



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, November 15, 2023

7:00 PM

Council Chambers

- 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

[23-1391](#) Common Council Meeting Minutes of November 1, 2023

Attachments: [CC Minutes 11-1-23.pdf](#)

[23-1392](#) Common Council Meeting Minutes of Budget Adoption on November 8, 2023

Attachments: [CC Minutes 11-9-23 Budget Adoption.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR
- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS

[23-1209](#) Public Hearing for Comprehensive Plan Map Amendment #2-23 St. Therese Congregation from Public/Institutional Land Use to Mixed-Use Land Use

Attachments: [Public Hearing Notice Comp Plan Amend #2-23.pdf](#)

[23-1210](#) Public Hearing for Rezoning #8-23 St. Therese Congregation from PD/C-O Planned Development Overlay #17-02/Commercial Office District to C-1 Neighborhood Mixed Use District

Attachments: [RZ #8-23 Notice of Public Hearing.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[23-1339](#)

Approve the request to award the contract for 2023 Land Acquisition Services for various locations to Vogels Buckman Appraisal Group, in an amount not to exceed \$5,500.

Attachments: [Award Memo to Municipal Services for Real Estate Acquisition 2023.pdf](#)

Legislative History

11/6/23	Municipal Services Committee	recommended for approval
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2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-1318](#)

Class "B" Beer and "Class B" Liquor License application for KMG Capitol Centre, LLC Michael Gonnering, Agent, located at 725 W Capitol Drive, contingent on approval from all departments.

Attachments: [Capitol Centre.pdf](#)

Legislative History

10/25/23	Safety and Licensing Committee	recommended for approval
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The License application proceeds to Council on November 15th 2023.

3. MINUTES OF THE CITY PLAN COMMISSION

[23-1170](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-23 for the subject parcel located at 213 E. Wisconsin Avenue (Tax Id #31-6-0313-00) from future Public/Institutional land use designation to future Mixed-Use land use designation as shown on the attached map and approve the attached Resolution

Attachments: [StaffReport_St. Therese_CompPlan+Rezoning_For10-11-23.pdf](#)
[MemotoCouncil_CompPlanAmend#2-23andRezoning#8-23_For11-15-23.pdf](#)

Legislative History

10/11/23	City Plan Commission	recommended for approval
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Proceeds to Council on November 15, 2023.

[23-1172](#) Request to approve Rezoning #8-23 for the subject parcel located at 213 E. Wisconsin Avenue (Tax Id #31-6-0313-00), including to the center line of the adjacent right-of-way, as shown on the attached maps, from PD/C-O Planned Development Overlay #17-02/Commercial Office District to C-1 Neighborhood Mixed Use District

Attachments: [StaffReport St. Therese CompPlan+Rezoning For10-11-23.pdf](#)
[MemotoCouncil CompPlanAmend#2-23andRezoning#8-23 For11-15-23.pdf](#)

Legislative History

10/11/23 City Plan Commission recommended for approval
Proceeds to Council on November 15, 2023.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[23-1343](#) Reid Golf Course 2024 Rate Policy

Attachments: [2024 Reid Rates Policy.docx](#)
[Reid Rate Policy 2024 DRAFT.docx](#)
[Reid Rate Policy 2024 REDLINE.docx](#)

Legislative History

11/6/23 Parks and Recreation Committee recommended for approval

5. MINUTES OF THE FINANCE COMMITTEE

[23-1346](#) Request to award Health Department Furniture Remodel to Nordon Business Environments in the amount of \$250,887.34.

Attachments: [2023 Health Department Furniture Sole Source.pdf](#)

Legislative History

11/6/23 Finance Committee recommended for approval

[23-1358](#) Request to accept 2022 WIPPI Energy Efficiency Grant in the amount of \$72,564 for the Appleton Water Treatment Plant Kathabar Replacement Project.

Attachments: [2023 WIPPI EE Grant Award.pdf](#)

Legislative History

11/6/23 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[23-1336](#) Approval to single source and award 2023D Stormwater Consulting Services contract with raSmith for Construction Related Services for Unit H-23 Lightning Drive Phase 1 in an amount not to exceed \$80,510.

Attachments: [2023D Single Source H-23 CRS raS award util memo.pdf](#)

Legislative History

11/7/23 Utilities Committee recommended for approval

[23-1357](#) Authorization to opt-out of 3M and Du Pont PFAS class action settlements.

Attachments: [PFAS - Memo to Utilities Committee - 11-03-2023.pdf](#)

Legislative History

11/7/23 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[23-1366](#) Request to Over hire Executive Assistant to the Police Chief.

Attachments: [Exec Asst SL.pdf](#)

[23-1367](#) Request to Approve the APPA 2024 - 2026 Contract Changes.

Attachments: [Appleton Professional Police Association TA 10 24 23.pdf](#)
[APPA 2020.pdf](#)

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[23-1393](#) Ordinances #156-23 and #157-23

Attachments: [Ordinances to Council 11-15-23.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

[23-1390](#) Reconsideration of Item# 23-1246 Approval of Alderperson Salaries

[23-1246](#) Approval of Alderperson Salaries.

Attachments: [HR-IT - Alderperson Raises Deadlines.pdf](#)
[Alderperson Compensation Survey.pdf](#)
[Elected Alderperson Salaries.pdf](#)

Legislative History

10/25/23	Human Resources & Information Technology Committee	recommended for approval
	<i>Salary remains at \$6,750 annually and includes a parking pass.</i>	
11/1/23	Common Council	approved
11/1/23	Common Council	amended

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

Wednesday, November 1, 2023

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

The Invocation was offered by Alderperson Jones.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Alderperson Schultz appeared virtually.

Present: 16 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt, Alderperson Chad Doran and Mayor Jake Woodford

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All Departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[23-1319](#)

Common Council Meeting Minutes of October 18, 2023

Attachments: [CC Minutes 10-18-23.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Van Zeeland, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Excused: 1 - Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[23-1321](#)

Proclamations:

- Family Literacy Day
- Small Business Saturday
- Appleton High School DECA Week
- Runaway & Homeless Youth Prevention Month
- Native American Heritage Month

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

[23-1322](#)

Public Art Committee Appointment

Attachments: [Nov 1 Public Art Committee Appt Memo.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Van Zeeland, that the appointment be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Excused: 1 - Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

H. PUBLIC PARTICIPATION

*The following spoke during public participation:
James Krueger, 523 W Sixth St. Re: Item 23-1263 Driveway Extension Permit*

*Item 23-1176 Small Business Saturday Parking:
Jennifer Stephany, 333 W College Ave (ADI)
Jeff Geiger, 320 N Union St.*

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[23-1263](#)

Request from Anthony Utschig for a driveway extension appeal at 519 W. Sixth Street.

Attachments: [519 6th Street Driveway Extension Request.pdf](#)

Alderson Hartzheim moved, seconded by Alderson Van Zeeland, that the driveway extension permit be approved. Roll Call. Motion failed by the following vote and the driveway extension permit was denied:

Aye: 4 - Alderson William Siebers, Alderson Joss Thyssen, Alderson Alex Schultz and Alderson Nate Wolff

Nay: 11 - Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[23-1176](#)

Request from Appleton Downtown Inc. for free ramp and meter parking on Small Business Saturday, November 25, 2023.

Attachments: [ADI Small Business Sat request.pdf](#)

Alderson Croatt moved, seconded by Alderson Del Toro, that the parking request as amended in Committee (free meter parking only) be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[23-1187](#)

Recommended Denial of an Operator License for Katie Baxley

Attachments: [Katie Baxley Denial Letter.pdf](#)
[Katie Baxley License Application.pdf](#)
[Katie Baxley PD Letter.pdf](#)
[Katie Baxley Probation Documentation.pdf](#)

Alderson Van Zeeland moved, seconded by Alderson Wolff, that the Operator License be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[23-1271](#)

Request to approve Fourth Addition to Clearwater Creek Development Agreement

Attachments: [Clearwater Creek - Fourth Addn to Dev Agrm - 10-20-2023.pdf](#)
[Memo ClearwaterCreek4th DA 10232023.pdf](#)

Alderson Hartzheim moved, seconded by Alderson Croatt, that the Development Agreement 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 Joss Thyssen, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Nay: 1 - Alderson Patrick Hayden

Abstained: 1 - Mayor Jake Woodford

[23-1246](#)

Approval of Alderperson Salaries.

Attachments: [HR-IT - Alderperson Raises Deadlines.pdf](#)
[Alderperson Compensation Survey.pdf](#)
[Elected Alderperson Salaries.pdf](#)

Alderperson Doran moved, seconded by Alderperson Croatt, that the Item be amended to remove the parking pass benefit and add an additional \$12 per month to the Alderperson salary, for an annual salary amount of \$6,894. Roll Call. Motion carried by the following vote:

Aye: 8 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Patrick Hayden, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 6 - Alderperson Vered Meltzer, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Nate Wolff

Excused: 1 - Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

Alderperson Firkus moved, seconded by Alderperson Hartzheim, that the amendment to the salary be amended from \$12 per month to \$20 per month for a total annual salary of \$6,990. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 2 - Alderperson Katie Van Zeeland and Alderperson Joss Thyssen

Excused: 1 - Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

Alderperson Meltzer moved, seconded by Alderperson Wolff, that the annual Alderperson salary be amended to increase it an additional \$500 annually, for a total salary of \$7,490. Roll Call. Motion carried by the following vote:

Aye: 8 - Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Joss Thyssen, Alderperson Vaya Jones and Alderperson Nate Wolff

Nay: 6 - Alderperson William Siebers, Alderperson Patrick Hayden, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Excused: 1 - Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

Alderson Doran moved, seconded by Alderson Firkus, that the Alderson salary be amended to reduce it by the previously approved amendment of \$20 per month (\$240 annually) for a total annual salary of \$7,250. Roll Call. Motion carried by the following vote:

Aye: 8 - Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Kristin Alfheim, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Nay: 5 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Joss Thyssen, Alderson Vaya Jones and Alderson Nate Wolff

Excused: 1 - Alderson Alex Schultz

Absent: 1 - Alderson Israel Del Toro

Abstained: 1 - Mayor Jake Woodford

Alderson Hartzheim moved, seconded by Alderson Van Zeeland, that the Alderson salary (effective in 2025) be approved as amended: No parking pass benefit and annual amount of \$7,250. Roll Call. Motion failed by the following vote (3/4 vote required):

Aye: 7 - Alderson Brad Firkus, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Joss Thyssen, Alderson Vaya Jones, Alderson Kristin Alfheim and Alderson Nate Wolff

Nay: 6 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Katie Van Zeeland, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Excused: 2 - Alderson Israel Del Toro and Alderson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderson Hartzheim moved, Alderson Van Zeeland seconded, to approve the balance of the agenda. The 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 Patrick Hayden, Alderson Joss Thyssen, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Excused: 2 - Alderson Israel Del Toro and Alderson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[23-1262](#)

Request from Appleton Downtown Inc. and Creative Downtown Appleton for a Street Occupancy Permit to host the Holiday Tree Walk in conjunction with Light Up Appleton on November 11, 2023 - permit to run from November 10, 2023 to November 12, 2023.

Attachments: [ADI - Light Up Appleton.pdf](#)

This Report Action Item was approved

[23-1264](#)

Request from Egge Movers, Inc. to conduct a small building move from 225 N. Badger Ave to 1839 W. Winnebago Street.

Attachments: [Building Move 225 N. Badger Ave to 1839 W. Winnebago St.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-1155](#)

Cigarette and Tobacco Products Retail License application for JSH Corporation d/b/a The Dispo, located at 2929 N Richmond St Suite 1.

Attachments: [The Dispo S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[23-1227](#)

Request to approve Special Use Permit #11-23 to expand an existing restaurant and outdoor sidewalk cafe with alcohol sales and consumption located at 204 East College Avenue into the adjacent property located at 206 East College Avenue (Tax Id #31-2-0313-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_Antojitos_SUP_For10-25-23.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[23-1233](#)

Request to approve City Program Funding for 2024 Community Development Block Grant (CDBG) Funding as specified in the attached document

Attachments: [CEDC_CDBG_Initial_Allocation_Memo.pdf](#)
[CDBG PY24 Request for Funds - Appleton Housing.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[23-1245](#)

Request to Approve the Valley Transit Teamsters 2024-2026 Contract Changes.

Attachments: [Valley Transit TA 10-16-23.pdf](#)
[Teamster Valley Transit 2021-2023.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[23-1254](#)

Approve Contract with SRF Consulting for Professional Services

Attachments: [SRF Memo.pdf](#)

This Report Action Item was approved.

[23-1255](#)

Authorize PO to Smart Spaces for Audio Visual Equipment

Attachments: [AV Equipment Memo.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[23-1320](#)

Ordinance #155-23

Attachments: [Ordinances to Council 11-1-23.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that the Ordinance 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 Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 2 - Aldersperson Israel Del Toro and Aldersperson Alex Schultz

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

[23-1241](#)

Suspend the Council Rules to Cancel the January 3, 2024 & July 3, 2024 Common Council Meetings

Aldersperson Hartzheim moved, seconded by Aldersperson Meltzer, that the meeting cancellations 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 Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 2 - Aldersperson Israel Del Toro and Aldersperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

S. ADJOURN

Aldersperson Hartzheim moved, seconded by Aldersperson Wolff, that the meeting be adjourned at 8:33 p.m. 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 Patrick Hayden, Alderperson Joss Thyssen, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Excused: 2 - Alderperson Israel Del Toro and Alderperson Alex Schultz

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

Wednesday, November 8, 2023

6:00 PM

Council Chambers

Special Session - Adoption of the 2024 Executive Budget

A. CALL TO ORDER

The meeting was called to order by Mayor Woodford at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt, Alderperson Chad Doran and Mayor Jake Woodford

Excused: 2 - Alderperson Joss Thyssen and Alderperson Kristin Alfheim

D. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All Departments were represented. Valley Transit General Manager McDonald appeared virtually.

E. BUSINESS PRESENTED BY THE MAYOR

F. PUBLIC PARTICIPATION

G. ESTABLISH ORDER OF THE DAY

[23-1351](#)

Approve the Finance Committee Budget Workshop ("Budget Saturday") Minutes from October 28, 2023

Attachments: [Finance Budget Workshop Minutes 10-28-23.pdf](#)

The minutes were referred to the Finance Committee (Committee of the Whole).

[23-1352](#)

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 Hartzheim moved, seconded by Aldersperson Meltzer, to convene into the Committee of the Whole acting as the Finance Committee. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 2 - Aldersperson Joss Thyssen and Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

H. COMMITTEE REPORTS

MINUTES OF THE FINANCE COMMITTEE

[23-1275](#)

Request to approve Wastewater Budget (pgs 501-524)

This Report Action Item was approved.

[23-1276](#)

Request to approve Water Budget (pgs 477-500)

This Report Action Item was approved.

[23-1277](#)

Request to approve Stormwater Budget (pgs 525-542)

This Report Action Item was approved.

[23-1278](#)

Request to approve Public Works Budget (pgs 299-323)

This Report Action Item was approved.

[23-1279](#)

Request to approve Sanitation Special Revenue Fund Budget (pgs 325-338)

This Report Action Item was approved.

[23-1280](#) Request to approve Wheel Tax Special Revenue Fund Budget (pgs 340-342)

This Report Action Item was approved.

[23-1281](#) Request to approve Subdivision Capital Projects Fund Budget (pgs 344-346)

This Report Action Item was approved.

[23-1282](#) Request to approve Public Works Capital Projects Fund Budget (pgs 348-350)

This Report Action Item was approved.

[23-1283](#) Request to approve Central Equipment Agency Budget (pgs 365-375)

This Report Action Item was approved.

[23-1284](#) Request to approve CEA Replacement Capital Projects Fund Budget (pgs 378-380)

This Report Action Item was approved.

[23-1285](#) Request to approve Parking Budget (pgs 351-364)

This Report Action Item was approved.

[23-1286](#) Request to approve Human Resources Budget (pgs 123-132)

This Report Action Item was approved.

[23-1287](#) Request to approve Risk Management Budget (pgs 133-141)

This Report Action Item was approved.

[23-1288](#) Request to approve Health Budget (pgs 381-392)

This Report Action Item was approved.

[23-1289](#)

Request to approve Health Grants Special Revenue Budget (pgs 393-411)

This Report Action Item was approved.

[23-1290](#)

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

This Report Action Item was approved.

[23-1291](#)

Request to approve Police Budget (pgs 413-427)

This Report Action Item was approved.

[23-1292](#)

Request to approve Police Grants Special Revenue Fund Budget (pgs 430-432)

This Report Action Item was approved.

[23-1293](#)

Request to approve Public Safety Capital Projects Fund Budget (pgs 434-436)

This Report Action Item was approved.

[23-1294](#)

Request to approve Fire Budget (pgs 437-455)

This Report Action Item was approved.

[23-1295](#)

Request to approve Hazardous Materials Type II Special Revenue Fund Budget (pgs 458-460)

This Report Action Item was approved.

[23-1296](#)

Request to approve Valley Transit Budget (pgs 281-298)

This Report Action Item was approved.

[23-1297](#)

Request to approve Community & Economic Development Budget (pgs 143-158)

This Report Action Item was approved.

- [23-1298](#) Request to approve Housing and Community Development Grants Special Revenue Fund Budget (pgs 159-173)

This Report Action Item was approved.
- [23-1299](#) Request to approve Industrial Park Land Fund Budget (pgs 176-178)

This Report Action Item was approved.
- [23-1300](#) Request to approve TIF Districts Budget (pgs 183-218)

This Report Action Item was approved.
- [23-1301](#) Request to approve Facilities and Construction Management Budget (pgs 219-228)

This Report Action Item was approved.
- [23-1302](#) Request to approve Facilities Capital Projects Fund Budget (pgs 230-232)

This Report Action Item was approved.
- [23-1303](#) Request to approve Parks and Recreation Budget (pgs 233-241)

This Report Action Item was approved.
- [23-1304](#) Request to approve Parks and Recreation Trust Funds Budget (pgs 243-248)

This Report Action Item was approved.
- [23-1305](#) Request to approve Reid Golf Course Budget (pgs 249-258)

This Report Action Item was approved.
- [23-1306](#) Request to approve Information Technology Budget (pgs 89-98)

This Report Action Item was approved.

[23-1307](#) Request to approve Information Technology Capital Projects Fund Budget (pgs 100-102)

This Report Action Item was approved.

[23-1308](#) Request to approve Library Budget (pgs 259-276)

This Report Action Item was approved.

[23-1309](#) Request to approve Library Grants Special Revenue Budget (pgs 278-280)

This Report Action Item was approved.

[23-1310](#) Request to approve Mayor Budget (pgs 45-54)

This Report Action Item was approved.

[23-1311](#) Request to approve Council Budget (pgs 55-58)

This Report Action Item was approved.

[23-1312](#) Request to approve Debt Service Budget (pgs 461-467)

This Report Action Item was approved.

[23-1313](#) Request to approve General Administration Budget (pgs 75-80)

This Report Action Item was approved.

[23-1314](#) Request to approve Room Tax Special Revenue Fund Budget (pgs 82-84)

This Report Action Item was approved.

[23-1315](#) Request to approve Finance Budget (pgs 59-68)

This Report Action Item was approved.

PROPOSED AMENDMENTS (New)

[23-1362](#)**Add \$8,000 to Police Other Contracts/Obligations for Flock Safety Cameras****Remove \$5,000 from Mayor Training/Conferences****Remove \$3,000 for Poet Laureate program from Mayor Other Contracts/Obligations***Page 425 Police**Page 49 Mayor**Page 51 Mayor*

(Doran)

This item was divided into two separate items and taken up separately. The first is to remove \$5,000 from Mayor/Training/Conferences and to add to Police Other Contracts/Obligations for Flock Safety Cameras.

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

Aye: 3 - Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Nay: 10 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Alex Schultz, Alderson Vaya Jones and Alderson Nate Wolff

Excused: 2 - Alderson Joss Thyssen and Alderson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

Alderson Croatt moved, seconded by Alderson Hartzheim, that the Budget Amendment be amended from \$5,000 to \$3,000. Roll Call. Motion failed by the following vote:

Aye: 6 - Alderson Vered Meltzer, Alderson Israel Del Toro, Alderson Vaya Jones, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Nay: 7 - Alderson William Siebers, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Alex Schultz and Alderson Nate Wolff

Excused: 2 - Alderson Joss Thyssen and Alderson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

\$3,000 Poet Laureate Item

Alderson Hartzheim moved, seconded by Alderson Schultz, that the Budget Amendment to Remove \$3,000 from Mayor Other Contracts/Obligations for Poet Laureate program and add to Police Other Contracts/Obligations for Flock Safety Cameras be approved. Roll Call. Motion failed by the following vote:

Aye: 4 - Alderson Brad Firkus, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Nay: 9 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones and Alderperson Nate Wolff

Excused: 2 - Alderperson Joss Thyssen and Alderperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-1360](#)

Remove \$5,400 from Solid Waste Collection Grass Clipping Fee Revenue for closure of Whitman Yard Waste Site
Remove \$33,772 from Solid Waste Collection Salaries for closure of Whitman Yard Waste Site
Remove \$13,528 from Solid Waste Collection Fringes for closure of Whitman Yard Waste Site
Remove \$9,600 from Solid Waste Collection Misc. Equipment for closure of Whitman Yard Waste Site
\$ (51,500)

Page 333 Sanitation
(Doran)

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

Aye: 1 - 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 Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Nate Wolff, Alderperson Sheri Hartzheim and Alderperson Christopher Croatt

Excused: 2 - Alderperson Joss Thyssen and Alderperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-1361](#)

Reduce Parking Other Capital Outlay to \$50,000 for marketing campaign/wayfinding signage
\$ (50,000)

Page 357 Parking
(Hartzheim)

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

Aye: 3 - Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 10 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones and Alderperson Nate Wolff

Excused: 2 - Alderperson Joss Thyssen and Alderperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-1363](#)

Add \$1,115 to Human Resources Food & Provisions for the Sunshine Committee

Reduce Council Training/Conferences to \$1,725

Page 131 Human Resources

Page 57 Council

(Hartzheim)

Alderperson Hartzheim moved, seconded by Alderperson Doran, that the Report Action Item be approved. Roll Call. Motion failed by the following vote:

Aye: 3 - Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 10 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones and Alderperson Nate Wolff

Excused: 2 - Alderperson Joss Thyssen and Alderperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-1364](#)

Decrease Special Assessment rate for R-1 zoning to 75%

Reduce Miscellaneous Specials to \$171,075

\$(28,050)

Page 345 Subdivision

(Hartzheim)

Attachments: [2023 Assessment Policy - Adopted 6-01-22.pdf](#)

[Special Assessment Change Value Estimate.pdf](#)

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

Aye: 3 - Alderperson Nate Wolff, Alderperson Sheri Hartzheim and Alderperson Christopher Croatt

Nay: 10 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones and Alderperson Chad Doran

Excused: 2 - Alderperson Joss Thyssen and Alderperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-1387](#)**CEA Budget****Remove zero-turn mower \$(100,600)**

Aldersperson Del Toro moved, seconded by Aldersperson Schultz, that the Budget Amendment be approved. Roll Call. Motion failed by the following vote:

Aye: 3 - Aldersperson Vered Meltzer, Aldersperson Israel Del Toro and Aldersperson Alex Schultz

Nay: 10 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Vaya Jones, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 2 - Aldersperson Joss Thyssen and Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-1351](#)

Approve the Finance Committee Budget Workshop ("Budget Saturday") Minutes from October 28, 2023

Attachments: [Finance Budget Workshop Minutes 10-28-23.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Schultz, that the Budget Workshop Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 2 - Aldersperson Joss Thyssen and Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

RISE AND REPORT[23-1353](#)

Reconvene to Common Council

Aldersperson Hartzheim moved, seconded by Aldersperson Meltzer, to Rise & Report and reconvene as the Common Council. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 2 - Aldersperson Joss Thyssen and Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-1354](#)

Report of the Committee of the Whole

Alderson Fenton moved, seconded by Alderson Wolff, that the Report of the Committee of the Whole (Finance Committee) be approved. Roll Call.

Motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Excused: 2 - Alderson Joss Thyssen and Alderson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-1355](#)

2024 Budget Resolution

Attachments: [2024 Budget Resolution.pdf](#)

Alderson Fenton moved, seconded by Alderson Schultz, that the 2024 Budget Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff and Alderson Christopher Croatt

Nay: 3 - Alderson Israel Del Toro, Alderson Sheri Hartzheim and Alderson Chad Doran

Excused: 2 - Alderson Joss Thyssen and Alderson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[23-1356](#)

Reconsideration of the Report of the Committee of the Whole

Alderson Fenton moved, seconded by Alderson Schultz, that the Reconsideration of the Report of the Committee of the Whole be approved. Roll Call. Motion failed by the following vote:

Roll Call. Motion failed by the following vote:

Nay: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Excused: 2 - Alderson Joss Thyssen and Alderson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

I. OTHER COUNCIL BUSINESS

J. ADJOURN

Alderson Fenton moved, seconded by Alderson Hartzheim, 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 Israel Del Toro, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

Excused: 2 - Alderson Joss Thyssen and Alderson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk

CITY OF APPLETON

NOTICE OF PUBLIC HEARING

PROPOSED COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the Appleton Common Council on Wednesday, November 15, 2023, at 7:00 P.M. in Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering a Comprehensive Plan Future Land Use Map Amendment request.

A Comprehensive Plan Future Land Use Map amendment request has been initiated by St. Therese Congregation, owner, and Tom Klister of Fore Investment Group, applicant, pursuant to Wisconsin State Statute 66.1001 and the City of Appleton Comprehensive Plan 2010-2030. The owner requests to amend the Comprehensive Plan Future Land Use Map for:

Parcel #31-6-0313-00 located at 213 East Wisconsin Avenue from future Public/Institutional land use to future Mixed-Use land use

A copy of the proposed amendment to the Comprehensive Plan Future Land Use Map is available in the Appleton Community and Economic Development Department or the Office of the City Clerk from 8:00 a.m. until 4:30 p.m., Monday through Friday.

All persons interested are invited to express your views or concerns regarding the above-described request. The Common Council meeting is open to the public. Feedback can also be shared with Common Council members via written letter, email, or phone call. Alternatively, you can also contact the Mayor's Office at mayor@appleton.org and your comments will be forwarded to the Common Council.

Any questions regarding this matter should be directed to Jessica Titel, Principal Planner, in the Community and Economic Development Department at 920-832-6476 or by email at jessica.titel@appleton.org

KAMI LYNCH
CITY CLERK

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

RUN: October 16, 2023

NOTICE OF PUBLIC HEARING

#8-23

RE: Proposed Zone Change

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on Wednesday, November 15, 2023, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zone change:

Rezoning #8-23: A rezoning request has been initiated by St. Therese Congregation, owner, and Tom Klister, of Fore Investment Group, applicant, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the following described real estate. The owner requests to rezone Parcel #31-6-0313-00 located at 213 East Wisconsin Avenue, including to the center line of the adjacent right-of-way, from PD/C-O Planned Development Overlay #17-02/Commercial Office District to C-1 Neighborhood Mixed Use District

Legal Description:

DAVID KIMBALLS ADDN 6W D LOTS 1,3,4,5,6 & 7 BLK 18 AND A B RANDALLS PLAT 6WD LOTS 1 & 2 BLK 19 AND LOTS 1 & 2 AND W120FT OF LOTS 3 & 4 BLK 20 AND VAC DURKEE ST BETWEEN WISCONSIN AV AND SUMMER S T LESS DOC #1881092 FOR R/W, INCLUDING TO THE CENTERLINE OF THE ADJACENT ROAD RIGHT-OF-WAY.

October 19, 2023

RUN: October 24, 2023
October 31, 2023

KAMI LYNCH
City Clerk

Department of Public Works – Engineering Division

MEMO

TO: Municipal Services Committee

FROM: Mark Lahay, Assistant City Engineer

DATE: November 6, 2023

RE: Award of Contract for 2023 Land Acquisition Services for various locations to Vogels Buckman Appraisal Group, in an amount not to exceed \$5,500.

The Department of Public Works is recommending to contract with Vogels Buckman Appraisal Group, in an amount not to exceed \$5,500 to provide appraisal reports for various projects in the City which are scheduled for construction in 2024.

The Department of Public Works requested proposals from several qualified consulting firms located in Wisconsin. The City received two qualified proposals from Vogels Buckman and Steiro Appraisal Services.

Quotes received from the firms were as follows:

Vogels Buckman = \$5,500

Steiro = \$7,750

Form
AT-106

**Original Alcohol Beverage
License Application**

FOR CLERKS ONLY	
Municipality	Appleton
License Period	7/1/23 - 6/30/24

License(s) Requested

- Class "A" Beer \$ _____ "Class A" Liquor \$ _____
 Class "B" Beer \$ _____ "Class B" Liquor \$ 600.00
 "Class C" Wine \$ _____ "Class A" Liquor (Cider Only) \$ _____
 Reserve "Class B" Liquor \$ _____ "Class B" (Wine Only) Winery \$ _____

License Fees	\$ 600.00
Publication Fee	\$ 60.00
Background Check	\$ 14.00
Total Fees	\$ 674.00

Part A: Premises/Business Information		
1. Legal Business Name (registered entity name or individual's name if sole proprietorship) KMG CAPITOL CENTRE LLC		
2. Trade Name or DBA CAPITOL CENTRE		
3. Premises Address 725 W CAPITOL DRIVE, APPLETON, WI, 54914		
4. County OUTAGAMIE	5. Municipality APPLETON	6. Aldermanic District
7. Mailing Address (if different from premises address)		
8. FEIN 93-4071435	9. Wisconsin Seller's Permit Number	
10. Premises Phone (920) 735-9941	11. Premises Email mikegonnering@gmail.com	
12. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization		
13. Premises Description - Describe the building or buildings where alcohol beverages are to be sold and stored. Describe all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. Alcohol beverages may be sold and stored ONLY on the premises described in this application. Attach additional sheets if necessary. BUILDING HAS 3 AREAS: BAR: THIS AREA IS IN TRHE MIDDLE OF THE BUILDING AND IS WHERE BEVERAGES ARE SOLD, THE COOLER OFF THE MAIN BAR AND THE COOLERS BEHIND THE BAR ARE WHERE ALCOHOL IS STORED. BANQUET HALL: IS APPON THE EAST END OF THE BUILDING. THIS AREA IS FOR PARTIES. ALCOHOL IS TYPICALLY CONSUMED IN THIS ROOM. VOLLEYBALL COURTS: THIS AREA IS TYPICALLY USED FOR SPORTING FUNCTIONS. ALCOHOL IS TYPICALLY CONSUMED IN THIS AREA DURING EVENTS.		

Part B: Questions
1. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit a copy of Responsible Beverage Server Training Course Certificate..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Does the applicant business or its partners, officers, directors, managing members, or agent hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please explain using the space below. Attach additional sheets if necessary. PARNERS ARE SIGNED UP FOR THE SERVER TRAINING COURSE. THEY WILL BE TRAINED PRIOR TO LICENSE STARTING PERIOD.

Part C: For Corporate/LLC Applicants Only

1. State of Registration WISCONSIN		2. Date of Registration 10/20/23	
3. Is the applicant business owned by another corporation or LLC? If yes, please provide the name and FEIN of the parent company below, include parent company members in Part D, and attach Form AT-103 for all of the parent company's principal members, managers, officers, or directors <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Name of Parent Company		FEIN of Parent Company	
4. Does the parent company or any of its officers, directors, managing members, or agent hold any direct or indirect interest in any other alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please explain using the space below. Attach additional sheets if necessary.			
5. Agent's Last Name		Agent's First Name	Phone

Part D: Individual Information

A Supplemental Questionnaire, Form AT-103, must be completed and attached to this application for each person involved in the applicant business and any parent company as indicated in Part C. Persons in the applicant business include: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all managing members and agent of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
GONNERING	MICHAEL	MANAGING MEMBER	[REDACTED]
GONNERING	KAY	MEMBER	[REDACTED]

Part E: Attestation

Who must sign this application?
 • sole proprietor • one general partner of a partnership • one corporate officer • one managing member of an LLC

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

Signature <i>Michael J. Gonnering II</i>		Date 10/24/23
Name (Last, First, M.I.) GONNERING II MICHAEL J		
Title managing member	Email [REDACTED]	Phone [REDACTED]

Part F: For Clerk Use Only

Date application was filed with clerk 10/24/2023	Date reported to governing body	Date provisional license issued (if applicable)
Date license granted	License number	Date license issued
Signature of Clerk/Deputy Clerk		



City of Appleton

Alcohol License Questionnaire

1. **Name of Applicant:** MICHAEL GONNERING

2. **Name of Business:** CAPITOL CENTER

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

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) BAR AND BANQUET HALL

3. **Address of Business:** 725 WEST CAPITOL DRIVE, APPLETON, WI. 54914

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

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

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

Mike had a DUI in 1997

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

Michael	J	Gonnering	[REDACTED]
First name	M.I.	Last name	Date of Birth
Kay	L	Gonnering	[REDACTED]
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth

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

Name: Plamann Bros. Inc.

First name Middle Initial Last name

Address: 725 WEST CAPITOL DRIVE, APPLETON, WI. 54914

City State ZIP

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

Name: Capitol Centre

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

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) BAR AND BANQUET HALL

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

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

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

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

0 months ago.

10. Seating capacity: Inside 412 Outside _____

11. Operating hours (Inside the building): 11:00 AM to Legal closing time
Operating hours (Outdoor seating areas): N/A

12. Employees/Staff
Number of floor personnel 16 Number of door checkers 4

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

- a. Gross floor building area of the premises to be licensed: 20,000 square feet.
- b. Gross outdoor seating areas of the premises to be licensed: 0 square feet.
- c. Below, identify the operational details of the proposed establishment:

We will be open 11:00 AM to ~~close typically~~ 2:00 am Friday Tuesday through Sunday

11:00 am To 2:00 am Friday & Saturday & Sunday
11:00 am To Sunday

Mitchell J. Henry
Signature

10/24/23
Date

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Appleton County of Douglas

The undersigned duly authorized officer/member/manager of K6A Capital Centre (Registered Name of Corporation / Organization or Limited Liability Company) LLC

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

BAR & BANQUET HALL

(Trade Name)

located at 725 West Capital Drive Appleton WI 54914

appoints Michael Gonnering (Name of Appointed Agent)

300 W. CASABONA DRIVE APPLETON WI 54913 (Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

NO

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 5 YEARS

Place of residence last year SOME

For: _____ (Name of Corporation / Organization / Limited Liability Company)

By: _____ (Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Michael Gonnering, hereby accept this appointment as agent for the

(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Michael Gonnering II 10/24/23

(Signature of Agent)

(Date)

Agent's age 52

Date of birth 07/02/1971

(Home Address of Agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: October 11, 2023

Common Council Public Hearing Meeting Date: November 15, 2023
(Public Hearing on Comprehensive Plan Amendment and Rezoning)

Items: City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-23 and Rezoning #8-23

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Applicant: Tom Klister, Fore Investment Group

Owner: St. Therese Congregation c/o Ryan Starks, Pastor

Lot/Parcel: 213 E. Wisconsin Avenue (Tax Id #31-6-0313-00)

Petitioner's Request: The applicant is requesting to amend the City's Comprehensive Plan 2010-2030 Future Land Use Map from future Public/Institutional designation to future Mixed-Use designation for the subject parcel. In conjunction with this request, the applicant is also proposing to rezone the subject parcel from PD/C-O Planned Development Overlay #17-02/Commercial Office District to C-1 Neighborhood Mixed Use District. The requests are being made to accommodate potential redevelopment of a portion of the site for multi-family/mixed-use. The rezoning and comprehensive plan amendment would provide a future land use designation that is consistent with the proposed rezoning request and potential future use of the property. The rezoning would also allow the church to continue existing operations on this site and provide for redevelopment opportunities on the balance of the site.

BACKGROUND

On June 15, 1994, the Common Council rezoned the subject site from R-2 Two-Family District to R-1B Single-Family District as part of the East Summer Street neighborhood rezoning.

Special Use Permit #2-02 was approved in March 2002 to allow for a portion of the building to be used for group day care. This use no longer exists at this site.

The Common Council approved the rezoning to PD/C-O Planned Development Overlay #17-02/Commercial Office District (for St. Therese Church) on September 4, 2002. The Implementation Plan Document for PD #17-02 was recorded on September 16, 2002 (Doc. No. 1486348). The PD/C-O zoning district allowed places of worship, office uses, and schools as the permitted uses and group day care as a special use on this property.

Future Land Use Map Amendment #2-23 & Rezoning #8-23

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Site Plan #20-20 was administratively approved on October 19, 2020 for the recently constructed building addition onto the convent and church. The separate school building in the middle of the site was recently razed.

On March 15, 2017, the Common Council approved/adopted the 5-year update to the *Comprehensive Plan 2010-2030* and Future Land Use Map. This plan establishes a vision for future land use, physical development, and quality of life in the City and provides a comprehensive set of goals, policies, and initiatives to achieve that vision. The Comprehensive Plan document and the accompanying Future Land Use Map also serve as a guide for future growth and development in the City. Periodically, development proposals or changing circumstances within the City may trigger consideration of an amendment to the *Comprehensive Plan 2010-2030*. That is the case for this request.

STAFF ANALYSIS

Procedural Findings: When a *Comprehensive Plan 2010-2030* Future Land Use Map Amendment and Rezoning application are required for the same development project, the respective staff reports are consolidated together as one.

Existing Site Conditions: The subject site is currently a place of worship (St. Therese Congregation). The property also includes office uses and Loaves and Fishes Food Pantry. The former school building in the middle of the property was recently razed. The parcel is approximately 3.59 acres in size. The property has frontage along East Wisconsin Avenue (WI State HWY 96), North Morrison Street and East Summer Street. The City's Arterial/Collector Plan classifies East Wisconsin Avenue as an Arterial Street and North Morrison Street and East Summer Street as Local Streets.

Surrounding Zoning Classification, Future Land Use Designation, and Current Land Uses:

North: Zoning – C-2 General Commercial District
Future Land Use Designation – Mixed Use
Current Land Use – Mix of commercial uses

South: Zoning – R-1C Central City Residential District, R-1B Single-Family District & R-2 Two-Family District
Future Land Use Designation – One and Two-Family Residential
Current Land Use – Mix of single and two family residential and off-street parking for St. Therese Congregation

East: Zoning – R-1C Central City Residential District & C-2 General Commercial District
Future Land Use Designation – Mixed Use
Current Land Use – Multi-tenant commercial building and residential

West: Zoning – R-1C Central City Residential District & C-2 General Commercial District
Future Land Use Designation – Mixed Use
Current Land Use – Multi-tenant commercial building and residential

Proposed Future Land Use Designation: Amendments to the Comprehensive Plan are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing

circumstances in the City. In this case, a potential development proposal for the area is necessitating the change to Mixed Use designation, while also allowing the existing uses to continue operation. The proposed Future Land Use designation is consistent with the surrounding Mixed Use Future Land Use designation along the Wisconsin Avenue corridor.

Comprehensive Plan 2010-2030 Goals and Objectives: The *Comprehensive Plan 2010-2030* and Future Land Use Map are intended to guide City growth and development in an organized, efficient manner. The Plan addresses a range of topics related to land use, housing and neighborhoods, economic development, transportation, utilities and community facilities, and more. Evaluating the proposed amendment for consistency with relevant goals, objectives, and policies is necessary in determining if changes to the Future Land Use Map are appropriate. The proposed amendment appears to be consistent with the following 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 3 – Housing Quality, Variety, and Affordability

Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

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 5.1: Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.

OBJECTIVE 5.3 Housing and Neighborhoods:

Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

Policy 5.3.2 Identify preferred locations and encourage urban infill and redevelopment to meet the needs of retirees and Generation X and Millennial buyers or renters, such as redevelopment sites on the north side of downtown.

Chapter 10: Mixed Use Land Use Designation description

The mixed use district along Wisconsin Avenue, originally shown from Richmond Street to Meade Street, was extended to the western border of the City. This district is approximately one block deep on either side of the street. The Wisconsin Avenue Corridor Plan (Chapter 15 of the Comprehensive Plan) provides greater detail on the vision for this area. The City seeks to provide flexibility to respond to market conditions that may make it difficult to economically utilize or redevelop portions of this area for purely commercial uses. The mixed use designation will permit commercial and/or multifamily development to occur. Extending the designation to a full block deep will aid in carrying out the property assembly necessary to overcome limitations imposed by the relatively small parcel sizes found in the corridor.

Future Land Use Map Amendment #2-23 & Rezoning #8-23

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OBJECTIVE 10.5 Land Use:

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

OBJECTIVE 10.1 Land Use:

Provide an adequate supply of suitable land meeting the demand for development of various land uses.

Policy 10.1.1 Adopt, and as necessary, amend the Future Land Use Map in the Comprehensive Plan.

OBJECTIVE 10.2 Land Use:

Encourage redevelopment to meet the demand for a significant share of future growth, and to enhance the quality of existing neighborhoods.

Chapter 15: Wisconsin Avenue Corridor Plan – Redevelopment Opportunities

Redevelopment within the corridor will result in improved economic vitality of individual businesses and the commercial district as a whole, lower vacancy rates, increased property values, new housing and businesses, and a more attractive environment. Redevelopment may consist of the renovation of existing structures or complete redevelopment of sites. Some of the most likely locations for redevelopment are indicated on the following map of the corridor. Some of these are discussed here in greater detail.

- *The plan identifies this specific site as a potential mixed-use or high-density residential redevelopment.*



Proposed Zoning Classification: The purpose of the C-1 Neighborhood Mixed Use District is to provide for mixed use areas, including a range of commercial and denser residential uses. Development is

intended to be pedestrian-oriented, with businesses and services that are part of the fabric of the neighborhood and allow residents to meet daily needs on foot, bicycle, and public transit. Development standards provide added flexibility to encourage redevelopment along commercial corridors, without being detrimental to established residential neighborhoods. Per Section 23-112(h) of the Municipal Code, the development standards for the C-1 District are listed below:

- 1) **Minimum lot area:** 6,000 square feet.
- 2) **Maximum lot coverage:** 90%.
- 3) **Minimum lot width:** 40 feet.
- 4) **Minimum front yard:** None.
- 5) **Minimum rear yard:** 20 feet.
- 6) **Minimum side yard:**
 - a. None.
 - b. 10 feet if abutting a residentially zoned district.
- 7) **Maximum building height:** 60 feet.

Zoning Ordinance Review Criteria: A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the request is being made to allow for continued operations of the current uses, provide for additional permitted uses, and potential mixed-use redevelopment. If the rezoning request is approved, any future development would need to conform to the C-1 Neighborhood Mixed Use District zoning regulations listed above and other applicable sections of the Zoning Ordinance. Ultimately, Site Plan review and approval would be required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

Per Section 23-112(i) of the Municipal Code, the C-1 District shall be utilized in areas identified with a future Mixed Use designation on the Comprehensive Plan Future Land Use Map. The parcels along the Wisconsin Avenue Corridor, and adjacent to this property on the north, east and west sides, are already shown as Mixed Use designation on the Future Land Use Map, and the requested amendment would change subject parcel to Mixed Use designation as well.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *If Future Land Use Map Amendment #2-23 is approved, to identify this area for future mixed use, the rezoning request will be in conformance with the Comprehensive Plan 2010-2030.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City

mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.

3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
 2. The effect of the proposed rezoning on surrounding uses. *Commercial zoning already exists on the subject parcel. A mix of commercial and single and two family residential uses surround the subject site. C-1 District development standards, such as setbacks, and perimeter parking lot landscape buffers would be reviewed in accordance with Zoning Ordinance requirements at the time of Site Plan review. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied, provided Comprehensive Plan Future Land Use Map Amendment #2-23 is approved.

Technical Review Group (TRG) Report: These items were discussed at the September 19, 2023 Technical Review Group meeting. No negative comments were received from participating departments.

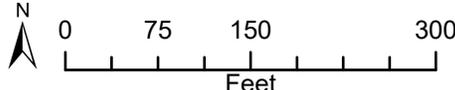
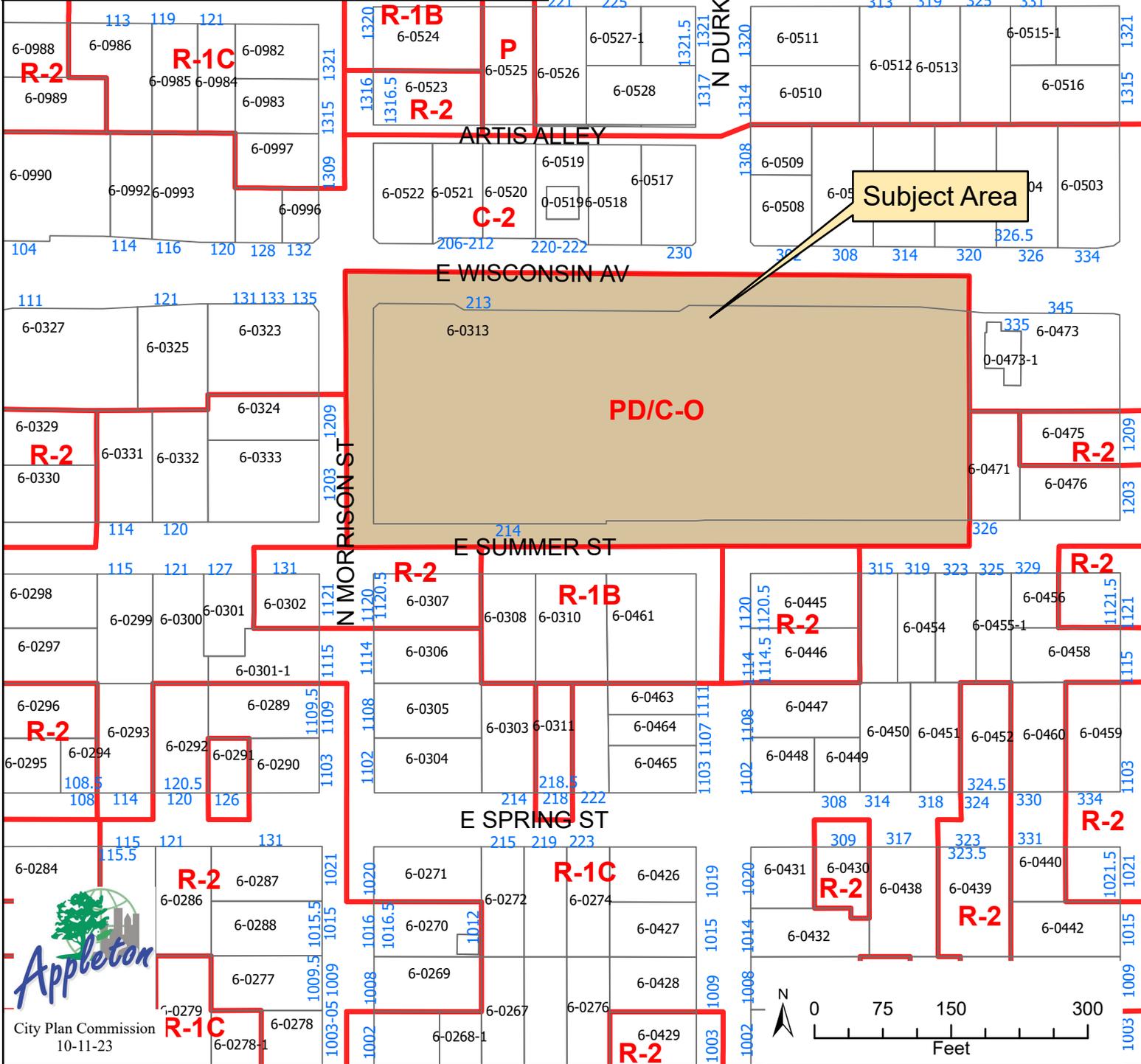
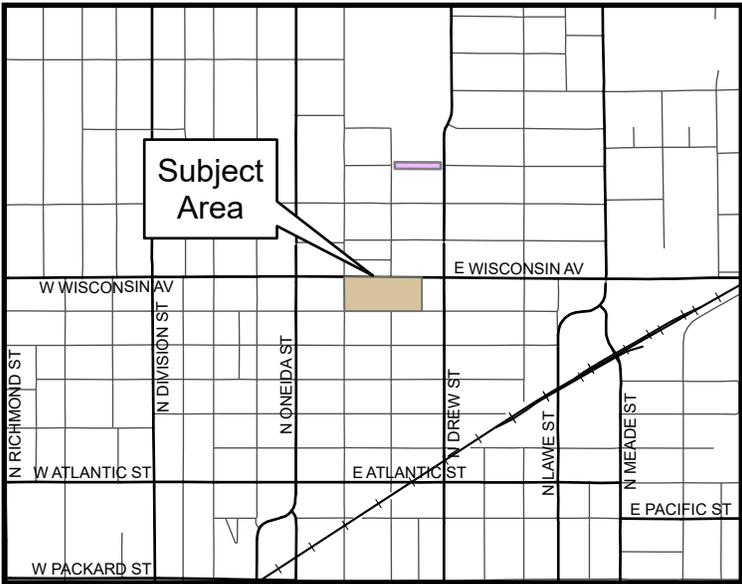
RECOMMENDATION

Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-23 for the property located at 213 E. Wisconsin Avenue (Tax Id. #31-6-0313-00) from future Public/Institutional designation to future Mixed-Use designation and the attached resolution, **BE APPROVED**; and

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #8-23 to rezone the subject parcel located at 213 E. Wisconsin Avenue (Tax Id. #31-6-0313-00) from PD/C-O Planned Development Overlay #17-02/ Commercial Office District to C-1 Neighborhood Mixed Use District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

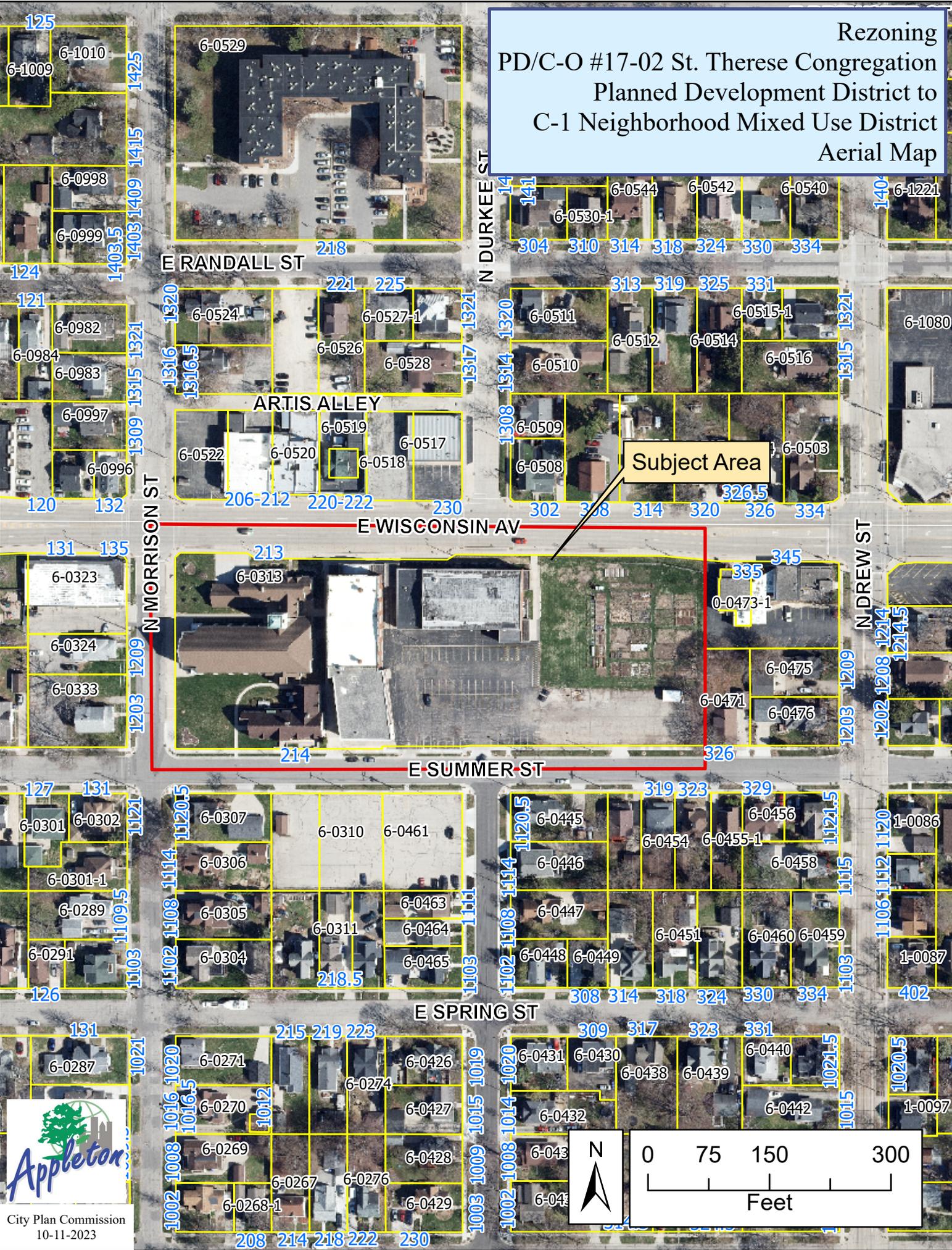
NOTE: If approved, Rezoning #8-23 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #2-23 to accurately reflect the change in future land use from Public/Institutional designation to Mixed-Use designation.

Rezoning
 PD/C-O #17-02 St. Therese Congregation
 Planned Development District to
 C-1 Neighborhood Mixed Use District
 Vicinity Map



Rezoning
PD/C-O #17-02 St. Therese Congregation
Planned Development District to
C-1 Neighborhood Mixed Use District
Aerial Map

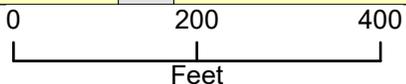
Subject Area



Future Land Use Map Amendment
 Future Public Institutional to Mixed Use



- Land Use Categories**
- One and Two-Family Residential
 - Multifamily Residential
 - Mixed-Use
 - Public / Institutional



**RESOLUTION
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

WHEREAS, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

WHEREAS, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

WHEREAS, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

WHEREAS, members of the public were invited to make comments at a meeting held on October 11, 2023, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #2-23) herein adopted were reviewed and commented upon by members of the public; and

WHEREAS, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on October 11, 2023, and

WHEREAS, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution

1. Having been filed with the City Clerk by the City of Appleton Community and Economic Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property (Tax Id #31-6-0313-00) on the Future Land Use Map from Public/Institutional Use to Mixed-Use.

WHEREAS, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

WHEREAS, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

WHEREAS, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

Adopted this _____ day of _____, 2023.

Jacob A. Woodford, Mayor

ATTEST:

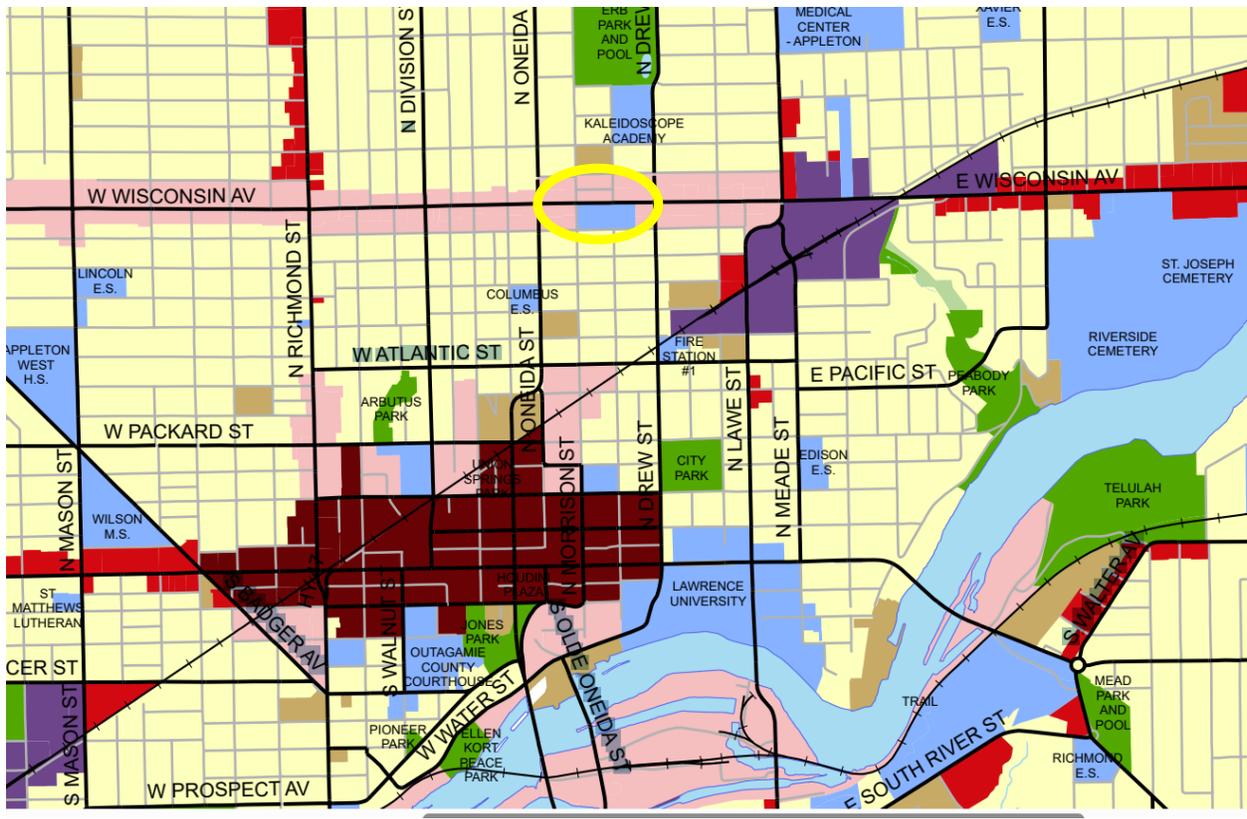
Kami Lynch, City Clerk

St. Therese Parish
213 E Wisconsin Avenue
Appleton, WI

Legal Description

DAVID KIMBALLS ADDN 6W D LOTS 1,3,4,5,6 & 7 BLK 18 AND A B RANDALLS PLAT 6WD LOTS 1 & 2 BLK 19 AND LOTS 1 & 2 AND W120FT OF LOTS 3 & 4 BLK 20 AND VAC DURKEE ST BETWEEN WISCONSIN AV AND SUMMER ST LESS DOC #1881092 FOR R/W

Map and Support for re-zone request:



The proposed future land use designation is consistent with the adjacent properties and with the proposed redevelopment of a portion of the site. The proposed future land use designation is consistent with recommendations in Chapter 10: Land Use and Chapter 15: Wisconsin Avenue Corridor Plan. The proposed use may contain multi-family residential and will provide for efficient use of limited land along this corridor, as well as investment to spur future redevelopment projects. The mixed use future land use designations is also needed to be consistent with the proposed C-1 rezoning request.

This text can be found on page 170 in Chapter 10, which supports the proposed change: The mixed use district along Wisconsin Avenue, originally shown from Richmond Street to Meade Street, was extended to the western border of the City. This district is approximately one block deep on either side of the street. The Wisconsin Avenue Corridor Plan (Chapter 15 of the Comprehensive Plan) provides greater detail on the vision for this area. The City seeks to provide flexibility to respond to market conditions that may make it difficult to economically utilize or redevelop portions of this area for purely commercial uses. The mixed use designation will permit commercial and/or multifamily development to occur. Extending the designation to a full block deep will aid in carrying out the property assembly necessary to overcome limitations imposed by the relatively small parcel sizes found in the corridor.



MEMORANDUM

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

TO: Mayor Woodford and Common Council

FROM: Jessica Titel, Principal Planner

DATE: November 15, 2023

RE: St. Therese Church request to withdraw *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-23 and Rezoning #8-23

Background: The applicant's request is to amend the City's Comprehensive Plan 2010-2030 Future Land Use Map from future Public/Institutional designation to future Mixed-Use designation for the subject parcel. In conjunction with this request, the applicant is also proposing to rezone the subject parcel from PD/C-O Planned Development Overlay #17-02/Commercial Office District to C-1 Neighborhood Mixed Use District. The requests were being made to accommodate potential redevelopment of a portion of the site for multi-family/mixed-use; however, the anticipated project is not expected to proceed at this time.

An informal public hearing was held before the Plan Commission on October 11, 2023. The Plan Commission recommended approval of both requests.

On October 31, 2023, Staff received the attached request from Father Ryan Starks to withdraw the Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-23 and Rezoning #8-23 for St. Therese Church (213 E. Wisconsin Avenue).

45 Day Requirement: Section 23-65(d)(7) regarding Common Council action on map amendments (rezonings) states the following: *Within forty-five (45) days of the public hearing, the Common Council shall either approve or deny the petition unless the applicant requests an extension.* To be consistent with the Municipal Code, Common Council must either approve or deny the rezoning petition.

Recommendation: The staff recommendation to Plan Commission was that both items be approved. Staff's recommendation has not changed.

If Common Council wishes to accommodate the requested withdrawal, denial of the items would accomplish this.

Jessica L. Titel

From: Ryan Starks <Ryan.Starks@st-therese.com>
Sent: Tuesday, October 31, 2023 3:29 PM
To: Brenda Broeske
Cc: Jessica L. Titel; Tom Klister
Subject: Rezoning request halt

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

Good Afternoon Brenda,

My name is Fr. Ryan Starks, pastor/administrator of St. Therese Church in Appleton.

I'm very sorry, but due to the falling through of plans to have a development for affordable housing on our property 213 E. Wisconsin Ave, we will also be pulling our request to have our property re-zoned. I apologize for the suddenness of this, but I only now heard back from the Diocese of Green Bay representatives this afternoon.

If you could reply to this email with confirmation that you've received this, I'd be grateful.

Thank you, Brenda,
Fr. Ryan

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 Meeting Date: October 11, 2023

Common Council Public Hearing Meeting Date: November 15, 2023
(Public Hearing on Comprehensive Plan Amendment and Rezoning)

Items: City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-23 and Rezoning #8-23

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Applicant: Tom Klister, Fore Investment Group

Owner: St. Therese Congregation c/o Ryan Starks, Pastor

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BACKGROUND

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Special Use Permit #2-02 was approved in March 2002 to allow for a portion of the building to be used for group day care. This use no longer exists at this site.

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Future Land Use Map Amendment #2-23 & Rezoning #8-23

October 11, 2023

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Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

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Future Land Use Map Amendment #2-23 & Rezoning #8-23

October 11, 2023

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- *The plan identifies this specific site as a potential mixed-use or high-density residential redevelopment.*



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- 2) **Maximum lot coverage:** 90%.
- 3) **Minimum lot width:** 40 feet.
- 4) **Minimum front yard:** None.
- 5) **Minimum rear yard:** 20 feet.
- 6) **Minimum side yard:**
 - a. None.
 - b. 10 feet if abutting a residentially zoned district.
- 7) **Maximum building height:** 60 feet.

Zoning Ordinance Review Criteria: A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the request is being made to allow for continued operations of the current uses, provide for additional permitted uses, and potential mixed-use redevelopment. If the rezoning request is approved, any future development would need to conform to the C-1 Neighborhood Mixed Use District zoning regulations listed above and other applicable sections of the Zoning Ordinance. Ultimately, Site Plan review and approval would be required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

Per Section 23-112(i) of the Municipal Code, the C-1 District shall be utilized in areas identified with a future Mixed Use designation on the Comprehensive Plan Future Land Use Map. The parcels along the Wisconsin Avenue Corridor, and adjacent to this property on the north, east and west sides, are already shown as Mixed Use designation on the Future Land Use Map, and the requested amendment would change subject parcel to Mixed Use designation as well.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *If Future Land Use Map Amendment #2-23 is approved, to identify this area for future mixed use, the rezoning request will be in conformance with the Comprehensive Plan 2010-2030.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City

mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.

3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
 2. The effect of the proposed rezoning on surrounding uses. *Commercial zoning already exists on the subject parcel. A mix of commercial and single and two family residential uses surround the subject site. C-1 District development standards, such as setbacks, and perimeter parking lot landscape buffers would be reviewed in accordance with Zoning Ordinance requirements at the time of Site Plan review. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied, provided Comprehensive Plan Future Land Use Map Amendment #2-23 is approved.

Technical Review Group (TRG) Report: These items were discussed at the September 19, 2023 Technical Review Group meeting. No negative comments were received from participating departments.

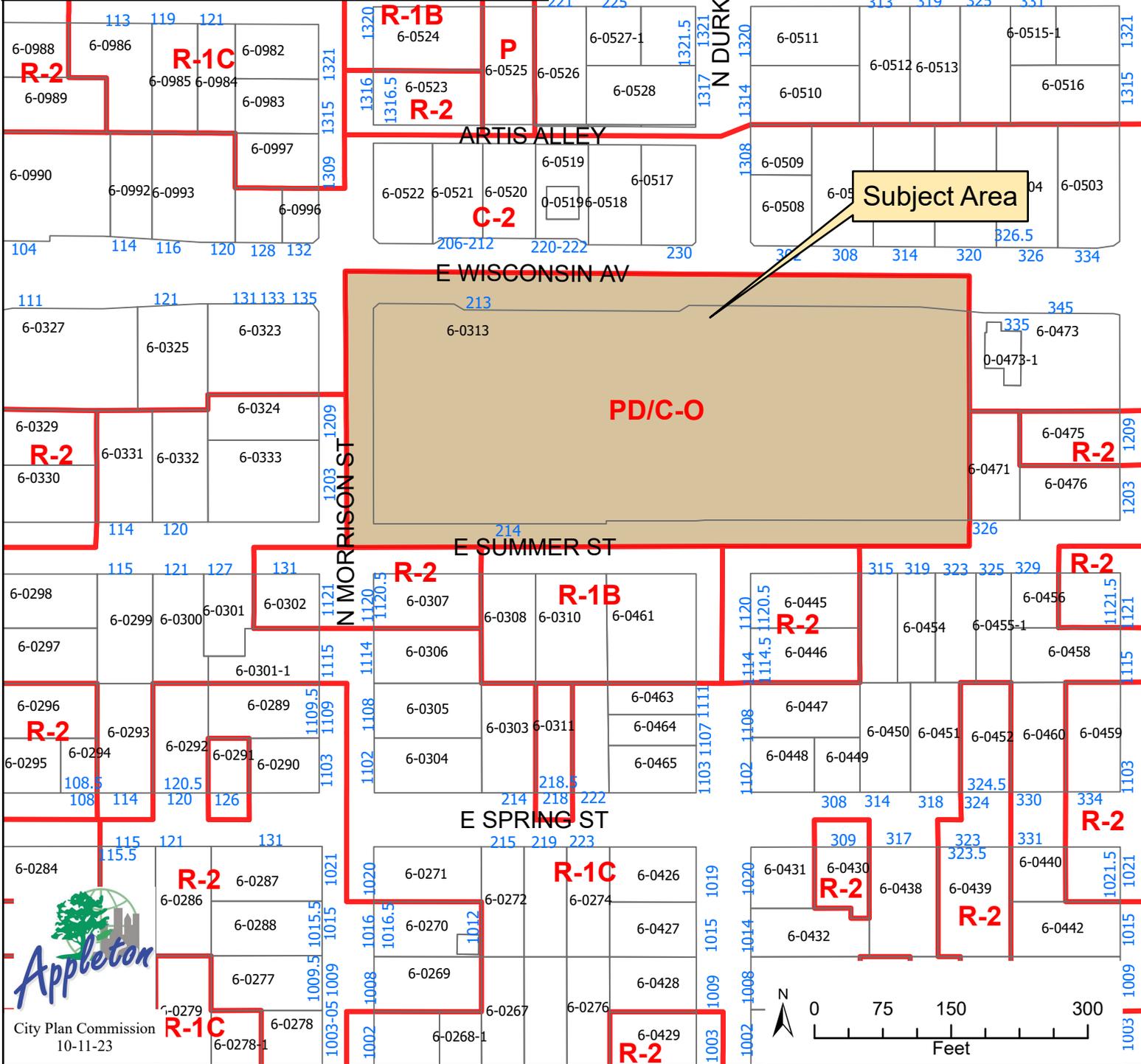
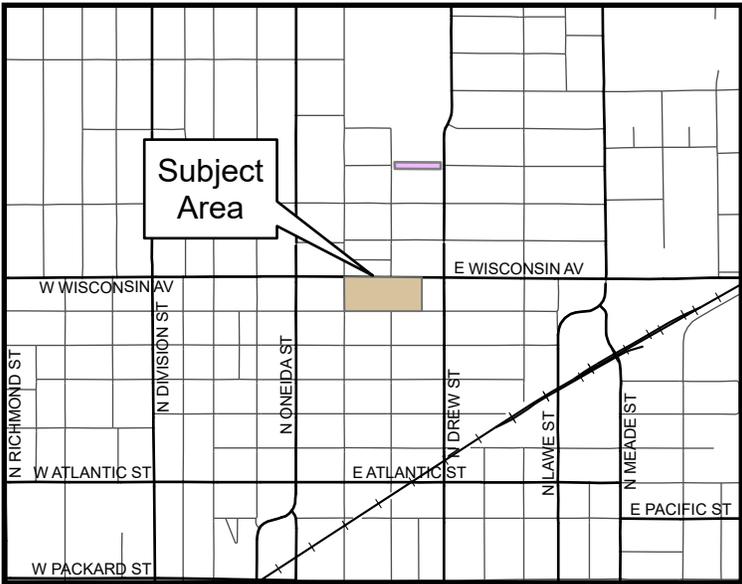
RECOMMENDATION

Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #2-23 for the property located at 213 E. Wisconsin Avenue (Tax Id. #31-6-0313-00) from future Public/Institutional designation to future Mixed-Use designation and the attached resolution, **BE APPROVED**; and

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #8-23 to rezone the subject parcel located at 213 E. Wisconsin Avenue (Tax Id. #31-6-0313-00) from PD/C-O Planned Development Overlay #17-02/ Commercial Office District to C-1 Neighborhood Mixed Use District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

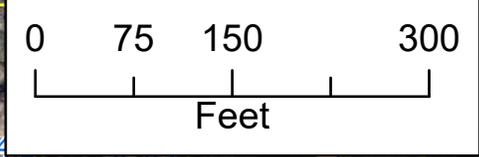
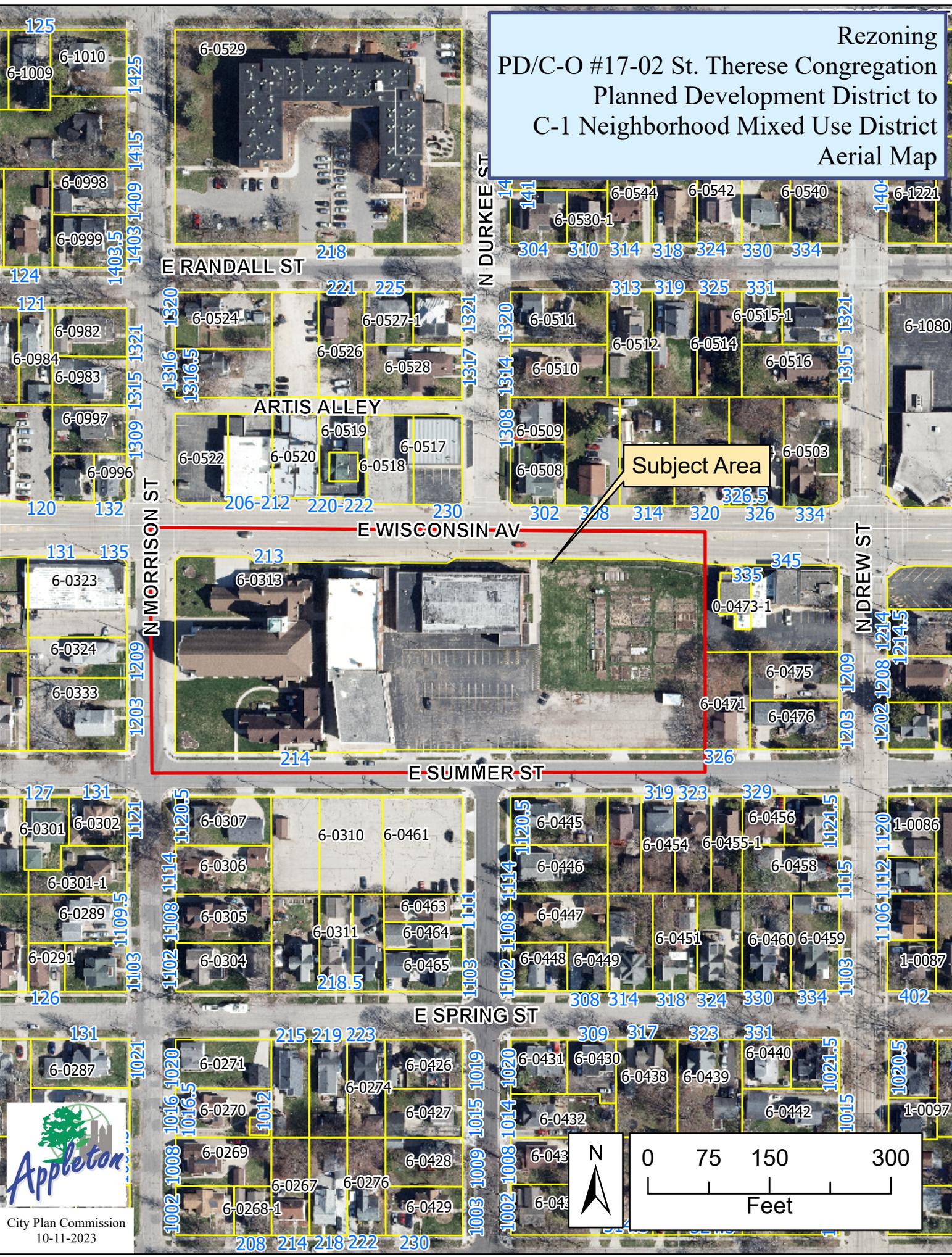
NOTE: If approved, Rezoning #8-23 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #2-23 to accurately reflect the change in future land use from Public/Institutional designation to Mixed-Use designation.

Rezoning
 PD/C-O #17-02 St. Therese Congregation
 Planned Development District to
 C-1 Neighborhood Mixed Use District
 Vicinity Map

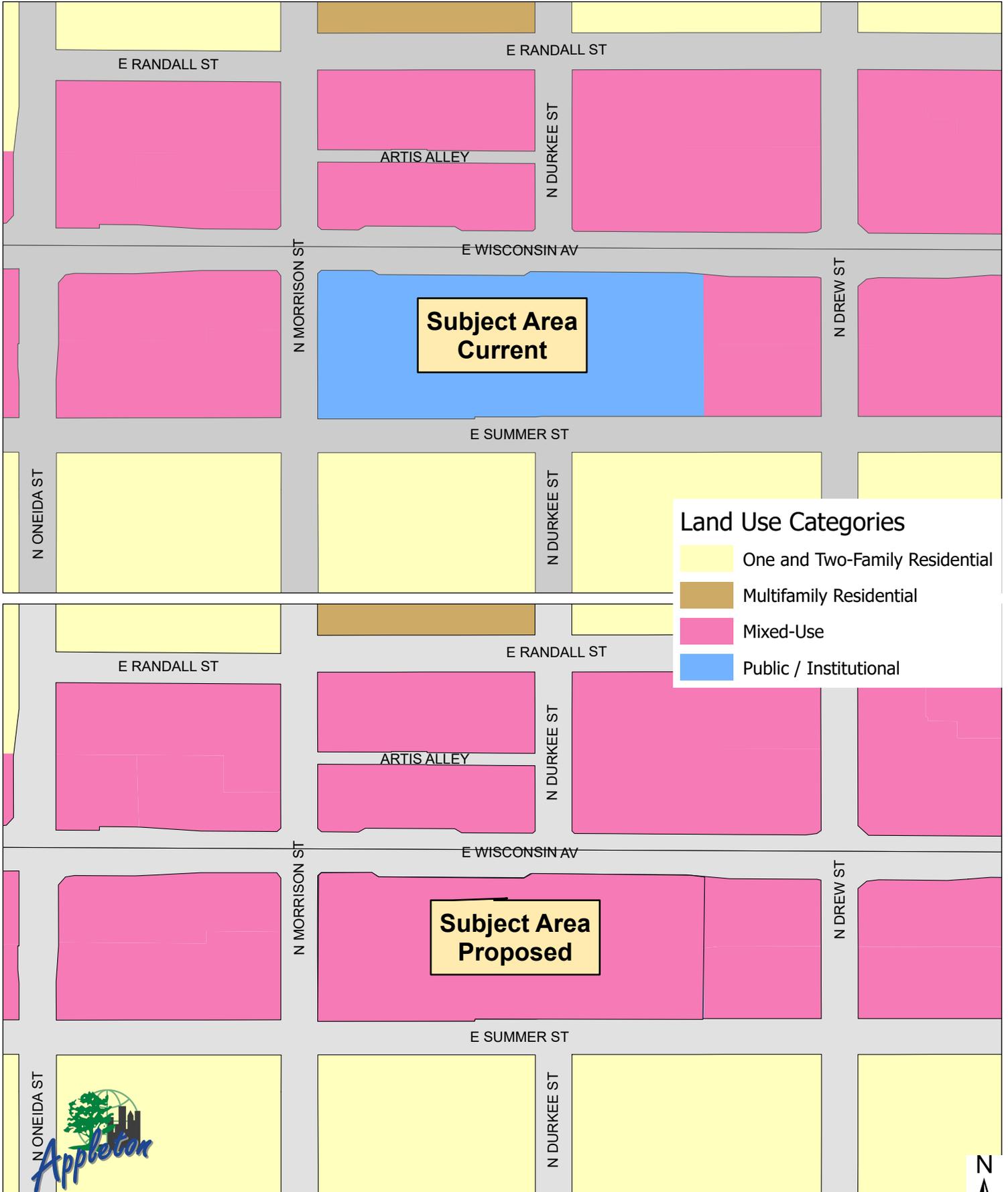


Rezoning
PD/C-O #17-02 St. Therese Congregation
Planned Development District to
C-1 Neighborhood Mixed Use District
Aerial Map

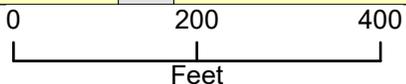
Subject Area



Future Land Use Map Amendment
 Future Public Institutional to Mixed Use



- Land Use Categories**
- One and Two-Family Residential
 - Multifamily Residential
 - Mixed-Use
 - Public / Institutional



**RESOLUTION
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

WHEREAS, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

WHEREAS, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

WHEREAS, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

WHEREAS, members of the public were invited to make comments at a meeting held on October 11, 2023, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #2-23) herein adopted were reviewed and commented upon by members of the public; and

WHEREAS, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on October 11, 2023, and

WHEREAS, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution

1. Having been filed with the City Clerk by the City of Appleton Community and Economic Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property (Tax Id #31-6-0313-00) on the Future Land Use Map from Public/Institutional Use to Mixed-Use.

WHEREAS, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

WHEREAS, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

WHEREAS, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

Adopted this _____ day of _____, 2023.

Jacob A. Woodford, Mayor

ATTEST:

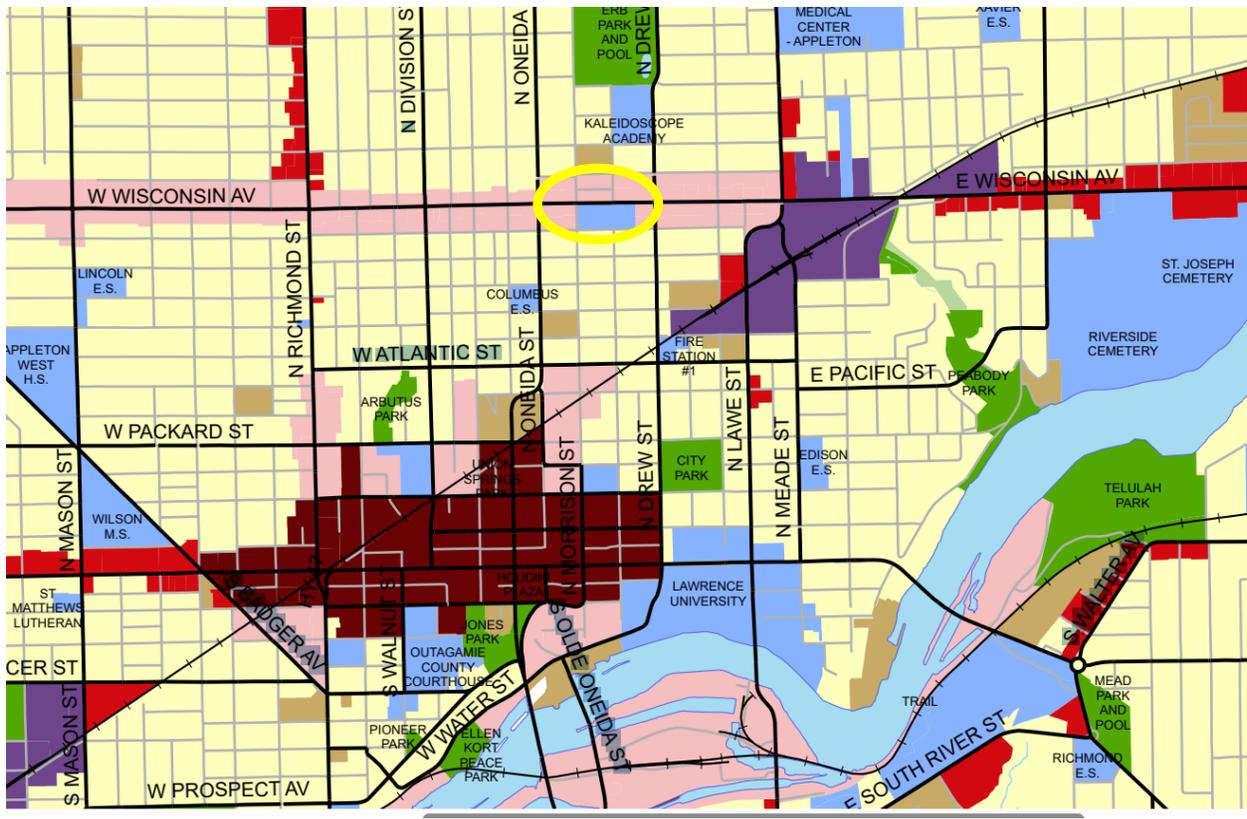
Kami Lynch, City Clerk

St. Therese Parish
213 E Wisconsin Avenue
Appleton, WI

Legal Description

DAVID KIMBALLS ADDN 6W D LOTS 1,3,4,5,6 & 7 BLK 18 AND A B RANDALLS PLAT 6WD LOTS 1 & 2 BLK 19 AND LOTS 1 & 2 AND W120FT OF LOTS 3 & 4 BLK 20 AND VAC DURKEE ST BETWEEN WISCONSIN AV AND SUMMER ST LESS DOC #1881092 FOR R/W

Map and Support for re-zone request:



The proposed future land use designation is consistent with the adjacent properties and with the proposed redevelopment of a portion of the site. The proposed future land use designation is consistent with recommendations in Chapter 10: Land Use and Chapter 15: Wisconsin Avenue Corridor Plan. The proposed use may contain multi-family residential and will provide for efficient use of limited land along this corridor, as well as investment to spur future redevelopment projects. The mixed use future land use designations is also needed to be consistent with the proposed C-1 rezoning request.

This text can be found on page 170 in Chapter 10, which supports the proposed change: The mixed use district along Wisconsin Avenue, originally shown from Richmond Street to Meade Street, was extended to the western border of the City. This district is approximately one block deep on either side of the street. The Wisconsin Avenue Corridor Plan (Chapter 15 of the Comprehensive Plan) provides greater detail on the vision for this area. The City seeks to provide flexibility to respond to market conditions that may make it difficult to economically utilize or redevelop portions of this area for purely commercial uses. The mixed use designation will permit commercial and/or multifamily development to occur. Extending the designation to a full block deep will aid in carrying out the property assembly necessary to overcome limitations imposed by the relatively small parcel sizes found in the corridor.



MEMORANDUM

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

TO: Mayor Woodford and Common Council

FROM: Jessica Titel, Principal Planner

DATE: November 15, 2023

RE: St. Therese Church request to withdraw *Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-23 and Rezoning #8-23*

Background: The applicant's request is to amend the City's Comprehensive Plan 2010-2030 Future Land Use Map from future Public/Institutional designation to future Mixed-Use designation for the subject parcel. In conjunction with this request, the applicant is also proposing to rezone the subject parcel from PD/C-O Planned Development Overlay #17-02/Commercial Office District to C-1 Neighborhood Mixed Use District. The requests were being made to accommodate potential redevelopment of a portion of the site for multi-family/mixed-use; however, the anticipated project is not expected to proceed at this time.

An informal public hearing was held before the Plan Commission on October 11, 2023. The Plan Commission recommended approval of both requests.

On October 31, 2023, Staff received the attached request from Father Ryan Starks to withdraw the Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-23 and Rezoning #8-23 for St. Therese Church (213 E. Wisconsin Avenue).

45 Day Requirement: Section 23-65(d)(7) regarding Common Council action on map amendments (rezonings) states the following: *Within forty-five (45) days of the public hearing, the Common Council shall either approve or deny the petition unless the applicant requests an extension.* To be consistent with the Municipal Code, Common Council must either approve or deny the rezoning petition.

Recommendation: The staff recommendation to Plan Commission was that both items be approved. Staff's recommendation has not changed.

If Common Council wishes to accommodate the requested withdrawal, denial of the items would accomplish this.

Jessica L. Titel

From: Ryan Starks <Ryan.Starks@st-therese.com>
Sent: Tuesday, October 31, 2023 3:29 PM
To: Brenda Broeske
Cc: Jessica L. Titel; Tom Klister
Subject: Rezoning request halt

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

Good Afternoon Brenda,

My name is Fr. Ryan Starks, pastor/administrator of St. Therese Church in Appleton.

I'm very sorry, but due to the falling through of plans to have a development for affordable housing on our property 213 E. Wisconsin Ave, we will also be pulling our request to have our property re-zoned. I apologize for the suddenness of this, but I only now heard back from the Diocese of Green Bay representatives this afternoon.

If you could reply to this email with confirmation that you've received this, I'd be grateful.

Thank you, Brenda,
Fr. Ryan

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



"...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

TO: Parks and Recreation Committee

FROM: Dean R. Gazza

DATE: November 6, 2023

RE: Action: Request Approval of Reid Golf Course 2024 Rates Policy

Attached is the proposed 2024 Reid Golf Course Rates Policy that outlines the daily fees and pass rates for 2024.

The proposed 2024 golf rates include increases for adult and senior daily fees, twilight rate, discount cards, and passes. Annually staff reviews Reid's fees and compares them to other courses in the Fox Valley. We generally position the golf course in the local market to be somewhere in the middle range and the proposed increases reflect that for 2024. Increasing some fees will assist with offsetting increased costs for operations and utilities, labor, credit card fees and capital improvement projects.

The Parks, Recreation, and Facilities Management Department is requesting approval of the 2024 Reid Golf Course Rates Policy at this time to begin planning for the 2024 season.

Please contact me at (920) 832-5572 or at dean.gazza@appleton.org if you need additional information or if you have any questions.

CITY OF APPLETON POLICY		TITLE: 2024 REID GOLF COURSE RATES POLICY	
ISSUE DATE: Day of Council Adoption		LAST UPDATE: December 2008, December 2010, December 2011, September 2012, September 2013, August 2014 October 2015, November 2016, November 2017, November 2018, October 2019, November 2020, November 2021, December 2022, November 2023	LOCATION: J:\Department\Administration\Policies\ Golf Course
POLICY SOURCE: Parks and Recreation Department		TOTAL PAGES: 5	
Reviewed by Legal Services Date: December 2, 2022	Parks and Recreation Committee Approval Date:	Council Approval Date:	

I. PURPOSE:

The Appleton Parks, Recreation and Facilities Management Department operates Reid Golf Course to maintain open space and provide for the recreational needs of the community. The adoption of the rates outlined in this policy provides additional recreational opportunities to the members of the public. In addition, these rates shall provide revenues to meet operational, administrative and debt service expenses. The policy also contains procedures regarding refunds and coupon/pass upgrades that will provide additional golf opportunities, secure additional revenues for the City of Appleton and increase customer satisfaction.

II. POLICY:

It is the policy of the City of Appleton to establish daily green fees, discount cards and annual pass rates to meet changing community and participant interests and secure revenues to meet operational, administrative and debt service needs of the golf course. All daily green fees, discount cards and annual pass rates shall be established by the Parks, Recreation and Facilities Management Department and presented to the Parks and Recreation Committee and Council for annual review and adoption. Special and/or seasonal rates shall be established by the Parks, Recreation and Facilities Management Department to address current market conditions, changing competition, local and national trends, seasonal opportunities, golf course conditions, etc.

III. DEFINITIONS:

1. Discount Card – Provides 15% discount on regular green fees
2. Weekday – Monday through Friday
3. Weekend – Saturday, Sunday and holidays
4. Dependent - Child age 17 and under (applicable on family passes only)
5. Junior – Age 17 and under
6. Junior Associate – Ages 18 to 24
7. Associate – Ages 25 to 40
8. Adult – Ages 41 to 61
9. Senior – Age 62 and up
10. Family – All persons currently residing at the same address who are directly related (mother, father, son, daughter), or are foster children. Families are limited to two adults and the dependents and/or foster children.
11. Guest Round – A free round of golf provided to a guest of an annual pass holder.
12. New Pass Holder – individual and/or family who have not purchased an annual pass the previous year.
13. Business Pass – Pass purchased by businesses and companies for use by employees, business guests, etc. The Business Pass includes a foursome for one tee time and two carts per day.

IV. DISCUSSION:

1. Weekday daily fees will be charged Monday through Friday, except holidays.
2. Weekend daily fees will be charged Saturdays, Sundays and all holidays.
3. A Weekday Pass:
 - a. Is available for 9-hole or 18-hole play.
 - b. Can be used anytime Monday through Friday.
 - c. Can be used for league play Monday through Friday.
 - d. Cannot be used for tournaments, outings and/or special events.
4. An Associate, Junior Associate, Adult, Senior and Family Annual Pass:
 - a. Is available for 9-hole or 18-hole play.
 - b. Can be used anytime Monday through Sunday and holidays based on availability.
 - c. Can be used for league play Monday through Friday.
 - d. Can be used for tournaments, outings and/or special events.
5. A Junior Annual Pass:
 - a. Is available for 9-hole or 18-hole play.
 - b. Can be used anytime Monday through Friday.
 - c. Can be used Saturdays, Sundays and holidays after 2:00 PM
 - d. Can be used for tournaments, outings and special events.
6. A Junior Summer Pass:
 - a. Is available for 9-hole or 18-hole play.
 - b. Can be used from Memorial Day to Labor Day only.
 - c. Can be used Monday through Friday from 6:00 am to 3:00 pm.
 - d. Can be used Saturdays, Sundays and holidays after 2:00 PM.
 - e. Cannot be used for tournaments, outings, and/or special events.

7. A New Pass Holder (Weekday or Annual) can purchase a pass for the following year at the end of the current golf season and the pass can be used for the remainder of the current golf season and the entire following golf season. The use of the Weekday and/or Annual Pass for the remainder of the current golf season will be consistent with #4, #5 and #6 above.
8. The Discount Card is available:
 - a. Provides a 15% discount on all regular green fees.
 - b. Cannot be used for tournaments, outings and/or special events.
9. Discount Cards, Special, Weekday and Annual Passes cannot be transferred to another individual.
10. The Family Annual Pass provides the benefits listed in #4 above to the pass holder and family members. An adult family member must accompany a minor child/children when a Family Annual Pass is used.
11. The Business Pass allows the company and/or business to schedule one (1) foursome for one tee time per day during the golf season and also includes two (2) carts. The company and/or business must schedule the tee time for the foursome with the Pro Shop office at least 24 hours before the tee time by the designated business representative(s). The Business Pass cannot be used for outings or tournaments.
12. The Guest Rounds provided to annual pass holders can only be used when the guest is accompanied by the pass holder. Junior guest passes are only redeemable for juniors.
13. The Guest Rounds are good for either 9-hole or 18-hole rounds. All guest passes are redeemable based on which golf pass was purchased, annual vs. weekday.
14. All Discount Cards, Coupon Books, Weekday and Annual Passes expire at the end of the season for which they were purchased.
15. Twilight rates allow for unlimited play from the established start time until the course closes.
16. Cart rental is based on double occupancy when applicable, including annual individual cart pass.
17. There will be no refunds issued for passes, coupon books or discount cards. Exceptions may be granted in hardship cases by the Parks and Recreation Committee and City Council.

REID GOLF COURSE – Proposed Fees

WEEKDAY DAILY FEES	2020	2021	2022	2023	2024	Net
Adult 9	\$17.00	\$17.00	\$18.00	\$18.00	\$20.00	\$2
Adult 18	\$28.00	\$28.00	\$28.00	\$29.00	\$31.00	\$2
Senior 9	\$15.00	\$15.00	\$15.00	\$15.00	\$17.00	\$2
Senior 18	\$24.00	\$24.00	\$24.00	\$25.00	\$27.00	\$2
Junior 9 w/ restrictions	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	-
Junior 18 w/ restrictions	-	-	-	\$15.00	\$15.00	-
WEEKEND DAILY FEES						
Adult/Junior/Senior 9	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	-
Adult/Junior/Senior 18	\$31.00	\$31.00	\$31.00	\$31.00	\$31.00	-
REPLAY RATES						
Walking	\$15.00	\$15.00	\$15.00	\$15.00	\$17.00	\$2
Riding	\$25.00	\$25.00	\$25.00	\$25.00	\$27.00	\$2
TWILIGHT (unlimited golf)						
Walking	\$12.00	\$12.00	\$12.00	\$13.00	\$14.00	\$1
Riding	\$23.00	\$24.00	\$24.00	\$25.00	\$26.00	\$1
SUPER TWILIGHT Fri, Sat & Sun						
9 Holes – walking	\$15.00	\$15.00	\$15.00	\$15.00	\$17.00	\$2
18 Holes – walking	\$24.00	\$24.00	\$24.00	\$25.00	\$27.00	\$2
DISCOUNT CARDS						
Adults/Seniors	\$31.65	\$31.65	\$31.65	\$31.65	\$37.00	\$5.35
SPECIALS						
Junior Summer Pass	\$150	\$150	\$150	\$175	\$200	\$25
WEEKDAY PASSES (Monday-Friday Only)						
Adult	\$815	\$815	\$815	\$815	\$850	\$35
Senior	\$660	\$660	\$660	\$685	\$725	\$40
ANNUAL PASSES						
Junior	\$200	\$200	\$200	\$225	\$250	\$25
Junior Associate	\$350	\$350	\$350	\$375	\$400	\$25
Associate	\$735	\$735	\$735	\$735	\$750	\$15
Adult	\$1050	\$1050	\$1050	\$1050	\$1050	-
Senior	\$800	\$800	\$800	\$825	\$850	\$25
Family	\$1200	\$1200	\$1200	\$1200	\$1200	-
Business	\$2625	\$2625	\$3000	\$3000	\$3250	\$250

Tax included on daily fees and annual passes

Returning Pass Holder Loyalties

2020 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March

2021 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March

2022 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March

2023 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March

2024 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March

DRAFT

CITY OF APPLETON POLICY		TITLE: 202 4 ³ REID GOLF COURSE RATES POLICY	
ISSUE DATE: Day of Council Adoption		LAST UPDATE: December 2008, December 2010, December 2011, September 2012, September 2013, August 2014 October 2015, November 2016, November 2017, November 2018, October 2019, November 2020, November 2021, December 2022, <u>November 2023</u>	LOCATION: J:\Department\Administration\Policies\ Golf Course
POLICY SOURCE: Parks and Recreation Department		TOTAL PAGES: 5	
Reviewed by Legal Services Date: December 2, 2022	Parks and Recreation Committee Approval Date: <u>December 12, 2022</u>	Council Approval Date: <u>December 21, 2022</u>	

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14. All Discount Cards, Coupon Books, Weekday and Annual Passes expire at the end of the season for which they were purchased.
15. Twilight rates allow for unlimited play from the established start time until the course closes.
16. Cart rental is based on double occupancy when applicable, including annual individual cart pass.
17. There will be no refunds issued for passes, coupon books or discount cards. Exceptions may be granted in hardship cases by the Parks and Recreation Committee and City Council.

REID GOLF COURSE – Proposed Fees

WEEKDAY DAILY FEES	2020	2021	2022	2023	2024	Net
Adult 9	\$17.00	\$17.00	\$18.00	\$18.00	<u>\$20.00</u>	<u>\$2</u>
Adult 18	\$28.00	\$28.00	\$28.00	\$29.00	<u>\$31.00</u>	<u>\$2</u>
Senior 9	\$15.00	\$15.00	\$15.00	\$15.00	<u>\$17.00</u>	<u>\$2</u>
Senior 18	\$24.00	\$24.00	\$24.00	\$25.00	<u>\$27.00</u>	<u>\$2</u>
Junior 9 w/ restrictions	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	-
Junior 18 w/ restrictions	-	-	-	\$15.00	\$15.00	-
WEEKEND DAILY FEES						
Adult/Junior/Senior 9	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00	-
Adult/Junior/Senior 18	\$31.00	\$31.00	\$31.00	\$31.00	\$31.00	-
REPLAY RATES						
Walking	\$15.00	\$15.00	\$15.00	\$15.00	<u>\$17.00</u>	<u>\$2</u>
Riding	\$25.00	\$25.00	\$25.00	\$25.00	<u>\$27.00</u>	<u>\$2</u>
TWILIGHT (unlimited golf)						
Walking	\$12.00	\$12.00	\$12.00	\$13.00	<u>\$14.00</u>	<u>\$1</u>
Riding	\$23.00	\$24.00	\$24.00	\$25.00	<u>\$26.00</u>	<u>\$1</u>
SUPER TWILIGHT Fri, Sat & Sun						
9 Holes – walking	\$15.00	\$15.00	\$15.00	\$15.00	<u>\$17.00</u>	<u>\$2</u>
18 Holes – walking	\$24.00	\$24.00	\$24.00	\$25.00	<u>\$27.00</u>	<u>\$2</u>
DISCOUNT CARDS						
Adults/Seniors	\$31.65	\$31.65	\$31.65	\$31.65	<u>\$37.00</u>	<u>\$5.35</u>
SPECIALS						
Junior Summer Pass	\$150	\$150	\$150	\$175	<u>\$200</u>	<u>\$25</u>
WEEKDAY PASSES (Monday-Friday Only)						
Adult	\$815	\$815	\$815	\$815	<u>\$850</u>	<u>\$35</u>
Senior	\$660	\$660	\$660	\$685	<u>\$725</u>	<u>\$40</u>
ANNUAL PASSES						
Junior	\$200	\$200	\$200	\$225	<u>\$250</u>	<u>\$25</u>
Junior Associate	\$350	\$350	\$350	\$375	<u>\$400</u>	<u>\$25</u>
Associate	\$735	\$735	\$735	\$735	<u>\$750</u>	<u>\$15</u>
Adult	\$1050	\$1050	\$1050	\$1050	\$1050	-
Senior	\$800	\$800	\$800	\$825	<u>\$850</u>	<u>\$25</u>
Family	\$1200	\$1200	\$1200	\$1200	\$1200	-
Business	\$2625	\$2625	\$3000	\$3000	<u>\$3250</u>	<u>\$250</u>

Tax included on daily fees and annual passes

Returning Pass Holder Loyalties

2020 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March

2021 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March

2022 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March

2023 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March

2024 Pass Sales

- Returning Pass Holders receive 3 free guest passes.
- Pass Holders receive packet including merchandise coupons and yardage book.
- 5% off 2 passes, 10% off 3 passes in March



"...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

To: Finance Committee

From: Dean R. Gazza, Director of Parks, Recreation and Facilities Management

Date: November 6, 2023

Re: Action: Award "Health Department Furniture Remodel" to Nordon Business Environments in the amount of \$250,887.34.

This memo is a request to sole source a contract to Nordon Business Environments to purchase new workstations and storage cabinets for the Health Department at City Hall. Though this is a sole source to the only Haworth provider locally, the pricing was competitively obtained by utilizing the US Communities Government Purchasing Alliance Contract. The 2023 Capital Improvement Plan includes funding for this initiative in addition to a grant the Health Department received to fund the furniture and the balance of the remodel. The City of Appleton will have no cost as a result.

The City has adopted a standard of using Haworth workstations at City Hall. By developing a standard, components can be modified or reused as changes are made in the future. Some departments had adopted other workstations brands, such as Herman Miller or Knoll. In those cases, we follow the standard for that department/facility. Overall, it is typical practice for any organization to adopt a standard to allow for maximum flexibility and usage of the investment since this modular workstation furniture can be set-up in various configurations and components can be deleted/added as needed.

The City of Appleton is eligible to obtain government pricing which this project qualifies for, therefore ensuring we are getting the lowest possible pricing available through the US Communities Government Purchasing Alliance Contract, Haworth Contract #4400003402. Additional, work to be included with grant funding include carpeting, ceiling, wall finishes and lighting upgrades.

Please feel free to contact me at 832-5572 with any questions, or by email at dean.gazza@appleton.org.



"...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

To: Finance Committee

From: Dean R. Gazza, Director of Parks, Recreation and Facilities Management

Date: November 6, 2023

Re: Action: Accept 2022 WIPPI Energy Efficiency Grant in the amount of \$72,564 for the Appleton Water Treatment Plant Kathabar Replacement Project.

The 2024 Capital Improvement budget allocates \$850,000 to Replace the Kathabar Dehumidification Unit at the Water treatment Plant. The Kathabar dehumidification unit is at the end of its useful life and needs to be replaced. The Kathabar HVAC Unit conditions the Upper Membrane Room and the Lower Membrane room. The Kathabar HVAC Unit is no longer operating as a process space, therefore the need for full dehumidification no longer exists. Thus, the existing Kathabar dehumidification system and the oversized Air Handling Unit (AHU) can be removed. Our proposed solution to satisfy the Upper and Lower Membrane Rooms is to insulate the operational piping in the Lower Membrane Room and install a smaller AHU with chilled water cooling and hot water heating to satisfy space pressurization and general room conditions. There would be no dehumidification required with this unit, but the heating coil would be installed downstream of the cooling coil to allow for general moisture removal with reheat capabilities. Insulation specification for the operational process piping in the lower level would be 1-1/2" closed cell insulation with PVC jacketing.

Implementation of the Kathabar Replacement Project is guided by the following objectives and metrics:

1. **Reduce Grid Provided kWh Consumption:** This project anticipates to reduce the Water Treatment Facility purchases of grid provided electricity by 393,323 kWh per year.
2. **Reduce Grid Provided Natural Gas Consumption:** This project anticipates to reduce the Water Treatment Facility purchases of grid provided electricity by 3,100 therms per year.
3. **Mitigate Rate Increases:** Reduction of grid purchased energy will keep the costs of operating the Water Treatment Facility down.
4. **Improve Air Quality:** This project anticipates reducing CO2 emissions by 200 tons per year.
5. **Maintain the Water Treatment Facility in a cost-effective manner that meets or exceeds the process operations requirements.**

The proposed system has an estimated electrical energy savings of 393,230 kWh per year. This is based on the removal of the pumps associated with the Kathabar system, installing an AHU with smaller horsepower fan motor(s), and decreasing the load on the chillers and boilers. This is also associated with a 22kW drop in peak demand on the chillers, and another 8kW drop associated with the fan motor. Yearly savings is estimated at \$39,323 for a 393,230kWh reduction and \$2,417 for a 3,100-therm reduction for a total of \$41,745,80/year savings.

We are very excited about this funding as it assists with funding City efforts and commitments to implementation of energy efficiency within the City. Upon your approval we will acknowledge the requirements and accept the funds.

Please feel free to contact me at 832-5572 with any questions, or by email at dean.gazza@appleton.org.

Department of Public Works – Engineering Division

MEMO

TO: Utilities Committee

FROM: Danielle Block, Director of Public Works
Pete Neuberger, Deputy Director/City Engineer

DATE: October 30, 2023

RE: Approval to single source and award 2023D stormwater consulting services contract with raSmith for Construction Related Services for Unit H-23 Lightning Drive Phase 1 in an amount not to exceed \$80,510

The Department of Public Works is requesting approval to single source and award 2023D stormwater consulting services contract with raSmith for Construction Related Services for Unit H-23 Lightning Drive Phase 1 in an amount not to exceed \$80,510.

raSmith has been working for several years with DPW Engineering staff to design and permit the extension of Lightning Drive north of CTH JJ. As the design engineer, they are uniquely qualified to provide Construction Related Services for this project.

Work under this contract will include:

- Answer contractor questions during bidding
- Review bids and recommend contract award
- Attendance by the bridge designer and pond designer at the preconstruction meeting
- Site visits during construction as needed
- Answer questions during construction
- Calculate final earthwork quantities for payment
- Review contractor submittals for materials and processes per the specifications
- Review and approve materials testing results per the specifications

Based on the work raSmith has already completed for the Lightning Drive Extension- Phase 1 project staff is recommending award of this project to raSmith.



OFFICE OF THE CITY ATTORNEY

100 North Appleton Street
Appleton, WI 54911
Phone: 920/832-6423
Fax: 920/832-5962

TO: Chairperson Vered Meltzer
Members of the Utilities Committee

FROM: Christopher R. Behrens, City Attorney
Chris W. Shaw, Director of Utilities

DATE: November 3, 2023

RE: PFAS Opt Out
Our File No. A21-0078

Most Wisconsin water utilities, including Appleton, have received class action settlement notices related to PFAS settlements with 3M and Du Pont. Appleton will need to determine if it wishes to be covered by the settlement; otherwise, it must specifically opt out of the Du Pont settlement by December 4, 2023 and the 3M settlement by December 11, 2023.

City staff including the Utilities Director, City Attorney and Risk Manager along with their staff, have reviewed this matter in several respects. From the Utilities perspective, the known impact of PFAS on the water utility is minimal at this time due to the City's primary water source being surface water. Tests for PFAS have fallen well below current regulatory limits. Appleton is fortunate in that it hasn't been negatively impacted as some other communities around the country who have been forced to take extreme measures including trucking in water. What is unknown is how the regulatory requirements regarding acceptable PFAS levels might change in future years or decades and, in that scenario, the extent of additional infrastructure that would be required to meet those new requirements. These considerations (even though still relatively unknown) and preservation of potential future rights have to be balanced against what rights would be given up should Appleton stay in the settlement class and accept a (projected) settlement from each company.

There is a resource that staff were able to use where various inputs result in a projected settlement amount from each company. The 3M settlement, according to this resource, could be in the area of \$1,825,000 and the Du Pont settlement is around \$175,000. While these numbers are certainly significant in some contexts, it is important to consider them in the context of the Water Utility. These total amounts equate to about thirty-six (36) days' revenue for the Utility. Should changes in PFAS regulatory standards require the Utility to add new infrastructure to its system, that would require \$10s of millions in capital costs alone. To put these costs into context, the water utility will experience approximately \$400,000,000 in expenses over the next 20 year period (without PFAS treatment). The proposed combined settlements equate to less than 0.5 % of utility expenses. Moreover, after 20 years, any PFAS treatment equipment would likely reach its useful life and need

Christopher R. Behrens
City Attorney

Amanda K. Abshire
Deputy City Attorney

Darrin M. Glad
Assistant City Attorney

Zak Buruin
Assistant City Attorney

to be replaced. Therefore, the settlement would provide minimal current relief without the possibility of funding recourse for these large water plant expansions and ongoing operating costs.

The release of claims, i.e., rights given up, in the Du Pont settlement are primarily related to impacts on drinking water. The 3M release is broader and also releases claims not related to drinking water (any claim for punitive or exemplary damages relating to PFAS or any product containing PFAS, any claim related to the municipality's transport, disposal or arrangement for disposal of waste containing PFAS or wastewater containing PFAS). In both cases, significant weight must be placed on whether it is prudent to accept a settlement now that would prevent the City of Appleton from seeking future remedies against these companies based on the terms of the respective releases. For example, should regulations change in future decades requiring more extensive remediation or, should PFAS have a greater negative local impact in the future, the City's recourse would be limited if it stays in the settlement classes and releases these companies.

The decision before this committee and ultimately the Council is whether to accept the projected settlements by remaining in the lawsuit or, opting-out of the class action suit to preserve the right to potential future claims. It is not an easy decision because it involves unknowns that may impact future generations. Based on staff analysis, the projected present day settlement amounts do not merit releasing rights that otherwise would be available if needed in the future. Accordingly, we are respectfully recommending that it be:

APPROVED that City Staff and the Mayor be authorized, on behalf of the City of Appleton, to immediately execute and file a Request for Exclusion with the appropriate courts and parties in the 3M and Du Pont class action lawsuits so that the City is opted-out of these respective lawsuits.



POLICE DEPARTMENT

222 South Walnut Street • Appleton, WI 54911-5899
(920) 832-5500 • Fax (920) 832-5553
<http://www.appleton.org/police>

To: Alderperson Croatt, Safety and Licensing Committee Chairperson
Alderperson Hartzheim, HR/IT Committee Chairperson

From: Chief Polly Olson

Date: November 8, 2023

Subject: Informational Item – S&L
Action Item – HR/IT

We have received written notice of Beth Jasiak retiring on January 2nd, 2024. Beth's position is the Executive Assistant to the Police Chief. She has been in this position for over 30 years. To adequately prepare her replacement to fill the duties required by this position, I am requesting to over hire. Ideally, I would like to have this person selected and prepared to start by December 18th, 2023.

The Executive Assistant to the Police Chief is a critical position in the table of organization. It is important this person is provided with proper training and can be comfortable with our day-to-day operations prior to Beth Jasiak's departure.

The funds for this over hire would be from salary savings due to a front desk vacancy. The estimate is \$2777 in 2023 and \$555.50 in 2024 = \$3332.50 total in budget impact.

Chief Polly Olson

City of Appleton and Appleton Professional Police Association

Tentative agreements

October 25, 2023

1. ARTICLE 40 – TERM OF AGREEMENT

This Agreement shall become effective as of January 1, ~~2020~~ **2024** and remain in full force and effect to and including December 31, ~~2023~~ **2026**, and shall renew itself for additional one-year periods thereafter unless either party pursuant to Article 27 has notified the other party in writing that it desires to alter or amend this Agreement at the end of the Agreement period.

2. Entire contract – change the terms “roll call” and “resume” to “briefing”

3. ARTICLE 4 – OVERTIME (page 3, lines 7 and 12 and 25/26)

Line 7 - Court pay shall be three (3) hours straight time plus time and one-half for time worked. **These three (3) hours may be paid out and can be banked as compensatory time.**

Line 12 - Re-call pay shall be three (3) hours straight time plus time and one-half for time worked. **These three (3) hours may be paid out and can be banked as compensatory time.**

Lines 25/26 - Court cancellation shall be three (3) hours straight time pay. **These three (3) hours may be paid out and can be banked as compensatory time.**

4. ARTICLE 8 – VACATIONS (page 4, lines 41-51)

The vacation policy for the Police Department to be on a work week basis as follows:

40 hours vacation upon hire (hired prior to 7/1)

40 hours vacation after 1 year of service.

80 hours vacation after 2 years of service.

120 hours vacation after 8 years of service.

160 hours vacation after 12 years of service.

176 hours vacation after 15 years of service

200 hours vacation after 20 years of service.

Year of hire: Persons hired prior to July 1 of any year shall receive 40 hours of vacation during their year of hire.

5. ARTICLE 8 – VACATIONS (page 5, line 18)

The Police Chief or designee shall have a vacation schedule available for members on or before January 1, preceding the year vacations are to run, so that picking vacations can be completed by March 1. Vacation picks for patrol shall be accomplished by a rotation of vacation block requests followed by single vacation day requests. For purposes of this article, a block shall be defined as two (2) or more consecutive workdays. The vacation block requests will be approved on a seniority basis with the most senior officer being granted the requested block followed by the next senior until the first, second, and third rounds of vacation block requests are complete. All subsequent block requests submitted during the fourth submission period as designated by the ~~Operations Coordinator~~ **Scheduling Supervisor** will be approved based on seniority. All vacation requests submitted after the rotation above has been completed will be granted on a first come first serve basis, with seniority serving as the tie breaker for requests submitted at the same time.

6. ARTICLE 8 – VACATIONS (page 5, lines 24-26)

~~Officers retiring between December 15th and December 31st shall be eligible for their vacation payout as if they had worked until January 1st the following year and shall be eligible for holiday payout as if they had worked until December 31st of the year they retire.~~

7. ARTICLE 10 – LEAVES (page 6, lines 5-9)

~~All officers shall be granted sick leave with pay at the rate of 5.33 hours for each full month of service. All officers hired after 1/1/11 shall receive 4 hours for each full month of service until January 1 following the year said officer qualifies for the Senior Police Officer by passing the Position Enhancement Program test. On January 1 following that year the officer will receive 5.33 hours for each month of service. Effective 1/1/2023, all officers shall accumulate sick leave with pay at the rate of 4 hours per month for each full month of service.~~

8. ARTICLE 10 C.2. Funeral Leave (page 7, line 23) In the event of death within the officer's immediate family, the officer will be paid for the scheduled time lost during the period from two days before the funeral up to and including two days after the funeral, **but not to exceed three (3) working days (twenty-four 24 hours maximum)**. Immediate family shall be defined as non-dependent child, grandchildren, parents, sister, brother, mother-in-law, father-in-law, or any other relative living in the officer's residence at the time of death.

9. ARTICLE 10, (page 8, line 1-5) ~~The leave shall be for the period of the doctor's prognosis but not to exceed one year.~~

~~The leave shall be for the period of the doctor's prognosis but not to exceed one year.~~

~~The officer must use all available accumulated sick leave, vacation and compensatory time before going on such leave.~~

~~The officer must provide, in advance, a doctor's statement indicating that the officer will be able to return to regular duties within one year of the start of the leave.~~

A leave of absence may be considered for up to one calendar year. If leave is needed beyond one calendar year and it is related to a medical condition, then employee may be placed on an inactive status. Inactive status may only be considered if:

- **The employee is not permanently restricted from returning to their position.**
- **There is no financial impact to the City (e.g. salary or fringe benefits) while on an inactive status.**
- **The position will not be held vacant.**
- **All other requirements under the City Leave of Absence policy are followed.**

Employees returning from an inactive status will be eligible to return to the same or a like position in that department, if one exists, when they are deemed fit for duty. The inactive status will end no later than three years from the date of leave, at which point employment will terminate.

The employee must exhaust all available paid time off benefits prior to the commencement of an unpaid leave of absence.

Return to work earlier than the scheduled termination of leave date may be arranged by the Chief of Police and the employee with the approval of the Human Resources Director, provided it does not conflict with the physician's certification.

Employees on an unpaid leave of absence with the City may not be employed elsewhere unless otherwise approved by the Human Resources Director.

If an employee is unable to return to work on the date stipulated, they may submit a written request to extend their leave of absence, subject to the approval of the Human Resources Director. If, on the date following the expiration of the leave of absence, an extension is not requested and granted and the employee has not returned to their position, the employee shall be considered to have voluntarily resigned from City employment.

10. ARTICLE 20 – SUSPENSION, DISMISSAL AND REDUCTION IN RANK (page 11, lines 4-6) ~~All newly hired officers shall be considered probationary for one year from the time they complete the **FTO period**, their formal training period with the Appleton Police Department, but not to exceed eighteen (18) months from their date of hire, unless for extenuating circumstances (e.g. military leave etc.).~~
11. ARTICLE 22 - CANINE HANDLERS (page 11, lines 42-45) ~~An officer assigned as a canine handler of a dog owned by the MEG will be entitled to the 20 minutes of overtime pay during scheduled work days only if the MEG supervisor is unable to schedule one half hour of canine care and maintenance into the duty day. The handler will be entitled to the 20 minutes of overtime pay for each off day or leave day, unless otherwise stated in departmental policy.~~
12. ARTICLE 32 – PHYSICAL FITNESS PROGRAM D. (page 14, line 36-37) All officers who score as “excellent” will be paid a premium of 2% of their base pay and shall accumulate eight (8) hours of physical fitness bonus for each testing date. All officers who score as “good” will be paid a premium of 1% of their base pay and shall accumulate four (4) hours of physical fitness bonus for each testing date. Those who score as “adequate” will receive no salary or physical fitness bonus incentive. Such premium payment shall be in a lump sum payable within thirty (30) days of the finalization of the testing results and shall be calculated on the basis of 2% or 1% of the officer’s annual base pay, calculated on the rate of pay at the time of the test. Officers shall be paid their accumulated physical fitness bonus pay upon retirement to the Post Employment Health Plan. ~~New officers are not eligible for payment under the program until they have participated in one of the regularly scheduled testing procedures.~~
13. ARTICLE 3 – HOURS (addition of Letter of Understanding from contract page 21 being incorporated into contract).

A. Hours of Work: The modified Pittman schedule shall include an average workweek of 38.5 hours using a six-week rotating cycle of eight (8) and twelve (12) hour shifts with a ten (10) minute roll call preceding each shift. Each six-week cycle shall consist of three (3) two-week segments of 2-on-2-off-3-on-2-off-2-on-3-off shifts. Each segment shall include five (5) 12-hour shifts and (2) 8-hour shifts.

There will be eight (8) separate work groups with four (4) working each day. The primary start times for each group shall be 0700, 0900, 1500, and 1900 with secondary start times of 1100 and 2300. Secondary start times, or occasional times outside those listed, will be utilized as needed based on location of 8-hour shifts within the segment and the staffing needs of the department. An example

being an officer working 0900-1700 requiring a second officer to begin their shift at 1700 to maintain minimums.

Hours of work for weekday patrol: A normal scheduled work day shall consist of an eight (8) hour and ten (10) minute shift which shall include a ten (10) minute resume' time normally scheduled prior to the designated shift hour and used primarily for the purpose of orientation and resume'.

B. Work Schedule: The modified Pittman schedule shall include an average workweek of 38.5 hours using a six-week rotating cycle of eight (8) and twelve (12) hour shifts with a ten (10) minute roll call preceding each shift. Each six-week cycle shall consist of three (3) two-week segments of 2-on-2-off-3-on-2-off-2-on-3-off shifts. Each segment shall include five (5) 12-hour shifts and (2) 8-hour shifts, except that new officers shall work a five (5) day week, Monday through Friday, during their formal training period. All officers not on this schedule shall be scheduled by the Police Department to work 2007.46 hours per year. It is understood that this may require minor deviation from the basic schedule for adjustment purposes. Notwithstanding the provisions of this paragraph, the City shall have the right to amend the work schedule in order to accomplish imbalanced deployment by shift and by day of week in accordance with the expected workload, provided, however, that changes to an individual's schedule to accomplish imbalanced deployment by day of week shall not affect more than three (3) scheduled work days per officer during a fourteen (14) week cycle and further provided that such day of week imbalance shall not affect an officer's regularly scheduled days off other than the first or third days of a three (3) day cycle without the officer's consent. The officer will be allowed four (4) straight hours of non-FLSA compensatory time off for each schedule change. The City agrees to ask for volunteers for proposed changes in the basic schedule prior to requiring such changes. Officers may mutually exchange work schedules with prior approval of the supervisor.

Officers who are currently assigned duties requiring them to work a schedule other than the modified Pittman schedule may, with permission of their Assistant Chief, forfeit up to five of their contractual off days. Officers shall be paid for eight hours at their regular straight time for each day forfeited. Payment for days forfeited during a year will be made with the holiday payment in November of that year.

Non-patrol dependent officers may request to modify their work schedule, by working more than eight (8.25) hours per day at straight time, not requiring overtime under this article. The time for time schedule adjustment must be taken within the 28-day FLSA cycle as not to create FLSA overtime or compensatory time. This request must be made to the supervisor and the supervisor must

approve prior to the modification of the schedule taking place. The approval and continuation of the approval shall be at the discretion of the City.

Work Schedule for weekday patrol: The work schedule shall consist of five (5) days on, two (2) days off, five (5) days on, two (2) days off, five (5) days on, two (2) days off, four (4) days on, and three (3) days off. This schedule incorporates contract days off.

14. Agreement to make gender neutral changes within contract.

15. Wages

04/01/2024 = 1.5%

10/01/2024 = 1.5.%

04/01/2025 = 1.5%

10/01/2025 = 1.5.%

04/01/2026 = 1.25%

10/01/2026 = 1.25.%

16. **The letter of understanding regarding Article 4 will expire with the new contract.**

LABOR AGREEMENT
2020-2023
BETWEEN
CITY OF APPLETON
AND THE
APPLETON PROFESSIONAL POLICE ASSOCIATION

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1 ARTICLE 1 – PURPOSE OF AGREEMENT

2
3 It is the intent and purpose of the parties hereto that this Agreement shall promote and improve working conditions
4 between the City and the Appleton Professional Police Association, and to set forth herein rates of pay, hours of work
5 and other terms and conditions of employment to be observed by the parties hereto.
6

7 The City agrees that there shall be no discrimination by the City against any officer covered by this Agreement
8 because of their membership or activities in the Association, nor will the City interfere with the rights of such officers to
9 become members of the Association.
10

11 ARTICLE 2 – RECOGNITION

12
13 This Agreement made and entered into at Appleton, Wisconsin, pursuant to the provisions of Section 111.77 and
14 Section 62.13 of the Wisconsin Statutes by and between the City of Appleton, a municipal corporation, as municipal
15 employer with the Police Chief as its agent, hereinafter referred to as the “City” or “Employer” and the Appleton
16 Professional Police Association as the sole bargaining agent for all law enforcement officers of the Appleton Police
17 Department with the power of arrest, excluding the Chief of Police, Assistant Chief, Captain, Lieutenant, and
18 Executive, Supervisory, Managerial and Confidential employees.
19

20 ARTICLE 3 – HOURS

21
22 A. Hours of Work: The modified Pittman schedule shall include an average workweek of 38.5 hours using a six-
23 week rotating cycle of eight (8) and twelve (12) hour shifts with a ten (10) minute roll call preceding each shift.
24 Each six-week cycle shall consist of three (3) two-week segments of 2-on-2-off-3-on-2-off-2-on-3-off shifts.
25 Each segment shall include five (5) 12-hour shifts and (2) 8-hour shifts.
26

27 There will be eight (8) separate work groups with four (4) working each day. The primary start times for each
28 group shall be 0700, 0900, 1500, and 1900 with secondary start times of 1100 and 2300. Secondary start
29 times, or occasional times outside those listed, will be utilized as needed based on location of 8-hour shifts
30 within the segment and the staffing needs of the department. An example being an officer working 0900-1700
31 requiring a second officer to begin their shift at 1700 to maintain minimums.
32

33 B. Work Schedule: The modified Pittman schedule shall include an average workweek of 38.5 hours using a six-
34 week rotating cycle of eight (8) and twelve (12) hour shifts with a ten (10) minute roll call preceding each shift.
35 Each six-week cycle shall consist of three (3) two-week segments of 2-on-2-off-3-on-2-off-2-on-3-off shifts.
36 Each segment shall include five (5) 12-hour shifts and (2) 8-hour shifts, except that new officers shall work a
37 five (5) day week, Monday through Friday, during their formal training period. All officers not on this schedule
38 shall be scheduled by the Police Department to work 2007.46 hours per year. It is understood that this may
39 require minor deviation from the basic schedule for adjustment purposes. Notwithstanding the provisions of
40 this paragraph, the City shall have the right to amend the work schedule in order to accomplish imbalanced
41 deployment by shift and by day of week in accordance with the expected workload, provided, however, that
42 changes to an individual’s schedule to accomplish imbalanced deployment by day of week shall not affect
43 more than three (3) scheduled work days per officer during a fourteen (14) week cycle and further provided
44 that such day of week imbalance shall not affect an officer’s regularly scheduled days off other than the first or
45 third days of a three (3) day cycle without the officer’s consent. The officer will be allowed four (4) straight
46 hours of non-FLSA compensatory time off for each schedule change. The City agrees to ask for volunteers
47 for proposed changes in the basic schedule prior to requiring such changes. Officers may mutually exchange
48 work schedules with prior approval of the supervisor.
49

50 Officers who are currently assigned duties requiring them to work a schedule other than the modified Pittman
51 schedule may, with permission of their Assistant Chief, forfeit up to five of their contractual off days.
52 Officers shall be paid for eight hours at their regular straight time for each day forfeited. Payment for days
53 forfeited during a year will be made with the holiday payment in November of that year.

1
2 Non-patrol dependent officers may request to modify their work schedule, by working more than eight (8.25)
3 hours per day at straight time, not requiring overtime under this article. The time for time schedule adjustment
4 must be taken within the 28-day FLSA cycle as not to create FLSA overtime or compensatory time. This
5 request must be made to the supervisor and the supervisor must approve prior to the modification of the
6 schedule taking place. The approval and continuation of the approval shall be at the discretion of the City.
7

- 8 C. Standby: Standby status will not be required of officers of the Appleton Police Department. Should
9 emergency necessitate additional personnel, the personnel will be ordered to duty and compensation will be
10 paid in accordance to the terms and provisions of this Agreement.
11
12 D. Each officer shall be allowed to work up to 16 ½ scheduled hours in a 24 hour period, unless approved
13 otherwise by the Chief for extenuating circumstances.
14
15 E. Daylight Savings Time: When daylight savings time occurs, officers will be paid for the actual time worked. In
16 fall, officers who work 13 hours will be compensated at the rate of time and one-half for all hours after 12.
17 Officers scheduled for an 8-hour day who work 9 hours will be compensated at the rate of time and one half
18 for all hours after 8. In spring officers who work 11 hours will lose one hour of pay in that pay period to
19 correspond with the time change. Officers who work 7 hours will lose one hour of pay in that pay period to
20 correspond with the time change. For purposes of sick leave, holidays, compensatory time and vacation, a
21 scheduled workday shall be considered the number of hours normally scheduled that day. (e.g. 12 or 8)
22
23 F. Workday: The workday shall be defined as a 24-hour period beginning at 12:01 a.m.
24
25 G. Officers shall be allowed to trade shifts with other officers pursuant to departmental procedures for
26 trading. Additionally, officers shall be allowed to trade compensatory time in lieu of working back a trade day
27 pursuant to departmental procedures. The traded compensatory time must be for the same number of
28 hours worked.

29 ARTICLE 4 – OVERTIME

30
31 Officers will be compensated at the rate of time and one-half (1 ½) based on their normal rate of pay for all hours
32 worked in excess of the scheduled workday or work week. Overtime and normal scheduled workday compensation
33 may be either by pay or time, the choice to be determined by the officer.
34

35 Up to one hundred twenty (120) hours of compensatory time may be carried over from one year to the next. Any
36 compensatory time in excess of one hundred twenty (120) hours at the end of the last full payroll period of the year
37 shall be paid in cash, at the wage rate in effect at that time, on either the last paycheck in December or the first
38 paycheck in January. Officers must notify, in writing, the Police Department staff person responsible for payroll by
39 December 1 of their choice. Failure to notify in writing will result in the pay out of compensatory time on the last
40 paycheck in December. If the officer chooses to take the pay out on the first check in January, the payout shall be at
41 the previous year's rate. Officers may request to be paid out for some or all of their accumulated compensatory time
42 balance on any payroll with the appropriate notice to the department.
43

44 The following definitions shall apply to determine payment:
45

- 46 1. Court: Court shall include any time an officer is instructed by the Chief or designee or subpoenaed (including
47 City of Appleton court notices) to appear in person, or through telephonic communication, in any court, legal
48 proceedings (including depositions), preparatory meetings with District Attorney's, City Attorney's and other
49 appointed counsel which appearance is related to or arises out of the officer's scope of employment.
50

1 Meetings or telephonic communication made outside of the officer's normal work shift require prior approval
2 from an on-duty supervisor. If an attorney or other appointed counsel initiate contact directly to an officer at
3 their home, and the officer is required to return the telephone call from home prior to their next scheduled
4 work shift, prior approval is not required. The officer must report immediately to their supervisor the subject
5 and the reason of the telephone call which required immediate response.
6

7 Court pay shall be three (3) hours straight time plus time and one-half for time worked.
8

- 9 2. Re-call: Re-call shall include any time an officer is called back to work or a change in shift without notification
10 by the end of the last regularly scheduled shift before the shift change.
11

12 Re-call pay shall be three (3) hours straight time plus time and one-half for time worked.
13

- 14 3. All other scheduled work.
15

16 Time and one-half for all time worked.
17

- 18 4. Court Cancellation: An officer scheduled to make a court appearance outside their regularly scheduled
19 workday or workweek shall follow the department procedure to verify if court has been canceled. If court has
20 been canceled, the officer shall not report and will not be eligible for court cancellation pay. If court is
21 canceled after following procedure, then the officer shall be eligible for court cancellation pay. The City
22 agrees that no changes will be made in the court cancellation criteria without the prior approval of the
23 Association.
24

25 Court cancellation shall be three (3) hours straight time pay. This three (3) hours will be paid out and cannot
26 be banked as compensatory time.
27

28 Notwithstanding the provision of this article, officers shall not be eligible for court pay, re-call pay or court
29 cancellation pay if the officer is performing other scheduled work. If an officer is called while performing
30 "other scheduled work", the officer shall be eligible for re-call pay if the time performed doing the re-call work
31 goes beyond the hours of the other scheduled work.
32

33 An officer recalled to work or required to appear in court shall receive three (3) hours call-in pay at their regular
34 straight time rate plus pay for the actual hours worked at the rate of time and one-half (1 ½). Hours of work are
35 defined as when the officer is in a department issued vehicle or has arrived at the department, is in department
36 appropriate attire, and has the necessary equipment to carry out their work (10-41). Call-in pay for an officer recalled
37 to work shall not apply when the recall occurs within one-half (1/2) hour, defined as equal to or less than 30.00
38 minutes, of the conclusion of the officer's scheduled shift. Call-in pay for court appearances shall not apply when
39 such appearances are commenced within one-half (1/2) hour, defined as equal to or less than 30.00 minutes, of the
40 start or the conclusion of the officer's scheduled shift.
41

42 Officers shall not be eligible for call-in pay when recalled or for court appearances occurring within one-half (1/2) hour,
43 defined as equal to or less than 30 minutes, of a prior recall or court appearance time if the officer received call-in pay.
44 These recalls or court appearances which would otherwise have been eligible for the three-hour payment shall be
45 paid on the basis of actual time worked at the rate of time and one-half (1 ½) or three hours straight time pay,
46 whichever is greater.
47

48 Officers who are not eligible for call-in pay as a result of the one-half (1/2) hour exclusions, defined as equal to or less
49 than 30.00 minutes, mentioned in the above two paragraphs shall be paid from the end of the previous work time to
50 the notification of the call-in, if at the end of their scheduled shift and from the beginning of the court appearance until
51 the start of their shift if the court appearance occurs at the beginning of their scheduled shift but not more than one-
52 half hour, at the rate of time and one-half, in addition to the pay referred to in the above two paragraphs.

1
2 Notwithstanding the provisions of this Article, time spent performing police functions in normal off-duty hours
3 occasioned by use of a one-to-one marked car shall not entitle officers to pay for overtime or call time except as
4 provided in the published policy related to the one-to-one car plan.
5

6 Officers who are called by a supervisor on the telephone, outside of his/her regularly scheduled hours, to provide
7 information related to the operation of the department, shall be paid for the time actually spent on the telephone, but
8 not less than one (1) hour straight time, if the call exceeds 10-minutes.
9

10 Officers who are required to participate in training on their off-duty time shall be paid or receive compensatory time at
11 the rate of time and one half for actual time spent at such training and for reasonable travel time but shall not be
12 eligible for call time or any minimum payment. To accommodate officers who request to voluntarily participate in
13 training on their off-duty time, the department will attempt to schedule the officer for time off in either the same FLSA
14 period for training time worked so as not to create FLSA overtime or outside of the FLSA period in exchange for
15 training time worked. When the department is not able to schedule time off in exchange for training time worked, the
16 officer shall be paid overtime.
17

18 When traveling to training directly from their residence, officers shall not be compensated for total travel time that is
19 less than or equal to the regular and ordinary time necessary for said officer to travel from home to work.
20

21 Shift Trades: Non-patrol dependent officers who are assigned to work the Operations shift, shall receive overtime after
22 their assigned scheduled Operations shift (e.g. after 12 hours or after 8 hours).
23

24 ARTICLE 5 – PAY PERIOD

25

26 All officers shall be paid bi-weekly, every other Thursday. If a holiday falls on a day, Monday through Thursday, pay
27 shall be no later than Friday. Payment shall include compensation for hours the preceding two (2) week period
28 ending Saturday at midnight (all hours based on an average).
29

30 ARTICLE 6 – SALARIES – EXHIBIT A

31

32 ARTICLE 7 – WORKER'S COMPENSATION

33

34 Any full-time officers receiving worker's compensation shall be paid the difference between their pay at the disability
35 date and worker's compensation benefits. This differential shall be paid for a period up to, but not to exceed thirty
36 (30) weeks commencing from the disability date. Officers who are disabled for a period in excess of thirty (30) weeks
37 shall be eligible for continuation of this differential provided that they will be charged four (4) hours sick leave for each
38 scheduled work day of additional disability. Payment of this differential shall continue for the length of disability or for
39 a period of twenty-two (22) weeks or until the officer's sick leave balance is exhausted, whichever comes first.
40

41 ARTICLE 8 – VACATIONS

42

43 The vacation policy for the Police Department to be on a work week basis as follows:
44

- 45 40 hours vacation after 1 year of service.
- 46 80 hours vacation after 2 years of service.
- 47 120 hours vacation after 8 years of service.
- 48 160 hours vacation after 12 years of service.
- 49 176 hours vacation after 15 years of service
- 50 200 hours vacation after 20 years of service.
- 51

1 Regular officers shall be entitled to paid vacation benefits as of January 1 of each year based upon their length of
2 continuous service. For purposes of determining future vacation eligibility, the year of hire shall be treated as a full
3 year of service.

4
5 Vacation allowances shall not be cumulative and must be taken between January 1 and December 31, except that the
6 first 40 hours of unused vacation will be carried over. Any hours in addition to the carry over hours, up to 40 hours,
7 may be paid to the Post Employment Health Plan or H.S.A. An officer choosing to have unused vacation paid to the
8 Post Employment Health Plan or H.S.A. shall complete and submit the appropriate departmental form.

9
10 In case of termination, for reasons other than discharge for cause, an officer will be paid their unused vacation.

11
12 The Police Chief or designee shall have a vacation schedule available for members on or before January 1, preceding
13 the year vacations are to run, so that picking vacations can be completed by March 1. Vacation picks for patrol shall
14 be accomplished by a rotation of vacation block requests followed by single vacation day requests. For purposes of
15 this article, a block shall be defined as two (2) or more consecutive work days. The vacation block requests will be
16 approved on a seniority basis with the most senior officer being granted the requested block followed by the next
17 senior until the first, second, and third rounds of vacation block requests are complete. All subsequent block requests
18 submitted during the fourth submission period as designated by the Operations Coordinator will be approved based
19 on seniority. All vacation requests submitted after the rotation above has been completed will be granted on a first
20 come first serve basis, with seniority serving as the tie breaker for requests submitted at the same time.

21
22 Officers shall use vacation time to cover the hours of their scheduled shift not including resume time.

23
24 Officers retiring between December 15th and December 31st shall be eligible for their vacation payout as if they had
25 worked until January 1st the following year and shall be eligible for holiday payout as if they had worked until
26 December 31st of the year they retire.

27
28 ARTICLE 9 – PAID HOLIDAYS

29
30 New Year's Day Independence Day
31 Labor Day Easter
32 Thanksgiving Day Memorial Day
33 Christmas Eve Christmas Day
34 Floating Holiday

35
36 When any of the above holidays fall on a scheduled work day for non-patrol officers, such officers shall be given the
37 day off without loss of pay. If such officers are required to work on a holiday, they shall receive their regular pay plus
38 pay at their regular rate for all hours worked on the holiday.

39
40 In lieu of any further compensation for the above holidays, patrol officers shall receive 128 hours pay and non-patrol
41 officers (officers who have 122 contract days off annually) shall receive 100 hours pay per year at their regular straight
42 time rate. For purposes of the above pay out for non-patrol officer, the floating holiday shall be calculated as if it
43 occurred during the first pay period of April. The floating holiday for non-patrol officers is included in the (122) days off
44 annually as referenced in Article 3 – Hours, B. Work Schedules. Such payment shall be made no later than the last
45 pay period in November and shall apply only to officers on the payroll as of December 1st. Officers who retire or
46 terminate prior to December 1 shall receive a pro-rata payment based on the number of holidays that fall prior to their
47 last day of work. Officers who have worked in both a patrol and non-patrol capacity and new officers who have
48 worked for less than one year as of December 1, shall receive a pro-rata payment.

49
50 The floating holiday shall be part of the pro-rated calculation for retirees.

1 ARTICLE 10 – LEAVES

2
3 A. Sick Leave

4
5 All officers shall be granted sick leave with pay at the rate of 5.33 hours for each full month of service. All
6 officers hired after 1/1/11 shall receive 4 hours for each full month of service until January 1 following the year
7 said officer qualifies for the Senior Police Officer by passing the Position Enhancement Program test. On
8 January 1 following that year the officer will receive 5.33 hours for each month of service. Effective 1/1/2023,
9 all officers shall accumulate sick leave with pay at the rate of 4 hours per month for each full month of service.

- 10
11 1. For purposes of this paragraph, “service” shall include time on paid sick leave. Sick leave shall accrue
12 from the officer’s starting date but may not be taken during the first sixty (60) days of employment.
13 2. Sick leave shall be accumulated but not to exceed one-hundred thirty five (135) working days.
14 3. All sick leave shall be subject to administration by the Police Chief.
15 4. A member of the Association may use accumulated sick leave with pay for absences necessitated by
16 their injury, illness or required dental care, or illness of their immediate family. Immediate family shall be
17 defined as spouse, dependent children, parents, or relatives living in the household. Clarification: Parent
18 does not include mother-in-law or father-in-law.
19 5. In order to be granted sick leave with pay, an officer must:
20 a) Report promptly to the Department the reason for their absence.
21 b) Keep the department informed of their condition if absence is of more that three (3) working days
22 duration.
23 c) Permit the City to make medical examination or nursing visit as it deems desirable.
24 d) Submit a Medical Certificate for any absence of more than three (3) consecutive working days if
25 required by the City.
26 6. Officers shall not be eligible for paid sick leave for absences resulting from injury or illness incurred while
27 working for another employer for pay, when such absence is compensable under worker’s compensation
28 through the other employer.
29 7. At retirement, the retired officer shall receive payment for their unused accumulated sick leave up to but
30 not to exceed seven hundred twenty (720) hours paid to the PEHP.
31

32 At death, the deceased officer’s unused accumulated sick leave and all other benefits owed shall be
33 deposited into the officers account used for payroll.

34
35 Officers shall use sick time to cover the hours of their scheduled shift not including resume time.

36
37 B. PTO (Paid Time Off) Leave

38
39 Officers on the payroll on 1/1/11 shall receive 32 PTO hours each year to be used as paid time off. Any PTO
40 hours not used as of December 31st will be paid out on the first paycheck in January at the previous year’s
41 rate.
42

43 For those officers eligible for 32 PTO hours – PTO hours shall be pro-rated in the year of termination or
44 resignation as follows:
45

46	January – March	0
47	April – June	8 hours
48	July – September	16 hours
49	October – December	24 hours

50
51 Officers hired after 1/1/11 shall receive 24 PTO hours each year until January 1 following the year said officer
52 qualifies for the Senior Police Officer by passing the Position Enhancement Program test. On January 1

1 following that year the officer will receive 32 PTO hours each year to be used as paid time off. Any PTO
2 hours not used as of December 31st will be paid out on the first paycheck in January at the previous year's
3 rate.
4

5 For those officers eligible for 24 hours – PTO hours shall be pro-rated in the year of hire, termination or
6 resignation as follows:
7

	<u>Hired</u>	<u>Leaving</u>
8 January – April	16 hours	0 hours
9 May – August	8 hours	8 hours
10 September – December	0 hours	16 hours

11
12
13 At the time of retirement, officers who qualify for an annuity under the Wisconsin Retirement Fund shall
14 receive their full unused balance of PTO pursuant to the PEHP.
15

16 Officers shall use PTO to cover the hours of their scheduled shift not including resume time.
17

18 C. Funeral Leave
19

- 20 1. Funeral leave shall be administered by the Chief.
- 21 2. In the event of death within the officer's immediate family, the officer will be paid for the scheduled time
22 lost during the period from two days before the funeral up to and including two days after the funeral, but
23 not to exceed three (3) working days. Immediate family shall be defined as non-dependent child,
24 grandchildren, parents, sister, brother, mother-in-law, father-in-law, or any other relative living in the
25 officer's residence at the time of death.
- 26 3. In the event of the death of the officer's spouse or dependent child, the officer will be paid for scheduled
27 time lost from the date of death, but not to exceed ten (10) working days ((eighty (80) hours maximum)).
28 Leave must be taken within sixty (60) days of the death.
- 29 4. In the event of the death of an officer's or spouse's grandparent the officer will be given the paid funeral
30 leave for the day ((eight (8) hours maximum)) of the funeral, provided the officer was scheduled to work
31 and attends the funeral. Officers will be allowed to substitute other benefits after 8 hours or trade with
32 another officer.
- 33 5. Funeral leave shall not be deducted from accumulated sick leave.
34

35 D. Leave of Absence Without Pay
36

- 37 1. Requests for leave of absence without pay for justifiable reasons shall be made by written application on
38 a form provided by the Human Resources Office and be submitted at least two (2) days prior to the
39 anticipated leave.
 - 40 a) For a leave not to exceed three (3) consecutive days, their request shall be made to and approved by
41 the Police Chief.
 - 42 b) For a leave in excess of three (3) consecutive days, or for a partial leave of absence, they shall make
43 their request to the Director of Human Resources after securing the approval of the Chief.
 - 44 c) No officer shall be granted a leave of absence without pay unless such officer makes arrangements in
45 advance with the Director of Human Resources for payment of hospital/surgical and life insurance
46 during the period of the absence.
 - 47 d) Officers on a partial leave of absence shall be paid at their regular rate for actual hours worked and
48 shall receive pro-rated fringe benefits based on actual hours worked, provided, however, that such
49 leave shall not change the officer's seniority date.
50
- 51 2. A leave of absence without pay shall be granted to officers for recuperation from off-duty injury or illness,
52 provided that the following requirements are met in addition to the requirements of Item 1 above:

- a) The leave shall be for the period of the doctor's prognosis but not to exceed one year.
- b) The officer must use all available accumulated sick leave, vacation and compensatory time before going on such leave.
- c) The officer must provide, in advance, a doctor's statement indicating that the officer will be able to return to regular duties within one year of the start of the leave.

3. Failure to comply with the requirements of this article shall result in disciplinary action.

ARTICLE 11 – HEALTH AND DENTAL INSURANCE

At the time of retirement, officers who qualify for an annuity under the Wisconsin Retirement fund shall have the option of continuing the medical coverage, at their expense, until they are eligible for Medicare, provided that the retiree makes timely payments for the premiums.

Health Insurance

Officers shall pay the same contribution as non-represented employees on plans offered by the City to non-represented employees.

Dental Insurance

Provided the employer offers a Dental Plan, officers shall pay the same contribution as non-represented employees on plans offered by the City to non-represented employees.

ARTICLE 12 – POST EMPLOYMENT HEALTH PLAN

The City of Appleton agrees to participate in a Post Employment Health Plan. The employer agrees to contribute to a Plan on behalf of officers represented by the Appleton Professional Police Association.

For the term of this agreement, the Employer shall contribute for each eligible officer the amount of \$10 per month.

ARTICLE 13 – RETIREMENT CONTRIBUTION

Officers agree to pay the same contribution as general municipal employees for funding benefits under the Wisconsin Retirement Fund.

ARTICLE 14 – LIFE INSURANCE

The term life insurance program, providing \$50,000 worth of life insurance per officer shall be continued. The City will assume 100% of the cost of the aforesaid life insurance program.

ARTICLE 15 – CLOTHING ALLOWANCE

New officers to the department shall receive a one-time \$600 initial clothing allowance, which will be added to the officers first paycheck. This allowance shall be considered a loan to each probationary officer. Officers who fail to complete probation shall re-pay the City this allowance or turn over to the City all uniform and equipment items purchased with the clothing allowance loan. Should the uniform and equipment items turned in to the City represent a purchase value of less than the loan, the officer shall be liable for the difference. Upon successful completion of the probationary period, the loan shall be considered forgiven.

In addition, department issued duty weapon, three (3) magazines, badge, body armor, and apparel patches will be turned over to the department upon end of employment for all officers.

1
2 All officers are required to obtain and maintain per department standards, all clothing and equipment required by the
3 City for duty and special assignments.
4

5 The City reserves the right to set standards for and regulate items of equipment and uniform clothing to include, but
6 not be limited to, color, style, fabric, material, brand and specifications. The City further reserves the right to
7 determine the serviceability of any items of uniform clothing and equipment.
8

9 In the event an officer's uniform, equipment, and/or eye wear are damaged or destroyed as the result of an unusual or
10 extreme incident occurring in the course of their duty, the City shall pay the cost of repairing such damage or shall pay
11 for its replacement and shall thereupon be entitled to collect any restitution ordered by the Courts. It is understood
12 and agreed in accordance with this paragraph that payment hereunder will be made in the instances such that are of
13 an emergency or extreme nature, such as apprehension of an individual or an unusual incident which required
14 emergency or extreme action on the part of an officer.
15

16 The City will provide body armor to all newly hired officers. The City shall replace the City provided body armor on a
17 five-year rotating cycle. The wearing of body armor shall be mandatory for all officers to whom the City has provided
18 it unless the City grants an exemption. The City shall be responsible for the maintenance cost to a City supplied vest
19 between the time of issuance and replacement of said vest.
20

21 A joint-labor management committee shall recommend specifications and manufacturers and an implementation plan
22 to the Police Chief.
23

24 ARTICLE 16 – COMPENSATION FOR ATTENDING TRAINING PROGRAMS

25
26 The City shall pay expenses incurred by officers ordered to attend training programs by the Chief or designee.
27

28 ARTICLE 17 – RULES AND REGULATIONS

29
30 The rules and regulations of the Appleton Police Department as established by the Police and Fire Commission of the
31 City of Appleton in accordance with the provisions of and pursuant to Chapter 111.7, Section 62.13 of the Wisconsin
32 Statutes, shall be made part of this Agreement by reference.
33

34 The Association recognizes the right of the Employer to promulgate reasonable rules and regulations from time to
35 time, provided a copy is submitted to the Association ten (10) days before implementation.
36

37 ARTICLE 18 – GRIEVANCE PROCEDURE

38
39 Both the Association and City recognize that grievances and complaints should be settled promptly and at the earliest
40 possible steps and that the grievance process must be initiated within fifteen (15) days (Saturdays, Sundays and
41 holidays excluded) of the incident or within fifteen (15) days (Saturdays, Sundays and holidays excluded) of the officer
42 or Association learning of the incident. Any grievance not reported or filed within the time limits set forth above shall
43 be invalid, provided, however, that the time limits may be extended by mutual consent of the parties.
44

45 Any grievance not reported or filed within the time limits set forth above, and any grievance not properly presented to
46 the next step within the time limits set forth below, shall be invalid, provided, however, that the time limits may be
47 extended by mutual agreement.
48

49 Any difference of opinion or misunderstanding as to the application or interpretation of the terms and conditions of this
50 agreement shall be handled in the following manner:
51

- 1 1. The aggrieved officer or the Association shall present the grievance orally to their supervisor either alone or
2 accompanied by an Association representative.
- 3 2. If the grievance is not settled at the first step, it shall be reduced to writing and presented to the Assistant
4 Chief within five (5) days (Saturdays, Sundays and holidays excluded) of completion of Step 1. Such
5 grievance shall specify the provisions of this agreement which were allegedly violated. Within five (5) days
6 (Saturdays, Sundays and holidays excluded) the Assistant Chief shall furnish the officer and the Association
7 with a written answer to the grievance.
- 8 3. If the grievance is not settled at the second step, the grievance shall be presented in writing to the Police
9 Chief within five (5) days (Saturdays, Sundays and holidays excluded) from receipt of the written response in
10 Step 2. The Chief shall, within five (5) days (Saturdays, Sundays and holidays excluded), hold an informal
11 meeting with the aggrieved officer, Assistant Chief/or Captain and Association representative.

12
13 If the grievance is not resolved to the satisfaction of all parties within five (5) days (Saturdays, Sundays and
14 holidays excluded), either party may proceed to the next Step.

- 15
16 4. The grievance shall be presented in writing to the Human Resources Director or designee within seven (7)
17 days (Saturdays, Sundays and holidays excluded) of completion of Step 3.
 - 18
19 a. The Human Resources Director or designee shall within five (5) days (Saturdays, Sundays and holidays
20 excluded) set up an informal meeting with all parties involved up to this point. Within seven (7) days
21 (Saturdays, Sundays and holidays excluded) after this meeting, a determination shall be made and
22 reduced to writing and copies submitted to all parties involved.
- 23
24 5. If the grievance is not settled at the fourth step of the grievance procedure, the aggrieved party may within
25 five (5) days (Saturdays, Sundays and holidays excluded) submit the grievance to an arbitrator. The
26 arbitrator shall be selected by the Wisconsin Employment Relations Commission. The decision of the
27 arbitrator shall be final and binding on all parties except for judicial review. Both parties shall share equally
28 the cost and expenses of the arbitrator proceedings, if any, including transcript fees. Each party, however,
29 shall bear its own cost of their representative, attorneys and witnesses.

30
31 The Association may appoint representatives of the Association and shall inform the City of the names of the
32 individuals so appointed and of any change thereafter made in such appointment. The City shall allow the
33 representatives the necessary time to process grievances during the course of the duty day.

34 35 ARTICLE 19 – MILITARY LEAVE

36
37 Officers having permanent status and who are duly enrolled members of the National Guard, the State Guard, the
38 Officers Reserve Corps, the Enlisted Reserve Corps, the Naval Reserve, the Naval Reserve Corps, the Marine Corps
39 Reserve or any other reserve component of the military or naval forces of the United States or the State of Wisconsin
40 now or hereafter organized or constituted under Federal Law, are entitled to leaves of absence without loss of time to
41 enable them to attend military or naval schools, field camps of instruction and naval exercises which have been duly
42 ordered held, but not to exceed twenty (20) days, in the calendar year in which so ordered and held. All military leave,
43 including active duty shall be governed by USERRA.

44
45 The difference in pay between military pay during time of attendance and the officer's regular pay during the same
46 period shall be paid by the City.

47
48 The leave granted is in addition to all other leaves.

49 50 ARTICLE 20 – SUSPENSION, DISMISSAL AND REDUCTION IN RANK

1 Suspension, dismissal and reduction in rank of officers from the Police Department shall be governed by Section
2 62.13 of the Wisconsin Statutes.

3
4 All newly hired officers shall be considered probationary for one year from the time they complete their formal training
5 period with the Appleton Police Department, but not to exceed eighteen (18) months from their date of hire, unless for
6 extenuating circumstances (e.g. military leave, etc.).

7
8 Continued employment beyond the probationary period above noted is hereby defined as evidence of satisfactory
9 completion of probation.

10
11 A regular officer is hereby defined as a person who has satisfactorily completed their probationary period and is hired
12 to fill a full-time position in the Table of Organization.

13
14 The seniority of a regular officer who has satisfactorily completed probation shall date from their date of employment.
15 Proper records indicating status of officers shall be maintained. Seniority shall be established for each officer and
16 shall consist of the total calendar time elapsed since the date of their employment. Seniority rights terminate upon
17 discharge or quitting.

18
19 ARTICLE 21 – FIELD TRAINING OFFICER PROGRAM

20
21 Notwithstanding any other provisions of this Agreement, the City shall have the right to establish policy for the
22 implementation of a Field Training Officer program including but not limited to the right to determine eligibility for
23 participation in the program.

24
25 Those individuals participating in the program shall be paid one hour of pay, at the rate of time and one half (1.5) for
26 each 8 hour day and one hour and one half of pay, at the rate of time and one half (1.5) for each 12 hour day, or part
27 of day (8 or 12) that the officer completes the evaluation form and paperwork, in the performance of field training
28 officer duties.

29
30 ARTICLE 22 - CANINE HANDLERS

31
32 Notwithstanding any other provisions of this Agreement, the Chief shall have the right to establish policy for the
33 implementation and maintenance of a Canine Handler program including but not limited to the right to determine
34 eligibility for participation in the program and other program administrative requirements. The continuation of the
35 canine program shall be at the sole discretion of the Chief.

36 Officers serving as Canine Handlers shall be paid 20 minutes of overtime compensation per day for work time related
37 to caring and maintenance of the canine. The 20 minutes of overtime pay shall be in addition to compensation for the
38 entire regular shift and any overtime compensation associated with being held over for duty related matters. The 20
39 minutes of overtime compensation shall apply on off days and leave days, or unless otherwise stated in departmental
40 policy. Additional hours outside of the normal workday spent in extraordinary care of the canine must receive prior
41 supervisory approval and will be paid as "other scheduled work" according to Article 4.

42 An officer assigned as a canine handler of a dog owned by the MEG will be entitled to the 20 minutes of overtime pay
43 during scheduled work days only if the MEG supervisor is unable to schedule one half hour of canine care and
44 maintenance into the duty day. The handler will be entitled to the 20 minutes of overtime pay for each off day or leave
45 day, unless otherwise stated in departmental policy.

46 The cost of kenneling services necessary to accommodate an officer's absence associated with paid time-off of one
47 (1) week or more will be borne by the City. Kenneling services necessitated by any time-off less than one (1) week
48 shall be at the expense of the handler. The 20-minutes of overtime pay awarded for care and maintenance of the
49 canine shall not apply when the cost for kenneling is at the City's expense.

1 An officer assigned as a canine handler will be required to carry his or her department issued cellular telephone
2 during off-duty hours, unless on a scheduled leave day or with prior approval of his or her supervisor. The officer will
3 not receive additional compensation for carrying the cellular telephone.

4 The City reserves the right to determine the shift assignment of the canine handler.

5
6 ARTICLE 23 – DEFENSE OF OFFICERS BY THE CITY ATTORNEY
7

8 The City shall authorize the City Attorney to defend actions brought against any officer growing out of the acts done in
9 the course of their employment or out of any alleged breach of their duty as such officer. Any judgment obtained
10 against such officer shall be paid by the City, provided the officer did not act in bad faith.

11
12 ARTICLE 24 – AMENDMENT PROVISION
13

14 This Agreement is subject to amendment, alteration or addition only by a subsequent written agreement between and
15 executed by the City and the Association where mutually agreeable. The waiver of any breach, term or condition of
16 this Agreement by either party shall not constitute a precedent in the future enforcement of all its terms and
17 conditions.

18
19 ARTICLE 25 – SAVINGS CLAUSE
20

21 If any article or section of this Agreement or any addendum thereto should be held invalid by operation of law or by
22 any tribunal or competent jurisdiction, or if compliance with or enforcement of any Article or Section should be
23 restrained by such tribunal, the remainder of the Agreement and the addendum shall not be affected thereby, and the
24 parties shall enter into immediate collective bargaining negotiations for the purpose of arriving at a mutually
25 satisfactory replacement for such Article or Section.

26
27 ARTICLE 26 – NO OTHER AGREEMENT
28

29 The employer agrees not to enter into any other Agreement written or verbal with the members of the Police
30 Department individually or collectively which in any way conflicts with the provisions of this Agreement.

31
32 ARTICLE 27 – CHANGES IN THE TERMS OF THIS AGREEMENT
33

34 If either party desires to negotiate any changes in this Agreement to become effective after the end of the term of this
35 Agreement or any extension thereof, they shall notify the other party in writing of its desire to enter into such
36 negotiating one hundred and fifty (150) days prior to the end of the contract period.

37
38 ARTICLE 28 – EDUCATION REIMBURSEMENT
39

40 Any officer who possesses or comes to possess a baccalaureate degree in Police Science, Police Administration or a
41 field substantially relating to policing from an institution accredited by the North Central Association shall be paid in
42 accordance with the "Baccalaureate Degree" schedule of Exhibit "A".

43
44 The City will reimburse up to 50% of the cost of required books and tuition for successful completion of courses taken
45 to obtain a baccalaureate or master degree in Police Science, Police Administration or a field substantially related to
46 Policing as determined by the Chief, from an institution accredited by the North Central Association. Successful
47 completion shall mean a passing grade if the course is graded on a pass/fail basis or a grade of "C" or better if letter
48 grades are issued. The tuition payment by the City shall not exceed that charged by the University of Wisconsin
49 system for similar courses.
50

1 Officers who wish to attend a master's degree program, shall submit their request to the Chief, prior to the start of the
2 class. The Chief shall review on a class by class request and will have sole discretion on the approval.

3
4 Student classroom and study hours shall not be construed as work hours nor be subject to compensation.

5
6 Officers must follow the Department Procedure to be eligible for reimbursement.

7
8 ARTICLE 29 – FUNCTION OF MANAGEMENT

9
10 Except as herein otherwise provided, the management of the Department and the direction of the working forces,
11 including the right to hire, promote, demote, lay-off, suspend without pay, discharge for proper cause, transfer,
12 determine the number of officers to be assigned to any job classification or to determine the job classification needed
13 to operate the Employer's jurisdiction is vested exclusively with the Employer.

14
15 It is further agreed, except as herein otherwise provided, that the responsibilities of management include, but are not
16 limited to those outlined in this Agreement. In addition to any functions specified herein, the Employer shall be
17 responsible for fulfilling all normal managerial obligations, such as planning, changing, or developing new methods of
18 work performance, establishing necessary policies, organizations and procedures, assigning work and establishing
19 work scheduled, and of applying appropriate means of administration and control. Provided however, that the exercise
20 of the foregoing rights by the City will not be used for the purpose of discrimination against any member of the
21 Association or be contrary to any other specific provision of this Agreement, and provided that nothing herein shall be
22 construed to abrogate the provisions of the grievance procedure.

23
24 ARTICLE 30 – DUES DEDUCTION

- 25
26 A. The Employer agrees to deduct monthly dues in the amount certified by the WPPA/LEER from the pay of
27 officers who individually sign a dues deduction authorization form provided by the Employer where the Officer
28 is knowingly and affirmatively consenting to the deduction of dues from the officer's paycheck, including any
29 Local Association dues which the officer has authorized to be deducted in conjunction with the WPPA/LEER
30 dues.
- 31 B. It shall be the officer's responsibility to sign the dues deduction authorization form and provide the signed
32 form to the Employer and Association no less than 30 days prior to the date in which dues deductions are to
33 commence.
- 34 C. The Employer shall deduct the combined dues amount each pay period for each officer requesting such
35 deduction, upon receipt of such form and shall remit the total of such deductions, with a list of officers from
36 whom such sums have been deducted, to the Local Association in one lump sum after the last payroll of each
37 month.
- 38 D. Authorization of dues deduction by a member may be revoked upon notice in writing to the Employer, WPPA,
39 or to the Local Association with the understanding that the deduction will cease as reasonably as practical
40 after receipt of written notice of revocation.
- 41 E. No officer shall be required to join the Association, but membership in the Association shall be made available
42 to all officers in the bargaining unit who apply consistently with either the WPPA or local Association
43 Constitution and Bylaws.
- 44 F. No officer shall be denied membership because of race, creed, color, sex or other legally protected class
45 status.
- 46 G. It is expressly understood and agreed that WPPA/LEER will refund to the Employer any dues erroneously
47 deducted by the Employer and paid to WPPA/LEER and/or the Local Association. WPPA/LEER shall
48 indemnify, defend, and hold harmless the Employer against any and all third party claims, demands, suits,
49 order, judgments or any other forms of liability against or incurred by the Employer, including all costs of
50 defense and attorney's fees, which may arise out of action taken or not taken by the Employer's compliance
51 with this Article, provided that the defense of any such claims, demands, suits or other forms of liability shall
52 not be interpreted to preclude the Employer from participating in any legal proceedings challenging the

1 application or interpretation of the Article through representatives of the Employer's own choosing and at its
2 own expense.

3
4 ARTICLE 31 – ONE-TO-ONE CAR PLAN

5
6 Notwithstanding any other provisions of this Agreement, the City shall have the right to establish rules and regulations
7 for the operation of the one-to-one car plan including but not limited to the right to determine eligibility for participation
8 in the plan. Administration of such rules and regulations shall be subject to the grievance procedure.

9
10 Participation in the one-to-one car plan by those individuals eligible for participation shall be voluntary. Eligible
11 individuals may not change their election whether to participate other than at intervals specified by the City, which
12 shall not be less than once each calendar year.

13
14 ARTICLE 32 – PHYSICAL FITNESS PROGRAM

15
16 In recognition of the importance that physical fitness plays in the general health and well-being of police officers and in
17 consideration of the relationship between good health and well-being and effective efficient police service, the
18 following physical fitness program is adopted.

- 19
20 A. For purposes of this program four categories of physical fitness are recognized: 1-poor, 2-adequate, 3-good,
21 4-excellent.
22
23 B. Participating officers will be tested annually and will be paid a maximum of 60-minutes pay, or 90-minutes if
24 completing the run, at time and one half for participation in the testing procedure.
25
26 C. A testing period is defined as the time between the start of one round of physical fitness tests and the start of
27 the next round of physical fitness tests.
28
29 D. All officers who score as "excellent" will be paid a premium of 2% of their base pay and shall accumulate eight
30 (8) hours of physical fitness bonus for each testing date. All officers who score as "good" will be paid a
31 premium of 1% of their base pay and shall accumulate four (4) hours of physical fitness bonus for each
32 testing date. Those who score as "adequate" will receive no salary or physical fitness bonus incentive. Such
33 premium payment shall be in a lump sum payable within thirty (30) days of the finalization of the testing
34 results and shall be calculated on the basis of 2% or 1% of the officer's annual base pay, calculated on the
35 rate of pay at the time of the test. Officers shall be paid their accumulated physical fitness bonus pay upon
36 retirement to the Post Employment Health Plan. New officers are not eligible for payment under the program
37 until they have participated in one of the regularly scheduled testing procedures.
38
39 E. Officers must maintain a rating of "adequate" or better. Failure to do so may subject the officer to disciplinary
40 action and shall be considered relevant evidence of the officer's inability to fully perform the expected duties
41 of their position.
42
43 F. Any officer who fails to maintain a rating of "adequate" or better, while not subject to discipline for such action,
44 shall not be exempt from discipline for inability to fully perform the expected duties of the position. Further,
45 the department reserves the right to assess the medical and physical fitness of each officer to perform all
46 duties of a police officer.
47
48 G. Any officer who for reasons of illness or injury, is temporarily unable to perform their previous recorded level
49 during any test period shall, after review and determination by the Chief of Police as to legitimacy, be paid at
50 the previous rate for a period that shall not exceed one testing period. If possible, the officer shall test during
51 that period to show the ability to complete the physical fitness testing. After one testing period, if such illness
52 or injury continues, the officer shall receive premium pay only if they test during the test period.

- 1
2 H. All officers are responsible for determining their fitness to participate in the testing process. Officers must
3 provide a statement indicating that they have been involved in a physical fitness program for the six-month
4 period preceding the assessment.
5
6 I. It is mutually agreed that the following are valid job-related criteria for determining physical fitness of Appleton
7 Police Officers.
8
9 1. Upper body strength
10 2. Abdominal strength
11 3. Flexibility
12 4. Cardiovascular endurance
13 5. Percentage of body fat
14
15 J. The Chief of Police shall establish standards consistent with the above criteria for use in this program. Such
16 standards shall not be raised without prior approval of the Board of Directors of the Association.
17

18 ARTICLE 33 – POSITION ENHANCEMENT PROGRAM
19

20 Progression through the steps of Exhibit “A” shall be based on the agreed-upon Position Enhancement Program.
21 Participation in the program shall be voluntary.
22

23 In order to keep the Officer Position Enhancement Program current and relevant to contemporary policing needs, the
24 City and the Association may, from time to time, find it necessary to modify criteria for movement through the various
25 steps. The City agrees that no changes will be made in the standards or to the advancement criteria for: Senior
26 Police Officer, Master Police Officer, Sergeant, and Senior Sergeant, without the prior approval of the Association. In
27 addition, the City agrees that standards must be reasonable, appropriate and consistent with job performance
28 expectations of police personnel. Nothing contained herein shall limit or restrict the Association’s right to negotiate
29 over mandatory subjects of bargaining.
30

31 ARTICLE 34 – WEIGHT STANDARDS
32

- 33 A. All officers shall be required to maintain a percentage of body fat of “adequate” or better, in accordance with
34 the agreed upon body fat charts.
35
36 B. All officers will be tested for percentage of body fat annually, except that those who fall below the “adequate”
37 level shall be tested monthly until they reach and maintain an “adequate” level.
38
39 C. Officers whose percentage of body fat fall below the “adequate” level must show progress toward “adequate”
40 in their monthly testing and must reach the “adequate” level within one year.
41
42 D. Officers may be subject to progressive discipline for failure to comply with “C” above.
43
44 E. Nothing contained herein shall be construed as a waiver of any officer’s rights under State Statutes 62.13 or
45 Article 18 of this Agreement.
46

47 ARTICLE 35 – JURY DUTY
48

49 Officers requested to be on jury duty shall be paid their normal pay and will turn over their jury duty fees to the City,
50 excluding actual expenses. For scheduling purposes, such officers shall be considered on the day shift, on any day in
51 which they are required to report for jury duty. Provided, however, that third shift officers will not be required to work
52 immediately prior to being required to appear for jury duty. Officers who are excused from jury duty prior to the end of

1 the day shift shall report to the Police Department for assignment for the balance of that shift. For purposes of this
2 section, day shift shall be defined as 8 AM to 4 PM.

3
4 ARTICLE 36 – LAYOFF

5
6 When it becomes necessary to reduce the number of officers, regular part-time officers within the bargaining unit shall
7 be dismissed first, and thereafter officers shall be dismissed in the order of the shortest length of service in the
8 bargaining unit.

9
10 1. Classification Elimination

11
12 Any subsequent reassignment as a result of a classification elimination from Sergeant to Police Officer shall be on
13 the basis of classification seniority. The Sergeant with the lowest classification seniority shall be reassigned to
14 Patrol Officer with departmental seniority back to original date of hire.

15
16 Classification seniority shall consist of the total calendar time of regular full-time employment in a particular job
17 classification listed on the wage schedule, i.e. Sergeant and Police Officer. An officer who permanently leaves
18 one job classification will maintain the classification seniority they had at the time of leaving, but will not accrue
19 further seniority in their former classification unless they permanently return to such classification.

20
21 In the event that the higher position is recreated, the officer removed shall be reinstated with the higher
22 position.

23
24 Affected officers may accept layoff in lieu of reclassification.

25
26 2. Recall from Layoff:

- 27
28 A. The names of officers laid off through no fault of their own shall remain on the departmental call list for a
29 period equal to twenty-four calendar months from date of layoff.
30 B. Officers recalled from layoff shall be given fifteen (15) work days to respond after notice has been sent by
31 certified mail to the last known address on file with the Human Resources Director and ten (10) work days to
32 resume work.
33 C. Officers who decline recall or who fail to respond or return to work directed within the time allowed shall be
34 presumed to have resigned and if re-employed shall return to work as a new officer.
35 D. In the event of a recall, the officer who was last laid off, will be first recalled.

36
37 ARTICLE 37 – SURVIVOR BENEFITS

38
39 Any officer who dies while classified as a regular full-time officer shall be entitled to all of the accrued and earned sick
40 days (not to exceed seven hundred and twenty hours), vacation days and holidays not used and all overtime earned
41 but not taken, plus any outstanding salary which may be owed to the deceased. These benefits will be computed at
42 the rate in existence at the time of death and paid to the estate as soon as practical.

43
44 ARTICLE 38 – ASSOCIATION BARGAINING COMMITTEE/ASSOCIATION BUSINESS

45
46 Officers who are members of the Association bargaining team shall be allowed to attend bargaining sessions and
47 Grievance Arbitrations while on duty without loss of pay or benefits provided, however, that not more than four on-duty
48 persons shall be allowed to attend at the same time.

49
50 Out-Of-Service Hours: On-duty officers taking themselves out of service must obtain prior approval from their
51 supervisor to attend any meeting. Out of service shall be defined as being on duty but unavailable to receive radio

1 calls. Officers who are out of service must continue to be available as deemed appropriate by the supervisor. Out of
2 service may be rescinded, by the supervisor, should the need of the department warrant.

3
4 ARTICLE 39 – NO STRIKE CLAUSE

5
6 No strikes of any kind shall be caused or sanctioned by the Association during the term of this agreement.

7
8 ARTICLE 40 – TERM OF AGREEMENT

9
10 This Agreement shall become effective as of January 1, 2020 and remain in full force and effect to and including
11 December 31, 2023, and shall renew itself for additional one-year periods thereafter unless either party pursuant to
12 Article 27 has notified the other party in writing that it desires to alter or amend this Agreement at the end of the
13 Agreement period.

14
15 It is agreed by and between the parties that the terms and conditions of the Employment Agreement as contained
16 herein shall be binding on both parties. The Agreement may be reopened by mutual agreement of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this _____ day of _____, 2017.

CITY OF APPLETON:

BY: _____
Timothy Hanna, Mayor

APPLETON PROFESSIONAL POLICE ASSOCIATION

ATTEST:

President

BY: _____
Kami Lynch, City Clerk

Secretary/Treasurer

Approved as to form:

WISCONSIN PROFESSIONAL POLICE ASSOCIATION

James P. Walsh
City Attorney
City of Appleton, Wisconsin

Business Agent

Provision has been made to pay any liability which may accrue under this contract.

Anthony Saucerman
Director of Finance
City of Appleton, Wisconsin

APPA WAGE SCHEDULE 2020 - 2023

4/1/20 - 1.00%
 10/1/20 - 1.25%
 4/1/21 - 1.0%
 10/1/21 - 1.25%
 4/1/22 - 1.0%
 10/1/22 - 1.50%
 4/1/23 1.5%
 10/1/23 1.5%

	4/1/20 Rate	10/1/20 Rate	4/1/21 Rate	10/1/21 Rate	4/1/22 Rate	10/1/22 Rate	4/1/23 Rate	10/1/23 Rate
POLICE OFFICER WITHOUT DEGREE								
Start step	\$29.70	\$30.07	\$30.37	\$30.75	\$31.06	\$31.53	\$32.00	\$32.48
6 months Step	\$30.87	\$31.26	\$31.57	\$31.96	\$32.28	\$32.76	\$33.25	\$33.75
2 years Step	\$32.22	\$32.62	\$32.95	\$33.36	\$33.69	\$34.20	\$34.71	\$35.23
3 years Step	\$33.04	\$33.45	\$33.78	\$34.20	\$34.54	\$35.06	\$35.59	\$36.12
4 years Step	\$33.97	\$34.39	\$34.73	\$35.16	\$35.51	\$36.04	\$36.58	\$37.13
5 years Step	\$35.46	\$35.90	\$36.26	\$36.71	\$37.08	\$37.64	\$38.20	\$38.77
SENIOR POLICE OFFICER	\$37.44	\$37.91	\$38.29	\$38.77	\$39.16	\$39.75	\$40.35	\$40.96
MASTER POLICE OFFICER	\$38.34	\$38.82	\$39.21	\$39.70	\$40.10	\$40.70	\$41.31	\$41.93
POLICE SERGEANT	\$39.30	\$39.79	\$40.19	\$40.69	\$41.10	\$41.72	\$42.35	\$42.99
POLICE SENIOR SERGEANT	\$40.30	\$40.80	\$41.21	\$41.73	\$42.15	\$42.78	\$43.42	\$44.07
POLICE OFFICER WITH DEGREE								
Start step	\$29.70	\$30.07	\$30.37	\$30.75	\$31.06	\$31.53	\$32.00	\$32.48
6 months Step	\$30.87	\$31.26	\$31.57	\$31.96	\$32.28	\$32.76	\$33.25	\$33.75
2 years Step	\$32.22	\$32.62	\$32.95	\$33.36	\$33.69	\$34.20	\$34.71	\$35.23
3 years Step	\$33.36	\$33.78	\$34.12	\$34.55	\$34.90	\$35.42	\$35.95	\$36.49
4 years Step	\$34.76	\$35.19	\$35.54	\$35.98	\$36.34	\$36.89	\$37.44	\$38.00
5 years Step	\$36.13	\$36.58	\$36.95	\$37.41	\$37.78	\$38.35	\$38.93	\$39.51
SENIOR POLICE OFFICER	\$38.13	\$38.61	\$39.00	\$39.49	\$39.88	\$40.48	\$41.09	\$41.71
MASTER POLICE OFFICER	\$39.15	\$39.64	\$40.04	\$40.54	\$40.95	\$41.56	\$42.18	\$42.81
POLICE SERGEANT	\$40.08	\$40.58	\$40.99	\$41.50	\$41.92	\$42.55	\$43.19	\$43.84
POLICE SENIOR SERGEANT	\$41.08	\$41.59	\$42.01	\$42.54	\$42.97	\$43.61	\$44.26	\$44.92

- I. Progression through the above schedule shall be as follows:
 - A. Except as otherwise provided, trainee Police Officers will start at Start step of the pay schedule
 - B. Police Officers will move to:
 - 1. 6 Month Step after six (6) months of service.
 - 2. 2 Year Step after two (2) full years of service.
 - 3. 3 Year Step after three (3) full years of service.
 - 4. 4 Year Step after four (4) full years of service.
 - 5. 5 Year Step after five (5) full years of service.
 - 6. The position enhancement step in accordance with the position enhancement program.
 - C. The Chief will have the ability to hire new officers possessing significant policing experience or specialized skill may be hired at any step of the pay schedule. Additionally, the Chief shall determine vacation and sick leave allowances. For purposes of future pay advancement, such officers shall be deemed to have the years of service which their pay step represents. For purposes of vacation, such officers shall advance on their years of service. For all other purposes, seniority shall be determined from the actual date that the officer was hired.
 - D. Officers who pass the PEP test to qualify for the position of Senior Police Officer, shall be placed on the wage schedule in Exhibit A.

New hires who attend the academy will receive 80% of the base officer wage until graduation from the academy. Upon the first day after graduation, the officer will move to the starting step of the pay scale.

As part of the 2020 bargain: While officers work an average of 38.50 hours per week (77.21 hours bi-weekly), officers will be paid 78 hours bi-weekly in exchange for elimination of shift differential, annual clothing maintenance, annual clothing cleaning allowance, and the clothing market basket.

LETTER OF UNDERSTANDING

WEEK DAY PATROL

This Letter of Understanding outlines an agreement reached between the City of Appleton and the Appleton Professional Police Association (APPA). The Letter of Understanding applies to the trial for a Week Day Patrol schedule for two APPA Operational officers. All other provisions of the union contract shall remain unchanged.

ARTICLE 3 – HOURS

- A. **Hours:** A normal scheduled work day shall consist of an eight (8) hour and ten (10) minute shift which shall include a ten (10) minute resume' time normally scheduled prior to the designated shift hour and used primarily for the purpose of orientation and resume'.

- B. **Work Schedule:** The work schedule shall consist of five (5) days on, two (2) days off, five (5) days on, two (2) days off, five (5) days on, two (2) days off, four (4) days on, and three (3) days off. This schedule incorporates contract days off.

The City of Appleton and the Appleton Professional Police Association (APPA) agree to this Week Day Patrol schedule. The City of Appleton reserves the right to discontinue the Week Day Patrol schedule at any point or at the end of the current contract term.

156-23

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF APPLETON.

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

Section 1: The Comprehensive Plan 2010-2030 Future Land Use Map for the following area of the city be amended as follows:

#2-23: For the parcel located at 213 East Wisconsin Avenue (Tax Id #31-6-0313-00) including to the centerline of the adjacent right-of-way to change from future Public/Institutional land use to future Mixed-Use land use and the Future Land Use Map be revised accordingly.

LEGAL DESCRIPTION:

DAVID KIMBALLS ADDN 6WD LOTS 1,3,4,5,6 & 7 BLK 18 AND A B RANDALLS PLAT 6WD LOTS 1 & 2 BLK 19 AND LOTS 1 & 2 AND W120FT OF LOTS 3 & 4 BLK 20 AND VAC DURKEE ST BETWEEN WISCONSIN AV AND SUMMER ST LESS DOC #1881092 FOR R/W, INCLUDING TO THE CENTERLINE OF THE ADJACENT ROAD RIGHT-OF-WAY, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

157-23

AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.

(City Plan Commission 11-15-2023)

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

Section 1: That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone the parcel located at 213 East Wisconsin Avenue (Tax Id #31-6-0313-00) including to the centerline of the adjacent right-of-way from PD/C-O Planned Development Overlay #17-02/Commercial Office District to C-1 Neighborhood Mixed Use District. (Rezoning #8-23 – St. Therese Congregation, owner, and Tom Klister of Fore Investment Group, applicant)

LEGAL DESCRIPTION:

DAVID KIMBALLS ADDN 6W D LOTS 1,3,4,5,6 & 7 BLK 18 AND A B RANDALLS PLAT 6WD LOTS 1 & 2 BLK 19 AND LOTS 1 & 2 AND W120FT OF LOTS 3 & 4 BLK 20 AND VAC DURKEE ST BETWEEN WISCONSIN AV AND SUMMER S T LESS DOC #1881092 FOR R/W, INCLUDING TO THE CENTERLINE OF THE ADJACENT ROAD RIGHT-OF-WAY, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

COMMON DESCRIPTION:

213 East Wisconsin Avenue, including to the centerline of the adjacent right-of-way

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 Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.



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 Hartzheim, Chair
Members of the Human Resources/Information Technology Committee

From: Zak Buruin, Assistant City Attorney

Date: October 18, 2023

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

Alderperson salaries are reviewed annually. Historically this item is placed on the agenda as an action item every Fall to give Council the ability to review and adjust the Alderperson salary for a future Council. On November 16, 2022, the Common Council voted to maintain the \$6,750 annual salary of all Alderpersons, effective April 2024.

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:* Council may establish alderpersons’ salaries for terms starting in April 2024 (Districts 2, 4, 6, 8, 10, 12, and 14) prior to December 1, 2023, and subsequently establish salaries for Alderpersons for terms starting in April 2025 (Districts 1, 3, 5, 7, 9, 11, 13, and 15) prior to December 1, 2024: or,

2) *For a single adjustment:* establish the salary for all alderpersons seated on the Council in April 2025 prior to December 1, 2023.

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

2023 Alderpersons

Municipality	Population # of Council/Board	Salary	Benefits	Expense Account
Appleton	74,370	\$6,750	Parking pass	None
EauClaire	70,587	\$3000; President = \$3600	\$10/mo cell phone allow, \$88.43 auto allow	None
Green Bay	107,015	\$10,287	Health, Dental, Deferred Comp	None
Kenosha	99,877	\$6,000	None	\$50 per diem per 1/2 day; \$100 per diem per 6 hour day; \$50 per
La Crosse	51,834	\$8,400.00	WRS, ICI, Section 125	Yes
Manitowoc	34,547	\$5,400.00	None	None
Neenah	26,137	\$5,280	None	None
Menasha	17,856	President \$5490; others \$5190	Workers compensation	Registration and Lodging for continued education/conferences/seminars
Oshkosh	66,607	\$5,000.06		None
Sheboygan	48,329	\$6,084	None	None
Wausau	39,994	\$5,354.96	None	None
West Bend	32,000	\$4,236.00	None	\$30/month
De Pere	25,525	\$7,639.00	EAP	None
Fond du Lac	44,678	President - \$6,000; others \$5,000	None	None
City of Fitchburg	31,000	President \$5,500; others \$5,000	None	None

ELECTED ALDERPERSON SALARIES

Council Date	Election Year	Salary	Benefits	Notes
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 committee approved 9/8/21
11/16/2022	2024	No increase		HR committee special session 11/16/2022