella's Gaming Lounge, serving beer and bar snacks.

The plan included several television sets for sports game viewing and five bar gaming machines. According to Boulanger, the bar would have only 10 to 15 patrons at a time on the high end; there would be limited seating under the business plan, and he said the business would not produce high levels of noise, as it would be a quiet place to lounge, relax and play games rather than a traditional bar.

The permit application was tabled after a public hearing and Plan Commission discussion, during which there were concerns about noise, gambling on the bar video games and whether such an establishment fit the character of what the village of Grafton envisioned for downtown.

Village President and Plan Commission Jim Brunnquell asked Boulanger about patrons being able to win money at the game machines, noting some bars have that type of machine. Boulanger said there are machines like that, but gave no specific information about what games or type of games he planned to use in Bella's Gaming Lounge, beyond that they would be coin-operated machines.

"It's just going to be just like what you'll see in other bars in the area, that's the best I can tell you," Boulanger said.

Several other Plan Commissioners inquired about the specific games as well, and expressed concerns about gambling and the business's hours. The permit application indicated hours of opening at 8 a.m. daily and closing at 12 a.m. or 2 a.m., though Boulanger said he planned to close by midnight daily.

"To have it open at 8 a.m. when you're serving primarily alcohol ... I think that could potentially be an issue," Plan Commissioner Brittany Hess said.

The village's Community Development Director Jessica Wolff noted in discussion that the state has limitations on the actions a commission can take when a conditional use is listed for a district within the zoning code.

"If I could remind the Plan Commission, bars are a conditional use in the downtown. There has to be very specific grounds for denying a condition use under state statute, legally," she said.

The Plan Commission tabled the matter to next month's meeting, and directed Wolff to gather additional information about potential impacts of the planned business and consult the village's legal counsel for information about the process and application.

During the public hearing on the permit, Jeff and Julie Prochnow spoke against the planned business. The Prochnows recently received village approval to convert space above the bar's proposed location into tourist rooming houses; their concern was that a bar downstairs would cause noise and disruption to their business and others in the building, as they said the building's design was not very soundproof.

"I'm not a fan of the use, given the other uses in there," Plan Commissioner Mark Paschke said.

Jeremy Hahn, a resident of West Bend, spoke in favor of Bella's Gaming Lounge during the hearing. He said the lounge bar business model would cause noise only similar to what other area businesses create, and not greater noise.

"This is the commerce district. Downtowns are more noisy," Hahn said.



# Commission leery of plan for downtown bar

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 [ozaukeeexpress.com/content/commission-leery-plan-downtown-bar](https://www.ozaukeeexpress.com/content/commission-leery-plan-downtown-bar)

February 25, 2022

[Home](#) » Commission leery of plan for downtown bar  
February 25, 2022

A decision on a bar with gaming machines proposed for Grafton's Mill Square has been tabled amid concerns the operation may not fit into the village's downtown image.

The bar, which would be located in the former Lash Boutique Grafton at 1208 12th Ave., was proposed by David Boulanger.

Boulanger wants to establish a bar and video gambling lounge that only serves beer. He said the bar, which is not a franchise, would be the first he's opened.

Boulanger has not requested a full liquor license, which would come with a \$10,000 fee from the village.

## Ozaukee Press

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Wisconsin's largest paid circulation community weekly newspaper. Serving Port Washington, Saukville, Grafton, Fredonia, Belgium, as well as Ozaukee County government. Locally owned and printed in Port Washington, Wisconsin.



**VILLAGE OF GRAFTON**

**PLAN COMMISSION MEETING MINUTES**

**MARCH 22, 2022**

The Plan Commission meeting was called to order at 6:00 p.m. by Chair Jim Brunnuell. The Pledge of Allegiance followed.

Plan Commissioners present: Village President Jim Brunnuell, Trustee David Antoine, Carl Harms, Alan Kletti, Mark Paschke, and Heidi Ham

Commission members excused: Brittany Hess

Officials/Staff present: Trustee Amy Luft, Trustee Lisa Uribe Harbeck, Trustee Jim Miller, Trustee Dan Delorit, Community Development Director Jessica Wolff, Administrative Assistant Sara Young, and Village Attorney Johnathon Woodward.

**MINUTES**

Motion by Commissioner Harms, seconded by Commissioner Paschke, to approve the February 22, 2022 Plan Commission meeting as presented. Motion carried.

**HEAR PERSONS REQUESTING TO BE HEARD**

None.

**STATEMENT OF PUBLIC NOTICE**

**The purpose of the public hearing is to review and comment on a request by Food Dog LLC for a conditional use permit for an embroidery facility (Light Industrial) known at World Emblem International at 1000 Hickory Street**  
Statement of public notice was given by Administrative Assistant Sara Young. Community Development Director Jessica Wolff gave a summary on the conditional use permit request. She stated that the applicant is requesting a conditional use permit at the former Control Products facility. The business would occupy 36,200 square feet and offer embroidery services for garments and other marketing materials. The World Emblem has facilities in Texas, Illinois, Georgia, California, and Canada. The floor plan includes embroidery equipment, warehousing, shipping area, offices, and restrooms. Hours of operation will be 7:00 a.m. to 11:00 p.m. Monday through Friday, 5:00 a.m. to 4:00 p.m. Saturday, and 7:00 a.m. to 4:00 p.m. Sunday (weekend hours only as needed). They will have two shifts with 30 employees per shift. They expect daily deliveries via box truck and monthly deliveries via semi-truck. Standard security measures will be used. The business plans to be open in April.

Lawrence Kifer and Jeff Stancoff were present to answer questions. Chair Brunnuell opened the public hearing.

Amy Luft, 1955 Comanche Court.

Trustee Luft inquired if there would be any retail customers. Mr. Kifer responded that it would be business to business commerce, e-commerce and shipping, but no direct retail sales.

Dan Delorit, 772 Overland Trail.

Trustee Delorit asked if the business would use the loading dock in Hickory Street. Mr. Kifer responded that there were no specific plans for use of the loading dock but they were not removing it.

There were no questions from the Plan Commission. Chair Brunnuell closed the public hearing.

**Consideration on a review of a conditional use permit for an embroidery business (Light Industrial) at 1000 Hickory Street**

Motion by Commissioner Harms, seconded by Commissioner Kletti, to approve a conditional use permit for an embroidery business (Light Industrial) with the following conditions:

1. Use shall be limited to a total of 36,200 square feet.
2. Hours of operation shall be limited to 7:00 a.m. to 11:00 p.m. Monday through Friday, 5:00 a.m. to 4:00 p.m. Saturday, and 7:00 a.m. to 4:00 p.m. Sunday (weekend hours only as needed).
3. Add a bike rack on a hard surface near an entrance to be approved by the Community Development Director.
4. Add a dumpster enclosure on a concrete pad to be approved by the Community Development Director.
5. Repave and stripe the parking lot with required handicap spaces prior to occupancy as approved by the Community Development Director.
6. Refresh all landscaping and replace any dead or dying plants as approved by the Community Development Director.
7. The life safety and fire suppression system shall be approved by the Fire Inspector.
8. Obtain an occupancy permit from the Community Development Department.
9. Signage to be reviewed and approved by the Community Development Director subject to Chapter 20 Signs.
10. All building code, fire code, and other Village and State codes pertaining to the business will be met.

Motion carried.

**STATEMENT OF PUBLIC NOTICE**

**The purpose of the public hearing is to review and comment on a request by FCH Grafton LLC for a conditional use permit for a restaurant known as The Stillery at 1304 12<sup>th</sup> Avenue**

Statement of public notice was given by Administrative Assistant Young. Director Wolff stated that the applicant is requesting a conditional use permit for a full service family restaurant in the former Atlas BBQ. This would be a second location for The Stillery in addition to the current location in Richfield. The business would occupy 5,600 (5,100 square feet on the first floor and 500 square feet on the second floor for a staff-only room)

and offer a diverse menu and full bar. The existing floor plan will remain largely unchanged with the exception of remodeling the bar area. Requested hours of operation are 11:00 a.m. to 2:30 a.m. daily. The business will have two shifts with up to 30 employees per shift. They expect daily weekday deliveries via box truck and standard security measures will be used. The business plans to be open in August. Director Wolff also noted that she is recommending an additional condition of approval related to continued hosting of the sound equipment for Paramount Plaza.

Peter Kotsakis was present to answer any questions or concerns. Chair Brunnuquell opened the public hearing. There were no public comments or concerns.

Commissioner Kletti commented he was happy the site is being used. Commissioner Harms asked for confirmation as to changes to the floorplan. Mr. Kotsakis confirmed that one room on the second floor would be for staff and that the small back room would be available for small gatherings in the future.

Chair Brunnuquell closed the public hearing.

#### **Consideration on the conditional use permit for a restaurant at 1304 12<sup>th</sup> Avenue**

Motion by Commissioner Paschke, seconded by Commissioner Kletti, to approve a conditional use permit for a restaurant at 1304 12<sup>th</sup> Avenue with the following conditions:

1. Use shall be limited to a total of 5,600 square feet.
  2. Hours of operation shall be limited to 11:00 a.m. to 2:30 a.m. daily.
  3. Disposal of empty cans/bottles shall be restricted to 11:00 a.m. to 7:00 p.m.
  4. Submit an updated floor plan with seating.
  5. Use of the second floor is restricted until all Building and Fire Codes are met.
  6. Shall provide access to the sanitary sewer manhole on the west side of the building for periodic jetting.
  7. Request Village Board approval of use of space in Paramount Plaza along the building frontage for seasonal outdoor seating.
  8. Sink disposal of all waste fats, oils, and greases shall be connected to a grease interceptor.
  9. Provide an evaluation of the sprinkler/alarm system based on interior modifications to be approved by the Fire Inspector.
  10. The life safety and fire suppression system shall be approved by the Fire Inspector.
  11. Obtain an occupancy permit from the Community Development Department.
  12. Signage to be reviewed and approved by the Community Development Director subject to Chapter 20 Signs.
  13. All building code, fire code, and other Village and State codes pertaining to the business will be met.
  14. Shall continue to host the sound equipment used in Paramount Plaza.
- Motion carried.

## **STATEMENT OF PUBLIC NOTICE**

### **The purpose of the public hearing is to review and comment on a request by S & L Properties Grafton LLC for a conditional use permit for a drive through expansion at Culver's at 2001 Wisconsin Avenue**

Statement of public notice was given by Administrative Assistant Young. Director Wolff stated that the applicant is requesting a conditional use permit to add a second drive through lane at their existing location. The drive through would be located on the west side of the existing drive through. Director Wolff also noted that emergency access and dumpster enclosure placement are acceptable; these conditions have been removed.

The applicants' representatives Emily Bublitz and Michael Connor from McCON Building Corporation were available for questions or concerns. Chair Brunnuquell opened the public hearing.

Trustee Luft asked if this second lane would cause additional back up of waiting vehicles causing a congestion problem. Ms. Bublitz confirmed that ownership has addressed this issue and has made internal workflow adjustments to accommodate queued vehicles.

Trustee Antoine asked if all Culver's were moving to two lane drive-throughs. Ms. Bublitz stated that the decision falls to each ownership group.

Commissioner Harms inquired if barriers should be put in front of the dumpsters. President Brunnuquell suggested adding a concrete bollard at the corner and the applicant agreed. Commissioner Paschke commented on the traffic direction on the east side of the parking lot. Mr. Connor confirmed the driveway meets the 24 foot standard width to accommodate two-way traffic.

Chair Brunnuquell closed the public hearing.

### **Consideration of the conditional use permit for a drive through expansion at Culver's at 2001 Wisconsin Avenue**

Motion by Trustee Antoine, seconded by Commissioner Harms, to approve the conditional use permit for a drive through expansion at Culver's at 2001 Wisconsin Avenue with the following conditions;

1. Use shall be limited to a total of two drive through lanes.
2. No change to hours of operation.
3. Add a bike rack on a hard surface near a customer entrance to be approved by the Community Development Director.
4. Install bollard at corner of dumpster enclosure to be approved by Community Development Director.
5. Obtain an occupancy permit from the Community Development Department.
6. Signage to be reviewed and approved by the Community Development Director subject to Chapter 20 Signs.
7. All building code, fire code, and other Village and State codes pertaining to the business will be met.

Motion carried.

**Review and consideration of a site plan for a drive through expansion at Culver's at 2001 Wisconsin Avenue**

Motion by Commissioner Harms, seconded by Commissioner Kletti, to approve a site plan for a drive through expansion at Culver's at 2002 Wisconsin Avenue with the following condition: Inspect the landscaping this spring with the applicant; replace overgrown plants and fill in dead or dying plants/trees as approved by the Community Development Director. Motion carried.

**STATEMENT OF PUBLIC NOTICE**

**The purpose of the public hearing is to review and comment on a request by Alan and Rebecca Goldman to rezone land located on Hunter's Lane (Parcel 10-019-13-005.00) from MF-14 Multi-Family Residential-14 to I Institutional**

Statement of public notice was given by Administrative Assistant Young. Director Wolff stated that the applicant is requesting that their property on Hunter's Lane west of Port Washington Road be rezoned from MF-14 Multi-Family Residential-14 to I Institutional to accommodate the proposed institutional residential facility known as Woodside Prairie. The project previously obtained conditional use permit and site plan approval from the Plan Commission however, this approval has expired since no activity took place. Director Wolff noted that this development will be considered an "Institutional Residential Facility" under the Zoning Ordinance because no State licenses for care of adults (i.e., CBRF) She stated that she had been informed of a change to the proposed usage and would now need to address the zoning to meet the projects new proposed intent. She has received no public input on the project so far.

The property owners Alan and Rebecca Goldman and Michael Carlson from Impact Seven were available for questions or concerns. Commissioner Paschke abstained from discussion due to his involvement with this project. Chair Brunnquell opened the public hearing.

Michael Carlson, 2961 Decker Drive, Rice Lake, WI 54868.

Mr. Carlson, representing Impact7, a 501(c)3 hired by the Goldmans, stated that there were no changes to the site plan from the 2020 project. However, the Section 42 tax program funding for the project required the housing be available to the public and could not be limited to only student housing manger renters.

Mark Paschke, 405 9<sup>th</sup> Avenue.

Mr. Paschke explained that the facility would have general housing managers rather than student managers.

Rebecca Goldman, 3368 N. Summit Avenue, Milwaukee, WI 53211.

Mrs. Goldman provided background on the intent of the project and explained that they want a community with a variety of residents not just autistic adults.

Chair Brunnquell noted that the Commission still supports the project but that the use of "Institutional Residential" and rezoning to "Institutional" is not appropriate given the updated usage as stated by applicant. He suggested tabling the items until the proposal could be submitted accurately with the applicable zoning and that it could not go further as it was listed in the agenda.

There were no more comments or concerns. Chair Brunnquell closed the public hearing.

Motion by Commissioner Kletti, seconded by Commissioner Harms, to table all items related to Woodside Prairie. Motion approved (Paschke – abstain).

#### **STATEMENT OF PUBLIC NOTICE**

**The purpose of the public hearing is to review and comment on a conditional use permit requested by David Boulanger for a bar at 1208 12<sup>th</sup> Avenue**

Statement of public notice was given by Administrative Assistant Young. Director Wolff gave an updated summary on the returning conditional use permit for Bella's Gaming Lounge. She noted that this item was tabled at the February meeting. The main concerns are noise, level of activity, and "fit" in the downtown area. Director Wolff stated that she is recommending changes in the hours of operation to 11:00 a.m. to midnight daily and having no sound on any gaming machines. She recently worked with the applicant and the Prochnows on the second floor on sound testing and found no concerns for sound in the bar area.

Johnathon Woodward, Village Attorney, gave an overview of the legal opinion regarding the gaming machines. Video gaming machines where there is cash payout, and where the business owner receives compensation, are unlawful and considered gambling, which is illegal in the state of Wisconsin.

Director Wolff received two public comments opposed to the project from Mike Bowen at 1121 13<sup>th</sup> Avenue and Jay Jorgenson at 2721 First Avenue.

David and Courtney Boulanger were present to answer any questions or concerns. Chair Brunnquell opened the public hearing.

David Boulanger, 1024 Sumac Dr, West Bend, WI 53090.

Mr. Boulanger requested that condition #4 be changed to allow low sound on the gaming machines since it was determined that sound is not a problem. He also requested to remove condition #5 because the Department of Revenue says the machines have to pay out.

Laura Kacmarcik, 1000 Badger Circle.

Mrs. Kacmarcik is concerned that this type of use does not belong downtown. They will use the Air BnBs for visitors and she does not think it will be safe. She is also concerned about impact on high school students and parking.

Dan Delorit, 772 Overland Court.

Trustee Delorit asked if this business was part of a chain and stated that his constituents had public safety concerns with the proposed operation. Mrs. Boulanger confirmed the business is not part of a chain and that they would have a Coin Operator License.

Courtney Boulanger, 1024 Sumac Dr, West Bend, WI 53090.



Mrs. Boulanger noted that the gaming lounge is for watching sports. They filled out the amusement license as required and wants equal protection similar to other bars.

Commissioner Paschke noted that the State statute for gaming machines does not allow the customer to receive a monetary gain.

Commissioner Hamm noted her concern for public health and additional implications with the gaming machines related to addiction, women, and the elderly. The algorithms used by these types of machines are designed to make users become addicted to variable reinforcement based on extended use and increased wagering. She does not believe this type of operation would be in accordance with Village Code or legal under Village Ordinance.

Chair Brunnuell asked Mr. Boulanger if he would be willing to move forward with the conditions, including updating item #5 to include no cash payouts from the gaming machines, to bring the proposal into legal compliance; Mr. Boulanger declined.

There were no more comments or concerns. Chair Brunnuell closed the public hearing and proposed the motion to deny the request based on the illegality of gambling per State of Wisconsin Statute and Village Ordinance.

**Consideration on the conditional use permit requested by David Boulanger for a bar at 1208 12<sup>th</sup> Avenue**

Motion by Commissioner Paschke, seconded by Commissioner Kletti, to deny a conditional use permit for a bar and gaming lounge at 1208 12<sup>th</sup> Avenue. Motion carried.

**Review and consideration of a site plan for a food truck site known as Grafton Station at 1020 Washington Street**

The Village was approached by a food truck vendor about using the former Clark gas station site for his business. The original plan for the Clark site was to work with the property owner to the north to combine the two properties for a mixed use redevelopment project. Unfortunately, the property owner has indicated to staff that they are not in a position to move forward in the near future. As such, staff is expanding on the food truck idea to create a Village-run food truck site.

The site plan includes paving the majority of the site and creating a one-way traffic flow (entry on Washington Street and exit on 11th Avenue), a seating area, two spaces for food trucks/trailers, bike racks, and parking. Electrical service would also need to be reestablished so that food trucks do not need to use generators which can be noisy. Staff hopes to have the site open in June.

Commissioner Kletti inquired if there would be restrooms on site. Director Wolff responded that none would be needed. Commissioner Harms asked if users would need permits from the Village to use the space. Director Wolff responded yes, and that staff is working on an application.

Chair Brunnquell stated that this project had been discussed at the Finance Committee meeting and that this was just a Site Plan consideration to clean up a Village owned site.

Motion by Commissioner Harms, seconded by Commissioner Paschke, to approve a site plan for food truck site at 1020 Washington Street, as presented. Motion carried.

**Director's Update**


None.

**Adjourn**

Motion by Commissioner Kletti, seconded by Trustee Antoine, to adjourn the meeting at 7:15 p.m. Motion carried.

# Gaming lounge denied for downtown

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 gmtoday.com/news\_graphic/business/gaming-lounge-denied-for-downtown/article\_\_197ddc84-af01-11ec-ad64-47264c4bfb5.html

By Melanie Boyung - Special to the News Graphic

March 29, 2022

GRAFTON — A bar and gaming lounge proposed for downtown Grafton was denied last week, after research from the village's legal counsel found that the coin-operated gaming machines the applicant planned to install were against state law.

## Proposed Grafton lounge bar stalls at Plan Commission

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GRAFTON — A proposal for a gaming lounge bar in downtown Grafton stalled this week, as the P...

The village of Grafton Plan Commission met last week, and reconsidered a conditional use permit application from David Boulanger for Bella's Gaming Lounge; he originally came to the commission in February, planning a bar that would serve beer and bar snacks, with several television sets for sports game viewing in the bar and five coin-operated gaming machines.

Boulanger planned the new business for 1208 12th Ave., the former location of Lash Boutique in the commercial complex at the corner of 12th Avenue and Washington Street. The matter was tabled last month for further information due to concerns about gambling on the coin-operated game machines, noise disrupting neighboring businesses and the proposed hours of a drinking establishment opening at 8 a.m.

While some concerns were addressed between the February meetings — he agreed to limit his hours to 11 a.m. to 10 p.m. instead of 8 a.m. to midnight, and sound tests found most normal noise from the space did not disrupt neighbors — village information stated Boulanger had also decided to pursue a full liquor license, instead of just beer licensing.

Boulanger said he intended on using the game machines and that they would have payouts of some kind where customers could win money or value.

"Essentially, under Wisconsin law, any device that provides value in a game of chance is considered illegal under Wisconsin statutes and village ordinance," attorney Jonathan Woodward said during last week's Plan Commission meeting.

Planning staff's report on the conditional use permit included a recommendation that Boulanger be required to not have payouts from the gaming machines. Boulanger did not agree to that condition, at which point the Plan Commission denied the permit application.

There was some discussion on the machines. Boulanger said the state department of revenue required the bar game machines to have cash payouts. He said also that there were other establishments in Grafton that used the gambling machines, and asked why the village had gaming licenses if it was illegal.

Community Development Director Jessica Wolff clarified that the village had amusement licenses for coin-operated video games machines; the license is for all pay-to-play video games, some of which do not involve gambling and payouts.

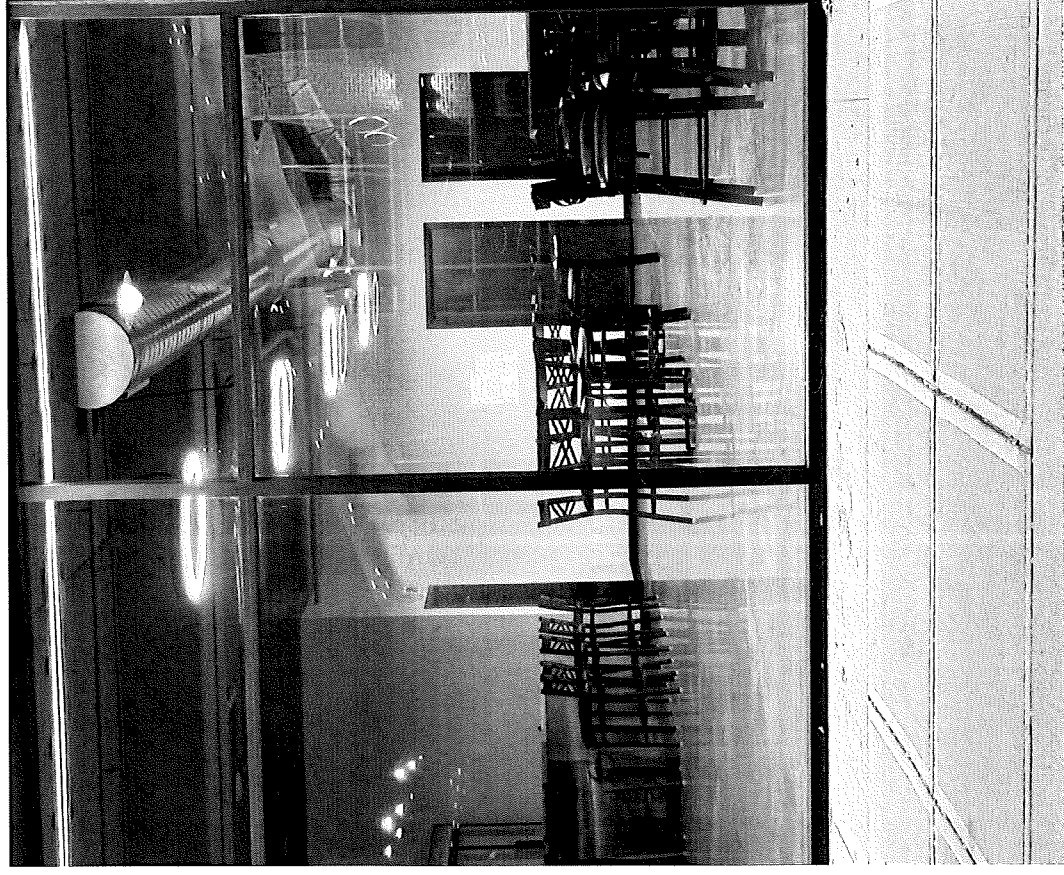
Woodward and Village President Jim Brunnquell said whether there may be similar machines in other places in the village was also irrelevant. The Plan Commission was considering Boulanger's application for Bella's Gaming Lounge, which included gaming machines that were for gambling purposes, according to legal definition.

"You're asking us to authorize what our attorney said is an illegal practice," Brunnquell.

According to the legal opinion given to the village, Wisconsin statute states anyone who "Permits any real estate owned or occupied by him or her or under his or her control to be used as a gambling place," or "permits a gambling machine to be set up for use for the purpose of gambling in a place under his or her control," is guilty of a misdemeanor or violation of law.

Michael Herbrand and Bennett Jenkins of Houseman and Feind sent the opinion.

Pictures of the establishment at at 823 W. College Ave taken on 10/16/2024





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

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TO: Safety and Licensing Committee  
Common Council

FROM: Lt. Ben Goodin

DATE: 11/26/2024

RE: Police Department's Investigation into Delaire's Reported Gambling Machine Operation

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Committee Members:

On 10/16/24 I received email correspondence from City of Appleton attorney Zak Buruin. Attorney Buruin informed me a new bar attempting to open at 823 W. College Ave. known as Delaire's initially had their alcohol license approved by the Safety and Licensing committee. On the licensing application, Delaire's is reportedly going to be a coffee bar and a traditional bar serving alcoholic beverages. However, Alderperson Van Zeeland received reports from her constituents that Delaire's actually planned on using the business as a gambling parlor. The City Council sent the alcohol license application back to the Safety and Licensing committee to review based on this information. Attorney Buruin informed me the owner of Delaire's, David Boulanger, previously tried opening a bar with gaming machines in Grafton, WI in 2022 but was denied by Grafton's planning commission.

On 10/23/24 Alderperson Van Zeeland e-mailed me contact information for the main complainant about Delaire's, identified as Jaime Pappenfuss. Jaime runs a salon directly next door to Delaire's. On 10/24/24 I spoke with Jaime over the phone to get her statement. Jaime stated someone gave a person from Delaire's a key to access her business (they have a joint rear hallway within the building) to look for some sort of electrical hook up. Jaime was at her salon when this occurred. Jaime spoke with the male who came over and asked if there was going to be a coffee bar in the establishment and the male said "yeah, well not really one with drinks but more of a gambling machine lounge." Jaime informed me she did an internet search and discovered David's past encounter in Grafton. Jaime then forwarded this information to Alderperson Van Zeeland.

Jaime stated the above-mentioned comment about the business being a gambling machine lounge was captured on her salon cameras. Jaime sent me the video clip in question which I saved to evidence.com. The video shows Jaime asking an unidentified white male what was going in the business next door. The male responded, "A bar but not really (unintelligible) gambling machines". There was some background noise while the male was speaking, and I couldn't make

out all of his words. Jaime then laughed and asked, "like Big Daddy and all that?" and the male said "yeah". After viewing the video and comparing the side view of the male's face with David's DOT photo it does not appear that David is the one on video. The video was recorded on 10/15/24 at 2:33 pm according to the time stamp on the footage.

After speaking with Jaime, I went by Delaire's and viewed the interior of the bar from the storefront window. The business had a small bar area, several high back seats with tables, and a small couch seating area. There were no gambling machines visible at that time.

Later on 10/24/24 I spoke on the phone with Timm Gloudemans, who works for Buss Electric Inc. Timm was the electrical inspector hired by Delaire's to complete the electrical permit for the business. I asked Timm if there was anything unusual about his time in Delaire's or anything from an electrical wiring standpoint and he said no. Timm advised the inspection was pretty standard and nothing suspicious occurred. Timm did not know anything about gambling machines being installed at the business.

I attempted to speak with the owner of Amberlulu Bubble Tea and Desserts (Uni Uni) which is the business on the other side of Delaire's. I went by Uni Uni on 11/6/24 and spoke with the manager, who called and messaged the owner Fannie, but she did not respond. I left the manager my business card and asked her to have Fannie call me. I called Fannie and left her a voicemail and have yet to receive a call back. Jaime indicated Fannie may have more information about the gambling machine allegations which is why I reached out to her.

Jaime also gave me a phone number for the landlord of the property, identified as Jeff. I called Jeff on 11/16/24 and left a voicemail asking him to call me back.

On 11/16/24 I spoke with David over the phone to get his statement. I told David I had received complaints that his new business was going to operate as a gambling parlor instead of a bar. David stated he had no intentions of running any sort of gambling operation and was opening the business as a bar just as he indicated on his alcohol license application. I told David about the video Jaime sent me and he stated he had no idea who she spoke with that made that comment on the video. David said he did not plan on having any sort of gambling machines at all. He said in the future he may install some amusement devices that do not pay out any money but that's it.

As of 11/26/24 I have not developed any other leads to investigate this complaint.

Respectfully submitted,

Ben Goodin  
Lieutenant  
Appleton Police



December 6, 2024

**Emil Ovbiagele**  
[emil@ovblaw.com](mailto:emil@ovblaw.com)

[via Email Only]  
**City of Appleton**  
**Attn: Kami Lynch**  
[kami.lynch@appleton.org](mailto:kami.lynch@appleton.org)

**RE: REQUEST TO HOLD LICENSING HEARING**  
Delaire's LLC – 823 W College Ave.

Dear Ms. Lynch,

Please be advised that my office has been retained by Delaire's LLC, and its agent, David Boulanger, as it pertains to my client's business license applications to operate at 823 W College Ave., Appleton, WI 54914.

My client is currently scheduled to come before the Safety and Licensing Committee on December 11, 2024. However, after careful consideration, my client is requesting that their appearance before the Safety and Licensing Committee be held until a later date. At this time, my client needs the additional time to meet with community members and those who have special interest in the business. The additional time will further allow my client the ability to provide the Committee with more information concerning their business operations.

Please feel free to direct any questions to me concerning my client's matter. I appreciate your attention to this matter.

Very Truly Yours,

**OVB Law & Consulting, S.C.**

/s/

Emil Ovbiagele, JD, MBA  
*Attorney*

OEO/*ab*

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Milwaukee, WI 53203  
414. 255. 3031 (fax)



# **DELAIRE'S LLC**

823 W. College Ave., Appleton, WI 54914

**2025 BUSINESS PLAN**

## **EXECUTIVE SUMMARY:**

Delaire's is a unique establishment that combines the offerings of a traditional bar, along with a fun group activity to bring in new customers; that being board games! Located in the heart of Appleton, our business aims to provide a welcoming environment where customers can enjoy a drink while playing their favorite games with friends. Board games are a great way to get people off their phones and to interact with each other once again.

## **BUSINESS DESCRIPTION:**

Delaire's will offer a diverse menu of drinks, like other bars that you would typically find in the Appleton area, except ours includes board games as our focus for several reasons. Market research has shown that when people are focused on an activity, they will sit longer, in turn consuming more drinks. Board Games are a very inexpensive way to add a familiar attraction that no other bars have in the area.

Board Games are great for all ages! Whether you are in your early 20s looking to play a fun game of Card Against Humanity, or perhaps you are older and a bit more nostalgic, and you would like to play a game of Monopoly. Whatever you are looking for, Delaire's is sure to have it. It's time to get off your phone and have a fun night out at Delaire's.

## **TARGET MARKET:**

Our target market includes a diverse range of individuals, including beer enthusiasts, professionals seeking a relaxed workspace, students looking for a study spot, and individuals seeking a casual yet sophisticated atmosphere to socialize with friends or colleagues. Socialization is at the core of all board games, as they bring groups of people together for a common goal, that being having fun.

## **COMPETITIVE ADVANTAGE:**

This business model has already been proven in West Bend, Wisconsin. The main competitive advantage of this establishment over other bars, is that Delaire's offers a destination to play board games. You can grab a beer at any other bar in town, and they will all be the same. But where can you get a great craft beer to enjoy with friends over some fun games to keep the night exciting? Delaire's is that answer.

Additionally, we will prioritize customer service, aiming to create a welcoming and inclusive environment where patrons feel valued and comfortable. If there are games that we do not have, and if our patrons want to play them, we will go out and buy it. Our knowledgeable staff will be trained to provide personalized recommendations and cultivate a sense of community among customers.

## **MARKETING STRATEGY:**

Delaire's will utilize a multi-faceted marketing approach to attract customers and build brand awareness. This strategy will include:

1. Social media marketing: Engaging with customers through platforms such as Instagram, Facebook, and X/Twitter to showcase our offerings, promote special events, and interact with our online community.
2. Local partnerships: Collaborating with nearby businesses, such as bookstores or art galleries, to cross-promote our establishment and attract a diverse clientele.
3. Event hosting: Hosting regular events, such as live music performances, trivia nights, or cribbage matches, to create buzz and attract new customers.
4. Loyalty programs: Implementing a loyalty program to reward repeat customers and encourage customer retention.

### **FINANCIAL PLAN:**

Delaire's anticipates initial startup costs for equipment, furnishings, and renovations. We project steady growth in revenue over the first few years of operation, driven by increasing customer traffic and sales volume.

Revenue streams will primarily come from the sale of non-alcoholic beverages, alcoholic drinks, and light food offerings. We will carefully monitor expenses, including inventory, staffing, and marketing, to ensure profitability and sustainable growth.

In the event additional financing is required, Delaire's has the option to secure a line of credit of up to \$200,000 from one of our current businesses, providing flexibility to manage cash flow and unexpected expenses.

### **CONCLUSION:**

Delaire's offers a unique concept that combines the allure of a traditional bar, along with an entertainment aspect that no others in the area will have, being board games. With a focus on quality, innovation, and exceptional customer service, we are confident that our business will become a beloved destination for board game enthusiasts and cocktail aficionados alike, operating from 10:00 AM to 10:00 PM to accommodate our diverse customer base.



# City of Appleton

## Alcohol License Questionnaire

1. **Applicant Name:** David Boulanger

2. **Business Name:** Delaire's LLC

**Date the LLC/corporation/partnership/sole proprietorship commenced:** 09/20/2022

*NOTE:* A copy of a business's Wisconsin Department of Revenue Seller's Permit is required to be submitted with an alcohol license application.

3. **Business Address:** 823 W College Ave., Appleton, WI 54914

4. **Primary Business Activity:**

- Restaurant
- Tavern/Night Club/Wine Bar
- Painting/Craft Studio
- Other (describe) \_\_\_\_\_

5. **Select the type of business premises:**  Existing Building  New Construction

If existing building, please indicate the primary nature of the previous business that operated at this location: N/A

6. **Do you lease or own the building?**  Lease  Own

*NOTE:* Proof of control of premises is required to be submitted with an alcohol license application. Acceptable documents include a lease or purchase agreement.

What is the date of purchase or the date the lease began? October 2024

7. **Did you purchase the business from another individual entity?**  Yes  No

If yes, is your acquisition of the business based upon an "arm's length transaction"?

An arm's length transaction is defined as an open market sale in which the owner is willing but not obligated to sell, and the buyer is willing, but not obligated to buy.

Yes  No

If yes, are you related to the former business owner/licensee by blood, adoption, or marriage?

Yes  No

Did you hold ANY interest in the previously licensed business, or related real estate or equipment used by the previous business?

Yes  No If yes, explain: \_\_\_\_\_

\_\_\_\_\_

8. Anticipated date of opening? Spring 2025

9. Will your business sell or serve food?

Yes  If yes, please describe the type of food offerings available \_\_\_\_\_  
\_\_\_\_\_

No

10. Fill in the information about operational details listed below. Attaching a copy of the floor plan is encouraged.

Seating Capacity: Inside: 20

Outside: 0

Operating Days/Hours: Inside: 10am-10pm

Outside: -

Employees/Staff (per shift/day) Number of Personnel: 1

Approximate floor building area of the premises to be licensed: 1779 sq. ft.

Approximate outdoor area of the premises to be licensed: 0 sq. ft.

Summarize the day-to-day operations of the business in the space below:

The business will operate as a coffee bar and board game bar. Please see the  
\_\_\_\_\_ enclosed Delaire's LLC 2025 Business Plan for further information concerning  
\_\_\_\_\_ the business operations.  
\_\_\_\_\_

I, the applicant, understand that providing materially false information on this or any application for a license or permit under State Statute §125 is subject to civil, monetary, and license penalties. I understand that providing false information to a police officer in conjunction with the required background check for this application is subject to criminal and civil prosecution as "obstructing an officer".

*David Boulanger*

\_\_\_\_\_  
Signature

Jan 8, 2025

\_\_\_\_\_  
Date






# Delaire's 2025 Alcohol License Questionnaire (Updated)

Final Audit Report

2025-01-08

Created:	2025-01-08
By:	Austin Baldwin (austin@ovblaw.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAyIlfjy8B7dNZvokbXVcajECOtVU96HW-

## "Delaire's 2025 Alcohol License Questionnaire (Updated)" History

-  Document created by Austin Baldwin (austin@ovblaw.com)  
2025-01-08 - 2:55:57 PM GMT
-  Document emailed to David Boulanger (drummer13925@gmail.com) for signature  
2025-01-08 - 2:56:56 PM GMT
-  Email viewed by David Boulanger (drummer13925@gmail.com)  
2025-01-08 - 2:59:41 PM GMT
-  Document e-signed by David Boulanger (drummer13925@gmail.com)  
Signature Date: 2025-01-08 - 3:08:16 PM GMT - Time Source: server
-  Agreement completed.  
2025-01-08 - 3:08:16 PM GMT

# Application for Secondhand Article Dealer License

Applies to: Secondhand Mall/Flea Market, Pawnbroker, Secondhand Article Dealer, Secondhand Jewelry Dealer



License Period Is One  
Calendar Year\*

\*Except Secondhand Mall/Flea Market  
Licenses

NOTE: Please allow approx. 4 weeks for application processing

Individual license - Complete Sections 1, 2, 3 and 5  
Corporate/Partnership/LLC license - Complete Sections 1 - 5

FEES ARE NON-REFUNDABLE

CASH OR CHECK ONLY!

- Pawnbroker - \$217.00
- Secondhand Mall/Flea - \$172.00
- Secondhand Article/Jewelry:
  - Original - \$107.00
  - Renewal - \$82.00

Date Recvd 12/10/24  
Total \$ 82  
Receipt #: 7684-2

## SECTION 1 - APPLICANT INFORMATION

Applicant Name (First, MI, Last) <u>Michael Jeffrey Milloy</u>		Date of Birth	
Home Address <u>9336 Timber Ridge Rd</u>		City <u>neenah</u>	State <u>WI</u>
Applicant Drivers License/State ID Number		DL/ID State of Issuance	
Phone Number (Required)		Email Address	
Has the applicant ever resided outside of Wisconsin? If so, please list previous state(s) of residence. <u>Yes Nevada</u>			

## SECTION 2 - BUSINESS INFORMATION

Individual/Business	Street Address	City	State	Zip Code	Phone Number
Business Name <u>T+S Sports DBA Play It Again Sports</u>	<u>611 W. Northland Ave</u>	<u>Appleton</u>	<u>WI</u>	<u>54911</u>	
Owner's Name <u>Mike Milloy</u>	<u>9336 Timber Ridge Rd</u>	<u>neenah</u>	<u>WI</u>	<u>54956</u>	
Business Manager's Name <u>Mike Milloy</u>	<u>9336 Timber Ridge Rd</u>	<u>neenah</u>	<u>WI</u>	<u>54956</u>	
Building Owner's Name <u>R. Lewis LLC</u>	<u>PO BOX 22190</u>	<u>Green Bay</u>	<u>WI</u>	<u>54305</u>	

## SECTION 3 - CONVICTION RECORD

Have you, or any other person listed on this application, been convicted of any of the following:

A felony within the last ten (10) years?  YES  NO

Within the last ten (10) years of:

A misdemeanor?  YES  NO

A statutory violation punishable by forfeiture?  YES  NO

A county or municipal ordinance violation?  YES  NO

For each "YES" response provide the date of arrest, the nature of the offense and conviction information: \_\_\_\_\_

## SECTION 4 - PARTNERSHIP/CORPORATION/LIMITED LIABILITY COMPANY INFORMATION

Check the box that applies to your business:  Partnership  Corporation  Limited Liability Company (LLC)

Partnership/Corporation/LLC name: T+S Sports DBA Play It Again Sports State of Incorp. (if applicable) 2005

List information for all additional partners/members. Attach additional sheets, if necessary

Name (First, MI, Last) <u>Mike Milloy</u>	Date of Birth	Home Address <u>9336 Timber Ridge Rd</u>	City <u>neenah</u>	State <u>WI</u>	Zip Code <u>54956</u>
Drivers License/State ID Number			DL/ID State of Issuance		
Name (First, MI, Last)	Date of Birth	Home Address	City	State	Zip Code
Drivers License/State ID Number			DL/ID State of Issuance		
Name (First, MI, Last)	Date of Birth	Home Address	City	State	Zip Code
Drivers License/State ID Number			DL/ID State of Issuance		



DEPARTMENT OF  
**PUBLIC  
WORKS**

**MEMORANDUM**

**Date:** 1/6/2025  
**To:** Finance Committee  
**From:** Pete Neuberger, Deputy Director of Public Works  
**Subject:** Approve Contract Amendment #1 with Restoration Systems Inc. for Green Ramp Barrier Panel Emergency Repairs Phase 1, in an increase of \$17,225.00, for a new not-to-exceed contract total of \$64,455.00.

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The Department of Public Works requests approval of contract amendment #1 with Restoration Systems Inc. (RS) for the Green Ramp Barrier Panel Emergency Repair Phase 1 in an amount of \$17,225.00, for a new total contract amount not-to-exceed \$64,455.

The initial contract award was approved at the August 7, 2024, special Finance Committee and Common Council meetings. Pace of design by others of the permanent repairs for Green Ramp resulted in the need for RSI to extend temporary shoring rental beyond the 28 days initially included in the base contract. Based on actual completion date, 53 days of rental were required.





# CITY OF APPLETON

**Department of Parks & Recreation**

1819 East Witzke Blvd.

Appleton, WI 54911

p: 920-832-5905

f: 920-993-3103

[www.appletonparkandrec.org](http://www.appletonparkandrec.org)

TO: Finance Committee

FROM: Dean Gazza

DATE: 1-9-25

RE: Action: Award the “2025 Interior Finishes and Furniture Project – Community Development” to Chet Wesenberg Architect, LLC. for a sole-source contract not-to-exceed \$67,400.

Wesenberg Architects were chosen to provide architectural and engineering services for all phases of renovation since 2019 which included renovation of the Departments of Public Works and Health as well as the common spaces on 5<sup>th</sup> and 6<sup>th</sup> floors. I have requested Wesenberg to provide a proposal for the design services for the Department of Community Development as it is customary to utilize the same architect throughout an entire project.

We are recommending a sole-source contract to Chet Wesenberg Architect for \$67,400. The fees are very competitive therefore we are requesting your approval to maintain consistency and efficiencies as the design is an extension of previous designs as well is cost effective due to the previous knowledge gained by this team.

Please contact me at 832-5572 or at [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org) with any questions.



## SOLE SOURCE REQUEST

The undersigned certifies that the commodity/service shown below qualifies as a sole source request and meets one or more of the following requirements. The department has demonstrated, and the Purchasing Manager concurs that only one source exists, the price is equitable, and/or noncompetitive negotiation is in the best interests of the City.

- Unique, proprietary, or one-of-a-kind:** Specific commodity/service is required and available from only one source, giving the City a superior and necessary benefit that cannot be obtained from other sources.
- Inadequate competition:** Purchasing solicitation (bid, proposal, or quote) did not result in any qualified vendor responses and competition is determined to be inadequate.
- Health or Safety Concern:** When a health or safety concern exists that is *not* an immediate threat but needs to be addressed in a period that does not allow for formal competitive procurement procedures.
- Continuity of design:** Consistency with current commodity or service.
- Emergency procurement:** A risk of human suffering or substantial damage to real or personal property exists requiring immediate attention.
- Cooperative purchase:** Purchase from another governmental unit contract or state approved purchasing association.
- Other:** Description provided below

PROPOSED DETAILS	
Requesting dept:	Parks & Recreation
Product/service:	2025 Interior Finishes & Furniture Project
Vendor name:	Chet Wesenberg Architect
Total cost:	\$67,400

Justification and price quotation provided by the department, for the items to be considered and approved as a sole source purchase attached for review.

  
Purchasing Manager

12/30/2024  
Date



# CITY OF APPLETON

## MEMORANDUM

**Date:** January 8, 2025  
**To:** Community Development Committee  
**From:** Olivia Galyon, Community Development Specialist  
**Subject:** CDBG Preliminary Allocations – City and Core Projects

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Appleton's Community Development Department has begun the process of allocating the 2025 Community Development Block Grant (CDBG) funds. This is a preliminary process, and allocations may need updates following the official allocation from the U.S. Department of Housing and Urban Development (HUD). An award estimate of \$588,231 was determined for the 2025 program year. This amount is an estimate based on the previous 5-years' allocations and is subject to change upon official allocation from HUD.

According to City CDBG policy, the Community Development Committee makes a recommendation and Common Council approves allocations for all City CDBG programs. The proposed City program allocations are as follows:

**Housing Rehabilitation Loan Program: \$200,000**

**Community Resource Navigator: \$88,231**

**Neighborhood Grant Program: \$40,000**

**Appleton Housing Authority: \$25,000**

**Fair Housing: \$25,000**

**CDBG Administration: \$65,000**

There are a few restrictions on CDBG funds that we must follow. First, up to 15% of funds can be used for public services. The Community Resource Navigator position is a public services project and is expected to use the full sum of available public service dollars. Second, up to 20% of funds can be used for administration, which includes Fair Housing. Fair Housing is also a required funding category and must be funded each year. The recommended administration and fair housing allocation of \$90,000 amounts to 15.3% of funds, which is under the funding cap.

The remaining balance of CDBG funds, \$145,000, has been made available to external non-profit organizations through a competitive application process. The CDBG Advisory Board members are individually reviewing the submitted applications and will come together in late January to make preliminary external funding recommendations. These preliminary recommendations will be brought to Community Development Committee and Common Council for approval in February. Once the official allocation is received from HUD, final allocation amounts for City and external projects will be brought to Community Development Committee and Common Council for final approval.



DEPARTMENT OF  
**UTILITIES**

**Department of Utilities**  
Wastewater Treatment Facility  
2006 East Newberry Street.  
Appleton, WI 54911  
p:920-832-5945  
f: 920-832-5949

[www.appleton.org/government/utilities](http://www.appleton.org/government/utilities)

## MEMORANDUM

**Date:** January 3, 2025  
**To:** Chairperson Vered Meltzer  
**CC:** Ryan Rice, Deputy Director of Utilities  
Brian Kreski, Environmental Programs Coordinator  
Kelli Rindt, Enterprise Accounting Fund Manager  
**From:** Chris Stempa, Director of Utilities  
**Subject:** **Utilities Committee Action: Approve Contract Amendment #1 to Applied Technologies Inc. as part of the AWWTP Column and Plank Storage Upgrades for additional design and construction management services in the amount of \$4,900 increasing the contract amount from \$25,500 to \$30,400**

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### BACKGROUND:

The Appleton Wastewater Treatment Plant (AWWTP) Sludge Storage Column and Plank Storage Upgrades engineering service contract was awarded to Applied Technologies Inc. (ATI) by Common Council on September 4, 2024 in the amount of \$25,500 with a 10% contingency of \$2,550 for a Project Total not to exceed \$28,050. Owner directed changes in contract scope occurred over the course of the preliminary engineering phase as additional needs and opportunities were identified. The change in scope listed below will add additional contract drawings and 32 hours of labor to the project.

1. Repair of the nine precast roof support columns in the Biosolids Storage Building.
2. Refinish the existing six removable columns that were not recoated during the Sludge Storage Building Addition Project.

### RECOMMENDATION

The cost of additional engineering design and construction management services outlined in Contract Amendment #1 totals \$4,900. The funding outside of the originally approved contingency would come from remaining budget associated with the Sludge Storage Building Addition Project. This amendment, if approved, would result in the contract with ATI increasing from \$25,500 to \$30,400.

If you have any questions regarding this project, please contact Chris Stempa at ph: 832-5945.