



# City of Appleton

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

## Meeting Agenda - Final Municipal Services Committee

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Monday, June 24, 2024

4:30 PM

Council Chambers, 6th Floor

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

[24-0837](#) Minutes from June 10, 2024

**Attachments:** [06-10-24 MSC Minutes.pdf](#)

### 5. Public Hearing/Apearances

### 6. Action Items

[24-0838](#) Approve the request from Rise Apartments, LLC for a permanent street occupancy permit at 113 W. Harris Street for two door swing areas and two associated concrete stoops to extend into the Harris Street right-of-way a maximum of 4 feet.

**Attachments:** [Rise Apartments LLC - Permanent Occupancy Permit App MSC 06-24-2024.pdf](#)

[24-0839](#) Approve the request to extend street occupancy permit 24-027-T from The Boldt Company for a street occupancy permit for the Fox Commons City Center Plaza project along College Avenue from City Center East to the entrance of City Center West for a period ending on August 15, 2024.

**Attachments:** [Boldt College Ave Occupancy Permit Extension MSC final 06-24-2024 .pdf](#)

[24-0754](#) Approve the request from Lil Taco for a street occupancy permit to place tables and chairs at 106 S. State Street.

**Attachments:** [4 Lil Taco Tables & Chairs Permit.pdf](#)

#### Legislative History

6/10/24	Municipal Services Committee	held
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*Hold until next scheduled meeting.*

[24-0766](#) Resolution #7-R-24 To Rescind the No Mow May Ordinance Language

- Attachments:** [#7-R-24 Rescind No Mow May.pdf](#)  
[WeedComplaintData MSC Memo06062024.pdf](#)  
[No Mow May Resolution Resident Handout.pdf](#)

**Legislative History**

6/10/24 Municipal Services held  
Committee  
*Hold until next scheduled meeting.*

**7. Information Items**

**8. Adjournment**

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

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



# City of Appleton

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

## Meeting Minutes - Final Municipal Services Committee

---

Monday, June 10, 2024

4:30 PM

Council Chambers, 6th Floor

---

1. Call meeting to order

2. Pledge of Allegiance

3. Roll call of membership

**Present:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

4. Approval of minutes from previous meeting

[24-0763](#)

Meeting Minutes from 5/20/24

**Attachments:** [05-20-24 MSC Minutes.pdf](#)

**Siebers moved, seconded by Firkus, that the Minutes be approved. Roll Call.  
Motion carried by the following vote:**

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

5. **Public Hearing/Appearances**

6. **Action Items**

[24-0750](#)

Approve the updated roadway design parameters for planned 2025 street reconstruction: Morrison Street, from Glendale Avenue to Pershing Street (1,480 ft), be reconstructed with asphalt pavement and concrete curb and gutter. The details of the proposed Morrison Street reconstruction project are as follows:

- ELIMINATE previously approved curb extensions (narrowing of the pavement) at Marquette St to serve as traffic calming.
- New asphalt pavement and concrete curb and gutter constructed to a width of 27' from back of curb to back of curb, which is 6' narrower than the existing street (33') within this portion of the project. UNCHANGED from previous design approval.
- Traffic calming circle constructed at the intersection with Lindbergh Street. UNCHANGED from previous design approval.
- Existing on-street parking would be restricted along the west side of Morrison Street, within the project limits. UNCHANGED from previous design approval.

DPW staff recommend the above change based on the new Complete Streets Design Guide standards, which were adopted after the referenced design recommendation was made at November 20, 2023 Municipal Services Committee.

**Attachments:** [1 Morrison St Informational Letter \(Modified Design Proposal\) 05-29-24.pdf](#)

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

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0752](#)

Approve the request from J.H. Findorff & Son Inc for a street occupancy permit for the Fox Commons City Center Plaza construction material loading, partial closure of College Avenue on Mondays and Wednesdays starting July 1, 2024 through November 15, 2024.

**Attachments:** [2 J.H Findorff & Son Inc 7-1-24 to 11-15-24.pdf](#)

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

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0753](#)

Approve the request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale on Friday August 2, Saturday August 3 and Sunday August 4, 2024 from 10:00am to 6:00 pm (during Mile of Music) on the College Avenue beautification strip from 900 W. College Avenue to 300 E. College Avenue.

**Attachments:** [3 Appleton Downton Inc and Mile of Music - 8-2 to 8-4-24.pdf](#)

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

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0754](#)

Approve the request from Lil Taco for a street occupancy permit to place tables and chairs at 106 S. State Street.

**Attachments:** [4 Lil Taco Tables & Chairs Permit.pdf](#)

*Hold until next scheduled meeting.*

**Firkus moved, seconded by Meltzer, that the Report Action Item be held. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0755](#)

Approve the permanent street occupancy permit for brick veneer extending no more than 4-inches into the right-of-way at Jack's Apple Pub located at 535 W. College Avenue.

**Attachments:** [5 Jacks ApplePub - Brick Veneer.pdf](#)

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

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0756](#)

Approve the permanent street occupancy permit for building awning projecting 4-feet maximum into the right-of-way with a minimum clearance of 10-feet at Jack's Apple Pub located at 535 W. College Avenue.

**Attachments:** [6 Jacks ApplePub - Awning.pdf](#)

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

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0757](#)

Approve the temporary street occupancy permit for a sidewalk closure related to building façade improvement at Jack's Apple Pub located at 535 W. College Avenue.

**Attachments:** [7 Jacks ApplePub-Mason Doctor Sidewalk Closure.pdf](#)

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

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0758](#)

Approve the award of Service Contract for Traffic Signal Control and Management Software.

**Attachments:** [8 SISP Contract Award.pdf](#)

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

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0759](#)

Approve the award of the Unit Q-24 Pavement Marking Maintenance Contract (Paint).

**Attachments:** [9 Q-24 Pavement Marking Contract Award.pdf](#)

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

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0760](#)

Continue negotiations with Bird Rides for a 2024 Memorandum of Understanding.

**Attachments:** [10 2024 Bird MOU Recommendation.pdf](#)

*Meltzer moved, seconded by Firkus a motion to direct staff to discontinue negotiations with Bird Scooter (or any other commercial short term scooter rental company) for 2024.*

**Meltzer moved, seconded by Firkus, a motion to direct staff to discontinue negotiations with Bird Scooter (or any other commercial short term scooter rental company) for 2024. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0761](#)

Create an ordinance prohibiting short-term rental of electric scooters to the general public.

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

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus

[24-0341](#)

Resolution #4-R-24 Sustainable Use of Pesticides

**Attachments:** [#4-R-23 Sustainable Use of Pesticides.pdf](#)  
[Memo RE 4.R.24 Sustainable Use of Pesticides Response.pdf](#)

*Hold to next scheduled meeting.*

**Meltzer moved, seconded by Siebers, that the Report Action Item be held. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - Fenton, Meltzer, Siebers and Firkus

**Nay:** 1 - Doran

[24-0766](#)

Resolution #7-R-24 To Rescind the No Mow May Ordinance Language

**Attachments:** [#7-R-24 Rescind No Mow May.pdf](#)  
[WeedComplaintData MSC Memo06062024.pdf](#)

*Hold until next scheduled meeting.*

**Firkus moved, seconded by Fenton, that the Report Action Item be held. Roll Call. Motion carried by the following vote:**

**Aye:** 4 - Fenton, Meltzer, Siebers and Firkus

**Nay:** 1 - Doran

**7. Information Items**

[24-0762](#)

I41 Project Newsletter, Spring 2024. (ATTACHMENT)

**Attachments:** [I41\\_Newsletter\\_Spring2024.pdf](#)

**8. Adjournment**

**Firkus moved, seconded by Siebers, that the meeting be adjourned. Roll Call. Motion carried by the following vote:**

**Aye:** 5 - Fenton, Doran, Meltzer, Siebers and Firkus



# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_  
Non-Refundable Fee: \$40.00  
Paid (yes or no): yes/157554362

Rev. 05-2024

### Applicant Information

Name (print): Tom Klister Company: Rise Apartments LLC  
Address: 229 E Washington St Telephone: 920-284-9094  
E-mail: tklister@foreinvestmentgroup.com  
Applicant Signature: [Signature] Date: 6/12/2024

### Occupancy Information

General Description/Reason: Front door swings out onto public ROW (Sidewalk) since the property is zero lot line.  
Having an outswing door will be more safe in case of fire or other reason for rapid evacuation.  
Street Address: 113 W Harris St Sidewalk/roadway obstruction requested  Y or  N  
Multiple Streets: \_\_\_\_\_  
Date(s) From: \_\_\_\_\_ To: \_\_\_\_\_ 35 days or <  35 days or >   
(Requires Committee and Council Approval)

### (Department use only)

#### Occupancy Type

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

#### Sub-Type

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

#### Location

- Sidewalk
- Terrace
- Roadway

### Additional Requirements

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

### Traffic Control Requirements

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

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

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

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

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

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

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

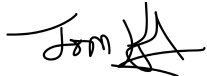
APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
(Department of Public Works)



Dear Pete Neuberger and Dan Meisner,

This letter is to provide our word as a statement of good faith that we will work with the City to execute an Operations and Maintenance agreement with the City of Appleton in perpetuity for us as the owner to maintain the concrete stoops and the common joint between the stoops and adjacent City sidewalk per City standards.

Tom Klister  
Member

A handwritten signature in black ink, appearing to read "Tom Klister". The signature is stylized with a large, sweeping initial "T" and "K".



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/14/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> M3 Insurance Solutions, Inc. 828 JOHN NOLEN DR MADISON WI 53713	<b>CONTACT NAME:</b> Mikayla Urban <b>PHONE (A/C No. Ext):</b> 6083278896 <b>E-MAIL ADDRESS:</b> mikayla.urban@m3ins.com		<b>FAX (A/C, No):</b> 608-273-1725
	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURED</b> Rise Apartments, LLC 229 E Washington Street Appleton WI 54911	<b>INSURER A :</b> Auto-Owners Insurance Company	18988	
	<b>INSURER B :</b>		
	<b>INSURER C :</b>		
	<b>INSURER D :</b>		
	<b>INSURER E :</b>		
	<b>INSURER F :</b>		

**COVERAGES**

CERTIFICATE NUMBER: 2053985731

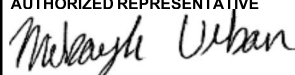
REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y		61522421	5/30/2024	5/30/2025	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 30,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			5452243500	5/30/2024	5/30/2025	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
City of Appleton is an Additional Insured with respect to General Liability when required by written contract.

**CERTIFICATE HOLDER****CANCELLATION**

City of Appleton 100 N Appleton St. Fl 5 Appleton WI 54911	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  <b>AUTHORIZED REPRESENTATIVE</b> 
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# Statement of Insurance Coverage

## Insurance Coverage:

Insurance Carrier: **Auto Owners Insurance**  
Insurance Agent Name and Phone Number: **Nate Troyer 608-288-2860**  
Policy Number: **61522421**  
Policy Period: **5/30/24 - 5/30/25**

## Bond Coverage:

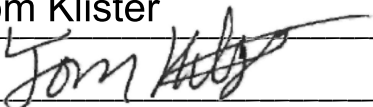
\* Bond Carrier: \_\_\_\_\_  
\* Bond Agent Name and Phone Number: \_\_\_\_\_  
\* Bond Number: \_\_\_\_\_  
\* Bond Period: \_\_\_\_\_

I confirm that I have the authority to sign and certify the information contained herein as the permittee/licensee or duly authorized representative of the entity obtaining this permit/license.

I have reviewed and understand the insurance and bonding requirements of the City of Appleton. I hereby certify that I, or the company I represent have insurance and a bond in the amounts required to obtain this permit/license. I have named the City of Appleton as an additional insured for purposes of this permit/license and have provided the name of my insurance and bond carriers, the policy numbers and policy periods above.

Further, I agree to maintain appropriate insurance coverage for the duration of this permit/license and to indemnify against any and all liability, loss, damage and expenses and costs including attorneys' fees arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant, anyone directly or indirectly employed by any of them, which may arise from the use of city right of way or property under this permit or license.

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

Company Name: **MF Housing Partners**  
Print Name: **Tom Klister**  
Signature:   
Date: **6/15/2024**

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

- Plumbing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-265)
- Demolition of Buildings: \$5,000.00 Permit Bond (Code Section 4-188(a)(2))
- Sewer lateral sealing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-188(c))
- Moving of Buildings: \$5,000.00 Permit Bond (Code Section 4-207(5))
- Cement Finisher's License: \$5,000.00 License Bond (Municipal Code Section 9-33)
- Excavation or place facilities in the public right-of-way: \$5,000.00 Permit Bond (Code Section 16-110)

**From:** [support@pointandpay.com](mailto:support@pointandpay.com)  
**To:** [tklister@foreinvestmentgroup.com](mailto:tklister@foreinvestmentgroup.com)  
**Subject:** Your Receipt  
**Date:** Wednesday, June 12, 2024 9:28:08 PM

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Greetings,

The City of Appleton thanks you for your payment. For questions about your account, please call 920-832-6474

Your payment ID is: 157554362

Items Paid For:

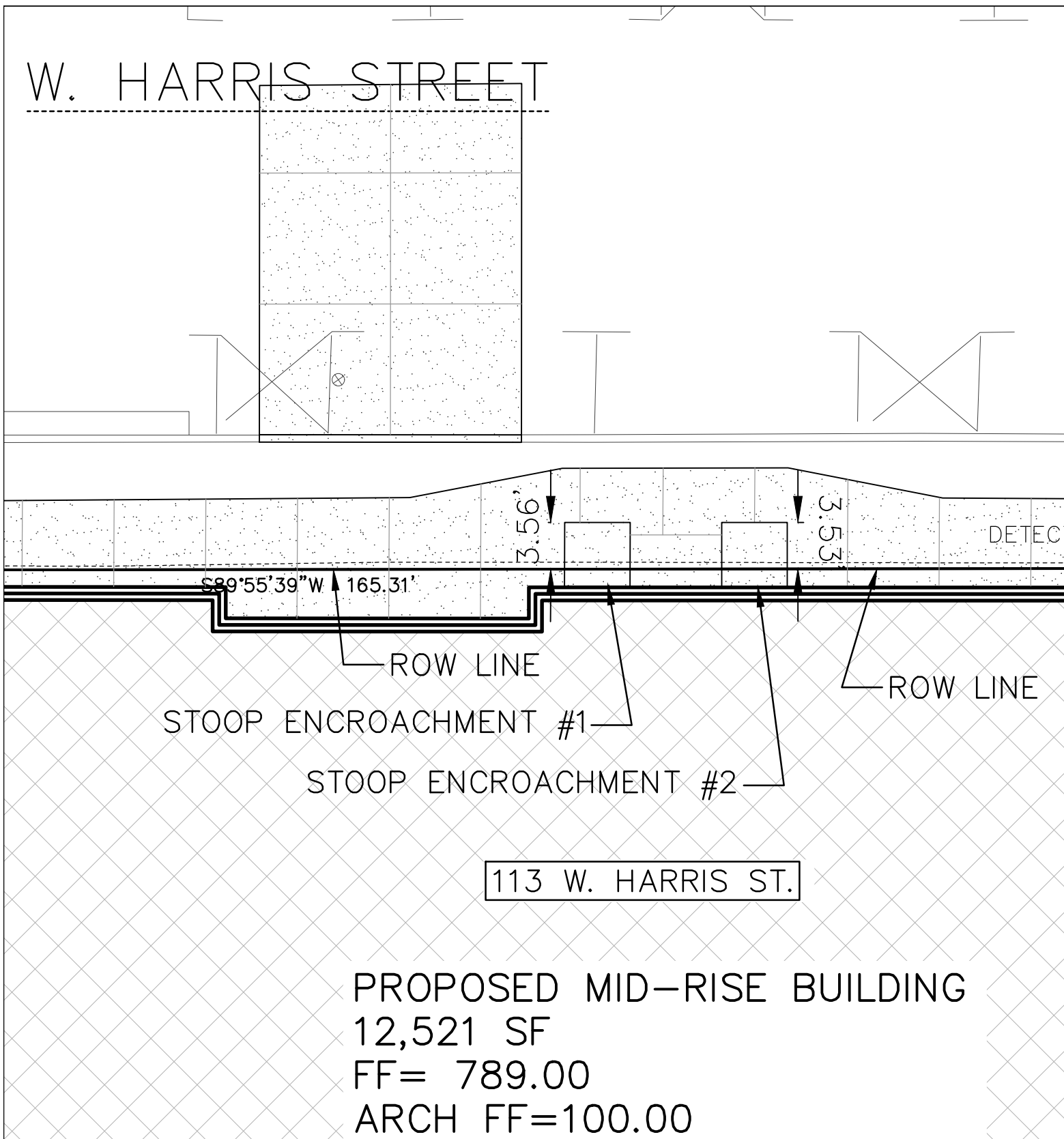
Description: Street Occupancy  
Amount Paid: \$40.00  
PermitDescription: Permanent - \$40  
Project Address: 113 W Harris St  
Customer Information:

First Name: Thomas  
Last Name: Klister  
Address Line 1: 229 E Washington St  
Address Line 2:  
City: Appleton  
State: Wisconsin  
Zip Code: 54911  
Phone Number: 9202849094  
Email Address: [tklister@foreinvestmentgroup.com](mailto:tklister@foreinvestmentgroup.com)

Payment Information:

Subtotal: \$40.00  
Fee Total: \$1.50  
Total: \$41.50  
Datetime: 06/12/2024 21:28:01

W. HARRIS STREET



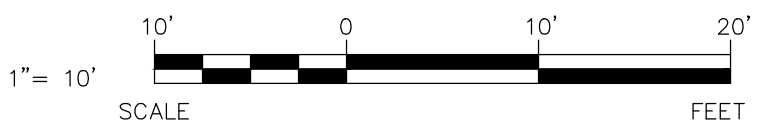
STOOP ENCROACHMENT #1

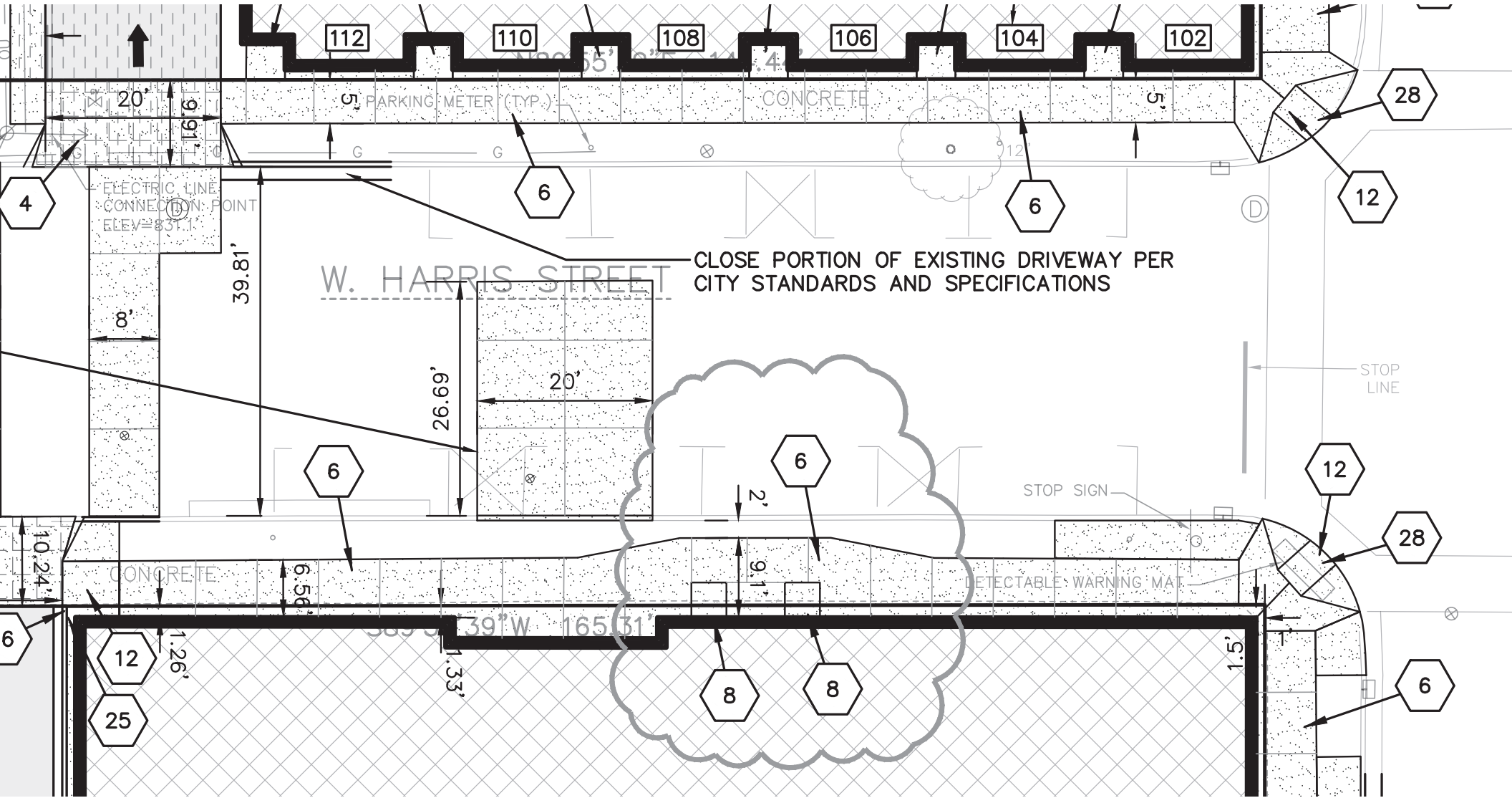
STOOP ENCROACHMENT #2

113 W. HARRIS ST.

PROPOSED MID-RISE BUILDING  
12,521 SF  
FF= 789.00  
ARCH FF=100.00

STOOP ENCROACHMENT EXHIBIT





W. HARRIS STREET

CLOSE PORTION OF EXISTING DRIVEWAY PER CITY STANDARDS AND SPECIFICATIONS

STOP SIGN

STOP LINE

DETECTABLE WARNING MAT

ELECTRIC LINE CONNECTION POINT  
ELEV=831.1'

PARKING METER (TYP.)

CONCRETE

CONCRETE

39' W 165' 31'

112 110 108 106 104 102

25

8

8

6

6

6

6

12

28

12

28

6

4

6





# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : 24-027-T extension  
Effective Date: 3/7/2024  
Expiration Date: 7/01/2024  
Non-Refundable Fee: \$40.00  
Paid (yes or no): yes/6281-0003

Rev. 10-05-2023

### Applicant Information

Name (print): BRYCE BARRONE Company: BOLDT  
Address: 2525 N ROEMER RD Telephone: 920-841-4743  
APPLETON, WI 54911 E-mail: \_\_\_\_\_  
Applicant Signature: \_\_\_\_\_ Date: 5/1/2024

### Occupancy Information

General Description: SIDEWALK CLOSURE - OCCUPANCY FROM END OF CITY CENTER EAST TO START OF CITY CENTER WEST. TO UPDATE THE FACADE OF THE FOX COMMONS. THIS IS FOR THE NORTH SIDEWALK OF COLLEGE AVE ONLY.  
Street Address: 10 E COLLEGE AVE Sidewalk/roadway obstruction requested  Y or  N  
- or -  
Multiple Streets: Oneida St and College Ave  
Date(s) From: 3/7/2024 To: 7/01/2024 35 days or <  35 days or >   
08/15/2024 (Requires Committee and Council Approval)

(Department use only)

### Occupancy Type

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

### Sub-Type

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

### Location

- Sidewalk
- Terrace
- Roadway

### Additional Requirements

- Plan/Sketch
- Certificate of Insurance
- Bond
- Other : \_\_\_\_\_

### Traffic Control Requirements

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

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

**SEE ATTACHED**

Snow removal along the sidewalk's detoured path in the parking lane will be Boldt's responsibility.

Approved by: MIKE HARKY Date: 2/8/24

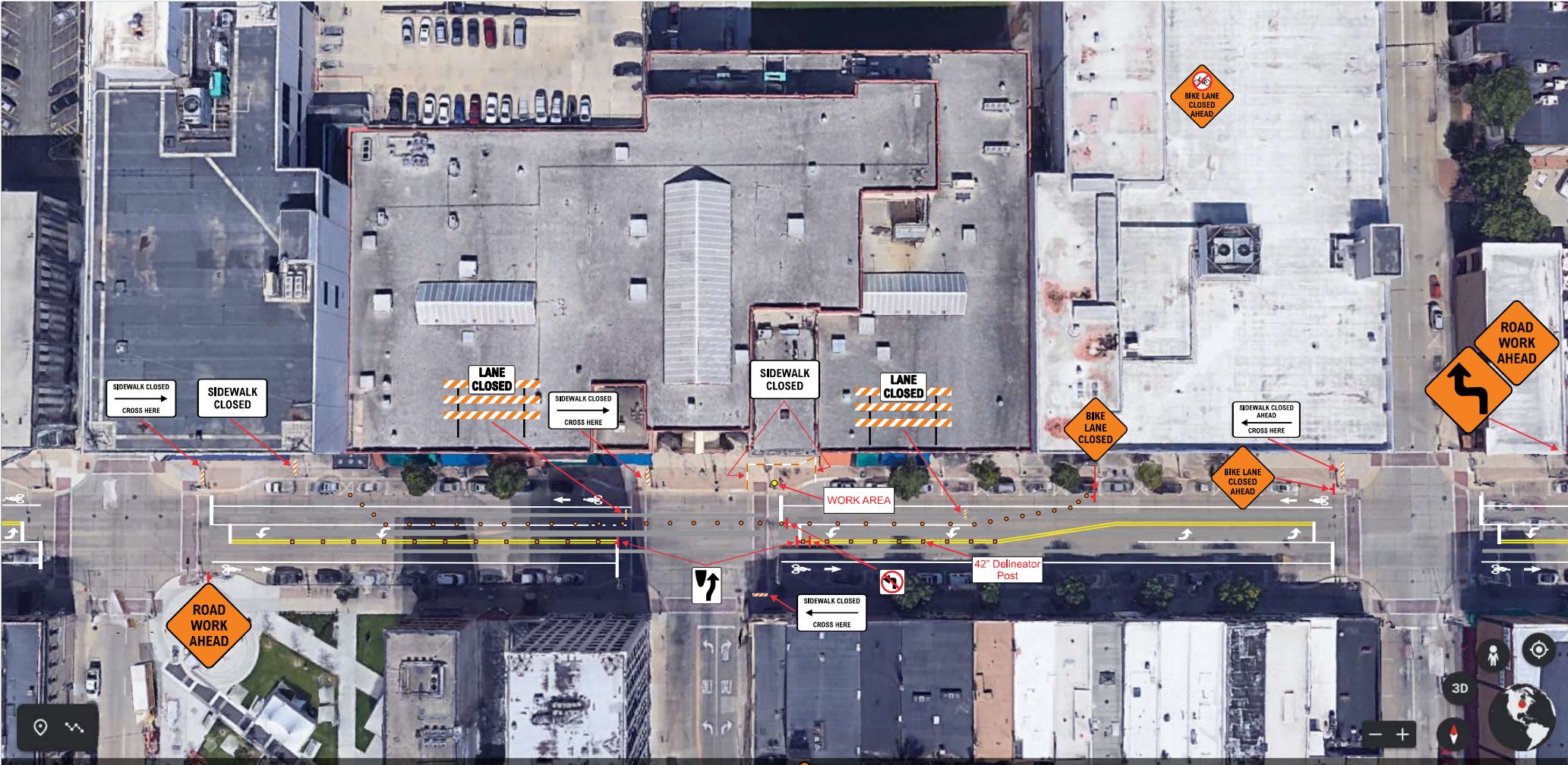
### This permit approval is subject to the following conditions:

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

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

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

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



Lane closure detail for barrier wall installation and removal.  
 Sidewalk relocation with barrier wall and ADA pedestrian barricades to be installed after this work.



**Warning Lites**  
 TRAFFIC SAFETY & SUPPLY  
 City of Appleton, Inc.  
 1-920-725-0757  
 "Safety Is Our Business"  
 920-725-0757 www.warningliteswi.com

START DATE & TIME  
 DURATION:

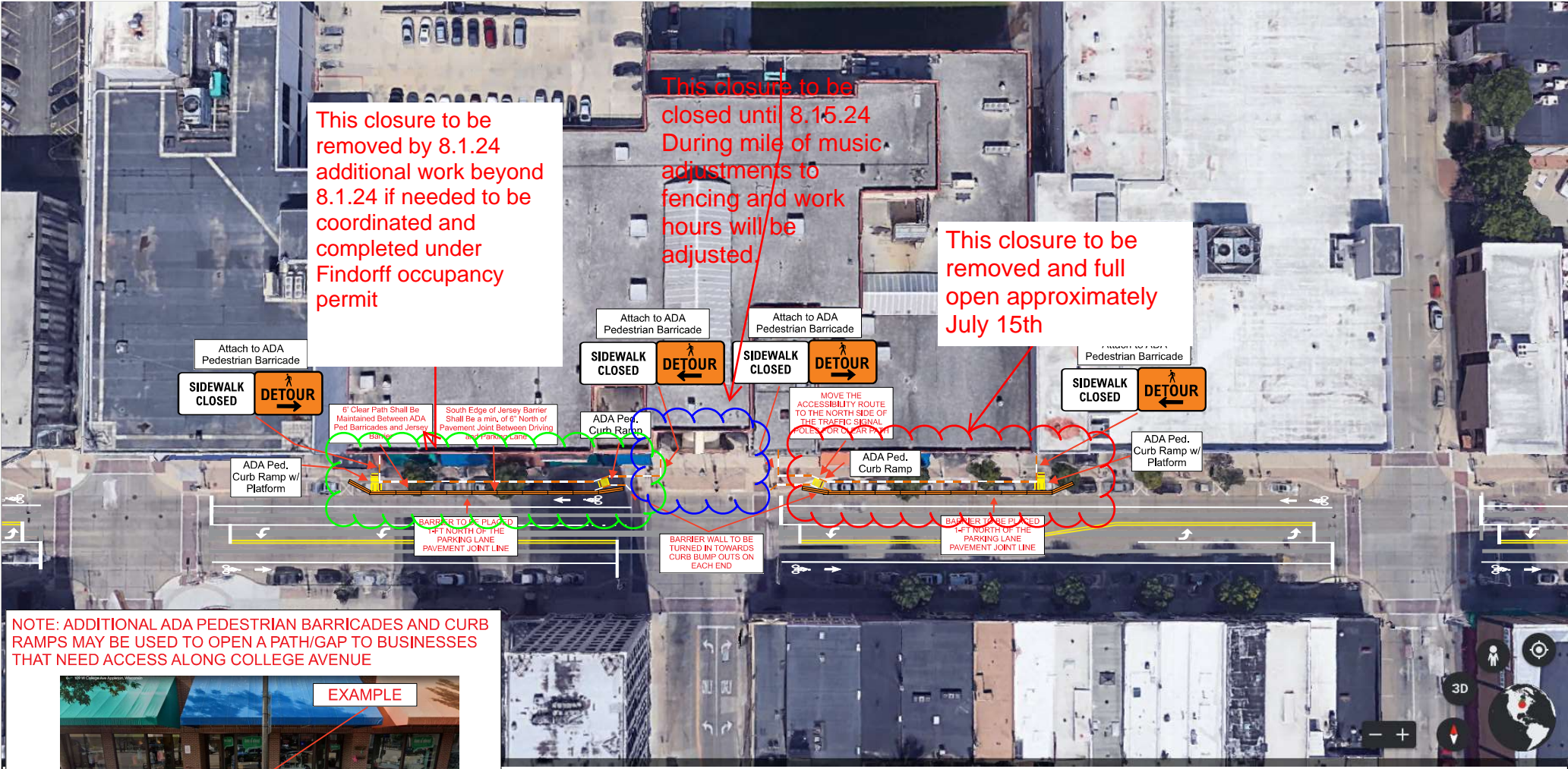
**GENERAL NOTES:**  
 THIS TRAFFIC CONTROL PLAN IS FOR INFORMATIONAL PURPOSES ONLY. TRAFFIC CONTROL PLAN IS NOT TO SCALE. WARNING LITES OF APPLETON, INC. ASSUMES NO LIABILITY FOR LAYOUT & SETUP OF ACCEPTED TRAFFIC CONTROL PLAN. THE CITY OF APPLETON DECIDES FINAL APPROVAL OF TRAFFIC CONTROL PLAN. ADVANCED WARNING SIGNS WILL BE MOUNTED ON PORTABLE SUPPORTS. THE EXACT NUMBER, LOCATION, AND SPACING OF ALL SIGNS AND DEVICES, SHALL BE ADJUSTED TO FIT FIELD CONDITIONS AS APPROVED BY THE ENGINEER.

**LEGEND**

- SIGN SYMBOL
- CHANNELIZER DRUM
- TYPE III BARRICADE
- DIRECTION OF TRAFFIC
- 42" DELINEATOR CONE

<b>Owner</b>		CITY OF APPLETON	
<b>Project Name</b>	City Center Plaza	<b>Project Number</b>	N/A
<b>Prime Contractor</b>	Boldt Companies	<b>Traffic Control Contractor</b>	Warning Lites of Appleton, Inc.
<b>Phone</b>	920-725-0757	<b>Sheet Number</b>	1
<b>Prepared By</b>	Lance G Mauel	<b>Date</b>	08/06/2023





NOTE: ADDITIONAL ADA PEDESTRIAN BARRICADES AND CURB RAMP MAY BE USED TO OPEN A PATH/GAP TO BUSINESSES THAT NEED ACCESS ALONG COLLEGE AVENUE



Sidewalk relocation with barrier wall and ADA pedestrian barricades

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 Of Appleton, Inc.  
 TRAFFIC SAFETY & SUPPLY  
 1-920-725-0757  
 "Safety Is Our Business"  
 920-725-0757 www.warningliteswi.com

START DATE & TIME  
 DURATION:

**GENERAL NOTES:**  
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- ➡ SIGN SYMBOL
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<b>Owner</b>	CITY OF APPLETON		
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<b>Phone</b>	920-725-0757	<b>Sheet Number</b>	2
<b>Prepared By</b>	Lance G Mauel	<b>Date</b>	08/06/2023



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/17/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> <b>Robertson Ryan - Milwaukee</b> <b>330 East Kilbourn Avenue, Suite 850</b> <b>Milwaukee, WI 53202</b>	<b>CONTACT NAME:</b> <b>Shari Smith</b>	
	<b>PHONE (A/C, No, Ext):</b> <b>(414) 221-0362 362</b>	<b>FAX (A/C, No):</b> <b>(414) 271-0196</b>
	<b>E-MAIL ADDRESS:</b> <b>ssmith@robertsonryan.com</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	<b>NAIC #</b>
	<b>INSURER A :</b> <b>SENTRY INSURANCE COMPANY</b>	<b>24988</b>
<b>INSURED</b>  <b>Boldt Capital LLC</b> <b>1110 N. Dr. Martin Luther King Jr. Drive, STE 610</b> <b>Milwaukee, WI 53203</b>	<b>INSURER B :</b>	
	<b>INSURER C :</b>	
	<b>INSURER D :</b>	
	<b>INSURER E :</b>	
	<b>INSURER F :</b>	

**COVERAGES**

**CERTIFICATE NUMBER:**

**REVISION NUMBER:**

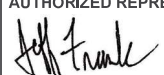
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE		ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	\$ 1,000,000
		CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X		A0084899002	7/1/2023	7/1/2024	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000
		GEN'L AGGREGATE LIMIT APPLIES PER:						MED EXP (Any one person)	\$ 5,000
		POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PERSONAL & ADV INJURY	\$ 1,000,000
		OTHER:						GENERAL AGGREGATE	\$ 3,000,000
								PRODUCTS - COMP/OP AGG	\$ 2,000,000
									\$
		AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
		ANY AUTO OWNED AUTOS ONLY						BODILY INJURY (Per person)	\$
		SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$
		HIRE AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$
		NON-OWNED AUTOS ONLY							\$
									\$
A	<input checked="" type="checkbox"/>	UMBRELLA LIAB						EACH OCCURRENCE	\$ 10,000,000
		EXCESS LIAB			A0084899003	7/1/2023	7/1/2024	AGGREGATE	\$ 10,000,000
		CLAIMS-MADE	X						\$
		DED <input checked="" type="checkbox"/> RETENTION \$							\$
								PER STATUTE	
								OTH-ER	
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						E.L. EACH ACCIDENT	\$
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)		Y / N				E.L. DISEASE - EA EMPLOYEE	\$
		If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
RE: City of Appleton, Wisconsin; Additional Insured/Primary & Non-Contributory: City of Appleton.

**CERTIFICATE HOLDER**

**CANCELLATION**

<b>City of Appleton</b> <b>100 N. Appleton St.</b> <b>Appleton, WI 54911</b>	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

**From:** Jennifer Stephany <[jennifer@appleondowntown.org](mailto:jennifer@appleondowntown.org)>  
**Sent:** Monday, June 17, 2024 11:19 AM  
**To:** Brad Hechimovich <[Brad.Hechimovich@boldt.com](mailto:Brad.Hechimovich@boldt.com)>  
**Cc:** Cole Alsbach <[cole@darkhorsedevelopmentllc.com](mailto:cole@darkhorsedevelopmentllc.com)>  
**Subject:** Re: Fox Commons Sidewalk Closure and work Beyond July 1

We greatly appreciate the communication and cooperation. We support the extension and will continue to work with Dark Horse and the Boldt team to coordinate our power needs for July 19<sup>th</sup> Light the Night Market and Farm Market each Saturday.

Thank you for your partnership.

Jennifer Stephany

Pronouns: she, her, hers

Executive Director

Appleton Downtown Inc.

920.954.9112

[appleondowntown.org](http://appleondowntown.org)

**From:** Ethan Buechel <ebuechel@findorff.com>

**Sent:** Friday, June 14, 2024 2:02 PM

**To:** Brad Hechimovich <Brad.Hechimovich@boldt.com>; Peter Neuberger <Peter.Neuberger@Appleton.org>; Michael Hardy <Michael.Hardy@Appleton.org>; Joe Grueneberg <jgrueneberg@findorff.com>

**Cc:** Chuck Yohanek <Chuck.Yohanek@boldt.com>; Collin Krueger <Collin.Krueger@boldt.com>; traffic.engineering@appleton.org; Matt Femal <mfemal@findorff.com>; Mackenzie Beck <mbeck@findorff.com>; Michael Hoier <mhoier@findorff.com>

**Subject:** RE: Fox Commons Sidewalk Closure and work Beyond July 1

Brad –

Findorff agrees to the plan you have discussed with the City. The following are the only two comments I have:

- As we get closer to ceasing use of the 2<sup>nd</sup> floor overhead doors, can you please confirm that Boldt will be able to get the bedroom watertight in a timely manner?
- When will the concrete be installed for access to the freight elevator?

Thank you and enjoy your weekend,

**Ethan Buechel**

Assistant Project Manager

**FINDORFF**

**Building & Beyond**

226890 Harrier Ave | Wausau, Wisconsin 54401

Direct: 715.803.2226 | Cell: 715.323.3337 | Main: 715.803.2222

[findorff.com](http://findorff.com)

## Revised Schedule – Boldt College Ave Temp Occupancy Permit Extension

- The existing setup will remain thru July 15<sup>th</sup>.
  - Findorff continues their operation exclusively from the back side.
- July 15<sup>th</sup> - East of Oneida Street intersection will open completely. Jersey barrier removed, meter bags removed, sidewalk fully open.
  - Findorff continues their operation exclusively from the back side.
- August 1<sup>st</sup> – West of Oneida Street intersection will open completely. Jersey barrier removed, meter bags removed, sidewalk fully open.
  - Part of sidewalk at the old mall entrance north of the Oneida Street intersection will remain closed. There is still ample walkable space to get around this (like today).
    - Work on in this area will cease late morning during Mile of Music event days, the fencing will be pulled back to create more sidewalk space.
  - Findorff begins the Monday thru Wednesday operation as part of their permanent occupancy permit.
- August 15<sup>th</sup> – Last of Boldt’s sidewalk obstruction is removed.

Brad will contact ADI to update them on all this for Farmers Marking and other events. Plan to be implemented sporadically to remove jersey barrier/fencing and support construction operations of the old mall entrance area (permitted weekdays prior to 2PM, except during Mile of Music event days).



# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
 Effective Date: \_\_\_\_\_  
 Expiration Date: \_\_\_\_\_  
 Non-Refundable Fee: \$40.00  
 Paid (yes or no): yes/156510505

Rev. 10-05-2023

### Applicant Information

Name (print): Julia Ning Gomez Company: Lil Taco  
 Address: 1625 Coolidge Ct. Telephone: 920) 358-3119  
Appleton, WY 82401 E-mail: Julianing3900@gmail.com  
 Applicant Signature: \_\_\_\_\_ Date: 05/20/24

### Occupancy Information

General Description: Tables + Chairs  
 Street Address: 106 S. State St. Sidewalk/roadway obstruction requested  Y or  N  
 - or -  
 Multiple Streets: \_\_\_\_\_  
 Date(s) From: 2024 To: 2025 35 days or <  35 days or >   
 (Requires Committee and Council Approval)

(Department use only)

### Occupancy Type

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

### Sub-Type

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

### Location

- Sidewalk
- Terrace
- Roadway

### Additional Requirements

- Plan/Sketch
- Certificate of Insurance
- Bond
- Other : \_\_\_\_\_

### Traffic Control Requirements

Type of Street: \_\_\_\_\_ Proposed Traffic Control: N/A  
 Arterial/CBD  City Manual Page(s) \_\_\_\_\_  
 Collector  State Manual Page(s) \_\_\_\_\_  
 Local  Other (attach plan) \_\_\_\_\_  
 Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Contact Traffic Division (920-832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure.  
 Additional Requirements: \_\_\_\_\_

This permit approval is subject to the following conditions:

1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
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- 5.
- 6.

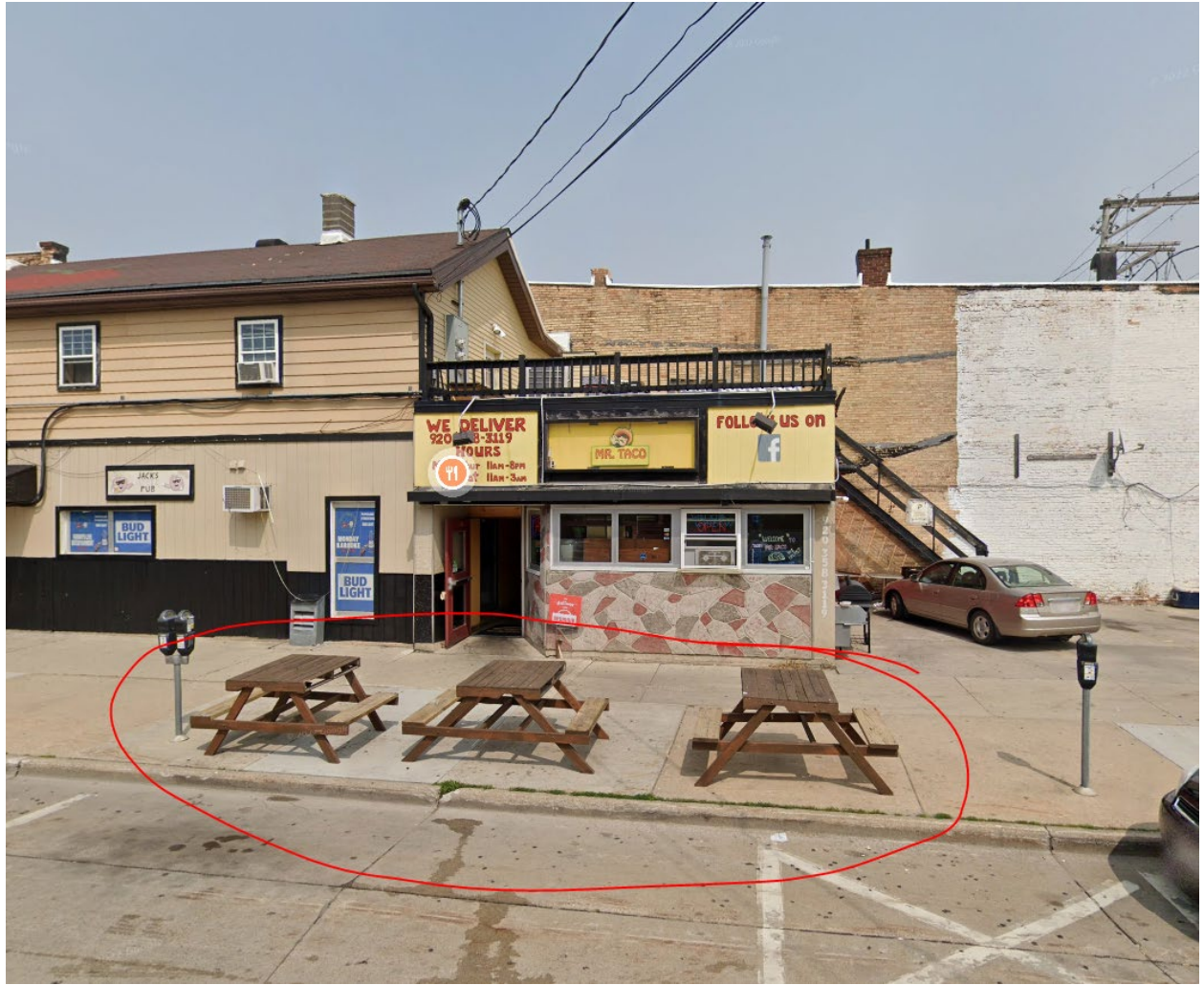
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The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume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

APPROVED BY: \_\_\_\_\_

(Department of Public Works)

DATE: \_\_\_\_\_



WE DELIVER  
920-8-3119  
HOURS  
Mon-Sun  
11am-3am

MR. TACO

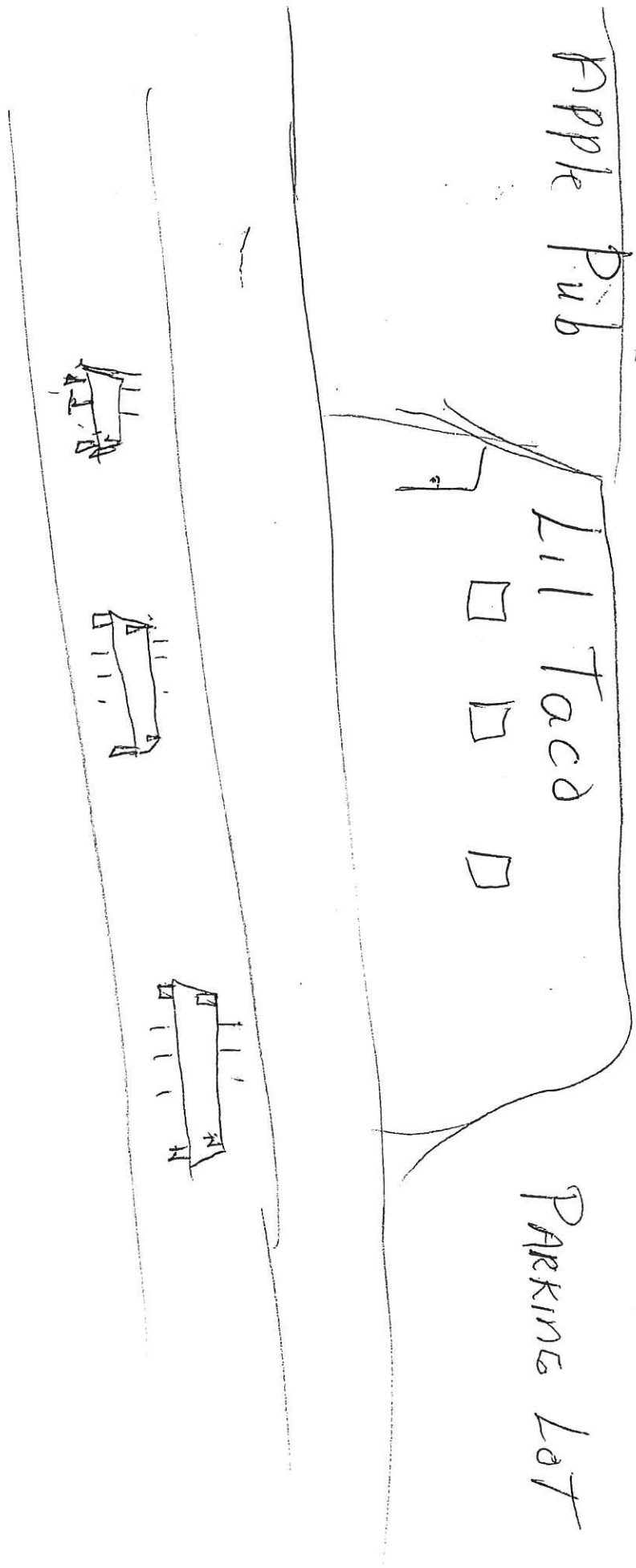
FOLLOW US ON  
f

JACK'S PUB

BUD LIGHT

BUD LIGHT







## Statement of Insurance Coverage

### Insurance Coverage:

Insurance Carrier: Pekins Insurance  
Insurance Agent Name and Phone Number: Rich 920)685-0900  
Policy Number: 006136043  
Policy Period: 07/25/23 To 07/25/24

### Bond Coverage:

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

I confirm that I have the authority to sign and certify the information contained herein as the permittee/licensee or duly authorized representative of the entity obtaining this permit/license.

I have reviewed and understand the insurance and bonding requirements of the City of Appleton. I hereby certify that I, or the company I represent have insurance and a bond in the amounts required to obtain this permit/license. I have named the City of Appleton as an additional insured for purposes of this permit/license and have provided the name of my insurance and bond carriers, the policy numbers and policy periods above.

Further, I agree to maintain appropriate insurance coverage for the duration of this permit/license and to indemnify against any and all liability, loss, damage and expenses and costs including attorneys' fees arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant, anyone directly or indirectly employed by any of them, which may arise from the use of city right of way or property under this permit or license.

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

Company Name: Lil Taco  
Print Name: Julia Nino Gomez  
Signature: [Signature]  
Date: 05/20/24

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

- Plumbing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-265)
- Demolition of Buildings: \$5,000.00 Permit Bond (Code Section 4-188(a)(2))
- Sewer lateral sealing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-188(c))
- Moving of Buildings: \$5,000.00 Permit Bond (Code Section 4-207(5))
- Cement Finisher's License: \$5,000.00 License Bond (Municipal Code Section 9-33)
- Excavation or place facilities in the public right-of-way: \$5,000.00 Permit Bond (Code Section 16-110)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
05/21/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b>  ALLIANCE INS. & FINANCIAL SERVICES, LLC 08600-A00 103 W MAIN ST OMRO, WI 54963	<b>CONTACT NAME:</b> RICHARD L. CHRISTL		
	<b>PHONE</b> (A/C, No, Ext): (920) 685-0900	<b>FAX</b> (A/C, No): (920) 685-0444	
	<b>E-MAIL ADDRESS :</b>		
	<b>PRODUCER</b> CUSTOMER ID #:		
	<b>INSURER(S) AFFORDING COVERAGE</b>		
<b>INSURED</b> JECHU LLC DBA LIL TACO 106 S STATE ST APPLETON, WI 54911-5841	<b>INSURER A:</b>	PEKIN INSURANCE COMPANY	<b>NAIC #</b> 24228
	<b>INSURER B:</b>		
	<b>INSURER C:</b>		
	<b>INSURER D:</b>		
	<b>INSURER E:</b>		
	<b>INSURER F:</b>		

**COVERAGES**                                      **CERTIFICATE NUMBER:**                                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			006136043	07/25/2023	07/25/2024	EACH OCCURRENCE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
	<input type="checkbox"/> CLAIMS - MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 5,000
	_____						PERSONAL & ADV INJURY	\$ 1,000,000
	_____						GENERAL AGGREGATE	\$ 2,000,000
	_____						PRODUCTS - COMP/OP AGG	\$ 2,000,000
	_____						_____	\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS							
	<input type="checkbox"/> NON-OWNED AUTOS							
	UMBRELLA LIAB <input type="checkbox"/> OCCUR						EACH OCCURRENCE	\$
	EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE	\$
	DEDUCTIBLE							\$
	RETENTION \$							\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N		006136051	07/25/2023	07/25/2024	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input checked="" type="checkbox"/> N	N/A				E.L. EACH ACCIDENT	\$ 100,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$ 500,000
							E.L. DISEASE - POLICY LIMIT	\$ 100,000
	BUSINESSOWNERS						EACH OCCURRENCE	\$
							PROD & COMP OPS AGGREGATE	\$
							GENERAL AGGREGATE	\$
	GARAGE LIABILITY						EACH ACCIDENT (AUTO ONLY)	\$
							EACH ACCIDENT (OTHER THAN AUTO ONLY)	\$
							AGGREGATE	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

**CERTIFICATE HOLDER**

CITY OF APPLETON 100 N APPLETON STREET APPLETON, WISCONSIN 54911

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ALLIANCE INS. & FINANCIAL SERVICES, LLC - 08600-A00

# Payment Entry Form

## Result: Payment Authorized Confirmation Number: 156510505

Your payment has been authorized successfully and payment will be processed.

The City of Appleton Inspections thanks you for your payment. For questions about your account, please call 920-832-6413. Thank you for using our bill payment services.

Please save or print a copy of this receipt for record keeping purposes.

### My Bills

Description	Amount
Street Occupancy Permit payment of \$40.00 on Number And StreetName 106 S STATE ST	\$40.00
<b>Subtotal:</b>	<b>\$40.00</b>
<b>Convenience Fee:</b>	<b>\$1.50</b>
<b>Total Payment:</b>	<b>\$41.50</b>

### Customer Information

First Name: JULIA  
 Last Name: NINO GOMEZ  
 Address Line 1:  
 Address Line 2:  
 City:  
 State:  
 Zip Code:  
 Phone Number:  
 Email Address:  
 Estimated Costs: 40

### Payment Information

Payment Date: 05/21/2024  
 Card Type: Visa  
 Card Number: \*\*\*\*\*3267

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

By signing this receipt you agree to the terms and conditions of this service.

You will see one line item on your credit or debit card statement indicating the amount you paid and will be identified as *City of Appleton GOV*. If you have any questions about the charges please call 1-888-891-6064.

**Resolution #7-R-24**  
**Resolution to Rescind No Mow May Ordinance Language**

*Date:* Wednesday June 5th, 2024

*Submitted By:* Alderperson Christopher Croatt – District 14, Alderperson Hayden – District 7

*Referred To:* Municipal Services Committee

RESOLUTION SUMMARY

A resolution to act on discontinuing the No Mow May program in the City of Appleton. The full resolution specifies action on rescinding the ordinance language directly related to the No Mow May program as it relates to tall grass and weeds which is found in Section 12-58 of the City Code and restore that section to the form it was in prior to April 6th, 2022.

FULL RESOLUTION

**Whereas** the No Mow May initiative was made a permanent part of the city’s ordinances in 2022, largely based on the data provided in a study looking at the quantity of bees and other pollinators found in mowed vs. non-mowed lawns, and;

**Whereas** the study to support the new program was presented in 2022 to the Common Council as proof that non-mowed lawns in fact did show higher levels of bee richness and abundance, leading to the program being permanently adopted by Appleton and later by numerous other municipalities around Wisconsin, and;

**Whereas** in November of 2022 the study was retracted by the authors of the paper as well as the publisher of the journal in which it appeared, and;

**Whereas** the editor of the journal noted the findings of the study are “unreliable and could impact the results”, and;

**Whereas** the retraction guidelines for the journal note that a paper should be retracted if the findings are unreliable, or the result of fabrication or falsification, and;

**Whereas** as the basis for adoption of No Mow May, the science behind the study has been proven to be unreliable with faulty conclusions, and other apiologists who study bees have said that long grass provides no discernible benefit for bees and other pollinators, and;

**Whereas** other Wisconsin communities such as neighboring Fox Crossing have rescinded their No Mow May initiative based on a recommendation from a sustainability committee, and;

**Whereas** a UW-Madison Professor Emeritus recently attended a Village Board meeting in Waunakee and stated, “My take on it (No Mow May) is that it is well intentioned, but it’s probably

having little impact”, he also stated typical vegetation in a midwestern lawn is not necessarily beneficial for pollinators and suggested other, better options exist, and;

**Whereas** there are negative impacts of No Mow May on our neighborhoods for those that choose not to participate in it, there is some research that shows mowing actions immediately after No Mow May can have a negative impact on other insect populations, there is some research and opinion that excessively tall grass and weeds increases the likelihood of rodent/pest populations in our urban neighborhoods, and;

**Whereas** there is an impact to the City of Appleton Inspections Division. This impact is directly related to addressing non-compliance post No Mow May through increased workload in June of every year.

**Whereas** this resolution shall not be construed as a lack of support for helping pollinators. Pollinators are important and there are many other ways residents can contribute to helping pollinators and increase the livelihood and abundance of the bee population inside Appleton. The past couple of years shows many that participated in No Mow May are not taking any other significant actions to help the bee population, now;

**Therefore, Be It Resolved** that based on a lack of scientific evidence to support the No Mow May program and based on other Wisconsin communities’ recent actions rescinding their ordinances related to it, the City of Appleton Common Council hereby takes formal action to remove the language in the current code and rescinds the No Mow May program for 2025. This includes making it more permanent by working with the City Attorney’s Office to repeal Ordinance 26-22 adopted on April 6, 2022, and restore Section 12-58 to its form prior to that date in order to enforce the city’s long grass ordinance during the entire growing season, including the month of May.



# CITY OF APPLETON

## MEMORANDUM

**Date:** June 6, 2024

**To:** Municipal Services Committee

**From:** Kara Homan, AICP, Director of Community Development  
Kurt Craanen, Inspections Supervisor

**Subject:** Comparative Data, Pre and Post “No Mow May” Weed Complaints

At the request of Chair Fenton, we have prepared data related to Weed Complaints logged by the Inspections Division, pre- and post- implementation of “No Mow May,” as illustrated in Table 1, below.

**Table 1. City of Appleton | Average Weed Complaints, 2014-2019 and 2020-2023; and Annual Weed Complaints 2020-2023**

	Pre - "No Mow May"	Post - "No Mow May"	Actual Weed Complaints			
	Average Weed Complaints	Average Weed Complaints				
	2014-2019 Average	2020 - 2023 Average	2020	2021	2022	2023
January	0.0	0.0	0	0	0	0
February	0.0	0.0	0	0	0	0
March	0.0	0.0	0	0	0	0
April	0.0	0.0	0	0	0	0
May	69.2	0.0	0	0	0	0
June	85.2	116.3	106	93	115	151
July	58.2	61.0	56	75	55	58
August	44.3	44.5	34	47	61	36
September	38.0	28.0	21	47	18	26
October	14.5	11.0	14	15	11	4
November	3.0	2.8	1	6	3	1
December	0.0	0.0	0	0	0	0

Source: City of Appleton, iSeries Database

June 10, 2024

To: Members of the City of Appleton Municipal Services Committee

- Alderperson Denise Fenton - Chair
  - Alderperson Chad Doran
  - Alderperson Vered Meltzer
  - Alderperson William Siebers
  - Alderperson Brad Firkus
- cc: Alderperson Chris Croat and Alderperson Patrick Hayden

From: Nancy J. Jones, 1125 N. Briarcliff Dr., Appleton 54915

Re: Repeal of No Mow May language in Municipal Code 12.58

Good Afternoon, I am here to speak about the resolution to remove the No Mow May language from the Municipal Code and offer a suggestion for your consideration. I want to begin by acknowledging the many examples of good environmental stewardship undertaken by the City of Appleton and thanking the Council and staff for their efforts.

My husband and I were early adopters of No Mow May out of concern for the natural environment, the loss of pollinators and after becoming aware of the sharp decline in bird populations. Our property includes a ravine that is part of the natural watershed of the Fox River.

I'd like to share with you **what No Mow May has meant on our property.**

We do not use herbicides or pesticides in our yard, but we **do actively control weeds**. We hand dig dandelions and never allow weeds to go to seed. By delaying the start of mowing for a few weeks, we have actually learned more about both native and invasive plants growing in the lawn areas of our yard. As a result, we now more actively work to eliminate more invasives like Black Medic, Creeping Charlie, and White Clover. They are much easier to identify in May when not yet mowed. We have also dug many Common Buckthorn seedlings that have germinated or been mowed the previous season.

At the same time, **we've become aware of more native plants that thrive despite mowing and foot traffic**. The rabbits munching our state flower, the Common Violet, in the lawn is much preferred to them chewing down the plants we started from seed for the vegetable garden or the native perennials in the flower garden beds that support pollinators throughout the year.

Thanks to No Mow May, I've discovered several of the **native species in our managed landscape beds "volunteer" in the lawn areas**, and I have transplanted dozens from the grassy areas to beds or potted them to share with family members and neighbors. One in particular, the Calico Aster, is considered a keystone plant for our eco-region.

Our household uses a mulching mower to recycle nutrients and preserve moisture. Since we do not use artificial fertilizer, **our lawn does not get excessively long in May**. The grass gets the longest on a narrow strip of the east side of our yard where the fertilizer our neighbor spreads spills onto our property. Our multi-species lawn areas have stayed much greener than surrounding lawns during periods of drought in recent years.

**Now let's consider, the effects of lawns and mowing in our neighborhood.**

As we walk in our neighborhood, which unfortunately has no sidewalks, we **observe fertilizer and pesticide applications in the street as a regular occurrence** and often by the commercial lawn services. These nutrients and toxic chemicals are washing into the storm sewer and **into the Fox River**.



We also see that many residents mow in a manner which sends the **grass clippings into the street** adding more problems for water quality.

**Then there is the noise pollution.** There are lawn services I can identify in my neighborhood by their volume level. Perhaps no one piece of their arsenal of power tools violates the city's noise nuisance ordinance, but the lawn services run multiple pieces of equipment simultaneously, and the noise is disturbing and disruptive.

**Neighbors who fertilize and water their lawns are mowing 2-3 times per week. The soundtrack of the suburbs has become a constant roar.** We have come to time our walks to coincide with the need to escape incredible din of gas-powered lawn mowers and leaf blowers, which are in the 80-85 decibel level range even if used one at a time. according to a chart from the Center for Disease Control and Prevention. Our city's noise ordinance caps noise at 70 decibels in residential areas.

**A growing number of communities have moved to prohibit the use of gas-powered leaf blowers due to their negative health impacts from both high emissions and dangerous level of noise.** I encourage the City of Appleton to get involved with Quiet Communities organization. <https://www.quietcommunities.org/membership>

I understand that the study cited as part of the basis for the 2022 code changes was later criticized; however, there are 5 other studies referenced on the Bee City USA No Mow May webpage hosted by the Xerces Society for Invertebrate conservation (See attached). I agree with the resolution, that No Mow May does not accomplish pollinator support with monoculture lawns. I understand that some Council members may feel they received information they no longer completely trust. But let's zoom out and realize how terrible the information that a carpet-like lawn is an ideal landscape is! Monoculture lawns waste tremendous amounts of energy, water, time and money and inflict steep costs to the environment in the way of air, water and noise pollution.

Please take some time to read the article by Doug Tallamy I have brought for your reference titled , "4 Universal Landscape Goals."

My questions for the authors of the resolution and for the committee members as you take up this resolution include:

1. How will our city address air, water and noise pollution and the loss of pollinators and birds in a more comprehensive way?
2. Will the City of Appleton get more serious about the detrimental health effects of our increasingly noisy community and lawn care as a huge contributor to noise pollution?
3. With Appleton having both Bee CityUSA and Bird City USA designations, could the City provide better guidance and resources to community members who would like to support pollinators in spring and throughout the year?

**I suggest refinement of the code and/or published guidance that instructs residents that No Now May should not mean letting your dandelions go to seed or letting the burdock get firmly established.** (Burdock is specifically mentioned as a noxious weed in the code and added to the list of noxious weed species from the state statute, but I see it all over the neighborhood. )

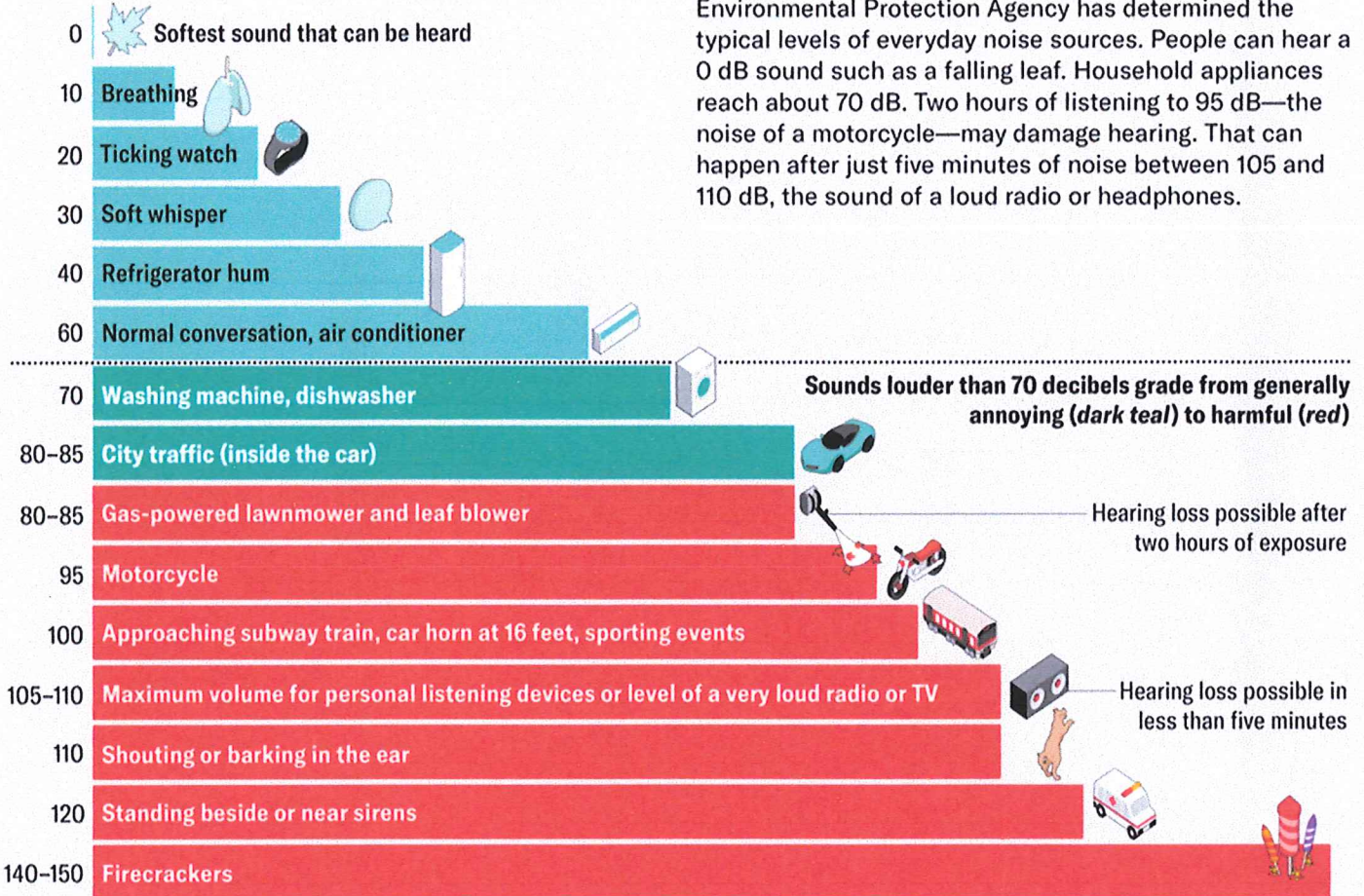
**Could the City Guide have a regular feature about the invasive species specific to our area, like Dame's Rocket, and effective strategies for their elimination?**

**I encourage you to move to deny or, at the very least, delay this resolution, and urge a more proactive approach that encourages responsible No Mow or Low Mow May practices and gives our city time to devise strategies to engage residents in opportunities to become better caretakers of our shared environment.**

Thank you.

**EVERYDAY SOUNDS AND NOISES MEASURED IN DECIBELS**

**Decibels**



**Unhealthy Sound Levels**

Sounds are measured in decibel (dB) units, and the Environmental Protection Agency has determined the typical levels of everyday noise sources. People can hear a 0 dB sound such as a falling leaf. Household appliances reach about 70 dB. Two hours of listening to 95 dB—the noise of a motorcycle—may damage hearing. That can happen after just five minutes of noise between 105 and 110 dB, the sound of a loud radio or headphones.



[beecityusa.org](https://beecityusa.org)

# Summaries of Published Studies of Conservation Benefits of Reduced Mowing - Bee City USA

3–4 minutes

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[Larson et al \(2014\)](#): Pollinators were recorded visiting dandelions (*Taraxacum officinale*) and white clover (*Trifolium repens*) in urban and suburban lawns in central Kentucky. The primary study period was May and early June, though some surveys of white clover were done in August. In total, 26 bee species were recorded. The dandelions had 20 species, of which nine were early emerging mining bees (*Andrena*, also called [tickle bees](#)) and the clover had 12. For butterflies, dandelions were visited by one species and the clover by six. The authors highlight the risk from insecticides, and note that “awareness of the diverse pollinator assemblages of flowering lawn weeds” might encourage a move toward more pollinator-friendly and sustainable gardening.

[Lerman et al \(2018\)](#): This study explored whether different lawn mowing frequencies (every week, every two weeks, and every three weeks) influenced bee abundance and diversity in suburban yards in Massachusetts. Mowing every three weeks resulted in more than double the number of flowers available in lawns, and increased bee diversity—yet lowered overall bee abundance versus the every-two-weeks strategy. Lerman and her colleagues documented a staggering 93 species of bees, with supplemental observations bringing the total number to 111 bee species—nearly a quarter of all bee species native to the area!

[Proske et al \(2022\)](#): This paper was a meta-analysis that looked at results of many published and unpublished studies from Europe and North America. They found a significant increase in both abundance and species richness of butterflies and bees, as well as other insect groups (grasshoppers, crickets, and true bugs) in less-frequently mowed lawns. They also found a decrease in abundance of centipedes, millipedes, spiders, and ticks and mites, and noted, “manicured lawns disproportionately favor the abundance of ‘pest’ species.” For greatest benefit, the authors recommended that grass and meadows should only be mowed once or twice a year, and the first mowing is delayed until July—which may be far later and less frequent than most people are comfortable with! However, they also found that the size of the site had no influence on the benefits of reduced mowing. Even small patches had greater diversity.

[Wastian et al \(2016\)](#): By comparing intensely mowed lawns (mowed 12 times per year) with meadows under reduced maintenance (mowed only twice per year), the authors found that the number of bee species visiting the intensely mowed lawns was significantly lower. Of the 43 species of bees recorded, only 22 were on intensely mowed lawns, and of the six at-risk species observed, none were on frequently mowed lawns.

[Watson et al \(2019\)](#): Another meta-analysis of numerous studies from North America and Europe that looked at the effects of mowing on various insect groups. The conclusions were that increased mowing intensity resulted in a significant negative effect on plant diversity and insect diversity, and a moderate increase in pest abundance. It also found that by reducing mowing frequency from 15 to 10 times per year, park managers may have cost savings of up to 36%.

## 4 Universal Landscape Goals - By Doug Tallamy



There are four ecological functions every landscape must perform if we are to achieve a sustainable relationship with the natural world that supports us (and continuing to insist on landscapes that do not sustain mother nature is not and has never been a realistic option). It's really very simple; our landscapes must do the things that enable ecosystems to produce the life support we and every other species requires.

### Four Landscape Ecological Goals

1. They must support a diverse community of pollinators throughout the growing season.
2. They must provide energy for the local food web.
3. They must manage the watershed in which they lie.
4. They must remove carbon from the atmosphere where it is wreaking havoc on the earth's climate.

**How well a landscape accomplishes these goals depends on how well we, as landscape managers, choose and deploy the plants on our landscapes.**

*Lawns fail at these 4 goals:*

If we plant most or all of our property in lawn, none of these goals will be met. More often than not, lawn degrades the local watershed by discouraging infiltration, facilitating stormwater runoff, and adding nitrogen, phosphorous, herbicides, and insecticides to the nearest stream or river. Today's cultural standard for lawn supports no pollinators and does not nourish the insects that enable birds, reptiles, amphibians and, many mammals to reproduce. And when it comes to carbon capture, turf grass is our worst plant choice.

Yes, lawn grasses do build their tissues out of carbon they have pulled from the atmosphere, but every time we mow the lawn, we release that carbon back into the air. Grass roots, like the roots of other plants, do leak some carbon into the soil, but grass roots are very short, and almost any other plant species deposits more carbon into surrounding soils than does grass. Finally, every time we mow, we belch carbon from fossil fuels into the atmosphere.

*Native Plants **succeed** at these 4 goals:*

We can help our yards meet their ecological responsibilities by planting the plants that are good at supporting pollinators, good at sharing some of the energy they have harnessed from the sun with the local animals that run our ecosystems, good at building their tissues out of carbon and holding it within their structures, out of harm's way, for decades or even centuries; and good at producing glomalin on root hairs, a carbon-based structure that deposits so much carbon in soil that it becomes brown or black. We can also choose plants with large canopies that soften the impact of pounding rain, and that support large root systems that encourage rainwater infiltration and thus hold tons of water on site after a storm event.

Transforming our yards into these ecological gold mines is a process, one that can unfold over months, years, or even decades. Every time we plant a native perennial that nourishes specialist bees, we have helped all local pollinators, for generalist bees can use those plants as well. Every time we add a native oak, willow, cherry, birch, cottonwood, alder, maple, etc. to our yard, we have reduced the ecological dead zone we call lawn and increased the ability of our yard to support breeding birds by supplying the host plants for the caterpillars on which those birds rely. Moreover, such plantings have vastly improved our yard's watershed management and carbon sequestration potential.

We don't need exact measures to know we are moving in the right direction. Simple estimates can help us evaluate the progress we have made and the amount of life support we have enabled our local ecosystem to produce, not just for us and the other species in our yards, but for all of our neighbors as well. How much lawn have we eliminated? How many trees have we added? How many new flowerbeds or simply beds mulched with leaf litter have we built? How many invasive plants have we identified on our property and targeted for removal? How many birds, butterflies, and bees have we seen taking up residence in our yards? These are all measures of success and noting any of them will motivate us to do more.

The path to sustainability lies along a continuum, with low (or no) ecological function at one end and a vibrant, ecological machine churning out ecosystem services every minute of every day at the other. Every time you take action, your landscape moves closer to becoming a positive ecological force rather than a negative one. Our current landscaping paradigm has been making withdrawals from the ecological bank account that supports us for far too long. By helping our properties reach the four ecological goals described above, we can finally start making life-saving deposits.