



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, September 1, 2021

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

[21-1228](#) Common Council Meeting Minutes of August 18, 2021

Attachments: [CC Minutes 8-18-21.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

[21-1230](#) Redistricting Committee Appointments

[21-1235](#) Proclamations:

- Senior Center Month Proclamation
- Childhood Cancer Awareness Month Proclamation
- Hmong New Year Season Proclamation
- Arts in Education Week Proclamation
- A Day to Remember Proclamation

Attachments: [Senior Center Month Proclamation.pdf](#)

[Childhood Cancer Awareness Month Proclamation.pdf](#)

[Hmong New Year Season Proclamation.pdf](#)

[Arts in Education Week Proclamation.pdf](#)

[September 11 2001 Remembrance Day Proclamation.pdf](#)

[21-1229](#) COVID-19 Report

Attachments: [Common Council COVID-19 Update 090121.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-1174](#)

Resolution **#10-R-21 Scavenging of Solid Waste/Recyclables**

Attachments: [#10-R-21 Solid Waste Scavenging .pdf](#)

[Resolution #10-R-21.pdf](#)

Legislative History

8/9/21	Municipal Services Committee	referred
8/23/21	Municipal Services Committee	recommended for approval

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-1194](#)

"Class B" Liquor License application for Urban Modern Kitchen LLC d/b/a Urban Modern Kitchen, Cintya Mendoza, Agent, located at 800 East Wisconsin Ave, contingent upon approval from all departments.

Attachments: [Urban Modern Kitchen.pdf](#)

[21-1177](#)

Class "B" Beer and "Class B" Liquor License application for Spats Food and Spirits LLC d/b/a Spats, Nicholas Kapheim, Agent, located at 733 W College Ave, contingent upon approval from all departments.

Attachments: [Spats.pdf](#)

3. MINUTES OF THE CITY PLAN COMMISSION

[21-1185](#)

Request to approve the Trail View Estates South 2 Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_TrailViewEstatesSouth2_FinalPlat_For08-25-21.pdf](#)

Legislative History

8/25/21 City Plan Commission recommended for approval

[21-1186](#)

****CRITICAL TIMING**** Annual review and request to approve the Downtown Appleton Business Improvement District (BID) 2022 Operating Plan

Attachments: [StaffReport_2022BIDOperatingPlan_For08-25-21.pdf](#)
[2022 BID Operational Plan.pdf](#)
[2020 BID Annual Report.pdf](#)
[2020 BID Audit - Financial Statements.pdf](#)

Legislative History

8/25/21 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[21-1227](#)

Request from Sculpture Valley for an extended 10-year lease for the continued placement of the "Stairway to the Stars" sculpture in Pierce Park

Attachments: [StairwaytotheStarsExtensionMemo+ExtendedLeaseRequest.pdf](#)

Legislative History

8/23/21 Parks and Recreation Committee recommended for approval

5. MINUTES OF THE FINANCE COMMITTEE

[21-1170](#)

Request to approve amendment to Sec. 2-216 of the Appleton Municipal Code to comply with state statutes

Attachments: [Finance Committee re Revisions to Sec 2-216.pdf](#)

Legislative History

8/23/21 Finance Committee recommended for approval

[21-1171](#)

Request to award the Water Facility 2021 Entrance Gate Upgrade project contract to IEI General Contractors in the amount of \$186,764 with a contingency of 15% for a project total not to exceed \$214,778

Attachments: [2021 Water Plant Gate Upgrades.pdf](#)

Legislative History

8/23/21 Finance Committee recommended for approval

[21-1196](#)

Request to approve Amendment to North Edgewood Estate Development Agreement

Attachments: [North Edgewood Estate DA amendment.pdf](#)

Legislative History

8/23/21 Finance Committee recommended for approval

[21-1197](#) Request to approve the following 2021 Budget amendment:

TIF District 6 Capital Projects Fund

Other Contracts/Obligations	+\$1,000,000
Fund Balance	-\$1,000,000

to provide additional development contribution payment in TIF District 6
(2/3 vote of Council required)

Attachments: [Encapsys TIF Payment 2021.pdf](#)

Legislative History

8/23/21 Finance Committee recommended for approval

[21-1205](#) Request to award contract to The Boldt Company for Construction Manager at Risk services for the library for a contract of \$1,186,730 and \$25,000 for reimbursable expenses for a contract totaling \$1,211,730

Attachments: [2021 Library Construction Manager.pdf](#)

Legislative History

8/23/21 Finance Committee recommended for approval

[21-1206](#) Request to award Unit EE-21 Structural Repairs of the Green Ramp West Stair Tower to Merit Construction Services, Inc in the amount of \$136,650 with a 5% contingency of \$6,833 for a project total not to exceed \$143,483

Attachments: [Award of Contract Unit EE-21.pdf](#)

Legislative History

8/23/21 Finance Committee recommended for approval

[21-1207](#) Request approval to reject all bids for Unit H-21

Attachments: [Rejection of Bids Unit H-21 Redundant Raw Water Line Construction.pdf](#)

Legislative History

8/23/21 Finance Committee recommended for approval

[21-1208](#) Request to award the City of Appleton's 2021 Parks Hardscapes Project - AMP Roads Reconstruction Project contract to Northeast Asphalt, Inc in the amount of \$183,903 with a contingency of 8% for a project total not to exceed \$198,615

Attachments: [2021 AMP Parks Roads Renovation.pdf](#)

Legislative History

8/23/21 Finance Committee recommended for approval

[21-1210](#) Request to award the Sole Source Purchase of Grit Classifier System Rebuild Parts through Saveco North America Inc in the amount of \$61,774

Attachments: [Finance Memo Grit Classifier Rebuild Work.pdf](#)

Legislative History

8/23/21 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[21-1203](#) Award of 2021I Stormwater Consulting Services Contract for Apple Creek Road / Haymeadow Avenue Study and 30% Design with McMahon Associates in an amount not to exceed \$40,217.

Attachments: [2021I ACR Haymeadow Study Award memo 08-17-2021.pdf](#)

Legislative History

8/24/21 Utilities Committee recommended for approval

[21-1224](#) Award Beneficial Reuse Management (BRM) an extension for the 2022-2024 Biosolids Transportation, Application, and Incorporation Contract.

Attachments: [2022-2024City of Appleton Extension Proposal MemoF_BRM.pdf](#)

Legislative History

8/24/21 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[21-1219](#) Authorization to Award Northern Winnebago Dial A Ride Contract to Running Inc.

Attachments: [Contract Award Recommendation for NWDAR Aug 2021.pdf](#)

Legislative History

8/24/21 Fox Cities Transit Commission recommended for approval

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[21-1225](#) Ordinances #36-21 and #66-21

Attachments: [Ordinances going to Council 9-1-21.pdf](#)

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Kami Lynch, City Clerk

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

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



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
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Meeting Minutes - Final Common Council

Wednesday, August 18, 2021

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

The Invocation was offered by Alderperson Hartzheim

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska, Alderperson Chad Doran and Mayor Jake Woodford

Excused: 2 - Alderperson Michael Smith and Alderperson Nate Wolff

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[21-1175](#)

Common Council Meeting Minutes of August 4, 2021

Attachments: [CC Minutes 8-4-21.pdf](#)

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

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Excused: 2 - Alderperson Michael Smith and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[21-1202](#) Breastfeeding Awareness Month Proclamation

Attachments: [Breastfeeding Month Proclamation.pdf](#)

This Proclamation was presented

[21-1183](#) COVID-19 Report

Attachments: [COVID -19 Cases 8-18-21.pdf](#)

H. PUBLIC PARTICIPATION

*The following spoke regarding Item 21-1156 Summit St Reconstruction:
Jonathan Menn, 714 S Summit St
Marci Ostwald, 715 S Summit St
Scott Schumacher, 711 S Summit St*

*Item 21-1153 Health Officer Resolution:
Cathy Spears, 1223 W Marquette St*

I. PUBLIC HEARINGS

[21-1092](#) Public Hearing for Rezoning #9-21 for M&J Weyenberg, LLC Annexation from Temporary AG Agricultural District to R1-B Single Family District

Attachments: [RZ #9-21 Notice of Public Hearing.pdf](#)

The public hearing was held, no one spoke during the hearing.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[21-1156](#)

Summit Street, from Prospect Avenue to Fourth Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 26' from back of curb to back of curb, which is 2' narrower than the existing street. On-street parking would be removed within the project limits along the west side of Summit Street.

Attachments: [Summit St.-watermain breaks map & pic.pdf](#)
[Summit St-project proposal.pdf](#)

Aldersperson Firkus moved, seconded by Aldersperson Hartzheim, that the Summit Street Reconstruction be approved. Roll Call. Motion carried by the following vote:

Aye: 7 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Denise Fenton, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim and Aldersperson Chad Doran

Nay: 6 - Aldersperson Vered Meltzer, Aldersperson Katie Van Zeeland, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz and Aldersperson Joe Prohaska

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[21-1112](#)

Request to approve the Development Agreement with Merge LLC for a mixed-use development located on the southeast corner of E. Washington Street and S. Oneida Street (103 E. Washington Street) in Tax Increment Financing District No. 11

Attachments: [Merge DA Memo 8-11-21.pdf](#)
[0312 - Merge Development Agrm - 07-28-2021 \(with exhibits\).pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Prohaska, that the Development Agreement be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Nay: 1 - Aldersperson Joe Martin

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

21-1213 Suspend Rules

Alderson Doran moved, seconded by Alderson Hartzheim, that the Council Rules be suspended to potentially allow for authors of Resolution #12-R-21 to propose withdrawing the Item. Roll Call. Motion failed by the following vote:

Aye: 6 - Alderson Joe Martin, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Nay: 7 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao and Alderson Kristin Alfheim

Excused: 2 - Alderson Michael Smith and Alderson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[21-1153](#) Resolution #12-R-21 Health Officer Hiring

Attachments: [#12-R-21 Health Officer Hiring.pdf](#)
[Health Office Hiring Process.pdf](#)
[Health Officer email.pdf](#)
[Health Officer State of Wisc letter.pdf](#)
[#12-R-21 Amendment.pdf](#)

Alderson Doran moved, seconded by Alderson Prohaska, that the Resolution be approved as amended at the Board of Health. Roll Call. Motion carried by the following vote:

Aye: 8 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Alex Schultz and Alderson Kristin Alfheim

Nay: 5 - Alderson Joe Martin, Alderson Matthew Reed, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 2 - Alderson Michael Smith and Alderson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS**Balance of the action items on the agenda.**

Alderson Prohaska moved, Alderson Alfheim seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Excused: 2 - Alderperson Michael Smith and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-0873](#)

R/B-Approve update to Municipal Code Section 4-392 related to electrical work by a home owner.

Attachments: [Municipal Code 4-392.pdf](#)
[Municipal Code update 4-392.pdf](#)

This Report Action Item was approved.

[21-1154](#)

Morrison Street, from Wisconsin Avenue to Glendale Avenue, be reconstructed with asphalt pavement and curb and gutter. The dimensions of the Morrison Street reconstruction project are as follows:

Wisconsin Ave - Randall St: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Randall St - Brewster St: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is 2' narrower than the existing street within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Brewster St - Glendale Ave: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is the same width as the existing street within this portion of the project. New street to be shifted 1' to the east within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

This Report Action Item was approved.

[21-1155](#)

Bartell Drive, from Prospect Ave to Pine Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street. Intersection geometry at Charles St, Hickory St, and Riverdale Dr to be modified to reduce the amount of pavement and create more traditional T-intersection layouts. New concrete sidewalk to be constructed along both sides of Bartell within the project limits. Existing parking provisions within the project limits will remain unchanged.

Attachments: [Bartell Dr-sidewalks.pdf](#)

This Report Action Item was approved.

[21-1157](#)

Request from Home Burger for a street occupancy permit to place tables and chairs in the College Avenue beautification strip at 205 W. College Avenue.

Attachments: [Home Burger Bar-tables .pdf](#)

This Report Action Item was approved.

[21-1158](#)

Request from Grant Thompson Construction, Inc. for a street occupancy permit to place a dumpster in the Roosevelt Street right-of-way at 610 E. Roosevelt Street from August 6, 2021 through October 8, 2021.

Attachments: [Grant Thompson-610 E Roosevelt St.pdf](#)

This Report Action Item was approved.

[21-1159](#)

Delete Municipal Code Article VII Sections 4-436 through 4-458 related to the Board of Heating Examiners.

Attachments: [Municipal Code VII.pdf](#)

This Report Action Item was approved.

[21-1160](#)

Request from Sara Wouters for a street occupancy permit to place a Pod in the Lawrence Street right-of-way at 1119 W. Lawrence Street from August 1, 2021 through October 31, 2021.

Attachments: [1119 W Lawrence-POD.pdf](#)

This Report Action Item was approved.

[21-1161](#)

Request from Hoffman Planning, Design & Construction Inc. for a street occupancy permit to create a construction zone during the demolition and construction of the YMCA Ramp in the Oneida Street, Lawrence Street, Morrison Street and Soldier Square right-of-way from August 26, 2021 through February 18, 2022.

Attachments: [Hoffman Planning-demo YMCA.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-1095](#)

Class "B" Beer and "Class B" Liquor License application for NAC LLC d/b/a OB's Brau Haus, Christopher Nelis, Agent, located at 523 & 525 W College Ave, contingent upon approval from all departments.

Attachments: [OB's Brau Haus.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[21-1040](#)

Request to approve Rezoning #9-21 to rezone the M&J Weyenberg Properties, LLC Annexation, formerly part of the Town of Grand Chute (Parcel #101157102), generally located at the southeast corner of Ballard Road and Ridge Haven Lane, including to the centerline of existing adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport M&JWeyenbergAnnex Rezoning For07-28-21.pdf](#)

This Report Action Item was approved.

[21-1116](#)

Request to approve Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 3, City of Appleton, Wisconsin

Attachments: [MemoTIFs#3+#12Amendments_8-11-21.pdf](#)
[TID 3 PC Resolution for Amended Boundaries & Project Plan.pdf](#)
[TID No. 3 Amendment #2 FINAL Project Plan June29.2021.pdf](#)
[TID 3 CC Resolution for Amended Boundaries & Project Plan.pdf](#)

This Report Action Item was approved.

[21-1118](#)

Request to approve Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 12, City of Appleton, Wisconsin

Attachments: [MemoTIFs#3+#12Amendments_8-11-21.pdf](#)
[TID 12 PC Resolution for Amended Boundaries & Project Plan.pdf](#)
[TID No. 12 Amendment #1_FINAL Project Plan June29.2021.pdf](#)
[TID 12 CC Resolution for Amended Boundaries & Project Plan.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**
7. **MINUTES OF THE UTILITIES COMMITTEE**
8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

[21-1088](#)

Request to approve Police department table of organization modification to move one Communication Specialist to a newly created Crime Analyst position and move reporting structure for two areas.

Attachments: [Police TO modification memo.pdf](#)
[Police DRAFT 7.21.21.pdf](#)

This Report Action Item was approved.

[21-1145](#)

Request to approve Health Reimbursement Account administrator change to MidAmerica.

Attachments: [PEHP recommendation change memo.pdf](#)
[2021 AndCo RFP Recommendation letter.pdf](#)

This Report Action Item was approved.

[21-1146](#) Request to approve Police to over hire position of Lieutenant for remainder of 2021 and into early 2022.

Attachments: [Police LT over hire request 2021.pdf](#)

This Report Action Item was approved.

[21-1151](#) Request to approve Fire department to over hire position of Fire Protection Engineer.

Attachments: [Fire Protection Engineer Over Hire.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[21-1176](#) Ordinances #35-21, #57-21 through #65-21

Attachments: [Ordinances going to Council 8-18-21.pdf](#)

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

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

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
- S. CLOSED SESSION

[21-1182](#)

The Common Council will go into closed session according to State Statute § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session regarding the bluff site development and then reconvene into open session.

Aldersperson Meltzer moved, seconded by Aldersperson Prohaska, that the Common Council convene into closed session at 8:13 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

- T. ADJOURN

Aldersperson Reed moved, seconded by Aldersperson Meltzer to reconvene into open session at 9:18 p.m. Roll Call. Motion carried 13/0.

Aldersperson Prohaska moved, seconded by Aldersperson Alfheim, that the meeting be adjourned at 9:19 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 2 - Aldersperson Michael Smith and Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk

PROCLAMATION



Office of the Mayor

WHEREAS, senior centers are a vital resource for healthy aging, and for communities to properly support older adults; and

WHEREAS, over the past year and a half senior centers across the country adapted quickly transforming into virtual spaces to provide continued social engagement, activities, support, encouragement, and countless meals to our aging community members; and

WHEREAS, during the COVID-19 pandemic, senior centers delivered guidance, vaccine education, and vaccinations in conjunction with resources from the National Council on Aging; and

WHEREAS, the Fox Cities' Thompson Center on Lourdes is a senior center organization dedicated to the mental, physical, and emotional well-being for those over 50 focusing on fighting the effects of loneliness, isolation, and depression by offering opportunities for education, socialization, and wellness; and

WHEREAS, the Thompson Center on Lourdes provides relevant and important programs to change the perception of aging and enhance the social, physical, emotional, and intellectual well-being in our community.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim September as

Senior Center Month

and encourage all citizens to recognize the important contributions of senior centers in the Fox Cities.



Signed and sealed this 14 day of September 2021.


JACOB A. WOODFORD
MAYOR OF APPLETON

Proc #46-75

PROCLAMATION



Office of the Mayor

WHEREAS, childhood cancer is the leading cause of death by disease in children and too many children are affected by this deadly disease and more must be done to raise awareness and find a cure; and

WHEREAS, 1 in 285 children in the United States will be diagnosed by their 20th birthday, the average age of diagnosis is 6 years old, and 16,790 children per year are diagnosed with cancer in the United States; and

WHEREAS, 80% of childhood cancer patients are diagnosed late and with metastatic disease and there are approximately 40,000 children on active treatment at any given time; and

WHEREAS, on average there has been 0.6 percent increase in incidence per year since the mid-1970s resulting in an overall increase of 24 percent over the last 40 years and two-thirds of childhood cancer patients will have chronic health conditions due to their treatment toxicity, with one quarter being classified as severe to life-threatening; and

WHEREAS, in the last 20 years only four new drugs have been approved by the FDA to specifically treat childhood cancer and the National Cancer Institute recognizes the unique research needs of childhood cancer and the associated need for increased funding to carry this out; and

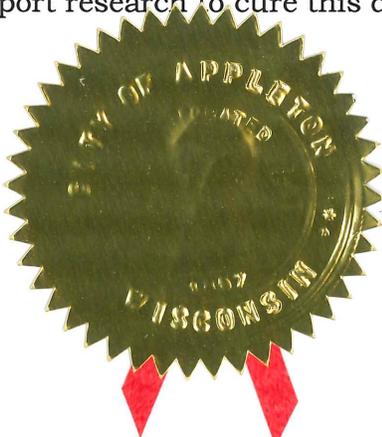
WHEREAS, researchers and healthcare professionals work diligently dedicating their expertise to treat and cure children with cancer and hundreds of non-profit organizations at the local and national level including the American Childhood Cancer Organization are helping children with cancer and their families cope through education, emotional, and financial support.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim September as

Childhood Cancer Awareness Month

in Appleton and encourage all citizens to observe Childhood Cancer Awareness Month and support research to cure this disease that so deeply impacts families in every community.

Signed and sealed this 15th day of September 2021.




JACOB A. WOODFORD
MAYOR OF APPLETON

PROCLAMATION



Office of the Mayor

WHEREAS, thousands of Hmong people courageously fought alongside Americans in the “secret war” in Laos during the Vietnam War, and many were ultimately forced to flee their native lands and resettle as political refugees in communities like ours; and

WHEREAS, Hmong Americans have lived and worked in Appleton for over 46 years, and have contributed to our community’s rich history, culture, economy, and public service; and

WHEREAS, the vibrant and resilient culture of Hmong Appletonians is an important part of our city’s identity; and

WHEREAS, the Hmong New Year has historically occurred following the harvest season to celebrate the conclusion of one year and the welcoming of a new year and, in the United States, New Year celebrations enable Hmong Americans to strengthen social ties and maintain cultural identity; and

WHEREAS, a specific Hmong New Year date is not observed and instead a Hmong New Year season is recognized; and

WHEREAS, this Hmong New Year season, the city of Appleton affirms its commitment to valuing cultural diversity and ensuring that Appleton is a welcoming and inclusive city for all.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim September through December 2021 as the

Hmong New Year Season

in Appleton and commend this observance to all city residents.

Signed and sealed this 15th day of September 2021.



JACOB A. WOODFORD
MAYOR OF APPLETON

PROCLAMATION



Office of the Mayor

WHEREAS, arts education, comprising a rich array of disciplines including dance, media arts, music, theatre, visual arts, and more, is a well-rounded subject and an essential element of a complete education for all students; and

WHEREAS, arts education supports the social and emotional well-being of young people through self-awareness, self-efficacy, self-management and perseverance, and social awareness; relationship skills are central to any arts education activity no matter the age and ability of the student or the environment in which the learning takes place; and

WHEREAS, arts education enables students to develop critical thinking and problem-solving skills, imagination and creativity, discipline and collaboration, alternative ways to communicate and express feelings and ideas, and cross-cultural understanding, which support academic success across the curriculum; and

WHEREAS, arts education contributes to personal growth outside of the classroom including increasing a student's likelihood to participate in civic life, volunteerism, altruism, community engagement, and success in other arenas; and

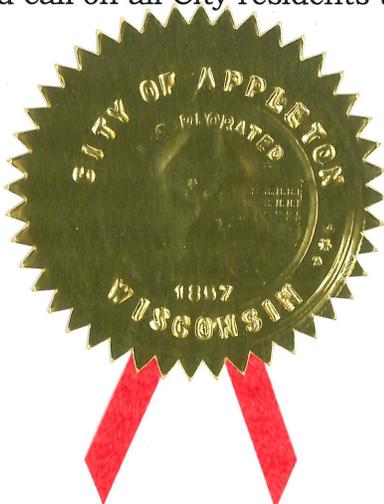
WHEREAS, the arts are an integral part of life and economy in the United States as well as the City of Appleton and are an important part of a complete education, which contributes to the vibrancy and vitality of communities across the nation.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim September 12-18, 2021 as

Arts in Education Week

and call on all City residents to observe the week with appropriate activities.

Signed and sealed this 15th day of September 2021.




JACOB A. WOODFORD
MAYOR OF APPLETON

PROCLAMATION



Office of the Mayor

WHEREAS, the terrorist attacks of September 11, 2001 resulted in the tragic deaths of thousands of innocent citizens, first responders, and servicemembers; and

WHEREAS, the resulting war on terrorism has exacted a heavy toll, which grows greater even to this day; and

WHEREAS, we must fully commit to ensuring that our Nation's vision that all people are created equal and endowed with the rights to life, liberty, and the pursuit of happiness is preserved, defended, and carried out without intimidation or interference; and

WHEREAS, honoring those innocent victims whose lives were cut short by the acts of cowardice and malice on September 11, 2001, and those who have given their lives for the preservation of our way of life in the decades since, is our sacred duty as fellow Americans; and

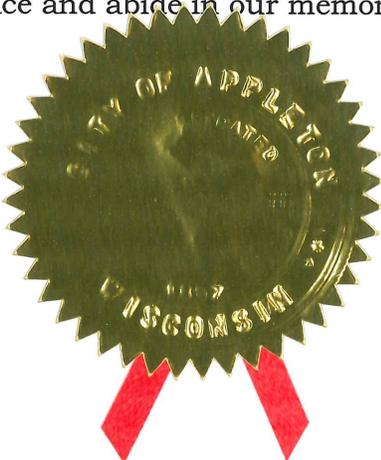
WHEREAS, our community can best honor those lost by remembering their sacrifice and living up to the ideals they were attacked for or laid down their lives to defend; and

WHEREAS, commemorating the events of 9/11 should be conducted each year, and should include promotion of global peace and goodwill, demonstration of our resolve and perseverance to prevent terrorism at home and abroad, the advancement of responsible citizenship, the encouragement of patriotism and love of country, and the poignant remembrance of those innocent victims who died as heroes, one and all.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim September 11, 2021 as

September 11, 2001 Remembrance Day

in Appleton and commend all citizens to remember with eternal respect those whose lives were suddenly and mercilessly taken from them on September 11, 2001. May they forever rest in peace and abide in our memories.



Signed and sealed this 5th day of September 2021.


JACOB A. WOODFORD
MAYOR OF APPLETON

$155 + 160 = 315$ (2 week case counts)

$315 / 75,000 = .000420$ (Appleton population 75,000)

$.000420 \times 100,000 = 420$ (equals burden)

Low less than or equal to 10 per 100,000 people

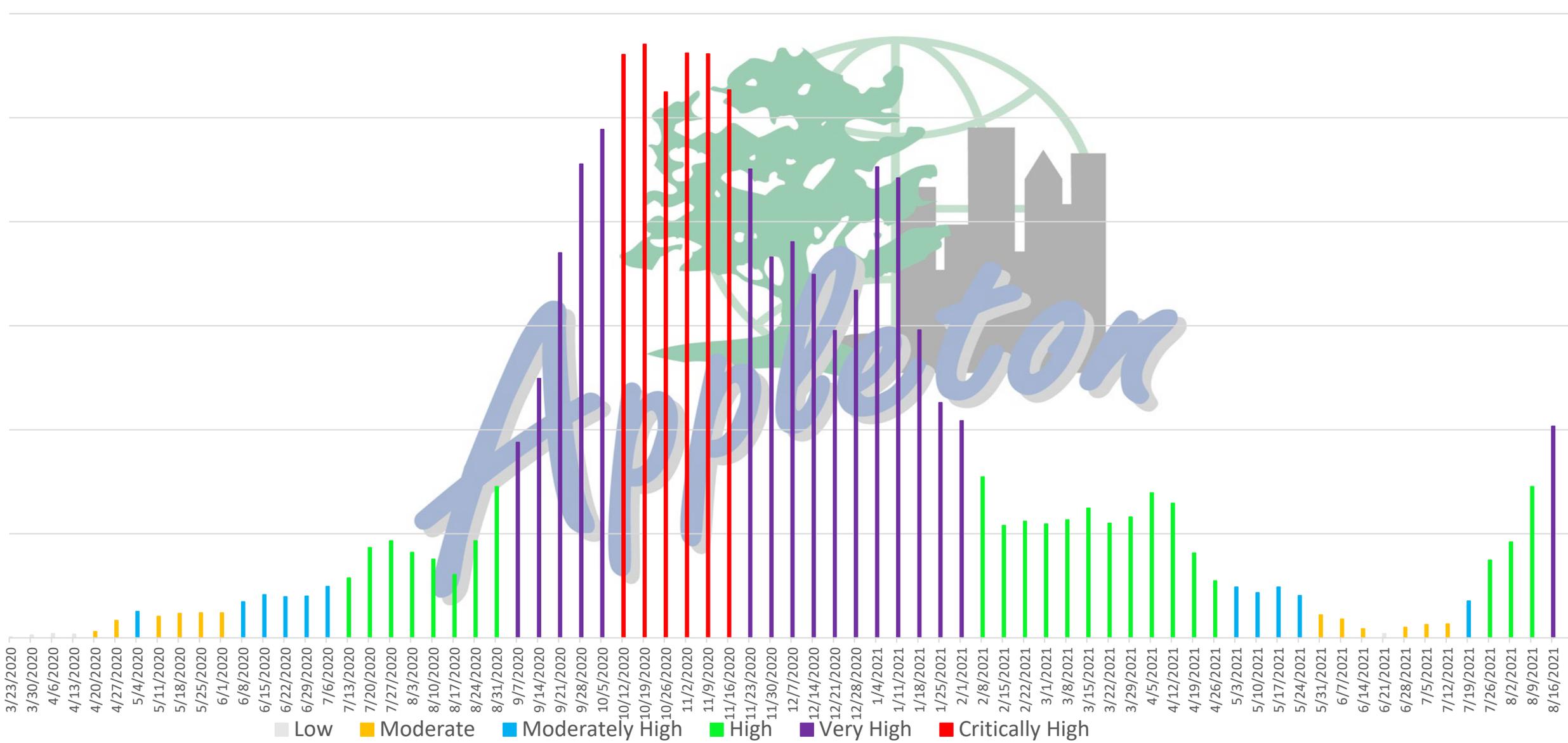
Moderate greater than 10 but less than 50 per 100,000 people

Moderately High greater than 50 but less than 100 per 100,000 people

High is greater than 100 per 100,000 people

Very High is greater than 350 per 100,000 people

Critically High is greater than 1,000 per 100,000 people



Two Week Total New COVID-19 Cases in Appleton,
 Rate per 100,000 Population, Risk Level Assessments per WDHS

08/23/2021 - 08/29/2021

213.3
High Transmission

Active:
222

Out of Isolation:
9,236

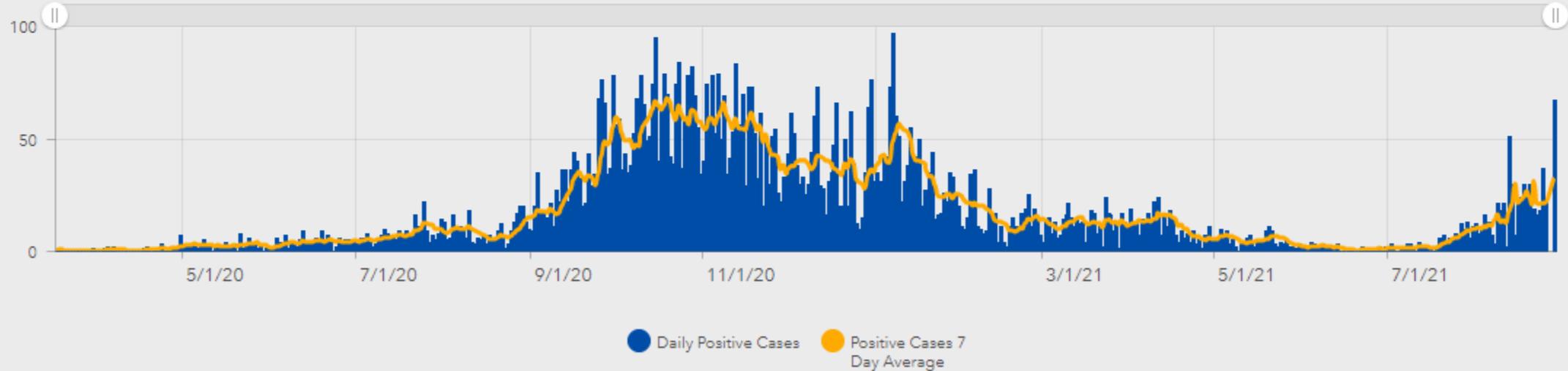
Deaths:
65

Negative:
45,349
+

Key Numbers

Definitions

Newly confirmed COVID-19 cases by date confirmed in the City of Appleton, and 7-day average



To see individual weeks exact data please hover or tap bars/line

Confirmed Case Counts

Transmission Rates

Calculation Methods

<https://covid-19-appleton.hub.arcgis.com/>

VACCINATIONS TO DATE (08/30/21)

	FULLY VACCINATED	AT LEAST ONE SINGLE DOSE
STATE	51.3%	54.6%
CALUMET	46.8%	49.4%
WINNEBAGO	49.6%	52.6%
OUTAGAMIE	51.8%	54.9%
APPLETON	55.3%	59.0%
APPLETON VACCINE ELIGIBLE	65.7%	70.1%
APPLETON 12-17 YEARS	46.6%	55.2%

#10-R-21
Scavenging of Solid Waste/Recyclables

Submitted By: Alderperson Smith – District 10

Date: 8/4/2021

Referred To: Municipal Services Committee

Whereas Appleton has restructured bulk item pickups for a number of reasons, one being to reduce the number of useful items sent prematurely to the landfill and

Whereas a common practice is for individuals to collect items off the terrace on garbage/recycling night and

Whereas this is an illegal act by city ordinance Sec. 15-32 Scavenging Solid Waste or recyclables for collection,

Be it resolved that city ordinance Sec 15-32 be rescinded as a way to legalize an act which would then legally help reduce items sent prematurely to a landfill.

Sec. 15-32 Scavenging Solid Waste or recyclables for collection is below:

**Sec. 15-32. Scavenging of solid waste or recyclables placed for collection. Authorized personnel. It shall be unlawful for any person other than authorized City employees or county recycling contractors to go through, sort or take anything from any solid waste or recyclables that have been set out for the purpose of being picked up by City refuse collection personnel. Yard waste, grass clippings and brush are not included in the prohibitions set forth in this paragraph.
(Ord 166-08, §1, 11-11-08; Ord 24-14, §1, 5-13-14)**

Sec. 15-32. Scavenging of solid waste or recyclables placed for collection.

Authorized personnel. It shall be unlawful for any person other than authorized City employees or county recycling contractors to go through, sort or take anything from any solid waste or recyclable cars that have been set out for the purpose of being picked up by City or county refuse collection personnel. Yard waste, grass clippings, ~~and~~ brush, and large bulky or overflow items not confined to a cart are not included in the prohibitions set forth in this paragraph.

(Ord 166-08, §1, 11-11-08; Ord 24-14, §1, 5-13-14)

Check inside of the license period beginning here to begin and tab throughout. Use mouse to check appropriate boxes, spacebar or enter.

Save Print Clear

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.) 07/01/2021

For the license period beginning: ~~9-1-21~~ ending: 6-30-22
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Appleton
 Village of }
 City of }

County of Outagamie Aldermanic Dist. No. _____
 (if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number ●●●●●●●●●●●●●●●●●●●●	
FEIN Number ●●●●●●●●●●●●●●●●●●●●	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
Urban Modern Kitchen LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / <u>Member</u> Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Bullard-Vazquez</u>	<u>Shirley</u>	<u>Jane</u>	<u>N4035 Riverview Heights Ct, Chilton</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Vazquez Figueroa</u>	<u>Jose</u>	<u>Luis</u>	<u>N4035 Riverview Heights Ct, Chilton</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Mendoza</u>	<u>Cintya</u>		<u>317 W Valley Rd #1 Appleton 54915</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Urban Modern Kitchen Business Phone Number 920 364 0113
 2. Address of Premises 800 E. Wisconsin Ave Post Office & Zip Code Appleton 54911

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include 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.)
One-story restaurant with 3 dining areas, 1 patio,
1 office, Dishwashing Room, Kitchen & Storage Area
(Restrooms)

4. Legal description (omit if street address is given above): _____
 5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? Urban Modern Kitchen LLC

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
If yes, explain.

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No

9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 11-1-20 of registration.

(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No

(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
If yes, explain.

Draft Gastropub LLC

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>Bullock-Vazquez, Shirley J.</u>	Title/Member <u>Owner</u>	Date <u>8-13-21</u>
Signature <u>Shirley Bullock</u>	Phone Number <u>[REDACTED]</u>	Email Address <u>[REDACTED]</u>

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>8-16-21</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

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

Name: Current - Urban Modern Kitchen / previous Paula's Perfect Pizza King

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

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

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

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

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

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

_____ months ago. still operating

10. Seating capacity: Inside 80 Outside 15

11. Operating hours (Inside the building): M-Th 11-8 Fri & Sat 11-9
Operating hours (Outdoor seating areas): Same.

12. Employees/Staff
Number of floor personnel 6 Number of door checkers 1

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

- a. Gross floor building area of the premises to be licensed: 3,000 square feet.
- b. Gross outdoor seating areas of the premises to be licensed: grandfathered square feet.
- c. Below, identify the operational details of the proposed establishment:

Food and alcohol sales for sale for dine-in, and
carryout. No delivery

Shady Bullock
Signature

8-13-21
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 Doutagamie

The undersigned duly authorized officer/member/manager of Urban Modern Kitchen LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Urban Modern Kitchen
(Trade Name)

located at 800 E. Wisconsin Avenue, Appleton WI 54911

appoints Cintya Mendoza
(Name of Appointed Agent)

317 W. Valley Rd., Apt 1, Appleton WI 54915
(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).

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? 22 years

Place of residence last year 317 W. Valley Rd., Appleton, WI 54915

For: Urban Modern Kitchen LLC
(Name of Corporation / Organization / Limited Liability Company)

By: Shirley Bullock
(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, Cintya Mendoza, 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.

[Signature] 08-14-2021 Agent's age 33 yrs.
(Signature of Agent) (Date)

317 W. Valley rd, Apt 1, Appleton, WI 54911 Date of birth 08-14-1988
(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)

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07-1-2021 ending: 6/30/2022
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Appleton
 Village of }
 City of }

County of OUTAGAMIE Aldermanic Dist. No. _____
(if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number ●●●●●●●●●●●●●●●●●●	
FEIN Number ●●●●●●●●●●●●●●●●●●	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$ <u>500</u>
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>60</u>
TOTAL FEE	\$ <u>660</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
Spats Food and Spirits LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name <u>KAPHEIM</u>	(First) <u>NICHOLAS</u>	(Middle Name) <u>GREGORY</u>	Home Address (Street, City or Post Office, & Zip Code) <u>30 TILBURY CT, APPLETON, WI 54913</u>
Vice President / Member Last Name <u>KAPHEIM</u>	(First) <u>BRIANNA</u>	(Middle Name) <u>RAE</u>	Home Address (Street, City or Post Office, & Zip Code) <u>30 TILBURY CT, APPLETON, WI 54913</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name <u>KAPHEIM</u>	(First) <u>NICHOLAS</u>	(Middle Name) <u>GREGORY</u>	Home Address (Street, City or Post Office, & Zip Code) <u>30 TILBURY CT, APPLETON, WI 54913</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name SPATS Business Phone Number 920-738-7171
 2. Address of Premises 733 W COLLEGE AVE Post Office & Zip Code 54914

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include 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.)
BASEMENT STORAGE - 9207 SQ FT
BAR - 84.69 SQ FT BY 28.37 SQ FT
KITCHEN - 70.83 SQ FT BY 130 SQ FT
PATIO - 251.90 SQ FT BY 84.69 - NORTH SIDE
FULL RESTAURANT - NORTH SIDE (LOCUST ST) 25190 (LOT 2)
WEST SIDE - 1462.07 (LOT 4)
COLLEGE AVENUE - 13473.80 SQ FT (LOT 1, 2, 3)

4. Legal description (omit if street address is given above): _____
 5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? SPATS

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No
NICK HAS COMPLETED AS OF 8/5/2021, BRUNNIA
WILL TAKE
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
If yes, explain. NICK IS AN AGENT
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No
9. (a) **Corporate/limited liability company applicants only:** Insert state Wisconsin and date 07/13/2021 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** Yes No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>KATHERINE NICHOLAS G</u>	Title/Member <u>President</u>	Date <u>8/09/2021</u>
Signature 	Phone Number 	Email Address 

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>8-9-21</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



City of Appleton

Liquor License Questionnaire

1. Name of Applicant: Nick and Brianna Kapheim

2. Name of Business: Spats

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

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

3. Address of Business: 733 W College Ave Appleton, WI 54914

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

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

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

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

<u>Nicholas</u>	<u>G</u>	<u>Kapheim</u>	<u>●</u> / <u>●</u> / <u>●●</u>
First name	M.I.	Last name	Date of Birth
<u>Brianna</u>	<u>R</u>	<u>Kapheim</u>	<u>●</u> / <u>●</u> / <u>●●</u>
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth

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

Name: Bill and Julie Nuebert
 First name Middle Initial Last name

Address: 733 W College Ave Appleton WI 54914
 City State ZIP

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

Name:

Spats

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

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

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

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

No _____ 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 100 Outside 30

11. Operating hours (Inside the building): 11am - 10pm
Operating hours (Outdoor seating areas): 11am - 10pm

12. Employees/Staff

Number of floor personnel 20 Number of door checkers 0

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

- a. Gross floor building area of the premises to be licensed: 3000 square feet.
b. Gross outdoor seating areas of the premises to be licensed: 600 square feet.
c. Below, identify the operational details of the proposed establishment:

To Sell Liquor and Beer along with Food.


Signature

7/23/21
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 of APPLETON County of Outagamie
 City

The undersigned duly authorized officer/member/manager of Spats Food and Spirits LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Spats
(Trade Name)

located at 733 W College Ave Appleton, WI 54914

appoints Nicholas Kaptein
(Name of Appointed Agent)
30 Tilling Ct. 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).

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? 4 years

Place of residence last year 117 W Walker St. STE 303 Milwaukee, WI, 53204

For: Spats Food and Spirits LLC
(Name of Corporation / Organization / Limited Liability Company)

By: [Signature]
(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, Nicholas Kaptein, 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.

[Signature] 7/23/21
(Signature of Agent) (Date)
30 Tilling Ct. Appleton, WI 54913
(Home Address of Agent)

Agent's age [Redacted]
Date of birth [Redacted]

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 Meeting Date: August 25, 2021

Common Council Meeting Date: September 1, 2021

Item: Final Plat – Trail View Estates South 2

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owners/Applicants: Emerald Valley Estates, LLC c/o Robert De Bruin

Address/Parcel #: Generally located between French Road and Cherryvale Avenue, south of the creek/trail corridor (part of Tax Id #31-1-6410-00 and #31-1-6411-00).

Petitioner's Request: The applicant is proposing to subdivide the property into 26 lots for single-family residential development.

BACKGROUND

Parcel #31-1-6410-00 was annexed to the City in 2011 with the North French Road Annexation, and parcel #31-1-6411-00 was annexed in 2020 with the Trail View Estates South Annexation.

On September 2, 2020, Common Council approved Comprehensive Plan Amendment #1-20 and Rezoning #6-20. Comprehensive Plan Amendment #1-20 amended the City's Future Land Use Map from the Multi-Family Residential designation to the One and Two-Family Residential designation for parcels #31-1-6410-00 and #31-1-6411-00. Rezoning #6-20 rezoned parcels #31-1-6410-00, #31-1-7513-00, and #31-1-6411-00 from R-3 Multi-Family District, R-2 Two-Family District, and temporary AG Agricultural District to R-1B Single-Family District.

The Trail View Estates South Preliminary Plat, to subdivide all of parcels #31-1-6410-00, #31-1-7513-00, and #31-1-6411-00, was approved by Common Council on September 2, 2020.

On September 2, 2020, Common Council approved the Trail View South Development Agreement to set forth the City of Appleton, Village of Little Chute, and developer duties and responsibilities with respect to development of the subject land.

The Final Plat for Trail View Estates South, consisting of 25 lots, was approved by Common Council on November 4, 2020 for land located immediately east of the subject area (first phase of subdivision).

STAFF ANALYSIS

Existing Conditions: The subject property consists of vacant, undeveloped land. The area to be platted for single-family development totals approximately 5.9352 acres, which will be divided into 26 lots.

Comparison between Final Plat and Preliminary Plat: The Preliminary Plat covered a larger area (32.0110 acres), whereas the Final Plat is for part of Tax Id #31-1-6410-00 and #31-1-6411-00 (5.9352

Final Plat – Trail View Estates South 2

Page 2

August 25, 2021

acres). However, the Final Plat is generally consistent with the Preliminary Plat layout in terms of the shape, size, and location of the lots. This is the second phase of lots for the broader subdivision development area.

Zoning Ordinance Review Criteria: The current lot development standards for the R-1B Single-Family District (Section 23-93 of the Municipal Code) are as follows.

- Minimum lot area: 6,000 square feet.
 - *The proposed lots range in size from 7,350 square feet to 10,883 square feet. All lots exceed this requirement.*
- Minimum lot width: 50 feet.
 - *The proposed lots range in width from approximately 60 feet to approximately 137 feet. All lots exceed this requirement.*
- Minimum front, side, and rear yard setbacks: 20 feet front yard (25 feet on arterial street), 6 feet side yard, and 25 feet rear yard.
 - *Required front yard setback is shown on the Final Plat. Setbacks will be reviewed through the building permit review process.*
- Maximum building height: 35 feet.
 - *This will be reviewed through the building permit review process.*
- Maximum lot coverage: 50%.
 - *This will be reviewed through the building permit review process.*

Compliance with the Appleton Subdivision Regulations: This subdivision complies with the Appleton subdivision regulations, except as described below. Per Section 17-25(d) of the Municipal Code, the right-of-way width of local streets shall not be less than 60 feet. A segment of proposed Gladiolus Place is shown as 50-foot-wide right-of-way. However, the Trail View Estates South Preliminary Plat was approved by Common Council with the following condition: “Grant relief from the minimum right-of-way width requirement for a segment of proposed Gladiolus Place/Court, per Section 17-3(f) of the Municipal Code and as stated previously in the staff report. In this case, the Department of Public Works supports the 50-foot R/O/W coupled with some no parking restrictions.” The previously approved modification of regulations continues to apply to this Final Plat.

Access and Traffic: Vehicular access to the subject lots is provided by an extension of existing Gladiolus Place. The street right-of-way for Golden Gate Drive and Gladiolus Place will be dedicated to the public with the Final Plat. All streets are shown as 60-foot-wide right-of-way, except for the western segment of Gladiolus Place, which is shown as 50-foot-wide right-of-way. No new street names are introduced with this phase of the subdivision.

Surrounding Zoning Classification and Land Uses:

North: R-1B Single-Family District. The adjacent land to the north is currently vacant, undeveloped land.

Final Plat – Trail View Estates South 2

Page 3

August 25, 2021

South: Village of Little Chute. The adjacent land uses to the south are currently single-family residential.

East: R-1B Single-Family District. A previous phase of the subdivision, Trail View Estates South, is located to the east and being developed with single-family residential.

West: R-1B Single-Family District. The adjacent land to the west is currently vacant, undeveloped land.

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

Goal 1 – Community Growth

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

Goal 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.

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 5.3.3 Plan for a supply of developable land suitable for residential development.

OBJECTIVE 10.1 Land Use:

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

OBJECTIVE 10.4 Land Use:

Plan for compact, efficient, and fiscally responsible growth of residential, commercial, and industrial development in new neighborhoods in order to implement the principles of smart growth.

Policy 10.4.1 Continue to guide residential growth to locations either contiguous to or within presently urbanized areas. As peripheral development occurs, it should be at a compact, urban density to ensure new neighborhoods can be efficiently served by public infrastructure.

Parks and Open Space: Section 17-29 of the Municipal Code requires parkland dedication or fee in lieu of dedication for residential subdivisions. Since no parkland will be dedicated on the subject property, park fees will be due prior to the City signing the Final Plat, which is consistent with the Trail View South Development Agreement. For lots zoned R-1B Single-Family District, park fees are \$300 per lot.

Technical Review Group (TRG) Report: This item appeared on the August 3, 2021 TRG agenda. Comments were received from participating departments and captured in the stipulations found below.

Final Plat – Trail View Estates South 2

Page 4

August 25, 2021

RECOMMENDATION

The Trail View Estates South 2 Final Plat, as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. The Final Plat shall be recorded within 12 months from the approval date of the last approving authority and within 36 months from the approval date of the first approving authority. Failure to do so requires the subdivider to recommence the entire procedure for Final Plat approval.
2. For lots zoned R-1B Single-Family District, park fees are \$300 per lot. Park fees of \$7,800 shall be paid to the City of Appleton Finance Department prior to City signatures being affixed to the Final Plat.
3. At the northwest corner of the plat boundary, there appears to be two labels (City of Appleton and Town of Grand Chute) that are partially cut off. Revise as necessary.
4. No dimension/bearing is shown for part of the south lot line of Lot 51. Revise as necessary.
5. The set monuments identified in the legend do not comply with the requirements of Section 17-12(e) of the Municipal Code. Revise as necessary.
6. Sheet 1 of the plat is missing a scale, north arrow, and the typical “bearings are referenced to...” information. Revise as necessary.
7. There are several errors in the Surveyor’s Certificate:
 - a. “... divided and mapped North Edgewood Estates 2; that such ...” refers to the wrong plat.
 - b. “... thence N89°07'03"E, 161.51 feet ...” does not match the mapped bearing and dimension.
 - c. “... of Lot 23, Trail View South Estates ...” has the plat name written incorrectly.
 - d. “... of Lot 25 of said Trail View South Estates ...” has the plat name written incorrectly.
 - e. “... Crosswind Estates, N89°07'03"W, 858.30 feet ...” is missing the word ‘thence.’
8. There is a typo in the Treasurer’s Certificate. It should read, “... on any of the land included in this plat.”
9. On sheet 2, the recorded document numbers are incorrect. For parcel #31-1-6410-00, Emerald Valley Estates LLC is the current owner per Quit Claim Deed Doc. No. 2211550. For parcel #31-1-6411-00, it should be Doc. No. 2192218.
10. A Stormwater Permit with Stormwater Management Plan (SWMP) was issued on 10/26/2020 based on the master SWMP developed per the overall Trail View South Preliminary Plat. The design engineer shall confirm whether any changes were made in relation to the Trail View

Final Plat – Trail View Estates South 2

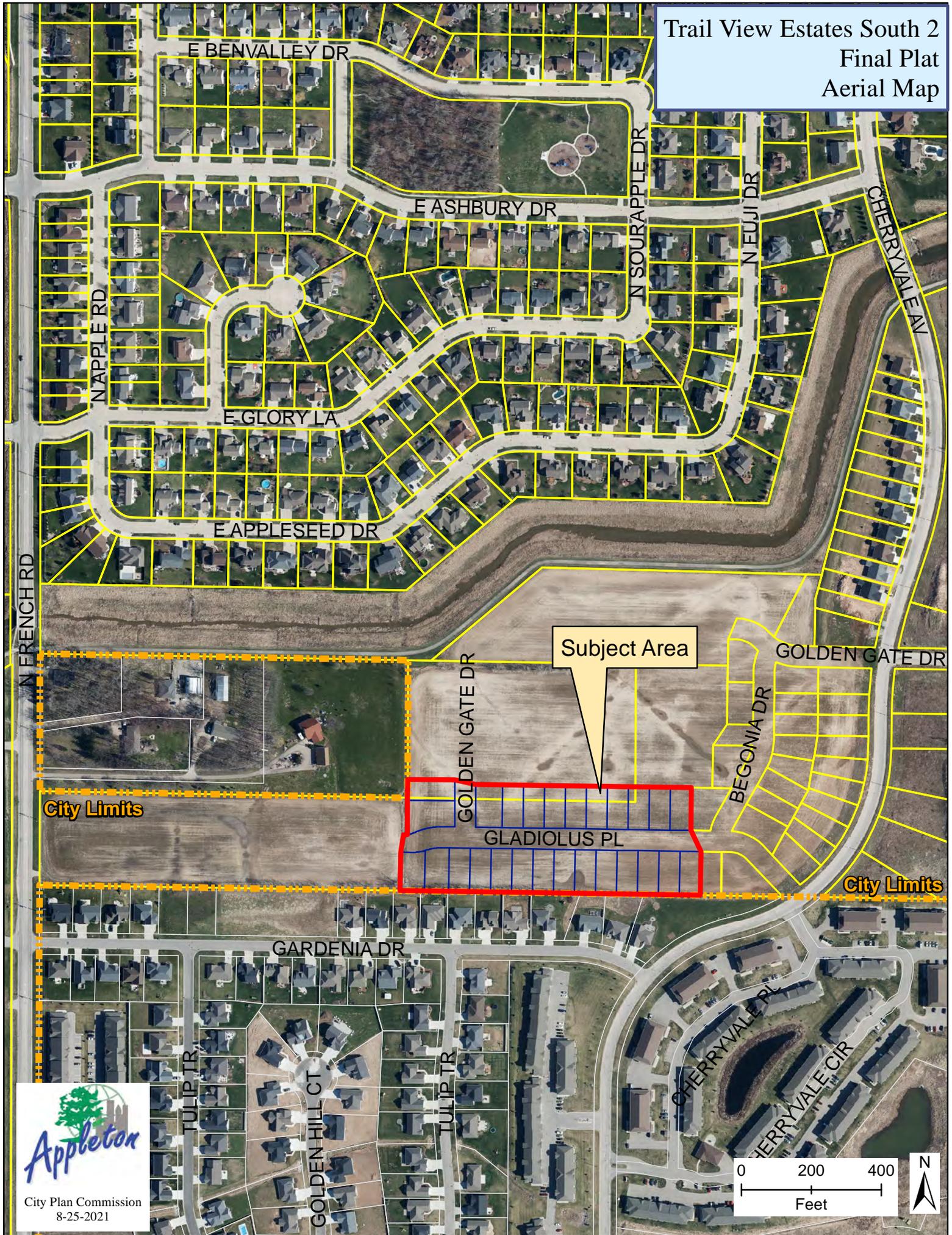
Page 5

August 25, 2021

Estates South 2 Final Plat that could impact the approved SWMP, and submit any required revisions to the SWMP to DPW for review and approval.

11. The Stormwater Permit and approved Stormwater Management Plan (SWMP) were issued based on DPW approval of the Engineering Plans, including the subdivision Drainage Plan, by Davel and Associates dated 11/30/2020. The design engineer shall confirm whether any changes were made in relation to the Trail View Estates South 2 Final Plat that could impact the approved Engineering Plans, and provide any required revisions to the Engineering Plans to DPW for review and approval.
12. The following streets within the Final Plat are to be classified as follows:
 - a. Golden Gate Drive: Local Street
 - b. Gladiolus Place: Local Street
13. Development is subject to conditions of the Intergovernmental Cooperation Agreement between the Village of Little Chute and City of Appleton that was approved in 2013 and amended in 2020.
14. Development is subject to conditions of the Land Dedication Agreement between B&H Properties, Inc. and the City of Appleton that was approved by Common Council on June 5, 2013.
15. Development is subject to conditions of the Development Agreement between the City of Appleton, Village of Little Chute, and Emerald Valley Estates, LLC that was approved by Common Council on September 2, 2020.
16. All requirements from the City of Appleton Department of Public Works, Engineering Division shall be met to the satisfaction of the City Engineer prior to the City affixing signatures on the Final Plat.

Trail View Estates South 2
Final Plat
Aerial Map



Subject Area

City Limits

City Limits



City Plan Commission
8-25-2021



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20__

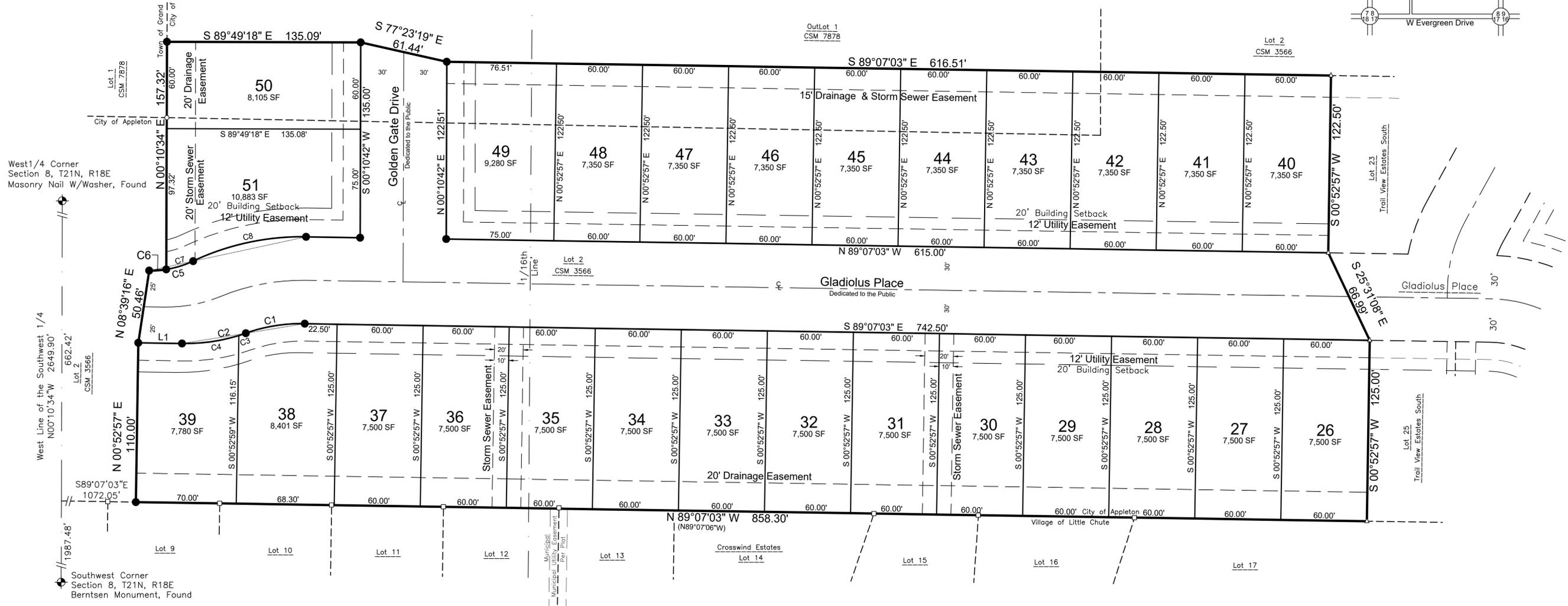
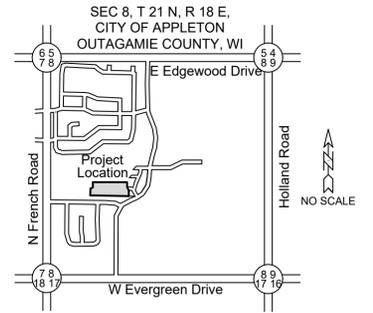


Department of Administration

Trail View Estates South 2

Part of Outlot 1, Certified Survey Map 7878 and part of Lot 2, Certified Survey Map 3566, all being part of the Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin

LOCATION MAP



NOTES

- All linear measurements have been made to the nearest one hundredth of a foot.
- All bearings are computed and measured to the nearest second.

LEGEND

- △ 1 1/2" Rebar Found
- 1" Iron Pipe Found
- 1 1/2" x 18" Steel Rebar @ 4.30lbs/LF SET
- All Other Corners
- 3/4" x 18" Steel Rebar @ 1.50lbs/LF SET
- SF Lot Areas In Square Feet
- () Recorded As

LINE TABLE		
Line	Bearing	Length
L1	N 89°07'03" W	30.50'

CURVE TABLE							
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	120.00'	S 80°54'30" W	41.57'	41.78'	19°56'54"	N 89°07'03" W	S 70°56'03" W
C2	130.00'	S 80°54'30" W	45.03'	45.26'	19°56'54"	S 70°56'03" W	N 89°07'03" W
C3	130.00'	S 72°03'52" W	5.13'	5.13'	2°15'39"	S 70°56'03" W	S 73°11'41" W
C4	130.00'	S 82°02'19" W	39.97'	40.13'	17°41'16"	S 73°11'41" W	N 89°07'03" W
C5	70.00'	N 77°57'42" E	31.30'	31.57'	25°50'31"	S 89°07'03" E	N 65°02'26" E
C6	70.00'	N 85°59'38" E	11.93'	11.95'	9°46'38"	S 89°07'03" E	N 81°06'19" E
C7	70.00'	N 73°04'23" E	19.56'	19.63'	16°03'53"	N 81°06'19" E	N 65°02'26" E
C8	180.00'	N 77°57'42" E	80.50'	81.18'	25°50'31"	N 65°02'26" E	S 89°07'03" E

Surveyor's Certificate

I, James R. Sehloff, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Appleton, and under the direction of Emerald Valley Estates, LLC, owner of said land, I have surveyed divided and mapped North Edgewood Estates 2; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is Part of Outlot 1, Certified Survey Map 7878 and part of Lot 2, Certified Survey Map 3566, all being part of the Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 258,539 Square Feet (5.9352 Acres) of land more or less, described as follows:

Commencing at the Southwest 1/4 Corner of Section 8; thence, along the West line of the Southwest 1/4, N00°10'34"W, 1987.48 feet to the North line of Crosswind Estates and the extension thereof; thence, along the North line of said Crosswind Estates and the extension thereof, S89°07'03"E, 1072.05 feet to the point of beginning; thence N00°52'57"E 110.00 feet; thence N08°39'16"E 50.46 feet; thence, 11.95 feet, along the arc of a curve to the left with a radius of 70.00 feet and a chord of 11.93 feet which bears N89°59'38"E; thence N00°10'34"E, 157.32 feet; thence S89°49'18"E, 135.09 feet; thence S77°23'19"E, 61.44 feet; thence N89°07'03"E, 161.51 feet to the Northwest corner of Lot 23, Trail View South Estates; thence, along the West line of said Lot 23, S00°52'57"W, 122.50 feet to the North right of way line of Gladiolus Place; thence, S25°31'08"E, 66.99 feet to the South right of way line of said Gladiolus Place; thence, along the West line of Lot 25 of said Trail View South Estates, S00°52'57"W, 125.00 feet to the said North line of Crosswind Estates, N89°07'03"W, 858.30 feet to the point of beginning, subject to all easements, and restrictions of record.

Given under my hand this _____ day of _____, 20__.

James R. Sehloff, Wisconsin Professional Land Surveyor No. S-2692

File: 6025Final2.dwg
Date: 07/06/2021
Drafted By: Jim
Sheet: 1 of 2
Revision Date: Jul 06, 2021



DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors
1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

Trail View Estates South 2

Part of Outlot 1, Certified Survey Map 7878 and part of Lot 2, Certified Survey Map 3566, all being part of the Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin

Owner's Certificate

Emerald Valley Estates, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as the property owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

Emerald Valley Estates, LLC, does further certify this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

City of Appleton
Department of Administration

Dated this _____ day of _____, 20____.

In the presence of: Emerald Valley Estates, LLC

Robert A. DeBruin, Managing Member

State of Wisconsin)
_____ County) ss

Personally came before me this _____ day of _____, 20____, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Notary Public, Wisconsin My Commission Expires _____

Utility Easement Provisions

An easement for electric, natural gas, and communications service is hereby granted by

Emerald Valley Estates, LLC, Grantor, to:

Wisconsin Electric Power Company and Wisconsin Gas, LLC, Wisconsin corporations doing business as We Energies, Grantee, SBC, Grantee, and Time Warner Cable, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Emerald Valley Estates, LLC

Robert A. DeBruin, Managing Member Date

Drainage Maintenance and Storm Sewer Easement Provisions

An easement for Drainage and Storm Sewer is hereby granted by:

Emerald Valley Estates, LLC, Grantor, to:

THE CITY OF APPLETON, Grantee,

- Purpose:** The purpose of this easement is for the Grantee to access, install, regrade, replace, relocate, operate, maintain, resize storm sewer, drainage ditch/swale, and associated appurtenances. Grantee does hereby agree to compensate Grantor fully for any damage caused directly or indirectly from said maintenance, repair, replacement or relocation of said storm sewer, drainage ditch/swale and associated appurtenances that occur outside of the easement area. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with grantee's use of the easement area.
- Access:** Grantee or its agents shall have the right to enter the grantor's land for the purpose of exercising its rights in the easement area.
- Buildings or Other Structures:** Buildings or any other type of structure shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Drainage Easement" or "Storm Sewer & Drainage Easement".
- Elevation:** The grantor agrees that the elevation of the existing ground surface within the easement area will not be altered without the written consent of grantee.
- Restoration:** Grantee agrees that it will restore subsurface materials on grantor's land, as nearly as is reasonably possible, to the prior existing condition when conducting all future maintenance, resizing or repair activities. Grantor shall be responsible for all surface restoration. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, sidewalks, structures, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein.
- Notification:** Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work. Grantee and Grantor agree to cooperate in good faith to minimize interference or disruption to the normal facility operations. Grantee shall provide advance notice to Grantor (except in emergency situations, in which event notice shall be provided as soon as is practical) of any activity with a reasonable likelihood of interfering or disrupting the operation Grantor's facility, and to conduct such activities at mutually agreeable times.
- Drainage Easements** are conveyance paths for storm water. The placement of fill in a drainage easement, which interferes with the flow or changes to the shape of the drainage easement by the lot owner or his agent, is prohibited. Upon failure of lot owner's to maintain said drainage ways and easements as designed; the City of Appleton retains the right to perform maintenance and or repairs. The payment of said maintenance and or repairs shall be equally assessed to the adjacent lot owners.

This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Emerald Valley Estates, LLC

Robert A. DeBruin, Managing Member Date

James R. Sehloff, P.L.S. No. S-2692 Date

City of Appleton Approval

Resolved, that the plat of Trail View Estates South 2, in the City of Appleton, Outagamie County, Emerald Valley Estates, LLC, owners, is hereby approved by the Common Council of the City of Appleton.

Jacob A. Woodford, Mayor Date

I hereby certify that the foregoing is a copy of a resolution adopted by the the Common Council of the City of Appleton.

Kami Lynch, City Clerk Date

Treasurer's Certificate

We, being the duly elected, qualified and acting Treasurer's of the City of Appleton and Outagamie County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this plat.

City Treasurer Date

County Treasurer Date

This Final Plat is contained wholly within the property described in the following recorded instruments:

The property owner of record: Emerald Valley Estates, LLC	Recording Information: Doc No. 20033229 Doc No. 22192218	Parcel Number(s): 311-6410-00 311-6411-00
--	--	---

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration 

File: 6025Final2.dwg
Date: 07/06/2021
Drafted By: Jim
Sheet: 2 of 2
Revision Date: Jul 06, 2021

**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**
Civil Engineers and Land Surveyors
1164 Province Terrace, Menasha, WI 54952
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REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: August 25, 2021 ***Critical Timing***

Common Council Meeting Date: September 1, 2021

Item: Annual Review of the Business Improvement District (BID) 2022 Operating Plan

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

On behalf of Jennifer Stephany, Executive Director of Appleton Downtown Inc., please find the attached 2022 Business Improvement District (BID) Operating Plan for your review and recommendation.

Staff has reviewed the Operating Plan, and there are several BID boundary changes proposed. As explained on page 5 of the Operating Plan, annual adjustments are made based on parcel combinations and divisions along the BID boundary. For this review period, impacted parcels include #31-2-0447-00, #31-2-0139-01 through #31-2-0139-23, #31-2-0116-01, #31-2-0116-00, and #31-3-0847-00. The language added to pages 5 and 8 is meant to clarify and formalize past/ongoing practice for creating the annual BID map, which is included in Appendix F.

Page 9 of the Operating Plan identifies the parcels that are removed from or added to the schedule of assessments. Only BID contributing parcels are listed in the schedule of assessments (Appendix E). The amended language on page 8 clarifies how contributing versus non-contributing status is determined.

Business Improvement Districts are regulated by Section 66.1109 of the Wisconsin State Statutes. These Statutes require that a BID Operating Plan be reviewed and approved by the local legislative body on an annual basis. The Plan Commission is being asked to review and make recommendation to the Common Council in regard to the submitted 2022 Operating Plan.

Greetings
from

DOWNTOWN

Appleton

One Great Place!

2022

**Downtown Appleton Business
Improvement District Operating Plan**

Downtown Appleton Business Improvement District Operating Plan 2022

I. Preface

Wisconsin Act 184, signed into law in 1984, gives Wisconsin municipalities the power to establish business improvement districts (BIDs) within their communities upon petition of at least one property owner within the proposed district. The State Legislature created 66.1109 of the Wisconsin Statutes (the “BID Law”) to provide a mechanism by which business properties within an established district could voluntarily assess themselves to pay for programs aimed at promoting, developing, redeveloping, managing and maintaining the district. In many instances, BIDs are established in downtowns so property owners can jointly attract tenants and increase the value of their properties.

Business improvement district assessments are quite similar to traditional special assessments wherein property owners are assessed for improvements or services that benefit them. Unlike traditional special assessments, however, business improvement district assessments can be used to finance a wide range of activities, services, and improvements. Business improvement districts in Wisconsin have been used to fund a broad scope of activity including business retention and recruitment programs, marketing and promotional activities, environmental enhancement and maintenance programs, and crime prevention and security activities.

Pursuant to the BID Law, this shall be, when adopted, the 2022 Operating Plan for the Downtown Appleton Business Improvement District. This Operating Plan has been prepared by Appleton Downtown Incorporated (ADI) in partnership with the Business Improvement District Board of Directors and Appleton Downtown Board of Directors.

As used herein, BID shall refer to the business improvement district’s operating and governance mechanism, and “District” shall refer to the property located within the physical boundaries of the business improvement district, as provided herein.

Further development of the District through establishment of the BID is proposed because:

1. The BID law provides a mechanism whereby private property owners can work together in conjunction with the City to develop the district.
2. Existing public funding sources used to maintain and promote the district may not be sufficient. Unified development efforts will have to be financed with new private resources as well as existing public dollars.
3. The District is dynamic, including properties of varying types and sizes. Some form of cost sharing is necessary because it is not feasible for a small group alone or the City of Appleton to support District development efforts. The BID Plan provides a fair and equitable mechanism for cost sharing which will benefit all businesses and properties within the district.
4. Use of the BID mechanism helps to ensure that the entire District will be promoted, programmed and developed as expeditiously as possible.

The property owners advocating the continuation of the BID view it as a method to build on work previously done in the community to improve the downtown. These property owners and the board of directors of Appleton Downtown Inc. have pledged to work cooperatively with other organizations and the City of Appleton to enhance the vibrancy and overall health of downtown Appleton.

This Plan, when adopted by the City Council of the City of Appleton, after public hearing and recommendation of the Plan Commission in the manner required by the BID Law, shall govern the BID for the calendar year of 2022 which shall be the Nineteenth “Plan Year”. However, it is anticipated that the BID shall continue to be so successful that it will be renewed, upon essentially the same terms and conditions for subsequent years, each of which shall be the “Plan Year”. In the manner allowed under Section 66.1109 (3)(b) of the BID Law, although with changes to the budget, work plans and assessment Appendices.

II. Plan Development

This shall be the Business Improvement District Operating Plan for the Downtown Appleton Business Improvement District, for the year 2022.

A. Plan of Action

The Plan of Action Work Plan was developed by the BID Board of Directors and Standing Committees with approval from the BID and ADI Board of Directors. Those participating in this process were ever conscious of the need to represent the full membership of the BID and of ADI. The following initiatives identified in the Work Plan align with the City of Appleton Comprehensive plan Chapter 14. (**Appendix A**)

B. Goals and Objectives

The BID seeks to protect public and private investments in downtown Appleton and to attract new investment to the district. The BID exists to promote the orderly development of the district in cooperation with the City of Appleton, including implementation of the Downtown Plan (Chapter 14 of the Comprehensive Plan) and to develop, redevelop, maintain, operate, and promote the district. The BID shall work to preserve and improve economic, cultural, and social conditions within the district by facilitating partnerships of people and organizations to achieve mutual goals. The BID provides the necessary funding to plan, evaluate, facilitate and implement district development projects, planning activities, and promotional activities that fit within the identified mixed-use strategy for developing viable and sustainable markets that the district in downtown Appleton can serve.

C. Benefits

Money collected by the BID under this plan will be spent within the District or for the benefit of the District, and used to help property owners attract and retain tenants, keep downtown clean, safe and attractive, increase the value of property downtown and expand on a strong brand and marketing campaign for downtown. **Appendix A** outlines the initiatives, strategies and tasks for the plan year as they align with Chapter 14 Downtown Plan of the City of Appleton Comprehensive Plan.

D. 2020 Annual Report

The 2020 annual report is attached.

The total assessed value of properties for the District for 2020 was \$135,837,300 a 2.4% increase over the previous year.

Also included as **Appendix B** is the 2021 Midyear update report

E. 2022 Budget

All of the estimated expenditures of the BID are shown on **Appendix C**, the Budget. All of the expected expenditures will be financed by the collection of BID assessments and with other revenues generated by Appleton Downtown Incorporated (ADI) and Creative Downtown Appleton Inc. (CDA) including but not limited to sponsorships and donations, ADI memberships, and by revenues of events and promotional activities. Ownership of all activities, programs, promotions, and events, along with any related revenues shall remain with ADI or CDA respectively but shall be applied to programs and services that further goals of the BID.

It is anticipated that the BID will contract with ADI to carry out the BID's Operational Plan, and that the BID will have no paid staff of its own. Funds collected through BID assessments shall be used to pay for this contracted and approved expenditures with ADI, and are expected to pay for about 30 percent of the projected by annual budget to implement a full downtown management program. Additional funds will be raised by ADI from public and private sources to cover the remaining 70 percent, and any other projects not identified herein.

Except as identified herein, all expenditures will be incurred during the Plan Year. Any funds remaining on any line item above may be moved to another budget line item, as determined by the Board of the BID. Any unused funds remaining at the end of the year shall be deposited into a contingency fund for the following Plan Year. If any additional funds are received by the BID, whether from gifts, grants, government programs, or other sources, they shall be expended for the purposes identified herein, and in the manner required by the source of such funds, or, if the funds have no restrictions, in the manner determined by the Board of the BID, in keeping with the objectives of this BID Plan. All physical improvements made with these funds shall be made in the BID District. The location of other expenditures shall be determined by the BID Board, but for the benefit of the District.

F. Powers

The BID, and the Board managing the BID shall have all the powers authorized by law, and by this Plan, and shall have all powers necessary or convenient, to implement the Operating Plan, including, but not limited to, the following powers:

1. To manage the affairs of the District.
2. To promote new investment and appreciation in value of existing investments in the District.
3. To contract with Appleton Downtown Incorporated on behalf of the BID to implement the Operational Plan.
4. To develop, advertise and promote the existing and potential benefits of the District.
5. To acquire, improve, lease and sell properties within the District, and otherwise deal in real estate.
6. To undertake on its own account, public improvements and/or to assist in development, underwriting or guaranteeing public improvements within the District.
7. To apply for, accept, and use grants and gifts for these purposes.
8. To elect officers, and contract out work as necessary to carry out these goals.
9. To add to the security of the district.

10. To elect Officers to carry out the day to day work authorized by the BID Board, including signing checks and contracts on behalf of the Board, and to adopt, if the Board wishes, By-Laws governing the conduct of the Board and its Officers, not inconsistent with this Operating Plan.
11. To adopt by-laws related to the day to day operation of the Board and Board meetings.

G. Relationship to Plans for the Orderly Development of the City

Creation of a business improvement district to facilitate District development is consistent with the City of Appleton's Downtown Plan and will promote the orderly development of the City in general and downtown in particular.

H. Public Review Process

The BID Law establishes a specific process for reviewing and approving the proposed Operating Plan, and the boundaries of the proposed District. All statutory requirements to create the BID were followed.

III. District Boundaries -

The District is defined as those tax key parcels, which are outlined in red and indicated by property in blue on **Appendix F**, attached hereto and incorporated herein by this reference, reflecting the parcels as they existed in the City of Appleton Assessor's records as of June 2021.

The District is generally bounded on the south by the south right of way line of Lawrence Street, on the north by the north right of way line of Franklin Street, on the east by the right of way line of Drew Street and on the west by the west right of way line of Richmond Street/Memorial Drive, with additional corridors extending north on Richmond Street to Packard Street and west along college Avenue to Badger Avenue. Properties on both sides of boundary streets are included in the District. The District includes 205 contributing parcels and units. Notwithstanding the parcels of property which are not subject to general real estate taxes, shall be excluded from the District by definition, even though they lie within the boundaries of the BID as in the map in **Appendix F**.

See Section: VI. *Method of Assessment, Item A. Parcels Assessed*: For identification of parcels that are assessed for the BID as contributing parcels based on their use and parcels that are non-contributing. Annual adjustments to contributing and non-contributing parcels in the BID are made based on parcel combinations and parcel divisions.

Amended: removed "zoned for commercial use by the City of Appleton Assessor" by the BID Board 8/2/21

IV. Organization

A. Operating Board

The BID Board (“Board”) as defined below, shall be appointed by the Mayor of the City of Appleton, with substantial input from ADI and the property owners in the District. Appointments by the Mayor must be confirmed by the City Council and voted in by the BID Board. The appointments and confirmation shall be made before the commencement of the Plan Year for which the Operating Plan was adopted.

This Board’s primary responsibility shall be to implement the current year’s Operating Plan, to contract for the carrying out of the Operating Plan, contracting for preparation of an annual report and audit on the District, annually considering and making changes to the Operating Plan including suggestions made by Appleton Downtown Incorporated and submitting the Operating Plan for the following Plan Year to the Common Council of the City of Appleton for approval, and other powers granted in this Plan. This requires the Board to negotiate with providers of service and materials to carry out the Plan; to enter into various contracts; to monitor development activity; and to ensure District compliance with provisions of applicable statutes and regulations.

The BID Board shall be structured as follows:

1. Board size maximum of 9
2. Composition – A majority (at least 5) members shall be owners or occupants of the property within the District. Any non-owner, non-occupant appointee to the Board shall be a resident of the City of Appleton. At least 2 members shall be representative of each of the 3 identified market sectors, service/retail, hospitality, and office. One member shall be a representative of the Mayor or City Council. Any Board member who because of transfer of ownership of property is no longer eligible to act as a representative for a particular sector, or where such transfer of property shall cause the make-up of the Board to fall out of compliance with this Operational Plan shall be replaced. The Board shall make a recommendation for replacement to the Mayor who shall appoint a new Board member within 30 days of the recommendation.
3. Term – Appointments to the Board shall be for a period of 3 years-for staggered terms, each ending on December 31 of the applicable year. The Board may remove by majority vote, any BID Board member who is absent for more than 3 meetings, without a valid excuse, and may recommend to the Mayor replacement members, which the Mayor shall act upon within 30 days of the recommendation.
4. Compensation – None.
5. Meetings – all Meetings of the Board shall be governed by Wisconsin Open Meetings Law. Minutes will be recorded and submitted to the City and the Board. The Board shall adopt rules of order to govern the conduct of its meetings and meet regularly, at least annually.
6. Record keeping – Files and records of the Board’s affairs shall be kept pursuant to public records requirements.
7. Staffing – The Board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof. Unless requested otherwise by the Board, and any staff members or employees of contractors may attend all meetings of the Board, but will not have voting authority.
8. Officers – The Board shall appoint a Chairman, Treasurer and Secretary, any two of the three of which shall have the authority to execute documents on behalf of the full Board, for the purposes authorized by the full Board, including the writing of checks. Attached Board list

Appendix D

9. For purposes of this section “person” means an individual owner of a parcel, or a representative of an entity owner of such parcel. No one individual, and no more than one representative of any entity, may hold more than one Board position. If, during the course of a term, a Board member’s situation changes, so that they no longer fit the definition for that seat, such as by selling their parcel, they shall resign within 10 days of selling their parcel.

B. Amendments

This Operating Plan, when adopted, shall be the governing plan for the Plan Year. However, section 66.1109 (3) (b) of the BID Law requires the Board of the city to annually review and make changes as appropriate to the district Plan, when adopting a new Operating Plan for later Plan Years. Approval by the City’s Common Council of such Plan updates shall be conclusive evidence of compliance of such Plan with the BID Law.

The BID Law allows the BID to annually present amendments to its Plan. The following process for approval of the amended Plan will be followed.

1. A joint strategy session of the BID Board and the ADI Board of Directors will develop the objectives of the Operational Plan for the next Plan Year.
2. The proposed Goals and Objectives for the Plan Year will be drafted by Appleton downtown Incorporated Staff and submitted to the BID Board for review and input.
3. ADI Staff and Board will edit the plan and submit it to the BID Board for approval based on comments by the BID Board.
4. The BID Board will review the proposed BID Plan and submit to Planning Commission for approval.
5. The Common Council will act on the proposed BID Operational Plan for the following Plan Year.
6. The Mayor of Appleton will appoint new members to the BID Board at least 30 days prior to the expiration of outgoing Board members’ terms.

It is anticipated that the BID will continue to revise and develop the master Operating Plan for later Plan Years, in response to changing development needs and opportunities in the District, within the purpose and objectives defined herein and therein.

Included in these changes for later Plan years will be changes in the BID budget and assessments.

V. **Finance Method**

The proposed expenditures contained in Section II (D) above, will be financed with moneys collected from the BID assessment, and will be made, from time to time, throughout the year, in accordance with the BID Budget, attached hereto as **Appendix C**.

Moneys collected from BID assessments by the City will be used to pay Appleton Downtown Incorporated in accordance with the implementation contract between the BID and ADI

VI. **Method of Assessment**

A. Parcels Assessed – Appendix E

All tax parcels within the District required to pay real estate taxes, including those taxed by the State as manufacturing, will be assessed with the exception of those parcels used solely for parking and those parcels subject to a recorded condominium declaration, and parcels classified as commercial use as shown on the City of Appleton Assessors records. Commercial Condominiums shall be assessed as if the entire building in which the Commercial Condominiums are located were not subject to the Condominium act and instead were assessed as one building, and the assessment for that entire building shall be levied against each Commercial Condominium unit in such proportion as the condominium assessments of that condominium are prorated, as defined in the Declaration of Condominium for that building.

Amended: removed “zoned for” replaced with “parcels classified as” by the BID Board 8/2/21

Real property used exclusively for residential purposes may not be assessed, as required by the BID Law. Property exempt from paying real estate taxes, **parcels classified as ‘vacant’ use by the City of Appleton Assessors records** or owned by government agencies will not be assessed.

Amended: added: parcels classified as ‘vacant’ use by the City of Appleton Assessors records: by the BID Board 8/2/21

For identification of parcels that are assessed for the BID as contributing parcels based on their use and parcels that are non-contributing. Annual adjustments to contributing and non-contributing parcels in the BID are made based on parcel combinations and parcel divisions.

Amended to include: For identification of parcels that are assessed for the BID as contributing parcels based on their use and parcels that are non-contributing. Annual adjustments to contributing and non-contributing parcels in the BID are made based on parcel combinations and parcel divisions. Approval by the BID Board 8/2/21

The Business Improvement District reassessment was completed by the City of Appleton Assessor’s Office. The current property assessment list was generated by the Assessor’s office and reviewed by the Finance Department and BID Board.

B. Levy of Assessments

Special assessments under this Operating Plan are hereby levied, by the adoption of this Operating Plan by the City Council against each tax parcel of property within the District which has a separate tax key number, in the amount shown on the assessment schedule which is attached hereto as **Appendix E**.

The BID Board of Directors approved BID rate for the 2022 plan year is \$2.75 per \$1000 of assessed value, minimum \$275 and maximum \$5500.

The 2022 plan year assessment list **Appendix E** shows the calculation with the current rate at \$2.75 for each \$1000 of assessed value for each parcel in the District with no parcel assessed more than \$5,500 and no parcel assessed less than \$275, with parcels used solely for parking excluded, with parcels solely used for residences excluded, and with the adjustments for the Commercial Condominiums and adjustments for relocation of the caps and minimums. The assessment was based on the assessed value of that parcel (land and improvements) as shown in the records of the City

Assessor's Office except as otherwise identified below. It is understood that some properties within the BID may be re-assessed. The changes in the tax assessment may impact the BID assessment for these properties.

The principal behind the assessment methodology is that each non-exempt parcel's owner should pay for District development in proportion to the benefit derived. Obviously, not every parcel in the District will benefit equally, nor should each parcel, regardless of size or value contribute in exact ratio of property value. It is assumed that a minimum and maximum benefit can be achieved for each parcel, thus, minimum and maximum BID assessments have been established.

For those parcels identified as Commercial Condominiums, the minimum and maximum assessments shall be established for the entire building of which the Commercial Condominium is a part, in the ratios identified above.

C. Schedule of Assessments

The final form of this 2022 Operating Plan has attached as **Appendix E** are schedules of all the tax key numbers within the BID which are being assessed, and their assessment using this formula.

**The 2022 BID assessment total at current rate of \$2.75/\$1000 (maximum of \$5500 and minimum of \$275) anticipated to be \$235,485
Assessments are attached in Appendix E**

Adjustments from previous year:

- a) Three parcels were removed (deleted parcel or use changed)
 - 31-2-0428-00: 306 W. Washington: change of use to residential
 - 31-5-1064-00: 514 W. College combined with 31-5-1063-00
 - 31-2-0343-00: 320 E. College Ave. building razed as of 1/1/21

- b) Three parcels were added (new parcel or use changed)
 - 31-5-1187-00: 133 N Richmond
 - 31-2-0436-00: 300 N. Appleton
 - 31-2-0019-00: 229 E. College Ave

D. Assessment Collection and Dispersal

The City of Appleton shall include the special assessment levied herein as a separate line item on the real estate bill for each parcel. The City shall collect such assessments with the taxes as a special assessment, and in the same manner as such taxes, and shall turn over all moneys so collected to the BID Board for distribution in accordance with the BID Plan.

All BID assessments shall be shown on the tax bill as due and owing with the first installment of taxes and shall carry the same penalties and interest if not so paid.

Any money collected by the City of Appleton for BID assessments shall be held by the City in a segregated account.

The City of Appleton Finance Department shall provide to the BID Board by the 15th day of each month or as requested a separate financial statement for the BID along with a list of collections and source of such collections identified by tax parcel number for which the amount was collected.

Any BID assessments collected by the City before or after the Plan Year for which the assessments were made shall be held by the city in a segregated account and are to be used by the BID Board in the manner as if received during the applicable Plan Year. This provision is intended to govern BID assessments prepaid in December prior to the applicable Plan Year, as well as to delinquent and late payments made after the Plan Year.

The BID Board shall prepare and make available to the public and the City Council annual reports describing the current status of the BID, including expenditures and revenues, at the time it submits its amended Plan to the City for the following year. Following the end of the fiscal year an independent certified audit shall be obtained by the Board, and which shall be paid for out of the BID Budget. Copies of the 2020 audit are available in the ADI office and a copy was submitted to the Community Development Department with this plan.

Disbursement of BID funds shall be made in accordance with approved BID Operational Plan and Budget. Disbursements for contracted services such as those provided by Appleton Downtown Incorporated shall be done on a reimbursement basis. Invoices and documentation of services performed shall be submitted on a monthly basis to the BID Board. The BID Board shall forward these invoices for payment to the City of Appleton Finance Department. The Finance Department shall issue payment on the invoice once it has received evidence that the expenditures are eligible for reimbursement in accordance with the BID Operational Plan and Budget. This reimbursement shall be made to the service provider within seven business days of the submittal of the request to the City.

The presentation of the proposed Plan to the City shall deem a standing order of the Board under 66.1109 (4) Wis. Stats. To disburse the BID assessments in the manner provided herein. This section shall be sufficient instruction to the City to disburse the BID assessment, without necessity of an additional disbursement agreement, disbursement method, or accounting method. Other than as specified herein, the disbursement procedures shall follow standard City disbursement policy.

E. Annual Report

The Board shall prepare an annual report as required by section 66.1109 (3) (c) of the Wisconsin Statutes. A copy of the 2020 report is attached.

The report shall include the required audit. The required audit shall be prepared by the auditing firm conducting the annual audit for the City of Appleton. The BID shall be solely responsible for payment of any funds specified for the BID Audit related to BID activities for said BID Audit.

The City of Appleton Finance Department shall provide an estimate of the cost of said BID audit for the following year to the BID Board no later than September 1 of the previous year.

VII. City Role

The City of Appleton is committed to helping private property owners in the District promote development. To this end, the City intends to play a significant role in the implementation of the Downtown plan. In particular, the City will:

1. Encourage the County and State Governments to support activities of the district.
2. Monitor and when appropriate, apply for outside funds, which could be used in support of the district.
3. Collect assessments and maintain a segregated account.
4. Provide disbursement of BID funds to service providers in accordance with the BID Operational Plan and Budget.
5. Contract with an auditing firm to conduct the Audit. Said firm shall be the same firm that conducts the City of Appleton annual audit.
6. Provide a cost estimate for said audit no later than September 1 for the following year.
7. Provide a separate monthly financial statement to the BID Board.
8. Review annual audits as required per 66.1109 (3) (c) of the BID Law.
9. Provide the BID Board through the Assessor's Office on or before **July 1** each Plan Year, with the official City records on assessed value for each tax key number within the District, as of that date in each Plan Year, for purposes of calculating the BID assessment.
Amended: June 1 to July 1 by the BID Board 8/2/21
10. Adopt this plan in the manner required by the BID Law.
11. Appoint and confirm new BID Board members as required herein.

VIII. Required Statements - no change has been made to this section from the previous year.

The Business Improvement District Law requires the Plan to include several specific statements.

66.1109 (1) (f) (1.m): The District will contain property used exclusively for manufacturing purpose, as well as properties used in part for manufacturing. These properties will be assessed according to the formula contained herein because it is assumed that they will benefit from development in the District.

66.1109 (5) (a) Property known to be used exclusively for residential purposes may not be assessed, and such properties will be identified as BID exempt properties.

66.1109(1)(f)(5): Michael, Best & Friedrich, LLP has previously opined that the Operating Plan complies with the provisions of Wis Stat. sec. 66.1109(1)(f)(1-4). Michael, Best & Friedrich, LLP has confirmed that, because no substantive changes are proposed in this amendment, no additional opinion is required.

IX. Appleton Downtown Incorporated - no change has been made to this section from the previous year.

- A. Appleton Downtown Incorporated

The BID shall be a separate entity from Appleton Downtown Incorporated (ADI). ADI shall remain a private not-for-profit organization, not subject to the open meeting law, and not subject to the public records law except for its records generated in connection with its contract with the BID Board, and may, and it is intended, shall contract with the BID to provide services to the BID in accordance with the Plan. Any contracting with ADI to provide services to BID shall be exempt from the requirements of sec. 62.15, Wis. Stats., because such contracts shall not be for the construction of improvements or provision of materials. If the BID does contract for the construction of improvements or provisions of material, it shall follow the requirements of such statutes to the extent applicable to assure open, competitive procurement of contracts and purchases. Further, the annual accounting required under 66.1109 (3) (c) Wis. Stats. shall be deemed to fulfill the requirement of 62.15 (14) Wis. Stats. Ownership of assets of Appleton Downtown Incorporated shall remain solely with Appleton Downtown Incorporated.

A. Binding Clause

The adoption of this Operating Plan is subject to the BID Board contracting with Appleton Downtown Incorporated to carry out this Operational Plan, and if such contract is not entered into by the first day of the Plan Year, then the Plan shall be null and void.

X. Severability and Expansion - no change has been made to this section from the previous year.

The Business Improvement District has been created under authority of 66.1109 of the Statutes of the State of Wisconsin.

Should any court find any portion of the BID Law or this Plan invalid or unconstitutional, said decision will not invalidate or terminate the Business Improvement District and this Business Improvement District Operating Plan should be amended by the Common Council of the City of Appleton as and when it conducts its annual budget approval and without necessity to undertake any other act.

All of the above is specifically authorized under 66.1109 (3) (b) of the BID Law.

If it is determined by a court or administrative body that the parcel of property not be subject to general real estate taxes may not be included within the District, then said parcels shall be excluded from the definition of the district.

All appendices are hereby incorporated by this reference.

APPENDIX A

2022 Plan of Action



BUSINESS IMPROVEMENT DISTRICT 2022 Plan of Action

Mission
Our mission to establish a vibrant and accessible destination for business, learning, living and leisure is anchored in our focus to create an environment of success and sustainability for the new exhibition center, a robust employment center and a more livable Downtown. Our strategic initiatives build support for an exceptional visitor experience, a strong business climate and an attractive, accessible and inclusive downtown where more people want to live.

BID Goals and Objectives:
The BID seeks to protect public and private investments in downtown Appleton and to attract new investment to the district. The BID exists to promote the orderly development of the district in cooperation with the City of Appleton, including implementation of the Downtown Plan (Chapter 14 of the Comprehensive Plan) and to develop, redevelop, maintain, operate, and promote the District. The BID shall work to preserve and improve economic, cultural, and social conditions within the District by facilitating partnerships of people and organizations to achieve mutual goals. The BID provides the necessary funding to plan, evaluate, facilitate and implement District development projects, planning activities, and promotional activities that fit within the identified mixed-use strategy for developing viable and sustainable markets that the District in downtown Appleton can serve.

The State of Downtown Appleton (7/2021)
The BID and ADI remain committed to supporting downtown businesses through this time of economic recovery and labor instability. We continue to focus on sustaining a clean, safe, livable environment, promoting quality consumer experiences and attracting and retaining a strong business mix within the district.

Business retention is at the core of our work. With some businesses operating with employees working from home and others with limited hours and staff, the employee base in Downtown Appleton is in a depressed state. Reduced staffing levels subsequently has an impact on hospitality, service and retail businesses in the district. An increased marketing focus will include promoting employment opportunities with a more comprehensive list on our website.

The future of commercial real estate is also of concern as some employers may look to work at home solutions. Still others may look for additional space to distance employees. Monitoring trends and large employer plans will be an important focus. Adaptive reuse of commercial space may be a development shift in the future.

Our work to create One Great Place is also about talent attraction. As the premier arts and entertainment district of the Fox Cities, downtown is a quality of life benefit highlighted by employers throughout the region to attract and retain a talented workforce. Employees are more often making a decision on job selection based on community and quality of life. By adopting a creative placemaking approach to activating public spaces, recruiting a healthy business mix and integrating public art, we position downtown for employment growth and increased residential interest.

Across the nation the trend toward urban living amidst vibrant cultural districts continues. People, especially those without children, are desiring convenient, car-optional neighborhoods where residents can walk to work, shop and access entertainment. With several residential developments are under construction, Downtown Appleton is benefited from this trend and the ADI and BID boards are optimistic that we are emerging as a destination for urban living. A focus on providing the needed amenities to support residents such as grocery or public market, Bird Scooters, green space for dogs and others will need to be a priority with downtown partners.

Downtown Appleton continues to be a critical central social district. ADI sponsored programs such as the Saturday Farm Market and sidewalk activities continue to offer opportunities to engage in the community and connect with local food and local arts. Public art projects like the Downtown murals and sidewalk chalk walk continue to bring vibrancy in an open air walkable environment.

Statistics indicate that Appleton is one of the safest cities in the country. Downtown cleanliness is of utmost importance. Continuing our partnership with the CARE program is expected to improve downtown cleanliness. Ongoing safety measures are also an important focus for the BID, ADI and our business neighbors; monthly meetings that include Pillars, APD, the City of Appleton, Valley Transit and several other partners discuss and monitor activity.

A Downtown for All message of inclusion through our programs and projects keeps us centered on diversity in our work such as event vendor mix, artists, music, murals, business recruitment and talent attraction.

OUR BRIGHT FUTURE

As the City, BID, ADI, CDA and its partners continue to plan and invest in downtown Appleton, they will be guided by the following vision and principles: "Downtown Appleton is a great American urban neighborhood and employment center with world class arts and entertainment."

1. Fully embrace and leverage the diverse arts, cultural, and educational assets of the community
2. Invest in the growth of downtown neighborhoods with diverse housing options and residential amenities
3. Increase connectivity, trails, and recreation opportunities between the downtown, the Fox River, and the region
4. Foster a culture of walking and biking
5. Promote quality development along the Fox River by embracing the region's industrial and natural heritage
6. Support diverse partnerships which make downtown more attractive for residents and visitors through: activities and events; public art and place making; on-going maintenance; and promotion and marketing

7. Create a safe, welcoming, inclusive and accessible downtown
8. Grow downtown as an employment center for the region
9. Continue to support events and entertainment which safely draw visitors to downtown Appleton
10. Support a destination Fox Cities Exhibition Center as a unique attraction and community asset
11. Support unique, independent businesses

MARKET FINDINGS

The 2017 Appleton Downtown Market Analysis identifies the following key assets and subsequent development and community priorities that reflect the public input and discussion throughout the plan development.

Key Assets

1. Sizeable daytime workforce
2. A thriving arts/entertainment/culture/educational scene
3. The Fox River, an extensive parks system, and growing trail network
4. Diverse events and programs draw thousands of visitors
5. Strong diverse business mix
6. College Avenue, which is walkable and economically vibrant

Development Opportunities Priorities

- Residential and commercial mixed-use development - A mix of multifamily, townhouse, and condo housing. Commercial and office space of a variety of sizes and amenities. Including developers looking to expand downtown to the north.
- Hospitality – fill vacant restaurant space and recruit an urban grocery store
- Retail/Commercial – A focus on a strong retail environment and pop up store opportunities in vacant spaces
- City Center Plaza/Public Market - Explore public market concept
- Redevelopment of accessible parking options for downtown employees and guests with the Soldiers Square ramp

Community Priorities

- A strong local economy that supports small to large businesses.
- Successful Operation of the Fox Cities Exhibition Center
- Improved connectivity to the Riverfront
- Remodeled Appleton Public Library
- Develop Ellen Kort Peace Park with a strong connection through Jones Park to Lawrence St.
- A more walkable Downtown
- Strong livable Downtown neighborhoods
- Traffic flow Improvements

- Accessible and affordable parking solutions
- Enhanced streetscapes throughout Downtown
- Expand Public Art & Creative Culture
- Continued Partnership with Lawrence University and Appleton Area School District

2022 BID/ADI/CDA Work Plan

For the next year, the ADI, CDA and BID boards will continue to advance the four imperatives for advancing Downtown’s mission and supporting downtown businesses through the current economic recovery:

1. Play an integrated role in business retention and recruitment efforts to reactivate business and support job creation.
2. Promote Downtown living options and curate livability enhancements to attract residents.
3. Collaborate with our community partners to boost our downtown tourism economy.
4. Increase communication and interaction with downtown business owners to encourage more engagement and cross promotion.

The BID/ADI/CDA work Plan is aligned with the seven initiatives outlined in the City of Appleton Downtown Plan. The Following is the BID portion of an overall cooperative ADI/BID/CDA work plan.

#1 Urban Form & Design	ADI/BID/CDA
• Street pole banner replacement	BID/ADI
• Annual flowers in the planters and Houdini Fountain area	BID/ADI
• Manage the Façade grant program	BID/ADI
• Increase flexible outdoor seating and public use areas	ADI/CDA

#2 Tourism, Arts, Entertainment & Education	ADI/BID/CDA
• Maintain the Visitor Area kiosk within our office	BID/ADI
• Collaborate with community partners to increasing leisure travel to Appleton and maximize the value of the Fox Cities Exhibition Center	BID/ADI
• Explore opportunities to connect with sports tournament travelers	BID/ADI
• Host annual events: Farm Market, Heid Music Concert Series, Lunchtime Live concert series, Death by Chocolate, Soup Walk, spring and fall Craft Beer Walks, Spring Fashion Show, Fall Shop Sip and Stroll, Mini Golf on the Town, Community Public Market events, Light up Appleton, Downtown Creates walking features: Playful Planter, Artful Chairs, Chalk Walk, Paint out, Avenue of Ice	ADI/CDA
• CDA to curate public art projects as the opportunities occur	ADI/CDA
• Partner with Community organizations to co-host or support events and programs: Rhythms of the World, Mile of Music, Heid Music’s Street Music Week, Fox Cities Chamber of Commerce Octoberfest, City of Appleton	ADI/CDA

parades, Appleton Public Library Story Walk, Creative Kids and others	
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#3 Neighborhood & Residential Development	ADI/BID/CDA
• Host a downtown living Open House event with video promotion	ADI
• Promote and distribute Downtown Welcome packet for new residents	BID/ADI
• Host Downtown resident meet and greet events twice a year	ADI/CDA
• Add pet friendly amenities and explore options for a downtown dog friendly green space	ADI/CDA

#4 Downtown Development & Business Retention	ADI/BID/CDA
• Downtown Development and recruitment event, webinar or video created to share data and information with developers and business interests	BID/ADI
• Cooperatively market the City TIF and ARA grant programs	BID/ADI
• Promote and distribute Downtown Welcome packet for new employees	BID/ADI
• Manage and promote the Gift Certificate Program	BID/ADI
• Manage the Business Recruitment grant program	BID/ADI
• Manage the matching marketing grant program	BID/ADI
• Increase brand and image marketing	BID/ADI

#5 Mobility and Parking	ADI/BID/CDA
• Include and promote accessibility improvements through the façade grant program	BID/ADI
• Expand the sidewalk safety program: walk your wheels signage, social media messaging	BID/ADI
• Promote the use of the Passport parking app	BID/ADI
• Host walk audits of BID side streets to identify walkability improvement opportunities	ADI

#6 Downtown Management	ADI/BID/CDA
Cooperative agreement between the BID and ADI. Management of:	
• Image and event marketing to promote, shopping, dining, attractions, employment, living: such as the Downtown Guide, Small Business Saturday, Vacation Destination, Golden Ticket Giveaway, One Great Give, I'm Worth It promotion,	BID/ADI
• Weekly public and member Eblast	BID/ADI
• Create and manage a social media network for business members to connect and share resources	BID/ADI
• Host monthly committee meetings: Marketing committee, Hospitality committee, Washington Square committee, Economic Development committee, Museum Directors	BID/ADI
• The BID Board of Directors quarterly meetings	BID
• Manage and financially support the CARE team contract in partnership with Riverview Gardens and the City of Appleton, to ensure daily sidewalk cleanup. Additional contract services as needed.	BID/ADI

• Host annual networking events for members: ADI Business Awards, Golf Outing and BID/ADI Annual Meeting	BID/ADI
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#7 Public Spaces & Riverfront	ADI/BID/CDA
• Partner role in supporting the downtown trolley	ADI
• Riverfront committee with a focus on enhancing walkability, connectivity and promotion between destination points including wayfinding signage	ADI
• Cooperatively draft a parklet policy proposal with City of Appleton departments	ADI/CDA

Annual tracking for 2022 will include:
• Grant and sponsorship funds
• CARE team hours
• Occupancy of commercial units and residential units
• Marketing reach
• Business by industry within the BID: commercial, retail, hospitality, attraction, living
• Member engagement and participation with year-round events
• Event attendance estimates

Appendix B

2021 Midyear Review

2021 BID Work Plan Second Quarter report

For the next year, the ADI and BID boards will continue to advance the four imperatives for advancing Downtown’s mission and supporting downtown businesses through the current economic recovery:

5. Play an integrated role in business retention and recruitment efforts to reactivate business and support job creation
6. Promote Downtown living options and curate livability enhancements to attract residents.
7. Collaborate with our community partners to reopen our downtown tourism economy
8. Increase communication and interaction with downtown business owners to encourage more engagement and cross promotion.

The Chapter 14 Downtown Plan will be implemented through seven initiatives and their associated strategies. The BID/ADI/CDA Plan aligns its work plan within the following initiatives and strategies. In the current COVID environment, ADI and CDA plans remain incomplete as we navigate the second half of the year and uncertain about 2021 events and funding. The Following is the BID portion of our cooperative plan.

#1 Urban Form & Design	
Revisit installation of the message center if funding is available	Nothing new to report
Street pole banner replacement for faded banners	Banners ordered in third quarter.
Annual flowers in the planters	City let us know they were not planting Houdini Fountain area. CDA covered the expense of flowers, planters and installation through our planter event but would like to see this included in our annual flower purchase with the BID.
Manage the Façade grant program	See attached update

#2 Tourism, Arts, Entertainment & Education	
Maintain the Visitor Area kiosk within our office	Visitor traffic is increasing Downtown, more guests stopping in from the hotels. Guide distribution is up and the summer pocket guide is out.
Continue to partner with the Hotels, CVB and Chamber on increasing leisure travel to Appleton.	Convention bookings are increasing. Many events booked for the exhibition center for this fall-winter. Leisure travel is picking up and sport tournaments are doing very well. The CVB is partnering with downtown orgs to present Restaurant week is year.

#3 Neighborhood & Residential Development	
Partner with developers, HBA and Downtown residential spaces to feature a virtual Downtown Living Tour to promote options	Quote is for between 4-5K for the video. We have not been able to connect with all of the developers to obtain commitments to partner on the project yet. We have lots of great images and video we are already collect from the summer events. We will revisit this project in the fall.
Promote and distribute Downtown Welcome packet for new residents	Resident survey indicated an interest in outdoor dining and seating options – parklet! Also asked for social opportunities to connect. We are hosting a resident meet and greet at the August 12 concert in Jones park.

#4 Downtown Development & Business Retention	
Downtown Development and recruitment event, webinar or video created to share data and information with developers and business interests	Working on a proposal for a downtown tour for interested developers and site selectors. Draft agenda will include information share with the City, property owners, tours of available space and development opportunities, dinner, potential overnight option with PAC tickets or other.
Cooperatively market the City TIF grant programs	TIF grant funding in district 11 and 12 still available as well as ARA city wide program
Promote and distribute Downtown Welcome packet for new employees	New businesses joining in the packets.
Manage and promote the Gift Certificate Program	No new information
Manage the Business Recruitment grant program	Attached
Manage the matching marketing grant program	Marketing grant program launched March 24 th to date: \$7587 has been applied for.
Increase brand and image marketing to highlight our retail and dining nodes	I'm worth it promotion: September 7-12 Passport type promo, more places you visit, better your chances to win the Grand Prize basket consisting of items from the participating businesses. Businesses will offer a special that encourages self-care, pampering, etc. Passports will be free to shoppers.

#5 Mobility and Parking	
Work on improvement recommendations identified in the transitional areas walk audit and conduct another audit of additional side streets	Sidewalk safety is a continuous struggle, APD has had CSOs out on the sidewalks talking with bikes, skateboards and scooters. It is helping but they can't be everywhere. Alderperson Martin has been asking for more and more signage but we have not seen any progress.
Include and promote accessibility improvements through the façade grant program inclusion	No new information
Promote walking and biking routes and NO bikes on sidewalks	E-Scooter report: 6333 rides since May 1, over 2000 unique riders, complaint report and summary stats attached.

#6 Downtown Management	
Manage cooperative agreement between the BID and ADI. Management of:	
Image and event marketing to promote, shopping, dining, attractions, employment	Second quarter marketing report attached
Weekly public and member Eblast	Send weekly Tuesday to Members, Wed. to Public
Block captain / Business Watch program reboot	No new information – talking with Joe Martin about helping as a volunteer with coordination.
Manage the Marketing committee	Monthly meeting first Wednesday at 8:30am – recent minutes attached
Manage the Hospitality committee	Monthly meeting last Tuesday of the Month at 3:30pm – recent minutes attached
Manage the Washington Square committee	Monthly meeting third Thursday of the month 3pm
Manage the Economic Development committee	Monthly third Wednesday of the month at noon – recent minutes attached
Coordinate the BID Board of Directors meetings	Quarterly

Manage and fund the CARE team contract in partnership with Riverview Gardens and the City of Appleton, to ensure daily cleanup.	Daily crew is increasing. Riverview is training a new person on the gum buster and they will also check the parklet daily.
Manage Cooperative garbage agreements for Johnston street and Soldiers Square	Trash contracts renewed in Soldiers Square, new company contract on Johnson Street. I would like permission to NOT coordinate these container areas in the future.

#7 Public Spaces & Riverfront	
Riverfront committee reconvened with a focus on enhancing walkability, connectivity and promotion between destination points.	Push back on readiness for a branding project. Moving the meetings to quarterly working closer with the Fox River Navigation Authority to move the committee work forward.

2021 2nd Quarter BID Marketing Report

EVENT	DATE	SPONSORS	ADVERTISING	ATTENDANCE	NEW NOTES
One Great Give	May 3-9, 2021	Tundraland, AZCO, Renewal by Andersen	Website, Social media, Eblasts, Business Cross promoting, media partners	15 different businesses participated – shared it was a good week	Were able to donate total of \$6,686.37 to the business selected nonprofits
Downtown Creates... Fiber Rain & Garden Art	May 21-23, 2021	Appleton Airport, City, Tundraland, AZCO, Kimberly-Clark, Red Lion, Renewal by Andersen, Johnson Bank	Website, Social Media, Eblasts, Business Cross Posting, Media Partners	Weather was on our side, lots of people walking around downtown this weekend,	About 30 planters were decorated. Fiber Rain installed mostly on light poles.
Get to Know One Great Place Spring Campaign	May – beginning of June	N/A	Woodward Radio Stations (WHBY, WAPL, KISS FM), Social Media, Website, Eblasts, Business Cross Promoting, Get to Know Downtown Video from BConnected	Good engagement on social media posts! Lots of attention on the high number of places for outdoor dining, shopping, etc.	VIDEO – reached over 7.5k viewers & engaged with by 246 people (likes, comments, shares)
Downtown Trolley	Weekends: June 3-Sept. 25, 2021	Valley Transit	Trolley brochures printed & distributed, website, eblast, social media	First month went well per Valley Transit.	New app from Valley Transit that tracks trolley location in real time.
Downtown Creates... Artful Chairs	June 18-20, 2021	Appleton Airport, City, Tundraland, AZCO, Kimberly-Clark, Red Lion, Renewal by Andersen, Johnson Bank	Website, Social Media, Eblasts, Business Cross Posting, Media Partners, Digital Retargeting Ads with Cumulus, Appleton Monthly June Ad	Over 80 artful chairs on display! Variety of businesses, local artists, students from Boys & Girls Club participated. Busy weekend in Downtown	Silent Auction had 52 chairs total, 30 of them sold resulting in over \$1000 being donated to the Boys & Girls Club
Downtown Appleton Farm Market	Saturdays starting June 19 thru end of October	US Venture presents, Tundraland, AZCO, Renewal by Andersen, ThedaCare, Gateway, City of Appleton, Red Lion, Valley Transit, First Weber, Sure-Dry, Ulness Health, Warning Lites, Crunch Fitness, Kids Market: Fox Communities Credit Union, EBT Match: Community First Credit Union, Music Sponsor: Consolidated	Website, Social Media, Eblasts, Healthy Wellness & Living Magazine Monthly Ad, Appleton Monthly June Ad, Fox Cities Magazine June Ad	First week was OUTSTANDING! So many vendors were sold out!	Approx. 100 vendors each week, arts & crafts vendors are back and so is live music. We are off to a good start!

		Construction, Media Partners: Edible Door & Healthy Living & Wellness Magazine			
Lunchtime Live on the Road	Thursdays, June 17-September 30	US Venture presents, Tundraland, AZCO, Renewal by Andersen, Heid Music, Festival Foods, Crane Engineering, Investors Community Bank, Vizzy Hard Seltzer, Steve & Teri Winters	Website, Social Media, Eblasts, Business Cross promotion, Appleton Monthly June Ad	First few weeks off to a good start! Every table has been full!	Moving to a new venue each week is a great new structure and brings an added boost to the lunch crowd for venues

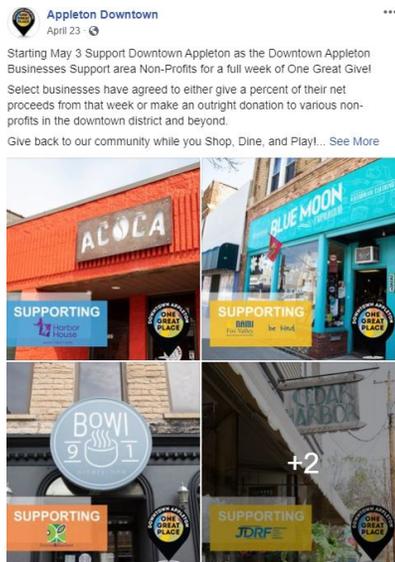
FREE PUBLICITY	PAID IMAGE ADVERTISING
Monthly Radio Chats with Y100 (April, May, June)	Greater Valley Guide
WBAY: Summer Event Hopes/Plans (April)	Red Lion Kiosk and guestbook (annual)
WBAY: Downtown Residence Boom (April)	Appleton Airport Large Billboard in Luggage Area (annual)
WHBY Morning & Afternoon Shows: One Great Give (April/May)	CopperLeaf guestbook (annual)
Local 5 Live: Downtown Creates Garden Art Preview (May)	Fox Cities Convention & Visitors Guide 2 ½ page group ad
Good Day Wisconsin: Outdoor Dining/Get to Know Campaign (May)	Performing Arts Center Ovation 1/3 pg ad
Channel 5: College Ave History Story (May)	City Guide Back Cover Full Page (Appleton's Park & Rec Guide)
Fox 11: Downtown Creates Garden Art/Fiber Rain (May)	Fox Cities City Guide 2020
Post Crescent Article: Voyageurs Bread Coming to Downtown Appleton (May)	Woodward Radio Ads for Get to Know One Great Place Spring Campaign (May and beginning of June on WHBY, KISS FM, & WAPL)
WHBY Fresh Take Event/Downtown Update Radio Chat (April & May)	Money Saver Full Page Ad (May/June) for Get to Know OGP Campaign
Local 5 Live: Street Music Week (June)	Fox Cities Arts Listing (May)
Fox 11: Downtown Creates Artful Chairs (June)	New North Mid-Year Report (May/June)
NBC26: Downtown Creates Artful Chairs (June)	Summer Pocket Guides (June/July)
CVB Mall Kiosk Display: Get to Know OGP & Summer Events (May-June)	
WBAY Early Morning News: Farm Market (June)	
WHBY Focus Fox Valley: Farm Market & Concerts (June)	
Good Day Wisconsin: Farm Market (June)	
Post Crescent Article: Farm Market (June)	

COMMUNICATION STATISTICS (as of 6/30/2021):

17,330 Appleton Downtown Facebook Page Likes	6,066 Email Active Contacts
18,153 Downtown Appleton Farm Market Facebook Page Likes	6,333 @Dwtntappleton Twitter Followers
836 Blog Posts	6,230 Instagram Followers
74,372 Website Page Views (4/1/-6/30/2021)	By Device: 57.34% Mobile 41.11% Desktop 1.55% Other (Tablets, Unknown, etc.)
Website Visits by Location (4/1/-6/30/2021) 10,052 Appleton 3,048 Milwaukee 2,923 Kaukauna 2,290 Neenah	Top Referral Sites (4/1/-6/30/2021) 68.4% Search Engines 24,040 14.7% Direct 5,162 11.6% Social 4,086 4.2% Other Websites 1,490
Website Visits from Social Media (4/1/-6/30/2021) 99% Facebook (4,703 visits) 1% Twitter, Linked In, Instagram and Pinterest	Top Landing Pages (4/1/-6/30/2021) Farm Market 11,188 Home Page 7,216 Upcoming Events 3,863 Heid Music Summer Concerts 2,090
Top Single Date for Visits 1,647 on Saturday, June 19 (opening Farm Market & Artful Chairs Weekend)	Avg. Visit Duration For Visitors 1 minute, 2 seconds

Top Posts:

Appleton Downtown
(11,413 People Reached;
230 Reactions, Comments
& Shares)



Downtown Appleton Farm Market
(22,972 People Reached;
1,155 Reactions, Comments
& Shares)



APPENDIX C

2022

Budget

BUSINESS IMPROVEMENT DISTRICT PROPOSED 2022 BUDGET

REVENUE		2022 Proposed Budget
	BID Assessments	235,485
	Carry Over from Prior Year	
	Interest Income	
	Total	235,485
EXPENSES		
Contracted Services		
	ADI Staff	50,000
	Unallocated carry over	
Administrative		6,485
	Telephone	
	Food/Provisions	
	Office Supplies	
	Postage	
	Conferences/Workshops	
	Dues, Fees, Subscriptions	
	Space Lease/Rental Fees	
	Internet Fees	
	Office Equipment Repairs & Maint.	
BID Audit/Accounting Services		2,500
Marketing		74,000
	Website & Social Media	
	Image Advertising	
	Design services	
Economic Development		
	Façade Grants	40,000
	Marketing Grant	10,000
	Recruitment Grant	15,000
	Business Recruitment	7,500
	- New Employee & Resident Packets	
	- Advertising / agent meetings	
Maintenance services		
	Maintenance	30,000
	CARE team, flowers, garbage, graffiti	
		235,485

APPENDIX D

2022 BID Board List

Board Member	Business	Category
Monica Stage – Treasurer	City of Appleton	City Government
Benjamin King	King Brokerage	Property owner / Business Owner –office/ Downtown Resident
Brad Schwebs	NAI Pfefferle/Pfefferle Management	Property owner representative
Gary Schmitz – President	Retired	
Marcie Harris	Triumph Engineering	Property and Business Owner – office
Bill Wetzel	Acoca Coffee	Property Owner / Business Owner Hospitality
Jason Druxman– Secretary	Avenue Jewelers	Retail & property/co-owner
Leah Fogle	Appleton Beer Factory	Business Owner : Hospitality
Nate Weyenberg	Angels Forever Windows of Light	Property Owner / Business Owner: Retail

Appendix E

Schedule of Assessments (attached)

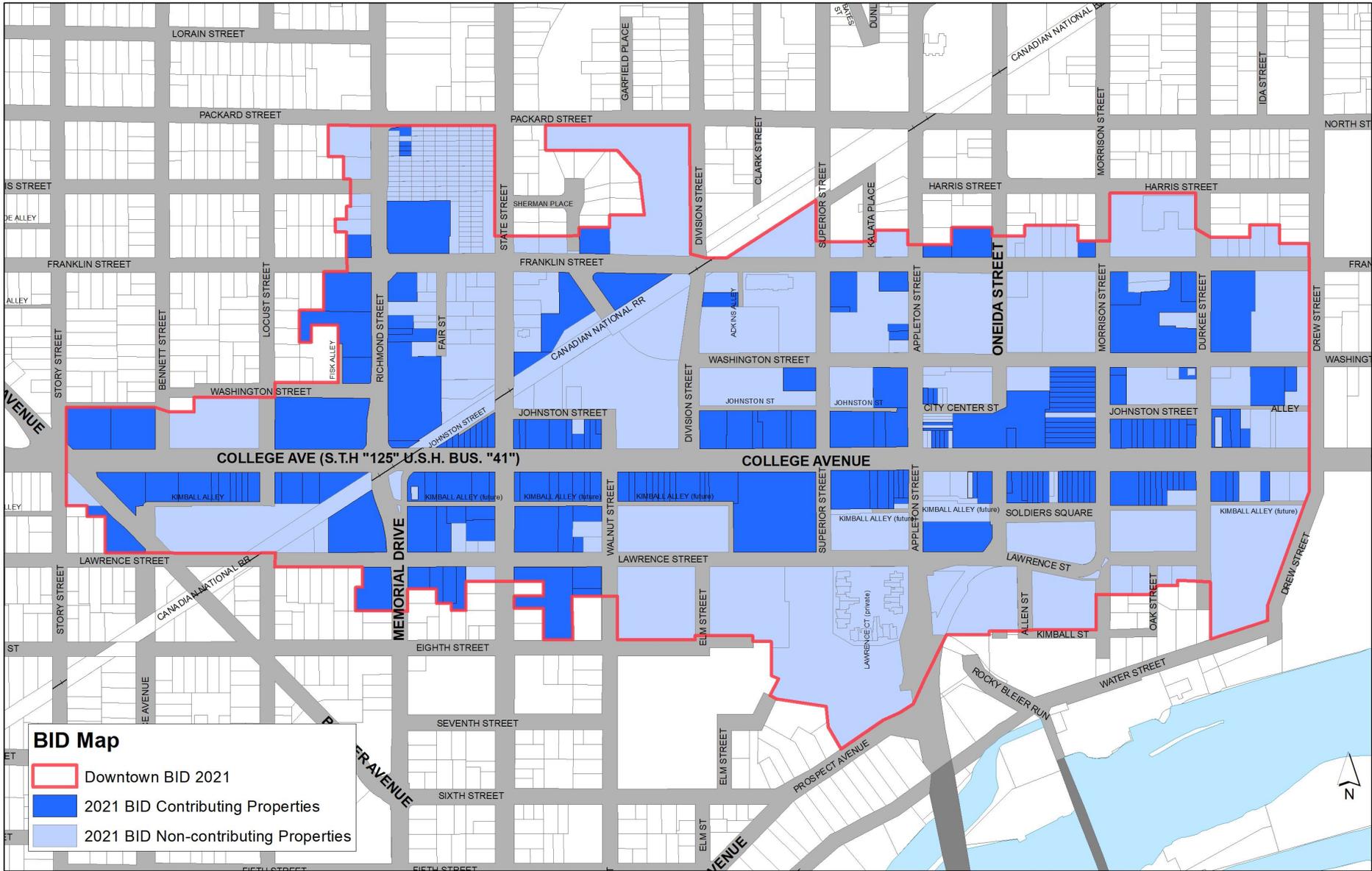
count	Parcel	Owner first	Owner MI	Owner last	In care of	Mail Street	Mail Unit	City	State	Zip	NAICS Code (land use)	NAICS Code 2 (land use 2)	Acres	Land Assessed Value	Building Assessed Value	Total Assessed Value	% of Condo	Unit	Min/Max		Total
																			Assessment	Adj	
1	312000200			WP & R INC		303 E COLLEGE AVE		APPLETON	WI	54911	452 - General Merchandise Stores		0.17	128,600	171,400	300,000			825.00	825.00	825.00
2	312000300			GO TO COLLEGE LLC		3094 OPEN GATE TRL		GREEN BAY	WI	54313	451 - "Sporting Goods, Hobby, Book, a		0.08	54,900	98,800	153,700			422.68	422.68	422.68
3	312000400			311 COLLEGE AVE LLC		311 E COLLEGE AVE		APPLETON	WI	54911	4539 - Other Miscellaneous Store Reta	94113 - Single Family Residential (s	0.07	43,000	117,000	160,000			440.00	440.00	440.00
4	312000700	JIMMY	B	PHIMMASENE		714 E WASHINGTON ST		APPLETON	WI	54911	7221 - Full-Service Restaurants		0.11	68,300	237,800	306,100			841.78	841.78	841.78
5	312001700			LOUBERTS PROPERTIES LLC	C/O DENO LOUKIDIS	4769 INDIAN BEND RD		OSHKOSH	WI	54904	722 - Food Services and Drinking Place		0.09	68,600	281,400	350,000			962.50	962.50	962.50
6	312001900			NOBLE ASSETS INC		1603 N DIVISION ST		APPLETON	WI	54911	8133 - Charitable and Benevolent Orga		0.04	27,400	98,000	125,400			344.85	344.85	344.85
7	312002000			FIFTY-ONE FIFTY LLC		117 W CAPITOL DR		APPLETON	WI	54911	448 - Clothing and Clothing Accessorie	944 - Multifamily residential	0.04	30,700	93,400	124,100			341.28	341.28	341.28
8	312002100	WENDY		KRUEGER ET AL		225 1/2 E COLLEGE AVE		APPLETON	WI	54911	448 - Clothing and Clothing Accessorie	944 - Multifamily residential	0.04	32,100	91,900	124,000			341.00	341.00	341.00
9	312002200			223 COLLEGE LLC		601 E CARRINGTON LA		APPLETON	WI	54913	7224 - Drinking Places (Alcoholic Bever	944 - Multifamily residential	0.08	59,400	123,300	182,700			502.43	502.43	502.43
10	312002300	THEODORE		CERVELLI		2932 FERNSIDE BLVD		ALAMEDA	CA	94501	4531 - Florists and Greenhouses		0.08	59,400	45,600	105,000			288.75	288.75	288.75
11	312002500	ANTHONY	A	MUELLER		217 E COLLEGE AVE		APPLETON	WI	54911	7224 - Drinking Places (Alcoholic Bever		0.08	59,400	112,600	172,000			473.00	473.00	473.00
12	312002600			KORN ACQUISITIONS R.E. LLC		3517 BLARNEY RD		WARRENS	WI	54666	7224 - Drinking Places (Alcoholic Bever	944 - Multifamily residential	0.08	59,700	254,300	314,000			863.50	863.50	863.50
13	312002700			SHIRAZ HOLDINGS LLC	C/O MOE ZAFARANI	4005 E BENVALLEY DR		APPLETON	WI	54913	4533 - Used Merchandise Stores	94113 - Single Family Residential (s	0.08	59,700	162,300	222,000			610.50	610.50	610.50
14	312003100			GABRIEL LOFTS LLC		100 W LAWRENCE ST	#214	APPLETON	WI	54911	4539 - Other Miscellaneous Store Reta	9441 - Apartments (5 Units or Abd	0.38	303,800	3,996,200	4,300,000			11,825.00	5,500.00	5,500.00
15	312003800			BEHNKE PROPERTIES LLC		1820 N DOUGLAS ST		APPLETON	WI	54914	7222 - Limited-Service Eating Places	94113 - Single Family Residential (s	0.04	37,900	194,700	232,600			639.65	639.65	639.65
16	312003900			SOMA CORPORATION		355 ALHAMBRA CIR	#1100	CORAL GABLES	FL	33134	93 - Multi-tenant Buildings	541 - "Professional, Scientific, and	0.15	122,300	426,700	549,000			1,509.75	1,509.75	1,509.75
17	312004000	RAYMON	L	ASPLUND		3667 PARK LANE DR		NEENAH	WI	54956	7222 - Limited-Service Eating Places	944 - Multifamily residential	0.06	49,400	124,000	173,400			476.85	476.85	476.85
18	312004100			DKS REALTY WISCONSIN IV LLC	C/O J ROSS & ASSOCIATES LLC	2631 N MEADE ST	#102	APPLETON	WI	54911	7222 - Limited-Service Eating Places	944 - Multifamily residential	0.06	53,000	127,000	180,000			495.00	495.00	495.00
19	312004200			DKS REALTY WISCONSIN IV LLC	C/O J ROSS & ASSOCIATES LLC	2631 N MEADE ST	#102	APPLETON	WI	54911	7223 - Special Food Services	944 - Multifamily residential	0.06	53,000	136,000	189,000			519.75	519.75	519.75
20	312004300			BEHNKE PROPERTIES LLC		1820 N DOUGLAS ST		APPLETON	WI	54914	448 - Clothing and Clothing Accessorie	944 - Multifamily residential	0.07	55,100	140,800	195,900			538.73	538.73	538.73
21	312004400			BEHNKE PROPERTIES LLC		1820 N DOUGLAS ST		APPLETON	WI	54914	93 - Multi-tenant Buildings	94113 - Single Family Residential (s	0.18	152,900	420,900	573,800			1,577.95	1,577.95	1,577.95
22	312004600			BEHNKE PROPERTIES LLC		1820 N DOUGLAS ST		APPLETON	WI	54914	448 - Clothing and Clothing Accessorie	94113 - Single Family Residential (s	0.06	46,400	113,200	159,600			438.90	438.90	438.90
23	312004700			ECO PROPERTIES LLC		123 E COLLEGE AVE		APPLETON	WI	54911	451 - "Sporting Goods, Hobby, Book, a	94113 - Single Family Residential (s	0.05	44,900	115,100	160,000			440.00	440.00	440.00
24	312004800			SOMA CORPORATION		355 ALHAMBRA CIR	#1100	CORAL GABLES	FL	33134	7221 - Full-Service Restaurants	944 - Multifamily residential	0.06	47,500	289,000	336,500			925.38	925.38	925.38
25	312004900			BEHNKE PROPERTIES LLC		1820 N DOUGLAS ST		APPLETON	WI	54914	442 - Furniture and Home Furnishings	94113 - Single Family Residential (s	0.07	58,700	126,100	184,800			508.20	508.20	508.20
26	312005000			BEHNKE PROPERTIES LLC		1820 N DOUGLAS ST		APPLETON	WI	54914	93 - Multi-tenant Buildings	944 - Multifamily residential	0.07	58,700	182,700	241,400			663.85	663.85	663.85
27	312005100			133 E COLLEGE WI WCO LLC		301 S BEDFORD ST	#1	MADISON	WI	53701	44611 - Pharmacies and Drug Stores		0.07	58,700	303,300	362,000			995.50	995.50	995.50
28	312005101			GREENSIDE PROPERTIES LLC	C/O JEFFREY P KIPPA	3321 KNOX LN		NEENAH	WI	54956	541 - "Professional, Scientific, and Tec		0.07	61,900	135,600	197,500			543.13	543.13	543.13
29	312006900			BAZIL PROPERTIES LLC		109 W COLLEGE AVE		APPLETON	WI	54911	7224 - Drinking Places (Alcoholic Bever		0.1	90,100	359,900	450,000			1,237.50	1,237.50	1,237.50
30	312007000			ZUELKE BUILDING LLC		225 E SAINT PAUL AVE	#302	MILWAUKEE	WI	53202	932 - Office Bldg with commercial and	541 - "Professional, Scientific, and	0.18	157,300	1,789,000	1,946,300			5,352.33	5,352.33	5,352.33
31	312007200			100 W LAWRENCE STREET FEE LLC	C/O MILLENIAL MANAGEMENT	1820 SWARTHMORE AVE	#804	LAKESWOOD	NJ	08701	932 - Office Bldg with commercial and	541 - "Professional, Scientific, and	0.79	519,100	7,504,900	8,024,000			22,066.00	5,500.00	5,500.00
32	312007400			SHAH BECK GROUP LLC	C/O PFEFFERLE MANAGEMENT	200 E WASHINGTON ST	#2A	APPLETON	WI	54911	93 - Multi-tenant Buildings		0.58	533,600	2,472,800	3,006,400			8,267.60	5,500.00	5,500.00
33	312007800			BAD BADGER INVESTMENTS LLC		N4120 OAK LA		FREEDOM	WI	54131	7224 - Drinking Places (Alcoholic Bever		0.11	98,400	207,500	305,900			841.23	841.23	841.23
34	312007900			KING BROKERAGE LTD		PO BOX 7063		APPLETON	WI	54912	7224 - Drinking Places (Alcoholic Bever	7224 - Drinking Places (Alcoholic B	0.17	146,200	625,600	771,800			2,122.45	2,122.45	2,122.45
35	312008000			TUSLER PROPERTIES LLC		207 W COLLEGE AVE		APPLETON	WI	54911	93 - Multi-tenant Buildings		0.08	73,000	229,900	302,900			832.98	832.98	832.98
36	312008100	STEVEN		HECKENLAIBLE		4456 W LAKE HARRIET PKWY		MINNEAPOLIS	MN	55410	722 - Food Services and Drinking Place	944 - Multifamily residential	0.05	43,200	231,800	275,000			756.25	756.25	756.25
37	312008200			CLEO'S REAL ESTATE PARTNERSHIP		2369 W WISCONSIN AVE		APPLETON	WI	54914	7224 - Drinking Places (Alcoholic Bever	944 - Multifamily residential	0.05	44,200	260,100	304,300			836.83	836.83	836.83
38	312008300			PARILLA PROPERTIES LLC	C/O TRIUMPH ENGINEERING- M HARRIS	109 S APPLETON ST	200	APPLETON	WI	54911	93 - Multi-tenant Buildings		0.06	53,100	267,700	320,800			882.20	882.20	882.20
39	312008400			THEOBALD-APPLETON RENTAL PROPERTY LLC		N4174 GARVEY AVE		KAUKAUNA	WI	54130	93 - Multi-tenant Buildings	94113 - Single Family Residential (s	0.03	24,200	114,000	138,200			380.05	380.05	380.05
40	312009200			MCGREGORS LLC	C/O JONATHON KUEHN	101 W EDISON AVE	#202	APPLETON	WI	54915	7224 - Drinking Places (Alcoholic Bever		0.06	56,200	93,800	150,000			412.50	412.50	412.50
41	312009201			KONIETZKI HOLDINGS LLC		5911 32ND STREET SOUTH		WISCONSIN RAPIDS	WI	54494	7222 - Limited-Service Eating Places		0.04	44,000	123,800	167,800			461.45	461.45	461.45
42	312009500			APPLETON LAND LLC		1275 W GRANADA BLVD	#3B	ORMOND BEACH	FL	32174	72111 - Hotels (except Casino Hotels) a		0.35	321,700	2,904,700	3,226,400		21.00%	8,872.60	5,500.00	1,155.00
43	312009600			APPLETON LAND LLC		1275 W GRANADA BLVD	#3B	ORMOND BEACH	FL	32174	72111 - Hotels (except Casino Hotels) a		2.5	1,963,700	11,480,800	13,444,500		79.00%	36,972.38	5,500.00	4,345.00
44	312023300			FOX CITIES CHAMBER OF COMMERCE		125 N SUPERIOR ST		APPLETON	WI	54911	561 - "Administrative, Support and Pe		0.29	179,600	475,400	655,000			1,801.25	1,801.25	1,801.25
45	312023500			HVN COMMERCIAL HOLDINGS LLC		5220 WHITETAIL WAY		APPLETON	WI	54914	93 - Multi-tenant Buildings		0.4	401,100	1,328,900	1,730,000			4,757.50	4,757.50	4,757.50
46	312023800	STEPHEN	M	EVANS		PO BOX 1234		APPLETON	WI	54912	93 - Multi-tenant Buildings		0.38	332,300	1,915,700	2,248,000			6,182.00	5,500.00	5,500.00
47	312024200			DOUGHLICIOUS REAL ESTATE HOLDINGS LLC		1831 S LEE ST		APPLETON	WI	54915	451 - "Sporting Goods, Hobby, Book, a		0.13	110,500	219,500	330,000			907.50	907.50	907.50
48	312024300			318 COLLEGE AVE LLC		2761 COUNTOUR RD		MISSOULA	MT	59802	7222 - Limited-Service Eating Places	561 - "Administrative, Support an	0.38	326,700	500,300	827,000			2,274.25	2,274.25	2,274.25
49	312024800	NATHAN	S	WEYENBERG		310 W COLLEGE AVE		APPLETON	WI	54911	451 - "Sporting Goods, Hobby, Book, a		0.07	57,000	105,000	162,000			445.50	445.50	445.50
50	312025000			FOX CITIES HOTEL INVESTORS LLC		300 W COLLEGE AVE		APPLETON	WI	54911	72111 - Hotels (except Casino Hotels) a		0.36	333,700	6,618,300	6,952,000			19,118.00	5,500.00	5,500.00
51	312025300			BANK ONE	C/O INDUSTRY CONSULTING GROUP INC	PO BOX 35605		DALLAS	TX	75235	521 - Bank and Related Industries		0.54	378,300	158,300	536,600			1,475.65	1,475.65	1,475.65
52	312025700			222 BUILDING LLC	C/O PFEFFERLE MANAGEMENT	200 E WASHINGTON ST	#2A	APPLETON	WI	54911	93 - Multi-tenant Buildings		0.62	567,800	10,472,900	11,040,700			30,361.93	5,500.00	5,500.00
53	312026000			PATTEN PROPERTIES LLC		210 W COLLEGE AVE		APPLETON	WI	54911											

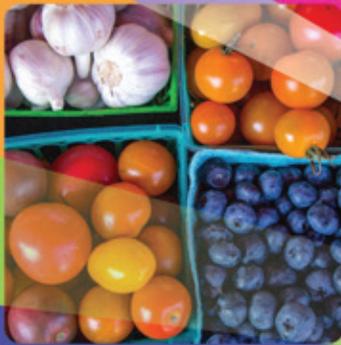
79	312028700			APPLETON HOTEL GROUP LLC		6800 N PURDY PKWY		APPLETON	WI	54913	7221 - Full-Service Restaurants		0.07	60,300	227,700	288,000	792.00	792.00	792.00
80	312029001			TAM LLC		200 E WASHINGTON ST	#2A	APPLETON	WI	54911	93 - Multi-tenant Buildings		1.54	1,209,400	769,500	1,978,900	5,441.98	5,441.98	5,441.98
81	312030200			DAUNTLESS PROPERTIES LLC		508 N VINE ST		APPLETON	WI	54911	541 - "Professional, Scientific, and Tec		0.05	26,000	114,000	140,000	385.00	385.00	385.00
82	312030300			MORRISON BUILDING LLC		120 N MORRISON ST	#200	APPLETON	WI	54911	541 - "Professional, Scientific, and Tec		0.18	96,500	332,400	428,900	1,179.48	1,179.48	1,179.48
83	312031100	ROBERT	J	BROUILLARD		65 PINTAIL PL		APPLETON	WI	54913	8121 - Personal Care Services	944 - Multifamily residential	0.08	37,100	123,400	160,500	441.38	441.38	441.38
84	312031200			200 EAST LLC	C/O AMERICAN MGMT GROUP INC	3305 N BALLARD RD	#C	APPLETON	WI	54911	541 - "Professional, Scientific, and Tec		0.12	102,600	527,400	630,000	1,732.50	1,732.50	1,732.50
85	312031300			FA & VB LLC		204 E COLLEGE AVE		APPLETON	WI	54911	7221 - Full-Service Restaurants	9441 - Apartments (5 Units or Abc	0.12	97,500	369,200	466,700	1,283.43	1,283.43	1,283.43
86	312031500			TENNIE'S JEWELRY PROPERTIES LLC		5758 I-AH-MAYTAH RD		OSHKOSH	WI	54901	448 - Clothing and Clothing Accessorie	944 - Multifamily residential	0.06	47,500	92,500	140,000	385.00	385.00	385.00
87	312031600	BRADLEY	R	VANDINTER		1017 S COVENANT LA		APPLETON	WI	54915	541 - "Professional, Scientific, and Tec	9414 - Fourplexes	0.06	49,700	88,300	138,000	379.50	379.50	379.50
88	312031700			NOOR BAHA LLC		N9052 SPRING VALLEY RD		MENASHA	WI	54952	93 - Multi-tenant Buildings	4533 - Used Merchandise Stores	0.12	97,200	242,300	339,500	933.63	933.63	933.63
89	312031900			218220 COLLEGE LLC		1919 N RACINE ST		APPLETON	WI	54911	7221 - Full-Service Restaurants	9441 - Apartments (5 Units or Abc	0.12	94,000	275,600	369,600	1,016.40	1,016.40	1,016.40
90	312032100			DDCC HOLDINGS LLC		2278 FRASER FIR LN		APPLETON	WI	54913	93 - Multi-tenant Buildings	541 - "Professional, Scientific, and	0.06	45,900	140,900	186,800	513.70	513.70	513.70
91	312032200			TROOPER PROPERTIES LLC		224 E COLLEGE AVE		APPLETON	WI	54911	71 - "Arts, Entertainment, and Recrea	94113 - Single Family Residential (s	0.11	78,500	355,000	433,500	1,192.13	1,192.13	1,192.13
92	312032300			CIW PROPERTIES LLC	C/O AMERICAN MGMT GROUP INC	3305 N BALLARD RD	#C	APPLETON	WI	54911	71 - "Arts, Entertainment, and Recrea	944 - Multifamily residential	0.09	67,300	113,800	181,100	498.03	498.03	498.03
93	312032400			CIW PROPERTIES LLC	C/O AMERICAN MGMT GROUP INC	3305 N BALLARD RD	#C	APPLETON	WI	54911	8121 - Personal Care Services	944 - Multifamily residential	0.08	60,500	164,500	225,000	618.75	618.75	618.75
94	312032500			CIW PROPERTIES LLC	C/O AMERICAN MGMT GROUP INC	3305 N BALLARD RD	#C	APPLETON	WI	54911	93 - Multi-tenant Buildings	94113 - Single Family Residential (s	0.02	8,400	60,700	69,100	190.03	275.00	275.00
95	312033300			LAWRENCE UNIVERSITY OF WISCONSIN		711 E BOLDT WAY	SPC 28	APPLETON	WI	54911	7223 - Special Food Services		0.51	142,900	12,300	155,200	426.80	426.80	426.80
96	312033400			DMW INVESTMENTS LLC		331 E WASHINGTON ST		APPLETON	WI	54911	541 - "Professional, Scientific, and Tec		0.11	42,500	195,500	238,000	654.50	654.50	654.50
97	312033700			BGO LLC	C/O TODD P HEID	308 E COLLEGE AVE		APPLETON	WI	54911	443 - Electronics and Appliance Stores	451 - "Sporting Goods, Hobby, Bo	0.3	206,600	181,000	387,600	1,065.90	1,065.90	1,065.90
98	312034000			BGO LLC	C/O TODD P HEID	308 E COLLEGE AVE		APPLETON	WI	54911	443 - Electronics and Appliance Stores	451 - "Sporting Goods, Hobby, Bo	0.15	96,300	192,700	289,000	794.75	794.75	794.75
99	312034200			BOMB ALLEY LLC		1120 GRASSY PLAINS DR		NEENAH	WI	54956	7224 - Drinking Places (Alcoholic Bever		0.07	45,600	136,500	182,100	500.78	500.78	500.78
100	312035300			FIRSTAR BANK APPLETON	C/O RYAN PTS DEPT 908	PO BOX 460169		HOUSTON	TX	77056	521 - Bank and Related Industries	541 - "Professional, Scientific, and	1.33	492,500	947,500	1,440,000	3,960.00	3,960.00	3,960.00
101	312036300			230 N MORRISON LLC	C/O PAUL SHOBERG	230 N MORRISON ST		APPLETON	WI	54911	93 - Multi-tenant Buildings	484 - Truck Transportation	0.29	115,600	209,800	325,400	894.85	894.85	894.85
102	312036600			SKY APPLETON LLC ET AL		10101 FONDREN RD	#545	HOUSTON	TX	77096	933 - Other multi-tenanted bldgs		1.67	888,000	4,520,100	5,408,100	14,872.28	5,500.00	5,500.00
103	312037100	ETHEL		CONNER LLC		N7820 COUNTY RD M		SHIOCTON	WI	54170	6212 - Offices of Dentists		0.18	65,000	125,000	190,000	522.50	522.50	522.50
104	312040400			SEC PROPERTIES LLC		231 W FRANKLIN ST		APPLETON	WI	54911	541 - "Professional, Scientific, and Tec		0.38	132,200	155,700	287,900	791.73	791.73	791.73
105	312040500			214 SUPERIOR LLC	C/O JOHN & PAMELA ULNESS	214 N SUPERIOR ST		APPLETON	WI	54911	524 - Insurance Carriers and Related A	94113 - Single Family Residential (s	0.04	21,500	153,400	174,900	480.98	480.98	480.98
106	312040800	SCOTT		BERKEN		233 N APPLETON ST		APPLETON	WI	54911	813 - "Religious, Grantmaking, Civic, P	94113 - Single Family Residential (s	0.22	86,500	136,600	223,100	613.53	613.53	613.53
107	312041700			VINTAGE-SPECIALTY PROPERTIES LLC		PO BOX 121		RIPON	WI	54971	9921 - Non-Residential Structure Vacan		0.06	30,500	105,000	135,500	372.63	372.63	372.63
108	312041800			JK APOLLON LLC	C/O JAN KODIS	2627 N SUMMIT ST		APPLETON	WI	54914	7221 - Full-Service Restaurants	944 - Multifamily residential	0.07	34,600	184,100	218,700	601.43	601.43	601.43
109	312043006	ROBERT	E	HOERSCH		218 N DIVISION ST		APPLETON	WI	54911	443 - Electronics and Appliance Stores		0.2	71,100	142,200	213,300	586.58	586.58	586.58
110	312043600			FITZGERALD PROPERTIES LLC		W5837 ROYALTROON DR		MENASHA	WI	54952	93 - Multi-tenant Buildings		0.14	51,000	184,000	235,000	646.25	646.25	646.25
111	312043900			EMMAUS ROAD PRESBYTERIAN		303 N ONEIDA ST		APPLETON	WI	54911	711 - "Performing Arts, Art Galleries, T		0.46	161,600	438,400	600,000	1,650.00	1,650.00	1,650.00
112	312045800			HOTV.BIZ LLC		120 E 4TH ST		KAUKAUNA	WI	54130	93 - Multi-tenant Buildings		0.11	42,000	177,000	219,000	602.25	602.25	602.25
113	313084700			MIP LLC		201 S WALNUT ST		APPLETON	WI	54911	7224 - Drinking Places (Alcoholic Bever	94113 - Single Family Residential (s	0.25	104,400	300,400	404,800	1,113.20	1,113.20	1,113.20
114	313084900			NOBLE ASSETS INC		1603 N DIVISION ST		APPLETON	WI	54911	7224 - Drinking Places (Alcoholic Bever	94113 - Single Family Residential (s	0.08	28,800	121,200	150,000	412.50	412.50	412.50
115	313085500			NORWEST BANK WISCONSIN APPLETON	C/O THOMSON TAX SERVICES	PO BOX 2609		CARLSBAD	CA	92018	521 - Bank and Related Industries		1.14	375,900	141,900	517,800	1,423.95	1,423.95	1,423.95
116	313087600			THAO PROPERTIES LLC		5310 N ROSEMARY DR		APPLETON	WI	54913	93 - Multi-tenant Buildings		0.19	61,200	144,800	206,000	566.50	566.50	566.50
117	313087700			920 HOME PRO LLC		180 W WISCONSIN AVE		KAUKAUNA	WI	54130	9921 - Non-Residential Structure Vacan		0.15	34,800	28,500	63,300	174.08	275.00	275.00
118	313087800			MB HOMES LLC		1292 SAN JOSE PL		GREEN BAY	WI	54303	9921 - Non-Residential Structure Vacan		0.19	46,300	77,700	124,000	341.00	341.00	341.00
119	313087900			BEHNKE PROPERTIES LLC		1820 N DOUGLAS ST		APPLETON	WI	54914	342 - Mini-warehousing / personal sto		0.18	42,900	45,600	88,500	243.38	275.00	275.00
120	313088300			DECLLENE-ZELLNER LLC	C/O GREG DECLLENE	236 CRESTVIEW LA		DE PERE	WI	54115	7221 - Full-Service Restaurants		0.56	145,700	478,300	624,000	1,716.00	1,716.00	1,716.00
121	313093400	JAMES	M	BOYLE		131 S BADGER AVE		APPLETON	WI	54914	44112 - Used Car Dealers		0.42	77,600	47,400	125,000	343.75	343.75	343.75
122	313093700			S & K FOOD MART INC		911 W COLLEGE AVE		APPLETON	WI	54914	44711 - Gasoline Stations with Conveni		0.48	132,800	314,900	447,700	1,231.18	1,231.18	1,231.18
123	313093800	LANCE	L	NEVINS REV TRUST		2714 CRESTVIEW DR		APPLETON	WI	54915	81231 - Coin-Operated Laundries and D		0.38	115,600	321,000	436,600	1,200.65	1,200.65	1,200.65
124	313094300			BLOCK 800 LLC		327 RANDOLPH DR	#A	APPLETON	WI	54913	932 - Office Bldg with commercial and		0.37	129,600	1,828,200	1,957,800	5,383.95	5,383.95	5,383.95
125	313094400	SARA	K	PIERRI REV TRUST		N2571 MAYFLOWER DR		APPLETON	WI	54913	323 - Printing and Related Support Ac	94113 - Single Family Residential (s	0.08	25,200	79,200	104,400	287.10	287.10	287.10
126	313094500	SARA	K	PIERRI REV TRUST		N2571 MAYFLOWER DR		APPLETON	WI	54913	7221 - Full-Service Restaurants		0.13	40,500	139,500	180,000	495.00	495.00	495.00
127	313094501	SARA	K	PIERRI REV TRUST		N2571 MAYFLOWER DR		APPLETON	WI	54913	8121 - Personal Care Services		0.07	20,800	52,500	73,300	201.58	275.00	275.00
128	313094600			PIONEER PROFESSIONAL CARPET CARE LLC		3514 CAPITOL CT		APPLETON	WI	54915	9921 - Non-Residential Structure Vacan		0.07	20,200	76,700	96,900	266.48	275.00	275.00
129	313094700			OUTPOST 31 LLC		807 W COLLEGE AVE		APPLETON	WI	54914	451 - "Sporting Goods, Hobby, Book, a	944 - Multifamily residential	0.07	20,200	67,700	87,900	241.73	275.00	275.00
130	313094800			WENZ RENTAL PROPERTIES LLC	C/O JEAN WENZ	1693 MAIN ST		GREEN BAY	WI	54302	71394 - Fitness and Recreational Sports		0.13	46,100	115,200	161,300	443.58	443.58	443.58
131	313096000			PACIFIC HOLDINGS LLC		N111 N COOP RD		APPLETON	WI	54915	932 - Office Bldg with commercial and	9441 - Apartments (5 Units or Abc	0.08	29,500	274,500	304,000	836.00	836.00	836.00
132	313096100			I KNOW, RIGHT? LLC		1136 W OKLAHOMA ST		APPLETON	WI	54914	9921 - Non-Residential Structure Vacan		0.25	45,100	33,300	78,400	215.60	275.00	275.00
133	313096301			THEADOCIA LLC		733 W COLLEGE AVE		APPLETON	WI	54914	7224 - Drinking Places (Alcoholic Bever		0.21	64,400	142,700	207,100	569.53	569.53	569.53
134	313096400	JENNY		KONG-YU ET AL		719 W COLLEGE AVE		APPLETON	WI	54914	7221 - Full-Service Restaurants		0.31	114,500	185,300	299,800	824.45	824.45	824.45
135	313097200			ZCF QOZB LLC		4 WHISPER CIR		LADERA RANCH	CA	92694	4529 - Other General Merchandise Sto		1.03	269,500	1,100,500	1,370,000	3,767.50	3,767.50	3,767.50
136	313097600			GENIA'S LEGACY LLC		623 W COLLEGE AVE		APPLETON	WI	54911	451 - "Sporting Goods, Hobby, Book, a	9441 - Apartments (5 Units or Abc	0.13	69,400	224,600	294,000	808.50	808.50	808.50
137	313097601	MAI		VANG		3518 S BARKER LA		APPLETON	WI	54915	93 - Multi-tenant Buildings		0.19	107,500	90,400	197,900	544.23	544.23	544.23
138	313097900			APPLETON WEST END REALTY LTD	C/O BECHARD GROUP	517 N WESTHILL BLVD		APPLETON	WI	54914	93 - Multi-tenant Buildings	944 - Multifamily residential	0.4	202,300	271,700	474,000	1,303.50	1,303.50	1,303.50
139	313098300			DAS VENTURES HOLDINGS LLC		603 W COLLEGE AVE		APPLETON	WI	54911	7223 - Special Food Services	7224 - Drinking Places (Alcoholic B	0.2	112,500	488,600	601,100	1,653.03	1,653.03	1,653.03
140	313098500	JAMES		LISON		N7849 EDGEWATER CT		SHERWOOD	WI	54169	451 - "Sporting Goods, Hobby, Book, a	94113 - Single Family Residential (s	0.07	46,100	168,900	215,000	591.25	591.25	591.25
141	313098600			MCFLESHMAN'S COMMONS LLC		115 S STATE ST		APPLETON	WI	54911	7224 - Drinking Places (Alcoholic Bever		0.15	63,900	539,000	602,900	1,657.98	1,657.98	1,657.98
142	313098800			121 STATE ST LLC		1603 W SUMMER ST													

159	313102700			FERRUCCIO VC INC		9085 WESTLAKE DR		GREENDALE	WI	53129	9921 - Non-Residential Structure Vacan		0.13	132,500	1,153,200	1,285,700		3,535.68	3,535.68	3,535.68
160	313102800			M & H PROPERTIES LLC	C/O THBJ INVESTMENTS LLC	1007 E BYRD ST		APPLETON	WI	54911	7224 - Drinking Places (Alcoholic Bever		0.07	69,300	242,700	312,000		858.00	858.00	858.00
161	313102900			ZIMJET LLC		1625 CANARY LA		GREEN BAY	WI	54304	451 - "Sporting Goods, Hobby, Book, a	944 - Multifamily residential	0.06	63,500	167,800	231,300		636.08	636.08	636.08
162	313103000			RVC LLC		413 W COLLEGE AVE		APPLETON	WI	54911	7224 - Drinking Places (Alcoholic Bever		0.07	66,200	203,800	270,000		742.50	742.50	742.50
163	313103100	MERUIE		ELMAZI		W8854 STEFFEN LN		HORTONVILLE	WI	54944	7222 - Limited-Service Eating Places	94113 - Single Family Residential (s	0.07	66,200	183,800	250,000		687.50	687.50	687.50
164	313103200			409 ON THE AVENUE LLC		137 S LEE ST		APPLETON	WI	54915	7224 - Drinking Places (Alcoholic Bever		0.07	66,200	128,800	195,000		536.25	536.25	536.25
165	313103300			AH&M ENTERPRISES LLC	C/O MIKE LENARDUZZI	403 W COLLEGE AVE		APPLETON	WI	54911	7224 - Drinking Places (Alcoholic Bever	7222 - Limited-Service Eating Place	0.28	277,700	1,090,700	1,368,400		3,763.10	3,763.10	3,763.10
166	315069300	LEWIS		KRUEGER		N9581 CEMETERY RD		BRILLION	WI	54110	7222 - Limited-Service Eating Places		0.22	71,800	95,200	167,000		459.25	459.25	459.25
167	315071200			BLUE OFFICE LLC	C/O MIDWEST MANAGEMENT II LLC	13435 S MCCALL RD #16	BOX #348	PORT CHARLOTTE	FL	33981	93 - Multi-tenant Buildings		0.73	239,200	385,800	625,000		1,718.75	1,718.75	1,718.75
168	315105800			STATEVIEW LLC	C/O MICHAEL & JENILEE EHLENBECK	1702 EISENHOWER ST		NEW HOLSTEIN	WI	53061	4539 - Other Miscellaneous Store Reta	944 - Multifamily residential	0.07	51,800	231,200	283,000		778.25	778.25	778.25
169	315105900	ANDREW	R	THORNELL		N4076 POPE RD		WAUPACA	WI	54981	451 - "Sporting Goods, Hobby, Book, a	944 - Multifamily residential	0.07	49,000	123,500	172,500		474.38	474.38	474.38
170	315106000	PATRICK	J	FLANAGAN		522 W COLLEGE AVE		APPLETON	WI	54911	4453 - "Beer, Wine, and Liquor Stores	7221 - Full-Service Restaurants	0.26	201,500	326,100	527,600		1,450.90	1,450.90	1,450.90
171	315106300			NOBLE ASSETS INC		1603 N DIVISION ST		APPLETON	WI	54911	4539 - Other Miscellaneous Store Reta	944 - Multifamily residential	0.2	154,900	155,200	310,100		852.78	852.78	852.78
172	315106500			FRASER PROPERTIES LLC		517 N WESTHILL BLVD		APPLETON	WI	54914	541 - "Professional, Scientific, and Tec	94113 - Single Family Residential (s	0.07	52,400	98,900	151,300		416.08	416.08	416.08
173	315106700			FRASER PROPERTIES LLC		517 N WESTHILL BLVD		APPLETON	WI	54914	9921 - Non-Residential Structure Vacan	944 - Multifamily residential	0.07	55,700	129,400	185,100		509.03	509.03	509.03
174	315106800			FRASER PROPERTIES LLC		517 N WESTHILL BLVD		APPLETON	WI	54914	4533 - Used Merchandise Stores	944 - Multifamily residential	0.07	54,700	121,400	176,100		484.28	484.28	484.28
175	315107000			COLLEGE AVE LEGACY LLC		2800 SCHAEFER CIR		APPLETON	WI	54915	7222 - Limited-Service Eating Places		0.1	89,800	89,800	179,600		493.90	493.90	493.90
176	315107001	NATASHA		BANKS		N9651 CLOVER RIDGE TRL		APPLETON	WI	54915	93 - Multi-tenant Buildings	933 - Other multi-tenanted bldgs	0.03	29,900	47,100	77,000		211.75	275.00	275.00
177	315107500			BELFEUIL RENTALS LLC		N2278 HEAVENLY DR		GREENVILLE	WI	54942	8114 - Personal and Household Goods		0.64	111,500	88,500	200,000		550.00	550.00	550.00
178	315107502	TODD	R	HAHNEMANN		3015 E FALLCREEK LA		APPLETON	WI	54913	485 - Transit and Ground Passenger Tr		0.61	110,500	129,600	240,100		660.28	660.28	660.28
179	315107600	ROBERT		CASTON		1815 BUTTE DES MORTS BEACH RD		NEENAH	WI	54956	8114 - Personal and Household Goods		0.2	43,200	66,000	109,200		300.30	300.30	300.30
180	315110000			KWIK TRIP INC		1626 OAK ST		LACROSSE	WI	54603	44711 - Gasoline Stations with Conveni		1.27	401,700	1,546,200	1,947,900		5,356.73	5,356.73	5,356.73
181	315110100			400 NORTH LLC	C/O DAVID ALLEN	PO BOX 515		STURGEON BAY	WI	54235	93 - Multi-tenant Buildings		0.22	67,700	634,200	701,900		1,930.23	1,930.23	1,930.23
182	315110120			400 NORTH LLC	C/O DAVID ALLEN	PO BOX 515		STURGEON BAY	WI	54235	9921 - Non-Residential Structure Vacan		0.05	16,800	117,800	134,600		370.15	370.15	370.15
183	315110121			400 NORTH LLC	C/O DAVID ALLEN	PO BOX 515		STURGEON BAY	WI	54235	9921 - Non-Residential Structure Vacan		0.28	85,200	479,100	564,300		1,551.83	1,551.83	1,551.83
184	315110122			400 NORTH LLC	C/O DAVID ALLEN	PO BOX 515		STURGEON BAY	WI	54235	9921 - Non-Residential Structure Vacan		0.05	14,100	141,900	156,000		429.00	429.00	429.00
185	315113900			2418 S ONEIDA ST LLC		3225 MCLEOD DR	#100	LAS VEGAS	NV	89121	9921 - Non-Residential Structure Vacan		0.32	47,000	100	47,100		129.53	275.00	275.00
186	315114700	JAMIE	L	BOYCE		427 W PROSPECT AVE		APPLETON	WI	54911	8121 - Personal Care Services	94113 - Single Family Residential (s	0.13	34,700	60,300	95,000		261.25	275.00	275.00
187	315114800	JAMIE	L	BOYCE		427 W PROSPECT AVE		APPLETON	WI	54911	9921 - Non-Residential Structure Vacan	944 - Multifamily residential	0.19	50,500	69,500	120,000		330.00	330.00	330.00
188	315114801	JAMIE	L	BOYCE		427 W PROSPECT AVE		APPLETON	WI	54911	4533 - Used Merchandise Stores	94113 - Single Family Residential (s	0.06	14,700	66,300	81,000		222.75	275.00	275.00
189	315115800			OLD BRICK PROPERTIES LLC		110 N RICHMOND ST		APPLETON	WI	54911	7221 - Full-Service Restaurants	7224 - Drinking Places (Alcoholic B	1.81	630,900	489,100	1,120,000		3,080.00	3,080.00	3,080.00
190	315115900	RANDY		KESTER		636 W COLLEGE AVE		APPLETON	WI	54911	4539 - Other Miscellaneous Store Reta		0.07	41,700	37,800	79,500		218.63	275.00	275.00
191	315116000			SPARKY MARK LLC		2902 S JACKSON ST		APPLETON	WI	54915	7221 - Full-Service Restaurants	944 - Multifamily residential	0.1	53,500	77,500	131,000		360.25	360.25	360.25
192	315116200	SHANE		KRUEGER		1011 E EDGEWOOD DR		APPLETON	WI	54913	451 - "Sporting Goods, Hobby, Book, a	94113 - Single Family Residential (s	0.07	32,600	88,300	120,900		332.48	332.48	332.48
193	315116300			FDS LLC		1515 GREENDALE ST		MENASHA	WI	54952	9921 - Non-Residential Structure Vacan		0.06	28,500	126,500	155,000		426.25	426.25	426.25
194	315116400	FREDERICK	G	VANHANDEL		PO BOX 164		LITTLE CHUTE	WI	54140	532 - Rental and Leasing Services	94113 - Single Family Residential (s	0.05	24,300	90,800	115,100		316.53	316.53	316.53
195	315116500	FREDERICK	G	VANHANDEL		PO BOX 164		LITTLE CHUTE	WI	54140	532 - Rental and Leasing Services	94113 - Single Family Residential (s	0.04	20,200	98,600	118,800		326.70	326.70	326.70
196	315116600			INVESTMENT CREATIONS LLC		PO BOX 91		NEENAH	WI	54957	8121 - Personal Care Services	94113 - Single Family Residential (s	0.03	16,300	103,700	120,000		330.00	330.00	330.00
197	315116700			JGA INVESTMENTS LLC		2330 N SKYLARK DR		APPLETON	WI	54914	451 - "Sporting Goods, Hobby, Book, a	94113 - Single Family Residential (s	0.03	15,100	86,900	102,000		280.50	280.50	280.50
198	315116800	JOHN		YDE		E7930 STATE RD 54		NEW LONDON	WI	54961	8114 - Personal and Household Goods	94113 - Single Family Residential (s	0.02	11,000	61,700	72,700		199.93	275.00	275.00
199	315116900	ANTAR		BARQUET-LEYTE ET AL		925 S SCHAEFER ST		APPLETON	WI	54915	9921 - Non-Residential Structure Vacan		0.02	9,700	30,900	40,600		111.65	275.00	275.00
200	315117300			GRANITE PEAK PROPERTY INVESTMENTS LP ET	C/O WALGREEN CO	PO BOX 1159		DEERFIELD	IL	60015	44611 - Pharmacies and Drug Stores		1.82	790,700	1,409,300	2,200,000		6,050.00	5,500.00	5,500.00
201	315118400			CHRISTENSEN LAND CO		PO BOX 574		APPLETON	WI	54912	455 - Multi-tenant retail / Shopping Ce	9441 - Apartments (5 Units or Abo	0.87	227,200	507,100	734,300		2,019.33	2,019.33	2,019.33
202	315118700			EVERGREEN CREDIT UNION		133 N RICHMOND ST		APPLETON	WI	54914	521 - Bank and Related Industries		0.29	95,700	415,000	510,700		1,404.43	1,404.43	1,404.43
203	315121200	JOHN	C	MAY REVOCABLE TRUST	C/O BAY TITLE & ABSTRACT INC	345 S MONROE AVE		GREEN BAY	WI	54301	932 - Office Bldg with commercial and		0.72	251,500	864,000	1,115,500		3,067.63	3,067.63	3,067.63
204	315121600			CAPITAL CREDIT UNION		PO BOX 2526		GREEN BAY	WI	54306	521 - Bank and Related Industries		0.72	251,200	387,500	638,700		1,756.43	1,756.43	1,756.43
205	315191800			FRANKLIN PROPERTIES LLC		30 LAKE TERRACE DR		DAWSONVILLE	GA	30534	932 - Office Bldg with commercial and		0.32	69,900	160,100	230,000		632.50	632.50	632.50
														25,394,600	112,259,100	137,653,700				235,484.71

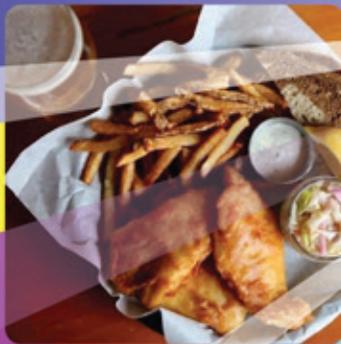
Appendix F

Map of District





LOOKING FORWARD



Appleton Downtown, Inc.
**2020 ANNUAL
REPORT**

Appleton
DOWNTOWN
incorporated

& BUSINESS IMPROVEMENT DISTRICT
& CREATIVE DOWNTOWN APPLETON

2020 ADI & CDA HIGHLIGHTS

The past year brought unprecedented challenges for most. ADI harnessed the power of collaboration and continued to bring awareness, support and vibrancy to Downtown and the members we serve.

At the onset of COVID-19, we deviated from our business-as-usual marketing, events and community development to efforts that were specific to helping our Downtown businesses withstand the impacts of the pandemic.

As we begin our work in 2021, we continue to focus on the changing needs of our Downtown businesses and work every day to maintain a clean, safe and welcoming Downtown with dynamic street level activation to welcome people back.

We're looking forward to Downtown returning as the vibrant and accessible destination for business, learning, living and leisure it is!

- *Deb Johnson, President of ADI Board of Directors,
General Manager of CopperLeaf Boutique Hotel & Spa*

Looking Forward:

- Business retention and recruitment
- Monthly marketing promotions
- Bring people safely back Downtown for shopping, dining and recreation
- Sidewalk cleanliness and walk amenities
- Creative public elements
- Downtown resident engagement and livability needs
- Riverfront connectivity and business engagement
- Events and activation

Downtown Livability

Downtown welcomed **54** new living units at Gabriel Lofts and avant Apartments and 110 units at Willow in 2020!

In 2021 we look forward:

- **20** units at Block 800
- **69** units at Crescent Lofts
- **28** units at 320 E. College Ave.
- **39** proposed units at 318 W. College Ave.

Our recent resident survey indicates a desire for more outdoor seating, service based businesses such as a public market, work out facilities, and nail salon as well as more public art.

Marketing and Events



4 Virtual Shop Hops:
4,632 people joined us virtually to shop online with local retailers

298,361
WEBSITE VISITS

56%
MOBILE

30%
DESKTOP

14%
OTHER



17,127
LIKES
+6.5%



6,012
FOLLOWERS
+33%



829
BLOG POSTS



17,518
LIKES
+4.7%



Pledge to Support Local by spending \$20 at 9 Downtown businesses!
Pledgers generated over \$70,200 in Downtown spending during the holiday season.

Gift Certificates

3,117 Downtown Gift Certificates sold

\$81,336 Generated in Downtown spending!



2020 CREATIVE DOWNTOWN APPLETON HIGHLIGHTS:



DOWNTOWN UNITES MURAL

#1 Instagram Post



CHALK ON THE TOWN



PLEIN AIR



LUNCHTIME LIVE ON THE ROAD



HOPE



COMMUNITY PUBLIC MARKET

2020 BUSINESS IMPROVEMENT DISTRICT HIGHLIGHTS

Business Improvement District total assessed value of the 206 BID properties: \$135,837,300

2.44% INCREASE OVER PREVIOUS YEAR

The 2021 BID Budget reflects the BID Board of Directors, City Planning Commission and City Council approved BID rate of \$2.75 per \$1,000 of assessed value, with a minimum of \$275 and maximum of \$5,500.



The CARE Team in partnership with Riverview Gardens and the City of Appleton continued efforts to keep Downtown clean each week while providing valuable employability skills training to participants.

**Downtown exterior building improvements:
Total estimated project costs: \$430,861**

Grant support:

- BID Façade Restoration and Improvement Grant program: Total BID Investment: **\$47,831.25**
- City of Appleton TIF #12 Business Enhancement Grant: Total TIF #12 investment: **\$39,175.00**
- City of Appleton TIF #11 Business Enhancement Grant: Total TIF #11 investment: **\$55,756.50**



20 MATCHING MARKETING GRANTS: \$8,538



8 NEW BUSINESSES opened in the District

BUSINESS RECRUITMENT GRANTS: \$8,000

- Miss Brown's Fine Foods II
- Author's Kitchen & Bar
- RxLink University Pharmacy
- Green Gecko Grocer & Deli
- DVSN 1
- Kōdərē Salon
- The 513
- La Belle Maison, LLC

BUSINESS IMPROVEMENT DISTRICT

REVENUE	2020 Actual	2021 Budget
BID Assessments	225,791	231,786
Carry Over from Prior Year	1,760	20,935
	\$227,551	\$252,721
EXPENSES		
Contracted Services		
ADI Staff	50,350	50,000
Administrative	6,129	6,286
BID Audit	2,669	2,500
Marketing and Printing	69,390	73,000
Economic Development		
Façade Grant	47,831	35,000
Marketing Grant	8,538	10,000
Recruitment Grant	8,000	15,000
Business Employee & Resident Recruitment	2,500	10,000
Maintenance Services		
Maintenance	11,209	30,000
	\$206,616	\$231,786
CARRY OVER	\$20,935	\$20,935

APPLETON DOWNTOWN, INC. AND CREATIVE DOWNTOWN APPLETON, INC. BOARD OF DIRECTORS 2020

PRESIDENT

Deb Johnson, CopperLeaf Boutique Hotel & Spa

VICE PRESIDENT

Laura Vargosko, Thrivent Financial

SECRETARY

Lyssa King, Downtown Resident & King Brokerage

TREASURER

Steve Lonsway, Stone Arch Brewpub

Tom Klister, FORE Development +
Investment Group

Monica Stage, City of Appleton

Jill VanderLoop, Joseph's Shoes

Kevin Wirth, US Venture

Natasha Banks, Cozy Corner and
Val U Beauty Supplies

A. J. Olander, Salelytics

Natalie Klika, Johnson Financial Group

Madera Allen, Lawrence University

Kolby Knuth, Knuth Financial Life Planning
and The 513

Jay Lison, Pixel Pro Audio

Kara Manuel, Lillian's of Appleton

BUSINESS IMPROVEMENT DISTRICT BOARD OF DIRECTORS 2020

PRESIDENT

Gary Schmitz, Retired

TREASURER

Monica Stage, City of Appleton

SECRETARY

Jason Druxman, Avenue Jewelers

Brad Schwebs, Pfefferle Management

Pam Ulness, Ulness Health & Wellness

Nate Weyenberg, Angels Forever-Windows of Light

Leah Fogle, Appleton Beer Factory

Marcie Hoffman, Triumph Engineering

Bill Wetzel, ACOCA Coffee

APPLETON DOWNTOWN, INC. STAFF 2020

EXECUTIVE DIRECTOR

Jennifer Stephany

MARKETING DIRECTOR

Lynn Hardy

COMMUNITY PARTNERSHIP DIRECTOR

Djuanna Hugdahl

EVENT COORDINATOR

Meghan Warner

EVENT SPECIALIST

Greg Otis

OFFICE MANAGER

Sandy Storch

THANK YOU

to all who sponsor and support our events & creative projects throughout the year:

103.9 WVBO
4imprint
91.1 The Avenue
95.9 KISS FM
96.9 The Fox
Abby Bank
ACOCA Coffee
Action Painting & Services
Anne Wiegman
Anonymous Friend
Appleton International Airport
AT&T
Author's Kitchen & Bar
Avenue Jewelers
AZCO Inc.
Bayland Builders
Basil's Pub & Provisions
BConnected Inc.
Beatnik Betty's Resale Butik
Ben Stern
BioLife Plasma Services
Blue Moon Emporium
Board & Brush
Boldt Co.
Brewed Awakenings
City of Appleton
CLA - CliftonLarsonAllen
Community First Credit Union
Community Foundation
Bright Idea Fund - Grant
Consolidated Construction Co.
CopperLeaf Boutique Hotel
Cozy Corner

Crazy Sweet
Dale Schaber
Deb Johnson
Diane Putzer
Djuanna Hugdahl
DVSN 1
Eat Street
Edible Door Magazine
Festival Foods
Fika Tea Bar
First Weber Realty
Float Light Float Center
FORE Development +
Investment Group
Fox Cities Magazine
Fox Cities Sign & Lighting
Fox Communities Credit Union
Fox River Tours
Gary & Alecia Schmitz
Gateway Chiropractic
General Beer
Gerald & Deborah Wetter
Habush, Habush & Rottier
Charitable Fund
Harrison Printing & Promotions
Heid Music Foundation
Hoffman Planning, Design &
Construction Inc.
Investors Community Bank
Ivory Rose Bridal Boutique
James & Marcie Harris
James Lison
Jeff & Lisa Geiger

Jennifer Stephany
Jessica Thiel
Joe & Ruby Wells
John Bennett Family Fund
John McFadden
Johnson Financial Group
Kara Homan
Kara Manuel
Karen Harkness
Katie Heim
Katsu-Ya of Japan
Keli Budnik
Kevin Wirth
Kimberly Clark Cares Foundation
Knuth Financial Life Planning
KZ104.3
Laura Vargosko
Lesia Ryerson
Lillian's of Appleton
Linda Garvey
Local 5 Live
Lynn Hardy
Lyssa King
Maritime Bar
Mike Emery
Mile of Music
Monica Stage
Mr. Brews Taphouse
NAI Pfefferle
NASH FM
Natalie Klika
Nature's Pathways Magazine
Network Health

No Idea Bar
Octoberfest Grant
Randy Shannon
Red Lion Paper Valley Hotel
Regency Wealth Management
Renee Torzala
Renewal by Andersen
Ridgeway Country Club
River Tyme Bistro
Runaway Shoes
Sandy Storch
Shelley Nystrom
Stellar Blue Technologies
Steve & Teri Winter
Stone Arch Brewpub
Sure-Dry Basement Systems
The Post Crescent
ThedaCare
THZ Insurance Group
Tony & Jackie Gonzalez
Tundraland
US Venture
Valley Transit Inc.
WAPL
Warning Lites of Appleton, Inc.
WE Energies
WHBY
Willems Marketing & Events
Wisconsin Distributors
WNAM
Women Magazine
Y100 Country

2020 AWARD WINNERS

Business of the Year Award – Blue Moon Emporium

Presented to the Business or entity that stands out from the rest and captured the admiration of the Downtown.

Bernie Pearlman Downtowner Award – Greg Otis

Presented to a person who has had a significant positive impact on Downtown and displays an overwhelming passion for its success.

The Dreamers & Doers Award – Author's Kitchen + Bar

A new award last year - Presented to the business, group or individual who has significantly enhanced, for years to come, the physical and/or economic landscape of the Downtown.

The President's Award – Gabriel Lofts

Presented to an individual, group or business who, within their working relationship with ADI and the Downtown, went above and beyond that usual relationship to contribute to the success of Downtown.

The Outstanding Volunteer Award – Harvey Samson

Presented to an individual whose time and commitment to the effort of building a strong Downtown highlights him or her as an outstanding volunteer and community advocate.

Downtown Renovation Award – The 513

Presented to a business that has invested in the physical appearance of the building they call home in our Downtown neighborhood.

New Business of the Year Award – Poppy Avenue Boutique

Presented to a business new to Downtown in the last year that shows longevity and fulfills a need in the Downtown.

Walter Kalata Landmark Award – Squire Stylist

Presented to a business that has withstood the test of time and operates with passion and a strong commitment to Downtown. A place where people can remember the past and converse about the future.

Thank you to the photographers and artists whose work graces the walls, sidewalks, windows and public spaces of our Downtown.

Appleton Downtown, Inc.

Creative Downtown Appleton, Inc.

Business Improvement District

333 W College Ave, Suite 100, Appleton, WI 54911

920-954-9112 • Fax 920-954-0219

info@appletondowntown.org

#onegreatplace    

appletondowntown.org

One Great Place!

DOWNTOWN

Appleton

City of Appleton
Business Improvement District

A Component Unit of the
City of Appleton, Wisconsin

ANNUAL FINANCIAL REPORT

December 31, 2020



CLAcconnect.com

WEALTH ADVISORY
OUTSOURCING
AUDIT, TAX, AND
CONSULTING

City of Appleton Business Improvement District Appleton, Wisconsin

DECEMBER 31, 2020

Table of Contents

INDEPENDENT AUDITORS' REPORT	1
FINANCIAL STATEMENTS	
Statement of Net Position	3
Statement of Revenues, Expenses and Changes in Net Position	4
Statement of Cash Flows	5
Notes to Financial Statements	6
SUPPLEMENTARY INFORMATION	
Schedule of Revenues, Expenses and Changes in Net Position - Budget and Actual	9



Independent auditors' report

To the Board of Directors
Appleton Business Improvement District
City of Appleton, Wisconsin

REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying financial statements of Appleton Business Improvement District (the "District"), a component unit of the City of Appleton, Wisconsin, as of and for the year ended December 31, 2020, and the related notes to the financial statements, which collectively comprise the District's financial statements as listed in the table of contents.

MANAGEMENT'S RESPONSIBILITY FOR THE FINANCIAL STATEMENTS

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

AUDITORS' RESPONSIBILITY

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the District's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

OPINION

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the District as of December 31, 2020, and the changes in its financial position and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

EMPHASIS OF MATTER

As discussed in Note 1, the financial statements present only the District and do not purport to, and do not present fairly, the financial position of the City of Appleton, Wisconsin as of December 31, 2020 and the changes in its financial position or its cash flows for the year ended in accordance with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

OTHER MATTERS**Prior-Year Comparative Information**

We have previously audited the District's 2019 financial statements, and we expressed an unmodified opinion on the financial statements of the District in our report dated June 16, 2020. In our opinion, the summarized comparative information presented herein as of and for the year ended December 31, 2019, is consistent, in all material respects, with the audited financial statements from which it has been derived.

Required Supplementary Information

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Other Information

Our audit for the year ended December 31, 2020 was conducted for the purpose of forming an opinion on the District's financial statements. The schedule of revenues, expenses, and changes in net position – budget and actual for the year ended December 31, 2020 is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The schedule of revenues, expenses, and changes in net position – budget and actual has been subjected to the auditing procedures applied in the audits of the financial statements for the year ended December 31, 2020, and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of revenues, expenses, and changes in net position – budget and actual is fairly stated in all material respects in relation to the basic financial statements as a whole for the year ended December 31, 2020.

OTHER REPORTING REQUIRED BY GOVERNMENT AUDITING STANDARDS

In accordance with *Government Auditing Standards*, we have also issued our report dated June 7, 2021, on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.

**CliftonLarsonAllen LLP**

Green Bay, Wisconsin
June 7, 2021

FINANCIAL STATEMENTS

City of Appleton Business Improvement District Appleton, Wisconsin

**STATEMENT OF NET POSITION
DECEMBER 31, 2020
WITH COMPARATIVE AMOUNTS AS OF DECEMBER 31, 2019**

	<u>2020</u>	<u>2019</u>
ASSETS		
Current assets		
Cash and investments	\$ 222,019	\$ 162,193
Special assessments	<u>68,757</u>	<u>70,506</u>
Total assets	<u>290,776</u>	<u>232,699</u>
LIABILITIES		
Current liabilities		
Accounts payable	<u>30,819</u>	<u>-</u>
DEFERRED INFLOWS OF RESOURCES		
BID assessments levied for subsequent year	<u>230,931</u>	<u>225,757</u>
NET POSITION		
Unrestricted	<u>29,026</u>	<u>6,942</u>
Total net position	<u>\$ 29,026</u>	<u>\$ 6,942</u>

See accompanying Notes to the Financial Statements.

City of Appleton Business Improvement District

Appleton, Wisconsin

**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
FOR THE YEAR ENDED DECEMBER 31, 2020
WITH COMPARATIVE ACTUAL AMOUNTS FOR THE YEAR ENDED DECEMBER 31, 2019**

	<u>2020</u>	<u>2019</u>
OPERATING REVENUES		
BID assessments	\$ 225,757	\$ 198,468
OPERATING EXPENSES		
Contracted services	50,349	52,500
Administrative		
Telephone	2,660	2,531
Office supplies	253	442
Postage	1,347	2,278
Conferences/workshops/classes	-	105
Dues, fees, and subscriptions	1,381	974
Facility rent	368	-
Equipment	343	125
Total administrative	<u>6,352</u>	<u>6,455</u>
Audit and accounting services	<u>2,669</u>	<u>2,782</u>
Marketing		
Advertising	68,823	72,444
Printing	568	-
Total marketing	<u>69,391</u>	<u>72,444</u>
Economic development projects		
Sidewalk maintenance/amenities	11,165	28,335
Façade grants	47,831	25,000
Marketing grants	8,358	5,240
Recruiting grant	8,000	11,018
Business recruitment	2,500	5,345
Total economic development projects	<u>77,854</u>	<u>74,938</u>
Total operating expenses	<u>206,615</u>	<u>209,119</u>
Operating income (loss)	<u>19,142</u>	<u>(10,651)</u>
NONOPERATING REVENUES		
Investment income	<u>2,942</u>	<u>3,273</u>
Change in net position	<u>22,084</u>	<u>(7,378)</u>
Net position - January 1	<u>6,942</u>	<u>14,320</u>
Net position - December 31	<u>\$ 29,026</u>	<u>\$ 6,942</u>

See accompanying Notes to the Financial Statements.

City of Appleton Business Improvement District

Appleton, Wisconsin

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2020
WITH COMPARATIVE AMOUNTS FOR THE YEAR ENDED DECEMBER 31, 2019

	<u>2020</u>	<u>2019</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Cash received from District members	\$ 232,680	\$ 232,591
Cash paid to suppliers	(175,796)	(220,083)
Net cash provided (used) by operating activities	<u>56,884</u>	<u>12,508</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Interest received	<u>2,942</u>	<u>3,273</u>
Change in cash and cash equivalents	59,826	15,781
Cash and cash equivalents - January 1	<u>162,193</u>	<u>146,412</u>
Cash and cash equivalents - December 31	<u><u>\$ 222,019</u></u>	<u><u>\$ 162,193</u></u>
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES		
Operating income (loss)	\$ 19,142	\$ (10,651)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities		
Change in operating assets and liabilities		
Accounts receivables	1,749	6,834
Accounts payable	30,819	(10,964)
BID assessments levied for subsequent year	5,174	27,289
Net cash provided (used) by operating activities	<u><u>\$ 56,884</u></u>	<u><u>\$ 12,508</u></u>

See accompanying Notes to the Financial Statements.

City of Appleton Business Improvement District Appleton, Wisconsin

NOTES TO FINANCIAL STATEMENTS FOR THE YEAR ENDED DECEMBER 31, 2020

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the City of Appleton Business Improvement District, Appleton, Wisconsin (the "District"), have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The significant accounting principles and policies utilized by the District are described below:

A. REPORTING ENTITY

Wisconsin Statutes allow for the creation of Business Improvement Districts (BID). A BID is a geographic area within a municipality consisting of contiguous parcels, which are subject to assessments, where the assessment revenue must be used to benefit the BID. The purpose was to authorize cities, villages, and towns to create one or more business improvement districts to allow businesses within those districts to develop, manage, maintain, and promote their districts and to establish an assessment method to fund these activities. A BID affords property owners and business people a very real role in directing those affairs within the district, which influences their investment and environment. It also ensures that the beneficiaries of district programs participate in the funding of the programs.

The District is a legal entity separate and distinct from the City of Appleton, Wisconsin. The District is governed by a nine member appointed board and approved by the Common council. The members serve staggered, two year terms. A majority of the board members shall own or occupy real property in the District.

B. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING

The accounting and financial reporting treatment applied to the District is determined by its measurement focus. The transactions of the District are accounted for using the *economic resources measurement focus*. With this measurement focus, all assets, deferred outflows of resources, liabilities, and deferred inflows of resources associated with the operations are included on the statement of net position.

The statement of net position and statement of revenues, expenses, and changes in net position are reported using the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded when the liability is incurred or economic asset used. Revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange like transactions are recognized when the exchange takes place. Assessments are levied upon all property within the District and are recognized as revenues in the year for which they are levied. At year end, assessments for the following year are recorded as receivables and deferred inflows of resources. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider are met. Special assessments are recorded as revenue when earned. Unbilled receivables are recorded as revenues when services are provided.

The District distinguishes *operating* revenues and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the District are charges to the district members. Operating expenses for the District include salaries and wages, operation and maintenance, business development and promotions. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources, as they are needed.

City of Appleton Business Improvement District Appleton, Wisconsin

NOTES TO FINANCIAL STATEMENTS FOR THE YEAR ENDED DECEMBER 31, 2020

C. ASSETS, LIABILITIES, DEFERRED OUTFLOWS/INFLOWS OF RESOURCES, AND NET POSITION

1. Cash and Investments

Cash and investments are combined in the financial statements. Cash deposits consist of demand and time deposits with financial institutions and are carried at cost. Investments are stated at fair value. Fair value is the price that would be received to sell an asset in an orderly transaction between market participants at the measurement date.

2. BID Special Assessments

The primary source of revenue for the District is an assessment levied on property located within District boundaries. The BID assessments are determined in November, and included as a special charge on each property owner's tax bill within the District and become an enforceable lien on December 31. The BID assessments are due in full to the City by January 31st of the subsequent year, who collects and distributes to the District.

3. Deferred Outflows/Inflows of Resources

Deferred outflows of resources are a consumption of net position by the government that is applicable to a future reporting period. Deferred inflows of resources are an acquisition of net position by the government that is applicable to a future reporting period. The recognition of those outflows and inflows as expenses or expenditures and revenues are deferred until the future periods to which the outflows and inflows are applicable.

4. Net Position

Equity is classified as net position and displayed in three components:

- ▶ **Net investment in capital assets.** Amount of capital assets, net of accumulated depreciation, and capital related deferred outflows of resources less outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets and any capital related deferred inflows of resources.
- ▶ **Restricted net position.** Amount of net position that is subject to restrictions that are imposed by 1) external groups, such as creditors, grantors, contributors or laws or regulations of other governments or 2) law through constitutional provisions or enabling legislation.
- ▶ **Unrestricted net position.** Net position that is neither classified as restricted nor as net investment in capital assets.

5. Claims and Judgements

Claims and judgements are recorded as expenses when the related liabilities are incurred.

D. PRIOR YEAR INFORMATION

Comparative amounts for the prior year have been presented in the financial statements to provide an understanding of changes in the District's financial position and operations. The comparative amounts may be summarized in total and not at the level of detail required for a presentation in conformity with generally accepted accounting principles. Accordingly, such information should be read in conjunction with the District's financial statements for the year ended December 31, 2019, from which the summarized information was derived.

City of Appleton Business Improvement District Appleton, Wisconsin

NOTES TO FINANCIAL STATEMENTS FOR THE YEAR ENDED DECEMBER 31, 2020

NOTE 2: STEWARDSHIP AND COMPLIANCE

A. OPERATING PLAN

The budgetary information is derived from the District's annual operating plan budget and is presented using the same basis of accounting as described in Note 1.B. The 2020 Operating Plan, as approved by the Board of Directors and Common Council, included provisions for District assessments and related spending of \$225,757. The board of directors and management use the budget to manage the District's program activities; however, the budget does not represent a legal budget establishing specific line item expenditure limits.

NOTE 3: DETAILED NOTES ON ALL FUNDS

A. CASH AND INVESTMENTS

The District's cash and investments total \$222,019 are commingled with the cash and investment accounts of the City of Appleton; therefore, individual bank balances of the District cannot be determined. Please refer to the City's financial statements for further information.

The City's Comprehensive Annual Financial Report can be located at www.appleton.org/government/finance.

NOTE 4: OTHER INFORMATION

A. RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and natural disasters for which the government carries commercial insurance. The District completes an annual review of its insurance coverage to ensure adequate coverage.

B. CONTINGENCIES

From time to time, the District is party to other various pending claims and legal proceedings. Although the outcome of such matters cannot be forecast with certainty, it is the opinion of management that the likelihood is remote that any such claims or proceedings will have a material adverse effect on the District's financial position or results of operations.

C. RISKS AND UNCERTAINTIES

The Coronavirus Disease 2019 (COVID-19) has affected global markets, supply chains, employees of organizations and local communities. Specific to the District, COVID-19 may impact parts of its 2021 operations and financial results. Management believes the District is taking appropriate actions to mitigate the negative impact. However, the full impact of COVID-19 is unknown and cannot be reasonably estimate as of June 7, 2021.

SUPPLEMENTARY INFORMATION

City of Appleton Business Improvement District

Appleton, Wisconsin

SCHEDULE OF REVENUES, EXPENSES AND CHANGES IN NET POSITION BUDGET AND ACTUAL FOR THE YEAR ENDED DECEMBER 31, 2020

	Original Budget	Final Budget	Actual
OPERATING REVENUES			
BID assessments	\$ 225,791	\$ 227,552	\$ 225,757
OPERATING EXPENSES			
Contracted services	50,000	50,349	50,349
Administrative			
Telephone	-	-	2,660
Office supplies	-	-	253
Postage	-	-	1,347
Dues, fees, and subscriptions	-	-	1,381
Facility rent	-	-	368
Equipment	-	-	343
Total administrative	6,291	6,291	6,352
Audit and accounting services	2,500	2,500	2,669
Marketing			
Advertising	70,000	70,000	68,823
Printing	-	-	568
Total marketing	70,000	70,000	69,391
Economic development projects			
Sidewalk maintenance/amenities	32,000	13,785	11,165
Façade grants	30,000	49,627	47,831
Marketing grants	10,000	10,000	8,358
Recruiting grant	15,000	15,000	8,000
Business recruitment	10,000	10,000	2,500
Total economic development projects	97,000	98,412	77,854
Total operating expenses	225,791	227,552	206,615
Operating loss	-	-	19,142
NONOPERATING REVENUES			
Investment income	-	-	2,942
Change in net position	-	-	22,084
Net position - January 1	6,942	6,942	6,942
Net position - December 31	\$ 6,942	\$ 6,942	\$ 29,026

See accompanying Notes to the Financial Statements.



MEMORANDUM

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

TO: Appleton Public Arts Committee (APAC)
Parks and Recreation Committee

FROM: Jessica Titel, Principal Planner

DATE: August 19, 2021

RE: Stairway to the Stars – Extended Lease Agreement

Staff has received a request from Sculpture Valley for an extended 10-year lease for the continued placement of the “Stairway to the Stars” sculpture in Pierce Park. Because this sculpture was in place prior to the creation of the Art in Public Places Policy and the Appleton Public Arts Committee, it is exempt from the formal application process. However, given the duration of the lease extension and since the initial agreement for this sculpture has expired, a new Public Art Agreement is needed to formalize the terms of the lease agreement, maintenance obligations and the like.

This request will be reviewed by the Appleton Public Arts Committee and Parks and Recreation Committee at their meetings on August 23, 2021. It will then be presented to the Common Council on September 1, 2021.

Staff is requesting review and approval of the 10 year lease extension, per the attached request from Sculpture Valley, and subject to the execution of a Public Art Agreement.



ACRE *of* ART

July 19, 2021

Extension of Public Art lease placement of *Stairway to the Stars* in Pierce Park.

Dear Appleton Arts Commission,

Stairway to the Stars, selected as an **ACREofART** 2018-2020 public artwork, was approved for 2-year temporary lease placement by the Parks and Rec. Dept. of the City of Appleton at the divergence of the pavilion parking lot and playground parking areas in Pierce Park. At the time of approval, the Art in Public Places Policy did not yet exist.

The **ACREofART** 2018-2020 exhibition lease expired on July 19, 2020.

Initially sponsored by the Seifert Family Trust through the Community Foundation of the Fox Valley, *Stairway to the Stars* was subsequently purchased, by the same, prior to the end of the lease period with the intent that it become part of the growing collection of long term **ACREofART** installations in Appleton. It was the hope of the Seifert family that the work remain in the same location for an extended period of time.

Upon purchase, Sculpture Valley received approval to extend temporary placement by one year in the same location. This approved extension has also now expired.

Sculpture Valley is requesting an extension of this original agreement with the City to allow *Stairway to the Stars* to remain in its current location for another 10 years and recommends pouring a larger semi-permanent concrete foundation to accommodate the work. Engineering documents are attached.

Sincerely,

Alex Schultz
Executive Director
Sculpture Valley

Sculpture Valley, Inc 501(3)c non-profit EIN: 45-2690499





ACRE *of* ART



Location of *Stairway to the Stars* in Pierce Park



Stairway to the Stars current aspect in Pierce Park



Gail Simpson & Aristotle Georgiages

673 Center Rd. Stoughton, WI 53589
www.actualsizeartworks.com

Submission #1 - *Stairway to the Stars*

10'h x 3'w x 5'd 350 lbs
stainless steel

This sculpture is based on the old shop-class project known as "Stairway to the Stars". The small constructions have a silhouette of a crescent moon with stairs along the inner surface. We have a collection of these beautiful small sculptures from flea markets and thrift shops. This image also is often found in visual material from the early 20th century such as sheet music and advertising. We thought about how to translate this vintage form into contemporary sculptural language, so our sculpture is made of brushed stainless steel. Against a green or urban backdrop, we hope it will create a focal point with its play of light and shade, warm and cool, and sense of mystery.

We are committed to the idea of artist as citizen and believe in the transformative potential of artwork in the community. Our work is characterized by a strong profile, a sense of humor, and excellent craftsmanship. We are particularly interested in projects where there is an opportunity to integrate our sculptural work with the site; our goal is to create artwork that engages its audience in a lively and intelligent manner and contributes to a dynamic, memorable public space. We believe that artwork can visualize and interpret the character of a place in a way that nothing else can, creating a space for imagination and possibility.

SPONSOR(S): [Seifert Family Trust](#)

SITE / HOST: [Pierce Park](#)



GENERAL

1. ALL MATERIALS, WORKMANSHIP AND DETAILS SHALL CONFORM TO THE REQUIREMENTS OF THE 2015 IBC
2. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH ALL PROJECT DOCUMENTS TO VERIFY THE LOCATION AND DIMENSIONS OF CHASES, INSERTS, OPENINGS, SLEEVES, REGLETS, DEPRESSIONS AND OTHER PROJECT REQUIREMENTS NOT SHOWN ON THE STRUCTURAL DRAWINGS.
3. OPENINGS SHOWN ON THE STRUCTURAL DRAWINGS SHALL NOT BE REVISED WITHOUT WRITTEN APPROVAL FROM THE STRUCTURAL ENGINEER.
4. **CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS, ELEVATIONS AND CONDITIONS AND NOTIFY PROJECT MANAGER AND ENGINEER OF ANY DISCREPANCIES.**
5. THE TYPICAL DETAILS SHOWN ON THE DRAWINGS SHALL BE APPLICABLE TO ALL PARTS OF THE CONTRACT DRAWINGS UNLESS SPECIFICALLY NOTED OTHERWISE.
6. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOB SAFETY DURING CONSTRUCTION.

DESIGN LOADS

1. WIND LOAD
BASIC WIND SPEED (V): 115 MPH (ASCE 7-10)
WIND EXPOSURE CATEGORY: C

CONCRETE

1. CONCRETE WORK SHALL CONFORM TO THE LATEST EDITION OF THE FOLLOWING STANDARDS.

ACI 301 - "SPECIFICATIONS FOR STRUCTURAL CONCRETE"
ACI MCP - "MANUAL OF CONCRETE PRACTICE"
ACI 318 - "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE"
ACI 318.1 - "BUILDING CODE REQUIREMENTS FOR STRUCTURAL PLAIN CONCRETE"
2. CONCRETE SHALL HAVE A MINIMUM 28-DAY ULTIMATE COMPRESSIVE STRENGTH AS FOLLOWS:
SLABS-ON-GRADE - 4000 PSI
3. CONCRETE MIX DESIGN (INCLUDING AGGREGATE SIZE, WATER/CEMENT RATIO, AIR ENTRAINMENT, ADMIXTURES AND SLUMP) SHALL BE SUBMITTED TO THE STRUCTURAL ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF ANY WORK.
4. CONCRETE STRENGTH SHALL BE EVALUATED ACCORDING TO METHOD 1 OR METHOD 2 AS DESCRIBED IN ACI 301.
5. PROVIDE A MINIMUM OF 6" COMPACTED GRANULAR FILL UNDER ALL SLABS-ON-GRADE.
6. GROUT USED TO SET PLATES SHALL BE NON-SHRINK AND NON-METALLIC.
11. CONCRETE EXPOSED TO THE WEATHER SHALL HAVE AIR-ENTRAINING ADMIXTURE AS REQUIRED TO PROVIDE 4-6% AIR ENTRAINMENT.
12. FLATWORK CONTRACTOR SHALL SUBMIT FLOOR SLAB PLACEMENT SEQUENCE TO ENGINEER FOR APPROVAL PRIOR TO BEGINNING WORK.

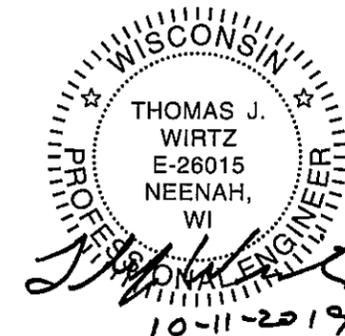
FOUNDATIONS

1. ALLOWABLE SOIL BEARING CAPACITY: 2000 PSF
2. FOUNDATION WORK FOR THIS PROJECT SHALL CONSIST OF SLABS-ON-GRADE.
3. ALL FOUNDATIONS SHALL BE SUPPORTED ON APPROVED EXISTING SUBGRADE OR APPROVED COMPACTED STRUCTURAL FILL.
4. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE VALIDITY OF THE SUBSURFACE CONDITIONS DESCRIBED IN THE DRAWINGS, SPECIFICATIONS, TEST BORINGS OR GEOTECHNICAL REPORTS. THESE DATA ARE INCLUDED TO ASSIST THE CONTRACTOR DURING BIDDING AND SUBSEQUENT CONSTRUCTION AND TO REPRESENT CONDITIONS ONLY AT SPECIFIC LOCATIONS AT THE PARTICULAR TIME OBSERVATIONS WERE MADE.
6. CONTRACTOR SHALL PROVIDE TEMPORARY SUPPORTS AS REQUIRED TO PREVENT HORIZONTAL MOVEMENT OR VERTICAL SETTLEMENT WHICH WILL ENDANGER ADJACENT STRUCTURES, STREETS OR UTILITIES.
7. CONTRACTOR SHALL PROVIDE CONTROL OF SURFACE AND SUBSURFACE WATER PROMPTLY TO INSURE THAT ALL FOUNDATION WORK IS DONE IN THE DRY.
8. NO FOUNDATION(S) SHALL BE PLACED ON FROZEN SUBGRADE.
9. PROTECT SLABS-ON-GRADE FROM FROST PENETRATION UNTIL THE PROJECT IS COMPLETE.

REINFORCING

1. DETAILING, FABRICATION AND ERECTION OF REINFORCING STEEL SHALL CONFORM TO THE FOLLOWING:

ACI 315 - "DETAILS AND DETAILING OF CONCRETE REINFORCEMENT"
ACI 318 - "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE"
MSP2 - "CRSI MANUAL OF STANDARD PRACTICE"
AWS D1.4 - "STRUCTURAL WELDING CODE - REINFORCING STEEL"
WRI - "WELDED WIRE FABRIC MANUAL OF STANDARD PRACTICE"
2. STEEL REINFORCING BARS SHALL CONFORM TO ASTM A615 (GRADE 60), DEFORMED. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185.



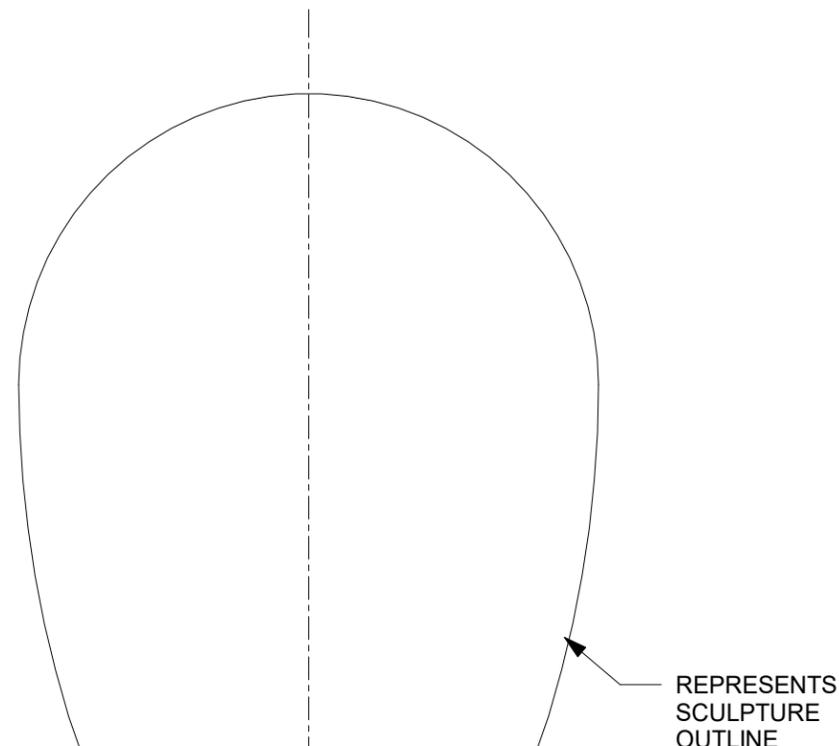
BOLDT™
Technical Services

2525 North Roemer Road
PO Box 419
Appleton, WI
54912-0419
920-739-6321
www.theboldtcompany.com

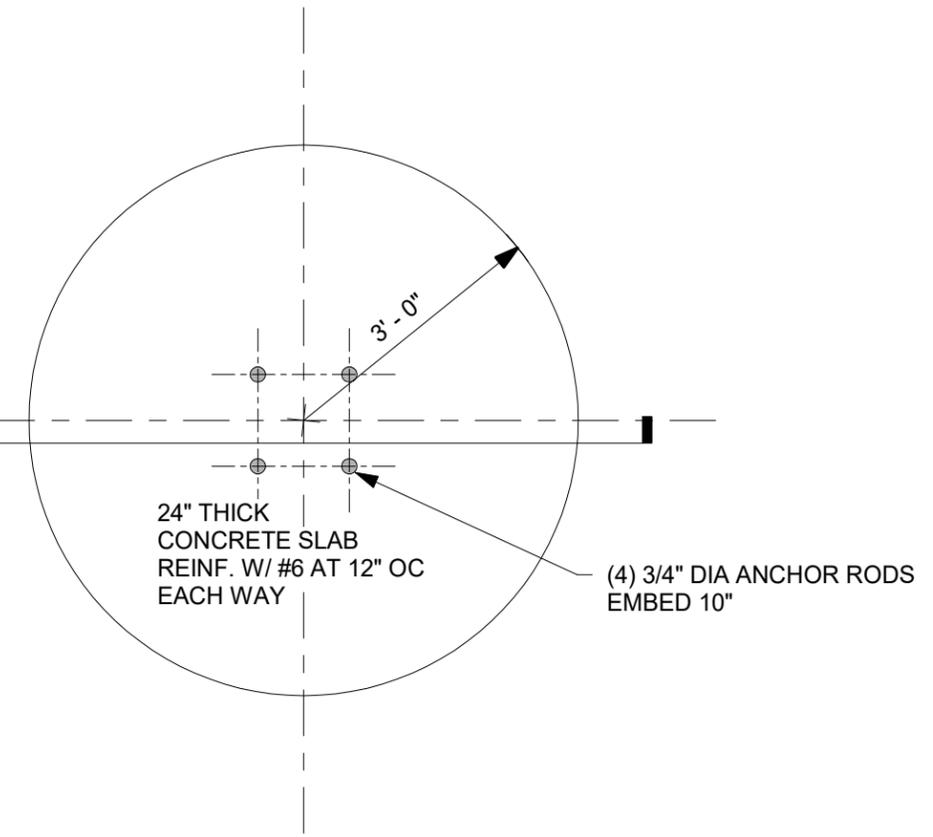
No.	Description	Date

SCULPTURE BASES	APPLETON, WI	STRUCTURAL NOTES
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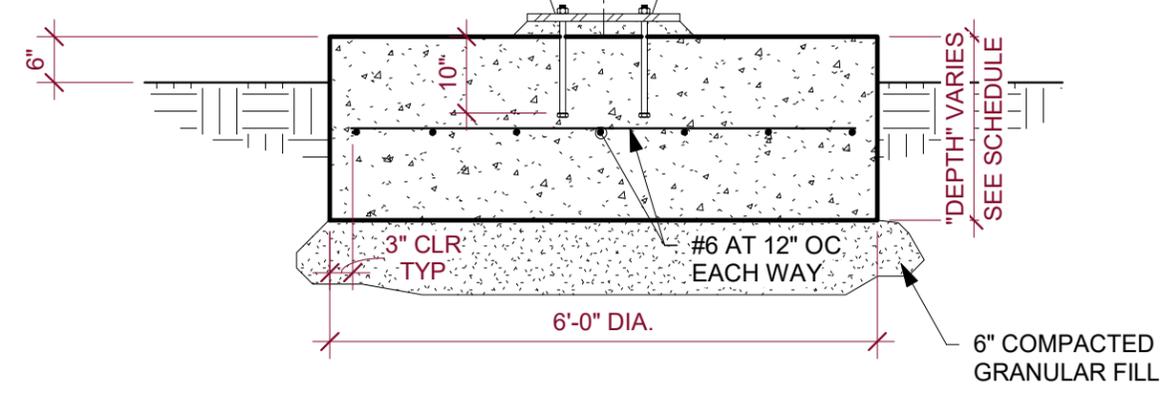
Project Number	08919-N02
Drawn By	RAE
Checked By	TJW
S-001	
Scale	



2
S-100



1
S-100 TYPICAL FOUNDATION PLAN (3 THUS)
SCALE 1/2" = 1'-0"



2
S-100 SECTION
SCALE 1/2" = 1'-0"

FOUNDATION PLAN SCHEDULE	
STATUE NAME	FDN DEPTH
STAIRWAY TO THE STARS	24"

No.	Description	Date

SCULPTURE BASES
APPLETON, WI
SCULPTURE BASE AND SECTION

Project Number	08919-N02
Drawn By	RAE
Checked By	TJW
S-100	
Scale	1/2" = 1'-0"



LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

TO: Members of the Finance Committee

FROM: Christopher R. Behrens, City Attorney

DATE: July 28, 2021

RE: Revisions to Sec. 2-216. Residency Policy

Recently while researching a different matter it came to my attention that Sec. 2-216 of the Municipal Code that addresses the residency policy requires updating to bring it into compliance with state statutes. Specifically, in 2013 the State of Wisconsin adopted Act 20 which prohibits local governments from setting strict residency requirements for their employees. This Act was subsequently codified in § 66.0502 of the Wisconsin Statutes. While the City has been following this state law since adoption, the ordinance was not amended to reflect this change.

Accordingly, I respectfully request the following:

APPROVE amending Sec. 2-216 of the Municipal Code to comply with state statutes.

A copy of the current section with proposed amendments is attached for your reference. Thank you for your consideration.

Attachment

CRB;jlg
21-0028

Sec. 2-216. Residency policy.

Members of boards or commissions shall be residents of the City at the time of appointment. ~~and all department heads shall be residents of the City within twelve (12) months of the date of their hiring or appointment and maintain residency in the City while under the employment or service of the City.~~ If any such ~~City department head or~~ member of a board or commission does not meet this requirement, ~~his~~ their office or position shall be vacated and such vacancy shall be filled in the manner prescribed by law or ordinance. The residency deadline may be extended with the recommendation of the Mayor and approval of the Common Council. This section does not apply to the physician members of the Board of Health, ~~the Director of Parks, Recreation and Facilities Management~~ or non-City members of the Fox Cities Transit Commission. ~~Changes in the names of departments or titles of department heads shall not affect the requirements of this section.~~



"...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

DATE: 8/23/2021

RE: Action: Award the Water Facility "2021 Entrance Gate Upgrades Project"
contract to IEI General Contractors in the amount of \$186,764 with a contingency
of 15% for a project total not to exceed \$214,778

The 2021 Capital Improvement Plan includes \$250,000 to upgrade the front entrance gate at the Water Treatment Facility. This facility's entrance gate is original to the facility and its mechanicals are at the end of their useful life. The needed repairs include openers, loop detectors, card access, call boxes, and new wiring from the facility to the gate. There will also be some security upgrades that include new cameras and additional card readers. The scope of this project is to install a new underground electrical distribution feeder to the gate, install new underground fiber to the gate, install new low voltage wiring under the new road, and replace the gate mechanicals.

The bids were received as follows:

IEI General Contractors (low bid)	\$186,764
RJM Construction, LLC.	\$236,450
Milbach Construction Services, Co.	\$288,611

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to IEI General Contractors. The Parks, Recreation, and Facilities Management Department has also reviewed the bids and is in agreement with the engineer's recommendation. Therefore, we recommend awarding the contract to IEI General Contractors in the amount of \$186,764 plus a contingency of 15% only to be utilized as needed.

Please contact me at 832-5572 or at dean.gazza@appleton.org with any questions.



MEMO

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

TO: Finance Committee

FROM: Paula Vandehey, Director of Public Works *PAV*

DATE: August 18, 2021

SUBJECT: **Amendment to North Edgewood Estates Development Agreement.**

In January of 2018, the Common Council approved the North Edgewood Estates Development Agreement. Since that time, it was determined that a 10-foot wide sidepath would be installed along the south side of E. Rubyred Drive. Because only the standard 5-foot sidewalk is assessed to the property owners when a 10-foot sidepath is installed, and the terrace grades can be steep during the temporary asphalt phase, it is our preference that the entire sidepath is installed at the time of concrete street paving. To codify this change, the following amendment is recommended for the development agreement:

Add Section 10.4 Sidewalk/Sidepaths

- (a) All 5-foot sidewalk shall be installed by the property owner within 6-months of occupancy.
- (b) All 10-foot sidepaths shall be installed by the City at time of concrete paving. Property owners will be assessed at that time the equivalent cost of a 5-foot sidewalk in accordance with the City's Special Assessment Policy.



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

TO: Finance Committee
FROM: Tony Saucerman, Finance Director
DATE: August 10, 2021
RE: **TIF 6 Developer Payment**

The City's TIF District #6 (TID 6) is nearing its mandatory termination date of February 14, 2023. The District has performed very well financially over the years which has enabled the district to accumulate a significant fund balance.

In 2016, the City signed a development agreement with Encapsys Southpoint, LLC to build their corporate headquarters in the Southeast Commerce Park which is located in TID 6. As part of the agreement, the City agreed to make a contribution to the project which was to be paid out annually based on incremental property taxes received on the property with a balloon payment in 2023 to pay off the balance. The balance owed to Encapsys prior to the 2021 payment is approximately \$2,985,600. The regularly scheduled payment for 2021 is \$329,423.

Due to the success of the District, the City is in a position to pay off the City's obligation early (which is allowed by the agreement) which would save significant interest expense as well as position the district to close earlier than its mandatory termination date.

Therefore, a budget adjustment is being requested to provide an additional \$1 million payment in 2021. The additional payment would save approximately \$40,000 in interest charges and pave the way for the final payment to be made in 2022 (which will be included in the 2022 Budget) enabling the City to begin the close-out of the District.

Thank you for your consideration of this request. If anyone has any questions or would like to discuss, feel free to contact me.



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**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: 8/23/2021

RE: Action Item: Award contract to The Boldt Company for Construction Manager at Risk services for the library for a contract of \$1,186,730 and \$25,000 for reimbursable expenses for a contract totaling \$1,211,730.

On June 29, 2021, request for proposals were received from three construction management/construction firms to provide pre-construction, construction, and post construction services for the library. Two of those firms were subsequently interviewed on August 3, 2021. After the interviews, The Boldt Company was unanimously selected by the review team to be awarded the contract.

The construction manager (CM) will serve as an advisor in both the pre and post construction phases in addition as serving as the general contractor during construction. During the pre-construction phase, the CM will provide constructability reviews and offer suggestions to improve schedule and reduce cost. During construction, the CM will act in a similar role as a general contractor, but in this case, the CM will only self-perform work if they are the lowest responsible bidder. Specialty contractors will bid their portion of the work. The CM may choose to bid on some of this work and may or may not be awarded the work based on if they were the lowest responsible bidder. Post-construction services will assist in ensuring all contractors' work is completed and obtaining all final documentation such as as-built drawings, warranties and operations manuals.

Request for proposals were evaluated for relevant experience, project success, project team, project understanding/study methodology, project schedule and cost. The proposals fees and scoring were as follows:

CM	Score	Pre-Construction Fee	Construction Fee*	Post Construction Fee	General Conditions Fee	Other Fee
Boldt	500	\$0	0%/\$0	\$33,930	\$1,152,800	\$0
C.D. Smith	389	\$30,000	2.25%/\$540,000	\$25,000	\$1,147,566	\$8,750
Miron	466	\$35,000	2.35%/564,000	\$0	\$620,160	\$0

* based on a cost of construction of \$24,000,000. This number will increase or decrease upon receiving actual bid costs.

After careful review, our team unanimously recommends awarding a contract to The Boldt Company for a contract of \$1,186,730 and \$25,000 for reimbursable expenses for a contract totaling \$1,211,730. Note that both reimbursable expenses are only utilized as needed and allowed per contract and authorization by the project manager. In addition, note that under this construction delivery method, the City of Appleton, will pay for the cost of performance bonds, insurance and general project requirements which are reimbursables at actual cost. Those costs are not included until bidding is performed and the cost of work is known.

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

CITY OF APPLETON
Department of Public Works
MEMORANDUM

TO: **Finance Committee**
 Municipal Services Committee
 Utilities Committee

SUBJECT: Award of Contract

The Department of Public Works recommends that the following described work:
Unit EE-21 Structural Repairs of the Green Ramp West Stair Tower

Be awarded to:

Name: Merit Construction Services, Inc.
Address: 5441 212th Street West
Farmington, MN 55024

In the amount of : \$136,649.99
With a 5 % contingency of : \$6,832.50
For a project total not to exceed : \$143,482.49

**** OR ****

In an amount Not To Exceed : _____

Budget: \$140,000.00
Estimate: \$140,000.00
Committee Date: 08/23/21
Council Date: 09/01/21

Bid Tabulation

Unit EE-21 Structural Repairs of the Green Ramp West Stair Tower

8/16/2021

BASE Bid Items	Item Description	Unit	Qty	Merit Const. Services, Inc.		Berglund Construction Co.	
				Unit Price	Total	Unit Price	Total
1	Project Mobilization (Maximum amount \$10,000)	LS	1	\$10,000.00	\$10,000.00	\$7,300.00	\$7,300.00
2.a.1.	Removal and Replacement of Existing Concrete Filled Pans and Risers: From level G - 1N	LS	1	\$18,300.00	\$18,300.00	\$31,750.00	\$31,750.00
2.a.2.	Removal and Replacement of Existing Concrete Filled Pans and Risers: From level 1N - 2N	LS	1	\$18,300.00	\$18,300.00	\$31,750.00	\$31,750.00
2.a.3.	Removal and Replacement of Existing Concrete Filled Pans and Risers: From level 2N - 3N	LS	1	\$18,300.00	\$18,300.00	\$31,750.00	\$31,750.00
2.b.1.	Full Depth Replacement of Existing Concrete and Metal Decking: Intermediate Landing G-1N	LS	1	\$2,100.00	\$2,100.00	\$16,500.00	\$16,500.00
2.b.2.	Full Depth Replacement of Existing Concrete and Metal Decking: Landing 1N	LS	1	\$2,100.00	\$2,100.00	\$16,500.00	\$16,500.00
2.b.3.	Full Depth Replacement of Existing Concrete and Metal Decking: Intermediate Landing 1N-2N	LS	1	\$2,100.00	\$2,100.00	\$16,500.00	\$16,500.00
2.b.4.	Full Depth Replacement of Existing Concrete and Metal Decking: Landing 2N	LS	1	\$2,100.00	\$2,100.00	\$16,500.00	\$16,500.00
2.b.5.	Full Depth Replacement of Existing Concrete and Metal Decking: Intermediate Landing 2N-3N	LS	1	\$2,100.00	\$2,100.00	\$16,500.00	\$16,500.00
2.b.6.	Full Depth Replacement of Existing Concrete and Metal Decking: Landing 3N	LS	1	\$2,100.00	\$2,100.00	\$16,500.00	\$16,500.00
2.c.1.	Painting of Stair Framing: From level G-1N	LS	1	\$1,233.33	\$1,233.33	\$3,150.00	\$3,150.00
2.c.2.	Painting of Stair Framing: From Level 1N-2N	LS	1	\$1,233.33	\$1,233.33	\$3,150.00	\$3,150.00
2.c.3.	Painting of Stair Framing: From levels 2N-3N	LS	1	\$1,233.33	\$1,233.33	\$3,150.00	\$3,150.00
3.a.	Exploratory Double Tee Joint sealant Replacement (Fixed Price Allowance)	LS	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
4	Miscellaneous Work and General Conditions	LS	1	\$7,000.00	\$7,000.00	\$5,000.00	\$5,000.00
BASE BID:				\$93,199.99		\$221,000.00	

ALTERNATE Bid Items	Item Description	Unit	Qty	Merit Const. Services, Inc.		Berglund Construction Co.	
				Unit Price	Total	Unit Price	Total
A1.a.1.	Removal and Replacement of Existing Concrete Filled Pans and Risers: From level 3N-4N	LS	1	\$16,000.00	\$16,000.00	\$31,750.00	\$31,750.00
A1.a.2.	Removal and Replacement of Existing Concrete Filled Pans and Risers: From level 4N-5N	LS	1	\$16,000.00	\$16,000.00	\$31,750.00	\$31,750.00
A2.1.	Full Depth Replacement of Existing Concrete and Metal Decking: Intermediate Landing 3N-4N	LS	1	\$1,700.00	\$1,700.00	\$16,500.00	\$16,500.00
A2.2.	Full Depth Replacement of Existing Concrete and Metal Decking: Landing 4N	LS	1	\$1,700.00	\$1,700.00	\$16,500.00	\$16,500.00
A2.3.	Full Depth Replacement of Existing Concrete and Metal Decking: Intermediate Landing 4N-5N	LS	1	\$1,700.00	\$1,700.00	\$16,500.00	\$16,500.00
A2.4.	Full Depth Replacement of Existing Concrete and Metal Decking: Landing 5N	LS	1	\$1,700.00	\$1,700.00	\$16,500.00	\$16,500.00
A3.1.	Painting of Stair Framing: From level 3N-4N	LS	1	\$700.00	\$700.00	\$3,150.00	\$3,150.00
A3.2.	Painting of Stair Framing: From level 4N-5N	LS	1	\$700.00	\$700.00	\$3,150.00	\$3,150.00
A4.1.	Painting of Stair Handrail: From level G-1N	LS	1	\$650.00	\$650.00	\$2,500.00	\$2,500.00
A4.2.	Painting of Stair Handrail: From level 1N-2N	LS	1	\$650.00	\$650.00	\$2,500.00	\$2,500.00
A4.3.	Painting of Stair Handrail: From level 2N-3N	LS	1	\$650.00	\$650.00	\$2,500.00	\$2,500.00
A4.4.	Painting of Stair Handrail: From level 3N-4N	LS	1	\$650.00	\$650.00	\$2,500.00	\$2,500.00
A4.5.	Painting of Stair Handrail: From level 4N-5N	LS	1	\$650.00	\$650.00	\$2,500.00	\$2,500.00
ALTERNATE BID:				\$43,450.00		\$148,300.00	
TOTAL BID:				\$136,649.99		\$369,300.00	



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DEPARTMENT OF PUBLIC WORKS
Engineering Division
100 North Appleton Street
Appleton, WI 54911
TEL (920) 832-6474
FAX (920) 832-6489

MEMO

TO: Members of the Finance Committee

FROM: Ross Buetow, Deputy Director of Public Works

SUBJECT: Recommendation to reject bids for Unit H-21 Redundant Raw Water Line

DATE: August 18, 2021

The Department of Public Works recommends that all bids for Unit H-21 Redundant Raw Water Line Construction be rejected due to insufficient budgeted funds in comparison to the low bid amount. Bids were opened on Monday, August 9, 2021. The following is a summary of the bids received:

<u>Bidder</u>	<u>Bid Amount</u>
PTS Contractors, Inc.	\$10,925,000.00
Advance Construction	\$10,999,382.50
Dorner, Inc.	\$11,210,935.00

The approved 2021 budget for this project was \$8,280,000.00. It is our intention to carry these funds over to 2022 and re-bid the project in 2022 with a modified project scope that can still meet our original project objectives, while staying within our funding limits.

Thank you for your consideration.



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**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

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Appleton, Wisconsin 54911-8401
(920) 832-5572 FAX (920) 993-3103
Email - dean.gazza@appleton.org

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 8/23/2021

RE: Action: Award the City of Appleton's "2021 Parks Hardscapes Project – AMP Roads Reconstruction Project" contract to Northeast Asphalt, Inc. in the amount of \$183,902.50 with a contingency of 8% for a project total not to exceed \$198,615.

The 2021 Capital Improvement Plan includes \$700,000 to repair hardscapes at various city parks. Of that amount, \$200,000 has been allocated to reconstruct the AMP road from the Scheig Center to the pavilion and the road from AMP parking lot #5 to the Jones Building . The balance of the 2021 Parks Hardscape Improvements budget will be utilized at several other parks including, but not limited to: Pierce Park, Appleton Memorial Park, and Highview Trail. The recommendations for repairs were determined by our consulting engineer after a hardscape audit was completed at the site.

The bids were received as follows:

Northeast Asphalt, Inc. (low bid) \$183,902.50

Only one bid was received, but fell within budget so we are comfortable proceeding despite the lack of other bids. It is unlikely that additional bids could be obtained in the foreseeable future as the contractors are extremely busy.

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to Northeast Asphalt, Inc. The Parks, Recreation, and Facilities Management Department has also reviewed the bid and is in agreement with the engineer's recommendation. Therefore, we recommend awarding the contract to Northeast Asphalt, Inc. in the amount of \$183,902.50 plus a contingency of 8% only to be utilized as needed.

Please contact me at 832-5572 or at dean.gazza@appleton.org with any questions.



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Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915-3128
920-832-5945 tel.
920-832-5949 fax

To: Chairperson William Siebers and Members of the Finance Committee

From: Utilities Deputy Director, Chris Stempa

Date: August 18, 2021

Re: Committee Action: Award the Sole Source Purchase of Grit Classifier System Rebuild Parts through Saveco North America Inc. in the amount of \$ 61,774.

In 2000, a capital project was completed at the Appleton Wastewater Treatment Plant (AWWTP) that facilitated the transition from an aerated channel grit removal system to a circular vortex chamber and grit classifier system. The original grit classifiers were manufactured by FSM Frankenberger GmbH & Co. Raw wastewater enters the Grit and Screenings Building (B-Building) from which it flows through one of three mechanical bar screens where objects larger than 1/4 inch in diameter are removed. The wastewater then flows into one or both vortex grit removal chambers. Air can be diffused into the channels ahead of the grit chambers to suspend the particulate organic material. Wastewater enters the vortex chamber tangentially, flows around the conical tank and exits parallel to the inlet. The heavy mineral solids or grit settle in the lower hopper from which it is transferred by self-priming centrifugal pumps to the washing and classification system located inside of B-Building.

Following the failure of Grit Classifier #1 in early 2021, an inspection was conducted by the FSM equipment representative, Saveco North America Inc., to assess repair and/or replacement options. A complete list of recommended Original Equipment Manufacturer (OEM) replacement parts was provided based on their inspection that could be incorporated into a maintenance project to restore operation and extend the useful life of the existing grit classifier system.

REQUEST FOR QUOTATIONS – OEM SOLE SOURCE PARTS & REBUILD SERVICES

Saveco North America Inc. (Saveco) provided a quotation for the necessary rebuild parts after completion of the equipment inspection. As the FSM grit classifier equipment OEM, Saveco is the sole distributor of these parts required for the rebuild work. The total quoted cost of the rebuild parts for both grit classifiers totaled \$61,774. As a comparison, the cost of two new grit classifiers totaled \$120,000 (not installed).

RECOMMENDATION:

I am requesting sole source purchase award of Secondary Clarifier Drive Rebuild Parts through Saveco North America Inc. in the amount of \$61,774

If you have any questions or require additional information regarding this project please contact Chris Stempa at 920-832-5945.

Department of Public Works – Engineering Division

MEMO

TO: Utilities Committee

FROM: Paula Vandehey, Director of Public Works
Pete Neuberger, Staff Engineer
Sue Olson, Staff Engineer

DATE: August 24, 2021

RE: Award of 2021I Stormwater Consulting Services Contract for Apple Creek Road/Haymeadow Avenue Study and 30% Design with McMahon Associates in an amount not to exceed \$40,217

The Department of Public Works is requesting approval of the 2021I Stormwater Consulting Services Contract for Apple Creek Road/Haymeadow Avenue Study and 30% Design with McMahon Associates in an amount not to exceed \$40,217. After this contract, \$273,025 will remain in the 2021 stormwater consulting services budget.

In recent years, the Department of Public Works has experienced significant interest among land owners and developers to develop land within north side City growth areas. The City of Appleton Department of Public Works (DPW) issued Request for Proposals to help prepare for anticipated development in a currently undeveloped City growth area east of STH 47 and south of CTH JJ. Within this area, the City plans to construct the following collector streets in approximately six years:

- Haymeadow Avenue from approximately 900 feet south of CTH JJ to 2,950 feet south of CTH JJ
- Apple Creek Road from STH 47 to approximately 2,500 feet east

DNR NR151, the City's stormwater management ordinance (Chapter 20 of Article VI, Municipal Code), and the Upper Fox/Wolf TMDL include standards for new transportation facilities development that these City projects will be required to follow.

Additionally, DPW anticipates that when the surrounding undeveloped area develops as one or more new residential subdivisions, the development(s) will be required to obtain a stormwater permit and meet the ordinance requirements for new development. The City of Appleton has a boundary agreement with the Town of Grand Chute that indicates areas east of STH 47, including this area, will be annexed to the City to receive sanitary sewer and water service at the time of development.

The contract scope for the selected consultant includes:

- Prepare an independent drainage study that details the stormwater conveyances and stormwater management practices necessary for the two planned roadways to meet applicable standards.
 - One alternative to provide stormwater pond(s) with no additional effort toward optimizing for treatment of runoff beyond the proposed roadways
 - A second alternative to provide stormwater pond(s) with reasonable effort toward optimizing for treatment of runoff beyond the proposed roadways, to include all or most of the developable land within project planning area.
- Prepare cost estimates for each alternative, including potential public/private cost sharing calculations.
- Conduct coordination meetings with City staff
- Prepare 30% preliminary engineering plans for stormwater conveyances and stormwater management practices, as well as roadway design profiles.

DPW solicited proposals from four qualified engineering firms and received proposals from three of them. Technical proposals were first rated on a 100-point scale on the following criteria: Similar Project Experience, Project Team, Project Understanding and Approach, and Schedule. Technical proposals were evaluated by a City review team consisting of Ross Buetow, City Engineer; Sue Olson, Staff Engineer; and Pete Neuberger, Staff Engineer. After technical proposal scoring, the team reviewed the compensation proposals. Below are the scoring results, from lowest cost per point to highest.

<u>Rank</u>	<u>Firm</u>	<u>Score</u>	<u>Price</u>	<u>Price per Point</u>
1.	McMahon	94.00	\$35,300	\$376
2.	raSmith	86.67	\$59,252	\$684
3.	Brown & Caldwell	92.67	\$77,385	\$835

McMahon's and Brown & Caldwell's technical proposals both ranked very high, but McMahon's overall score was significantly better than the others once price was factored in. McMahon's proposal indicated they had previously performed a study for the Town of Grand Chute downstream of the City's project planning area, and as part of that effort they had already completed existing conditions modeling that included the area in question.

2021I Contract
August 24, 2021
-Page 3-

After completing the scoring, DPW staff negotiated with McMahon an additional 40 work hours, with associated costs, to increase coordination meeting and alternative analysis hours, bringing the total recommended contract cost to \$40,217 (\$428 per point, in updated scoring terms).

Based on their strong, cost-effective proposal and the quality of work on other City projects, DPW staff recommend award of the Stormwater Consulting Services contract for Apple Creek Road/Haymeadow Avenue Study and 30% Design with McMahon Associates. If McMahon performs satisfactorily during this contract, DPW staff anticipate negotiating future single source contracts with McMahon for final engineering design work in 2023, subject to Committee and Council approval at the appropriate time.



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Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915
920-832-5945 tel.
920-832-5949 fax

TO: Chairperson Vered Meltzer and Members of the Utilities Committee

CC: Utilities Director Chris Shaw

FROM: Environmental Programs Coordinator Brian Kreski

DATE: August 19, 2021

RE: **Award Beneficial Reuse Management (BRM) an Extension for the 2022-2024 Biosolids Transportation, Application, and Incorporation Contract**

BACKGROUND:

The Appleton Wastewater Treatment Plant (AWWTP) annually land applies approximately 23,000 wet tons of biosolids to agricultural fields as part of the Biosolids Management Program. The program is committed to effectively manage and utilize 100% of the biosolids produced through beneficial use alternatives such as agricultural land application and biosolids composting. Each year the AWWTP has contracted the transportation, land application, and incorporation of approximately 90% of the biosolids produced to permitted agricultural sites for land application as far away as 80 miles (one way).

In January 2016, the AWWTP concluded a request for quotation (RFQ) process for Biosolids Land Application Services. Those services involve the transportation, application, and incorporation of biosolids on permitted agricultural sites. In February 2016, that contract was awarded to Veolia Environmental Services covering the period from 2016 through 2020. Clean Harbors acquired Veolia Environmental Services in May of 2018 and resumed services under the existing contract with the AWWTP.

On October 8, 2019 a letter was submitted to the AWWTP by Clean Harbors indicating it would not proceed with work under the existing contract unless the AWWTP agreed to pay an additional surcharge of 20% to 24% based on the mileage range to permitted sites. A decision to proceed in a different direction was based on the unexpected request by Clean Harbors coupled with their inability to satisfy baseline contract conditions. Consequently, a formal RFQ process for services was immediately pursued with the support of Utilities Department Director, Deputy Director, Environmental Programs Coordinator, Deputy City Attorney, and the Enterprise Account Manager.

RFQ RESULTS (2019-2021):

The RFQ was sent to five firms that had the capacity and experience to satisfy the qualifications required by the AWWTP for these contracted services for a contract term from October 2019 through December 2019 along with two optional years in 2020 and 2021. Two of the five provided a formal response. Based on the results of that RFQ process, Beneficial Reuse Management (BRM) was awarded the 2019-2021 contract. It should be noted that the BRM contract over the life of the three-year term was

3% less than the 2019 Clean Harbors surcharge rates and approximately. Additionally, the BRM proposal is 12% less than the second firm that submitted a cost proposal as part of the RFQ process.

2022-2024 Contract Extension Rates

The BRM extension proposal is summarized in Table 1. The Transportation and application rates for 2022 remain unchanged from 2021 but do escalate in the subsequent years to accommodate increases in costs incurred by BRM for expenditures such as scaling, fuel, labor, and miscellaneous overhead. Even with those increase, BRMs rates remain competitive in comparison to the other quote received as part of the last RFQ process (i.e. BRM 2024 rate is 7% less than 2021 rate provided by the second firm).

Table 1:

BRM Contract Year:	2021	2022	2023	2024
Tranportation and Application:	\$ 407,855.71	\$ 407,855.71	\$ 413,476.91	\$ 421,746.45
% Increase:		0%	1%	2%
Total Cost with Negotiated Terms:	\$ 455,055.71	\$ 484,055.71	\$ 490,876.91	\$ 500,346.45
% Increase:		6%	1%	2%

It is noteworthy that BRM has provided efficient, reliable, and regulatory compliant services over the life of the existing contract. In doing so, BRM has helped avoid the need to employ more costly alternatives such as biosolids composting or landfilling.

RECOMMENDATION:

I am requesting that the 2022-2024 Biosolids Transportation and Application Services Contract be awarded to Beneficial Reuse Management based on the rates provided in the attached proposal extension.

If you have any questions or require additional information regarding this request or the AWWTP biosolids program please contact Brian Kreski at 920-832-5945.



Memorandum

TO: Fox Cities Transit Commission

FROM: Ron McDonald, General Manager

DATE: August 17, 2021

RE: Award Recommendation for Northern Winnebago Dial A Ride Service Contract

In addition to fixed-route bus service, Valley Transit offers a demand responsive ambulatory transportation service for elderly residents of the Cities of Neenah and Menasha, the Village of Fox Crossing, and a portion of Winnebago County within the City of Appleton (Heritage Area). The service is called Northern Winnebago Dial A Ride (NWDAR) and is currently provided by contract with LIR Transportation (Fox Valley Cab). The current agreement expires on December 31st, 2021.

In preparation for this procurement, Valley Transit staff developed a request for proposal (RFP) to select a contractor to provide this service. Staff considered lessons learned, competencies required by the next contractor, and incorporated these areas into the RFP.

The NWDAR RFP listed the contract length at eighteen months commencing on January 1st, 2022, with options to extend for two additional one-year periods. An 18-month contract was used to end the subsequent agreement on June 30th. This was done to ensure that future contracts begin in the summer, which is a better season to transition to a new contractor versus January 1st.

The RFP document was sent directly to known paratransit vendors; posted on the State of Wisconsin's VendorNet system; and advertised online with the *Post-Crescent*, *Oshkosh Northwester*, and *Green Bay Press-Gazette*. Proposals were due on June 10th, 2021.

Two proposals were received: Running Inc (Viroqua, WI) and LIR Transportation LLC (Appleton, WI).

ANALYSIS

An evaluation team was assembled to review the proposals. The team included Valley Transit staff and a City of Neenah representative. Each proposal was evaluated based on experience, professional competence, technical approach, understanding and completeness of proposal, capacity & price. The team discussed perceived benefits of both proposals. After considering the written proposals and pricing, the evaluation team unanimously concluded that Running Inc (Viroqua, WI) had proposed the best service for Valley Transit.

In summary, the evaluation committee agreed that Running Inc. proposed adequate staffing to provide the service at all service hours required; a compliant maintenance program; a compliant drug & alcohol testing program; a good understanding of customer service and safety; proper staff training; and sufficient vehicles to operate the service. Running Inc. also has access to Valley Transit's scheduling and reporting software that provides for improved oversight of the contract. Running Inc. was considered 'responsible' based on their performance under other contracts for existing Valley Transit services. Running's proposal was also 'responsive' to all the mandatory requirements listed in the RFP.

While Running Inc's per ride was rate higher than LIR Transportation's, the evaluation team considered it the best value based on each proposal's costs and benefits, including current experience with both contractors. See table below showing per ride rates in contract year-one.

Service	LIR Transportation	Running
January 2022 – June 2023	\$15.00	\$17.85
1 st Year Extension	\$15.45	\$18.21
2 nd year Extension	\$15.75	\$18.57

FISCAL IMPACT

Valley Transit's 2022 proposed operating budget will include \$171,003 for the NWDAR service contract. The estimated local share of \$64,959 will be paid by The City of Neenah, the Village of Fox Crossing and Winnebago County.

RECOMMENDATION

Staff recommends authorization for Valley Transit to enter into an 18-month contract with two 1-year optional extensions with Running Inc to provide paratransit services.

36-21

AN ORDINANCE AMENDING SECTION 4-392 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO EXEMPTIONS.

(Municipal Services Committee – 8/18/2021)

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

Section 1: That Section 4-392 of Chapter 4 of the Municipal Code of the City of Appleton, relating to exemptions, is hereby amended to read as follows:

Sec. 4-392. Exemptions.

As allowed under Wis. Stats. §101.862(4)(a), a residential property owner may perform electrical work in his own dwelling which he owns and occupies without a license, as long as the work is being conducted in a single-family dwelling. In the case of installing or replacing service equipment in a single-family dwelling, utility interactive solar photovoltaic installations or electrical work performed on a residential property which is not a single-family owner occupied dwelling, the electrical work shall be performed by a licensed electrical contractor, meeting all the requirements of SPS 305.41 as amended from time to time. The owner of the property must procure a permit prior to starting any electrical work. The property owner may not procure a permit on behalf of an electrical contractor or another individual.

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

66-21

AN ORDINANCE REPEALING ARTICLE VII OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO MECHANICAL (BOARD OF HEATING EXAMINERS).

(Municipal Services Committee – 8/18/2021)

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

Section 1: That Article VII of Chapter 4 of the Municipal Code of the City of Appleton, relating to mechanical (Board of Heating Examiners), is hereby repealed.

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