



# City of Appleton

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

## Meeting Agenda - Final Common Council

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Wednesday, November 16, 2022

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

[22-1489](#) Common Council Meeting Minutes of November 2, 2022 and November 9, 2022

**Attachments:** [CC Minutes 11-2-22.pdf](#)  
[CC Minutes 11-9-22 Budget Adoption.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR
- 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**

[22-1454](#) Lease agreement for fence-31-1-6501-30-2302 E. Glenhurst Lane

**Attachments:** [Lease agreement for fence-2302 E Glenhurst Lane.pdf](#)

**Legislative History**

11/7/22          Municipal Services          recommended for approval  
                         Committee

[22-1455](#)

**Linwood Ave**, from College Avenue to Summer Street, be reconstructed with concrete pavement and curb and gutter. The details of the proposed Linwood Avenue reconstruction project are as follows:

*College Ave - Franklin St:*

- New concrete pavement constructed to a width of 34' from back of curb to back of curb, which is 3' narrower than the existing street within this portion of the project.
- 1 travel lane in each direction
- Dedicated right turn lane at College Avenue for southbound traffic
- Dedicated bike lanes along both sides of the street
- On-street parking to be prohibited along both sides of the street

*Franklin St - Badger Ave:*

- New concrete pavement to be constructed to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street within this portion of the project.
- 1 travel lane in each direction
- Parking lane along east side of street. On-street parking to be prohibited along the west side of the street
- Traffic Calming elements to be implemented:
  - o Linwood & Franklin - narrowing curb lines
  - o Linwood & Packard - raised crosswalk
  - o Linwood & Winnebago - raised median

*Badger Ave - Summer St:*

- New concrete pavement to be constructed to a width of 24' from back of curb to back of curb, which is 1' narrower than the existing street within this portion of the project.
- 1 travel lane in each direction
- On-street parking to be prohibited along both sides of the street

**Attachments:** [Linwood Ave-email.pdf](#)

**Legislative History**

11/7/22          Municipal Services          recommended for approval  
                         Committee

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

### 3. MINUTES OF THE CITY PLAN COMMISSION

[22-1442](#)

Request to approve Special Use Permit #13-22 for gasoline sales and a car wash use located at 1935 E. Calumet Street (Tax Id #31-9-1115-00), as shown on the attached materials and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

**Attachments:** [StaffReport\\_Circle K-Holiday Gas Station+Car Wash\\_SUP\\_For11-9-22.pdf](#)  
[Doug Gordon Email 11-5-22.pdf](#)  
[Steve Winter Email 11-7-22.pdf](#)  
[Kaiti Abbott + Danny Damiani Email 11-7-22.pdf](#)

**Legislative History**

11/9/22 City Plan Commission recommended for approval  
*Staff received emails from Doug Gordon, Steve Winter, and Kaiti Abbott & Danny Damiani expressing concerns about the proposed Special Use Permit. The emails were distributed to the Plan Commission members at the meeting and are attached.*

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

[22-1445](#)

Action Item: Approve Contract with Commercial Recreation Specialists for \$50,479 With a Contingency of 10% for a Total Amount Not to Exceed \$55,527 to Install Shade Structures for Jones Park

**Attachments:** [2022 Jones Park Shade Installation.docx](#)

**Legislative History**

11/7/22 Parks and Recreation Committee recommended for approval

[22-1451](#)

Action Item: Request to Adopt the Proposed Revised Jones Park Rental and Fee Schedule Policy

**Attachments:** [Jones Park Rental Policy.pdf](#)

**Legislative History**

11/7/22 Parks and Recreation Committee recommended for approval

[22-1452](#)

Action Item: Request to Adopt the Proposed Revised Park Acquisition Map

**Attachments:** [Park Acquisition Map.pdf](#)

**Legislative History**

11/7/22 Parks and Recreation Committee recommended for approval

## 5. MINUTES OF THE FINANCE COMMITTEE

[22-1459](#)

Request to award the 2022 AWWTP F1-Building Phase 1 Remodeling Project contract to RJM Construction, LLC in the amount of \$271,840 with a contingency of 15% for a project total not to exceed \$312,616, along with the following budget amendment:

AWWTP Electrical Distribution Upgrades project	-\$60,000
AWWTP F1-Building Remodeling project	+\$60,000

to transfer excess funds from the Electrical Distribution Upgrades project to the F1-Building Remodeling project

**Attachments:** [2022 AWWTP F1 Remodeling Project .pdf](#)

**Legislative History**

11/7/22 Finance Committee recommended for approval

[22-1460](#)

Request to award the 2022 AWWTP F1-Building HVAC Upgrades Project contract to Rohde Brothers, Inc. in the amount of \$223,900 with a contingency of 12% for a project total not to exceed \$250,768

**Attachments:** [2022 AWWTP F1 HVAC Upgrades Project .pdf](#)

**Legislative History**

11/7/22 Finance Committee recommended for approval

## 6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[22-1437](#)

Request to approve the Preliminary 2023-2024PY Community Development Block Grant (CDBG) Community Partner Funding Allocation Recommendations as specified in the attached documents

**Attachments:** [Alloc Recs Memo to CEDC 11-9-22.pdf](#)

[2023 CDBG Advisory Board Membership.pdf](#)

[2023 CDBG Community Partner Award Recommendations.pdf](#)

[2023 CDBG Simple Summary Award Recommendations.pdf](#)

[Approved CDBG Policy 11-17-2021.pdf](#)

**Legislative History**

11/9/22 Community & Economic Development Committee recommended for approval

## 7. MINUTES OF THE UTILITIES COMMITTEE

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

22-1341 Request to Approve Alderpersons Salaries.

**Attachments:** [HR-IT - Alderperson Raises Deadlines 8-30-22 - Updated 2022 \(2\).pdf](#)  
[Alderperson Compensation Survey 2022.pdf](#)  
[Elected Alderperson Salaries.pdf](#)

**Legislative History**

10/26/22	Human Resources & Information Technology Committee	recommended for approval
	<i>Recommended no increase for 2024.</i>	
11/2/22	Common Council	referred to the Human Resources & Information Technology Committee
	<i>There was a Motion and a Second to amend the item to include the dollar amount of the cost of parking passes into the 2024 salary, and remove the additional benefit of being issued parking passes. The amendment would increase the 2024 salary to \$7,230 per alder, with no additional benefit of receiving a parking pass.</i>	
	<i>After the amendment, the item was Referred back to the Human Resources &amp; Information Technology Committee.</i>	
	<i>The Referral was objected to, and seconded. A vote was taken to sustain the objection to the referral and continue to discuss the item at Council.</i>	
	<i>Motion to sustain the objection to the referral failed 4/9. The Item was referred back to a special meeting of the Human Resources &amp; Information Technology Committee.</i>	
	<i>No vote was taken on the proposed amendment.</i>	
11/2/22	Common Council	amended
11/2/22	Common Council	amended

**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION****10. MINUTES OF THE BOARD OF HEALTH****M. CONSOLIDATED ACTION ITEMS****N. ITEMS HELD****O. ORDINANCES**22-1490 Ordinances #64-22 to #67-22

**Attachments:** [Ordinances to Council 11-16-22.pdf](#)

**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. 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  
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## Meeting Minutes - Final Common Council

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Wednesday, November 2, 2022

7:00 PM

Council Chambers

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A. CALL TO ORDER

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

B. INVOCATION

*The Invocation was offered by Alderperson Meltzer.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Christopher Croatt, Alderperson Chad Doran and Mayor Jake Woodford

**Excused:** 2 - Alderperson Israel Del Toro and Alderperson Sheri Hartzheim

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*All departments were represented.*

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[22-1426](#)

Common Council Meeting Minutes of October 19, 2022

**Attachments:** [CC Minutes 10-19-22.pdf](#)

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

**Aye:** 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Christopher Croatt and Alderperson Chad Doran

**Excused:** 2 - Alderperson Israel Del Toro and Alderperson Sheri Hartzheim

**Abstained:** 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[22-1432](#)

Proclamations:

- Appleton High Schools DECA Week Proclamation
- Runaway & Homeless Youth Prevention Month Proclamation
- Small Business Saturday Proclamation
- Native American Heritage Month Proclamation

**Attachments:** [Appleton High Schools DECA Week Proclamation.pdf](#)  
[Runaway Homeless Youth Prevention Month Proclamation.pdf](#)  
[Small Business Saturday Proclamation.pdf](#)  
[Native American Heritage Month Proclamation.pdf](#)

[22-1435](#)

Library Project Update

*Director Gazza spoke regarding the status of the Library Project and next steps for the project.*

H. PUBLIC PARTICIPATION

*The following spoke regarding Item 22-1078: Modifications to the Street Terrace Policy:*

*Bill Recker, 1317 N Durkee St.  
Megan Normausell, 229 N Rankin St.  
Joan Ribbons, 826 E Washington St.*

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[22-1346](#)

Request to approve a modification of regulations to Chapter 17 Subdivisions of the Municipal Code relating to Sections 17-26(c)(2) and 17-26(g) for 737 E. South River Street (Tax Id #31-4-0798-01 and #31-4-0798-03)

**Attachments:** [StaffReport\\_737ESouthRiverSt\\_ModificationOfRegulations\\_For10-26-22.pdf](#)

**Aldersperson Croatt moved, seconded by Aldersperson Fenton, that the subdivision modifications be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Christopher Croatt and Alderperson Chad Doran

**Excused:** 2 - Alderperson Israel Del Toro and Alderperson Sheri Hartzheim

**Abstained:** 1 - Mayor Jake Woodford

[22-1078](#)

Approve modifications to the City of Appleton Street Terrace Policy.

**Attachments:** [Existing Street Terrace Policy.pdf](#)  
[Final MSC Memo Updated Street Terrace Policy.pdf](#)  
[Street Terrace Policy Draft - MSC 10-22 v2.pdf](#)

**Alderperson Van Zeeland moved, seconded by Alderperson Wolff, that the Policy be amended to strike item A. 4. and to re-write A. 5. as follows:**

**5. Street Parking**

- a. For roadways with designated on-street parking, plantings shall not be placed within two feet of the back of the curb or edge of shoulder.
- b. For roadways with permitted parking, plantings within two feet of the back of curb or edge of shoulder shall not exceed 8 inches in height.
- c. For roadways with prohibited parking at all times, plantings shall not exceed 36 inches in height.

**Roll Call. Motion carried by the following vote:**

**Aye:** 11 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff and Alderperson Christopher Croatt

**Nay:** 2 - Alderperson Joss Thyssen and Alderperson Chad Doran

**Excused:** 2 - Alderperson Israel Del Toro and Alderperson Sheri Hartzheim

**Abstained:** 1 - Mayor Jake Woodford

**Alderperson Fenton moved, seconded by Alderperson Firkus, that the Policy be amended to add item A. 4. back into the policy. Roll Call. Motion carried by the following vote:**

**Aye:** 11 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim and Alderperson Nate Wolff

**Nay:** 2 - Alderperson Christopher Croatt and Alderperson Chad Doran

**Excused:** 2 - Alderperson Israel Del Toro and Alderperson Sheri Hartzheim

**Abstained:** 1 - Mayor Jake Woodford

**Alderson Fenton moved, seconded by Alderson Meltzer, that the Street Terrace Policy modifications be approved as amended. Roll Call. Motion carried by the following vote:**

**Aye:** 11 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim and Alderson Nate Wolff

**Nay:** 2 - Alderson Christopher Croatt and Alderson Chad Doran

**Excused:** 2 - Alderson Israel Del Toro and Alderson Sheri Hartzheim

**Abstained:** 1 - Mayor Jake Woodford

[22-1341](#)

Request to Approve Aldersons Salaries.

**Attachments:** [HR-IT - Alderson Raises Deadlines 8-30-22 - Updated 2022 \(2\).pdf](#)  
[Alderson Compensation Survey 2022.pdf](#)  
[Elected Alderson Salaries.pdf](#)

**Alderson Fenton moved, seconded by Alderson Van Zeeland, that the Alderson Salary Memo be amended to include District 9 (inadvertently left out) of Option 1. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Christopher Croatt and Alderson Chad Doran

**Excused:** 2 - Alderson Israel Del Toro and Alderson Sheri Hartzheim

**Abstained:** 2 - Alderson Alex Schultz and Mayor Jake Woodford

**Alderson Meltzer moved, seconded by Alderson Wolff to roll the dollar amount of the Alder parking passes into the Alderson salary for 2024 (Option 2. in the attached Memo).**

**The amount of annual parking passes for each alder is \$480 per Alderson. The 2024 salary would then be \$7,230 with no additional benefit of a parking pass.**

*There was a Motion and a Second to amend the item to include the dollar amount of the cost of parking passes into the 2024 salary, and remove the additional benefit of being issued parking passes. The amendment would increase the 2024 salary to \$7,230 per alder, with no additional benefit of receiving a parking pass.*

*After the amendment, the item was Referred back to the Human Resources & Information Technology Committee.*

*The Referral was objected to, and seconded. A vote was taken to sustain the objection to the referral and continue to discuss the item at Council.*

*Motion to sustain the objection to the referral failed 4/9. The Item was referred back to a special meeting of the Human Resources & Information Technology Committee.*

*No vote was taken on the proposed amendment.*

**This Item was referred back to the Human Resources & Information Technology Committee**

[22-1191](#)

Class "B" Beer and "Class C" Wine License application for PNH Foods LLC d/b/a Fome Food & Company, Athanea Hahn, Agent, located at 2821 N Ballard Rd, contingent upon approval from the Community Development, Fire and Health departments.

**Attachments:** [Fome Food & Company.pdf](#)

**Aldersperson Fenton moved, seconded by Aldersperson Croatt, that the license be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Excused:** 2 - Aldersperson Israel Del Toro and Aldersperson Sheri Hartzheim

**Abstained:** 2 - Aldersperson Brad Firkus and Mayor Jake Woodford

L. COMMITTEE REPORTS

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

**Aldersperson Fenton moved, Aldersperson Van Zeeland seconded, to approve the balance of the agenda. The motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Excused:** 2 - Aldersperson Israel Del Toro and Aldersperson Sheri Hartzheim

**Abstained:** 1 - Mayor Jake Woodford

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[22-1366](#) Approve Functional Classification, Parking and Intersection Control North Edgewood Estates Subdivision & Sequoia Drive Extension.

**Attachments:** [North Edgewood Est Sub Int Control.pdf](#)

This Report Action Item was approved.

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[22-1258](#) Class "B" Beer and Reserve "Class B" Liquor License application for Pillow Talk-N-Wine LLC, Lisa Pitts, Agent, located at 2310 W College Ave #C, contingent upon approval from the Community Development and Health departments as well as approval of a Special Use Permit (City Plan Commission 10/26/22).

**Attachments:** [Pillow Talk N Wine.pdf](#)

This Report Action Item was approved.

[22-1323](#) Class "B" Beer and Reserve "Class B" Liquor License application for Viand Hospitality LLC d/b/a Parker John's BBQ and Pizza, Aaron Sloma, Agent, located at 2331 E Evergreen Dr Unit 2, contingent upon approval from the Fire, Health, Inspections and Public Works departments.

**Attachments:** [Parker Johns BBQ and Pizza.pdf](#)

This Report Action Item was approved.

[22-1379](#) License Application for Taxicab Company for Evergreen Campsites & Resorts, Jim Button, Owner, contingent on approval from Police.

**Attachments:** [Evergreen Campsites & Resorts.pdf](#)

This Report Action Item was approved.

[22-1425](#) Request to approve Towing Fee Changes

**Attachments:** [Wrecker Fee Proposal.pdf](#)  
[AMENDED Wrecker Fee Proposal - Jan 1 2023 Proposed Schedule.pdf](#)

This Report Action Item was approved as amended in Committee.

## 3. MINUTES OF THE CITY PLAN COMMISSION

[22-1345](#)

Request to approve Special Use Permit #12-22 for a bar/tavern located at 2310 W. College Avenue, Unit C (Tax Id #31-7-0025-00), as shown on the attached materials and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

**Attachments:** [StaffReport\\_2310WCollegeAv\\_SUP\\_For10-26-22.pdf](#)

This Report Action Item was approved.

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

[22-1328](#)

Action Item: Adopt the Proposed Revised Park Pavilions and Special Areas Rental and Fee Schedule Policy

**Attachments:** [Memo Park Pavilions and Special Areas Rental and Fee Policy.docx](#)  
[2022\\_Pavilion Special Areas Policy - Clean - 09-16-2022.doc](#)  
[2022\\_Pavilion Special Areas Policy - Redlined - 09-16-2022.pdf](#)

This Report Action Item was approved as amended in Committee.

#### 5. MINUTES OF THE FINANCE COMMITTEE

#### 6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[22-1364](#)

Request to approve the First Amendment to the Development Agreement with URBANE 115, LLC for a mixed-use development located on the southeast corner of E. Washington Street and S. Oneida Street (Tax Id #31-2-0281-01) in Tax Increment Financing District No. 11

**Attachments:** [Merge-URBANE 115 Ph I DA 1st Amendment Memo to CEDC\\_10-26-22.pdf](#)  
[Assignment and Assumption of DA Merge and URBANE 115\\_2022.pdf](#)  
[TIF #11 Development Agreement with Merge\\_2021.pdf](#)  
[21-0312 - Merge - First Amendment to Dev Agrm - Redline - 2022-10-20 Draft for CEDC.pdf](#)

This Report Action Item was approved.

#### 7. MINUTES OF THE UTILITIES COMMITTEE

[22-1347](#) Approve Wastewater rate increase of 7% for general service and special hauled waste service and compost fee to \$12/cu. yard to be effective January 1, 2023.

**Attachments:** [Wastewater Rate Increase.pdf](#)

This Report Action Item was approved.

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

[22-1342](#) Request to Approve Non-represented (Non-union) Employee Compensation Program.

**Attachments:** [HR Comp Memo.pdf](#)  
[Baker Tilly Memo Summary.pdf](#)  
[Salary Admin Policy.pdf](#)  
[Seasonal Policy.pdf](#)

This Report Action Item was approved.

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

[22-1351](#) Award Geotechnical & Environmental Services Contract to Westwood Infrastructure, Inc.

**Attachments:** [2022 Transit Center Environmental and Geotechnical Services.pdf](#)

This Report Action Item was approved.

[22-1352](#) Certify Valley Transit Public Transportation Agency Safety Plan (PTASP)

**Attachments:** [VT PTASP 10-1-22.pdf](#)

This Report Action Item was approved.

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

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[22-1427](#)

Ordinances #59-22 to #63-22

**Attachments:** [Ordinances to Council 11-2-22.pdf](#)

**Aldersperson Fenton moved, seconded by Aldersperson Van Zeeland, that the Ordinances be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Excused:** 2 - Aldersperson Israel Del Toro and Aldersperson Sheri Hartzheim

**Abstained:** 1 - Mayor Jake Woodford

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

[22-1430](#)

Suspend the Rules of Council for the Cancellation of the January 4, 2023 Common Council Meeting

**Aldersperson Jones moved, seconded by Aldersperson Van Zeeland, that the January 4, 2023 Council meeting be cancelled. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Excused:** 2 - Aldersperson Israel Del Toro and Aldersperson Sheri Hartzheim

**Abstained:** 1 - Mayor Jake Woodford

[22-1431](#)

Critical Timing Change Order - Council Chamber Technology Improvements Contract

***This item is being reported for information only, per the Procurement & Contract Management Policy***

**Attachments:** [IT Change Order Request.pdf](#)

S. ADJOURN

**Alderson Meltzer moved, seconded by Alderson Fenton, that the meeting be adjourned at 8:31 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Christopher Croatt and Alderson Chad Doran

**Excused:** 2 - Alderson Israel Del Toro and Alderson Sheri Hartzheim

**Abstained:** 1 - Mayor Jake Woodford

Kami Lynch, City Clerk



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, November 9, 2022

6:00 PM

Council Chambers

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### Special Session - Adoption of the 2023 Executive Budget

A. CALL TO ORDER

*The meeting was called to order by Mayor Woodford at 6:01 p.m.*

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL OF ALDERPERSONS

*Aldersperson Del Toro was attending the meeting virtually.*

**Present:** 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt, Aldersperson Chad Doran and Mayor Jake Woodford

**Excused:** 1 - Aldersperson Kristin Alfheim

D. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*All Departments were represented.*

E. BUSINESS PRESENTED BY THE MAYOR

F. PUBLIC PARTICIPATION

*Margaret Mann, 821 S Pierce Ave spoke regarding Item 22-1386 Library Budget.*

G. ESTABLISH ORDER OF THE DAY

[22-1456](#)

Approve the Finance Committee Budget Workshop ("Budget Saturday") Minutes from October 29, 2022

**Attachments:** [Fin. Budget Workshop Minutes 10-29-22.pdf](#)

*The minutes were referred back to the Finance Committee by Aldersperson Hartzheim.*

[22-1457](#)

Suspend the Council Rules to go into Committee of the Whole (acting as the Finance Committee) to take up the Finance Committee Budget Workshop Minutes

**Aldersperson Firkus moved, seconded by Aldersperson Meltzer, to convene into the Committee of the Whole. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Excused:** 1 - Aldersperson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

H. COMMITTEE REPORTS

**MINUTES OF THE FINANCE COMMITTEE**

[22-1380](#)

Request to approve Legal Services Budget (pgs 103-118)

**This Report Action Item was approved**

[22-1381](#)

Request to approve Facilities and Construction Management Budget (pgs 213-222)

**This Report Action Item was approved**

[22-1382](#)

Request to approve Facilities Capital Projects Fund Budget (pgs 224-226)

**This Report Action Item was approved**

[22-1383](#)

Request to approve Parks and Recreation Budget (pgs 227-235)

**This Report Action Item was approved**

[22-1384](#)

Request to approve Parks and Recreation Trust Funds Budget (pgs 237-242)

**This Report Action Item was approved**

[22-1385](#) Request to approve Reid Golf Course Budget (pgs 243-252)

This Report Action Item was approved

[22-1386](#) Request to approve Library Budget (pgs 253-270)

This Report Action Item was approved

[22-1387](#) Request to approve Library Grants Special Revenue Budget (pgs 272-274)

This Report Action Item was approved

[22-1388](#) Request to approve Community & Economic Development Budget (pgs 143-156)

This Report Action Item was approved

[22-1389](#) Request to approve Housing and Community Development Grants Special Revenue Fund Budget (pgs 158-171)

This Report Action Item was approved

[22-1390](#) Request to approve Industrial Park Land Fund Budget (pgs 174-176)

This Report Action Item was approved

[22-1391](#) Request to approve Community Development Capital Projects Budget (pgs 178-180)

This Report Action Item was approved

[22-1392](#) Request to approve TIF Districts Budget (pgs 181-212)

This Report Action Item was approved

[22-1393](#) Request to approve Human Resources Budget (pgs 123-132)

This Report Action Item was approved

[22-1394](#) Request to approve Risk Management Budget (pgs 133-141)

This Report Action Item was approved

- [22-1395](#) Request to approve Information Technology Budget (pgs 89-98)  
This Report Action Item was approved
- [22-1396](#) Request to approve Information Technology Capital Projects Fund Budget (pgs 100-102)  
This Report Action Item was approved
- [22-1397](#) Request to approve Wastewater Budget (pgs 497-520)  
This Report Action Item was approved
- [22-1398](#) Request to approve Water Budget (pgs 473-496)  
This Report Action Item was approved
- [22-1399](#) Request to approve Stormwater Budget (pgs 521-536)  
This Report Action Item was approved
- [22-1400](#) Request to approve Parking Budget (pgs 347-360)  
This Report Action Item was approved
- [22-1401](#) Request to approve Public Works Budget (pgs 293-319)  
This Report Action Item was approved
- [22-1402](#) Request to approve Sanitation Special Revenue Fund Budget (pgs 322-334)  
This Report Action Item was approved
- [22-1403](#) Request to approve Wheel Tax Special Revenue Fund Budget (pgs 336-338)  
This Report Action Item was approved
- [22-1404](#) Request to approve Subdivision Capital Projects Fund Budget (pgs 340-342)  
This Report Action Item was approved

- [22-1405](#) Request to approve Public Works Capital Projects Fund Budget (pgs 344-346)  
This Report Action Item was approved
- [22-1406](#) Request to approve Central Equipment Agency Budget (pgs 361-371)  
This Report Action Item was approved
- [22-1407](#) Request to approve CEA Replacement Capital Projects Fund Budget (pgs 374-376)  
This Report Action Item was approved
- [22-1408](#) Request to approve Valley Transit Budget (pgs 275-292)  
This Report Action Item was approved
- [22-1409](#) Request to approve Health Budget (pgs 277-388)  
This Report Action Item was approved
- [22-1410](#) Request to approve Health Grants Special Revenue Budget (pgs 390-407)  
This Report Action Item was approved
- [22-1411](#) Request to approve Fire Budget (pgs 433-451)  
This Report Action Item was approved
- [22-1412](#) Request to approve Hazardous Materials Type II Special Revenue Fund Budget (pgs 454-456)  
This Report Action Item was approved
- [22-1413](#) Request to approve Police Budget (pgs 409-423)  
This Report Action Item was approved
- [22-1414](#) Request to approve Police Grants Special Revenue Fund Budget (pgs 423-428)  
This Report Action Item was approved

- [22-1415](#) Request to approve Public Safety Capital Projects Fund Budget (pgs 430-432)  
This Report Action Item was approved
- [22-1416](#) Request to approve Mayor Budget (pgs 45-54)  
This Report Action Item was approved
- [22-1417](#) Request to approve Council Budget (pgs 55-58)  
This Report Action Item was approved
- [22-1418](#) Request to approve Debt Service Budget (pgs 457-463)  
This Report Action Item was approved
- [22-1419](#) Request to approve General Administration Budget (pgs 75-80)  
This Report Action Item was approved
- [22-1420](#) Request to approve Room Tax Special Revenue Fund Budget (pgs 82-84)  
This Report Action Item was approved
- [22-1421](#) Request to approve Other Post Employment Benefits Budget (pgs 86-88)  
This Report Action Item was approved
- [22-1422](#) Request to approve Finance Budget (pgs 59-68)  
This Report Action Item was approved

### PROPOSED AMENDMENTS (New)

- [22-1462](#) **Add \$6,480 to Public Works Concrete Reconstruction**  
**Delete \$6,480 of Council Parking Permits**  
*Page 299 Public Works*  
*Page 57 Common Council*  
(Doran)
- Aldersperson Hartzheim moved, seconded by Aldersperson Doran, that the Amendment be approved. Roll Call. Motion failed by the following vote:**
- Aye:** 2 - Aldersperson Sheri Hartzheim and Aldersperson Chad Doran

**Nay:** 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Nate Wolff and Alderperson Christopher Croatt

**Excused:** 1 - Alderperson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

[22-1463](#)

**Add \$1,400 to Public Works Concrete Reconstruction**  
**Delete \$1,400 of Council Training/Conferences**

*Page 299 Public Works*

*Page 57 Common Council*

(Doran)

**Alderperson Hartzheim moved, seconded by Alderperson Doran, that the Amendment be approved. Roll Call. Motion failed by the following vote:**

**Aye:** 2 - Alderperson Sheri Hartzheim and Alderperson Chad Doran

**Nay:** 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Nate Wolff and Alderperson Christopher Croatt

**Excused:** 1 - Alderperson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

[22-1464](#)

**Reduce General Administration Property Tax Levy (\$188,726)**  
**Add General Administration Wage Reserve \$5,000**  
**Reduce the across-the-board merit-based salary increase for non-represented employees from 5% to 4% (\$193,726)**

*Multiple Pages, Multiple Funds (see attachment)*

(Hartzheim)

**Attachments:** [Amend 3. Reduce Tax Levy Salary & Fringe Breakdown by Dept.pdf](#)  
[Amend 3. 4% Increase Tax Levy Impact Supplement.pdf](#)

**Alderperson Hartzheim moved, seconded by Alderperson Doran, that the Amendment be approved. Roll Call. Motion failed by the following vote:**

**Aye:** 1 - Alderperson Sheri Hartzheim

**Nay:** 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Nate Wolff, Alderperson Christopher Croatt and Alderperson Chad Doran

**Excused:** 1 - Alderperson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

[22-1485](#)

**Add \$443,512 to Public Works Concrete Reconstruction**

**Reduce Operating Budget (\$443,512) - Multiple Funds:**

*Page 67 - Finance- Finance Associate Position (\$67,834)*

*Page 93 - Information Technology- Deputy Director Position (\$133,904)*

*Page 147 - Community & Economic Dev. - Comm. Dev. Specialist reduced to grant funding only (\$71,041)*

*Page 97 - Information Technology - Reduce Software Support (\$10,000)*

*Page 97 - Information Technology - Reduce Network Security Support (\$12,500)*

*Page 231 - Parks & Recreation - Reduce Part-time Wages, Parks & Grounds Maint. (\$27,239)*

*Page 233 - Parks & Recreation - Reduce Part-time Wages, Recreation (\$49,061)*

*Page 257 - Library - Reduce Other Contracts/Obligations (\$42,000)*

*Page 259 - Library - Reduce Part-time Wages - Children's Services (\$3,188)*

*Page 261 - Library - Reduce Part-time Wages - Public Services (\$8,802)*

*Page 265 - Library - Reduce Part-time Wages - Building Operations (\$1,743)*

*Page 267 - Library - Reduce Part-time Wages - Materials Management (\$7,004)*

*Page 315 - Public Works - Reduce Part-time Wages - Forestry (\$1,801)*

*Page 317 - Public Works - Reduce Part-time Wages - Inspections/Licensing/Plan Review (\$5,000)*

*Page 383 - Public Health - Reduce Part-time Wages - Public Health Nursing (\$2,395)*

(Doran)

**Aldersperson Van Zeeland moved, seconded by Aldersperson Fenton, that the proposed Amendment be amended to read:**

**Half of the funding from this amendment would go to existing sidewalk replacement fund and the other half to pedestrian safety improvements after pedestrian safety study is complete.**

**Roll Call. Motion failed by the following vote:**

**Aye:** 7 - Aldersperson Vered Meltzer, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Nay:** 7 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Maiyoua Thao, Aldersperson Vaya Jones, Aldersperson Nate Wolff and Aldersperson Sheri Hartzheim

**Excused:** 1 - Aldersperson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

**Alderson Hartzheim moved, seconded by Alderson Doran, that the Amendment be approved. Roll Call. Motion failed by the following vote:**

**Aye:** 1 - Alderson Chad Doran

**Nay:** 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim and Alderson Christopher Croatt

**Excused:** 1 - Alderson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

### [22-1456](#)

Approve the Finance Committee Budget Workshop ("Budget Saturday") Minutes from October 29, 2022

**Attachments:** [Fin. Budget Workshop Minutes 10-29-22.pdf](#)

**Alderson Jones moved, seconded by Alderson Wolff, that the Budget Workshop Minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff and Alderson Christopher Croatt

**Nay:** 2 - Alderson Sheri Hartzheim and Alderson Chad Doran

**Excused:** 1 - Alderson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

## RISE AND REPORT

### [22-1465](#)

Reconvene to Common Council

**Alderson Hartzheim moved, seconded by Alderson Van Zeeland, to leave Committee of the Whole and Reconvene as the Common Council. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

**Excused:** 1 - Alderson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

[22-1466](#)

Report of the Committee of the Whole

**Alderson Croatt moved, seconded by Alderson Van Zeeland, that the Report of the Committee of the Whole be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

**Excused:** 1 - Alderson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

[22-1467](#)

2023 Budget Resolution

**Attachments:** [2023 Budget Resolution.pdf](#)

**Alderson Croatt moved, seconded by Alderson Schultz, that the 2023 Budget Resolution be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

**Excused:** 1 - Alderson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

[22-1468](#)

Reconsideration of the Report of the Committee of the Whole

**Alderson Firkus moved, seconded by Alderson Schultz, to Reconsider the Report of the Committee of the Whole. Roll Call. Motion failed by the following vote:**

**Nay:** 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

**Excused:** 1 - Alderson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

I. OTHER COUNCIL BUSINESS

J. ADJOURN

**Alderson Hartzheim moved, seconded by Alderson Croatt, that the meeting be adjourned at 7:43 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

**Excused:** 1 - Alderson Kristin Alfheim

**Abstained:** 1 - Mayor Jake Woodford

Kami Lynch, City Clerk



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

**DEPARTMENT OF PUBLIC WORKS**

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

TO: Municipal Services Committee

FROM: Danielle Block, Director of Public Works  
Kurt W. Craanen, Inspections Supervisor  
Darrin Glad, Assistant City Attorney

SUBJECT: Lease agreement for fence - 31-1-6501-30 / 2302 E. Glenhurst Lane

DATE: November 11, 2022

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When the property at 2302 E. Glenhurst Lane was constructed in 2016, a fence was erected along the property line between this property and a city owned lot (31-1-6501-30). When the property was recently surveyed, it was revealed that the private fence encroached on the city lot. The area of this encroachment has been determined by the City Surveyor to be 932 square feet. The encroachment is approximately two feet onto City-owned property adjacent to a retention pond and is of minimal economic value.

City staff from the Inspections Department, Legal Services Department, Economic and Community Development, and the Assessor's Office worked to find a reasonable and fair resolution to the encroachment without permanently losing any property rights of the City. Rather than forcing the owners to move the fence two feet and at great expense, the City determined that leasing the area to the owners for a reasonable time was a viable option.

**Recommendation:** City staff recommend that Council approve the City leasing the property to the current owners for a period of ten years. After this time, the fence would need to be removed. The property owners have already indicated agreement to the price negotiated by the parties based on fair market value and the ten-year limit to the lease.

**From:** Dave Hemp <dave@recyclethatstuff.com>  
**Sent:** Tuesday, November 1, 2022 7:20 AM  
**To:** William Siebers <District1@Appleton.org>  
**Subject:** Linwood Ave Reconstruction Concerns

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Bill,

I am Dave Hemp, the General Manager at Recycle That Stuff (121 N Linwood Ave). I was recently sent an email from our property owner regarding the 2024 Linwood Ave street reconstruction proposal. I realize I missed the opportunity to reply to the attached form and have it returned by the October 24th date. I was directed to contact you. I need to share my views as it will be us more than anyone who this will negatively impact.

Eliminating street parking south of Franklin ave to College will adversely affect our business. I currently have 5 people employed here. This is the least amount of employees I have ever had at this location in over 10 years. We park our vehicles on the North East corner of the property basically blocking our loading docks. I can not have 2 semis here without moving all of our vehicles. They need to be moved onto Linwood Ave. Without street parking, we have no where to go that is not blocks away. Aramark uses what spots are available on Washington Ave. If I hire even one more person, I will not have the area to park their vehicle without street parking. This does not include our customers who use our services through the south end of the building. Many of who then need to go to the office and settle up there. They would have nowhere to park anywhere near the door at the corner of Linwood and Washington. Our south end lot is not big enough to park our vehicles and conduct business with the public.

Narrowing the street, which although is not posted as a truck route, is a truck route, would not make much sense. There is barely enough room as it is now to turn a semi from eastbound College to northbound Linwood. If any vehicle creeps forward in the southbound Linwood lane, it is near impossible without using the terrace in front of Aldi. The addition of a bicycle lanes will only make this a much more dangerous situation. I don't know anywhere else off of the top of my head where a bicycle lane would be on a truck route in such a cramped situation. The current bicycle traffic we notice is from the homeless population that migrates from under the tracks on College to Linwood park. We also use the 2 indoor loading docks that face east just south of Washington Ave. If the street is narrowed, we will no longer be able to get our truck into our own docks.

This proposal will also hamper traffic when Aldi has a truck deliver (usually in the mid afternoon). They have to back in off of Linwood if Aldi's have any customers parked in their lot. The semi does not have enough room to turn in their lot and needs to back in off of Linwood. This causes a major hangup on Linwood and on to College as it is. If we have customers trying to leave the south end of our place, they can be waiting for quite a while as that truck tries to get backed in to the Aldi dock. Often their customers do not realize what is happening and pull up behind the backing truck. Their Coca Cola driver pulls up into our lot to help get into their dock. Our customers have a hard enough time being able to see north on Linwood. Adding bike lanes with more to concentrate on will and less road to use will only make the situation worse.

I would say that 90% of the semi drivers who have never gone to WSI stop at our location to ask where

311 Linwood is. Their GPS tells them they have arrived when they get to our office door at Washington Ave. They pull over, block the road and come in. It is to the point that we have thought about adding a sign on our building telling them where to go because it happens several times daily. At 3:30 when West High School lets out, it gets even worse. I would highly recommend against narrowing and adding a bicycle lane on a rather active trucking route.

Regards,

Dave Hemp

Attention: This message was sent from a source external to the City of Appleton. Please use caution when opening attachments or clicking links.



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** November 9, 2022

**Common Council Meeting Date:** November 16, 2022

**Item:** Special Use Permit #13-22 for a gas station with car wash

**Case Manager:** Jessica Titel, Principal Planner

### GENERAL INFORMATION

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**Owner:** Associated Bank National Association

**Applicant:** Christian Cabrera - Bergmann

**Address/Parcel #:** 1935 E. Calumet Street (Tax Id #31-9-1115-00)

**Petitioner's Request:** The applicant is requesting a Special Use Permit for a gas station with a car wash.

### BACKGROUND

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The subject parcel currently contains a 5,010 square foot building that was constructed in 1982. The building was formerly used as a bank but is now vacant.

### STAFF ANALYSIS

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**Project Summary:** The applicant proposes construct a gas station with a car wash on the subject site as shown on the attached development plans. The proposed development includes the following:

- A 5,200 square foot convenience store, an attached 1,458 square foot self-serve car wash and a 3,936 square foot fuel canopy with six fuel dispensers.
- The attached car wash will be located on the south side of the proposed convenience store. The fuel pumps will be located on the north side of the convenience store.
- The convenience store will operate 24 hours per day.

**Operational Information:** A plan of operation is attached to the staff report.

**Existing Site Conditions:** The subject site is approximately 1.5 acres in size and contains a vacant building and drive thru that was previously used as a bank. Access will be from East Calumet Street and South Schaefer Street.

**Surrounding Zoning and Land Uses:** The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The site is surrounded by existing commercial and multi-family development.

North: PD/R-3 Planned Development Multi-Family District. The adjacent land use to the north is multi-family residential (Rustic Woods Town Homes).

**Special Use Permit #13-22**

**November 9, 2022**

**Page 2**

South: PD/C-2 Calumet Street Planned Development General Commercial District #34-84. The adjacent land uses to the south are currently commercial (car wash and multi-tenant retail).

East: C-2 General Commercial District & R-3 Multi-Family District. The adjacent land uses to the east are commercial and multi-family residential.

West: PD/C-2 Calumet Street Planned Development General Commercial District #34-84. The adjacent land use to the west is multi-tenant retail.

**Appleton Comprehensive Plan 2010-2030:** Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Commercial designation shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

*Goal 1 – Community Growth*

*Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.*

*Goal 8 – Economic Development*

*Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.*

**OBJECTIVE 9.4 Economic Development:**

*Ensure the continued vitality of downtown and the City's neighborhood commercial districts.*

**OBJECTIVE 10.5 Land Use:**

*Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.*

**Current Zoning and Procedural Findings:** The subject property has a zoning designation of C-2 General Commercial District. Per Section 23-113(e) of the Municipal Code, gasoline sales and a car wash requires a Special Use Permit in the C-2 District. The Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds vote of the Common Council is required for approval.

**Zoning Ordinance Requirements and Substantial Evidence:** When reviewing an application for a Special Use Permit, the City must determine if the applicant's proposal satisfies Municipal Code requirements and conditions. Pursuant to Section 23-66(c)(5) of the Municipal Code, the Plan Commission and Common Council must provide substantial evidence supporting their decision to approve, approve with conditions, or deny the Special Use Permit. Substantial evidence means "facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Special Use Permit and that reasonable persons would accept in support of a conclusion." Any requirements and conditions listed for approval must be reasonable, and to the extent practicable, measurable.

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under Section 23-66(e)(1-8) of the Municipal Code: 1. proper zoning district: *C-2 zoning allows gas stations and car washes as a special use permit*, 2. zoning district regulations: *compliance with zoning code regulations will be reviewed with the site plan*, 3. special regulations: *applicant will be required to adhere to the special regulations pertaining to gasoline sales in Section 23-66(h)(8)*, 4. consistent with comprehensive plan and other plans: *yes, see above analysis*, 5. traffic: *applicant has communicated with the City's Traffic Engineer regarding proposed access points, comments are included in the TRG section below*, 6. landscaping and screening: *the landscaping will be reviewed with the Site Plan and is required to be consistent with zoning ordinance standards*, 7. neighborhood compatibility: *the proposed use is located adjacent to existing commercial uses and across the street from an existing multi-family development*, and 8. impact on services: *the City has existing utilities, services and equipment in place to serve this proposed use*). These standards were found in the affirmative, as long as all stipulations are satisfied.

**Technical Review Group (TRG) Report:** This item appeared on the October 18, 2022 TRG agenda. The following comments were provided by the City's Traffic Engineer and will be reviewed in more detail with the recently submitted Site Plan:

1. It appears they are showing that the public sidewalk will need to be lowered to accommodate the proposed right-in only access on Schaefer St. This would be reviewed in detail at the time of the site plan submittal.
2. The proposed right-in only access is viewed by DPW as a short-term solution. They should be advised that we intend to construct a median island on Schaefer St when the roadway is reconstructed at some future date. The construction of a median island would not further restrict their access (beyond what is currently proposed) but would have the effect of preventing driver misuse.

## **RECOMMENDATION**

Staff recommends, based on the above, that Special Use Permit #13-22 for a gas station and car wash located at 1935 E. Calumet Street (Tax Id #31-9-1115-00), as shown on the attached materials and per attached plan of operation, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. The owner shall have twelve (12) months from the issuance of the Special Use Permit to obtain a building permit and/or occupancy permit for the proposed carwash or Special Use Permit #13-22 will expire pursuant to Sections 23-66 (f)(1) b. and c. of the Zoning Ordinance.

*Substantial Evidence: Standardized condition to ensure the use is established in a timely manner. This condition will not be applicable when the building permit and/or occupancy permit is issued.*

2. Prior to the construction of the gas station and car wash and building permits being issued, site plan review and approval is required, pursuant to Section 23-570 of the Municipal Code.

*Substantial Evidence: This condition provides notice to the owner and applicant that they are required to receive site plan approval from the Community and Economic Development Department prior to receiving building permits from the Inspection Division for the project pursuant to Section 23-570(e)4) of the Zoning Ordinance.*

**Special Use Permit #13-22**

**November 9, 2022**

**Page 4**

3. Any future expansions of the gas station or car wash, changes to the development plans, plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.

*Substantial Evidence: Standardized condition that establishes parameters for the current application and identifies the process for review of any future changes to the special use.*

4. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.

*Substantial Evidence: Standardized condition to ensure the applicant understands the City's Municipal Code and all applicable State and Federal laws must be followed.*

5. The minimum standards for gasoline sales found in Section 23-66(h)(8) of the Municipal Code shall be complied with, as applicable.

*Substantial Evidence: This condition provides notice to the applicant that they are required to comply with special regulations included in the Zoning Ordinance for this particular use.*

**CITY OF APPLETON  
RESOLUTION FOR SPECIAL USE PERMIT #13-22  
GASOLINE SALES AND CAR WASH  
1935 E. CALUMET STREET**

**WHEREAS**, Christian Cabrera (Bergmann) on behalf of Holiday Stationstores, LLC has applied for a Special Use Permit for gas station and car wash located at 1935 E. Calumet Street (also identified as Parcel Number 31-9-1115-00); and

**WHEREAS**, the location for the proposed gas station with car wash is located in the C-2 General Commercial District, and the proposed uses may be permitted by Special Use Permit within this zoning district pursuant to Chapter 23 of the Municipal Code; and

**WHEREAS**, the City of Appleton Plan Commission held a public hearing on November 9, 2022 on Special Use Permit #13-22, at which all those wishing to be heard were allowed to speak or present written comments and other materials at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission has reviewed and considered the Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-8) of the Municipal Code; and

**WHEREAS**, the City of Appleton Plan Commission reviewed the standards for imposing conditions on the Special Use Permit under Section 23-66(c)(5) of the Municipal Code, and forwarded Special Use Permit #13-22 to the City of Appleton Common Council with a favorable conditional or not favorable (CIRCLE ONE) recommendation; and

**WHEREAS**, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on November 16, 2022.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Common Council, based on Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and Common Council meeting, and having considered the recommendation of the City Plan Commission, that the Common Council:

1. Determines all standards listed under Sections 23-66(e)(1-8) of the Municipal Code are found in the affirmative YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #13-22 for a gas station with car wash located at 1935 E. Calumet Street (also identified as Parcel Number 31-9-1115-00), based upon the following standards and determinations: (List reason(s) why the Special Use Permit was denied)
3. If YES, the City of Appleton Common Council hereby approves Special Use Permit ##13-22 for a gas station with car wash located at 1935 E. Calumet Street (also identified as Parcel Number 31-9-1115-00),

subject to the following conditions as they are related to the purpose of the City of Appleton Municipal Code and based on substantial evidence:

**CONDITIONS OF APPROVAL FOR SPECIAL USE PERMIT #13-22**

- A. The owner shall have twelve (12) months from the issuance of the Special Use Permit to obtain a building permit and/or occupancy permit for the proposed carwash or Special Use Permit #13-22 will expire pursuant to Sections 23-66 (f)(1) b. and c. of the Zoning Ordinance.
  - B. Prior to the construction of the gas station and car wash and building permits being issued, site plan review and approval is required, pursuant to Section 23-570 of the Municipal Code.
  - C. Any future expansions of the gas station or car wash, changes to the development plans, plan of operation or any conditions of approval may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance. Contact the Community and Economic Development Department to discuss any proposed changes.
  - D. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
  - E. The minimum standards for gasoline sales found in Section 23-66(h)(8) of the Municipal Code shall be complied with, as applicable.
4. The City Clerk’s Office is hereby directed to give a copy of this resolution to the owner/applicant, Community and Economic Development Department, Inspections Division, and any other interested party.

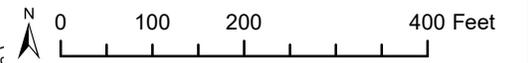
Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jacob A. Woodford, Mayor

ATTEST:

\_\_\_\_\_  
Kami Lynch, City Clerk

Special Use Permit  
Automotive Fuel Sales and Car Wash  
1935 E. Calumet Street  
Zoning Map



0-0918-2

1900

Special Use Permit  
Automotive Fuel Sales and Car Wash  
1935 E. Calumet Street  
Aerial Map

E CALUMET ST

1935

9-1115

Subject Area

S SCHAEFER ST

9-1114

0 50 100 200 Feet



City Plan Commission  
11-9-22

## PLAN OF OPERATION AND LOCATIONAL INFORMATION

### Business Information:

Name of business: Holiday Stationstores LLC

Years in operation: 94

Type of proposed establishment (detailed explanation of business):

Holiday Stationstores proposes to develop a new 5,200 SF convenience store, an attached 1,458 SF carwash, and a fueling station with six (6) fueling dispensers. The convenience store will operate 24 hours and will sell generic goods, prepackaged food, beer and wine for offsite consumption.

### Proposed Hours of Operation:

Day	From	To
Monday thru Thursday	12am	12am
Friday	12am	12am
Saturday	12am	12am
Sunday	12am	12am

### Building Capacity and Storage Areas:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: 63.00 persons

Gross floor area of the existing building(s):

4,988 SF

Gross floor area of the proposed building(s):

convenience store - 5,200 SF, carwash - 1,458 SF

Identify location, number, capacity and flammable liquid materials stored in storage tanks or containers:

CO2 tank is located just outside of the building along its facade with a 52 gallon capacity. Fuel storage tanks are located adjacent to the fuel canopy with 20K, 12K, 8K and 12K gallon capacities. Propane tanks are located just outside of the building along its facade with multiple 20LB propane tanks for exchange.

**Odor:**

Describe any potential smoke, odors emanating from the proposed use and plans to control them:

It is not anticipated to omit potential smoke or odors from the proposed use.

**Noise:**

Describe the noise levels anticipated from the proposed use and all mechanical equipment:

It is not anticipated that noise levels will cause a level of audibility above which can normally be expected when the facilities are functioning under normal operating or working conditions.

How will the noise be controlled?

N/A

**Outdoor Lighting:**

Type: Lighting of off-street parking and loading areas

Location: Perimeter of parking lot

**Off-Street Parking:**

Number of spaces existing on-site: 48.00

Number of spaces proposed on-site: 40.00

**Street Access:**

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access to the subject property is adequate for Holiday Stationstores operational standards and no street improvements are anticipated for the redevelopment.

**Outdoor Uses:**

Size: 30.00 square feet

Type and location of outdoor storage area(s) of business property, goods, or merchandise not intended for customer viewing or immediate sale:

Any outside storage including the CO2 tank cabinet and propane exchange cabinets are intended for use / sales. However, trash storage is located at the rear most corner of the site furthest from all street frontages.

Type and height of screening of plantings/fencing/gating for outdoor storage area(s):

The trash enclosure will consist of a 6-ft high fence and gate with nichiha tuff block cladding to act as screening.

Type, location, size of outdoor display area(s) of merchandise for sale or other business property:

CO2 tank cabinet is located just outside of the building along its facade. Propane tank exchange cabinet is located just outside of the building along its facade.

**Number of Employees:**

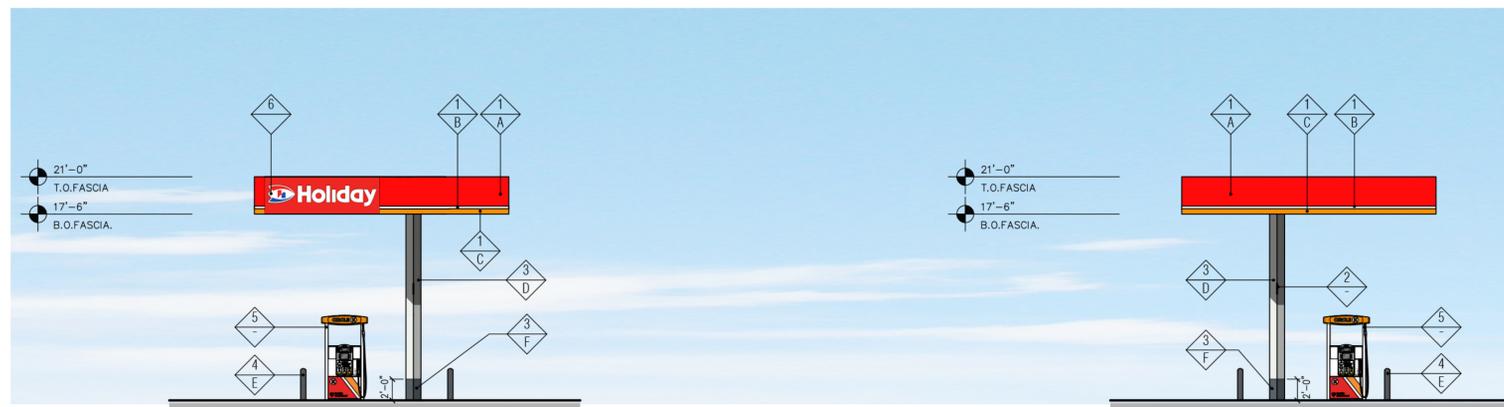
Number of existing employees: N/A

Number of proposed employees: TBD

Number of employees scheduled to work on the largest shift: 6.00





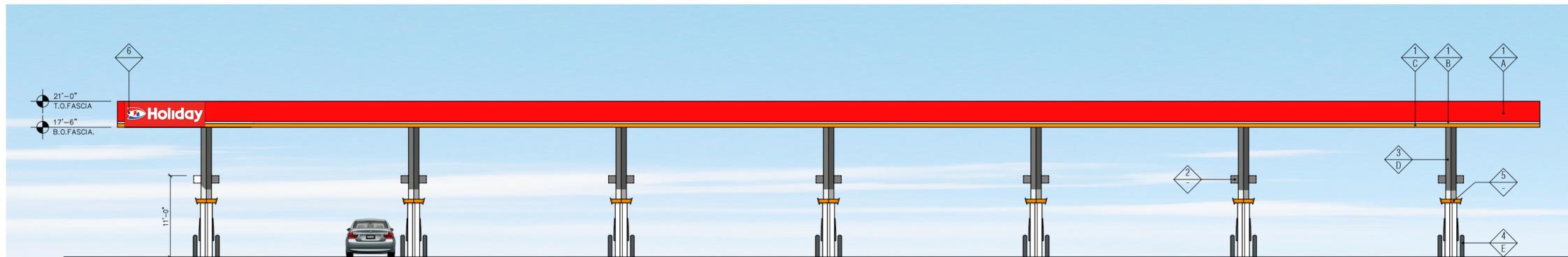


**3 WEST ELEVATION**  
SCALE: 1/8" = 1'-0"

**4 EAST ELEVATION**  
SCALE: 1/8" = 1'-0"

FINISH SCHEDULE	
FINISH MATERIAL	
1	ACM PANEL "TEX-COTE"
2	COLUMN FLAGS BY SIGNAGE VENDOR
3	STEEL COLUMN WITH PAINT FINISH
4	6" Ø BOLLARD, 36" HIGH
5	FUEL PUMP
6	INTERNALLY ILLUMINATED SIGN UNDER SEPARATE PERMIT
FINISH COLOR	
A	CIRCLE K RED #PMS 485
B	CIRCLE K WHITE
C	CIRCLE K ORANGE #PMS 144
D	RAL9016 SHELL WARM WHITE
E	PVC BOLLARD SLEEVE "DARK GRAY"
F	SHERWIN WILLIAMS - SW6236 - GRAYS HARBOR

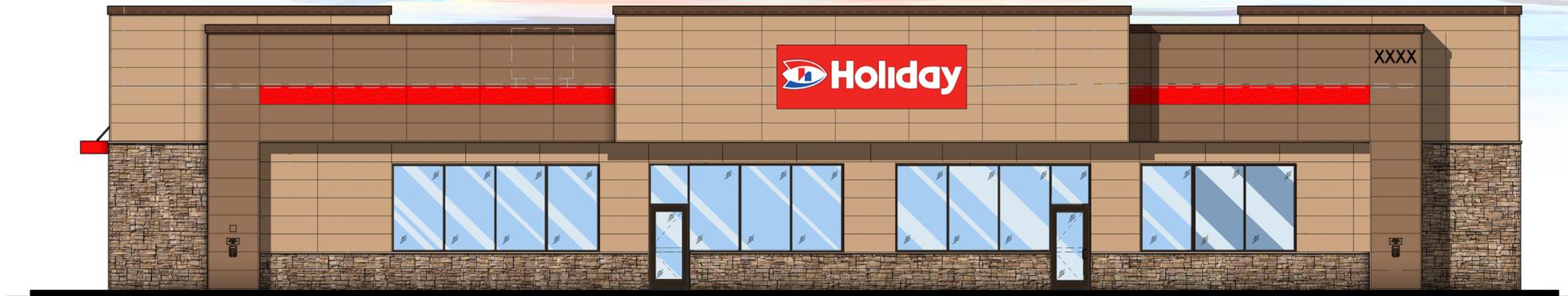
Notes:  
 1. Colors shown on these elevations are for illustration purposes only. For actual colors, refer to manufacturer's samples.  
 2. The fascia panels are pre-finished by signage vendor.  
 3. All signs require a separate submittal.  
 4. All lighting on canopy to be flush mounted with fascia.



**2 NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**1 SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"



1 NORTH ELEVATION  
SCALE: 3/16" = 1'-0"



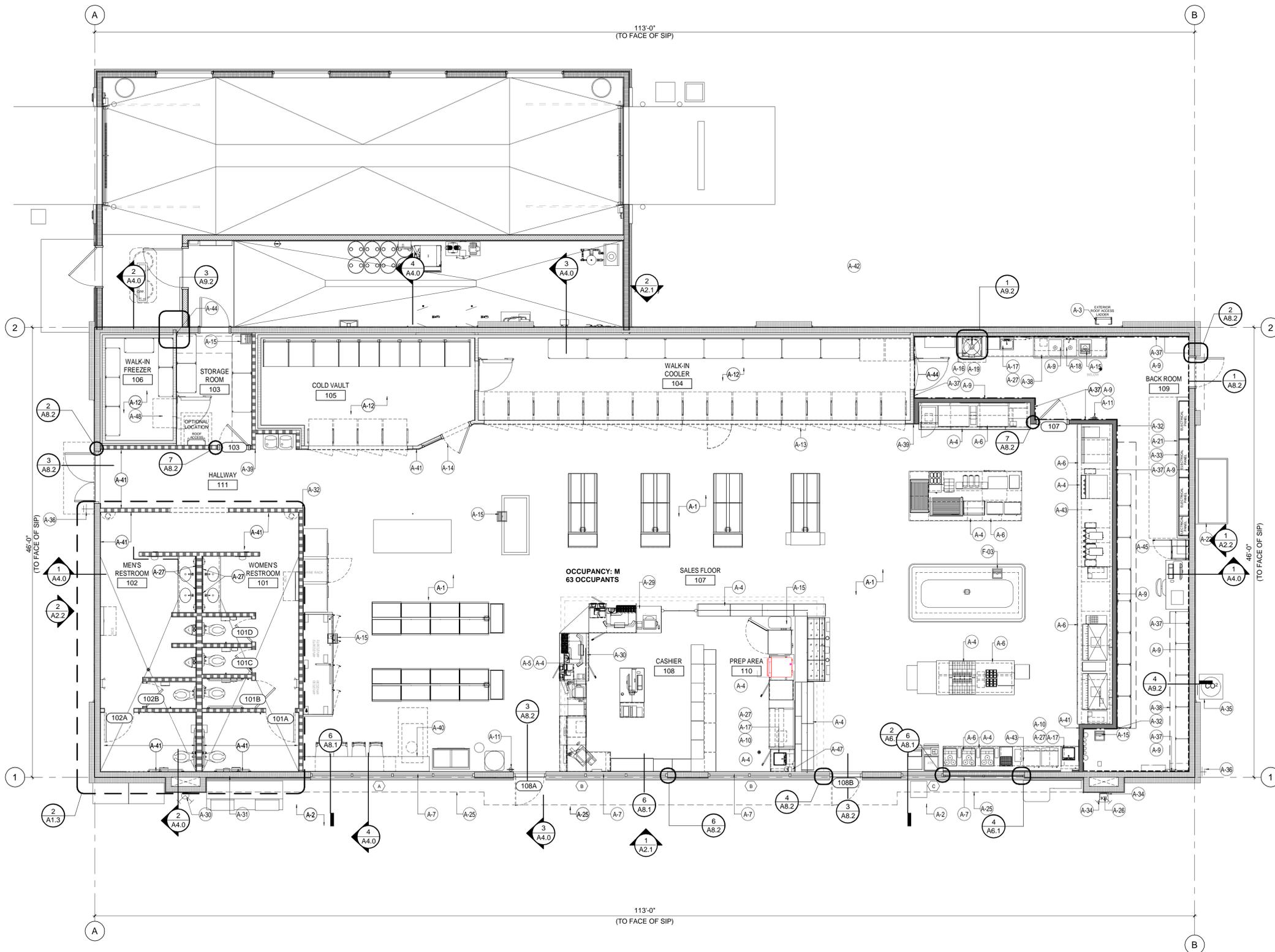
2 SOUTH ELEVATION  
SCALE: 3/16" = 1'-0"



3 WEST ELEVATION  
SCALE: 3/16" = 1'-0"



4 EAST ELEVATION  
SCALE: 3/16" = 1'-0"



FLOOR PLAN | 1  
3/16" = 1'-0"

### KEY NOTES

NUMBER	DESCRIPTION
A-1	CONCRETE SLAB WITH MINIMUM 15ML 'CLASS A' VAPOR BARRIER LAPPED A MINIMUM OF 6" & TAPED PER MANUFACTURER'S SPECIFICATIONS. SEE STRUCTURAL.
A-2	CONCRETE WALK, BROOM FINISH. SEE CIVIL.
A-3	EXTERIOR ROOF ACCESS LADDER. SEE DETAIL 7/A8.3
A-4	CUSTOM CASEWORK SUPPLIED BY CIRCLE K, INSTALLED BY OTHERS
A-5	SALES COUNTER. SEE SHEET A1.4 FOR EQUIPMENT.
A-6	SOLID SURFACE COUNTER TOP SUPPLIED BY CIRCLE K, INSTALLED BY OTHERS
A-7	ALUMINUM STOREFRONT SYSTEM. SEE SHEET A6.0 FOR DOOR & WINDOW SCHEDULES
A-9	PEBBLE SURFACE MARLITE F.R.P. PANELING TO 6" ABOVE FINISH CEILING. P-100 WHITE. OR EQUAL. SEE SHT. A3.2.
A-10	PROVIDE INTEGRAL SPLASH GUARD AT HAND SINK
A-11	5 LB. 2A-10BC FIRE EXTINGUISHER. SURFACE MOUNTED AT 48" A.F.F., PROVIDE BLOCKING AS REQUIRED
A-12	COOLER/FREEZER PROVIDED AND INSTALLED BY CIRCLE K. GENERAL CONTRACTOR RESPONSIBLE FOR ELECTRICAL AND PLUMBING CONNECTIONS.
A-13	COOLER REACH-IN DOOR, SUPPLIED/INSTALLED BY COOLER/FREEZER MANUFACTURER
A-14	COLD WALK-UP DOOR & WINDOW, SUPPLIED/INSTALLED BY COOLER/FREEZER BY MANUFACTURER
A-15	FLOOR SINK ACCESSIBLE FOR CLEANING. SEE PLUMBING DRAWING
A-16	MOP SINK WITH FAUCET. SEE PLUMBING DRAWING FOR SPECIFIC INFORMATION (G.C. TO ADD 24" LONG GARDEN HOSE FOR MOP SINK FAUCET).
A-17	HAND SINK. SEE PLUMBING DRAWINGS FOR SPECIFIC INFORMATION
A-18	3-COMPARTMENT SINK. SEE PLUMBING DRAWINGS FOR SPECIFIC INFORMATION
A-19	50 GALLON WATER HEATER ON SHELF ABOVE. SEE PLUMBING AND ELECTRICAL DRAWINGS FOR SPECIFIC INFORMATION
A-21	LOCATION OF ELECTRICAL PANELS. SEE ELECTRICAL DRAWINGS FOR SPECIFIC INFORMATION
A-22	LOCATION OF SERVICE DISCONNECT. IF REQUIRED, PROVIDE 4" CONCRETE HOUSEKEEPING PAD ABOVE SIDEWALK UNDER CABINET COORDINATE SIZE AND LOCATION PAD AND CABINET WITH ELECTRICAL CONTRACTOR. SEE ELECTRICAL DRAWINGS FOR SPECIFIC INFORMATION.
A-25	LINE OF CANOPY / SOFFIT ABOVE. SEE REFLECTED CEILING PLAN SHEET 1/A8.1 (IF REQUIRED BY FIRE DEPARTMENT)
A-26	KNOX BOX LOCATION. SEE RECESS DETAILS 1/A8.1 (IF REQUIRED BY FIRE DEPARTMENT)
A-27	PROVIDE SIGN ABOVE HAND SINK "EMPLOYEE MUST WASH HANDS BEFORE RETURNING TO WORK"
A-29	3/4" HIGH ACCESSIBLE COUNTERTOP
A-30	FUEL EMERGENCY SHUT-OFF SWITCH WITH COVER. PROPOSED LOCATION WHEN REQUIRED. SEE FUEL PLAN.
A-31	SIPS PANEL WALL. SEE DETAIL 8/A8.1, SIP SHEETS, STRUCTURAL BUILDING SECTIONS AND EXTERIOR ELEVATIONS.
A-32	2" STAINLESS STEEL CORNER GUARDS TO 54" A.F.F.
A-33	4" CONC. CURB AT ELECTRICAL PANELS
A-34	FDC PROPOSED LOCATION WHEN CITY REQUIRED.
A-35	CO2 TANK AT EXTERIOR WITH STORAGE TANK CABINET. SEE DET. 2/A9.1 FOR REQUIRED SIGNS.
A-36	HOSE BIBB. SEE PLUMBING DRAWINGS
A-37	FRP PANELING. SEE LEGEND AND SHT. A3.2.
A-38	STORAGE LOFT. SEE INTERIOR ELEVATIONS FOR HEIGHT. SEE DETAIL 4/A9.2 OR ALTERNATE LOFT DETAIL 11/A9.2
A-39	FURRED OUT WALL TO CLOSE GAP BETWEEN WALL AND WALK IN COOLER FROM BOTTOM TO CEILING. SEE DETAIL 6/A9.2
A-40	29.5" HIGH COUNTERTOP WITH 30"x48" ADA CLEAR FLOOR SPACE
A-41	PORCELAIN TILE FINISH. SEE FINISH SCHEDULE AND SHEETS A1.11, A3.1 & 3.3
A-42	LINE OF SOFFIT ABOVE
A-43	PROVIDE HUB DRAIN AND ROUTE DRAIN TO NEAREST FLOOR SINK. SEE PLUMBING DRAWINGS
A-44	BREAK METAL TO CLOSE GAP BETWEEN WALL AND WALK IN COOLER FROM BOTTOM TO CEILING. SEE DETAIL 3/A9.2
A-45	G.C. TO PROVIDE METAL KEY STORAGE BOX FROM GRAINGER MFR.
A-47	6"x8" PIPE CHASE.
A-48	WALK-IN FREEZER RAMP. SUPPLIED/INSTALLED BY COOLER/FREEZER MANUFACTURER
F-03	FLOOR SINK. SEE PLUMBING DRAWINGS

### LEGEND

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**PROFESSIONAL SEAL**

REVISION	DATE
△ ISSUE	10/05/22
□ REVIEW SET	

**PROFESSIONAL IN CHARGE**  
A. SIGNOR  
**PROJECT MANAGER**  
T. REESE  
**QUALITY CONTROL**  
A. SIGNOR  
**DRAWN BY**  
K. KRUG

**CIRCLE K STORES, INC.**

1935 E CALUMET STREET  
APPLETON, WI, 54915



**CIRCLE K STORE**  
PROJECT NUMBER: 015453

**FLOOR PLAN**

**A1.2**

## Brenda Broeske

---

**From:** Mary L. Roberts  
**Sent:** Monday, November 7, 2022 8:24 AM  
**To:** Karen Harkness; Jake Woodford; Denise Fenton  
**Cc:** Brenda Broeske  
**Subject:** Feedback for City Plan Commission

Please see the email below that was received in the general Mayor email box.

Mary Roberts  
Executive Assistant  
Office of the Mayor

---

**From:** webmaster@appleton.org <webmaster@appleton.org>  
**Sent:** Saturday, November 5, 2022 4:27 PM  
**To:** Mayor <Mayor@Appleton.org>  
**Subject:** Appleton, WI: Contact Us email from website

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

A new entry to a form/survey has been submitted.

**Form Name:** Contact Us-Mayor  
**Date & Time:** 11/05/2022 5:26 PM  
**Response #:** 1907  
**Submitter ID:** 61499  
**IP address:** 2600:1008:b109:499b:d8d9:cb3f:e9e4:fcdb  
**Time to complete:** 7 min. , 43 sec.

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### Survey Details

#### Page 1

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**Contact:** Jake Woodford - Mayor  
Phone:  920-832-6400  
Fax: 920-832-5962

**Mailing Address:** 100 N. Appleton Street  
Appleton, WI 54911-4799

[Map](#)

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*to other sites, the City of Appleton does not guarantee, approve or endorse the information or products available at these sites.*

**Hours:** Monday - Friday  
8:00 a.m. to 4:30 p.m.

2022 City Hall Closings  
\*\*\*\*\*

May 30 - Memorial Day

July 4 - Independence Day Observation  
September 5 - Labor Day  
November 24 & 25 - Thanksgiving  
December 23 & 26 - Christmas

January 2, 2023 - New Years

**Email Address \*** [Dgordon@wsbonline.com](mailto:Dgordon@wsbonline.com)  
**First Name:** Doug  
**Last Name:** Gordon  
**Address:** 18500 Patti Ln  
**City:** Brookfield  
**State:** Wisconsin  
**Zip Code:** 53045  
**Phone Number** 4144594100  
**Fax Number:** Not answered

**Comments/Questions**

I am the owner of Rustic Woods Apartments on Calumet and Schaefer. I am unable to attend the Planning Commission meeting on 11/9 but want to express my opposition to a car wash proposed at 1935 E Calumet. This use is a traffic nightmare on an already busy intersection. I also think it depreciates property values in the area. Our tenants don't want to look out their windows and see a car wash. I would hope the commission would feel this location is better fit for office space.

Thank you for your consideration.

Doug Gordon

Thank you,  
**Appleton, WI**

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Attention: This message was sent from a source external to the City of Appleton. Please use caution when opening attachments or clicking links.

## Brenda Broeske

---

**Subject:** Calumet Village Partners LLP/Adjoining Property Owners on the West and South

---

**From:** Susan Thon <[sthon@rolliewinter.com](mailto:sthon@rolliewinter.com)>

**Sent:** Monday, November 7, 2022 11:25 AM

**To:** Jessica L. Titel <[Jessica.Titel@Appleton.org](mailto:Jessica.Titel@Appleton.org)>

**Cc:** Katie Van Zeeland <[District5@Appleton.org](mailto:District5@Appleton.org)>; Steve Winter <[swinter@rolliewinter.com](mailto:swinter@rolliewinter.com)>

**Subject:** Calumet Village Partners LLP/Adjoining Property Owners on the West and South

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

**THIS EMAIL IS BEING SENT ON BEHALF OF STEVE WINTER.**

Jessica,

I am writing you regarding the Holiday Gas Station request on the corner of Calumet Street and Schaefer Street on the south side of Appleton. We would object to the special use permit for the following reasons.

First, the site plan shows the exit to the south on our private driveway which access will not be granted.

Second, their main entrance on Calumet Street is almost adjacent to ours on Calumet Street which I do not believe I have seen approved in any other locations in Appleton.

Third, I am not sure what the exact parking requirements might be; however, at busy times a lot of the parking for this use will obviously overflow into our lot.

I will attend the meeting this week.

Thank you.

Steve Winter, CCIM  
Vice President  
AMERICAN MANAGEMENT GROUP, INC.  
3305C North Ballard Road  
Appleton, WI 54911  
(920) 733-3214  
[swinter@rolliewinter.com](mailto:swinter@rolliewinter.com)

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## Brenda Broeske

---

**Subject:** Concerns regarding special use permit on East Calumet

---

**From:** Katie Van Zeeland <[District5@Appleton.org](mailto:District5@Appleton.org)>  
**Sent:** Monday, November 7, 2022 6:24 PM  
**To:** Jessica L. Titel <[Jessica.Titel@Appleton.org](mailto:Jessica.Titel@Appleton.org)>  
**Cc:** [dtdamiani@gmail.com](mailto:dtdamiani@gmail.com); [abbott.kaiti@gmail.com](mailto:abbott.kaiti@gmail.com)  
**Subject:** FW: Concerns regarding special use permit on East Calumet

Please see the email below from residents who live near the proposed site for the Holiday Gas Station at 1935 E. Calumet.

*Katie*

Katie Van Zeeland  
Aldersperson - District 5  
2022-2023 Common Council President  
[District5@Appleton.org](mailto:District5@Appleton.org)  
(920) 358-0501  
<https://www.facebook.com/AlderspersonVanZeeland>

Sent from [Mail](#) for Windows 10

---

**From:** [Katharine Abbott](#)  
**Sent:** Monday, November 7, 2022 5:28 PM  
**To:** [Katie Van Zeeland](#)  
**Cc:** [dtdamiani@gmail.com](mailto:dtdamiani@gmail.com)  
**Subject:** Concerns regarding special use permit on East Calumet

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Aldersperson Van Zeeland,

Below are my and my partner's concerns regarding the request of a special use permit at 1935 E Calumet street.

It would increase the density of cars which is a safety concern for pedestrians when it is so close to a bus stop and a school where many of the students walk, bike, scooter, etc to class in the AM and sporting events in the evening.

If diesel fuel is to be sold this would also increase the density of trucks or semis which have very poor lines of sight given the ever increasing height between the bumper, hood, and grill.

By increasing the density of cars it would increase the congestion and according to Appleton.org's 2019 annual crash report, intersections make up 57.17% of crashes in Appleton. A great comparison for this special request use permit, according to the same 2019 report, E Calumet St/S Kensington Dr rank #1 for the highest crash intersections by a 5 year crash rate of 2.38 (#2 being 1.74).

The WHO states that road traffic injuries are the leading cause of death for children and young adults aged 5-29 years, approximately 1.3 million people die each year as a result of road traffic crashes, and more than half of all road traffic deaths are among vulnerable road users: pedestrians, cyclists, and motorcyclists.

I question the need for 2 car washes to be right next to each other as well as the need for more gas stations as there are gas stations 2.4 miles or roughly a 6 minute drive from one another on Calumet already. Not to mention the 4 gas stations all along Oneida within 1.4 miles or a 5 minute drive of one another.

I've lived in Appleton 7.5 years, and on SE side of Appleton for 5.5 years, and one of the reasons why Appleton makes me proud is the diversity of small businesses. I don't believe a gas station and car wash contribute to the diversity of small local businesses within that area. This special use permit prioritizes cars over the people in its community.

Thank you for taking the time to read our concerns as we cannot be present for the hearing on that Wednesday.

Respectfully,

Kaiti Abbott and Danny Damiani

S Jason Drive

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

**PARKS, RECREATION & FACILITIES  
MANAGEMENT**

**Dean R. Gazza, Director**

1819 East Witzke Boulevard  
Appleton, Wisconsin 54911-8401  
(920) 832-5572 FAX (920) 993-3103  
Email - [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org)

TO: Parks & Recreation Committee

FROM: Dean R. Gazza

DATE: 11/7/2022

RE: Action Item: Approve contract with Commercial Recreation Specialists for \$50,479 with a contingency of 10% for a total amount not to exceed \$55,527 to install shade structures for Jones Park.

The 2021 carryover included funding for shade structures within Jones Park. Two locations were identified that could accommodate structures to provide limited shading for spectators and users of the park.

Earlier this year shades were ordered from Shade Systems, but due to long lead times the shades did not arrive in time for installation this fall, thus they will be installed in early 2023.

Commercial Recreation Specialists (CRS) provided the lowest quote for installation. Here are the attached quotes:

CRS	\$50,479
Madison Commercial	\$54,505
JMJ Construction	\$78,462

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



“...meeting community needs...enhancing quality of life.”

**PARKS, RECREATION & FACILITIES  
MANAGEMENT**

**Dean R. Gazza, Director**

1819 East Witzke Boulevard  
Appleton, Wisconsin 54911-8401  
(920) 832-5572 FAX (920) 993-3103  
Email - [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org)

TO: Parks and Recreation Committee

FROM: Dean R. Gazza

DATE: November 7, 2022

RE: Action: Request to Adopt the Proposed Revised Jones Park Rental and Fee Schedule Policy

The Parks, Recreation, and Facilities Management Department has reviewed the Jones Park Rental and Fee Schedule Policy. Reviews are completed to ensure the policy remains current and reflects the current needs of the users. The following are major changes to the policy, other minor updates are outlined in the redline version.

1. Increase rental fees. Increased number of annual rentals and size of events have grown. Costs for labor, utilities, refuse removal, and cleaning have all increased.
2. Private events will be approved by the Parks and Recreation Committee and Common Council. Currently private events are approved by the Special Events Committee.

Our department requests approval of the updates which will go into effect December 15, 2022.

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

<b>CITY OF APPLETON POLICY</b>		<b>TITLE: JONES PARK – RENTAL AND FEE SCHEDULE</b>	
ISSUE DATE: March 6, 2019		LAST UPDATE: March 6, 2019	
POLICY SOURCE: Parks, Recreation and Facilities Management Department		TOTAL PAGES: 5	
Reviewed by Attorney’s Office Date: October 28, 2022		Parks and Recreation Committee Approval Date:  Council Approval Date:	

**I. Purpose**

To provide a policy to authorize the Parks, Recreation and Facilities Management Department to equitably administer rules and regulations, policies, fees and charges, and manage the use of Jones Park for private and/or community events. The Parks, Recreation and Facilities Management Department recognizes Jones Park provides quality of life uses for individuals, organizations and groups and brings certain benefits to the community, but has certain use limitations due to size, available facilities, site development, and location.

**II. Policy**

This policy authorizes the Parks, Recreation and Facilities Management Department to charge fees for the use of Jones Park within the rate schedule established by the Parks and Recreation Committee and City Council. The Parks, Recreation and Facilities Management Department has also established guidelines for the preservation of the public’s health, safety, welfare, and to promote the responsible use of publicly owned property and facilities. To effectively manage, protect facilities, and promote wise use of urban spaces, this policy authorizes the Parks, Recreation and Facilities Management Director and/or designees to:

1. Cancel and/or relocate any reservation that potentially threatens the integrity of Jones Park due to misrepresentation of information on the Facility Reservation Agreement, or if conditions of the facility or grounds would potentially create an unsafe situation.
2. Limit the availability of Jones Park for the city to perform routine and/or required maintenance and renovations to preserve the park’s integrity, including facilities, hard surfaces, turf, trees, vegetation, amenities, etc.
3. Deny any facility reservation application if the expected attendance would endanger public health and safety or compromise the condition of Jones Park.
4. Enforce park rules, regulations, and policies.
5. Require insurance coverage with limits established by the City Risk Manager for all activities or events scheduled for Jones Park.

**III. Definitions**

- **Jones Park** – Urban space located at 301 W. Lawrence Street consisting of the park, pavilion, performance stage and parking lot.

- **Local Non-Profit Organization** – Non-profit organization located in the Fox Cities that offers activity and/or event to promote quality of life experiences for citizens of Appleton and surrounding communities.
- **National Non-Profit Organization** – National non-profit organization that offers activity and/or event to promote its objectives and focus.
- **For-Profit Organization** – For-profit organization that offers activity and/or event for the primary purpose of raising money for its operations/objectives/programs.
- **Private Event** – Exclusive use of the park for an event and/or activity by an organization, group or individual that requires some or all of Jones Park to be closed to the public.
- **Exchange of Money** – The sale of food, beverage and other associated products requiring the exchange of any money at an event or program that is held in Jones Park specifically reserved for that event or program.
- **Facility Reservation Policies and Procedures** – These policies and procedures are set forth on the back of the Facility Reservation Agreement and detail reservations, sales of concessions, cancellation/refund procedures, alcohol policies and damage policies.
- **Park Rules & Regulations** – Regulations formulated by the City Council and published by the Parks, Recreation and Facilities Management Department. These rules and regulations are included with every Facility Reservation Agreement packet.
- **Processing Fee** – Fee charged to process a refund and/or cancellation request that is received before the reservation date.
- **Special Event** – An event or activity that meets the City of Appleton’s definition of a special event, and is held in a city park and/or special area, and exceeds the normal, ordinary or intended use of the park and/or special area.
- **Event Fee** – Fee charged for any rental of Jones Park facilities and/or parking lot that is determined to be a special event.

#### IV. Discussion

This policy defines how Jones Park shall be reserved by individuals, organizations and/or groups (herein “organizers”) for use of the facility. The policy shall also define the fee (s) charged to these organizers for their reservation request.

#### V. Reservations:

1. All organizers reserving Jones Park will be billed in accordance with the established rate schedule, including but not limited to: reservation fee; exchange of money permit; tent permit; tent inspection fee; event fee for facility. Organizers that are non-profit need to provide proof of status.
2. All reservations of Jones Park should be limited to events and activities open to the general public and considered special events. The use of Jones Park for a private event must be approved by the Parks and Recreation Committee and Common Council.
3. The reservation of Jones Park shall follow the procedures identified in the Special Events Policy and organizers will be required to pay all the fees required under the Special Events Policy, including a separate “Event Fee” of \$50.00 as set forth in the Fee Schedule on the last page of this policy.
4. The rental of the performance stage and/or parking lot requires rental of the park pavilion.
5. The reservation request for Jones Park shall include the actual time needed for the activity or event, including the time period for all set up, tear down and clean up. The event organizer who completes the reservation will be the responsible party and main contact for the event.

6. All reservations for Jones Park shall be considered for the entire day. Reservations for the same day by two different organizations or groups is not permitted unless written confirmation is received and approved by the Director of Parks, Recreation, and Facilities Management, from both organizations or groups. The City of Appleton is not responsible for any additional service required to accommodate the multiple events. Each reservation will pay the full rate.
7. If an organizer performs set-up or take down of any equipment outside of the rental dates they will be charged for the full day, no exceptions. In addition, if these actions interfere with another rental the City reserves the right to have any set-up removed at the organization's cost, which includes but is not limited to services provided by private contractors and/or third parties i.e., dumpsters, portables, tents.
8. Jones Park is available year-round; however during the winter months (November through March), the Parks, Recreation and Facilities Management Department reserves the right to limit access to any portion of the park and charge the organizer the actual cost to prepare the park for any activity or event. Preparations services during the winter months include but are not limited to snow removal, ice control, waste containers, etc.
9. Organizers that have reserved Jones Park for an event or activity shall have thirty (30) days after the date of the special event to reserve Jones Park for the same weekend and/or date for the following year. After thirty (30) days, the Parks, Recreation and Facilities Management Department will make Jones Park available to other interested parties.
10. A special event license for Jones Park will not be issued until all approvals have been received through the Special Events Permit process. Private rentals will need Parks and Recreation Committee and Common Council approval.
11. All other reservations for Jones Park are on a first-come, first-served basis and may be made no more than one (1) year in advance.
12. The Parks, Recreation and Facilities Management Department reserves the right to require a security deposit for any reservation based on the type of event, number of participants, use of facility, etc. The security deposit will be returned within 30 business days after the event if all conditions of the reservation request were met, including, but not limited to: facility clean-up; proper vacation of the facilities; keys not returned, removal of personal equipment/supplies/etc.; and leaving the facilities and grounds in a clean and orderly condition. Damage and/or loss of property may result in future rental requests being denied.
13. All facility reservation requests should be made at least ninety (90) days in advance of the reservation date, depending on the size of the event and/or need for street closures. Please refer to the Special Event Policy for a more detailed breakdown of the minimum number of days before the event to apply for a license and the costs associated with your Special Event. No special event license will be granted with less than ten days before the date of your event.
14. This policy shall become effective December 15, 2022, and shall remain in effect until it is modified, changed, and/or repealed.

#### **Terms & Conditions of Use:**

- The special event license holder must bring their copy of the approved reservation to the special event to show City personnel upon request. In all cases, special event license holders shall be given preference for the use of the space designated on the approved agreement.
- Motorized vehicles are allowed in the parking lot only. Vehicles are not allowed on any other park surface at any time; this includes trucks, cars, Utility Task Vehicles (UTVs),

golf carts, etc. used for the unloading and loading of equipment and supplies.

Authorization may be given for unique circumstances but must be approved in advance by the Director of Parks, Recreation and Facilities Management or designee.

- No equipment that utilizes fuels or electrical power for food preparation, craft making, etc. shall be allowed within the park. No cooking equipment shall be utilized within the pavilion. The parking lot may be utilized upon approval if reserved accordingly.
- Organizers shall leave the facility in a clean and orderly condition. Organizers shall not remove any City equipment and/or supplies. The City will not be held financially or legally responsible for any damage or loss of property that occurs as a result of the rental and reserves the right to bill the applicant for repair and replacement costs incurred by such damage to parks and/or park amenities during the rented timeframe.
- Access to the Exhibition Center shall not occur through Jones Park for loading and unloading of equipment/materials/supplies, etc.

**Cancellation/Refunds:**

- A full refund of the rental fee will be made if the reservation is cancelled more than 90 days in advance of the event. A full refund of the rental fee for a cancellation of Jones Park less than 90 days in advance of the event will be made only if the facility can be rented to another party for the date canceled. Refunds are subject to a \$10.00 processing fee.
- A full refund of the rental fee will be made if the reservation is cancelled by the Parks, Recreation and Facilities Management Department due to unsafe conditions, issues/concerns with park facilities, construction activities, etc. These refunds are not subject to the \$10.00 processing fee.

# JONES PARK

## FEE SCHEDULE

<u>Organization/Group</u>	<u>Park Rental Fees</u>		<u>Stage Rental Fees</u>	<u>Parking Lot Rental Fees</u>
Local Non-Profit Organization	\$125.00 per day		\$125.00 per day	\$125.00 per day
National Non-Profit Organization	\$175.00 per day		\$175.00 per day	\$175.00 per day
For-Profit Organization	\$325.00 per day		\$325.00 per day	\$325.00 per day
Private Event	\$525.00 per day		\$525.00 per day	\$525.00 per day
<b><u>Other Services</u></b>	<b><u>Fees</u></b>			
Exchange of Money Permit	\$25.00 per day \$100.00 per season			
Tent Permit	\$15.00 per tent, per day			
Fire Inspection (for tents)	\$25.00 per event			
Processing Fee	\$10.00			
Event Fee	\$50.00 per event			

<b>CITY OF APPLETON POLICY</b>		<b>TITLE: JONES PARK – RENTAL AND FEE SCHEDULE</b>	
ISSUE DATE: <del>New Policy</del> <u>March 6, 2019</u> <u>Day of Council Adoption</u>	LAST UPDATE: <del>New Policy</del> <u>March 6, 2019</u>	<del>TEXT NAME:</del>	
POLICY SOURCE: Parks, Recreation and Facilities Management Department		TOTAL PAGES: 5	
Reviewed by Attorney’s Office Date: <u>October 28, 2022</u>	Parks and Recreation Committee Approval Date:	Council Approval Date:	

**I. Purpose**

To provide a policy to authorize the Parks, Recreation and Facilities Management Department to equitably administer rules and regulations, policies, fees and charges, and manage the use of Jones Park for private and/or community events. The Parks, Recreation and Facilities Management Department ~~also~~ recognizes Jones Park provides quality of life uses for individuals, organizations and groups and brings certain benefits to the community, but has certain use limitations due to size, available facilities, site development, and location.

**II. Policy**

This policy authorizes the Parks, Recreation and Facilities Management Department to charge fees for the use of Jones Park within the rate schedule established by the Parks and Recreation Committee and City Council. The Parks, Recreation and Facilities Management Department has also established guidelines for the preservation of the public’s health, safety, welfare, and to promote the responsible use of publicly owned property and facilities. To effectively manage, protect facilities, and promote wise use of urban spaces, this policy authorizes the Parks, Recreation and Facilities Management Director and/or designees to:

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3. Deny any facility reservation application if the expected attendance would endanger public health and safety or compromise the condition of ~~facilities~~ Jones Park.
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- **Jones Park** – Urban space located at 301 W. Lawrence Street consisting of the park, pavilion, performance stage and parking lot.
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- **~~Concessions/Sales/~~ Exchange of Money** - The sale of food, beverage and other associated products requiring ~~or~~ the exchange of any money at an event or program that is held in Jones Park specifically reserved for that event or program.
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2. All reservations of Jones Park ~~shall~~ should be limited to events and activities open to the general public and considered special events. The use of Jones Park for a private event must be approved by the ~~Special Event Committee~~ Parks and Recreation Committee and Common Council.
3. The reservation of Jones Park shall follow the procedures identified in the Special Events Policy and organizers will be required to pay all the fees required under the Special Events Policy, including a separate “Event Fee” of \$50.00 as set forth in the Fee Schedule on the last page of this policy.

4. The rental of the performance stage and/or parking lot requires rental of the park pavilion. ~~Both the performance stage and parking lot are add-on fees.~~
5. The reservation request for Jones Park shall include the actual time needed for the activity or event, including the time period for all set up, tear down and clean up. The event organizer who completes the reservation will be the responsible party and main contact for the event.
6. All reservations for Jones Park shall be considered for the entire day. Reservations for the same day by two different organizations or groups is not permitted unless written confirmation is received and approved by the Director of Parks, Recreation, and Facilities Management, from both organizations or groups, ~~and the~~ The City of Appleton is not responsible for any additional service required to accommodate the multiple events. Each reservation will pay the full rate.
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12. The Parks, Recreation and Facilities Management Department reserves the right to require a security deposit for any reservation based on the type of event, number of participants, use of facility, etc. ~~The amount of the security deposit will be based on factors listed earlier.~~ The security deposit will be returned within 30 business days after the event if all conditions of the reservation request were met, including, but not limited to: facility clean-up; proper vacation of the facilities; keys not returned, removal of personal equipment/supplies/etc.; and leaving the facility ~~(s)ies~~ and grounds in a clean and orderly condition. Damage and/or loss of property may result in future rental requests being denied.
13. All ~~applications for~~ facility ~~reservations~~ reservation requests should be made at least ninety (90) days in advance of the reservation date, depending on the size of the event and/or need for street closures. Please refer to the Special Event Policy for a more detailed breakdown of the minimum number of days before the event to apply for a license and the costs associated with your Special Event. No ~~license~~ special event permit license will be granted with less than ten days before the date of your event.
14. This policy shall become effective ~~July 1, 2019~~ December 15, 2022, and shall remain in effect until it is modified, changed, and/or repealed.

## Terms & Conditions of Use:

- The special event license holder must bring his/her/their copy of the approved reservation to the special event to show City personnel upon request. In all cases, special event license holders shall be given preference for the use of the space designated on the approved agreement.
- Motorized vehicles are allowed in the parking lot only. Vehicles are not allowed on any other park surface at any time; this includes trucks, cars, Utility Task Vehicles (UTVs), golf carts, etc. used for the unloading and loading of equipment and supplies. Authorization may be given for unique ~~circumstances, but~~circumstances but must be approved in advance by the Deputy\_ Director of Parks, Recreation and Facilities Management or designee.
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# JONES PARK

## FEE SCHEDULE

<u>Organization/Group</u>	<u>Park Rental Fees</u>		<u>Stage Rental Fees</u>	<u>Parking Lot Rental Fees</u>
Local Non-Profit Organization	\$100.00 per day \$125.00 per day	Plus	\$100.00 per day \$125.00 per day	\$100.00 per day \$125.00 per day
National Non-Profit Organization	\$150.00 per day \$175.00 per day	Plus	\$150.00 per day \$175.00 per day	\$150.00 per day \$175.00 per day
For-Profit Organization	\$300.00 per day \$325.00 per day	Plus	\$300.00 per day \$325.00 per day	\$300.00 per day \$325.00 per day
Private Event	\$500.00 per day \$525.00 per day	Plus	\$500.00 per day \$525.00 per day	\$500.00 per day \$525.00 per day
<b><u>Other Services Fees</u></b>				
Concessions/Sales/Exchange of Money Permit	\$25.00 per day \$100.00 per season			
Tent Permit	\$15.00 one tent, \$25.00 two tents, \$50.00 three or more tents per day \$15.00 per tent, per day			
Fire Inspection (for tents)	\$25.00 per event			
Late Reservation	\$10.00			
Processing Fee	\$10.00			
Event Fee	\$50.00 per event			



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

**PARKS, RECREATION & FACILITIES  
MANAGEMENT**

1819 East Witzke Boulevard  
Appleton, Wisconsin 54911-8401  
(920) 832-5572  
Email: [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org)

TO : Parks and Recreation Committee

FROM : Dean R. Gazza

DATE : November 7, 2022

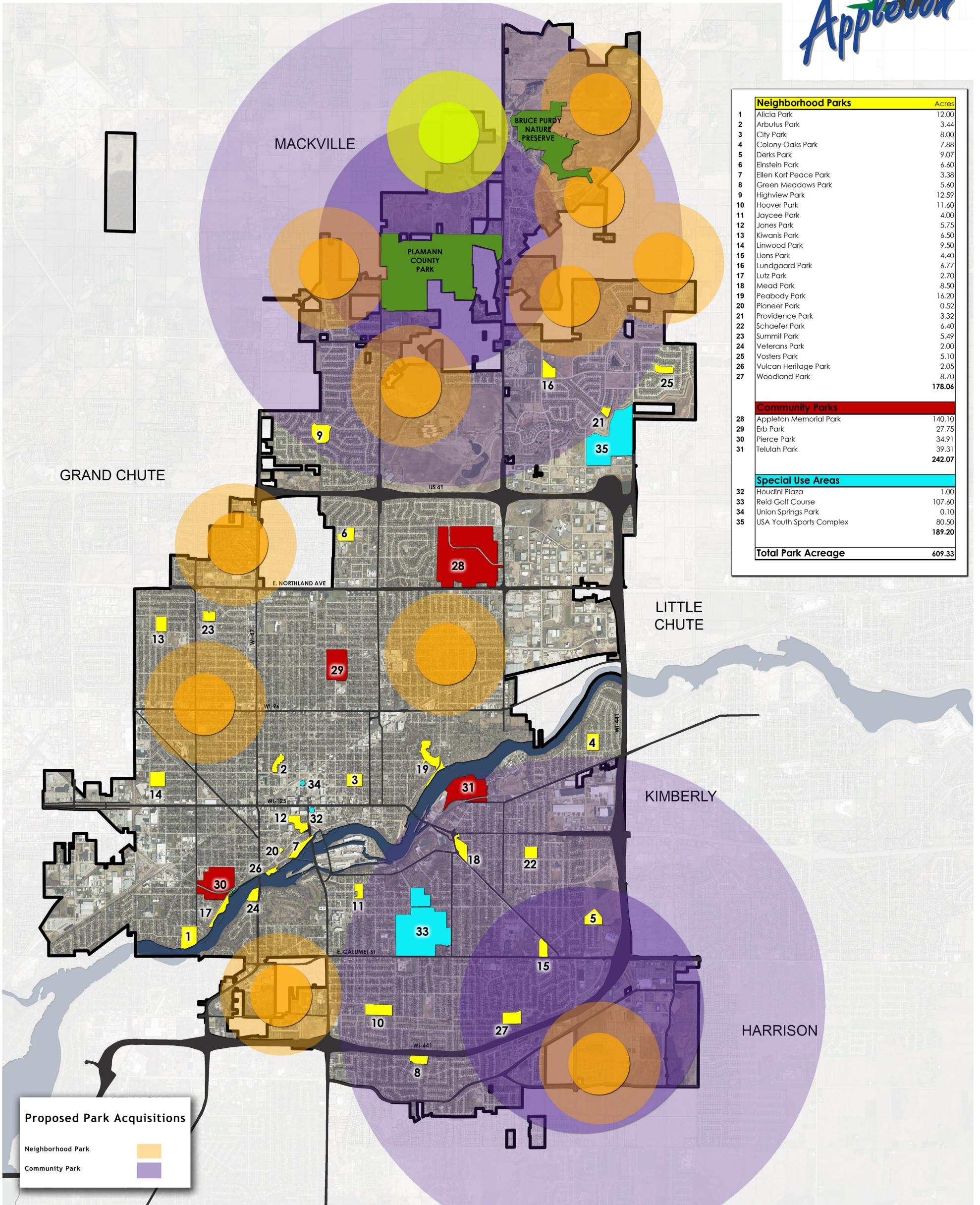
RE : Action : Request to Adopt the Proposed Revised Park Acquisition Map

The Parks, Recreation, and Facilities Management Department has reviewed the Comprehensive Outdoor Recreation Plan and has determined the need to revise the park acquisition map. Based on national park recommendations, city residents should live within a half mile of a neighborhood park and within two miles of a community park.

Current growth and future development on the northern end of the city boundaries has created the need for future parkland. Existing and future residential properties are not within a half mile of a neighborhood park.

The Parks, Recreation, and Facilities Management Department is requesting to add one neighborhood park acquisition location. Highlighted in yellow is the preferred location to address current and future growth on the northern end of the city boundaries.

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



Neighborhood Parks		Acres
1	Alicia Park	12.00
2	Arbutus Park	3.44
3	City Park	8.00
4	Colony Oaks Park	7.88
5	Derks Park	9.07
6	Einstein Park	6.60
7	Ellen Kort Peace Park	3.38
8	Green Meadows Park	5.60
9	Highview Park	12.59
10	Hoover Park	11.60
11	Jaycee Park	4.00
12	Jones Park	5.75
13	Kiwanis Park	6.50
14	Linwood Park	9.50
15	Lions Park	4.40
16	Lundgaard Park	6.77
17	Lutz Park	2.70
18	Mead Park	8.50
19	Peabody Park	16.20
20	Pioneer Park	0.52
21	Providence Park	3.32
22	Schaefer Park	6.40
23	Summit Park	5.49
24	Veterans Park	2.00
25	Vosters Park	5.10
26	Vulcan Heritage Park	2.05
27	Woodland Park	8.70
		<b>178.06</b>
Community Parks		
28	Appleton Memorial Park	140.10
29	Erb Park	27.75
30	Pierce Park	34.91
31	Telulah Park	39.31
		<b>242.07</b>
Special Use Areas		
32	Houdini Plaza	1.00
33	Reid Golf Course	107.60
34	Union Springs Park	0.10
35	USA Youth Sports Complex	80.50
		<b>189.20</b>
<b>Total Park Acreage</b>		<b>609.33</b>

**Proposed Park Acquisitions**

Neighborhood Park

Community Park



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

**PARKS, RECREATION & FACILITIES  
MANAGEMENT**

**Dean R. Gazza, Director**

1819 East Witzke Boulevard  
Appleton, Wisconsin 54911-8401  
(920) 832-5572 FAX (920) 993-3103  
Email - [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org)

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 11/7/2022

RE: Action: Award the "2022 AWWTP F1-Building Phase 1 Remodeling Project" contract to RJM Construction, LLC. in the amount of \$271,840 with a contingency of 15% for a project total not to exceed \$312,616.

Action: Approve balance transfer of \$60,000 from the "AWWTP Electrical Distribution Upgrades Project" to "2022 AWWTP F1-Building Remodeling Project."

The 2022 Capital Improvement Plan includes \$300,000 to renovate the F1-Building at the Appleton Wastewater Treatment Plant. Of that amount \$44,500 has been utilized for design leaving a balance of \$255,500 for construction. This project was originally bid overbudget, and has been re-bid with a reduced scope of work as part of a phased project. The scope in this bid represents the minimum that needs to be completed, and we cannot reduce the scope anymore than it currently is. Because of this aspect a budget transfer is requested from the AWWTP Electrical Distribution Project.

The bids received were as follows:

<b>RJM Construction, LLC. (Low Bid)</b>	<b>\$271,840</b>
Cardinal Construction, Inc.	\$327,380

We are requesting a balance transfer from the AWWTP Electrical Distribution Project. The AWWTP Electrical Distribution Project bids came in under the estimated budget.

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to RJM Construction, LLC. The Parks, Recreation, and Facilities Management Department has also reviewed the bids and is in agreement with the engineer's recommendation. Therefore, we recommend awarding the contract to RJM Construction, LLC. in the amount of \$271,840 plus a contingency of 15% only to be utilized as needed

The Parks, Recreation and Facilities Management Department recommends rejecting these bids.  
Please contact me at 832-5572 or at [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org) with any questions.



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

**PARKS, RECREATION & FACILITIES  
MANAGEMENT**

**Dean R. Gazza, Director**

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(920) 832-5572 FAX (920) 993-3103  
Email - [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org)

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 11/7/2022

RE: Action: Award the "2022 AWWTP F1-Building HVAC Upgrades Project" contract to Rohde Brothers, Inc. in the amount of \$223,900 with a contingency of 12% for a project total not to exceed \$250,768.

The 2022 Capital Improvement Plan includes \$750,000 to upgrade the HVAC systems for the H & J Buildings, the F1-Building, and to make upgrades to the biogas boiler system at the Appleton Wastewater Treatment Plant. Of that amount \$48,000 has been utilized for design leaving a balance of \$702,000 for construction. Of that amount \$250,000 has been allocated for the F1-Building HVAC Upgrades. Bids were opened on October 28, 2022, for the F1-Building HVAC Upgrades portion of the 2022 AWWTP HVAC Upgrades Project.

The bids received were as follows:

<b>Rohde Brothers, Inc. (Low Bid)</b>	<b>\$223,900</b>
Great Lakes Mechanical, Inc.	\$252,000
Mid City Corporation	\$260,550
August Winter and Sons, Inc.	\$263,000

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to Rohde Brothers, Inc. The Parks, Recreation, and Facilities Management Department has also reviewed the bids and is in agreement with the engineer's recommendation. Therefore, we recommend awarding the contract to Rohde Brothers, Inc. in the amount of \$223,900 plus a contingency of 12% only to be utilized as needed

The Parks, Recreation and Facilities Management Department recommends rejecting these bids. Please contact me at 832-5572 or at [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org) with any questions.



# MEMORANDUM

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“...meeting community needs...enhancing quality of life.”

TO: Community and Economic Development Committee

FROM: Nikki Gerhard, Community Development Specialist

DATE: November 9, 2022

RE: Recommendations for 2023 Community Development Block Grant Funding

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**Background.** The estimated 2023 CDBG award listed in the 2023 City budget was \$589,453. This amount was estimated based on the most recent three years of awards. Staff determined the allocations for the Homeowner Rehabilitation Loan Program, Fair Housing Services, and administrative costs. The remaining amount was available for department projects and community partners through a competitive application process.

**Application Information.** CDBG applications from City Departments were due to the Community and Economic Development Department on August 31, 2022. No applications were received. CDBG applications from community partners for the 2023 program year were due to the Community and Economic Development Department on September 30, 2022.

Nine applications were submitted under the routine annual allocation process. After awards were allocated for City programs and administration, the amount available to allocate to the community partner applicants was \$460,624. Only 15 percent of a grantee’s allocation may be used for public service activities, per HUD regulations. In this instance, only a maximum of \$88,417 is projected to be available for public service activities. The total amount requested by community partner applicants whose activities fell under the public service category was \$252,709; while the total amount requested by community partner applicants whose activities did not fall under the public service category was \$397,000. Refer to the attachments for a specific breakdown of the allocations.

**Application Review.** The CDBG Advisory Board met on October 25, 2022. Members were asked to review the applications and decide upon allocation amounts prior to the meeting. The allocation amounts made by each board member were compiled and discussed at the meeting. Allocation recommendations were agreed upon pursuant to this discussion.

**Allocation Approval.** The funding allocation recommendations from the CDBG Advisory Board for community partners are presented in the attached table for CEDC approval.

Staff recommends approval of the preliminary allocations, as presented.

The following attachments are provided for additional information on this action item.

**Attached Documents:**

- 1.) 2023PY CDBG Advisory Board Membership
- 2.) CDBG Policy
- 3.) 2023PY Community Partner Application Award Recommendations
- 4.) 2023PY Simple Summary of Award Recommendations

If you have any questions, please contact me at (920) 832-6469 or [nikki.gerhard@appleton.org](mailto:nikki.gerhard@appleton.org). Thank you!

City of Appleton  
COMMUNITY DEVELOPMENT BLOCK GRANT

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**2023 CDBG ADVISORY BOARD**

<b>Name</b>	<b>Title</b>	<b>Organization</b>	<b>Contact</b>
Jacob Woodford	Mayor	City of Appleton	<a href="mailto:jake.woodford@appleton.org">jake.woodford@appleton.org</a>
Katie VanZeeland	President	Common Council	<a href="mailto:District5@appleton.org">District5@appleton.org</a>
Maiyoua Thao	Appointed by Chair	CEDC Committee	<a href="mailto:District7@appleton.org">District7@appleton.org</a>
Marissa Downs	Chair	ARA	<a href="mailto:marissadowns@gmail.com">marissadowns@gmail.com</a>
Rhonda Hannemann	Associate Director of Community Development, Education and Financial Stability	United Way Fox Cities	<a href="mailto:Rhonda.Hannemann@UnitedWayFoxCities.org">Rhonda.Hannemann@UnitedWayFoxCities.org</a>
Isaac Uitenbroek	Citizen Commissioner	City Plan Commission	<a href="mailto:iduitenbroek@gmail.com">iduitenbroek@gmail.com</a>

**City of Appleton Staff**

<b>Name</b>	<b>Title</b>	<b>Contact</b>
Monica Stage	Deputy Director of Community & Economic Development	<a href="mailto:Monica.stage@appleton.org">Monica.stage@appleton.org</a>
Nikki Gerhard	Community Development Specialist	<a href="mailto:Nikki.gerhard@appleton.org">Nikki.gerhard@appleton.org</a>
Ryne Lodl	Coordinated Entry Specialist	<a href="mailto:Ryne.lodl@appleton.org">Ryne.lodl@appleton.org</a>

**Community Partner Application AWARD RECOMMENDATIONS  
for the 2023 CDBG Program Year**

<b>NON-PUBLIC SERVICE</b>	<b>PROJECT ACTIVITY</b>	<b>PROJECTED OUTPUT</b>	<b>FUNDS WILL BE USED TO...</b>	<b>AMOUNT REQUESTED</b>	<b>CDBG ADVISORY BOARD \$ REC</b>
Greater Fox Cities Area Habitat for Humanity	housing	2 properties rehabilitated and sold to qualified homebuyers	acquire 2 properties to do full house rehabilitation and then sell to qualified low or moderate income homebuyers	\$ 222,000	\$ 222,000
Rebuilding Together Fox Valley	housing	rehabilitation of 10 units	Community Revitalization Partnership project to a City of Appleton neighborhood	\$ 100,000	\$ 130,207
WWBIC	economic development	technical assistance to small businesses	provide business training & counseling to small business, assisting 70 individuals	\$ 75,000	\$ 20,000
				<b>\$ 397,000</b>	<b>\$ 372,207</b>
<b>PUBLIC SERVICE</b>	<b>PROJECT ACTIVITY</b>	<b>PROJECTED OUTPUT</b>	<b>FUNDS WILL BE USED TO...</b>	<b>AMOUNT REQUESTED</b>	<b>CDBG ADVISORY BOARD \$ REC</b>
Boys & Girls Club of the Fox Valley	public service	20 youth served	Fund salaries & fringes for street outreach and case management	\$ 75,043	\$ 50,000
Fox Valley Lutheran Homes	public service	120 households served	Fund salary & fringe for community resource coordinator at specific site	\$ 27,666	\$ -
Helios Heuristic	public service	80 households served	Fund salary & fringe for parent recovery specialist	\$ 40,000	\$ -
LEAVEN, Inc.	public service	93 households served	Fund Emergency Assistance Program to provide rental assistance to those at risk of homelessness	\$ 30,000	\$ 12,806
Salvation Army of the Fox Cities	public service	12 households assisted	Ffund housing retention programming and financial support for households faced with unforeseen circumstances	\$ 30,000	\$ 12,805
Pillars, Inc.	public service	125 individuals served	Fund prevention & diversion programming	\$ 50,000	\$ 12,806
				<b>\$ 252,709</b>	<b>\$ 88,417</b>

**City Programs/Appleton Housing Authority/Administration  
(previously approved)**

**\$128,829.00**

**CDBG Advisory Board Recommendations**

**\$460,624.00**

**\$589,453**

## AWARD RECOMMENDATIONS FOR 2023 CDBG PROGRAM YEAR

		Awarded
<b>City Programs/Appleton Housing Authority/Administration</b>		
City of Appleton Homeowner Rehabilitation Loan Program	\$	45,000
Fair Housing Services	\$	25,000
Appleton Housing Authority	\$	-
CDBG Program Administration Costs	\$	58,829
<b>Non-Public Service</b>		
Greater Fox Cities Habitat for Humanity	\$	222,000
Rebuilding Together Fox Valley	\$	130,207
WWBIC	\$	20,000
<b>Public Service</b>		
Boys & Girls Club	\$	50,000
Fox Valley Lutheran Homes	\$	-
Helios Heuristics	\$	-
LEAVEN, Inc.	\$	12,806
Salvation Army of the Fox Cities	\$	12,805
Pillars, Inc.	\$	12,806
<b>TOTAL</b>	<b>\$</b>	<b>589,453</b>



# City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



## Community Development Block Grant (CDBG) Policy

Adopted 9/8/2008

Amended 5/24/2010, 10/3/2012, 12/19/2012, 7/15/2015, 10/21/2020, 11/17/2021

### I. PURPOSE

To outline the following aspects of the local Community Development Block Grant (CDBG) Program: a) elements to which the City of Appleton must adhere in order to comply with federal regulations; b) locally-established guidelines; and c) priorities for subrecipient and City Program activity.

### II. POLICY

The federal CDBG program was established with the passage of the Housing and Community Development Act of 1974. CDBG funds are distributed to eligible governmental units in two forms:

- (1). Entitlement grants directly to cities and counties, and;
- (2). State grants, which involve annual competitions for non-entitlement communities.

Since 1975, the City of Appleton has received CDBG funds as an entitlement community. The amount of CDBG funds received each year varies based on the appropriation approved by the U.S. Congress and the number of governmental units eligible to participate. While the federal fiscal year operates from October 1 to September 30, the City selected April 1 to March 31 as its CDBG fiscal year. This selection was made as the federal government generally does not release the aforementioned funds until springtime. Federal oversight lies within the U.S. Department of Housing & Urban Development (HUD).

### III. FEDERAL REGULATIONS

*The citation reference from Title 24 Part 570 – Community Development Block Grants can be found in parentheses next to each heading below. Please view that section for more information on the respective item. This Policy will be revised periodically as required to fulfill related Federal, State, and/or local funding requirements.*

#### A. Federal Eligibility (24 CFR 570.201)

CDBG funds may be used for the following basic eligible activities:

- |                                     |  |
|-------------------------------------|--|
| (1). Acquisition                    | (11). Housing Services                             |
| (2). Disposition                    | (12). Privately-Owned Utilities                    |
| (3). Public Facilities/Improvements | (13). Homeownership Assistance                     |
| (4). Clearance/Remediation          | (14). Economic Development Assistance              |
| (5). Public Services                | (15). Technical Assistance                         |
| (6). Interim Assistance             | (16). Institutions of Higher Education             |
| (7). Payment of Non-Federal Share   | (17). Rehabilitation/Preservation (24 CFR 570.202) |
| (8). Urban Renewal Completion       | (18). Planning (24 CFR 570.205)                    |
| (9). Relocation                     | (19). Administration (24 CFR 570.206)              |
| (10). Loss of Rental Income         |  |

#### B. Ineligible Activities (24 CFR 570.207)

The following activities may not be assisted with CDBG funds:

- (1). Buildings (or portions thereof) for the General Conduct of Government
- (2). General Government Expenses
- (3). Political Activities



**City of Appleton**  
**COMMUNITY DEVELOPMENT BLOCK GRANT**

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The following activities are not eligible for CDBG funding, but may be allowed under certain circumstances:

- |                                     |                               |
|-------------------------------------|-------------------------------|
| (1). Purchase of Equipment          | (3). New Housing Construction |
| (2). Operating/Maintenance Expenses | (4). Income Payments          |

**C. Special Economic Development Projects (24 CFR 570.203)**

CDBG funds may be used for special economic development activities in addition to other activities. Special economic development activities include:

- (1). Acquisition, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings, structures, and other real property equipment and improvements
- (2). Assistance to a private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms of support, for any activity where the assistance is appropriate to carry out an economic development project
- (3). Economic development services, including, but not limited to, outreach efforts; screening of applicants; reviewing/underwriting applications; preparation of all necessary agreements; management of activities; and the screening, referral, and placement of applicants for employment

**D. National Objectives (24 CFR 570.208)**

In order to qualify for funding, activities must meet one of three CDBG national objectives:

- (1). Low & Moderate Income (LMI) Benefit
  - a. Area Benefit: activities available for the benefit of all the residents in a particular area, where at least 51 percent of those residents are LMI persons.
  - b. Limited Clientele: activities benefiting a specific group (i.e. abused children, elderly persons, battered spouses), at least 51 percent of whom are LMI persons.
  - c. Housing: activities carried out for the purpose of providing or improving permanent residential structures that, upon completion, will be occupied by LMI households.
  - d. Job Creation/Retention: activities designed to create or retain permanent jobs where at least 51 percent of the jobs involve the employment of LMI persons.
- (2). Slum & Blight Removal
  - a. Area Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination that are located in a designated area of distress, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
  - b. Spot Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination at specific sites not located in designated blighted areas, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
- (3). Urgent Need
  - a. Activities designed to alleviate existing conditions of recent origin (18 months) that pose serious threats to the health and welfare of the community; this objective may only be used if the community cannot finance necessary activities with other sources.



**City of Appleton**  
**COMMUNITY DEVELOPMENT BLOCK GRANT**

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**E. Categorical Limits**

- (1). At least 70 percent of CDBG funds utilized during three consecutive program years, as specified by the grantee, must be expended for LMI benefit; the costs of planning and program administration are excluded from this calculation. (24 CFR 570.200(a)(3))
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the total entitlement grant for that program year, plus 15 percent of the program income received during the preceding program year. (24 CFR 570.201(e)(1))
- (3). The amount of CDBG funds obligated for planning and administration activities in each program year may not exceed 20 percent of the total entitlement grant for that program year plus the program income received during that program year. (24 CFR 570.200(g))

**F. Program Income (24 CFR 570.426)**

The City may reuse any revenue generated from projects undertaken with CDBG funding towards other eligible activities within the entitlement community. Furthermore, any program income earned by a subrecipient or City Program may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds and thus subject to all applicable federal and local requirements.

As defined in 24CFR Part 570.500, program income includes, but is not limited to, the following:

- Proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG funds;
- Proceeds from the disposition of equipment purchased with CDBG funds;
- Gross income from the use or rental of real or personal property acquired by subrecipients with CDBG funds, less costs incidental to generation of the income;
- Gross income from the use or rental of real property, owned by subrecipients that was constructed or improved with CDBG funds, less costs incidental to generation of the income;
- Payments of principal and interest on loans made using CDBG funds, except as provided in 24CFR 570.500(a)(3); and
- Interest earned on program income pending its disposition.

Program income must be tracked in a chart of accounts, using a segregated account for managing sources and uses. By the 15<sup>th</sup> day of the month following the end of the quarter, the City's Finance Department will review each transaction that generated program income and the subsequent transaction for which program income was applied. The program income will then be entered into the City's Chart of Accounts so that it is reflected in the general ledger, as well as receipting the program income in IDIS so that draws can be made against the balance accordingly. The City maintains the discretion to enter program income more frequently as deemed necessary.

CDBG regulations require that, at the end of each program year (March 31), the City of Appleton must determine whether there is excess program income on hand, and return any excess to the line of credit.

**G. Fair Housing (24 CFR 570.601)**

The Secretary of HUD requires that:

- (1). Grantees must administer all activities related to housing and community development in a manner to affirmatively further the policies of the Fair Housing Act. (Public Law 90-284)
- (2). Entitlement communities shall conduct an Analysis of Impediments to Fair Housing Choice every five years, take action to overcome the effects of the identified impediments and maintain records



## City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



reflecting the analysis and related actions taken.

### H. Environmental Review Procedures (24 CFR 570.604)

The environmental review procedures outlined in 24 CFR part 58 must be completed for each CDBG subrecipient and City Program activity, as applicable.

### I. Faith-Based Activities (24 CFR 570.200)

Religious or faith-based organizations are eligible to participate in the CDBG program. Local government representatives and CDBG program administrators shall not discriminate against an organization on the basis of its religious affiliation.

### J. Submission Requirements (24 CFR 570.302)

CDBG entitlement communities must submit the following documents:

- (1). Action Plan → annually
- (2). Consolidated Annual Performance and Evaluation Report (CAPER) → annually
- (3). Consolidated Plan → every three to five years, as chosen by the entitlement community

Creation of these documents must follow HUD requirements for content and citizen participation (see the City of Appleton CDBG Citizen Participation Plan).

### K. Location of Activities (24 CFR 570.309)

CDBG funds may be awarded to an activity outside the jurisdiction of the entitlement community only if it can be determined that the activity directly benefits the entitlement community's residents. Documentation of these benefits must be provided before CDBG funds are awarded for the activity.

### L. Conflict of Interest (24 CFR 570.611)

No persons affiliated with the entitlement community (including subrecipients and City Programs) who exercise or have exercised any responsibilities with respect to CDBG programming, or who are in a position to participate in a decision-making process, may obtain a financial interest or benefit from a CDBG-assisted activity (including subcontracts), either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

## IV. LOCAL PROGRAM GUIDELINES

### A. Program Oversight

The Community and Economic Development Committee (CEDC) – composed of five aldermen appointed by the Mayor – serves as the jurisdiction for Common Council oversight of the CDBG Program. Local financial oversight lies with the City of Appleton Finance Department. Local administrative/programmatic oversight lies with the City of Appleton Community and Economic Development Department (CEDD).

### B. Consolidated Plan Submission

The City of Appleton has elected to submit a Consolidated Plan to HUD every five years. The Citizen Participation Plan provides for and encourages citizens to participate in the development of the Consolidated Plan, which will begin approximately one year before the required submittal date.

### C. Definitions

- Subrecipient – an entity charged with implementation of one or more activities funded with Appleton CDBG dollars



## City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



- community partner subrecipient – local agencies awarded CDBG-funding to implement an eligible activity via a competitive application process
- public services subrecipient – local agencies awarded CDBG-funding to implement an eligible public service activity via a competitive application process
- Adjusted award – the amount of CDBG funds available to City Programs and subrecipients after administration, fair housing, and audit allocations are deducted

### **D. Local Categorical Limits**

The following limits expand upon federal categorical limits associated with the CDBG program:

- (1). At least 70 percent of CDBG funds utilized over three program years must be expended for LMI benefit; this excludes planning/CDBG administration activities.
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the adjusted award for that year unless otherwise specified under the pertinent Federal regulation or applicable waivers to prevent the spread of infectious disease and mitigate economic impacts caused by infectious disease.
- (3). The amount of CDBG funds obligated for planning/CDBG administration activities in each program year may not exceed 20 percent of the total entitlement grant for that year.
- (4). Any single award will not be less than \$10,000.

### **E. Audit Requirements**

Section 2 Part 200 of the Code of Federal Regulations and the State Single Audit Guidelines require major state programs and federal programs to complete a single audit. The necessary amount for fulfilling these requirements will be identified by the Finance Department and the City's independent auditors. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

### **F. Fair Housing Services**

In keeping with the spirit of federal fair housing requirements, an annual allocation for fair housing services will be approved. This activity will be reported as an administrative expense, which claims no benefit. The City of Appleton will utilize the award to contract with an independent entity qualified to provide residents with a variety of fair housing services. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

### **G. Program Administration**

HUD requires entitlement communities to provide for efficient and adequate administration of CDBG programming. Administration costs may only include: salary/fringe, necessary training/travel, supplies and telephone/postage, in addition to fair housing services and audit costs. The necessary amount for fulfilling this requirement will be identified by the Community and Economic Development and Finance Departments. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

### **H. Annual Allocation of CDBG Funding**

The City of Appleton's Program Year begins April 1 and concludes March 31 of the following year. Each program year, administration, audit and fair housing costs, along with adequate funding for the Homeowner Rehabilitation Loan Program, the Neighborhood Program and Appleton Housing Authority will be subtracted from the annual entitlement award amount to determine the adjusted award. The adjusted award will first be available to City of Appleton Departments/Programs/component units that wish to undertake



## City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



projects. After the City allocation process is complete, any remaining funds may be allocated to community partner applicants.

### **I. City Allocation Process**

Each year adequate funding will be allocated through the City Budget process to the following: Homeowner Rehabilitation Loan Program, Neighborhood Program, Administration Costs and Appleton Housing Authority. Then, other City of Appleton Departments will have the opportunity to submit an application for CDBG funding. The application will include information relating to goals, outputs, budget/financing, detailed activity descriptions, capacity and performance. CEDD staff, per HUD rules and regulations, will perform an administrative review of each plan to ensure that:

1. Proposed activities are included within the listing of eligible activities (24 CFR 570.201)
2. Proposed activities do not fall within a category of explicitly ineligible activities (24 CFR 570.207)
3. Proposed activities will meet one of the national objectives of the program (24 CFR 570.200)
4. Proposed activities will address priority needs as identified in the Consolidated Plan

Upon completion of the administrative review, the plans will be presented to the CEDC. CEDC will also review the submitted plans to ensure the proposed activities meet the four standards listed above and allocate adequate funds for each plan. CEDC's recommendation will then be presented to the Common Council for approval.

### **J. Community Partner Subrecipient Allocation Process**

The community partner application process will begin after allocations for City applications have been approved, and end with recommended allocations being announced after Council approval. Applications will be made available for approximately one month and should be submitted to the CEDD. All applications must be received by the announced deadline; no exceptions will be made. CEDD staff will perform an administrative review of each proposal, per HUD rules and regulations, to ensure the four standards listed under letter E. above, will be met if proposed activities are funded.

Upon completion of the administrative review, the proposals will be presented to the CDBG Advisory Board which will review and make funding recommendations for each proposal. This Board will consist of the following members:

1. Mayor
2. Common Council President
3. Chairperson of the Community and Economic Development Committee or committee designee
4. Chairperson of the Appleton Redevelopment Authority or committee designee
5. Representative from an Experienced Outside Funding Agency – on a rotating basis (i.e. United Way, Community Foundation, JJ Keller Foundation, U.S. Oil Basic Needs Partnership)
6. Citizen member from the City Plan Commission

CEDD staff will supply the Board with applications and all appropriate guidelines along with a summary of each proposal, and an explanation of the proposal score sheet. Board members are asked to allocate funding among the applicants and return their allocations to CEDD staff who will compile all results and present allocation recommendations at a Board meeting during which allocation amounts will be finalized. In completing their funding recommendation, the Board will utilize an estimated CDBG entitlement award dollar amount, which will be calculated based on past awards and any available information on HUD's



## City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



future funding strategies. Funding recommendations from this Board will be presented as an Action Item to the CEDC. CEDC's recommendation will then be presented to the Common Council for final approval.

During efforts to prevent the spread of infectious disease and mitigate economic impacts caused by infectious disease, the community partner subrecipient allocation process will be waived. Final approval of allocations and projects will be presented to Common Council, subsequent to the completion of the required public comment period.

### **K. Estimated vs. Actual Entitlement Award**

If there is a differential between the estimated award and the actual award, the CDBG Advisory Board will be consulted and their recommendations will be presented to CEDC and Council for approval.

### **L. Subrecipient Agreement/Letter of Understanding/Training Session**

Community partner subrecipients of CDBG funds must enter into a subrecipient agreement with the City of Appleton. This subrecipient agreement serves as a formal contract addressing the various policies outlined in this document, in addition to contract amount/term, reimbursement requests, accomplishment reporting, monitoring, financial management guidelines, conflict of interest, and additional federal standards, including lead-based paint regulations and the Davis Bacon Act. Furthermore, each City Program receiving CDBG funds must sign a Letter of Understanding (LOU) indicating an understanding of the items above. To ensure all parties understand the requirements of their agreement or LOU, a mandatory training session will be held with new subrecipients before funds are released. Technical assistance from staff will be available to all subrecipients throughout the program year.

### **M. Statement of Work**

All subrecipients and City Programs shall submit a concise Statement of Work that illustrates an implementation plan for their CDBG activity. This Statement, which will be attached to the subrecipient agreement/LOU includes: national objective claimed, activity descriptions, intended beneficiaries (number and type), detailed budget and location(s) of program-related activity.

### **N. Report Submissions**

All subrecipients and City Programs are required to submit a report of their accomplishments with each payment request during the program year when applicable, as well as an Annual Report by April 15th, which is a comprehensive report covering the agreed upon objectives, activities and expenditures for the entire contract period. If said reports are not attached to payment requests when required, payments will be withheld until the report is submitted.

### **O. Change of Use**

If a subrecipient or City Program wishes to utilize funds for an activity not identified on their original application, they are required to submit a detailed letter to the CEDD explaining the reasoning for and amount of the proposed change and a public comment period may be held per the Citizen Participation Plan.

### **P. Displacement/Relocation**

Due to the potential liability for long-term assistance and burdens placed on affected tenants, the City of Appleton will avoid funding CDBG projects that involve permanent residential displacement or business relocation unless displacement/relocation prove to be the only means available to correct a public health/safety hazard or other critical condition.



## City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT

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**Q. Procurement**

The City of Appleton Procurement Policy applies to all CDBG activities, including both City Programs and subrecipients that involve the purchase of equipment, materials, supplies and/or services. A copy of this policy will be distributed to all subrecipients.

**R. Audits**

All subrecipients are required to submit one copy of their audited financial statement immediately following the end of their fiscal year during which CDBG funds are received, unless an alternate arrangement has been made with the City of Appleton Finance Department. CDBG applications may include audit costs as a reimbursable expense.

**S. Disputes**

Any dispute concerning a question of fact arising under a subrecipient program or City Program shall be resolved by CEDD staff, who shall relay his/her decision in writing to the subrecipient or City Program, in addition to furnishing a copy to the Mayor and the CEDC. The decision of CEDD staff shall be final and conclusive unless the subrecipient or City Program furnishes a written appeal to the CEDC within ten days of the date of receipt of such copy. The decision of the CEDC in such appeals shall be final and conclusive unless appealed to a court of competent jurisdiction within 30 days of receipt of the CEDC's decision.

**T. Unspent Grant Funds**

Any uncommitted CDBG funds remaining at the end of the program year will be reprogrammed for use in the subsequent program year. The subrecipient shall submit a carryover request, including both documentation of plans for expending funds and a timeline for the expenditure, to CEDD staff by April 15. If any unspent grant funds remain after September 30, CEDD staff will meet with the subrecipient to determine if further action needs to be taken to expedite the expenditure of funds.

**U. Termination**

If the subrecipient or City Program fails to fulfill, in timely and proper manner, its obligations under the Statement of Work, or if they violate any stipulations contained within the subrecipient agreement/LOU, the City has the right to terminate funding of their program. Written notice will be delivered at least 30 days before the termination.

**V. Examination of Records/Monitoring**

The policy of the City of Appleton is to monitor its subrecipients in a manner consistent with the requirements of 24 CFR 570.2, 2 CFR 200.328, and 2 CFR 200.331(d). The subrecipient and City Program shall maintain records (including books, documentation and other evidence) pertaining to the costs of carrying out their activity to the extent of detail that will adequately reflect net costs, direct and indirect labor, materials, equipment, supplies/services, and other expenses. Authorized representatives of the City or HUD shall have access to subrecipient and City Program records at reasonable times of the business day for inspection, audit or reproduction. Subrecipients and City Programs must make these records available throughout the program year and four years after it expires. Furthermore, CEDD staff may schedule monitoring visits with the subrecipient to evaluate the progress/performance of the program and provide technical assistance. The City of Appleton's Grant Administration Procedures manual should be referenced for further guidance on subrecipient tracking and monitoring requirements.



**City of Appleton**  
**COMMUNITY DEVELOPMENT BLOCK GRANT**

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**W. Financial Management Systems**

Subrecipients and City Programs must employ financial management systems that are capable of generating regular financial status reports indicating the dollar amount allocated (including budget revisions), amount obligated, and amount expended for each activity. The system must permit the comparison of actual expenditures and revenues against budgeted amounts. The City must be able to isolate/trace every CDBG dollar received.

**X. Payment Requests**

Community partner subrecipients and City Programs will submit requests for payment with attached supporting documentation to the CEDD. Payment requests shall be allowed on a reimbursement basis (i.e. only after expenditures have been incurred) and shall be reviewed to ensure the expenditures are in conformity with the use of funds as described in the Statement of Work. If source documentation is deemed inadequate by Staff, all payments will be withheld until all required documents have been submitted. Payment requests received and approved will be processed and a check issued in accordance with the City of Appleton Finance Department weekly pay cycle. All payment requests must contain an original signature.

**Y. Program Income**

Any program income (as defined under applicable federal regulations) gained from any activity of the subrecipient may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds subject to all applicable requirements governing the use of CDBG funds. Anticipated program income must be documented and described in the subrecipient or City Program proposal/application. Furthermore, any and all program income received must be reported to the City of Appleton's Community and Economic Development and Finance Departments, unless otherwise specified in this contract.

**Z. CDBG Activity Promotion**

All subrecipients and City Programs are required to participate in promotion of the City of Appleton CDBG Program. Expectations will be outlined by staff at the beginning of the program year and may include, but are not limited to:

- Inclusion of the Appleton/CDBG logo in materials/at project sites
- Mentorship of a subrecipient new to the CDBG Program
- Participation in a CDBG Open House to showcase grant activities

**V. APPLICATION/PROPOSAL EVALUATION CRITERIA**

**A. General**

In order to receive CDBG funding, subrecipient and City Programs must meet a priority need, as identified in the Five-Year Consolidated Plan. Additional preference, however, will be given to CDBG applicant activities that meet one or more of the following criteria:

- (1). Seek a one-time use of CDBG funding
- (2). Benefit residents of LMI census tracts (population at least 46.7 percent LMI)
- (3). Will result in additional housing units being placed on the tax roll
- (4). Demonstrate secured complementary sources of funding (i.e. leverage) and/or strong efforts to solicit and secure complementary funding.
- (5). Serve special needs populations, including, but not limited to:
  - a. Elderly/frail elderly
  - b. Persons with disabilities (developmental and physical)



**City of Appleton**  
**COMMUNITY DEVELOPMENT BLOCK GRANT**

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- c. Persons with HIV/AIDS and their families
- d. Persons seeking solutions to alcohol and drug addiction

**B. Public Services (subject to 15 percent cap)**

Preference will be given to Public Service CDBG applicants whose activities meet one or more of the following criteria:

- (1). Program service costs – one time use
- (2). Administrative expenses – one time use
- (3). Program service costs – continual use
- (4). Administrative expenses – continual use



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

## **LEGAL SERVICES DIVISION**

### **Office of the City Attorney**

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

**To:** Alderperson Denise Fenton, Chair  
Members of the Human Resources/Information Technology Committee

**From:** Nicholas J. Vande Castle, Assistant City Attorney

**Date:** August 31, 2022

**Re:** Alderperson Salary Adjustments  
Our File No. A19-0536

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Alderperson salaries are reviewed annually. Historically this item is placed on the agenda as an action item every Fall in order to give Council the ability to review and adjust the Alderperson salary for a future Council. On September 15, 2021, the Common Council voted to increase the salary of all Alderpersons to \$6,750 effective April 2023.

Wisconsin Statutes § 62.09(6)(am)2 prohibits changing Alderperson salaries after the "earliest time for filing nomination papers for the office" and no changes can be made in the compensation during "the term of office for which the deadline applies."

Therefore, Council has the following options available depending on whether it wants different salaries for half of the Council, or one across-the-board adjustment for a future Council:

1) For staggered salaries, the Council may establish alderpersons' salaries for Alderpersons in Districts 1, 3, 5, 7, 11, 13, and 15 for terms starting in April 2023 prior to December 1, 2022 and subsequently establish salaries for Alderpersons in Districts 2, 4, 6, 8, 10, 12, and 14 who will begin their term in April 2024 prior to December 1, 2023; or,

2) For a single adjustment, establish the salary for all alderpersons seated on the Council in April 2024 prior to December 1, 2022.

If you have any questions or concerns, please do not hesitate to get in touch.

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Christopher R. Behrens  
*City Attorney*

Amanda K. Abshire  
*Deputy City Attorney*

Darrin M. Glad  
*Assistant City Attorney*

Nicholas J. Vande Castle  
*Assistant City Attorney*

<b>Municipality</b>	<b>Population</b>	<b># of Council/Board</b>	<b>Annual Salary</b>	<b>Benefits</b>	<b>Expense Account</b>
<b>Appleton</b>	75,382	15	\$6,221 annually & \$6,750 effective April 2023	Parking pass	None
<b>Green Bay</b>	104,777	12	\$9,887 annually	Health, Dental, Deffered Comp	None
<b>Fond du Lac</b>	43,151	7	\$5,000 annually, with Council President \$6,000 annually	None	None
<b>Manitowoc</b>	32,702	10	\$3,120 annually with i-Pad to keep at end of term	Keep iPad when term is complete	None
<b>Neenah</b>	25,967	9	\$5,280 annually, with Council President \$6,000 annually	None	None
<b>Oshkosh</b>	67,010	7	\$5,000.06 annually, with Council President \$6,500 annually	Parking pass	None
<b>Sheboygan</b>	48,327	10	\$5720 annually, with Council President \$6720 annually	None	None

## ELECTED ALDERPERSON SALARIES

<b>Council Date</b>	<b>Election Year</b>	<b>Salary</b>	<b>Benefits</b>	<b>Notes</b>
11-07-2001	2002	No increase		
11-07-2001	2003	\$5636 – 3%		
10-16-2002	2004	No increase		
10-16-2002	2005	No increase		
12-03-2003	2006	No increase		
10-19-2005	2007	No increase		
11-01-2006	2008	No increase		
01-21-2008	2009	\$5805 – 3%		
07-02-2009	2010	No increase		
07-02-2009	2011	No increase		
10-20-2010	2012	No increase		
01-04-2012	2013	No increase		
03-20-2013	2014	No increase		
11-20-2013	2015	No increase	5.12% increase with parking pass	Added Parking passes \$297 annual (\$33@9months) effective with the April, 2015 election
9-17-2014	2016	\$5921 – 2%	6.89% increase with parking pass	Parking Pass \$408 annual (\$33@6 months & \$35@6 months)
11-09-2015	2017	\$5980 – 1%	1.1% increase with parking pass	Parking Pass \$420 annual
10/19/2016	2018	\$6129.50 – 2.5%	plus parking pass	
10/18/2017	2019	No increase		
11/7/2018	2020	No increase		
10/16/2019	2021	1.5% increase \$6221.44	Plus parking pass	HR Committee & Council meeting 11/6/19
n/a	2022			HR did not get on committee agenda timely. Currently no 2022 rate change approved.
9/15/2021	2023	Increase to \$6750	Plus parking pass	HR Cmte approved 9/8/21

**64-22**

**AN ORDINANCE AMENDING SECTION 19-5 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO THE ERECTION OF OFFICIAL TRAFFIC SIGNS AND SIGNALS.**

(Municipal Services Committee 11-2-2022)

The Common Council of the City of Appleton does ordain as follows:

**Section 1:** That Section 19-5 of Chapter 19 of the Municipal Code of the City of Appleton, relating to the erection of official traffic signs and signals, is hereby created/amended as follows:

**INSTALL STOP SIGNS ON:**

Sequoia Drive at Broadway Drive

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication, the Traffic Engineer is authorized and directed to erect and maintain the appropriate standard traffic signs, signals and markings, giving notice of the provisions of this Ordinance.

**65-22**

**AN ORDINANCE AMENDING SECTION 19-41 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL THROUGH STREET MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES.**

(Municipal Services Committee – 11-2-2022)

The Common Council of the City of Appleton does ordain as follows:

**Section 1:** That Section 19-41 of Chapter 19 of the Municipal Code of the City of Appleton and the Official Through Street Map, which is a part thereof, is amended by making the following addition:

Sequoia Drive from Rubyred Drive to the north City limits.

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the traffic engineer is authorized and directed to make the necessary changes to the Official Through Street Map in accordance with this Ordinance.

**66-22**

**AN ORDINANCE AMENDING SECTION 19-86 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PARKING RESTRICTIONS.**

(Municipal Services Committee 11-2-2022)

The Common Council of the City of Appleton does ordain as follows:

**Section 1:** That Section 19-86 of Chapter 19 of the Municipal Code of the City of Appleton, relating to parking restrictions, is hereby created as follows. This ordinance supersedes and repeals any conflicting ordinance regarding parking in the designated area.

Parking be prohibited on the south side of Rubyred Drive from French Road to Sequoia Drive.

**Section 2:** This ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication, the Traffic Engineer is authorized and directed to make the necessary changes in the Parking District Map in accordance with this Ordinance.

**67-22**

**AN ORDINANCE AMENDING SECTION 19-86 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PARKING RESTRICTIONS.**

(Municipal Services Committee 11-2-2022)

The Common Council of the City of Appleton does ordain as follows:

**Section 1:** That Section 19-86 of Chapter 19 of the Municipal Code of the City of Appleton, relating to parking restrictions, is hereby created as follows. This ordinance supersedes and repeals any conflicting ordinance regarding parking in the designated area.

Parking be prohibited on the east side of Sequoia Drive from Rubyred Drive to Broadway Drive.

**Section 2:** This ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication, the Traffic Engineer is authorized and directed to make the necessary changes in the Parking District Map in accordance with this Ordinance.