



# City of Appleton

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

## Meeting Agenda - Final Common Council

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Wednesday, October 16, 2019

7:00 PM

Council Chambers

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- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES
  - [19-1539](#) Common Council Meeting Minutes of October 2, 2019
  - Attachments:* [CC Minutes 10-2-19\\_REVISED.pdf](#)
- G. BUSINESS PRESENTED BY THE MAYOR
  - [19-1540](#) Appleton Fire Department Award Presentation
- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS
  - [19-1452](#) Public Hearing, Rezoning #8-19 Haymeadow Stormwater Pond
  - Attachments:* [RZ #8-19 Notice of Public Hearing.pdf](#)
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[19-1326](#) Request from Todd Santoro to have the sidewalk removed from the entire block of E. Kramer Lane.

**Attachments:** [Sidewalks on Kramer Lane.pdf](#)

**Legislative History**

9/23/19	Municipal Services Committee	held
		<i>Item 19-1326 be held until October 7th meeting.</i>
10/7/19	Municipal Services Committee	recommended for denial

[19-1417](#) R/B-Approve artwork for decorative Rocky Bleier street name sign.

**Attachments:** [Rocky Bleier artwork for street sign name .pdf](#)

**Legislative History**

9/23/19	Municipal Services Committee	referred
10/7/19	Municipal Services Committee	recommended for approval
		<i>Approval of amended design, front view of helmet</i>

[19-1469](#) Request from Catalyst Construction for a street occupancy permit for 120 feet of Durkee Street sidewalk and 105 feet of Washington Street sidewalk for the construction of the Avant Apartments from October, 2019 through August, 2020. Adjacent meters will be bagged and invoiced per the City's Meter Bag Policy.

**Attachments:** [Catalyst Construction-street occupancy permit.pdf](#)

**Legislative History**

10/7/19	Municipal Services Committee	recommended for approval
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[19-1477](#) Request from Alderperson Siebers to cease the one-way N. Clark Street trial based on residents concerns regarding automated garbage and recycling collection.

**Legislative History**

10/7/19	Municipal Services Committee	recommended for approval
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[19-1478](#) Approve proposed parking changes on the 100 block of S. Meade Street.

**Attachments:** [Proposed parking changes on the 100 block of S. Meade St.pdf](#)

**Legislative History**

10/7/19	Municipal Services Committee	recommended for approval
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10/9/19 Safety and Licensing recommended for approval  
Committee

[19-1493](#) Farm Market Application for Appleton Downtown Inc., Djuanna Hugdahl, 333 W College Ave, Suite 100, contingent upon approval of all departments.

**Attachments:** [ADI Farm Market.pdf](#)

**Legislative History**

10/9/19 Safety and Licensing recommended for approval  
Committee

[19-1506](#) 2019 Cigarette/Tobacco License application for Marley's Smoke Shop, located at 530 W College Ave.

**Attachments:** [Marley's Smoke Shop 2019 S&L 10-9-19.pdf](#)

**Legislative History**

10/9/19 Safety and Licensing recommended for approval  
Committee

[19-1507](#) 2019 Cigarette/Tobacco License application for RxLink University Pharmacy, located at 133 E. College Ave.

**Attachments:** [RxLink University Pharmacy S&L 10-9-19.pdf](#)

**Legislative History**

10/9/19 Safety and Licensing recommended for approval  
Committee

[19-1536](#) Class "A" Beer and "Class A" Liquor License Change of Agent application for Aldi #68, Jamison Pierce, New Agent, located at 116 N. Linwood Ave

**Attachments:** [Jamison Pierce S&L 10-16-19.pdf](#)

[19-1537](#) Class "B" Beer and Reserve "Class B" Liquor License Change of Agent application for The Bar on the Ave, Jamison Pierce, New Agent, located at 427 W. College Ave

**Attachments:** [Mark R Miller S&L 10-16-19.pdf](#)

[19-1538](#) Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Dairyland Brew Pub for October 19, 2019, contingent upon approval from all departments.

**Attachments:** [Dairyland Brew Pub with diagram.pdf](#)

[19-1541](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 10-16.pdf](#)

### 3. MINUTES OF THE CITY PLAN COMMISSION



[19-1409](#) Request to approve Rezoning #8-19 to rezone the area generally located east of Haymeadow Avenue and south of Spartan Drive (part of Tax Id #31-6-6201-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from AG Agricultural District and PD/R-2 Planned Development Two-Family District to PI Public Institutional District

**Attachments:** [StaffReport HaymeadowStormwater Rezoning For09-24-19.pdf](#)

**Legislative History**

9/24/19 City Plan Commission recommended for approval  
*Proceeds to Council on October 16, 2019.*

[19-1441](#) Request to approve Special Use Permit #10-19 for an event center with alcohol sales and consumption located at 513 West College Avenue (Tax Id #31-3-1005-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

**Attachments:** [StaffReport The 513 SUP For10-08-19.pdf](#)

**Legislative History**

10/8/19 City Plan Commission recommended for approval

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

[19-1480](#) Action Item: Request Approval of Reid Golf Course's 2020 Rates Policy

**Attachments:** [2020 Golf Rates Memo.doc](#)

[Reid Rate Policy Redline 2020.pdf](#)

[Reid Rate Policy 2020 Final.docx](#)

**Legislative History**

10/7/19 Parks and Recreation Committee recommended for approval

[19-1322](#) Action Item: Request Approval To Deny the Proposed Installation of the "Season III Better Days Sculpture" Within Houdini Plaza Per the Recommendation of the Appleton Public Art Committee

**Attachments:** [Park and Rec Memo-Houdini Plaza Acre of Art.pdf](#)

**Legislative History**

9/18/19 Common Council approved  
*This item was referred to the Parks & Recreation Committee meeting of 10-07-19 for further consideration.*

10/7/19 Parks and Recreation Committee recommended for denial

[19-1323](#) Action Item: Request Approval of the Proposed Installation of the "Season III Gyan Sculpture" Within Jones Park Per the Recommendation of the Appleton Public Art Committee

**Attachments:** [Park and Rec Memo-Jones Park Acre of Art.pdf](#)

**Legislative History**

9/18/19	Common Council	approved
	<i>This item was referred to the Parks and Recreation Committee meeting of 10-07-19 for further consideration.</i>	
10/7/19	Parks and Recreation Committee	recommended for approval

[19-1324](#) Action Item: Request Approval of the Proposed Installation of the "Season III To The Moon Alice Sculpture" Within Vulcan Heritage Park Per the Recommendation of the Appleton Public Art Committee

**Attachments:** [Park and Rec Memo-Vulcan Heritage Park Acre of Art.pdf](#)

**Legislative History**

9/18/19	Common Council	approved
	<i>This item was referred to the Parks &amp; Recreation Committee meeting of 10-07-19 for further consideration.</i>	
10/7/19	Parks and Recreation Committee	recommended for approval

## 5. MINUTES OF THE FINANCE COMMITTEE

[19-1555](#) Approval of Saint Joseph's Stipulation

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

[19-1472](#) Request to approve proposed changes to the Art in Public Places Policy as identified in the attached revised policy

**Attachments:** [Memo to CEDC Revised APAC Policy October 2019.pdf](#)  
[StaffReport Revised Policy For10-01-19.pdf](#)

**Legislative History**

10/9/19	Community & Economic Development Committee	recommended for approval
	<i>An administrative correction was made on Page 4 of the policy under "Gifted Public Art"; the word "manor" was corrected to "manner".</i>	

## 7. MINUTES OF THE UTILITIES COMMITTEE

[19-1447](#) Amend 2019J Stormwater Consulting Services Contract for Phase I Final Design and Construction documents and 2019 Construction Related Services (CRS) for Spartan Drive with Brown and Caldwell (BC) in an amount not to exceed \$36,540.

**Attachments:** [2019J Spartan Phase I final design BC Amendment Memo.pdf](#)

**Legislative History**

10/8/19 Utilities Committee recommended for approval

[19-1451](#) Anticipated award of contract for Unit N-19 Spot Repairs, Protruding Tap and Mineral Deposit Removal (Bids to be opened on Monday, October 7, 2019.)

**Attachments:** [Unit N-19.pdf](#)

**Legislative History**

10/8/19 Utilities Committee recommended for approval  
*Approved as amended to "Award of contract for Unit N-19 Spot Repairs, Protruding Tap and Mineral Deposit Removal to Hydro-Klean, LLC in an amount not to exceed \$141,000".*

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

[19-1319](#) Request to approve Mayor salary for the 2020-2024 term.

**Attachments:** [elected official info.pdf](#)

[elected official info #2.pdf](#)

[Elected official salary survey.pdf](#)

**Legislative History**

9/17/19 Human Resources & Information Technology Committee recommended for approval

*Motion that the Mayor's salary be approved with a 1.5% increase each of the years of the term.*

2020-2021 \$102,003

2021-2022 \$103,533

2022-2023 \$105,086

2023-2024 \$106,662

9/18/19 Common Council referred

10/9/19 Human Resources & Information Technology Committee recommended for approval

*Motion that the Mayor's salary be approved with a 1.5% increase each of the years of the term.*

2020-2021 \$102,003

2021-2022 \$103,533

2022-2023 \$105,086

2023-2024 \$106,662

19-1320 Request to approve City Attorney salary for the 2020-2024 term.Legislative History

9/17/19	Human Resources & Information Technology Committee	recommended for approval
	<i>Motion that the City Attorney's salary be approved with a 2.0% increase each of the years of the term.</i>	
	<i>2020-2021 \$122,658</i>	
	<i>2021-2022 \$125,111</i>	
	<i>2022-2023 \$127,613</i>	
	<i>2023-2024 \$130,165</i>	
9/18/19	Common Council	referred to the Human Resources & Information Technology Committee
10/9/19	Human Resources & Information Technology Committee	amended
	<i>Motion made to set the Attorney salary for 2020 and add a 2% increase each of the following years.</i>	
	<i>2020-2021 \$131,000</i>	
	<i>2021-2022 \$133,620</i>	
	<i>2022-2023 \$136,292</i>	
	<i>2023-2024 \$139,018</i>	
10/9/19	Human Resources & Information Technology Committee	recommended for approval

19-1490 Request to approve the Appleton Police Professional Association 2020-2024 contract with changes per the tentative agreement and rates changes of:**2020:** 1.00% on April 1st and 1.25% on October 1st**2021:** 1.00% on April 1st and 1.25% on October 1st**2022:** 1.00% on April 1st and 1.50% on October 1st**2023:** 1.50% on April 1st and 1.50% on October 1stAttachments: [APPA Tentative Agreement 9-27-19 final.pdf](#)Legislative History

10/9/19	Human Resources & Information Technology Committee	recommended for approval
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**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**19-1464 Approve Staff Vehicle PurchaseAttachments: [Award Recommendation for a Support Vehicle FCTC Action Item 19-1464.docx](#)Legislative History

10/8/19	Fox Cities Transit Commission	recommended for approval
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[19-1465](#) Approve Pass Agreement between Valley Transit and Fox Valley Technical College

**Attachments:** [Agreement with FVTC - Pass Agrm 2020.pdf](#)

**Legislative History**

10/8/19 Fox Cities Transit Commission recommended for approval

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

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[19-1508](#) Ordinance #91-19, Haymeadow Stormwater Pond Rezoning

**Attachments:** [Ordinance going to Council 10-16-19.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.*



# City of Appleton

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## Meeting Minutes - Final-revised Common Council

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Wednesday, October 2, 2019

7:00 PM

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order by Mayor Hanna at 7:03 p.m.*

B. INVOCATION

*The Invocation was offered by Alderperson Schultz.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Corey Otis and Mayor Timothy Hanna

**Excused:** 2 - Alderperson Brad Firkus and Alderperson Matt Reed

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Attorney Walsh, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Library Director Rortvedt, Director of Parks, Recreation, & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Valley Transit General Manager Mc Donald*

*The following were excused:*

*Health*

*Human Resources*

*Information Technology*

*Utilities*

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-1431](#)

Common Council Meeting Minutes of September 18, 2019

**Attachments:** [CC Minutes 9-18-19.pdf](#)

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

**Aye:** 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

**Excused:** 2 - Alderperson Brad Firkus and Alderperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

[19-1432](#) Fire Prevention Week Proclamation

**This Proclamation was presented.**

[19-1436](#) National Coming Out Day Proclamation

**This Proclamation was presented.**

[19-1435](#) Appointments to the Board of Zoning Appeals

**Attachments:** [APPT TO BOARD OF ZONING APPEALS - 10-02-2019.pdf](#)

**Alderperson Croatt moved, seconded by Alderperson Lobner, that the Board of Zoning appointments be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

**Excused:** 2 - Alderperson Brad Firkus and Alderperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

H. PUBLIC PARTICIPATION

*The following individuals spoke during public participation:*

*Item 19-0796 Soldier's Square  
Laura Leimer, 720 E Washington St.*

*Item 19-1402 U.S Venture  
Thomas Wiltzius, 406 N Richmond St.  
Jay Plamann, 601 Carrington Ln.  
Bob Dekoch, W3862 Highview Dr.  
Patti Habeck, 1611 E Meadowgrove Blvd.  
Walter Blank, 2623 E Sundance Dr.  
Mike Thomas, 1 Hillview Ct.  
John Pfeferle, 200 E Washington St.  
Paul, Hoffman, 200 E Washington St.  
Hope Karth, 16 Robincrest Ct.  
Tom Roessler, 3023 E Fallcreek Ln.  
Deb Blank, 2673 E Sundance Dr.  
Nathan Litt, 1 Lawrence Ct.  
Bill Breider, 218 E Lawrence Ct.  
Cindy Schotsky, 1101 S Oneida St.  
Deb Johnson, 300 W College. Ave.  
Jennifer Stephany, ADI  
John Schmidt, 212 N Green Bay Rd.  
Brad Cebulski, 606 E Woodcrest Dr.  
Tony Lindberg, 219 W Arrowhead Ln.  
David Oliver, 533 E Franklin St.  
Peter Kelly, Neenah*

*Item 19-1407 Special Use Permit #9-19  
Colin Cassady*

*Item 19-1420 Appleton Development LLC curb cut  
Daniel Hoff, 225 E Wayfarer Ln.  
Michael Green, N1395 Shaky Ln.*

I. PUBLIC HEARINGS

[19-1403](#) Public Hearing, Street Vacation for S. Locust Street

**Attachments:** [Public Hearing - S Locust St.pdf](#)

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

J. SPECIAL RESOLUTIONS



[19-1404](#)

Final Resolution for Street Vacation for S. Locust Street

**Attachments:** [South Locust Street - Final Resolution.pdf](#)

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

**Aye:** 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

**Excused:** 2 - Alderson Brad Firkus and Alderson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

**19-1460**

Motion to Reconsider Items:

19-1322

19-1323

19-1324

**Alderson Martin moved, seconded by Alderson Lobner, that the items be reconsidered. Roll Call. Motion carried by the following vote:**

**Aye:** 10 - Alderson William Siebers, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Corey Otis

**Nay:** 1 - Alderson Vered Meltzer

**Excused:** 2 - Alderson Brad Firkus and Alderson Matt Reed

**Abstained:** 3 - Alderson Denise Fenton, Alderson Alex Schultz and Mayor Timothy Hanna

[19-1419](#)

R/B-Resolution #11-R-19 regarding the creation of a parking lot on the former Blue Ramp site.

**Attachments:** [Resolution #11-R-19.pdf](#)

**This Resolution was referred to the Municipal Services Committee due back on 10/7/2019.**

[19-1420](#)

Request from Appleton Development LLC for a curb cut on College Avenue at 1023 W. College Avenue. Curb cuts on this segment of College Avenue require Common Council approval per Resolution #84-R-90.

**Attachments:** [Appleton Development LLC-1023 W College Ave curb cut.pdf](#)

**Aldersperson Coenen moved, seconded by Aldersperson Croatt, that the request for the curb cut be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

**Excused:** 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

[19-1407](#)

Request to approve Special Use Permit #9-19 for a community living arrangement (CLA) serving 28 persons at 975 East John Street (Tax Id #31-1-0772-01), to run with the land, with an exception to the Aldermanic District 4 CLA capacity limitation per Section 23-52(b)(2)(a) of the Zoning Ordinance, as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

**Attachments:** [StaffReport\\_EaglePointLotTwo\\_SUP\\_For09-24-19.pdf](#)

**Aldersperson Spears moved, seconded by Aldersperson Meltzer, that the Special Use Permit application be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

**Excused:** 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

[19-0796](#)

## Resolution #5-R-19: Rededication and Revitalization of Soldier's Square

**Attachments:** [#5-R-19 Soldier's Square PROPOSED REVISIONS 9-25-19.pdf](#)  
[Reso #5-R-19 Memo to CEDC 9-11-19.pdf](#)  
[#5-R-19 Soldier's Square.pdf](#)  
[Soldier Square Ramp Deed Restriction Opinion 09-05-2019.pdf](#)  
[Reso #5-R-19 Memo to CEDC 6-12-19.pdf](#)  
[Original Deed from 1851.pdf](#)  
[Historical Newspaper Articles.pdf](#)  
[Muni Services Minutes 11-11-08.pdf](#)  
[Council Minutes 11-19-08.pdf](#)  
[Civil War Monument Condition Report.pdf](#)  
[Excerpt from Comp Plan re Soldier Square-YMCA Park Ramp Area.pdf](#)  
[1922 Comprehensive Plan.pdf](#)  
[Map of Streets-Area in 1922.pdf](#)  
[#5-R-19 Soldier's Square AMENDMENT 10-2-2019.pdf](#)

**Aldersperson Fenton moved, seconded by Aldersperson Williams, that the Resolution be amended as attached. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

**Nay:** 1 - Aldersperson Patti Coenen

**Excused:** 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

**Aldersperson Martin moved, seconded by Aldersperson Lobner, that the Resolution be approved as amended. Roll Call. Motion carried by the following vote:**

**Aye:** 8 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz and Aldersperson Christine Williams

**Nay:** 5 - Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

**Excused:** 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

[19-1422](#)

Request from Antonio Hernandez, 1231 S. Telulah Avenue, for a variance to Municipal Code 19-91(f)(5) to extend the driveway 8 feet into the front yard.

**Attachments:** [Antonio Hernandez-1231 S. Telulah variance.pdf](#)

*Vote is notwithstanding an aye vote approves the request and a nay vote denies it.*

**Aldersperson Williams moved, seconded by Aldersperson Martin, that the variance request be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 9 - Aldersperson William Siebers, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

**Nay:** 4 - Aldersperson Vered Meltzer, Aldersperson Denise Fenton, Aldersperson Christine Williams and Aldersperson Patti Coenen

**Excused:** 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

**L. COMMITTEE REPORTS**

*Meeting went into Recess at 9:10 p.m.*

*Meeting Reconvened at 9:15 p.m.*

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

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

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Corey Otis

**Excused:** 2 - Aldersperson Brad Firkus and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

**1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

**2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

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

[19-1410](#)

Request to approve the dedication of land for public right-of-way for a portion of Spartan Drive generally located east of Haymeadow Avenue (part of Tax Id #31-6-6200-00 and #31-6-6201-00), as shown on the attached maps

**Attachments:** [StaffReport\\_SpartanEastofHaymeadow\\_PubDedic\\_For09-24-19.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**

[19-1415](#)

Amend 2019G French Road Urbanization Study Contract with raSmith by an amount not to exceed \$9,100.

**Attachments:** [2019G French Urbanization Amendment 1 Memo Util Cmte 09-17-2019 final.pdf](#)

This Report Action Item was approved.

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

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

[19-1362](#)

Drug and Alcohol Policy Update

**Attachments:** [Drug Free Workplace with CDL Valley Transit.pdf](#)

This Report Action Item was approved.

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

**M. CONSOLIDATED ACTION ITEMS**

**N. ITEMS HELD**

**O. ORDINANCES**

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO  
COMMITTEES OF JURISDICTION

## Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

### *RESOLUTION #13-R-19*

*Climate Change*

*Date: October 2, 2019*

*Submitted By: Alderperson Schultz – District 9, Alderperson Meltzer – District 2, Alderperson Fenton – District 6, & Alderperson Otis – District 15*

*Referred To: Parks & Recreation Committee*

*WHEREAS, the United Nations Intergovernmental Panel on Climate Change (IPCC) issued a report in October 2018 titled, "Global Warming of 1.5°C, an IPCC special report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty", and the United States Global Change Research Program released the "Fourth National Climate Assessment" (NCA4) in November 2018, which found:*

- The global climate is diverting from its prehistoric pattern due primarily to human activity since the Industrial Revolution, including increased greenhouse gas emissions, deforestation, and other land use changes.*
- Human activities have increased the average global temperature by approximately 1.0°C (1.8°F) since the early 1800s, and will likely rise to 1.5°C (2.7°F) between 2030 and 2052, and 2.0°C (3.6°F) under current emissions, making the Earth significantly less habitable for humans and wildlife alike; and*

*WHEREAS, the August 2016 report by the Environmental Protection Agency on Wisconsin's future climate affirmed that Wisconsin's climate is changing over the past century, has already warmed about two degrees (F), and also finding:*

- Ice cover on the Great Lakes is forming later or melting sooner and in the coming decades, the state will have more extremely hot days. These warming trends will lead to greater algal blooms, more frequent and severe storms which increase pollutant run-off into the lakes, and produce heat waves dangerous to vulnerable populations like the young, elderly, sick and poor.*
- Wisconsin will likely experience a decline to 1980s levels in agricultural productivity, a downturn in the forest industry as trees succumb to temperature changes and the advancement of invasive species, loss of biodiversity as many plant and animal species go extinct and increased public health problems from poorer air quality due to increases in ground-level ozone, extended length of pollen seasons, and deadlier than ever urban heat island effects; and*

*WHEREAS, the United Nations Framework Convention on Climate Change, of which the United States is a Member State, adopted the Paris Agreement (Paris Climate Accord) in 2016, a global plan to counteract climate change and prevent the average global temperature from rising to or above 2°C, and*

*WHEREAS, The overwhelming threats from climate change and human induced stressors to our environment, infrastructure, economy, and residents' health require that we take bold mitigation and adaptation measures to address these consequences of climate change well beyond the many successful measures already employed on City properties, grounds and facilities; and*

*WHEREAS, Climate change will impact all residents of Appleton, but will disproportionately affect communities already facing disparities in socioeconomic and health resources, and as such, climate action is necessary to advance social equity;*

and

*WHEREAS, Efforts to reduce carbon emissions, adapt to climate change impacts and address issues of environmental pollution and waste will benefit Appleton residents through cost savings, stable energy prices, job opportunities and increased local revenues, social equity, improved air and water quality, and improved public health; and*

*WHEREAS, A climate action plan is the best platform to outline urgently needed comprehensive mitigation and adaptation strategies to address a changing climate, excessive waste, persistent non-point pollution as well as introduce new opportunities to embrace localized alternative energy production, reforestation for carbon sinking, enhanced focus on smart buildings and environmentally sound growth, composting and rainwater retention and reuse, increased public transit and non-motorized transportation opportunities, and expansion of locally grown and ready available non-processed food sources, and more;*

*NOW THEREFORE BE IT RESOLVED, Appleton hereby establishes a taskforce named the "Appleton Taskforce on Resiliency, Climate Mitigation and Adaptation" to convene area leaders for the purpose of making practical recommendations consistent with the 2018 IPCC and NCA4 reports so our community may move significantly toward the goal of achieving net zero greenhouse gas emissions by 2050, or sooner, mitigate the adverse effects of multiple sources pollution, reduce waste in energy and food production streams, address resource depletion and other human-induced environmental stressors, increase our protection efforts of native biodiversity and reduce the spread of invasive species, and adapt to the growing threats of climate change by establishing enhanced conservation and alternative use policies that empower corporations, business and individual citizens to deploy alternative methods of traditional resource management and energy production;*

*BE IT FURTHER RESOLVED, the Taskforce will be composed of 10 members appointed by the Mayor which shall include a city department head, 2 members of Common Council, 2 individuals from Intergovernmental Agencies and/or Institutions of Higher Learning, 2 individuals from NGOs working on Climate Change mitigation and/or resiliency, and 3 other volunteer residents of Appleton. The Taskforce will elect its own Chair and the Chair will be empowered to create subcommittees as necessary for research and recommendations to the Taskforce. Taskforce members will serve 2-year terms subject to reappointment by the Mayor.; and,*

*BE IT FURTHER RESOLVED, the Taskforce shall advise the City of its recommendations which shall include, but not be limited to, providing:*

- A roadmap of required and measurable governmental actions to accomplish greenhouse gas reduction goals consistent with IPCC goals;*
- A comprehensive list of actionable initiatives to address climate mitigation, all aspects of waste management, biodiversity protection and enhanced resiliency, including potential costs for implementation where practical,*
- A list of outside experts, the City may contract with for technical expertise who may further the goals of the Taskforce; and*

*BE IT FURTHER RESOLVED, the Taskforce shall be formed and meet as soon as practicable and shall present their findings to the Common Council within six months of resolutions' passage and bi-annually for the two year duration of the taskforce service.*



*Resolution #14-E-19  
Reasonable Accommodations in Building & Zoning Codes  
Date: October 2, 2019  
Submitted By: Alderperson VanZeeland – District 5  
Referred To: Attorney's Office*

*Therefore Be It Resolved, that the City of Appleton will include, within the terms of building and zoning codes, reasonable accommodations for persons with disabilities.*

## R. OTHER COUNCIL BUSINESS

[19-1402](#)

Discussion concerning US Venture Bluff Site Development and Status of Project

**Attachments:** [USV - FAQs, Parking Ramp Presentation 9-4-19.pdf](#)

## S. CLOSED SESSION

[19-1433](#)

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 pursuant to State Statute §19.85(1)(g) concerning pending litigation which we are or likely to be involved concerning the St. Joe's site and then reconvene into open session.

**Alderperson Croatt moved, seconded by Alderperson Martin, that the Common Council convene into closed session at 9:33 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Corey Otis

**Excused:** 2 - Alderperson Brad Firkus and Alderperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

## T. ADJOURN

*Lobner moved, seconded by Spears to reconvene in open session. Roll Call. Motion carried 13/0 and at 10:45 p.m. the Council reconvened into open session. No action was taken in closed session.*

**Alderperson Croatt moved, seconded by Alderperson Otis, that the meeting be adjourned at 10:46 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Corey Otis and Mayor Timothy Hanna

**Excused:** 2 - Alderperson Brad Firkus and Alderperson Matt Reed

Kami Lynch, City Clerk

**NOTICE OF PUBLIC HEARING****#8-19****RE: Proposed Zone Change**

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on Wednesday, October 16<sup>th</sup>, 2019, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zone change:

**Rezoning #8-19:** The owner, City of Appleton, and applicant, Tom Kromm, City Surveyor, are requesting to rezone part of property tax id #31-6-6201-00 from AG Agricultural District and PD/R-2 Planned Development Two-family Residential District to P-I Public Institutional District. The P-I District is intended to provide for public and institutional uses and buildings, utilized by the community, and to provide open space standards where necessary for the protection of adjacent residential properties.

**Purpose of the Rezoning:** To facilitate the construction of a City-owned and operated stormwater pond within the City's northwest growth area. Also, this rezoning request places this City-owned parcel into one zoning district rather than two zoning districts which is not allowed by the Zoning Ordinance.

**Legal Description:** Part of the Northwest ¼ of the Southeast ¼ of Section 2, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 75,212 sq. ft. of land and being described by: Commencing at the W ¼ corner of said Section 2; Thence South 89°57'54" East 2478.72 feet coincident with the North line of the SW ¼ to the Center of said Section 2; Thence South 89°40'21" East 212.11 feet coincident with the North line of the SE ¼ of said Section 2; Thence South 00°15'15" West 115.56 feet to a point on the East line of Haymeadow Avenue and being the Point of Beginning; Thence Northeasterly 278.09 feet along the arc of a curve to the left having a radius of 315.00 feet and the chord of which bears North 64°57'46" East 269.15 feet Thence continue Northeasterly 198.10 feet along the arc of a curve to the right having a radius of 1,035.00 feet and the chord of which bears North 45°09'17" East 197.80 feet; Thence North 50°38'16" East 325.25 feet; Thence South 00°19'45" West 90.97 feet; Thence South 50°38'16" West 267.15 feet; Thence Southwesterly 184.70 feet along the arc of curve to the left having a radius of 965.00 feet and the chord of which bears South 45°09'17" West 184.42 feet; Thence continue Southwesterly 339.89 feet along the arc of a curve to the right having a radius of 385.00 feet and the chord of which bears South 64°57'46" West 328.96 feet; Thence North 00°15'15" East 70.00 feet coincident with the East line of Haymeadow Avenue to the point of beginning. Also including to the center line of the adjacent right-of-way.

September 25, 2019

RUN: October 1, 2019  
October 8, 2019**KAMI LYNCH**  
City Clerk

## Paula Vandehey

---

**From:** Renee Padgett  
**Sent:** Thursday, August 1, 2019 10:11 AM  
**To:** Paula Vandehey  
**Cc:** Ross Buetow; Mark Lahay  
**Subject:** FW: FW: Request for Sidewalk Removal at RESIDENTIAL PROPERTY INQUIRY FOR 31-9-2950-00 / 1001 E KRAMER LA

fyi

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**From:** Todd Santoro <santorotodd13@gmail.com>  
**Sent:** Thursday, August 1, 2019 10:03 AM  
**To:** Renee Padgett <Renee.Padgett@Appleton.org>  
**Subject:** Re: FW: Request for Sidewalk Removal at RESIDENTIAL PROPERTY INQUIRY FOR 31-9-2950-00 / 1001 E KRAMER LA

Good morning Renee,

Thank you for CCing me in on your email. I'm not sure if it makes a difference, but I would like the entire sidewalk removed from our block. My sidewalk is in fine condition, but my neighbors sidewalk needs to be removed and replaced. Their sidewalk is the last portion before the end that was never completed towards the Bob O Link side.

Thanks again,  
Todd Santoro

On Thu, Aug 1, 2019, 9:55 AM Renee Padgett <[Renee.Padgett@appleton.org](mailto:Renee.Padgett@appleton.org)> wrote:

fyi

*Renee Padgett*

920-832-5592

[City of Appleton](#) | [Public Works](#) | [Engineering](#)



## Paula Vandehey

---

**From:** Renee Padgett  
**Sent:** Wednesday, July 31, 2019 12:33 PM  
**To:** Paula Vandehey  
**Cc:** Ross Buetow; Mark Lahay  
**Subject:** Request for Sidewalk Removal at RESIDENTIAL PROPERTY INQUIRY FOR 31-9-2950-00 / 1001 E KRAMER LA

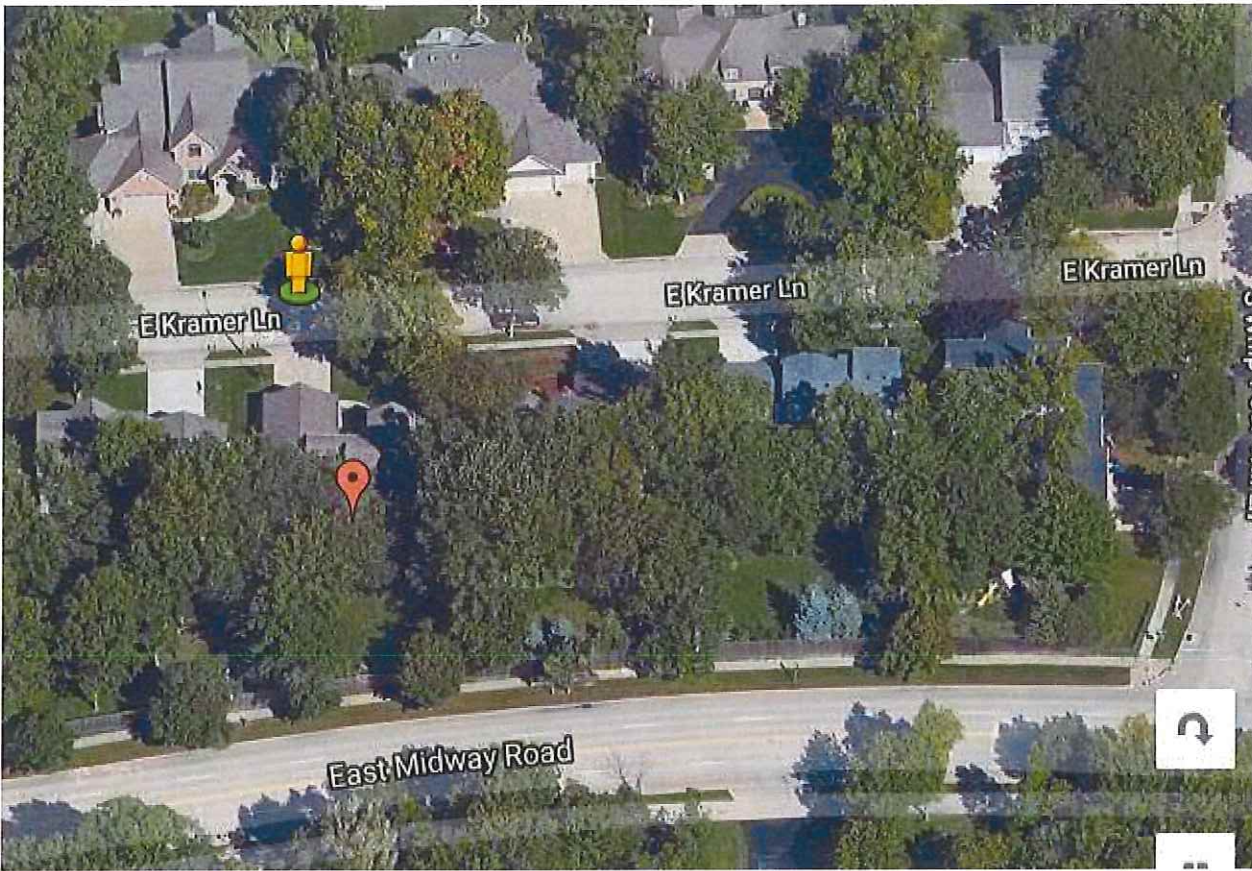
Hi Paula:

Todd Santoro (920-530-7798 or santorotodd13@gmail.com) would like to request removal of sidewalk on his property at 1001 E KRAMER LA. He states it is in bad need of repair and that it also leads to nowhere.

Todd is a firefighter and works shifts on the upcoming MSC dates. He would like to be heard at the September 9, ~~2018~~  
Municipal Services Committee starting at 4:30. 2019







*Renee Padgett*

920-832-5592

[City of Appleton](#) | [Public Works](#) | [Engineering](#)



# Why Sidewalks on Kramer Lane?

## GENERAL

- Sidewalk Installation Policy
  - First adopted in 1992: *"To provide pedestrian safety and convenience throughout the City of Appleton. Providing a walkable city also promotes a sense of community, provides for safe recreation and exercise, reduces traffic congestion, pollution and noise."*
  - For neighborhoods established prior to 1992: *"Sidewalk shall be installed along the one side of any residential block in which sidewalks exist along 50% of that side of the block."*
- Complete Streets Policy
  - First adopted in 2016: *"Appleton streets are designed and maintained to be safe, accessible, convenient and comfortable for all transportation modes, ages and abilities at all times."*
  - Projects Section states: *"The City of Appleton shall approach all transportation projects as an opportunity to create safer, more accessible streets for all users."*
  - Network Section states: *"Under this policy, the City of Appleton will gradually create a network of streets to serve all users."*
- Comprehensive Plan - Transportation Chapter
  - Walking Section states: *"Both on a national and local scale, there is an increasing interest in making walking a viable form of transportation within a community... Appleton has developed a pedestrian friendly network of sidewalks and paths through most of its neighborhoods. This system is expanding through new sidewalks in developing parts of the community and through the efforts to expand the path systems."*
- Creating a Sustainable City Plan
  - Implementing the On-Street Bike Lane Plan, expanding the sidewalk network and trail system are mentioned throughout the Sustainability Master Plan.
- Health in All Policies
  - First adopted in 2017: *"Health in All Policies is a collaborative approach to improving the health of all people by incorporating health consideration into decision-making across sectors and policy areas."*
  - Social Determinates of Health Section states: *"Accessible built environments that promote health and safety, including improved pedestrian, bicycle, and automobile safety, parks and green space, and health school siting."*

## SPECIFIC

- Sidewalks exist along 6 of the 8 properties.
- Sidewalk would connect to existing sidewalks on Bob-O-Link and Whip-Poor-Will leading directly to Midway Road sidewalk.
- Within 0.3 miles of Green Meadows Park and 0.7 miles of Janet Berry Elementary School





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

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

Approved 3/20/13

## CITY OF APPLETON SIDEWALK INSTALLATION POLICY

This policy has been developed to provide pedestrian safety and convenience throughout the City of Appleton. Providing a walkable city also promotes a sense of community, provides for safe recreation and exercise, and reduces traffic congestion, pollution, and noise.

### I. NEW SUBDIVISIONS

Property owners in new subdivisions will be notified at time the occupancy permit is issued that they have six months to install sidewalk.

Vacant lots will have sidewalk installed as part of the Concrete Street Paving Program.

### II. ESTABLISHED NEIGHBORHOODS (PRIOR TO 1992)

Sidewalks shall be installed when one of the following conditions is met:

#### A. Arterial & Collector Streets

Sidewalks shall be installed on both sides of all arterial and collector streets in accordance with the Five-Year Sidewalk Plan adopted by Common Council.

#### B. Local Streets

1. Sidewalks shall be installed along any residential property when a specific need is demonstrated and approved by Common Council.
2. Sidewalks shall be installed along the one side of any residential block in which sidewalks exist along 50% of that side of that block.
3. Sidewalks shall be installed on all streets, within ½ mile, leading directly to elementary and middle schools and other major pedestrian generators as demonstrated and approved by the Common Council. The city will work with the School Districts to provide safe walking routes.
4. Sidewalk shall be considered for installation, where they currently don't exist when streets are reconstructed.

**III. EXISTING SIDEWALK**

No existing sidewalk may be removed or abandoned without Common Council approval.

**IV. ANNEXED AREAS**

Sidewalks shall be installed in newly annexed areas at the time the streets are constructed to urban sections.

**V. NEW NON-RESIDENTIAL SITE PLANS**

Sidewalks shall be installed by the site owner in conjunction with the facility construction on non-residential properties.

**VI. INDUSTRIAL PARKS**

Sidewalks shall not be required within a City of Appleton Industrial Park unless a specific pedestrian need is demonstrated.

**VII. CITY PARKS**

Sidewalks or alternative pedestrian pathways shall be installed along or within City Parks where there is a demonstrated need and subject to review by Park and Recreation Committee and subsequent consideration by Municipal Services Committee and final approval by the Common Council.

**VIII. MISCELLANEOUS ISSUES**

Sidewalks shall be installed along all blocks that lead to all-way stop controlled and signal controlled intersections.

**IX. CHANGES TO POLICY**

This policy shall not be revoked or substantively modified unless:

- A. The city published notice of the initial Committee meeting (date, time and location) at which action may be taken to revoke or modify the policy.
- B. Such notice shall expressly notify the public that the policy will be reviewed at the meeting.
- C. The notice shall be published in the City Guide or at least twice in the local newspaper in an ad not smaller than 4 inches by 4 inches (including a weekday edition and a weekend edition) within 7 days immediately preceding the meeting.
- D. Any revocation of/or modification to the policy must be approved by the Common Council.

# MEMO

**TO:** Municipal Services Committee  
**FROM:** Paula Vandehey, Director of Public Works  
**DATE:** September 12, 2019  
**SUBJECT:** Rocky Bleier Run artwork for street name sign.

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Rocky Bleier Run is being reconstructed in 2019 as part of the Oneida Street Bridge of Jones Park Project. Alderperson Martin requested that the Department of Public Works Sign Shop create something unique for this street name sign.

We request that this design be approved for use on the project.







# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
 Effective Date: \_\_\_\_\_  
 Expiration Date: \_\_\_\_\_  
 Fee: \_\_\_\_\_  
 Paid (yes or no): \_\_\_\_\_

Rev. 04-10-15

### Applicant Information

Name (print): Josh Fenske Company: Catalyst Construction  
 Address: 4351 W College Avenue Telephone: 920-716-6940 FAX: 920-574-2689  
Suite 420, Appleton, WI 54914 e-mail: jfenske@catalystbuilds.com  
 Applicant Signature: *Josh Fenske* Date: 9/18/2019

### Occupancy Information

General Description: For the duration of our construction project of the Avant Apartments( October 2019-August 2020), we will need to stop public sidewalk access on East Durkee Street and South Washington Street. Please see map attached for reference  
 Street Address: \_\_\_\_\_ Tax Key No.: \_\_\_\_\_  
 - or -  
 Street: Durkee From: 118 To: 126  
 Multiple Streets: Durkee Street and Washington Street Sidewalks

*(Department use only)*

Occupancy Type	Sub-Type	Location
<input checked="" type="checkbox"/> Permanent (\$40)	<input type="checkbox"/> Sandwich Board	<input type="checkbox"/> Sidewalk
<input type="checkbox"/> Temporary - max. 35 days (\$40)	<input type="checkbox"/> Tables / Chairs	<input type="checkbox"/> Terrace
<input type="checkbox"/> Amenity/Annual (\$40)	<input type="checkbox"/> Dumpster	<input type="checkbox"/> Roadway
<input type="checkbox"/> Blanket/Annual (\$250)	<input type="checkbox"/> POD / Container	
<input type="checkbox"/> Block Party (\$15)	<input type="checkbox"/> Obstruction / Other	

### Additional Requirements

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

### Traffic Control Requirements

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

Type of Street:	Proposed Traffic Control:
<input type="checkbox"/> Arterial/CBD	<input type="checkbox"/> City Manual Page(s) _____
<input type="checkbox"/> Collector	<input type="checkbox"/> State Manual Page(s) _____
<input type="checkbox"/> Local	<input type="checkbox"/> Other (attach plan)

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

This permit approval is subject to the following conditions:

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

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

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

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



**PROPOSED SW CLOSURES**

Entrance Gate where driveway to new building is proposed





DEPARTMENT OF PUBLIC WORKS  
Engineering Division – Traffic Section  
2625 E. Glendale Avenue  
Appleton, WI 54911  
TEL (920) 832-5580  
FAX (920) 832-5570

**To:** Municipal Services Committee  
**From:** Michael S Hardy, Assistant City Traffic Engineer  
**Date:** September 20, 2019  
**Re:** Proposed parking changes on 100 block of S. Meade Street, west side (south of College Ave)

Our office was contacted by representative from Memorial Presbyterian Church, located on the southeast corner of College Avenue and Meade Street, inquiring about the “*No stopping, standing, or parking, except Police-Authorized Vehicles*” restriction on the west side of Meade Street across from the church. This small restriction was created in 2011 for the crossing guard to have a preserved parking location near the College & Meade intersection. Upon contact with the Police Department, it was determined this crossing guard post has since been eliminated.

Based on this, we recommend eliminating this restriction.

**To accomplish this, the following ordinance action is required:**

1. **Repeal Ord. 04-11:** “Stopping, standing or parking be prohibited from 7:00 a.m. to 4:00 p.m. on school days, except for police-authorized vehicles, on the west side of the Meade Street from a point 148 feet south of College Avenue to a point 173 feet south of College Avenue.”





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

DEPARTMENT OF PUBLIC WORKS  
Engineering Division – Traffic Section  
2625 E. Glendale Avenue  
Appleton, WI 54911  
TEL (920) 832-5580  
FAX (920) 832-5570

**To:** Municipal Services Committee  
**From:** Eric Lom, Traffic Engineer  
**Date:** October 2, 2019  
**Re:** Intersection traffic control at the Locust Street / Parkway Boulevard intersection  
*Follow-Up to Six-Month Trial Period*

As a follow-up to a citizen concern, the Traffic Section recently reviewed the traffic control at the intersection of Locust Street and Parkway Boulevard, and subsequently initiated a six-month trial period to change from yield control to two-way stop control. This intersection is located one block west of Richmond Street and three blocks south of Glendale Avenue. The land use in this area is mixture of commercial and residential.

In a typical intersection control study, we consider traffic volumes, crash history, safe approach speeds, etc. In this case, the estimated entering volume of this intersection is low to moderate, at approximately 1700 vehicles per day. A review of crash records indicated two crashes for the recent five-year period of 2015 through 2019. The critical approach speed for the intersection was found to be approximately 6 mph due primarily to vegetation located in the southeast and northeast quadrants of the intersection. Both streets are classified as *local*.

While this intersection does not meet the volume or crash thresholds for stop control, the critical approach speed is below standard. As such, we recommend maintaining the two-way stop control that was implemented for the trial period.

**To accomplish this, the following ordinance action is required:**

1. **Create:** "Install Stop signs on Locust Street at Parkway Boulevard."



DEPARTMENT OF PUBLIC WORKS  
Engineering Division – Traffic Section  
2625 E. Glendale Avenue  
Appleton, WI 54911  
TEL (920) 832-5580  
FAX (920) 832-5570

**To:** Municipal Services Committee  
**From:** Michael Hardy, Assistant City Traffic Engineer  
**Date:** September 20, 2019  
**Re:** New Street Light Request – 2000 S Matthias Street

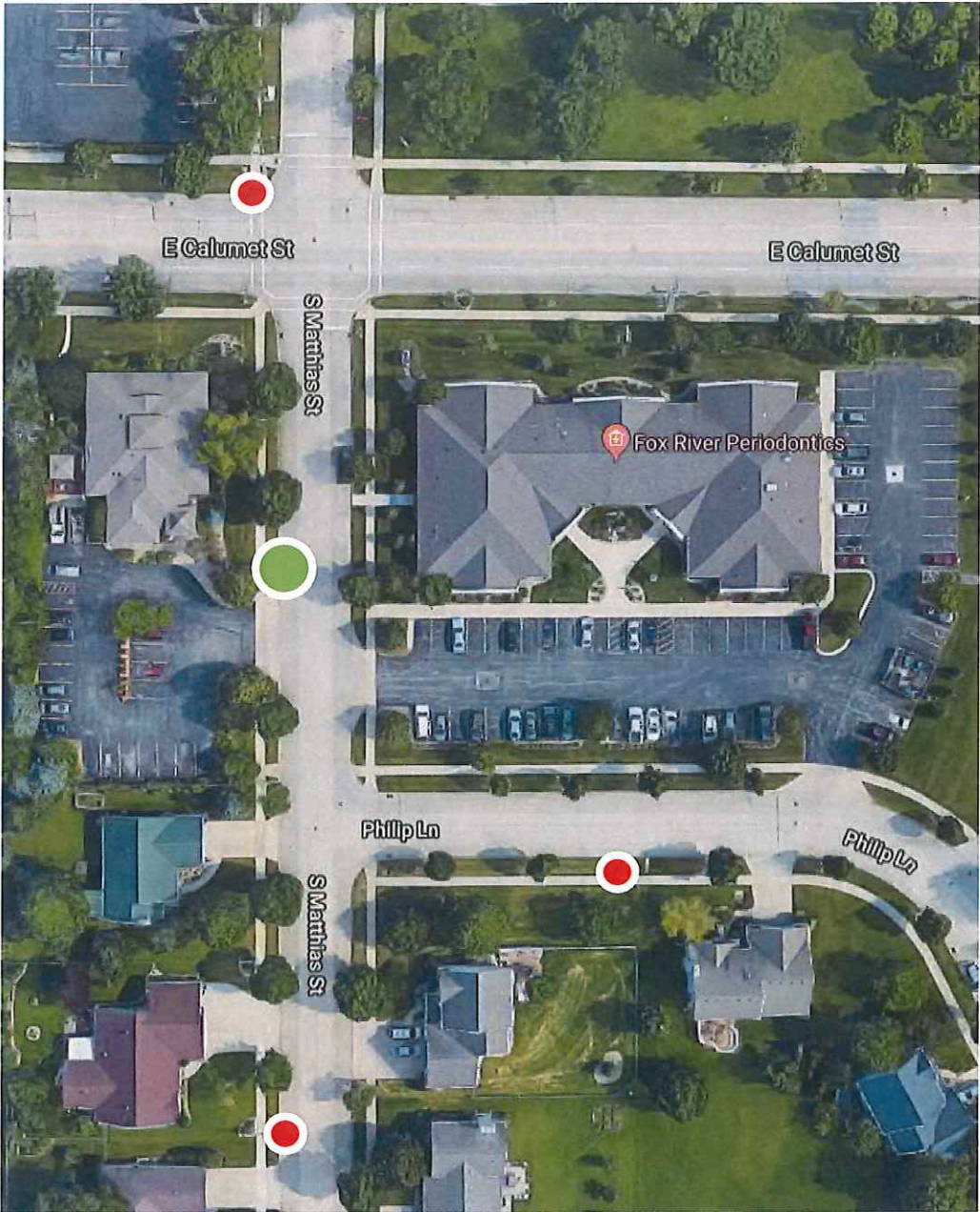
While conducting reviews for the City’s LED street light conversions, we identified a lack of street lighting on block of Matthias Street between Calumet Street and Philip Lane. This is a short block, with commercial / office development on both sides of the street. We suspect a streetlight existed at one time, but was removed to accommodate a driveway for the current development and never restored.



**2000 S Matthias Street, looking south from Calumet Street.**

Upon review of this situation, the Traffic Section supports the addition of a new residential streetlight on this block. The existing *Street Light Policy* dictates that requests for new street light additions be submitted for approval to Municipal Service Committee and the Common Council. With approval, our office would work with WE Energies to add a new leased LED street light on a new wood pole located on the west side of the street. The install cost is estimated to be \$4,646.00, with an ongoing monthly cost of \$10.32 thereafter. These costs would apply to City’s street lighting account (17023).





**Aerial View of S Matthias Street, illustrating existing and proposed streetlights near Phillip Lane.**

Legend:

- Existing residential street light
- Proposed new residential street light

# Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: \_\_\_\_\_ ending: 06/30/2020  
(mm dd yyyy) (mm dd yyyy)

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

County of Calumet 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 + 7</u>
<b>TOTAL FEE</b>	\$ <u>660</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)  
Stokes, Tracy

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	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Stokes</u>	<u>Tracy</u>	<u>L.</u>	<u>1106 W. Glendale Ave Appleton, WI 54914</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
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)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Study Hall Grill + Pub Business Phone Number \_\_\_\_\_  
 2. Address of Premises 313 E. Calumet St. Post Office & Zip Code Appleton, WI 54915

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.)  
1100 sq ft corner building. Bathroom, bar and grill area. Alcohol stored behind bar, in coolers, back locked room and back walk-in cooler.

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? Study Hall

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  
 I do not currently have a beverage license in any municipality
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 \_\_\_\_\_ and date \_\_\_\_\_ 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.) Stokes, Tracy, L.	Title/Member owner	Date 9-6-2019
Signature <i>[Signature]</i>	Phone Number [REDACTED]	Email Address [REDACTED]

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk	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: Tracy Stokes
2. Name of Business: Study Hall Bar + Grill
3. Address of Business: 313 E. Calumet St. Appleton, WI 54915

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes  No   
 AND/OR been convicted of a felony? Yes  No

If yes to either question, please explain in detail: DWI (1st) violation 346.43(1)(a)  
 date of conviction 5-21-2014 fine 832.39 paid in full

sentence DOT license revoked 7 months and alcohol assessment

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

<u>Tracy</u>	<u>L.</u>	<u>Stokes</u>	<u>●●●●</u>
<small>First name</small>	<small>Initial</small>	<small>Last name</small>	<small>Date of Birth</small>
_____	_____	_____	____/____/____
<small>First name</small>	<small>Initial</small>	<small>Last name</small>	<small>Date of Birth</small>
_____	_____	_____	____/____/____
<small>First name</small>	<small>Initial</small>	<small>Last name</small>	<small>Date of Birth</small>
_____	_____	_____	____/____/____
<small>First name</small>	<small>Initial</small>	<small>Last name</small>	<small>Date of Birth</small>
_____	_____	_____	____/____/____

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

Name: Study Hall - Kim Williams

Address: 313 E. Calumet St.

City, State, Zip: Appleton, WI 54915

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

Study Hall Grill + Pub

8. Are alcohol sales an existing use in this building? Yes X No \_\_\_\_\_  
If no, When did the operation cease? \_\_\_\_\_ months ago.

9. Are alcohol sales a new use in this building? Yes \_\_\_\_\_ No X  
If yes, please contact the Community Development Department at 832-6468 to obtain a Special Use Permit.

10. Is your primary business restaurant? Yes \_\_\_\_\_ No X

11. Seating capacity: Inside 88 Outside \_\_\_\_\_

12. Operating hours: 11am - 2am

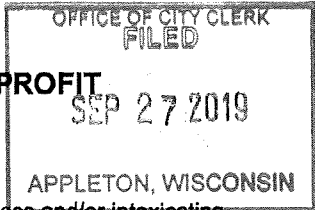
13. Number of floor personnel \_\_\_\_\_ Number of door checkers \_\_\_\_\_

14. In general, state the size, design and type of the proposed establishment and the operational details.  
1600 sq ft brick building, bar & grill,  
Current operational hours Tues. - Sun 11am -  
2am. Operates as a bar and grill.

9-6-2019  
Date

J Stokes  
Signature

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



**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 the officer(s) of the corporation/organization or members/managers 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(s)/members/managers of Skogen's Foodliner (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 Festival Foods (trade name)

located at 1200 Northland Ave. Appleton, WI 54901

appoints Andrew Brehmer (name of appointed agent) 1279 Wheatfield Way Oshkosh, WI 54904 (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? 0 years

Place of residence last year 1279 Wheatfield Way Oshkosh, WI 54904

For: Skogen's Foodliner (name of corporation/organization/limited liability company)

By: [Signature] (signature of Officer/Member/Manager)

And: [Signature] (signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, ANDREW BREHMER (print/type agent's name), hereby accept this appointment as agent for the 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] (signature of agent) 9-23-19 (date) Agent's age 38

1279 WHEATFIELD WAY, OSHKOSH, WI 54904 (home address of agent) Date of birth ●●●●

**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)

# Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
BREHMER		ANDREW		JOSEPH	
Home Address (street/route)		Post Office		City	
1279 WHEATFIELD WAY				OSHKOSH	
Home Phone Number		Age		Date of Birth	
●●●●●●●●		●		●/●/●●	
				State	
				WI	
				Zip Code	
				54904	
				Place of Birth	
				●●●●●●	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- AGENT**

of **SKOGENS FESTIVAL FOODS**  
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

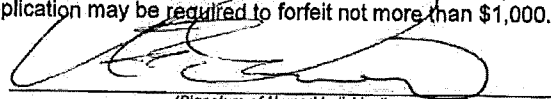
which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? ● YEARS
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
 If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
 If yes, identify. (Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
 If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
PIGGLY WIGGLY	142 ADLER AVE, OMRO, WI	04/01/●●	06/01/●●
Employer's Name	Employer's Address	Employed From	To

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

  
(Signature of Named Individual)

Operator's Licenses for S & L 10/9/19

1. Kevin P Abel 107 S Buchanan St Appleton 54915
2. John C Adams 800 S Lawe St Appleton 54915
3. Mariah D Anderson 2313 W Seneca Dr Appleton 54914
4. Chantel J Andrein 500 E Eagle Flats Pkwy Appleton 54915
5. Alicia M Andrews 1528 N Oneida St Appleton 54911
6. Jessica L Angell N132 N Coop Rd Appleton 54915
7. Doris R Bierman 2315 S Fountain Ave Appleton 54915
8. Emily E Bloch 614 N Morrison St Appleton 54911
9. Riley W Brice 819 ½ W College Ave Appleton 54914
10. Jack M Brown 1708 N Linwood Ave Appleton 54914
11. Drew J Busse 901 S Christine St Appleton 54915
12. Ashley E Carpenter 802 W Browning St Appleton 54914
13. Nathan J Edmundson 2998 W Hiawatha Dr Appleton 54914
14. Rachael M Etko 835 S Timmers Ln #22 Appleton 54914
15. Mark L Ferrell 525 N Douglas St Appleton 54914
16. Jena L Foulker 680 Tarragon Dr #8 Kaukauna 54130
17. David T Gansen 303 W Wayfarer Ln Appleton 54913
18. Ethan M Grams 3520 Cherryvale Ave # 83 Appleton 54913
19. Patti J Heller 918 S Kernan Ave Appleton 54915
20. Kelly I Hollander 1212 8<sup>th</sup> St Green Bay 54304
21. Randall S Jones 318 W Brewster St Appleton 54911
22. Abigail E Keefe 734 E Washington St Appleton 54911
23. Lisa A Killingsworth 915 W Taylor St Appleton 54914
24. Paul M Knapp 1118 E Grant St Appleton 54911
25. Mitchell K Kounelis 615 W Third St Apt C Appleton 54911
26. Lauren E Krueger 5965 Valley Ln Appleton 54915
27. Yvonne Laboy 1105 Geneva Rd Menasha 54952
28. Breanna Lamers 505 Wilson St Little Chute 54140
29. Jessica Lopez Vargas 815 N Danz Ave Green Bay 54302
30. Shelbie L Mattingly 1515 W Wisconsin Ave #3 Appleton 54914
31. Emily R. Mongin 1731 S Mohawk Dr Appleton 54914
32. Brittany Nieman 310 N Dixon St Kaukauna 54130
33. Bhumi N Pathak 200 N Perkins St Appleton 54914
34. Peter G Peterson 3015 N Drew St Appleton 54911
35. Mackenzie K Plote 3 Century Ct Appleton 54914
36. Tina M Prah 3609 E Edgemere Dr Appleton 54915
37. Holli L Ray 621 Joyce St Kaukauna 54930
38. Christine M Rudrud 1526 N Division St Appleton 54911
39. Brittany M Sack 1407 N Appleton St Appleton 54914
40. Pedro Sanchez 272 Misty Meadows Ln Menasha 54952
41. Heather L Schmidt 1520 W Weiland Ln Appleton 54914
42. Kadhika Sigdel Adhikari 1191 High Ave Oshkosh 54901
43. Raginder Singh 2106 W Russet Ct Apt 1 Appleton 54914
44. Jonathon J Sobiesczyk 1303 W College Ave Appleton 54914
45. Julie A Spielbauer W5547 Amy Ave Appleton 54915
46. Hunter C Thiel W8545 Spring Rd Hortonville 54944



47. Bonnie J Thomas	1455 Kenwood Dr #1 Menasha 54952
48. Claire E Tourville	3010 W Spencer St #3 Appleton 54914
49. Kami L VanHandel	853 Martin St Menasha 54952
50. William Velez	1210 N Badger Ave Appleton 54914
51. Olivia L Werner	1840 W Weiland Ln #1 Appleton 54914
52. Paul D Wilfer	1105 N Fernmeadow Dr Appleton 54915
53. Amanda K Wydeven	1960 Bellvue St #6 Green Bay WI 54.00
54. Corey Xiong	2401 W Jonathan Dr Appleton 54914
55. Colin P Zinda	2411 Seavers Rd Junction City 54443
56. Susen K Zwicker	1141 W Ridgeview Dr Appleton 54914



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

Winter FM 2019-2020

9/19/19

License Fees (See Section 5) \$ <u>540</u>	Acct 11030.4309	Date Rec'd <u>9/19/19</u>
Investigation Fee - REQUIRED + \$7.00	Acct 100.2359	Receipt No. <u>14165</u>
Total Amount Paid \$ <u>547</u>	FEES ARE NON-REFUNDABLE	

## FARM MARKET APPLICATION

CK# 17634  
9.18.19

### SECTION 1 - ORGANIZATION INFORMATION - Answer all questions completely. Please PRINT clearly

Name of Organization <u>Downtown Appleton Indoor Market</u>			
Street Address <u>90 ADI - 333 W. College Ave.</u>	City <u>Appleton</u>	State <u>Wi</u>	Zip <u>54911</u>
Telephone Number <u>920.954.9112</u>	Contact Person <u>Dinanna Hugsahl</u>	Contact Telephone No. <u>920.205.9508</u>	Date of Birth <del>000000</del>

### SECTION 2 - EVENT INFORMATION

Location/Site where Farm Market will be held (Please be Specific) <u>City Center Plaza - 10 College Ave., Appleton, 54911</u>	
List ALL dates the market will be held <u>13 Saturdays - November - January, see attached letter for Feb thru Apr.</u>	
Number of Vendors <u>45</u>	Estimated number of persons attending the event <u>Up to 500</u>

### SECTION 3 - ADDITIONAL INFORMATION

	NO	YES	Action to be taken
Are you requesting any street closures?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If Yes, please indicate which street and from what point to what point?
NOTE: A permit cannot be issued for a major thoroughfare (arterial or collector streets; federal, state and county highways; bus routes) unless traffic flow can, in the opinion of the Traffic Section, be reasonably accommodated on adjacent streets.			
Are you requesting any special parking restrictions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If Yes, please contact the Appleton Police Department Operations Coordinator to discuss this request. (920.832.5500)
Will portable restrooms be used?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Describe toilet facilities available to participants:
Will the event be held in an Appleton Park or utilize any park facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If Yes, please explain. What Park? Contact the Appleton Parks and Recreation to reserve this park. (920.832.5905)
Will the event be held indoors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If Yes, what building (Provide street address) <u>10 College Ave.</u>
Will a tent or any other temporary structure be erected?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Appleton Fire Department will need to review your structure plans (920.832.5810)
Will food be prepared and/or served at the event?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If Yes, please explain: <u>Only licensed &amp; approved vendors</u> Contact the Appleton Health Department (920.832.6429)
Will alcoholic beverages be served/sold?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If Yes, contact the City Clerk to obtain a "Special Class B" license to sell/serve beer and/or wine. (920.832.6443)

**SECTION 3 - ADDITIONAL INFORMATION (CONTINUED)**

	NO	YES	Action to be taken
Do you have the correct level of insurance for this event?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A license WILL NOT be issued without an approved Certificate of Insurance on file. For further questions you may contact the City's Risk Manager. (920.832.6300)

SPECIAL NOTE: Dumpsters and barricading of streets will NOT be provided by the City. You will be responsible to contract these services with an outside provider. For additional information, please contact the City of Appleton's Traffic Section (920.832.5580)

**SECTION 4 - INSURANCE NOTICE**

Insurance Coverage:

Insurance Carrier: \_\_\_\_\_

Insurance Agent Name and Phone Number: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Policy Period: \_\_\_\_\_

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

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

Signature Wynona Hagedahl

**SECTION 5 - FEE STRUCTURE**

2 to 10 Vendors	\$120.00
11 or more Vendors	\$12.00 each ( <u>45</u> X \$12.00 ) = \$ 0.00 <u>540</u>

**FOR OFFICE USE ONLY**

Department	Approve	Deny	By	Reason
Police	X		S. Miller	10/11/19
Fire	X		S. Petersen	10/21/19
Health	X		Steve Kihl	9/23/19
Inspection	X		Dale V.	9/20/19
Community Development	X		Don Hamp	9/20/19
City Sealer	X		E. Maggib	9/23/19
DPW	X		Ross Buetan	9/23/19
P+R				

Date Issued \_\_\_\_\_

Lic # \_\_\_\_\_

Common Council \_\_\_\_\_

exp date \_\_\_\_\_

S+L \_\_\_\_\_

September 19, 2019

To: City of Appleton, City Clerk

Re: Additional information on Indoor Market

In addition to hosting the Downtown Appleton Indoor Market inside City Center, November through January, we also have selected three additional dates to feature market, as well.

*Date: February 8, 2020      March 21, 2020      April 11, 2020*

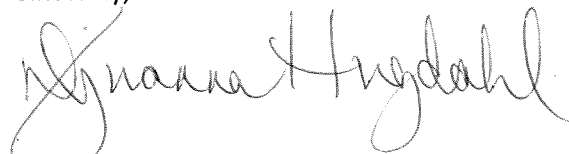
*Time: 9 a.m. to 3 p.m.*

*Place: Fox Cities Exhibition Center*

*What: Public Market*

To clarify, the indoor market will run every Saturday, November through end of January, 2020; for a total of thirteen weeks. Then, in February, March and April, market will be held in conjunction with the Public Market; inside the Fox Cities Exhibition Center, on the above listed dates. The public market will include downtown businesses, food, music, children activities and non-profits, bringing the community and new and refreshed indoor market opportunity.

Sincerely,



Djuanna Hugdahl  
Community Partnership Director  
Appleton Downtown Inc.





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

License Fees (See Section 5) \$ _____	ChargeCode: CLLFAR
Investigation Fee - REQUIRED + \$7.00	ChargeCode: CLCPIF
Total Amount Paid \$ _____	Date Rec'd ____/____/____
<b>FEES ARE NON-REFUNDABLE</b>	
	Receipt # _____

## FARM MARKET APPLICATION

### SECTION 1 - ORGANIZATION INFORMATION - Answer all questions completely. Please PRINT clearly

Name of Organization <b>AD1 / Creative Downtown Appleton</b>			
Street Address <b>355 W. college Ave</b>	City <b>Appleton</b>	State <b>WI</b>	Zip <b>54911</b>
Telephone Number <b>920-951-9112</b>	Contact Person <b>Divanna Hugdahl</b>	Contact Telephone No. <b>920-200-9508</b>	Date of Birth <b>11/14/1988</b>

### SECTION 2 - EVENT INFORMATION

Location/Site where Farm Market will be held (Please be Specific) <b>Fox Cities Exhibition Center</b>	
List ALL dates the market will be held <b>2/8/20, 3/21/20, 4/11/20</b>	
Number of Vendors <b>45</b>	Estimated number of persons attending the event <b>up to 500</b>

### SECTION 3 - ADDITIONAL INFORMATION

	NO	YES	Action to be taken
Are you requesting any street closures?	<b>X</b>		If Yes, please indicate which street and from what point to what point?
NOTE: A permit cannot be issued for a major thoroughfare (arterial or collector streets; federal, state and county highways; bus routes) unless traffic flow can, in the opinion of the Traffic Section, be reasonably accommodated on adjacent streets.			
Are you requesting any special parking restrictions?	<b>X</b>		If Yes, please contact the Appleton Police Department Operations Coordinator to discuss this request. (920.832.5500)
Will portable restrooms be used?			Describe toilet facilities available to participants:
Is this event on private property?	<b>X</b>		If Yes, please contact Community Development at (920-832-6468)
Will the event be held in an Appleton Park or utilize any park facilities?	<b>X</b>		If Yes, please explain. What Park?  Contact the Appleton Parks and Recreation to reserve this park. (920.832.5905)
Will the event be held indoors?		<b>X</b>	If Yes, what building (Provide street address) <b>355 W. Lawrence St</b>
Will a tent or any other temporary structure be erected?		<b>X</b>	The Appleton Fire Department will need to review your structure plans (920.832.5810)
Will food be prepared and/or served at the event?		<b>X</b>	If Yes, please explain: <b>Only approved vendors.</b> Contact the Appleton Health Department (920.832.6429)



Will alcoholic beverages be served/sold?	NO X	If Yes, contact the City Clerk to obtain a "Special Class B" license to sell/serve beer and/or wine. (920.832.6443)
--	---------	---

**SECTION 3 – ADDITIONAL INFORMATION (CONTINUED)**

	NO	YES	Action to be taken
Do you have the correct level of insurance for this event?		X	A license WILL NOT be issued without an approved Certificate of Insurance on file. For further questions you may contact the City's Risk Manager. (920.832.6300)

*on file*

**SPECIAL NOTE:** Dumpsters and barricading of streets will NOT be provided by the City. You will be responsible to contract these services with an outside provider. For additional information, please contact the City of Appleton's Traffic Section (920.832.5580)

**SECTION 4 – INSURANCE NOTICE**

**Insurance Coverage:**

Insurance Carrier: \_\_\_\_\_

Insurance Agent Name and Phone Number: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Policy Period: \_\_\_\_\_

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

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

Signature *Kyanna Hugdahl*

*9-30-19*

**SECTION 5 – FEE STRUCTURE**

2 to 10 Vendors	\$120.00
11 or more Vendors	\$12.00 each ( _____ X \$12.00) =

**FOR OFFICE USE ONLY**

Department	Approve	Deny	By	Reason
Police				
Fire				
Health				
Inspection				
Community				





# Application for Cigarette and Tobacco Products Retail License

Submit to municipal clerk.

MUNICIPAL USE ONLY

License Number
Period Covered
Date of Issuance

Applicant's Wisconsin 15-digit Sales Tax Account Number

← This must be issued in the same Legal Name of the licensee below.

Legal Name (corporation, limited liability company, partnership or sole proprietorship) Sole Proprietorship - Andrew Thornell			Federal Employer Identification No. (FEIN) 	
Trade or Business Name (if different than Legal Name) Marley's Smoke Shop			Telephone Number (920) 637-0721	
Business Address (License Location) 530 W. College Ave		Business Located In <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town		Business Telephone (920) 733-5700
Municipality Appleton	State WI	Zip Code 54911	County Outagamie	
Mailing Address (if different than Business Address) N4076 Pope Rd		Municipality Waupaca	State WI	Zip Code 54981

Organization (check one)

- Sole Proprietor
- Partnership
- Other (describe)
- Wisconsin Corporation - Enter date incorporated: \_\_\_\_\_
- Out-of-State Corporation - Are you registered to do business in Wisconsin?  Yes  No

- Yes  No 1. Does the applicant understand that they must purchase cigarettes and tobacco products only from distributors, jobbers, or subjobbers, who hold a permit with the Wisconsin Department of Revenue?
- Yes  No 2. Does the applicant understand that they must obtain a Tobacco Products Distributor permit if purchasing untaxed tobacco products from an out-of-state company? (Tobacco Products Distributor permit is available from the Wisconsin Department of Revenue at 608-266-6701. See application form CTP-129, [revenue.wi.gov/dor/forms/ctp-129.pdf](http://revenue.wi.gov/dor/forms/ctp-129.pdf).)
- Yes  No 3. Does the applicant understand that they cannot purchase/exchange cigarettes or tobacco products from another retailer, including transferring existing stock to a new owner?
- Yes  No 4. Does the applicant understand that they must provide employees with tobacco sales training approved by the Wisconsin Department of Health Services? (<https://witobaccocheck.org>)
- Yes  No 5. Does the applicant understand that they may not sell, give or otherwise provide cigarettes/tobacco products and nicotine products to minors (including electronic cigarettes containing nicotine)?
- Yes  No 6. Does the applicant understand that they may not sell single cigarettes?
- Yes  No 7. Does the applicant understand that cigarette and tobacco products invoices must be kept on the licensed premises for two years from the date of the invoice and be available for inspection by the Wisconsin Department of Revenue/law enforcement and that failure to comply can result in criminal penalties, including loss of cigarettes/tobacco products?
- Yes  No 8. Does the applicant understand that only cigarettes and roll-your-own (RYO) tobacco products listed on the Wisconsin Department of Justice's website labeled "Directory of Certified Tobacco Manufacturers and Brands" at [www.doj.state.wi.us/dls/tobacco-directory](http://www.doj.state.wi.us/dls/tobacco-directory) may be sold in Wisconsin?

Cigarettes / Tobacco will be sold  over counter  through vending machine  both

**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 applicant. Applicant agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. 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. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

(Owner / Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

### Applicable Laws and Rules

This document provides statements or interpretations of the following laws and regulations in effect as of September 19, 2019: Sections 134.65, 134.66, 139.321, 139.79, 139.76, 995.10, and 995.12, Wis. Stats.

rec 14736  
10-7-19  
\$100

# Application for Cigarette and Tobacco Products Retail License

Submit to municipal clerk.

MUNICIPAL USE ONLY

License Number
Period Covered
Date of Issuance

Applicant's Wisconsin 15-digit Sales Tax Account Number

← This must be issued in the same Legal Name of the licensee below.

Legal Name (corporation, limited liability company, partnership or sole proprietorship) <b>UNIVERSITY RX LLC</b>			Federal Employer Identification No. (FEIN) 		
Trade or Business Name (if different than Legal Name) <b>Rx LINK UNIVERSITY PHARMACY</b>			Telephone Number <b>(920) 470-7480</b>		
Business Address (License Location) <b>133 E. College Ave</b>		Business Located In <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town		Business Telephone <b>(920) 202-3772</b>	
Municipality <b>Appleton</b>	State <b>WI</b>	Zip Code <b>54912</b>	of: <b>Appleton</b>	County <b>outagamie</b>	
Mailing Address (if different than Business Address)			Municipality	State	Zip Code

Organization (check one)

Sole Proprietor       Wisconsin Corporation – Enter date incorporated: 6-10-2019  
 Partnership       Out-of-State Corporation – Are you registered to do business in Wisconsin?     Yes     No  
 Other (describe) \_\_\_\_\_

- Yes     No    1. Does the applicant understand that they must purchase cigarettes only from distributors or jobbers who hold a permit with the Wisconsin Department of Revenue?
- Yes     No    2. Does the applicant understand that they must obtain a Tobacco Products Distributor permit if purchasing untaxed tobacco products from an out-of-state company? (Tobacco Products Distributor permit is available from the Wisconsin Department of Revenue at 608-266-6701. See application form CTP-129, [revenue.wi.gov/forms/excise/ctp-129.pdf](http://revenue.wi.gov/forms/excise/ctp-129.pdf).)
- Yes     No    3. Does the applicant understand that they cannot purchase/exchange cigarettes or tobacco products from another retailer, including transferring existing stock to a new owner?
- Yes     No    4. Does the applicant understand that they must provide employees with tobacco sales training approved by the Wisconsin Department of Health Services? (<https://witobaccocheck.org>)
- Yes     No    5. Does the applicant understand that they may not sell, give or otherwise provide cigarettes/tobacco products and nicotine products to minors (including electronic cigarettes containing nicotine)?
- Yes     No    6. Does the applicant understand that they may not sell single cigarettes?
- Yes     No    7. Does the applicant understand that cigarette and tobacco products invoices must be kept on the licensed premises for two years from the date of the invoice and be available for inspection by the Wisconsin Department of Revenue/law enforcement and that failure to comply can result in criminal penalties, including loss of cigarettes/tobacco products?
- Yes     No    8. Does the applicant understand that only cigarettes and roll-your-own (RYO) tobacco products listed on the Wisconsin Department of Justice's website labeled "Directory of Certified Tobacco Manufacturers and Brands" at [www.doj.state.wi.us/dls/tobacco-directory](http://www.doj.state.wi.us/dls/tobacco-directory) may be sold in Wisconsin?

Cigarettes / Tobacco will be sold     over counter     through vending machine     both

**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 applicant. Applicant agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another.

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. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

\_\_\_\_\_  
 (Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

OAK #68

# Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
PIERCE		JAMISON			
Home Address (street/route)		Post Office	City	State	Zip Code
415 S. OLD ONEIDA ST #108			APPLETON	WI	54911
Home Phone Number		Age	Date of Birth	Place of Birth	
●●●●●●●●		●●	●/●/●●	●●●●●●●●	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- AGENT** of **ALDI #68**  
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

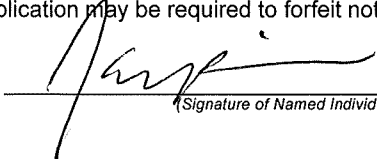
The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 26 Years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Aldi, Inc.</u>	Employer's Address <u>7342 South 13th St Oak Creek, WI</u>	Employed From <u>6/2017</u>	To <u>Present</u>
Employer's Name <u>Northern Tool + Equipment</u>	Employer's Address <u>4675 Associated Pr. Grand Chute, WI</u>	Employed From <u>5/2017</u>	To <u>5/2017</u>

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

  
(Signature of Named Individual)

OAK #68

### 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 the officer(s) of the corporation/organization or members/managers 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 WAUKESHA  City

The undersigned duly authorized officer(s)/members/managers of ALDI, INC (WISCONSIN)  
(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 ALDI #68  
(trade name)

located at 116 NORTH LINWOOD AVENUE, APPLETON, WI 54914

appoints JAMISON PIERCE  
(name of appointed agent)  
415 S. OLD ONEIDA STREET #108, APPLETON, WI 54911  
(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).  
N/A

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? 26 years

Place of residence last year 415 S. Old Oneida St #108 Appleton, WI 54911

For: ALDI, INC (WISCONSIN)  
(name of corporation/organization/limited liability company)

By: *Cheryl Edgerton*  
(signature of Officer/Member/Manager)

And: *Tom G. Hill*  
(signature of Officer/Member/Manager)

#### ACCEPTANCE BY AGENT

I, JAMISON PIERCE, 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.

*Jamison* 9/19/2019 Agent's age 33  
(signature of agent) (date)  
415 S. OLD ONEIDA STREET #108, APPLETON, WI 54911 Date of birth 08/08/80  
(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)

# Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Miller		Mark		Richard	
Home Address (street/route)		Post Office	City	State	Zip Code
3410 Cherryvale Ave #1#			Appleton	WI	54913
Home Phone Number		Age	Date of Birth	Place of Birth	
●●●●●●●●		●●	●●/●●/●●	●●●●●●	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- President of Milko Inc.  
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? ●● years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality?  Yes  No  
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality?  Yes  No  
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit?  Yes  No  
 If yes, identify. Stone Yard - Darby - Town of Buchanan, Outagamie Co.  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin?  Yes  No  
 If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name <u>The Bar - Avenue</u>	Employer's Address <u>427 W College Ave, Appleton, WI</u>	Employed From <u>20●●</u>	To <u>Current</u>
Employer's Name <u>The Bar - Lyndale</u>	Employer's Address <u>2435 W Nordale Ave, Appleton, WI</u>	Employed From <u>●●●●</u>	To <u>Current</u>

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Mark R. Miller  
(Signature of Named Individual)

**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 the officer(s) of the corporation/organization or members/managers 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(s)/members/managers of Milko Inc.  
(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 The Bar on the Avenue  
(trade name)

located at 427 W College Ave.

appoints Mark R Miller  
(name of appointed agent)

3410 Cherryvale Ave - Appleton, WI 54913 - Unit 51  
(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).  
StoneYard - Darby, Town of Buchanan, Outagamie Co.

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? [REDACTED]

Place of residence last year 2119 W Capitol Dr, Appleton, WI 54914

For: Milko Inc  
(name of corporation/organization/limited liability company)

By: Mark R Miller  
(signature of Officer/Member/Manager)

And: [Signature]  
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, Mark R Miller, 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.

Mark R Miller  
(signature of agent) [REDACTED]  
(date)  
3410 Cherryvale Ave - 51# - 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)



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

# REQUEST for Beer/Liquor License Premise Amendment

<b>FEES ARE NON-REFUNDABLE</b>			Date Recv'd <u>9/26/19</u>
License Fee	\$10.00/event	Acct: CLCAGP	
Receipt	<u>14349</u>		

*Dairylandbrewpub@gmail.com*

## SECTION 1 - LICENSE INFORMATION

Name of Establishment <u>Dorri Schmidt / Dairyland Brew Pub</u>	
Address of Establishment <u>1216 E Wisconsin</u>	
Name of Agent <u>Dorri Schmidt</u>	Phone Number <u>920-860-9680</u> <i>LM</i>

## SECTION 2 - PREMISE AMENDMENT

Please describe the change in premises:  
\*A drawing/diagram of the proposed area must also be submitted with this application\*

*Vendor Booths*

Is this change Permanent? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If this is temporary please specify the reason for the amendment: <u>Crafts + Drafts vendor fair for Fox Valley Humaine Society Proceeds and Dog/cat food collection</u>
--	---

Please list the date(s) and time(s) that this temporary premise amendment will be utilized:  
10-19-19 12:00pm - 5:00pm

## SECTION 3 - PENALTY NOTICE

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.  
Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.

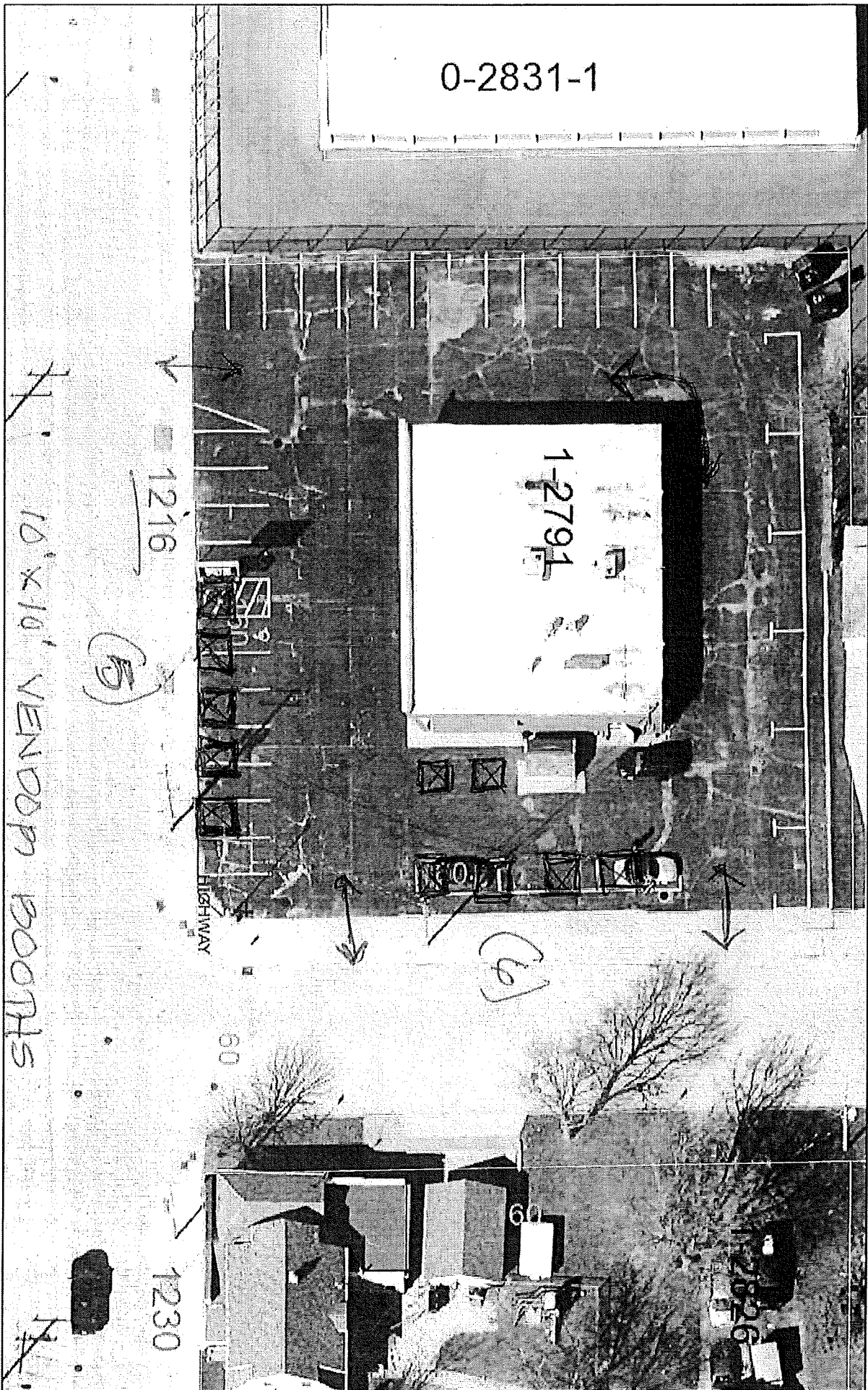
Signature of Applicant: *[Signature]*

## FOR OFFICE USE ONLY

Department	Approve	Deny	By	Reason
Comm. Dev.	<u>10-2</u>		<u>Harp</u>	
Finance		<u>X</u>	<u>Burton</u>	<u>9-26 outstanding wtr bill</u>
Fire				
Health				
Inspections	<u>10-10</u>		<u>Meissner</u>	
Police	<u>10-10</u>		<u>Miller</u>	
S&L <u>10-9-19</u>	Council <u>10-16-19</u>	Date Issued	Exp. Date	License Number

10-16-19





10/11/2019 3:54:45 PM

City Parcels

Easements

10-2-19

Operator's Licenses for S & L 10/16/19

1. Zachary Hackstock
2. Chad Quandt
3. Amy Zak

330 12<sup>th</sup> St Neenah 54956  
1216 Hoover Ave Little Chute 54140  
711 W Harris St Appleton 54914



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Public Hearing Date:** September 24, 2019

**Common Council Public Hearing Meeting Date:** October 16, 2019

**Item:** Rezoning #8-19 – Outlot 1 Haymeadow Avenue Stormwater Pond

**Case Manager:** Don Harp

### GENERAL INFORMATION

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**Owner/Applicant:** City of Appleton / Tom Kromm, Department of Public Works

**Address/Parcel #:** Haymeadow Avenue/Part of 31-6-6201-00

**Owner/Applicant's Request:** The owner/applicant is requesting a zoning change for the subject property from PD/R-2 Planned Development Two-family District and AG Agricultural District to P-I Public Institutional District.

### BACKGROUND

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The subject site was annexed to the City of Appleton through the Paltzer/Jacobs Annexation on May 10, 2004 and officially came into the City with PD/R-2 Planned Development Two-family District zoning classification.

The owner/applicant has submitted a Certified Survey Map (CSM) to create Outlot 1 for a future stormwater pond and dedicate a portion of Spartan Drive for public roadway purposes. The CSM, currently under review, is subject to approval of Rezoning #8-19 for Outlot 1 and the acceptance of the public right-of-way dedication by Plan Commission and Common Council.

### STAFF ANALYSIS

---

**Proposed Zoning Classification:** The purpose of the rezoning is to facilitate the construction of a City owned/maintained regional stormwater pond to serve future public (roads) and private (anticipated housing) improvements in this area of the City.

The P-I District is intended to provide for public and institutional uses and buildings, utilized by the community, and to provide open space standards where necessary for the protection of adjacent residential properties.

**Rezoning #8-19 - Haymeadow Avenue Stormwater Pond**  
**September 24, 2019**  
**Page 2**

**Surrounding Zoning and Land Uses:**

North: PD/R-2 Planned Development Two-family District and AG Agricultural District. The adjacent land uses to the north are currently agricultural.

South: P-I Public Institutional District. The adjacent land use to the south is a stormwater pond.

East: AG Agricultural District and P-I Public Institutional District. The adjacent land use to the east are currently agricultural and stormwater detention pond.

West: PD/R-2 Planned Development Two-family District. The adjacent land use to the west is currently agricultural.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area for future roads, one and two family residential. It important to note, the Comprehensive Plan 2010-2030 does not identify specific locations for future public/institutional uses. The location and construction of this regional stormwater pond will collect rainwater from future public (roads) and private (anticipated housing) improvements in this area of the City. The following goals set forth in the comprehensive plan are relevant to this rezoning.

Chapter 7 Utilities and Community Facilities:

7.1 OBJECTIVE: Provide a pattern of development that minimizes impacts to municipal services and utilities.

7.1.1 Prioritize development and redevelopment that minimizes the need for additional public and private infrastructure such as water storage facilities and sewage lift stations.

Chapter 9 Economic Development:

9.5 OBJECTIVE: Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.

Chapter 10 Land Use:

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

**Rezoning #8-19 - Haymeadow Avenue Stormwater Pond**  
**September 24, 2019**  
**Page 3**

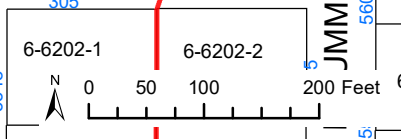
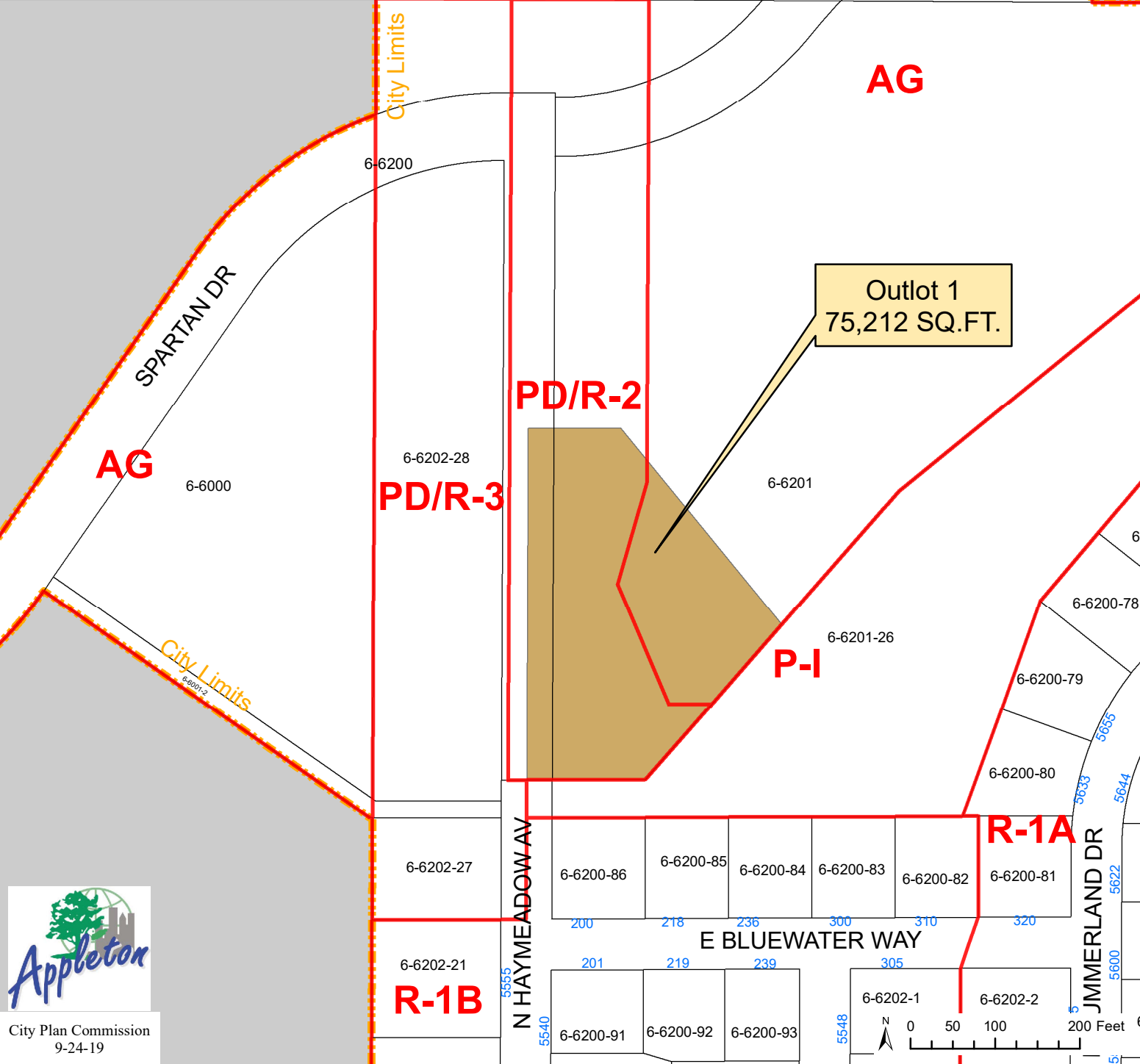
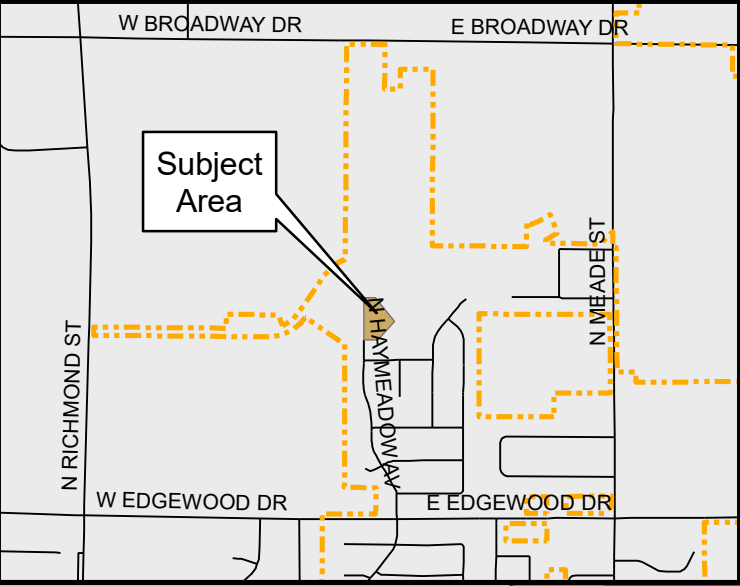
**Technical Review Group Report (TRG):** This item was discussed at the September 3, 2019 Technical Review Group meeting. No negative comments were received from participating departments.

**RECOMMENDATION**

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Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #8-19 to rezone the subject site from PD/R-2 Planned Development Two-family District and AG Agricultural District to P-I Public Institutional District, including to the centerline of the adjacent right-of-way, as shown on the attached maps, **BE APPROVED**.

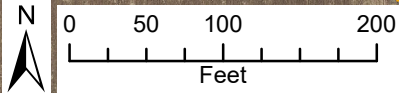
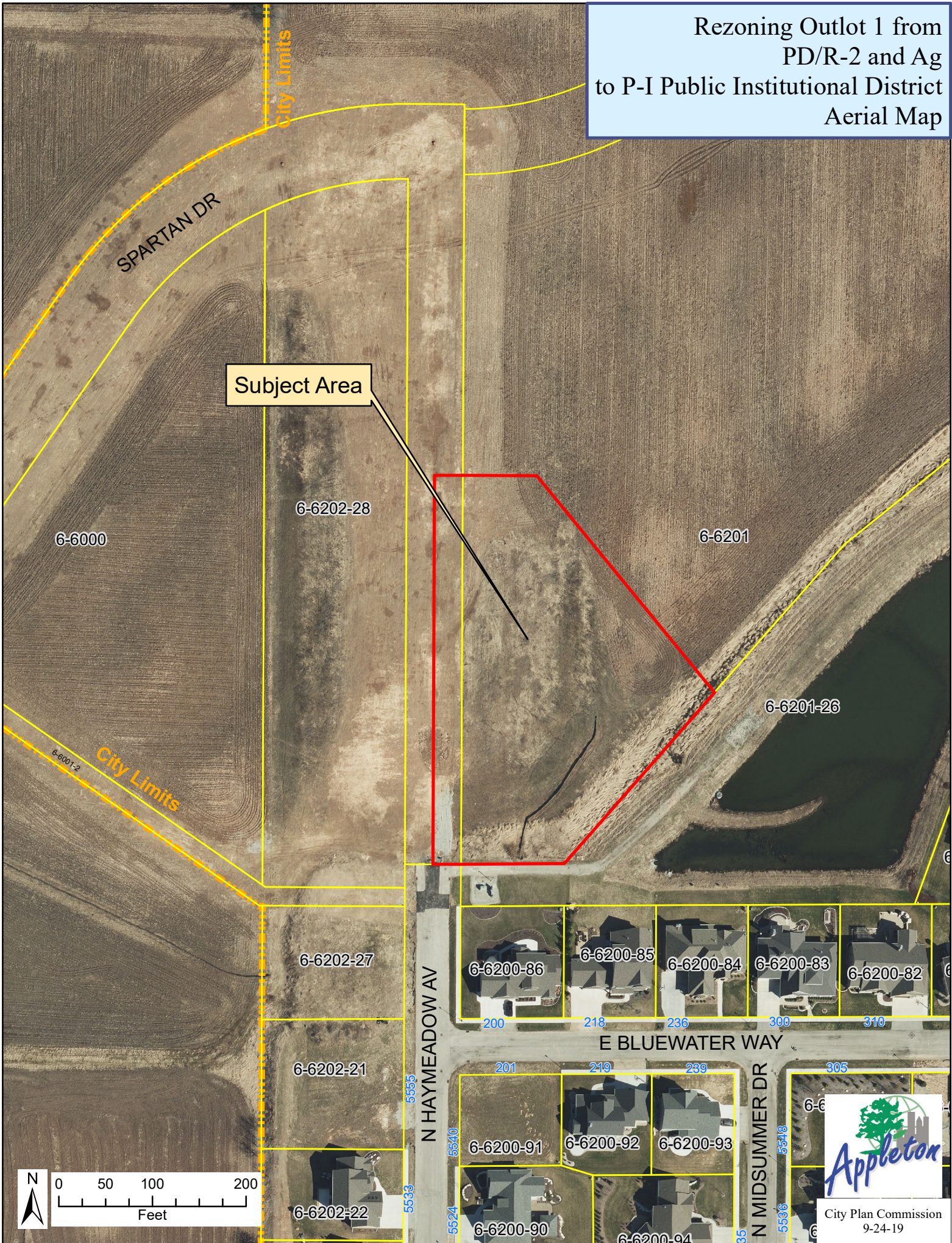
Rezoning Outlot 1 from  
PD/R-2 and Ag  
to P-I Public Institutional District  
Zoning Map





Rezoning Outlot 1 from  
PD/R-2 and Ag  
to P-I Public Institutional District  
Aerial Map

Subject Area

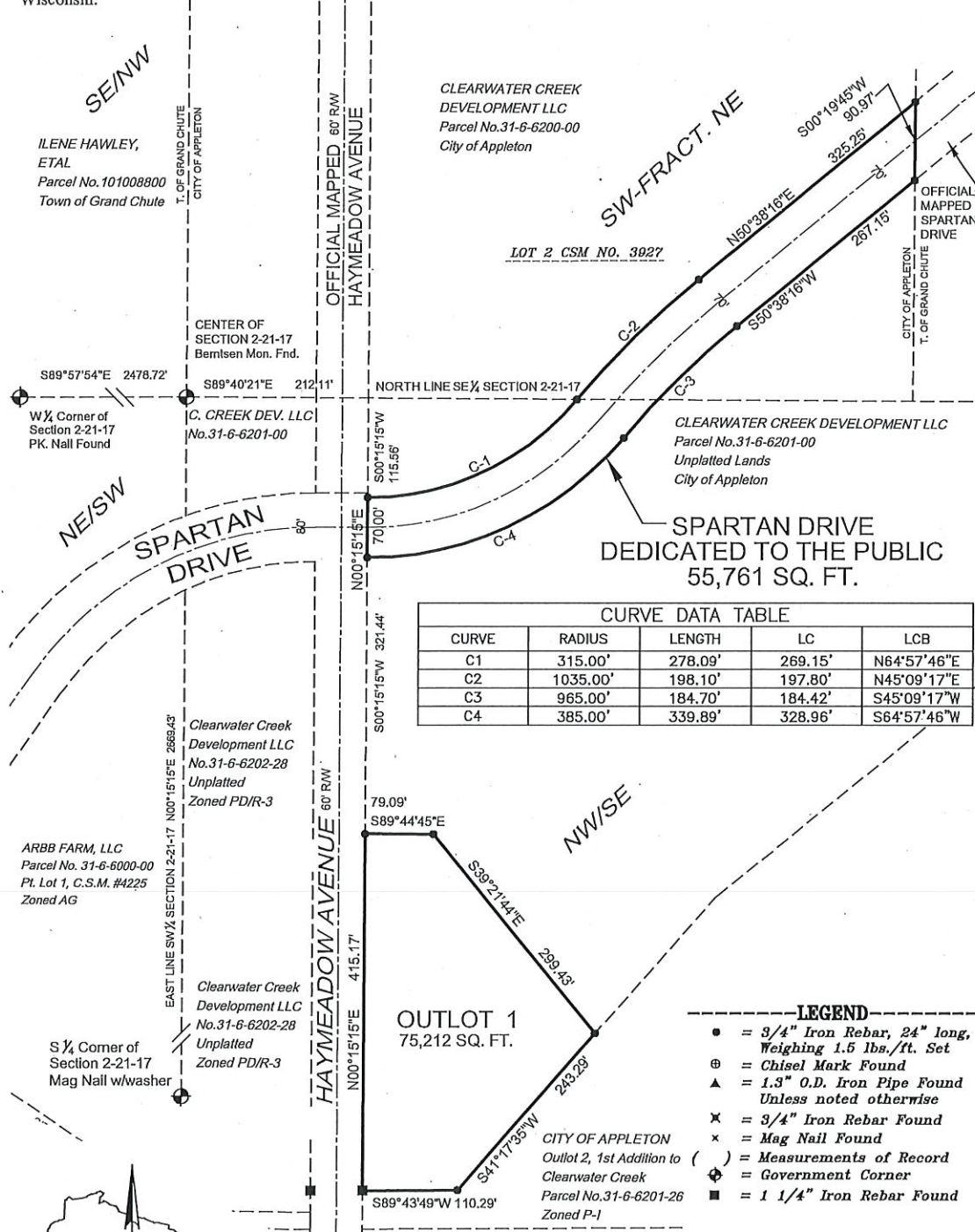


City Plan Commission  
9-24-19

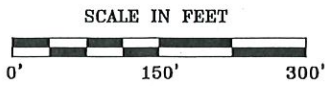


# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Part of Lot 2 of Certified Survey Map No. 3927 filed in Volume 21 of Certified Survey Maps on Page 3927 as Document No. 1388606, located in the Southwest 1/4 of the Fractional Northeast 1/4 and also being a part of the Northwest 1/4 of the Southeast 1/4 of Section 2, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, WEST LINE OF HAYMEADOW AVENUE, RECORDED AS N.00°15'15"E. H:\Acad\CSM2019\Spartans EO Haymeadow\_0805 2019



- LEGEND**
- = 3/4" Iron Rebar, 24" long, Weighing 1.5 lbs./ft. Set
  - ⊕ = Chisel Mark Found
  - ▲ = 1.3" O.D. Iron Pipe Found Unless noted otherwise
  - ✕ = 3/4" Iron Rebar Found
  - ✖ = Mag Nail Found
  - ( ) = Measurements of Record
  - ⊕ = Government Corner
  - = 1 1/4" Iron Rebar Found

**CITY OF APPLETON**  
 DEPT. OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 100 NORTH APPLETON STREET  
 APPLETON, WI 54911  
 920-832-6474  
 DRAFTED BY: T. KROMM





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** October 8, 2019

**Common Council Meeting Date:** October 16, 2019

**Item:** Special Use Permit #10-19 for an event center with alcohol sales and service

**Case Manager:** Jessica Titel

### GENERAL INFORMATION

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**Owner:** Cindy Sahotsky – Riverview Gardens

**Applicant:** Teresa Lingg

**Address/Parcel #:** 513 W. College Avenue (Tax Id #31-3-1005-00)

**Petitioner's Request:** The applicant is requesting a Special Use Permit for alcohol sales and service in conjunction with an event center.

### BACKGROUND

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The subject area includes a 4-story building that was built in 1922. The building has been occupied by a number of retail, commercial, and office uses over the years. Most recently, the building has been occupied by Riverview Gardens and used as retail and office space.

The Common Council approved a Special Use Permit on April 4, 2007 for a banquet facility with alcohol sales. That use was never established in this building.

The applicant has yet to apply for a Liquor License but intends to do so after action is taken on this Special Use Permit request.

### STAFF ANALYSIS

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**Project Summary:** The applicant proposes to establish an event center with alcohol sales and service on the subject site, which would occur on the first and second floors of the existing building. The first floor has approximately 4,592 square feet of assembly space, and the second floor has approximately 3,485 square feet of assembly area. The submitted plans indicate the total occupancy for the first and second floors is 553 occupants.

**Existing Site Conditions:** The existing 4-story commercial building totals approximately 24,700 square feet. The lot is 7,115 square feet in area. Twenty-eight off-site parking spaces are provided on a separate parcel on the south side of the alley (516 W. Lawrence Street) that is under the same ownership. No on-site or off-site parking spaces are required to be provided in the Central Business District.

**Zoning Ordinance Requirements:** The subject property has a zoning designation of CBD Central Business District. Per Section 23-114(e) of the Municipal Code, an event center with alcohol sales and

**Special Use Permit #10-19**

**October 8, 2019**

**Page 2**

service requires a Special Use Permit in the CBD District. In order to permit alcohol sales and service in conjunction with the proposed event center, the Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds (2/3) vote of the Common Council is required for approval.

**Operational Information:** A plan of operation is attached to the Staff Report.

**Outdoor Seating Area:** No outdoor alcohol sales and service is requested with this application for a Special Use Permit.

**Surrounding Zoning and Land Uses:** The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally commercial in nature.

North: CBD Central Business District. The adjacent land use to the north is currently used for commercial purposes.

South: CBD Central Business District. The adjacent land use to the south is currently used for parking and commercial purposes.

East: CBD Central Business District. The adjacent land use to the east is currently used for commercial purposes.

West: CBD Central Business District. The adjacent land uses to the west are currently used for commercial purposes.

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

*Goal 1 – Community Growth*

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

*Goal 8 – Economic Development*

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

**OBJECTIVE 9.4 Economic Development:**

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

**OBJECTIVE 10.5 Land Use:**

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

## Special Use Permit #10-19

October 8, 2019

Page 3

### *Chapter 14 – Downtown Plan*

*Initiative 2.3: Create new venues for arts and entertainment activities in the downtown.*

**Finding of Fact:** This request was reviewed in accordance with the standards for granting a Special Use Permit under Sections 23-66(e)(1-6) and 23-66(h)(6) of the Municipal Code, which were found in the affirmative, as long as all stipulations are satisfied.

**Technical Review Group (TRG) Report:** This item was discussed at the September 17, 2019 Technical Review Group meeting. The following comment was provided by the Fire Department: The recently installed fire sprinkler system will need to be activated before capacity can exceed 99 persons.

### **RECOMMENDATION**

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Staff recommends, based on the above, that Special Use Permit #10-19 for an event center with alcohol sales and service at 513 W. College Avenue (Tax Id #31-3-1005-00), as shown on the attached maps and per attached plan of operation, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. The applicant shall apply for and receive approval of a Liquor License from the City Clerk prior to serving or consuming alcohol on the premises.
3. The serving and consumption of alcohol is limited to the first and second floors, as identified on the attached development plan drawings. Any future expansions for the serving and/or consumption of alcohol, beyond the current limits of this area, may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
4. Compliance with the plan of operation is required at all times. Changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
5. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.
6. The recently installed fire sprinkler system will need to be activated before capacity can exceed 99 persons.

**RESOLUTION**  
**CITY OF APPLETON**  
**RESOLUTION APPROVING SPECIAL USE PERMIT #10-19**

**WHEREAS**, Teresa Lingg, The 513, has applied for a Special Use Permit for an event center with alcohol sales and consumption located at 513 West College Avenue, also identified as Parcel Number(s) 31-3-1005-00; and

**WHEREAS**, the location for the proposed event center with alcohol sales and consumption is located in the CBD Central Business District and the proposed use is permitted by special use within this zoning district; and

**WHEREAS**, the City of Appleton Plan Commission held a public hearing on October 8, 2019, on Special Use Permit #10-19 at which all those wishing to be heard were allowed to speak or present written comments, and other materials presented at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission has considered the application, the staff reports, oral and written, the Comprehensive Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-6) and 23-66(h)(6) of the Municipal Code, and forwarded Special Use Permit #10-19 to the City of Appleton Common Council with a favorable or not favorable (CIRCLE ONE) recommendation; and

**WHEREAS**, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on \_\_\_\_\_, 2019 and found it to be acceptable.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Appleton Common Council approves Special Use Permit #10-19 for an event center with alcohol sales and consumption located at 513 West College Avenue, also identified as Parcel Number(s) 31-3-1005-00 and orders as follows:

**CONDITIONS OF SPECIAL USE PERMIT #10-19**

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. The applicant shall apply for and receive approval of a Liquor License from the City Clerk prior to serving or consuming alcohol on the premises.
3. The serving and consumption of alcohol is limited to the first and second floors, as identified on the attached development plan drawings. Any future expansions for the

serving and/or consumption of alcohol, beyond the current limits of this area, may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.

4. Compliance with the plan of operation is required at all times. Changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
5. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.
6. The recently installed fire sprinkler system will need to be activated before capacity can exceed 99 persons.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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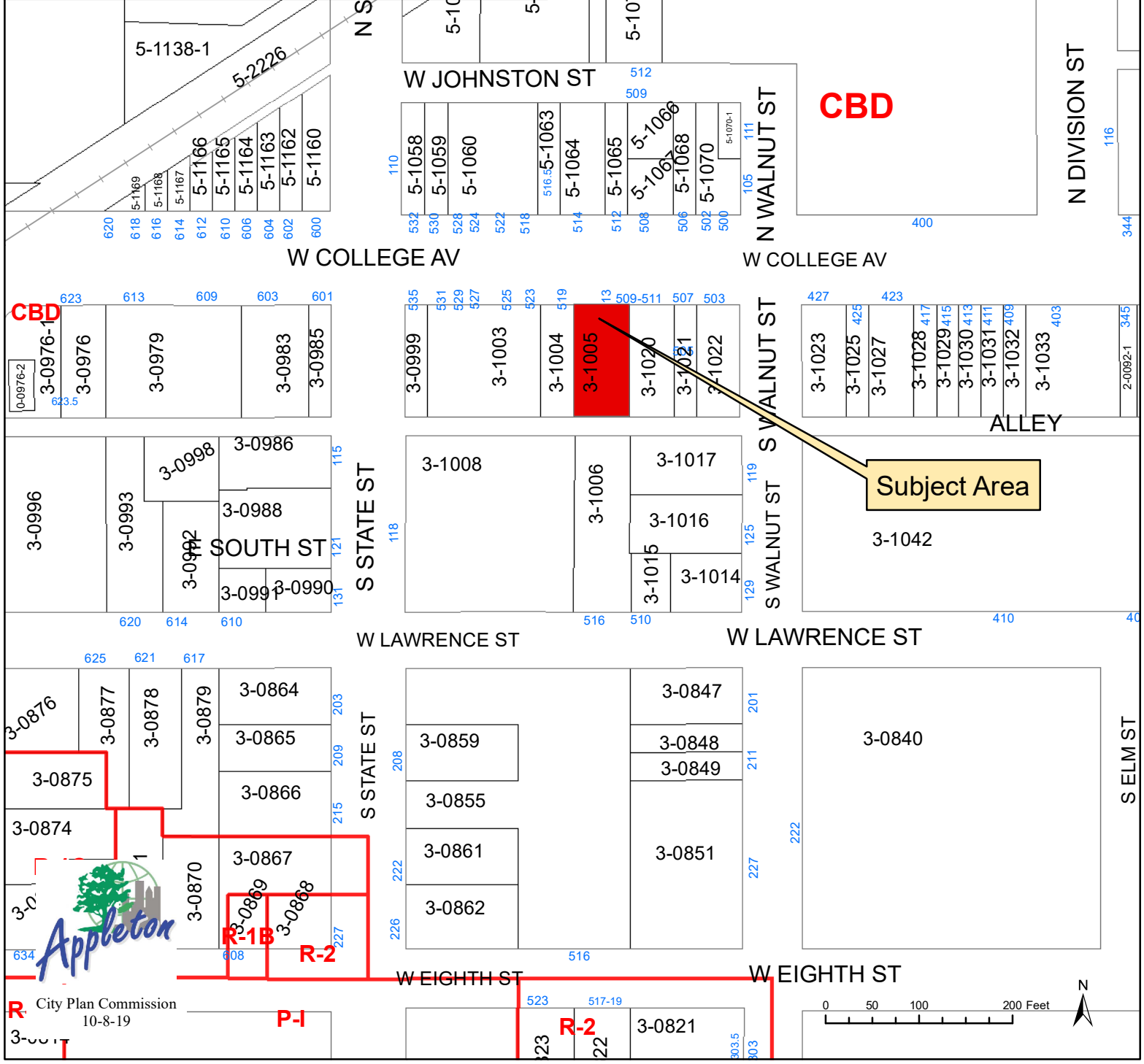
Timothy M. Hanna, Mayor

ATTEST:

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Kami Lynch, City Clerk

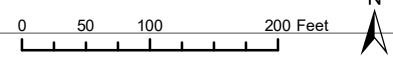
513 W College Ave  
 Special Use Permit  
 Event Center with Alcohol Sales  
 Zoning Map



R City Plan Commission  
 10-8-19

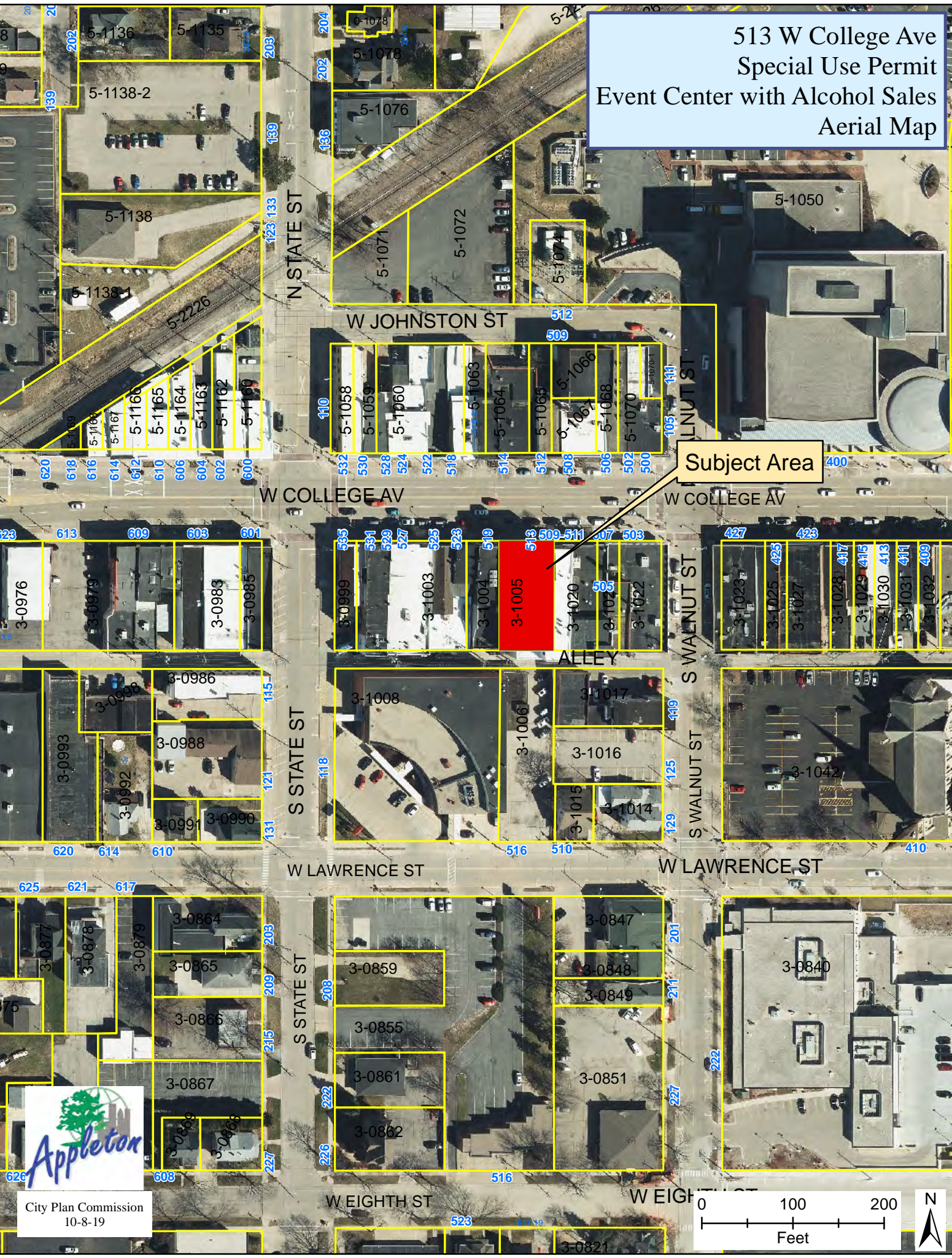
P-1

R-2





513 W College Ave  
Special Use Permit  
Event Center with Alcohol Sales  
Aerial Map

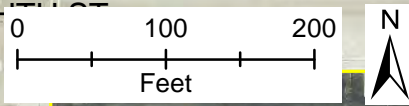


Subject Area

3-1005



City Plan Commission  
10-8-19





**TAVERN AND/OR RESTAURANT WITH ALCOHOL SALES  
PLAN OF OPERATION AND LOCATIONAL INFORMATION**

**Business Information:**

Name of business: The 513

Years in operation: —

Percentage of business derived from restaurant service: —%

Type of proposed establishment (detailed explanation of business):

Event space will be leased out for  
weddings, corporate events, fundraisers,  
and concerts. Majority of the revenue will come  
from the rental fees

Proposed Hours of Operation for Indoor Uses: each week will vary based on  
events and  
hours will  
be as needed  
based on  
events.

Day	From	To
Week Day	6:00 pm	12:00 am
Friday	12:00 pm	12:00 am
Saturday	12:00 pm	12:00 am
Sunday	12:00 pm	10:00 pm

**Building Capacity and Area:**

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

Gross floor area of the existing building(s): 6,889 sf

Gross floor area of the proposed building(s): —

**Describe Any Potential Noise Emanating From the Proposed Use:**

Describe the noise levels anticipated from all equipment or other mechanical sources:

Noise may be produced by music or  
bands performing within the building.

Describe how the crowd noise will be controlled inside and outside the building:

All areas will be closely monitored by the event coordinator and staff to ensure noise levels do not exceed acceptable levels.

If off-street parking is available for the business, describe how noise from the parking lot will be controlled:

No events are expected to be held in the building's private parking lot, however, the parking lot will also be overseen by the coordinator. If individuals do create a disturbance during their walk to the building, a staff member will see to it that the disturbance is stopped immediately.

Location, type, size and design of outdoor facilities:

N/A

Type and height of screening of plantings/fencing/gating:

N/A

Is there any alcohol service incorporated in this outdoor facility proposal? Yes \_\_\_ No

Are there plans for outdoor music/entertainment? Yes \_\_\_ No

If yes, describe how the noise will be controlled:

N/A

Is there any food service incorporated in this outdoor facility proposal? Yes \_\_\_ No \_\_\_

**Proposed Hours of Operation for Outdoor Uses:**

Day	From	To
Week Day	—	—
Friday	—	—
Saturday	—	—
Sunday	—	—

**Outdoor Lighting:**

Type: None

Location: —

**Off-Street Parking:**

Number of spaces existing: 28

Number of spaces proposed: —

**Other Licensed Premises:**

The number of licensed premises within the immediate geographic area of the proposed location will be considered in order to avoid an undue concentration that may have the potential of creating public safety problems or deterring neighborhood development.

List nearby licensed premises:

Fresh Victoria's, Deja Vu

\_\_\_\_\_

\_\_\_\_\_

**Number of Employees:**

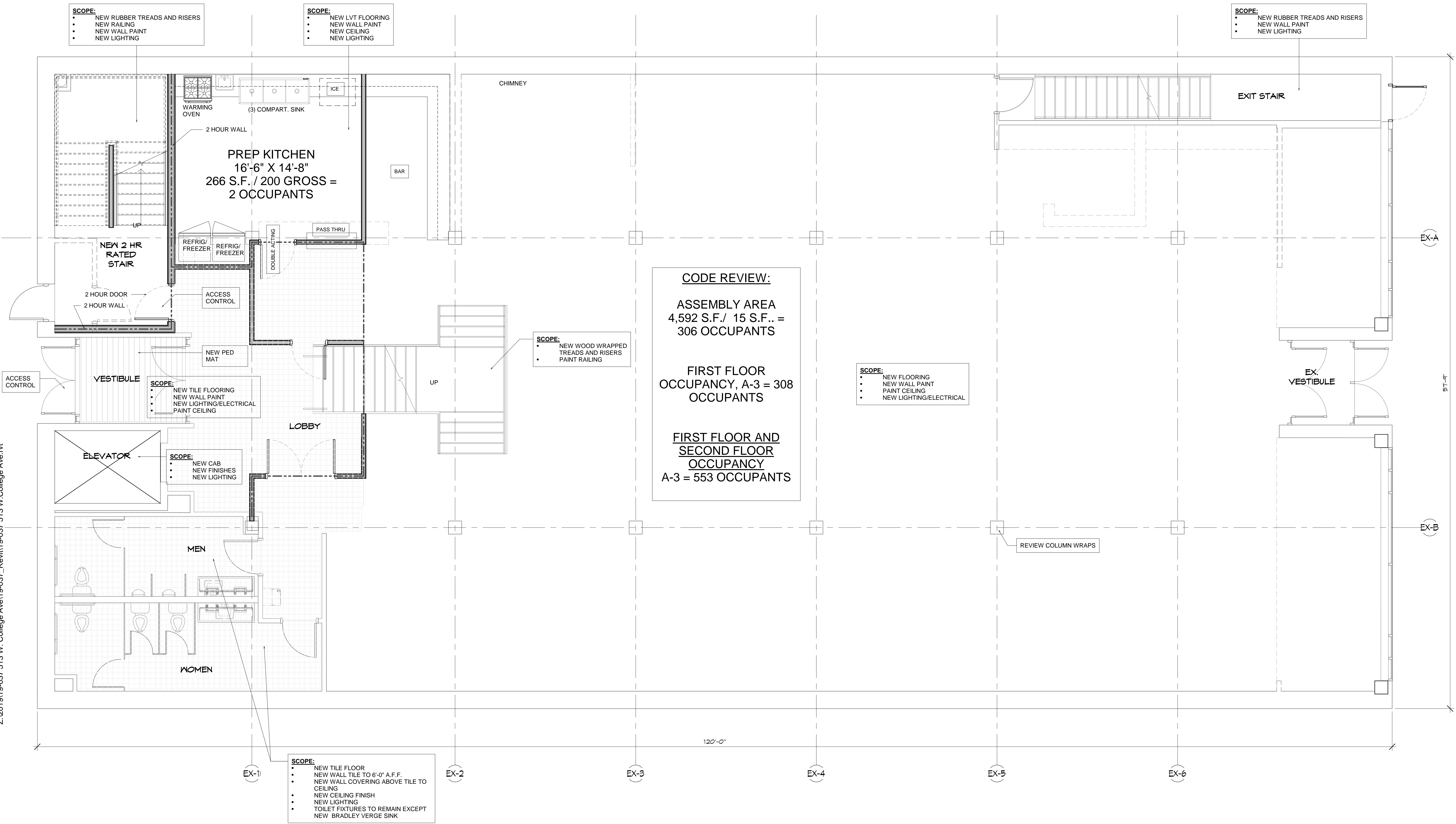
Number of existing employees: 3

Number of proposed employees: 7

Number of employees scheduled to work on the largest shift: 4

Z:\2019\19-037 513 W. College Ave\19-037\_Revit\19-037 513 W. College Ave.rvt

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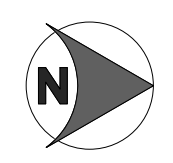


A RENOVATION FOR:  
513 W. COLLEGE AVE.  
APPLETON, WISCONSIN

date: 09/12/19  
job: 19-037  
d. by: LAK  
rev.:

A-1.1

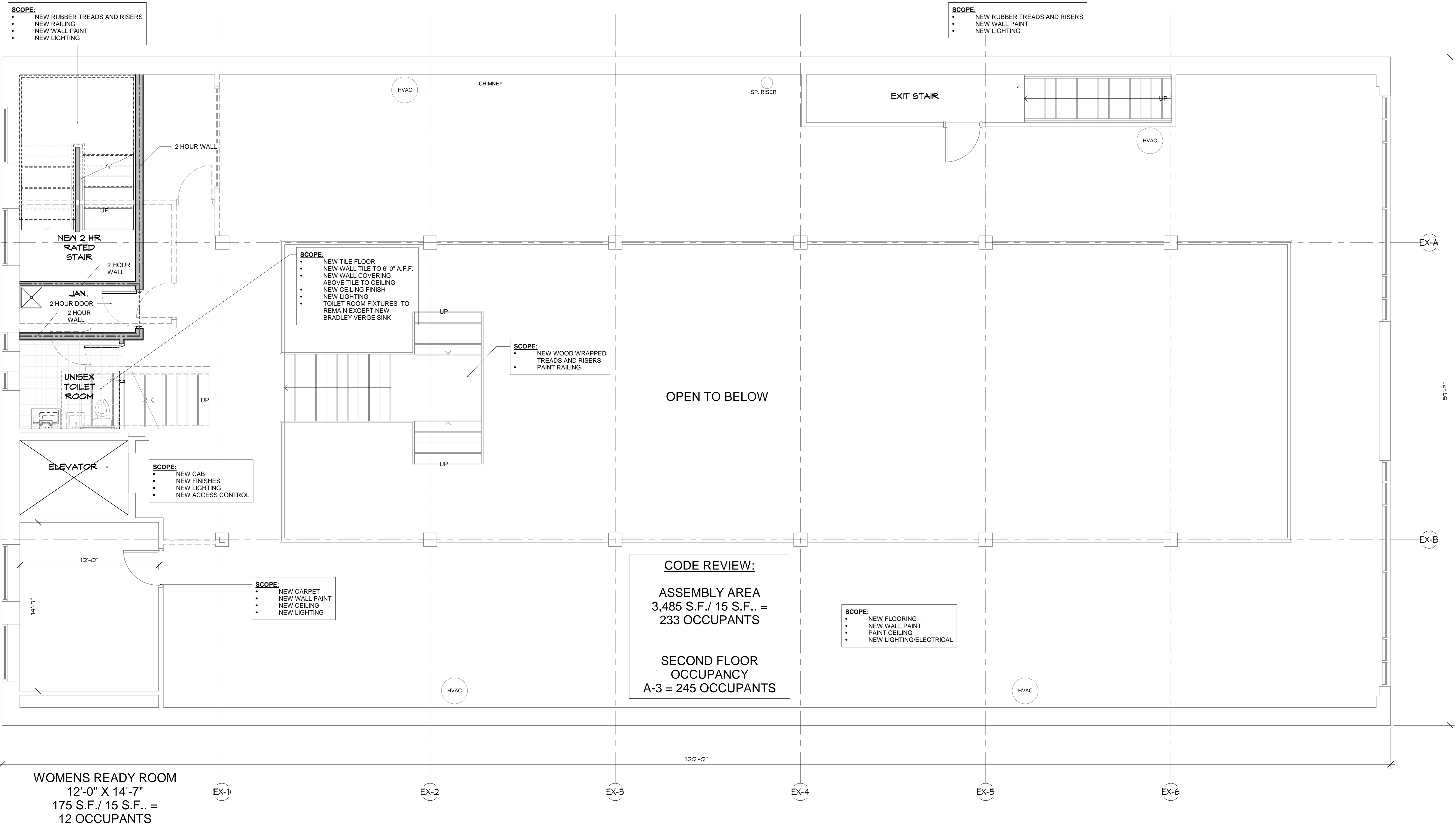
1 FIRST FLOOR PLAN  
A-1.1 1/4" = 1'-0"





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A RENOVATION FOR:  
513 W. COLLEGE AVE.  
APPLETON, WISCONSIN

date: 09/12/19  
job: 19-037  
d. by: LAK  
rev.:

1 SECOND FLOOR PLAN  
A-1.2 1/4" = 1'-0"





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

**PARKS, RECREATION & FACILITIES  
MANAGEMENT**

1819 E. Witzke Boulevard  
Appleton, Wisconsin 54911-8401  
(920) 832-3915 FAX (920) 993-3103  
tom.flick@appleton.org

## Memorandum

**To:** Parks and Recreation Committee  
**From:** Dean Gazza, Parks, Recreation and Facilities Management Department  
**Date:** October 7, 2019  
**Re:** Action Item: Request Approval of Reid Golf Course 2020 Rates Policy

---

Attached is the proposed 2020 Reid Golf Course Rates Policy that outlines the daily fees and pass rates for 2020. The 2020 Reid Golf Course Rates Policy is consistent with the policy adopted by the Committee and Council for 2019.

The policy continues to include a Discount Card that provides a 15% discount on daily fees and adds a new weekend twilight option. Proposed changes would allow Business Passes to be used for league play, no refunds for coupon books, and increased times of use for the weekday and junior passes.

Outagamie County will be implementing an additional half percent sales tax beginning January 1<sup>st</sup>, 2020. The proposed 2020 golf rates include a \$1.00 increase to weekend 9-hole daily fees and weekday twilight rates to recover the sales tax impact.

The Parks, Recreation, and Facilities Management Department is requesting approval of the 2020 Reid Golf Course Rates Policy at this time to begin planning for the 2020 season.

Please feel free to contact me at (920) 832-5572 or [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org) if you need additional information or have questions.

<b>CITY OF APPLETON POLICY</b>		TITLE: 20 <del>2019</del> REID GOLF COURSE RATES POLICY	
ISSUE DATE: Day of Council Adoption	LAST UPDATE: December 2008, December 2010, December 2011, September 2012, September 2013, August 2014 October 2015, November 2016, November 2017, November 2018	TEXT NAME: J:\Department\Administration\Policies\ Golf Course	
POLICY SOURCE: Parks and Recreation Department		TOTAL PAGES: 5	
Reviewed by Attorney's Office Date: <a href="#">September 24, 2019</a>	Parks and Recreation Committee Approval Date:	Council Approval Date:	

### **I. PURPOSE:**

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

### **II. POLICY:**

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

### **III. DEFINITIONS:**

1. Discount Card – Provides 15% discount on regular green fees
2. Weekday – Monday through Friday
3. Weekend – Saturday, Sunday and holidays

4. Dependent - Child age 18 and under, for family passes only
5. Junior – Age 18 and under
6. Junior Associate – Age 19 to 24
7. Associate – Age 25 to 40
8. Adult – Age 41 to 61
9. Senior – Age 62 and up
10. Family – All persons currently residing at the same address who are directly related (mother, father, son, daughter), or are foster children. Families are limited to two adults and the dependents and/or foster children.
11. Guest Round – A free round of golf provided to a guest of Annual pass holder.
12. New Pass Holder – individual and/or family who have not purchased an annual pass the previous year.
13. Business Pass – Pass purchased by businesses and companies for use by employees, business guests, etc. The Business Pass includes a foursome for one tee time and two carts per day.

#### **IV. DISCUSSION:**

1. Weekday daily fees will be charged Monday through Friday, except holidays.
2. Weekend daily fees will be charged Saturdays, Sundays and all holidays.
3. A Weekday Pass:
  - a. Is available for 9-hole or 18-hole play.
  - b. Can be used anytime Monday through ~~Friday/Thursday and Fridays from 6:00 am to 11:00 am.~~
  - c. Can be used for league play Monday through Friday.
  - d. Cannot be used for tournaments, outings and/or special events.
4. An Associate, Junior Associate, Adult, and Family Annual Pass:
  - a. Is available for 9-hole or 18-hole play.
  - b. Can be used anytime Monday through Sunday and holidays based on availability.
  - c. Can be used for league play Monday through Friday.
  - d. Can be used for tournaments, outings and/or special events.
5. A Junior Annual Pass:
  - a. Is available for 9-hole or 18-hole play.
  - b. Can be used anytime Monday through ~~Friday/Thursday and Fridays from 6:00 am 3:00 pm and Friday Twilight.~~
  - c. Can be used Saturdays, Sundays and holidays after 2:00 PM
  - d. Can be used for tournaments, outings and special events.
6. A Junior Summer Pass:
  - a. Is available for 9 or 18 hole play.
  - b. Can be used from Memorial Day to Labor Day only.
  - c. Can be used Monday through Friday from 6:00 am to 3:00 pm.
  - d. Can be used Saturdays, Sundays and holidays after 2:00 PM.
  - e. Cannot be used for tournaments, outings, and/or special events.
7. A New Pass Holder (Weekday or Annual) can purchase a pass for the following year at the end of the current golf season and the pass can be used for the remainder of the

current golf season and the entire following golf season. The use of the Weekday and/or Annual Pass for the remainder of the current golf season will be consistent with #4, #5 and #6 above.

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

**REID GOLF COURSE – Proposed Fees**

<b>WEEKDAY DAILY FEES</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>Net</b>
Adult 9	\$17.00	\$17.00	\$17.00	\$17.00	\$17.00	-
Adult 18	\$28.00	\$28.00	\$28.00	\$28.00	\$28.00	-
Senior 9	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	-
Senior 18	\$24.00	\$24.00	\$24.00	\$24.00	\$24.00	-
Junior w/ restrictions	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	-
<b>WEEKEND DAILY FEES</b>						
Adult/Junior/Senior 9	\$19.50	\$19.50	\$19.00	\$19.00	<u>\$20.00</u>	<u>\$1</u>
Adult/Junior/Senior 18	\$31.00	\$31.00	\$31.00	\$31.00	\$31.00	-
<b>REPLAY RATES</b>						
Walking	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	-
Riding	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	-
<b>WEEKDAY TWILIGHT Mon – Thur 6:00 PM - Close</b>						
Walking	\$9.50	\$11.00	\$11.00	\$11.00	\$12.00	<u>\$1</u>
Riding	\$18.50	\$22.00	\$22.00	\$22.00	\$23.00	<u>\$1</u>
<b>WEEKEND TWILIGHT Fri, Sat &amp; Sun 4:00-Close</b>						
Walking	-	-	-	-	<u>\$15.00</u>	-
Riding	-	-	-	-	<u>\$26.00</u>	-
<b>SUPER TWILIGHT Fri, Sat &amp; Sun 1-4 PM 3-5</b>						
9 Holes – walking	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	-
18 Holes – walking	\$24.00	\$24.00	\$24.00	\$24.00	\$24.00	-
<b>DISCOUNT CARDS</b>						
Adults/Seniors	\$30.00	\$31.50	\$31.50	\$31.50	\$31.50	-
<b>SPECIALS</b>						
Junior Summer Pass	\$150	\$150	\$150	\$150	\$150	-
<b>WEEKDAY PASSES (Monday-Friday Only)</b>						
Junior	\$175	\$175	\$175	\$175	\$175	-
Adult	\$775	\$815	\$815	\$815	\$815	-
Senior	\$625	\$660	\$660	\$660	\$660	-
<b>ANNUAL PASSES</b>						
Junior	\$200	\$200	\$200	\$200	\$200	-
Junior Associate	-	-	\$350	\$350	\$350	-
Associate	\$700	\$735	\$735	\$735	\$735	-
Adult	\$1050	\$1105	\$1050	\$1050	\$1050	-
Senior	\$750	\$790	\$800	\$800	\$800	-
Family	\$1100	\$1155	\$1155	\$1155	<u>\$1200</u>	<u>\$45</u>
Business	\$2500	\$2625	\$2625	\$2625	\$2625	-

*\*Tax included on daily fees beginning in 2016 and Annual Passes in 2017\**

**Returning Pass Holder Loyalties**

**2016 Pass Sales** - New Pass Holders-Purchase 2016 pass in 2015. Good for remainder of 2015 and all of 2016

-Returning Pass Holders from 2015 – Purchase 2016 pass before March 15 and receive three (3) guest passes. Guest pass is good anytime for a 9-hole or 18-hole round.

**2017 Pass Sales**

-Purchase pass in 2016 and play remainder of year with next year's pass

-Returning Pass Holders receive 3 free guest passes

-5% off 2 passes, 10% off 3 passes in March

**2018 Pass Sales**

-Returning Pass Holders receive 3 free guest passes and 3 free drink tickets.

-Pass Holders receive packet including merchandise coupons and yardage book.

-5% off 2 passes, 10% off 3 passes in March

**2019 Pass Sales**

-Returning Pass Holders receive 3 free guest passes.

-Pass Holders receive packet including merchandise coupons and yardage book.

-5% off 2 passes, 10% off 3 passes in March

**2020 Pass Sales**

-Returning Pass Holders receive 3 free guest passes.

-Pass Holders receive packet including merchandise coupons and yardage book.

-5% off 2 passes, 10% off 3 passes in March

<b>CITY OF APPLETON POLICY</b>		<b>TITLE: 2020 REID GOLF COURSE RATES POLICY</b>	
ISSUE DATE: Day of Council Adoption		LAST UPDATE: December 2008, December 2010, December 2011, September 2012, September 2013, August 2014 October 2015, November 2016, November 2017, November 2018	TEXT NAME: J:\Department\Administration\Policies\ Golf Course
POLICY SOURCE: Parks and Recreation Department		TOTAL PAGES: 5	
Reviewed by Attorney's Office Date: September 24, 2019	Parks and Recreation Committee Approval Date:	Council Approval Date:	

**I. PURPOSE:**

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

**II. POLICY:**

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

**III. DEFINITIONS:**

1. Discount Card – Provides 15% discount on regular green fees
2. Weekday – Monday through Friday
3. Weekend – Saturday, Sunday and holidays



4. Dependent - Child age 18 and under, for family passes only
5. Junior – Age 18 and under
6. Junior Associate – Age 19 to 24
7. Associate – Age 25 to 40
8. Adult – Age 41 to 61
9. Senior – Age 62 and up
10. Family – All persons currently residing at the same address who are directly related (mother, father, son, daughter), or are foster children. Families are limited to two adults and the dependents and/or foster children.
11. Guest Round – A free round of golf provided to a guest of Annual pass holder.
12. New Pass Holder – individual and/or family who have not purchased an annual pass the previous year.
13. Business Pass – Pass purchased by businesses and companies for use by employees, business guests, etc. The Business Pass includes a foursome for one tee time and two carts per day.

#### **IV. DISCUSSION:**

1. Weekday daily fees will be charged Monday through Friday, except holidays.
2. Weekend daily fees will be charged Saturdays, Sundays and all holidays.
3. A Weekday Pass:
  - a. Is available for 9-hole or 18-hole play.
  - b. Can be used anytime Monday through Friday.
  - c. Can be used for league play Monday through Friday.
  - d. Cannot be used for tournaments, outings and/or special events.
4. An Associate, Junior Associate, Adult, and Family Annual Pass:
  - a. Is available for 9-hole or 18-hole play.
  - b. Can be used anytime Monday through Sunday and holidays based on availability.
  - c. Can be used for league play Monday through Friday.
  - d. Can be used for tournaments, outings and/or special events.
5. A Junior Annual Pass:
  - a. Is available for 9-hole or 18-hole play.
  - b. Can be used anytime Monday through Friday.
  - c. Can be used Saturdays, Sundays and holidays after 2:00 PM
  - d. Can be used for tournaments, outings and special events.
6. A Junior Summer Pass:
  - a. Is available for 9 or 18 hole play.
  - b. Can be used from Memorial Day to Labor Day only.
  - c. Can be used Monday through Friday from 6:00 am to 3:00 pm.
  - d. Can be used Saturdays, Sundays and holidays after 2:00 PM.
  - e. Cannot be used for tournaments, outings, and/or special events.
7. A New Pass Holder (Weekday or Annual) can purchase a pass for the following year at the end of the current golf season and the pass can be used for the remainder of the current golf season and the entire following golf season. The use of the Weekday and/or

Annual Pass for the remainder of the current golf season will be consistent with #4, #5 and #6 above.

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

**REID GOLF COURSE – Proposed Fees**

<b>WEEKDAY DAILY FEES</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>Net</b>
Adult 9	\$17.00	\$17.00	\$17.00	\$17.00	\$17.00	-
Adult 18	\$28.00	\$28.00	\$28.00	\$28.00	\$28.00	-
Senior 9	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	-
Senior 18	\$24.00	\$24.00	\$24.00	\$24.00	\$24.00	-
Junior w/ restrictions	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	-
<b>WEEKEND DAILY FEES</b>						
Adult/Junior/Senior 9	\$19.50	\$19.50	\$19.00	\$19.00	\$20.00	<b>\$1</b>
Adult/Junior/Senior 18	\$31.00	\$31.00	\$31.00	\$31.00	\$31.00	-
<b>REPLAY RATES</b>						
Walking	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	-
Riding	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	-
<b>TWILIGHT (unlimited golf)</b>						
Walking	\$9.50	\$11.00	\$11.00	\$11.00	\$12.00	<b>\$1</b>
Riding	\$18.50	\$22.00	\$22.00	\$22.00	\$23.00	<b>\$1</b>
<b>WEEKEND TWILIGHT Fri, Sat &amp; Sun 4:00-Close</b>						
Walking	-	-	-	-	\$15.00	-
Riding	-	-	-	-	\$26.00	-
<b>SUPER TWILIGHT Fri, Sat &amp; Sun 1-4 PM</b>						
9 Holes – walking	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	-
18 Holes – walking	\$24.00	\$24.00	\$24.00	\$24.00	\$24.00	-
<b>DISCOUNT CARDS</b>						
Adults/Seniors	\$30.00	\$31.50	\$31.50	\$31.50	\$31.50	-
<b>SPECIALS</b>						
Junior Summer Pass	\$150	\$150	\$150	\$150	\$150	-
<b>WEEKDAY PASSES (Monday-Friday Only)</b>						
Junior	\$175	\$175	\$175	\$175	\$175	-
Adult	\$775	\$815	\$815	\$815	\$815	-
Senior	\$625	\$660	\$660	\$660	\$660	-
<b>ANNUAL PASSES</b>						
Junior	\$200	\$200	\$200	\$200	\$200	-
Junior Associate	-	-	\$350	\$350	\$350	-
Associate	\$700	\$735	\$735	\$735	\$735	-
Adult	\$1050	\$1105	\$1050	\$1050	\$1050	-
Senior	\$750	\$790	\$800	\$800	\$800	-
Family	\$1100	\$1155	\$1155	\$1155	\$1200	<b>\$45</b>
Business	\$2500	\$2625	\$2625	\$2625	\$2625	-

*\*Tax included on daily fees beginning in 2016 and Annual Passes in 2017\**

**Returning Pass Holder Loyalties**

**2016 Pass Sales** - New Pass Holders-Purchase 2016 pass in 2015. Good for remainder of 2015 and all of 2016

-Returning Pass Holders from 2015 – Purchase 2016 pass before March 15 and receive three (3) guest passes. Guest pass is good anytime for a 9-hole or 18-hole round.

**2017 Pass Sales**

-Purchase pass in 2016 and play remainder of year with next year's pass

-Returning Pass Holders receive 3 free guest passes

-5% off 2 passes, 10% off 3 passes in March

**2018 Pass Sales**

-Returning Pass Holders receive 3 free guest passes and 3 free drink tickets.

-Pass Holders receive packet including merchandise coupons and yardage book.

-5% off 2 passes, 10% off 3 passes in March

**2019 Pass Sales**

-Returning Pass Holders receive 3 free guest passes.

-Pass Holders receive packet including merchandise coupons and yardage book.

-5% off 2 passes, 10% off 3 passes in March

**2020 Pass Sales**

-Returning Pass Holders receive 3 free guest passes.

-Pass Holders receive packet including merchandise coupons and yardage book.

-5% off 2 passes, 10% off 3 passes in March



# MEMORANDUM

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

TO: Tom Flick – Deputy Director, Parks, Recreation & Facilities Management

FROM: Jessica Titel, Principal Planner

DATE: September 4, 2019

RE: Acre of Art – Season III Installation: Better Days Sculpture – Houdini Plaza

The Appleton Public Art Committee met on September 3, 2019 and recommended that the proposed installation of the Better Days sculpture located within Houdini Plaza (Tax Id #31-2-0067-00), **IS NOT RECOMMENDED FOR APPROVAL**, subject to the Staff Analysis within the Staff Report:

Per the Art in Public Places Policy, the recommendation from the Appleton Public Art Committee is forwarded to the committee of jurisdiction, in this case, the Park and Recreation Committee. Please place this item on the agenda for the September 9, 2019 Park and Recreation Committee agenda. Their recommendation would then for forward to the Common Council for final consideration.

The Staff Report prepared for the Public Art Committee is attached as reference.



## REPORT TO PUBLIC ART COMMITTEE

**Appleton Public Arts Committee Meeting Date:** September 3, 2019

**Parks & Recreation Committee Date:** September 9, 2019

**Common Council Meeting Date:** September 18, 2019

**Item:** Better Days Sculpture

**Case Manager:** Jessica Titel

### GENERAL INFORMATION

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**Applicant:** Alex Schultz – Sculpture Valley, Inc.

**Address/Parcel:** Houdini Plaza - S. Oneida Street (Tax Id #31-2-0067-00)

**Applicant's Request:** Applicant is requesting to place the Better Days sculpture, associated with Sculpture Valley's Acre of Art Season III, on City owned property. Sculptures will be placed for a period of 2 years.

### PROJECT DETAILS

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**Brief description of project and location:** The sculpture is part of Sculpture Valley's Acre of Art Season III installation. Acre of Art is a public sculpture series that places sculptures throughout the Fox Cities. The sculptures remain in their respective locations for a period of 2 years. The applicant is proposing to place the "Better Days" sculpture within Houdini Plaza.

Since this location was initially presented to the APAC, the applicant has chosen a different sculpture for Houdini Plaza. The Better Days sculpture is being proposed in this location, rather than the Midsummer Gate sculpture.

*With this proposal, the applicant has also proposed an alternative location near Houdini Plaza for this sculpture. The alternative location is within the S. Oneida Street right-of-way, just south of Houdini Plaza. Since this location was not originally presented, it will not be presented as an action item. Staff does not support this location because it is located in an area used for snow storage and would be easily damaged in this location. This area of South Oneida Street is also planned for reconstruction in 2021, so it would need to be relocated prior to April 2021.*

**Reason for choosing the proposed location:** The applicant chose the proposed location because they feel Houdini Plaza is the most visible sculpture location in the City and chose the location within the plaza to minimize programming conflicts. The attached proposal provides more detail on the rationale for this location.

## Better Days Sculpture – Houdini Plaza

September 3, 2019

Page 2

**Description of how the work is installed/anchored/attached:** The sculpture would be mounted on a 4-foot round, 4-inch high concrete pedestal. In order to ensure public safety of the structure, the applicant would need to provide installation details and structural information that is prepared by a structural engineer or other qualified professional.

**Timeline and duration of installation:** Installation dates to be determined. The sculpture would be in place for 2 years.

**Maintenance and Cost:** The artwork would be maintained by Sculpture Valley. A maintenance agreement would be prepared by the City's Legal Services and would need to be executed prior to installation.

**Associated Signage:** A plaque would be installed adjacent to the sculpture.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* illustrates the importance of the arts community to Appleton and encourages the expansion and promotion of placemaking and arts in the City. The proposed public art project is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

*Chapter 3 – Community Vision #12: Creative place making and public art enhance the public realm and contribute to a vibrant economy.*

*Goal 7 – Agricultural, Natural, and Cultural Resources*

*Appleton will continue to protect and enhance its environmental quality and important natural resources, preserve historic sites, and support cultural opportunities for community residents.*

*Chapter 14 – Downtown Plan*

- *Strategy 1.1 Continue development of entry features on major routes into the downtown*
- *Strategy 1.4 Install sculpture, murals, and other art in public locations throughout the downtown*
- *Strategy 2.1 Maintain and strengthen the vitality of the arts and entertainment niche*

## **STAFF ANALYSIS**

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While artwork in Houdini Plaza and Downtown, in general, is supported in the City's Comprehensive Plan, Staff cannot support the proposed sculpture or location based on the following:

- When Houdini Plaza was designed, an existing concrete pad was installed with the purpose of displaying artwork in Houdini Plaza. The concrete pad's location is in the southeast corner of the plaza, near a seating area. This location should be used for future proposals. Artwork was also intended to have a connection to Houdini.
- The location would damage planter areas with the installation.
- There is a significant amount of underground utilities throughout Houdini Plaza.
- Houdini Plaza was designed for and is programmed for numerous public activities throughout the year and avoiding conflicts with the programming needs of these events is challenging.



## Better Days Sculpture – Houdini Plaza

September 3, 2019

Page 3

- Staff did meet with the applicant regarding these concerns and suggestions. There was an agreement to skip this year's display in Houdini Plaza and to look for a Houdini appropriate art piece to be located on the existing concrete pad in the future.

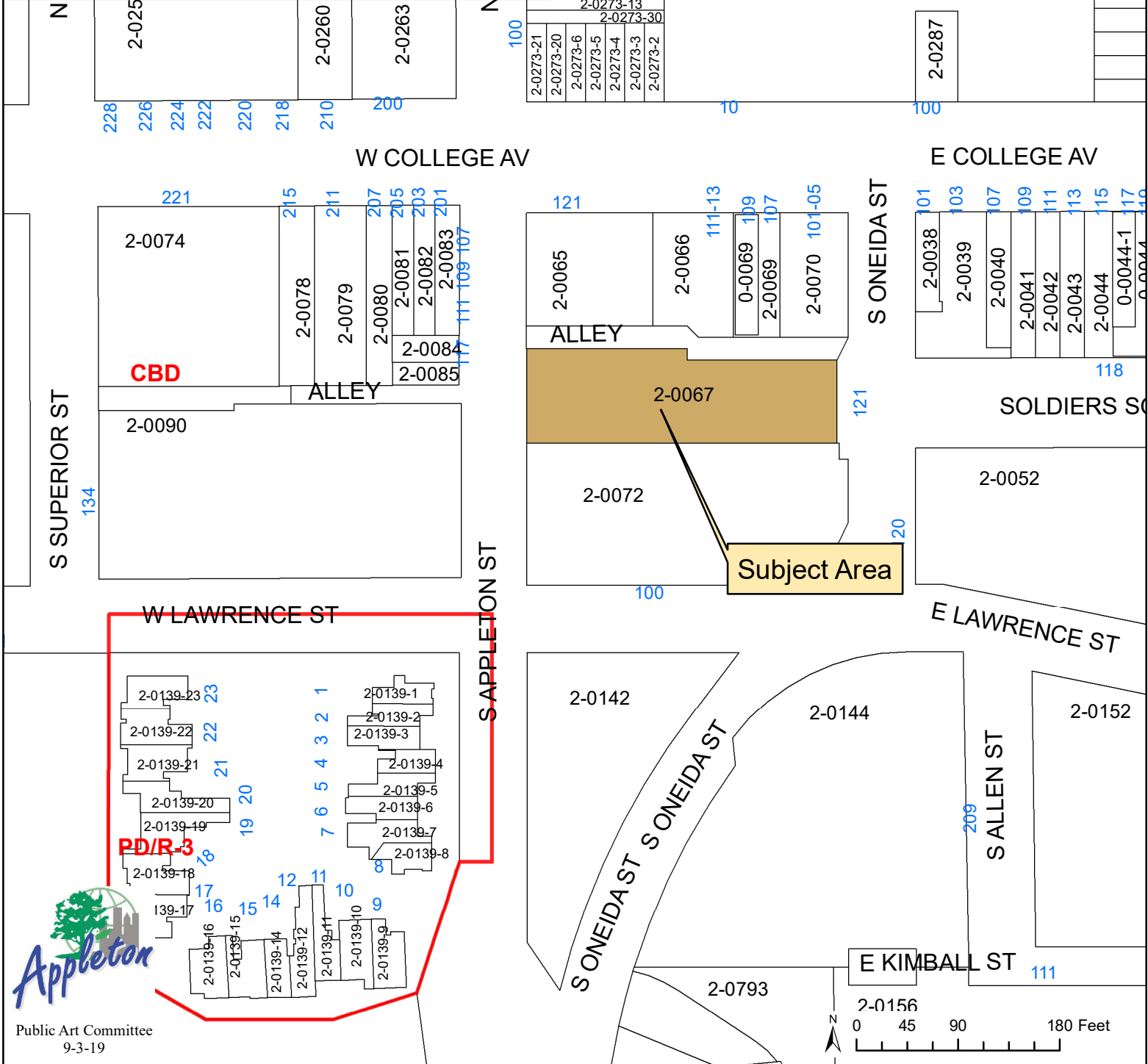
**Oneida Street right-of-way location:** With this proposal, the applicant has also proposed an alternative location near Houdini Plaza for this sculpture. The alternative location is within the S. Oneida Street right-of-way, just south of Houdini Plaza. Since this location was not originally presented, it will not be presented as an action item. Staff does not support this location because it is located in an area used for snow storage and would be easily damaged in this location. This area of South Oneida Street is also planned for reconstruction in 2021, so it would need to be relocated prior to April 2021.

### **RECOMMENDATION**

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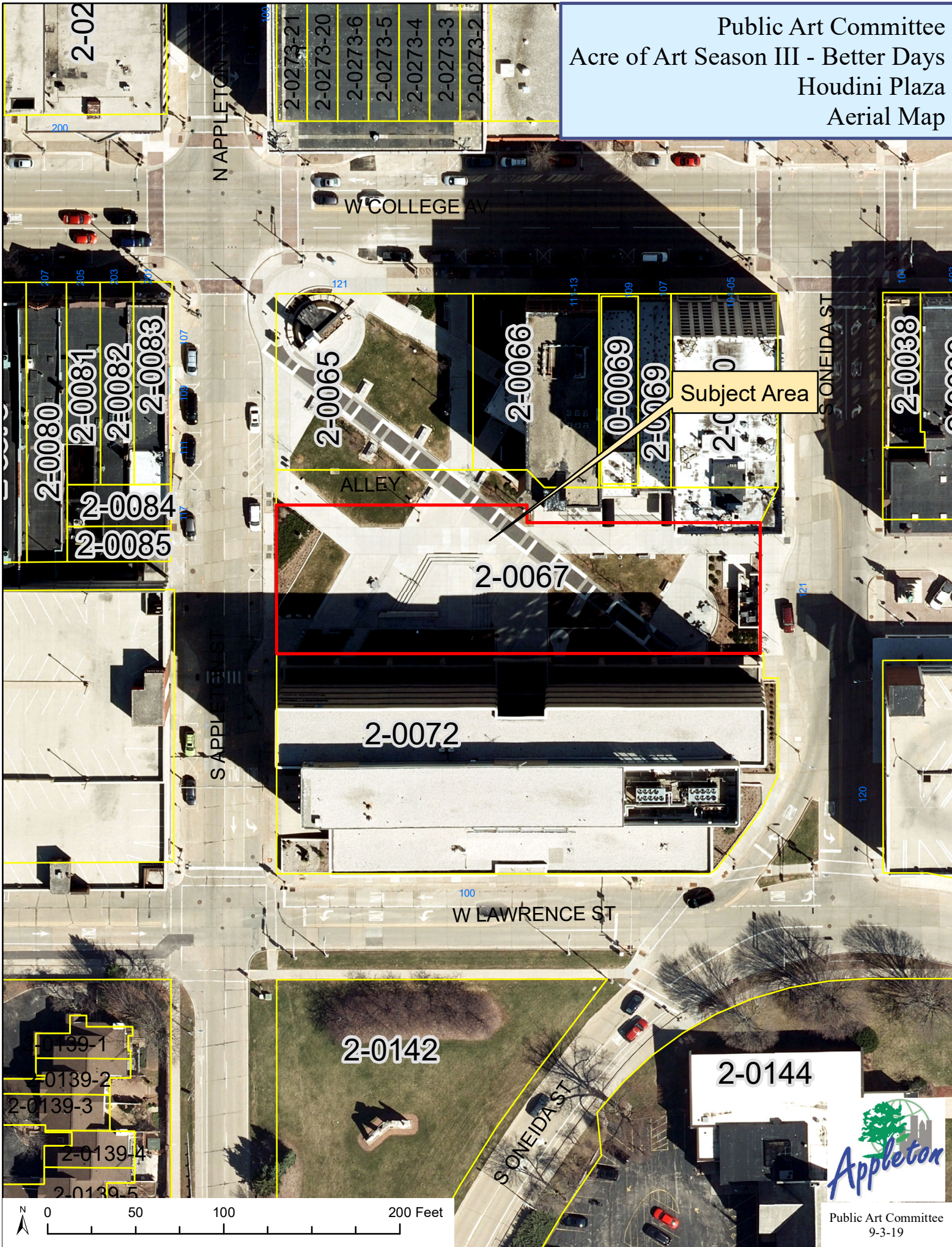
Based upon the guidelines outlined in the Art in Public Places Policy, Staff recommends that the proposed installation of the Better Days sculpture located within Houdini Plaza (Tax Id #31-2-0067-00), as shown on the attached maps, **IS NOT RECOMMENDED FOR APPROVAL**, subject to the Staff Analysis within the Staff Report:

Public Art Committee  
 Acre of Art Season III - Better Days  
 Houdini Plaza  
 Zoning Map





Public Art Committee  
Acre of Art Season III - Better Days  
Houdini Plaza  
Aerial Map



Subject Area

N 0 50 100 200 Feet

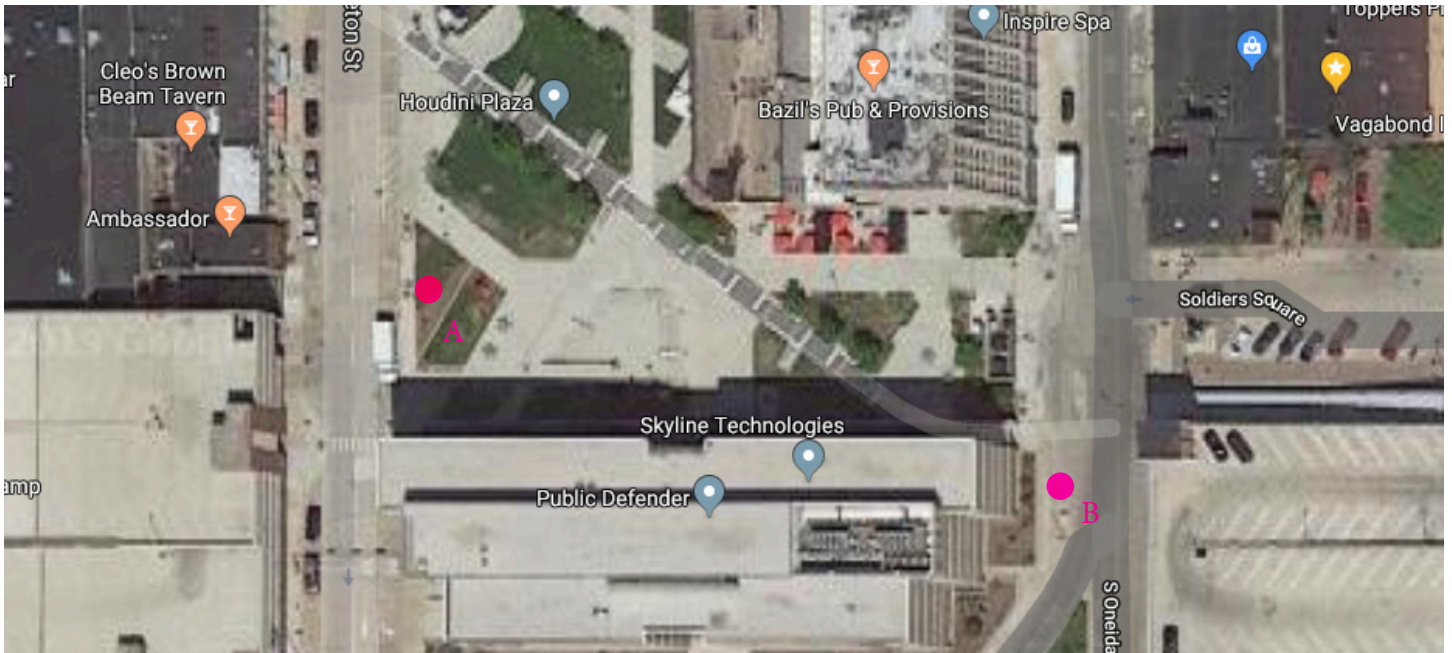


Public Art Committee  
9-3-19



## Houdini Plaza Area - Appleton St Planter / Appleton Center Sidewalk

Houdini Plaza was established as an ACRE site for Season I. It is the most visible sculpture location in the City. SV suggests relocating new works to non-pedestrian planter area to avoid programming conflicts that arose with location of previous sculpture in grassy area.



**Better Days:** Chosen for context, simplicity of design and pop of color that is enjoyed with the current bright red-colored work Here. Jury feels strongly that we need something in or near Houdini Plaza to replace the presence of the current sculpture, Here. This is a late entry that was pulled into the Top 10 when the original ranked 10 work was pulled from competition.

Sculpture and pedestal will sit on 4' round 4" high concrete base. Sits just below grade. No excavation required. Some relocation of plantings may be necessary.

A: Flower bed in Houdini Plaza along Appleton St.



B: Sidewalk area along S. Oneida





# MEMORANDUM

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

TO: Tom Flick – Deputy Director, Parks, Recreation & Facilities Management

FROM: Jessica Titel, Principal Planner

DATE: September 4, 2019

RE: Acre of Art – Season III Installation: Gyan Sculpture – Jones Park

The Appleton Public Art Committee met on September 3, 2019 and recommended approval of the proposed installation of the “Gyan” sculpture located in Jones Park (301 W. Lawrence Street, Tax Id #31-2-0116-01), **subject to the following conditions:**

1. An agreement between the applicant and the City will be prepared by the City’s Legal Services Department and shall be executed prior to installation. This agreement will memorialize the expectations of the parties including the location of the art, installation and insurance requirements, maintenance, liability, indemnification, and the like.
2. Final sponsorship/informational plaque design shall be provided to the Community and Economic Development Department for approval. Per the Art in Public Places Policy, any artwork signage shall meet the parameters set forth in Zoning Code Section 23-531(e), which allows each artwork one plaque/sign not to exceed nine square feet in size.
3. Prior to installation, the applicant shall provide applicable engineering and structural details for the installation of the sculpture prepared by a structural engineer or other qualified professional.
4. Applicant shall provide proof of minimum liability insurance to meet City requirements, prior to installation.
5. Upon completion of the installation, the applicant shall provide certification, by a structural/professional engineer, that the artwork was installed according to specifications and meets required structural standards.
6. The applicant shall coordinate with Parks, Recreation and Facilities Management to determine the exact location of the sculpture.

The sculpture is part of Sculpture Valley's Acre of Art Season III installation. Acre of Art is a public sculpture series that places sculptures throughout the Fox Cities. The sculptures remain in their respective locations for a period of 2 years. The applicant is proposing to place the "Gyan" sculpture within Jones Park, at the bottom of the staircase.

Per the Art in Public Places Policy, the recommendation from the Appleton Public Art Committee is forwarded to the committee of jurisdiction, in this case, the Park and Recreation Committee. Please place this item on the agenda for the September 9, 2019 Park and Recreation Committee agenda. Their recommendation would then be forwarded to the Common Council for final consideration.

The Staff Report prepared for the Public Art Committee is attached as reference.



## REPORT TO PUBLIC ART COMMITTEE

**Appleton Public Arts Committee Meeting Date:** September 3, 2019

**Parks & Recreation Committee Date:** September 9, 2019

**Common Council Meeting Date:** September 18, 2019

**Item:** Gyan Sculpture

**Case Manager:** Jessica Titel

### GENERAL INFORMATION

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**Applicant:** Alex Schultz – Sculpture Valley, Inc.

**Address/Parcel:** Jones Park (bottom of the staircase) – 301 W. Lawrence Street (Tax Id #31-2-0116-01)

**Applicant's Request:** Applicant is requesting to place the Gyan sculpture, associated with Sculpture Valley's Acre of Art Season III, on City owned property. Sculptures will be placed for a period of 2 years.

### PROJECT DETAILS

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**Brief description of project and location:** The sculpture is part of Sculpture Valley's Acre of Art Season III installation. Acre of Art is a public sculpture series that places sculptures throughout the Fox Cities. The sculptures remain in their respective locations for a period of 2 years. The applicant is proposing to place the "Gyan" sculpture within Jones Park, at the bottom of the staircase.

The applicant will need to coordinate with Parks, Recreation and Facilities Management to determine the exact location.

**Reason for choosing the proposed location:** The applicant chose the proposed location because they felt timing and location presented an opportunity to showcase an Acre of Art sculpture in Jones Park. The attached proposal provides more detail on the rationale for this location.

**Description of how the work is installed/anchored/attached:** It will be mounted on a 6-foot round, 4-inch high concrete pedestal. In order to ensure public safety of the structure, the applicant will need to provide installation details and structural information that is prepared by a structural engineer or other qualified professional.

**Timeline and duration of installation:** Installation dates to be determined. The sculpture will be in place for 2 years. Applicant will need to provide installation dates and coordinate with the Parks, Recreation and Facilities Management Department.

**Maintenance and Cost:** The artwork will be maintained by Sculpture Valley. A maintenance agreement will be prepared by the City's Legal Services Department and will need to be executed prior to installation.



**Associated Signage:** A plaque will be installed adjacent to the sculpture.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* illustrates the importance of the arts community to Appleton and encourages the expansion and promotion of placemaking and arts in the City. The proposed public art project is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

*Chapter 3 – Community Vision #12: Creative place making and public art enhance the public realm and contribute to a vibrant economy.*

*Goal 7 – Agricultural, Natural, and Cultural Resources*

*Appleton will continue to protect and enhance its environmental quality and important natural resources, preserve historic sites, and support cultural opportunities for community residents.*

*Chapter 14 – Downtown Plan*

- *Strategy 1.1 Continue development of entry features on major routes into the downtown*
- *Strategy 1.4 Install sculpture, murals, and other art in public locations throughout the downtown*
- *Strategy 2.1 Maintain and strengthen the vitality of the arts and entertainment niche*
- *Strategy 2.3.A Enhance Jones Park as a cultural and entertainment destination including music, dance, and different educational opportunities. Consider an outdoor performance venue such as American Players Theatre to support live performances of all types.*

## **RECOMMENDATION**

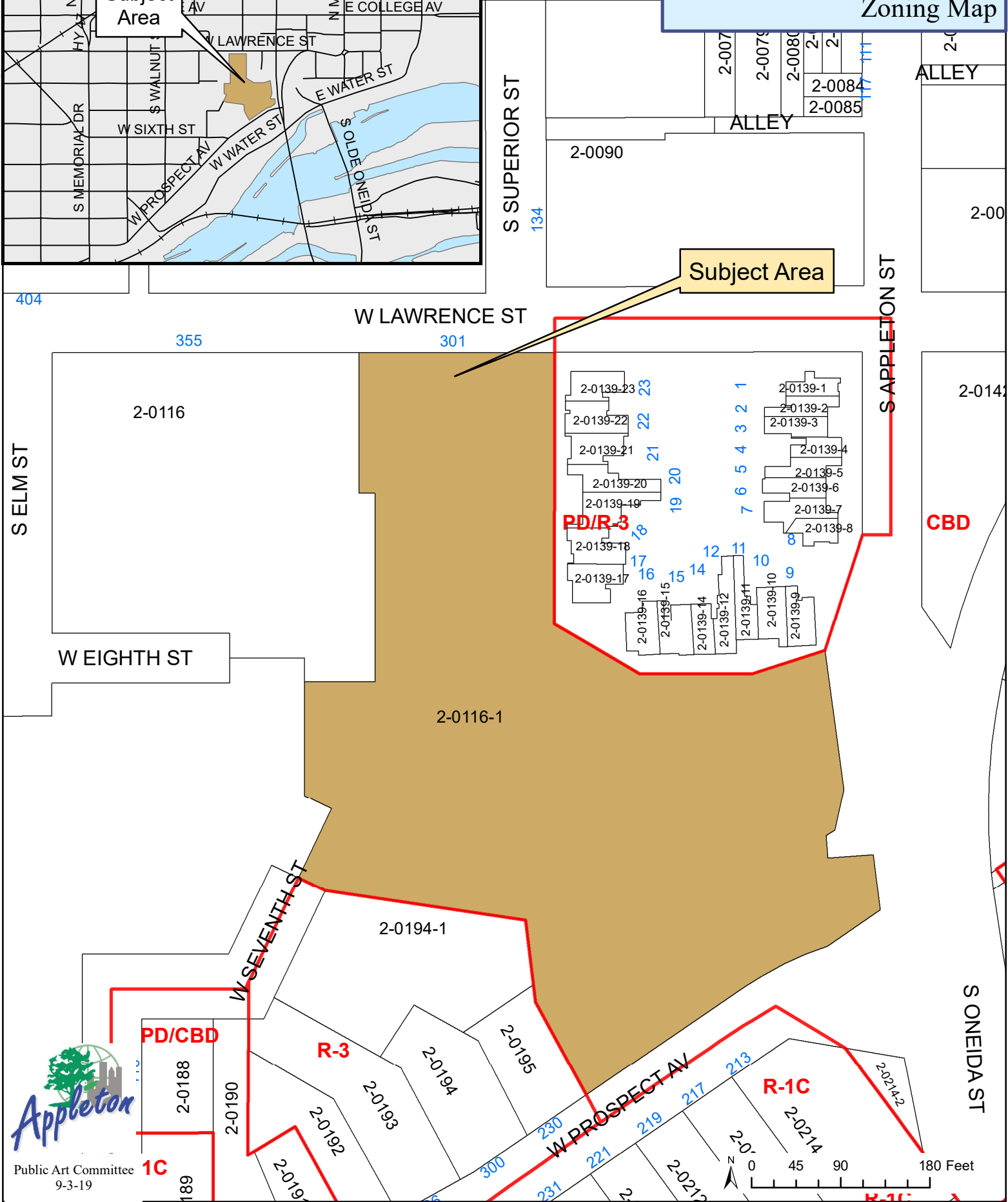
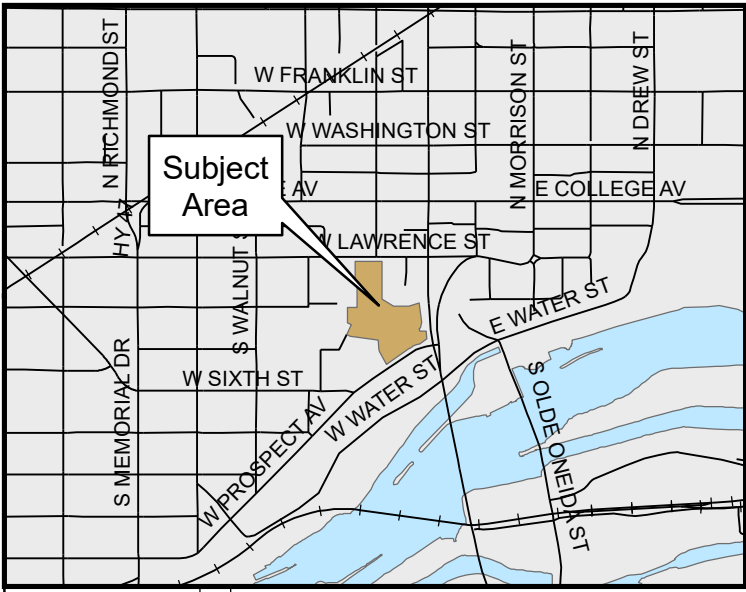
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Based upon the guidelines outlined in the Art in Public Places Policy, Staff recommends that the proposed installation of the Gyan sculpture at Jones Park (301 W. Lawrence Street, Tax Id #31-2-0116-01), as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. An agreement between the applicant and the City will be prepared by the City's Legal Services Department and shall be executed prior to installation. This agreement will memorialize the expectations of the parties including the location of the art, installation and insurance requirements, maintenance, liability, indemnification, and the like.
2. Final sponsorship/informational plaque design shall be provided to the Community and Economic Development Department for approval. Per the Art in Public Places Policy, any artwork signage shall meet the parameters set forth in Zoning Code Section 23-531(e), which allows each artwork one plaque/sign not to exceed nine square feet in size.
3. Prior to installation, the applicant shall provide applicable engineering and structural details for the installation of the sculpture prepared by a structural engineer or other qualified professional.
4. Applicant shall provide proof of minimum liability insurance to meet City requirements, prior to installation.
5. Upon completion of the installation, the applicant shall provide certification, by a structural/professional engineer, that the artwork was installed according to specifications and meets required structural standards.

6. The applicant shall coordinate with Parks, Recreation and Facilities Management to determine the exact location of the sculpture.

Public Art Committee  
Acre of Art Season III - Gyan  
Jones Park  
Zoning Map



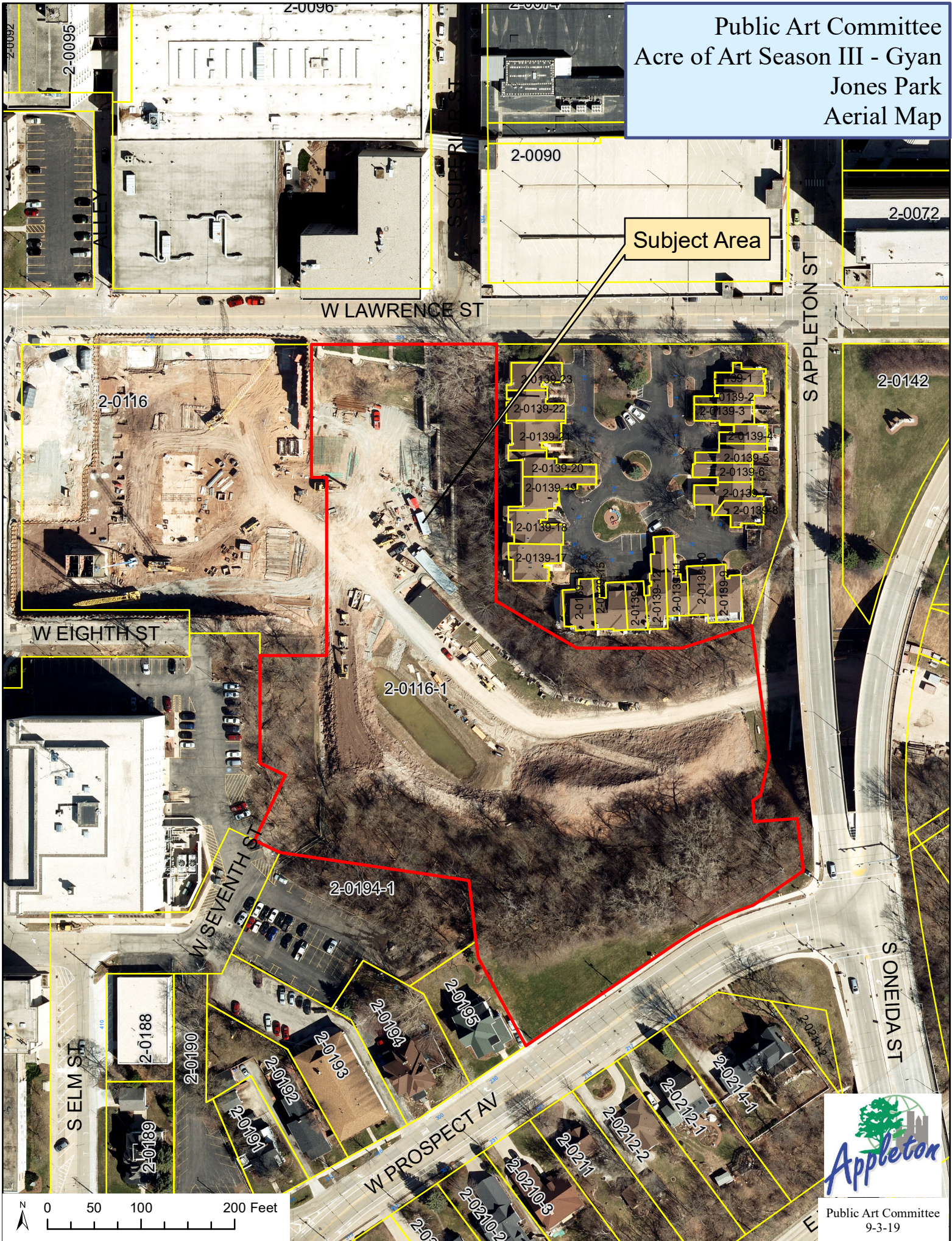
Subject Area





Public Art Committee  
Acre of Art Season III - Gyan  
Jones Park  
Aerial Map

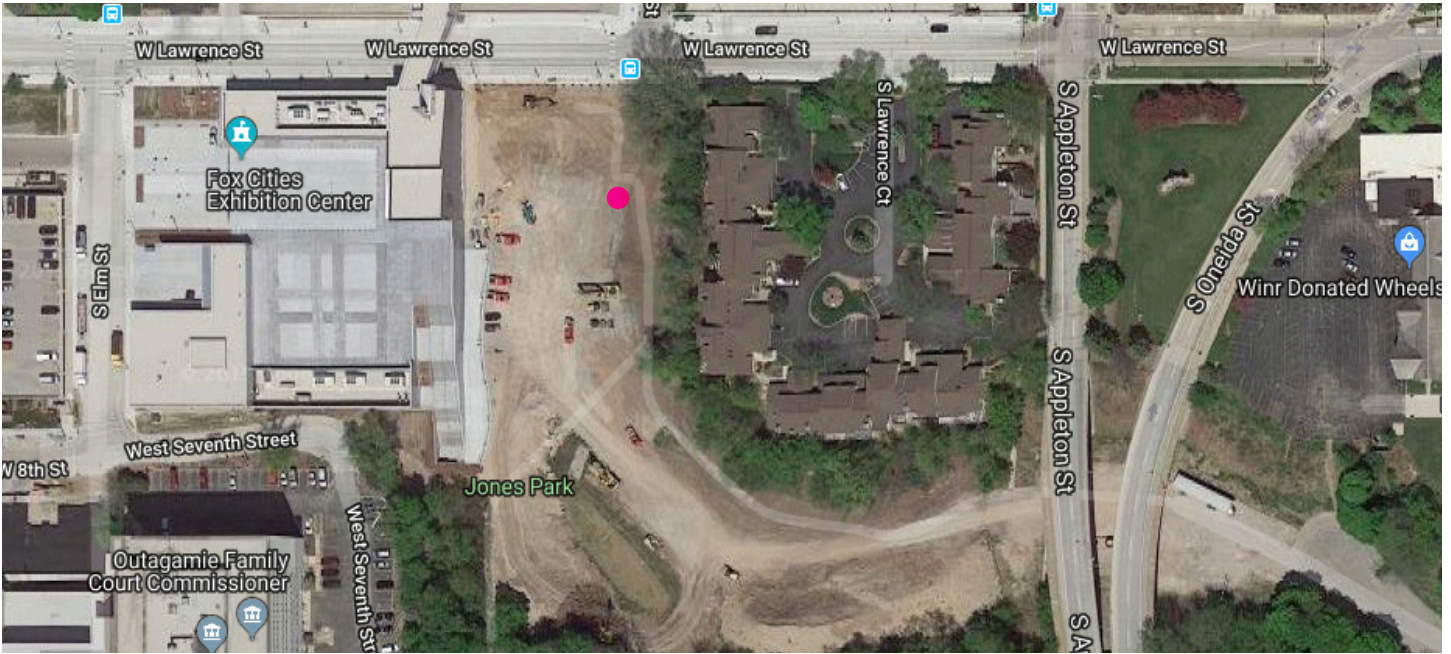
Subject Area





## Jones Park - Staircase Termination

Jones Park will host works of art and perhaps permanent sculpture in the future. SV feels that timing and location presents a perfect opportunity to showcase the ACRE with one of 2019-2021 works.



**Gyan:** Mudras, or representation of the ancient Gyan hand gestures, have specific intent in public exhibition. The Gyan Mudra is about consciousness.

Mounted on 6' round 4" high concrete pedestal. Sits just below grade. Minimal excavation required.





# MEMORANDUM

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

TO: Tom Flick – Deputy Director, Parks, Recreation & Facilities Management

FROM: Jessica Titel, Principal Planner

DATE: September 4, 2019

RE: Acre of Art – Season III Installation: To the Moon Alice Sculpture – Vulcan Heritage Park

The Appleton Public Art Committee met on September 3, 2019 and recommended approval of the proposed installation of the “To the Moon Alice” sculpture located in Vulcan Heritage Park (Tax Id #31-3-1478-00), **subject to the following conditions:**

1. An agreement between the applicant and the City will be prepared by the City’s Legal Services Department and shall be executed prior to installation. This agreement will memorialize the expectations of the parties including the location of the art, installation and insurance requirements, maintenance, liability, indemnification, and the like.
2. Final sponsorship/informational plaque design shall be provided to the Community and Economic Development Department for approval. Per the Art in Public Places Policy, any artwork signage shall meet the parameters set forth in Zoning Code Section 23-531(e), which allows each artwork one plaque/sign not to exceed nine square feet in size.
3. Prior to installation, the applicant shall provide applicable engineering and structural details for the installation of the sculpture prepared by a structural engineer or other qualified professional.
4. Applicant shall provide proof of minimum liability insurance to meet City requirements, prior to installation.
5. Upon completion of the installation, the applicant shall provide certification, by a structural/professional engineer, that the artwork was installed according to specifications and meets required structural standards.

6. The applicant shall coordinate with Parks, Recreation and Facilities Management to determine the exact location of the sculpture to ensure it is not in conflict with the snow storage area.
7. The City will not provide snow removal in the winter for access to the sculpture.

The sculpture is part of Sculpture Valley's Acre of Art Season III installation. Acre of Art is a public sculpture series that places sculptures throughout the Fox Cities. The sculptures remain in their respective locations for a period of 2 years. The applicant is proposing to place the "To the Moon Alice" sculpture within Vulcan Heritage Park, on the lawn area west of the parking lot.

Per the Art in Public Places Policy, the recommendation from the Appleton Public Art Committee is forwarded to the committee of jurisdiction, in this case, the Park and Recreation Committee. Please place this item on the agenda for the September 9, 2019 Park and Recreation Committee agenda. Their recommendation would then be forwarded to the Common Council for final consideration.

The Staff Report prepared for the Public Art Committee is attached as reference.





## REPORT TO PUBLIC ART COMMITTEE

**Appleton Public Arts Committee Meeting Date:** September 3, 2019

**Parks & Recreation Committee Date:** September 9, 2019

**Common Council Meeting Date:** September 18, 2019

**Item:** To the Moon Alice Sculpture

**Case Manager:** Jessica Titel

### GENERAL INFORMATION

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**Applicant:** Alex Schultz – Sculpture Valley, Inc.

**Address/Parcel:** Vulcan Heritage Park (Tax Id #31-3-1478-00)

**Applicant's Request:** Applicant is requesting to place the To the Moon Alice sculpture, associated with Sculpture Valley's Acre of Art Season III, on City owned property. Sculptures will be placed for a period of 2 years.

### PROJECT DETAILS

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**Brief description of project and location:** The sculpture is part of Sculpture Valley's Acre of Art Season III installation. Acre of Art is a public sculpture series that places sculptures throughout the Fox Cities. The sculptures remain in their respective locations for a period of 2 years. The applicant is proposing to place the "To the Moon Alice" sculpture within Vulcan Heritage Park, on the lawn area west of the parking lot.

The applicant will need to coordinate with Parks, Recreation and Facilities Management to determine the exact location. The sculpture will need to be located so it is not in line with the parking lot. Snow is stored on the west side of the parking lot, and the sculpture needs to be located such that it is not in conflict with the snow storage area.

**Reason for choosing the proposed location:** The applicant chose the proposed location because of the seclusion, scenic characteristics and relatively little pedestrian conflict. The attached proposal provides more detail on the rationale for this location.

**Description of how the work is installed/anchored/attached:** It will be soft anchored into the earth. In order to ensure public safety of the structure, the applicant will need to provide installation details and structural information that is prepared by a structural engineer or other qualified professional.

**Timeline and duration of installation:** Installation dates to be determined. The sculpture will be in place for 2 years. Applicant will need to provide installation dates and coordinate with the Parks, Recreation and Facilities Management Department.

## To the Moon Alice – Vulcan Heritage Park

September 3, 2019

Page 2

**Maintenance and Cost:** The artwork will be maintained by Sculpture Valley. A maintenance agreement will be prepared by the City's Legal Services Department and will need to be executed prior to installation.

**Associated Signage:** A plaque will be installed adjacent to the sculpture.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* illustrates the importance of the arts community to Appleton and encourages the expansion and promotion of placemaking and arts in the City. The proposed public art project is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

*Chapter 3 – Community Vision #12: Creative place making and public art enhance the public realm and contribute to a vibrant economy.*

*Goal 7 – Agricultural, Natural, and Cultural Resources*

*Appleton will continue to protect and enhance its environmental quality and important natural resources, preserve historic sites, and support cultural opportunities for community residents.*

*Chapter 14 – Downtown Plan*

- *Strategy 1.4 Install sculpture, murals, and other art in public locations throughout the downtown*
- *Strategy 2.1 Maintain and strengthen the vitality of the arts and entertainment niche*
- *Strategy 2.6 Create more Fox River to Downtown tourism opportunities and connections*

## **RECOMMENDATION**

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Based upon the guidelines outlined in the Art in Public Places Policy, Staff recommends that the proposed installation of the To the Moon Alice sculpture at Vulcan Heritage Park (Tax Id. #31-3-1478-00), as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. An agreement between the applicant and the City will be prepared by the City's Legal Services Department and shall be executed prior to installation. This agreement will memorialize the expectations of the parties including the location of the art, installation and insurance requirements, maintenance, liability, indemnification, and the like.
2. Final sponsorship/informational plaque design shall be provided to the Community and Economic Development Department for approval. Per the Art in Public Places Policy, any artwork signage shall meet the parameters set forth in Zoning Code Section 23-531(e), which allows each artwork one plaque/sign not to exceed nine square feet in size.
3. Prior to installation, the applicant shall provide applicable engineering and structural details for the installation of the sculpture prepared by a structural engineer or other qualified professional.
4. Applicant shall provide proof of minimum liability insurance to meet City requirements, prior to installation.

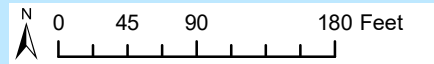
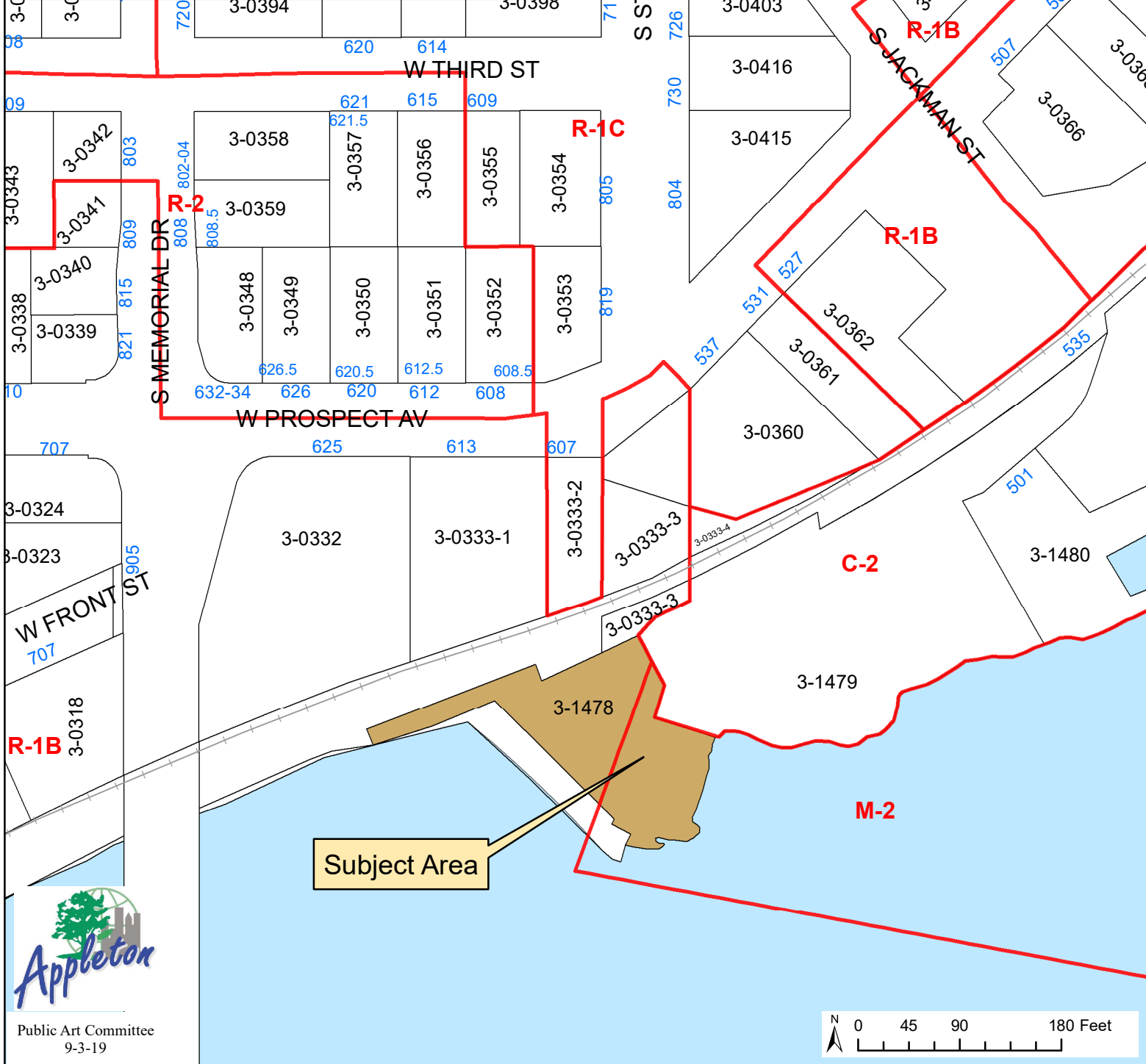
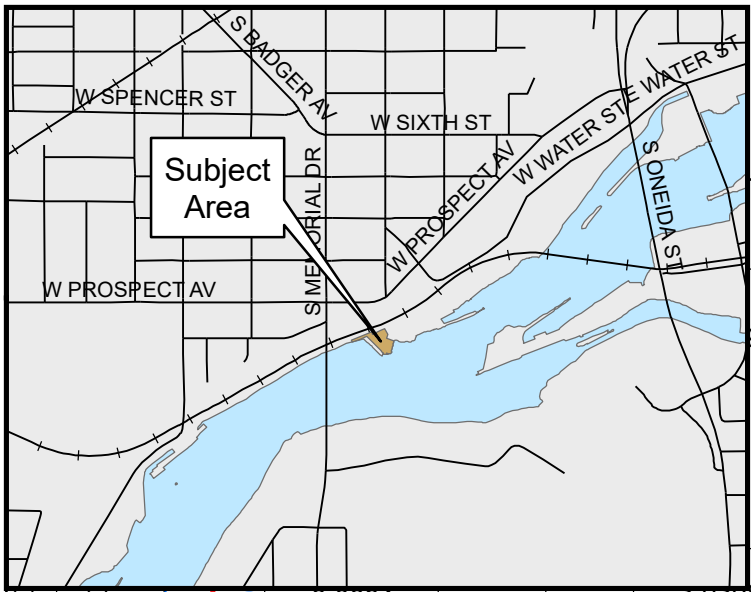
**To the Moon Alice – Vulcan Heritage Park**

**September 3, 2019**

**Page 3**

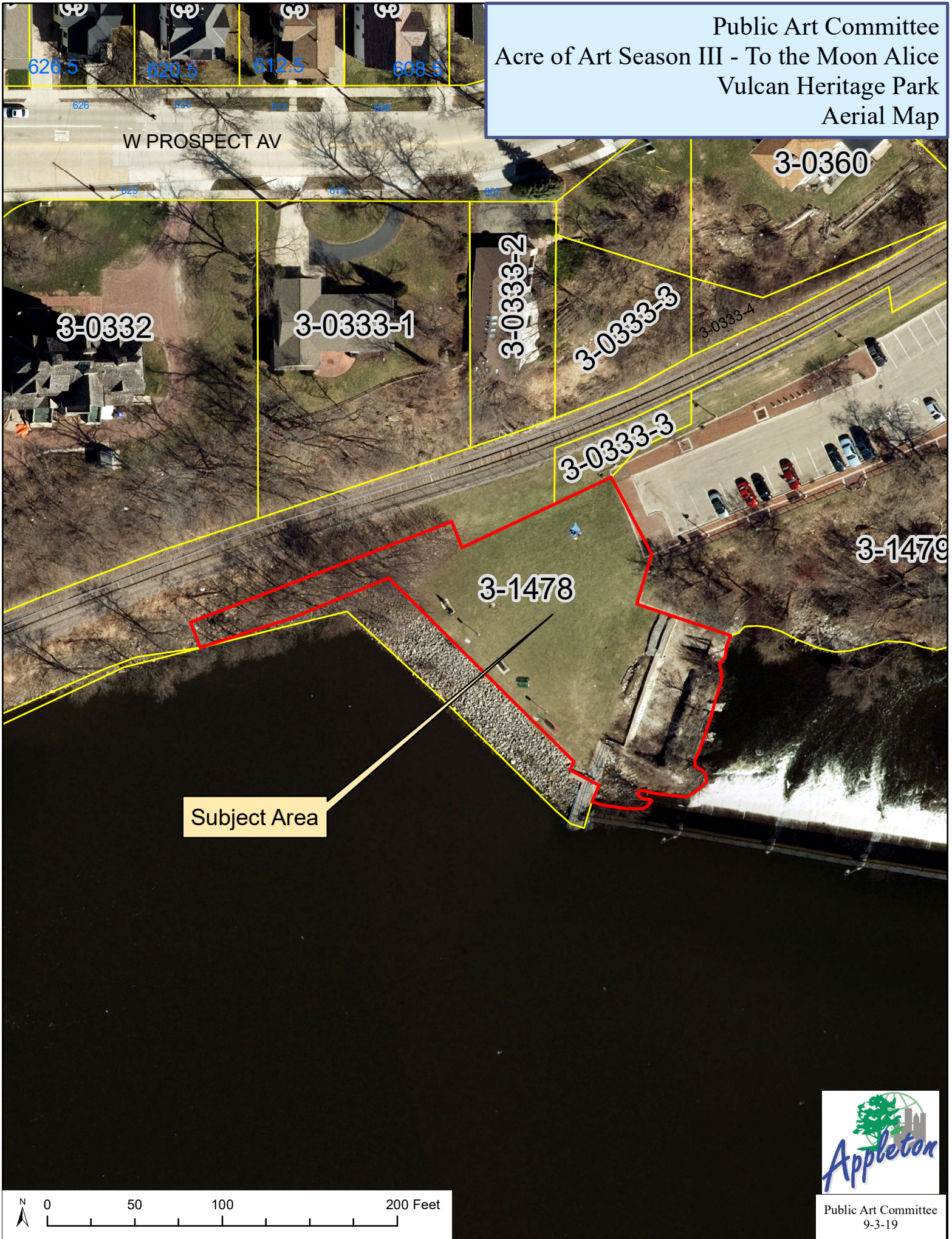
5. Upon completion of the installation, the applicant shall provide certification, by a structural/professional engineer, that the artwork was installed according to specifications and meets required structural standards.
6. The applicant shall coordinate with Parks, Recreation and Facilities Management to determine the exact location of the sculpture to ensure it is not in conflict with the snow storage area.
7. The City will not provide snow removal in the winter for access to the sculpture.

Public Art Committee  
 Acre of Art Season III - To the Moon Alice  
 Vulcan Heritage Park  
 Zoning Map

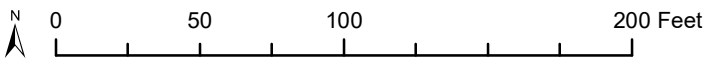




Public Art Committee  
Acre of Art Season III - To the Moon Alice  
Vulcan Heritage Park  
Aerial Map



Subject Area





Vulcan Heritage Park - Boardwalk Landing area.

Vulcan Heritage Park is a previously considered ACRE site. It will become a transition point for the future boardwalk and SV likes its seclusion and scenic characteristics. Relatively little pedestrian conflict and a nice reflective space for sculpture that will capture traffic from 3 directions when future trails are implemented.



*To the Moon Alice* has been selected by John Berstrom for its commentary on the next and vital “moon-shot” mission to a renewable energy future. The ties to Appleton’s historical harnessing of the Fox River’s raw energy for power as our pioneering first source of electricity make this location and this subject matter an ideal location for this solar-lit work.

This sculpture requires no concrete pads or other at-grade support. It will be soft-anchored into the earth. This manner of installation is common for soft-sloped surfaces and was employed for *Lessons Learned* in Season I of the ACREofART.





# MEMORANDUM

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

TO: Community & Economic Development Committee (CEDC)

FROM: Jessica Titel, Principal Planner

DATE: October 3, 2019

RE: Proposed Revisions to the Art in Public Places Policy

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The Appleton Public Art Committee met on October 1, 2019 and recommended approval of the proposed changes to the Art in Public Places Policy as identified in the attached revised policy.

Per the Art in Public Places Policy, the recommendation from the Appleton Public Art Committee is forwarded to the committee of jurisdiction, in this case, the Community & Economic Development Committee.

The Staff Report prepared for the Public Art Committee is attached as reference.





## REPORT TO PUBLIC ART COMMITTEE

**Appleton Public Arts Committee Meeting Date:** October 1, 2019

**Community and Economic Development Committee Date:** Next regularly scheduled meeting

**Common Council Meeting Date:** Next meeting following CEDC action

**Item:** Revisions to Art in Public Places Policy

**Case Manager:** Jessica Titel

### **BACKGROUND**

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The Art in Public Places Policy was approved by the Common Council on July 18, 2018. This policy established the Appleton Public Arts Committee and the policy under which public artwork would be reviewed. Since the adoption of the policy, applications for several public art projects have been submitted for review. While implementing the Art in Public Places Policy, staff has identified areas of the policy that need to be updated to improve efficiencies and address requirements that need to be in place to ensure public safety.

The proposed changes are identified in RED in the attached revised Art in Public Places Policy.

### **RECOMMENDATION**

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Staff recommends the text amendments to the Art in Public Places Policy identified by ~~striketrough~~ be deleted and underlined be added, as attached to this report, **BE APPROVED**.



# Art in Public Places Policy

Appleton Public Art Committee

July 2018

Updated September 2019

## INTRODUCTION

This document serves as the policy to oversee the public display of art placed on publicly owned property and to serve as the road map to decisions made in relation to public art in the City of Appleton. This policy will also define the types of public art, how pieces will be chosen, approval and review process, the maintenance of each piece and the process for deaccession of the artwork. The review process is expected to take approximately 6 to 8 weeks, dependent upon project variables and meeting schedules. This policy does not apply to artwork on private property.

### What is Public Art?

Public art is any work of art or element of design that is sited in or on property that is publicly owned or controlled by the City of Appleton (parks, buildings, right-of-ways, etc.) for people to experience. Public art pieces can be either privately owned by the artist or other entity or publicly owned by the City, but will be sited on public property. Ownership will be dependent upon each individual project.

For the purposes of this policy, Public Property is defined as *a building and/or land owned and controlled and/or in which the use is operated by the City including fire stations, City Hall, public works and park facilities, library and the like.*

### Why Public Art?

Creative placemaking is a way of creating a special place and creating an identity within the places we frequent. Public art has been used in placemaking for decades and there are countless examples throughout the Fox Cities, State and Country on how the arts have improved the quality of life and enhanced the communities we live in.

### Why a Public Art Committee?

By developing a Public Arts Committee for the City of Appleton, the City can work toward deliberately creating these special places, events and moments. Creation of a Public Arts Committee will establish a more formal way to review and maintain public art, provide another avenue for the promotion of the arts community and show the continued desire to establish the arts as a priority for our community.

### Types of Public Art

Public art can take a wide range of forms, sizes, and scales—and can be temporary or permanent. Public art can include murals, sculpture, memorials, integrated architectural or landscape architectural work, community art, digital new media, lighting installations and even live performances.

#### Temporary/Events/Performance Public Art

Interactive cultural activities, performance-based work, or objects presented in public space that have a limited duration. Temporary public art is exhibited for 6 months or fewer. Public art may be experienced as a surprise or unanticipated activity, or as part of larger or anticipated events such as a festival, parade, or other community event. Temporary public art is transient and may last a few minutes or not more than 6 months. They may take place in one location or move but are not permanently sited.

Examples: Temporary public art can be almost any form; objects such as sculptures, interactive art or furnishing that are movable; street artists that perform music poetry, dance or skits; modification to existing structures through wrapping, projecting images or other means.

#### Functional Art

The primary purpose is functional or utilitarian. Works of art that serve a purpose in publicly owned spaces that are designed and/or embellished by artists.

Examples: seating, benches, bicycle racks, bus shelters, fences, gates, trash cans, lights, light poles, etc.

### Integrated Artwork

Fully incorporated into the design of a larger project or existing element in the community. Artists may work directly with the architects or engineers to enhance the qualities and functionality of publicly owned buildings, structures, spaces and/or infrastructure.

Examples: bridges, retaining walls, walkways, buildings, streetscaping, landscaping, functional building elements – façade elements, entrances, lobbies, etc.

### Two and Three - Dimensional Artwork

Two and Three-dimensional artwork has been the most common form of public art and comes in a variety of forms, including, but not limited to:

- Interpretive: Primary purpose is educating the public. The artwork might be self-explanatory or require a panel explaining the project.
- Monument: A statue, building or other structure created to commemorate a famous or notable person or event. They are typically cast in or sculpted from granite, bronze or marble.
- Mural or Mosaic: A painting or other work of art created or mounted on a wall. Media used to create the mural or mosaic can include paint, tile, glass or other found materials.
- Sculpture: Freestanding, physically independent of other site elements. Can consist of a variety of materials, including metals, wood, concrete, fiberglass, landscape, glass, etc.
- Sensory Art: Appeals to the senses – visual, auditory, touch or a combination of these. Can include water features, fountains, interactive sound or touch features, lighting, etc.

## **APPLETON PUBLIC ART COMMITTEE (APAC)**

The Appleton Public Art Committee (APAC) is responsible for implementing the Art in Public Places Policy. The APAC will create recommendations for the appropriate committee of jurisdiction based upon the proposed project/request. The recommendations will be forwarded to the Common Council to further the City of Appleton’s commitment to the promotion, creation and maintenance of public art as defined in this policy. The Public Art Committee is a volunteer committee that works to support the goals and strategies for increasing the prevalence of public art and placemaking. It is important to understand that members will serve in an advisory capacity to the committees of jurisdiction.

The Committee will be made up of no more than 7 members that are appointed by the mayor and will have staggered terms of service. The Mayor will also appoint the chair of this committee.

The Community and Economic Development Committee (CEDC) will be the committee of jurisdiction to the APAC concerning the Art in Public Places Policy, committee budget, other policies and procedures applicable to the APAC. The APAC will also provide a report/summary of current project and initiatives to the CEDC at least ~~every~~ six months annually, or as requested by the CEDC.

### **Goals/Focus Areas**

1. Support the arts and cultural opportunities as identified in Comprehensive Plan 2010-2030 (see Exhibit A).

2. Serve as a forum to receive proposals, review for compliance with City policies and ~~set forth~~make recommendations regarding the maintenance and deaccession expectations.
3. Advocate for the arts by advising on policies and plans of the City, and by seeking non-City public and private resources to advance the work of the Public Art Committee.
4. Analyze gaps and opportunities in programming, support, funding, and promotion for the arts, cultural activity and economic development.
5. Increase public awareness, appreciation and contribution of public art.
6. Foster artistic creativity in the community and broaden public participation in the planning and creation of public artworks.
7. Consider development of an arts and cultural plan as recommended throughout the Comprehensive Plan.
8. Review and update the arts inventory.

### Funding Sources

~~Public art is typically funded through the government, but increasingly through public-private partnerships as well.~~—An ongoing funding source is yet to be determined for Appleton Public Art Committee projects, but will need to be a decision made by the City’s elected officials. Some funding options could include a potential annual budget allowance, fundraising, private donations, grants and/or allocations from public projects.

~~Initially, the APAC will be funded through an annual set aside amount in the City’s budget. The final amount will be determined during the annual budgeting process. The funds can be used for the commission, purchase, fabrication, installation and maintenance of public artwork or other APAC recommended projects as approved by the Common Council.~~

## PUBLIC ART GUIDELINES

Note: These guidelines are a dynamic, working document that will be reviewed periodically by the APAC and amended as needed.

Specific criteria are needed to evaluate the location and appropriate type of public art projects sponsored by the City. Proposed public artwork shall be reviewed by the APAC. ~~Recommendations will be requested by the APAC from affected committees, when appropriate, and as defined within this policy. The committee of jurisdiction for the APAC will be the CEDC.~~The typical approval process will include a recommendation by APAC to the applicable committee of jurisdiction based upon the specific project. ~~Their~~The committee of jurisdiction will then make a recommendation ~~would be forwarded~~ to the Common Council.

For a City-commissioned project or set of projects, the APAC will establish a formal selection process, seeking a range of choices appropriate for each project. City Staff and the APAC should first articulate the desired goals, nature, budget and any other special requirements for each project. A Request of Proposals or Request for Qualifications ~~may should~~ then be issued.

### Proposed public art will be evaluated on the following:

- Goals and Objectives. Each project should satisfy some of the goals and objectives as established by this policy, the 2010-2030 Comprehensive Plan and other applicable plans and policies.
- Context. The architectural, historical, geographical, geological and socio-cultural context of the site where the artwork will be installed or displayed.



- Structural Soundness. The resistance to theft, vandalism, weathering and/or excessive maintenance or repair costs.
- Public Safety. Artwork shall not present a hazard to public safety.
- Diversity. Rather than one kind of artwork, a range of styles, scale and approaches to public art should be considered.
- Feasibility. Evidence of the artist's ability to successfully complete the work as proposed including: project budget, timeline, artist's experience, soundness of materials and construction and design guidelines.
- Donor conditions ~~(-if applicable)~~.
- Budget (if applicable). Proposal should provide a budget adequate to cover all costs for the design, fabrication, insurance, transportation, storage, installation and maintenance.
- Installation. Applicable engineering and structural requirements details for the installation must be provided.

### ~~Gifted Public Art~~

~~Artwork that is presented to the City and not part of an APAC project, will be reviewed on a case-by-case basis by the APAC, and other applicable committees, in accordance with policies and review criteria outlined within this document. [NOTE: GIFTED WORKS WOULD BE REVIEWED IN THE SAME MANNER OR AS ALL OTHER PUBLIC ART PROJECTS]~~

### Guidelines for Accepted Artwork

The APAC ~~will need to~~shall establish make recommendations regarding any contingencies upon the acceptance of artwork. guidelines to follow when artwork is accepted. These guidelinescontingencies and applicable agreements may vary widely dependent upon the type of artwork and will need to be flexible and customized for each project.

- ~~After the decision is made to accept a piece of artwork, the applicant-artist is informed and a contractual agreement is drafted setting forth the length of time the artwork will be displayed of the loan and other terms such as location, maintenance requirements and responsibility, insurance, value of the artwork, installation and removal responsibility, payment schedule (if applicable) and other conditions pertinent to the agreement. The agreement will be reviewed and approved by the committee of jurisdiction and forwarded to the Common Council for final approval. Some temporary public art may not require a formal agreement.~~
- Final acceptance of the Aartwork may be declined at the is contingent upon the discretion of the Commonity Council, consistent with the criteria in this policy.
- Sponsorship plaques will be reviewed on a case-by-case basis in accordance with the City's Sign Code. Specifically, Section 23-531 as it pertains to sponsorship signs for murals will be applied. Section 23-531 allows for one plaque/sign that does not exceed 9 square feet per art work.

### Installation

A plan for installation, including ~~any requested~~-structural and engineering information, shall be provided with application and prior to any work commencing. A plan to show any necessary safety barriers around the perimeter of the work area during installation shall also be provided. In most instances, no City assets or resources should be used to install proposed artwork that is not owned by the City. Upon completion of the installation, the artist shall provide certification that the artwork was installed correctly and meets applicable/required structural standards.

### Maintenance

~~In general terms, the City will be responsible for the scheduling and action of maintenance and upkeep of public artwork on public property. Whether integrated into building construction or standing alone in a public park or right of way, each work requires routine maintenance such as cleaning or trimming weeds, as well as long-term repair such as sealing cracks, fabricating and re-attaching a broken piece or outright replacement. Each public art project should have a maintenance plan and agreement that is prepared as part of the commissioning or acquisition process.~~

Maintenance for sculptures that are owned by or donated to the City will be the responsibility of the City. The artist should provide the City with information regarding anticipated maintenance needs for the artwork.

### **Insurance**

When artwork is installed by a party other than the City and/or the artwork will not be owned by the City, the applicant is required to provide a Certificate of Insurance meeting the minimum liability requirements as set forth in Exhibit IR 6.1 – Applicant/s – Art in Public Places.

### **Deaccession & Relocation of Artwork**

~~Deaccessioning and relocating should be applied by the APAC only after careful evaluation. The APAC City of Appleton will retain the right to relocate or deaccession any public artwork in accordance with this policy, regardless of the source of funding or method of acquisition. While the intent of acquisition is for long-term public display, circumstances and/or conditions may arise that make it prudent for the City Committee, on behalf of the public interest, to remove an artwork from public display.~~

Deaccessioning and relocating of artwork may be considered for reasons including, but not limited to:

- The condition or security of the artwork cannot be reasonably guaranteed in its present location.
- The site is being eliminated.
- The site is being altered such that the artwork is no longer compatible with the site.
- The artwork presents a public safety risk.
- The cost of maintaining or updating the artwork's operating technology is cost prohibitive.
- The artwork requires excessive maintenance or has failures of design and workmanship.
- A more suitable location for the artwork has been proposed.
- The artwork no longer meets the goals of the Public Art Policy.

~~Procedures for possible deaccessioning or relocation of public artwork shall be initiated by a majority vote of the APAC, committee of jurisdiction or direction from the Common Council. Final approval of the deaccession or relocation of public artwork is required from the Common Council.~~

### **Procedures for Deaccessioning or Relocating of Public Artwork**

~~Once the APAC recommendation and the recommendations from the committee of jurisdiction are forwarded to the Common Council, and the Common Council has determined that the public artwork meets one or more of the above criteria, the following process is initiated:~~

- ~~Review of any restriction which may apply to the specific work.~~
- ~~Where appropriate and practical, City staff make a good faith attempt to discuss relocation with the artist.~~
- ~~If, in the opinion of APAC, there is not another appropriate site, there will be an assessment of options for storage or disposition of artwork, which may include sale, trade, return to artist or gift.~~

- ~~If the structural integrity or condition of an artwork, in the opinion of the APAC, City staff or other appropriate professional, presents an eminent threat to public safety, the Mayor may authorize its immediate removal, without City Council action or the artist's consent. The work may be placed in temporary storage. The artist must be notified of this action within 30 days. The APAC will then recommend options for disposition (e.g., repair, reinstallation, maintenance provisions or deaccessioning) to the City Council for approval.~~

## REVIEW PROCEDURES

The Appleton Public Art Committee will ~~have jurisdiction~~ make recommendations regarding the placement or acceptance of public art; ~~however, review by other applicable committees will be part of the review and approval process. Final approval is required by the Common Council.~~ Community and Economic Development Staff will route the proposal to appropriate departments for review, comments and conditions. Projects will generally be reviewed by the Department of Public Works, Attorney's Office, Parks, Recreation & Facilities Management and Human Resources. The project can also be routed to any other applicable department based upon the project scope. The APAC will be responsible for reviewing the public artwork and making their recommendation to the committee of jurisdiction. ~~and~~ The Common Council will make the final determination on whether or not the piece will be placed on publicly owned or controlled property. The review process is expected to take approximately 6 to 8 weeks, dependent upon the project variables and meeting schedules.

Public Art Project Review Team:

- Department of Public Works – review pieces that will be placed within the public right-of-way or on certain structures under the jurisdiction of this department (i.e. parking ramps, utility stations, light poles, etc.).
- Parks, Recreation & Facilities Management– review projects that are proposed to be placed within public parks, City property and grounds, trails or City structures/facilities under the jurisdiction of this department.
- Human Resources – insurance and liability review and requirements.
- Attorney's Office – liability, legal considerations and preparation of applicable documents and agreements.
- Others as determined appropriate by Staff.

### Application for Review of Public Art

Any request for the placement of public art requires submittal of a completed application and required supporting materials. The application is available on the City's website or by contacting the Community and Economic Development Department. The application shall be submitted a minimum of 3 weeks prior to the next regularly scheduled Public Art Committee meeting. All applications must include the following items:

- Brief description of the proposed artwork
- Photos/sketches of proposed work
- Site plan/location map showing location of proposed work
- Reason for choosing the proposed location
- Description of how the work is installed/anchored/attached
- Installation specifications provided by a structural engineer to confirm safety of structure/installation
- Timeline and duration of installation

- How the artwork will be maintained (including any costs associated with the maintenance and who will be responsible for those costs)
- Description of any associated signage

## Review Steps

The procedure outlined below ~~are~~ includes the general steps that will be involved when reviewing the placement of public art. Because public artwork can take on many forms, the review process is meant to be flexible and can be adjusted based upon each individual project. ~~This process is expected to take 4 to 6 weeks dependent upon the project variables and meeting schedules.~~

### ~~1. Project initiation:~~

~~a. City commissioned projects — APAC would typically develop project parameters and release a Request for Proposals. Once responses are received, they will be reviewed according to the RFP criteria.~~

~~b. Non-city commissioned projects — These are proposals initiated and funded by an entity other than the City. An application is submitted to Community and Economic Development Department (CEDD) staff. Project is forwarded to the APAC and the committee discusses item and determines if the project meets the goals and mission of the APAC.~~

~~Note: Approval/Review of Temporary artwork may be requested upon initial presentation to the APAC. It would then be forwarded to committee of jurisdiction and the Common Council.~~

### ~~2. The APAC refers the project to Community and Economic Development Department Staff to coordinate review.~~

#### 1. An application is submitted to the Community and Economic Development Department (CEDD). Staff will review the application and confirm receipt of required information.

~~3-2.~~ CEDD Staff route the proposal to appropriate departments for review, comments and conditions. Projects will generally be reviewed by Staff representatives with the Department of Public Works, Attorney's Office, Parks, Recreation & Facilities Management and Human Resources. The project can also be routed to any other applicable department based upon the project scope. These representatives shall furnish the CED Staff, in writing, their comments and/or conditions as to whether an application for a public art installation should be approved, ~~approved~~ conditionally approved or denied ~~within 5 business days of receiving the application from CEDD.~~

~~4-3.~~ CEDD Staff will compile all findings and recommendations and present a Staff Report for the project to APAC for approval/denial of the proposal. Conditions of APAC approval may be required.

~~5-4.~~ APAC recommendation will be sent to the committee of jurisdiction for action.

~~6-5.~~ Committee of jurisdiction recommendation forwarded to Common Council for final action.

~~7-6.~~ Appropriate legal documents and agreements are finalized signed prior to artwork being accepted, constructed or installed. Applicant provides insurance certificate meeting minimum liability requirements.

~~8-7.~~ Upon completion of the installation, the artist shall provide certification that the artwork was installed correctly and meets applicable/required structural standards.

## Public Art Exemptions

The following public art initiatives and/or displays are exempt from review by the Appleton Public Arts Committee and have been previously reviewed and approved by Municipal Services Committee and/or Common Council.

- Annual or previously approved Art events (these require Street Occupancy Permits through DPW):
  - Fiber Rain (Yarn Bombing)
  - Chalk on the Town

- Paint on the Town
- Park(ing) Day
- Ice Sculptures
- DPW funded and administered art programs:
  - Snowplow Painting Program
  - Sidewalk Poetry Program
- Other exempted artwork:
  - Mandalas on the Red Ramp
  - Traffic Control Boxes
  - Compassion Manhole Project
  - Marigold Mile and street name signage
  - Installation of free libraries made through CARE Program
  - Painting of Water Street retaining wall
  - Acre of Art – existing pieces only (as of May 2018), future artwork associated with Acre of Art, that are placed on public property, will need proper approvals
  - Wayfinding signs for trails and public parks
  - Existing artwork on/in public property



## **EXHIBIT A:**

### **Comprehensive Plan 2010-2030 References Relating to Public Art Committee**

Creating a Public Arts Committee and increasing the prevalence of public art is widely and strongly supported throughout the City's Comprehensive Plan 2010-2030. One of the "Key Issues" heard during the public participation process related to the creative culture and public art. The following questions were posed during this process: *How can the City and its partners encourage the growth and diversification of the local arts and creative culture scene? How can a broader arts strategy be pursued in a fair and equitable manner? How can public art and other forms of creative expression be leveraged to foster a stronger community identity?* Establishing a Public Arts Committee will work towards answering these questions and achieving a vision within the Comprehensive Plan.

A number of vision statements that characterized the quality of life in Appleton were developed to help guide the City's comprehensive planning process. One of those vision statements stated that: *"Creative place making and public art enhance the public realm and contribute to a vibrant economy."* This statement confirms that residents recognize and value the City's commitment to placemaking and public art.

Chapter 8: Agriculture, Natural, Historic, and Cultural Resources of the Comprehensive Plan provides a detailed overview of the cultural amenities or organizations currently provided for in the City. The objectives and policies within this chapter speak directly to maintaining, supporting and enhancing the arts within Appleton.

#### **8.4 OBJECTIVE: Support the organizations, events, and venues that make Appleton the arts and cultural center of the Fox Cities.**

- 8.4.1 *Provide appropriate financial, technical, and other resources to ensure the continued viability and growth of cultural organizations and attractions, in partnership with organizations such as Appleton Downtown, Inc., the Appleton Public Library, and the Fox Cities Convention and Visitor's Bureau.*
- 8.4.2 *Partner with other agencies and organizations to ensure the availability of adequate event space and logistical services to facilitate cultural and related events within the community.*
- 8.4.3 *Continue to broaden education and collaboration with diverse communities.*
- 8.4.4 *Support development of a signature downtown amphitheater to showcase Appleton's growing music and cultural performance scene.*

#### **8.6 OBJECTIVE: Consider developing a comprehensive Cultural Arts Plan to inform and guide efforts that position Appleton as the cultural center of the Fox Cities and a unique regional destination for those interested in history, culture, and all forms of artistic expression**

- 8.6.1 *Reach out to private businesses and arts and cultural organizations to determine if there is sufficient interest in and resources available to prepare a comprehensive Cultural Arts Plan.*
- 8.6.2 *Prepare a Cultural Arts Plan which goes beyond public art to proactively plan for how the City can leverage its tremendous cultural, musical, and creative talents to retain its young people, grow its tourism potential, and attract and retain creative workers to the region.*
- 8.6.3 *Consider establishment of a public arts fund to support on-going public art initiatives.*
- 8.6.4 *Partner with private businesses and organizations to help brand and market Appleton as the creative hub for northeast Wisconsin.*

Chapter 14 - Downtown Plan provides for specific recommendations for Appleton's Downtown and directly supports the creation of a Public Arts Committee. One of the recommendation is the *"formal establishment of*

*a city-wide arts council or commission to administer, promote a public art program and maintain public art collections.”*

This chapter also has a detailed section that illustrates the importance of the arts community to Appleton and encourages the expansion and promotion of placemaking and arts in the City. One of the key strategies identified in this chapter is the development of a citywide Arts and Culture Plan. The creation of a citywide Arts and Cultural Plan is also supported elsewhere within the Comprehensive Plan. This could be an important task that the Public Arts Committee could accomplish.

While there are countless references to the importance of the arts community within Chapter 14 – Downtown Plan, below are the specific Initiatives that establishing a Public Arts Committee would support:

*1.1 Continue development of entry features on major routes into the downtown*

- B. Partner with local artists to design entry features including at the intersection of College Avenue and Richmond Street.*

*1.3 Implement appropriate streetscaping projects throughout the downtown*

- E. Use lighting to showcase the growing inventory of public art downtown, while contributing to a more interesting environment for walking. Continue to integrate public art into streetscape enhancements downtown.*

*1.4 Install sculpture, murals, and other art in public locations throughout the downtown*

*2.1 Maintain and strengthen the vitality of the arts and entertainment niche*

- B. Consider various models of providing broad municipal support for the creation, installation, and maintenance of public art.*

*2.8 Establish an Arts and Culture Plan for the City*

*An Arts and Culture Plan is recommended for the entire City, as described in Chapter 8: Agricultural, Natural, Historic, and Cultural Resources. The plan would create a shared vision for the future of Appleton’s investments in a wide range of public art, educational, and cultural activities and programs. It would help guide both public and private actions and enable a more coordinated strategy to maximize efficiencies and returns on investments. The plan would leverage the City’s growing creative economy, strengthen tourism, and contribute to Appleton’s high quality of life. Implementing this strategy will require additional discussion, direction, and buy-in. Recommended next steps include:*

- A. The City forming a study group to explore alternative models for art and culture planning, inventory assets and opportunities, and survey best practices from other communities.*
- B. Consider engaging an outside facilitator or consultant with experience developing similar plans in order to develop a comprehensive strategy, including a governance and management structure for arts and culture development with clear policies and procedures.*
- C. Establishing criteria for oversight (review/approval) and ongoing maintenance of public art and cultural programs and activities.*
- D. Identifying and securing funding mechanisms.*

*5.6 Plan, design, and implement bike and pedestrian wayfinding signage*

- B. Install destination arrival signs and features that integrate public art into infrastructure*

*7.6 Promote the identity of the riverfront through creative use of lighting*

## Department of Public Works – Engineering Division

### MEMO

**TO:** Utilities Committee

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

**DATE:** October 1, 2019

**RE:** Amend 2019J stormwater consulting services contract for Phase 1 Final Design and Construction documents and 2019 Construction Related Services (CRS) for Spartan Drive with Brown and Caldwell (BC) in an amount not to exceed \$36,540.

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The Department of Public Works is requesting approval to amend the 2019J stormwater consulting services contract for Phase 1 Final Design and Construction Documents and 2019 Construction Related Services (CRS) for Spartan Drive with Brown and Caldwell (BC) in an amount not to exceed \$36,540. If the amendment is approved, the total contract amount will be \$183,280.

Construction on the Spartan Drive area started in early September, with Unit Z-19 Sewer and Water Construction on Spartan Drive, Sommers Drive, and Haymeadow Avenue. City staff designed this bid package and are performing construction inspection. The second bid package for work in this area is Unit AA-19 Bear Creek Culvert and Spartan/Sommers Retaining Wall. The contractor is working through all the necessary submittals and securing materials in anticipation of a December 2, 2019 start of construction.

Several things have resulted in changes to the consulting work anticipated at the time of the December 2018 permit application and February 2019 scope development for this project.

- The unusually wet conditions the last two years created additional concerns for the stream and wetland soils where the box culvert and retaining wall are to be constructed, resulting in the need for expanded plans and specifications.
- Permits from the Department of Natural Resources and Army Corps of Engineers were received approximately two months later than anticipated.
- Property acquisition did not start until staff was sure state and federal permits would be received, thereby resulting in the need to obtain Town of Grand Chute and Outagamie County permits. BC assisted with obtaining these permits out of the approved scope of services to keep the project moving forward.

- There is a significant amount of construction work across the state, resulting in fewer available contractors during the anticipated construction schedule. Timelines for 2019 work have been extended to encourage more bidders to participate.
- Wet weather has also resulted in the need to extend construction timelines.
- The extended 2019 timelines have resulted in the need for additional coordination from the sewer and water project to the box culvert/retaining wall project and then to the 2020 street grading and road construction project, with the goal of completing this phase by November 1, 2020.

Additions to the original scope include:

- Additional structural drawings for the AA-19 bid set to clarify information for contractors
- Additional administration time for BC due to extended construction timelines
- Hours for BC to review up to 9 Contractor submittal packages, including the precast box culvert and railing design
- Hours for BC and their geotechnical consultant to attend the preconstruction meeting
- Hours for BC to answer up to 6 Requests for Information from the City and/or Contractor during construction, if needed
- Hours for BC to assist with up to three (3) change orders, if needed
- Computer modeling for earthwork calculations to account for changes between the bid packages and determine pay quantities

This will be a time and materials contract and only completed tasks will be invoiced.

Paula's copy

CITY OF APPLETON  
Department of Public Works  
MEMORANDUM

TO:  Finance Committee  
 Municipal Services Committee  
 Utilities Committee

cc: City Clerk  
Contract File

SUBJECT: Anticipated Award and/or Award of Contract

ANTICIPATED AWARD

The Department of Public Works is planning to award Unit N-19 Spot Repairs, Protruding Tap  
and Mineral Deposit Removal

Committee Date: 10/8/19  
Council Date: 10/16/19

\*\*\*\*\* AND / OR \*\*\*\*\*

AWARD OF CONTRACT

The Department of Public Works recommends that Unit N-19 Spot Repairs, Protruding Tap  
and Mineral Deposit Removal

Be awarded to: Name: Hydro-Klean, LLC  
Address: 333 NW 49th Place  
Des Moines, IA 50313

In the amount of \_\_\_\_\_ with a contingency of \_\_\_\_\_

\*\* OR \*\* in the amount Not To Exceed \$141,000.00

Budget: \$141,000.00  
Estimate: \$155,000.00  
Committee Date: 10/8/19  
Council Date: 10/16/19



**Spot Repairs, Protruding Tap and Mineral Deposit Removal**  
 Unit N-19  
 October 7, 2019

**BID TABULATION**

ITEM	DESCRIPTION	Quantity	Units	Hydro-Klean, LLC		Great Lakes TV Seal, Inc.		Visu-Sewer		Michels Corp.		National Power Rodding	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1.	State St	1	each	\$1,812.00	\$1,812.00	\$2,100.00	\$2,100.00	\$1,980.00	\$1,980.00	\$2,300.00	\$2,300.00	\$5,140.00	\$5,140.00
2.	Calumet St	1	each	\$1,812.00	\$1,812.00	\$2,350.00	\$2,350.00	\$2,240.00	\$2,240.00	\$2,300.00	\$2,300.00	\$9,200.00	\$9,200.00
3.	Frances St	1	each	\$5,662.00	\$5,662.00	\$2,100.00	\$2,100.00	\$1,500.00	\$1,500.00	\$2,300.00	\$2,300.00	\$12,950.00	\$12,950.00
4.	Winnibago St	1	each	\$1,812.00	\$1,812.00	\$2,350.00	\$2,350.00	\$1,425.00	\$1,425.00	\$2,300.00	\$2,300.00	\$5,795.00	\$5,795.00
5.	Story St	1	each	\$1,812.00	\$1,812.00	\$1,690.00	\$1,690.00	\$1,500.00	\$1,500.00	\$2,300.00	\$2,300.00	\$5,835.00	\$5,835.00
6.	Oneida St	1	each	\$1,812.00	\$1,812.00	\$3,800.00	\$3,800.00	\$2,565.00	\$2,565.00	\$3,900.00	\$3,900.00	\$5,700.00	\$5,700.00
7.	Appleton St	1	each	\$1,812.00	\$1,812.00	\$2,400.00	\$2,400.00	\$3,175.00	\$3,175.00	\$3,600.00	\$3,600.00	\$6,140.00	\$6,140.00
8.	Charlotte St	1	each	\$1,812.00	\$1,812.00	\$2,450.00	\$2,450.00	\$3,000.00	\$3,000.00	\$4,200.00	\$4,200.00	\$9,510.00	\$9,510.00
9.	Pauline St	1	each	\$1,812.00	\$1,812.00	\$1,690.00	\$1,690.00	\$1,575.00	\$1,575.00	\$2,300.00	\$2,300.00	\$4,865.00	\$4,865.00
10.	Lighting Dr	1	each	\$1,812.00	\$1,812.00	\$1,850.00	\$1,850.00	\$875.00	\$875.00	\$2,300.00	\$2,300.00	\$4,295.00	\$4,295.00
11.	Longview Dr	1	each	\$1,812.00	\$1,812.00	\$5,300.00	\$5,300.00	\$5,600.00	\$5,600.00	\$4,200.00	\$4,200.00	\$5,015.00	\$5,015.00
12.	Ullman St	1	each	\$1,812.00	\$1,812.00	\$2,200.00	\$2,200.00	\$1,725.00	\$1,725.00	\$2,400.00	\$2,400.00	\$7,000.00	\$7,000.00
13.	Summit St	1	each	\$1,812.00	\$1,812.00	\$2,100.00	\$2,100.00	\$2,075.00	\$2,075.00	\$2,300.00	\$2,300.00	\$5,210.00	\$5,210.00
14.	Montclair Ct	1	each	\$3,850.00	\$3,850.00	\$2,750.00	\$2,750.00	\$3,850.00	\$3,850.00	\$3,600.00	\$3,600.00	\$7,955.00	\$7,955.00
15.	McDonald St	1	each	\$4,592.50	\$4,592.50	\$3,500.00	\$3,500.00	\$4,575.00	\$4,575.00	\$3,600.00	\$3,600.00	\$9,820.00	\$9,820.00
16.	Cherry Ct	1	each	\$3,850.00	\$3,850.00	\$3,250.00	\$3,250.00	\$4,250.00	\$4,250.00	\$3,600.00	\$3,600.00	\$7,695.00	\$7,695.00
17.	Foster St	1	each	\$3,850.00	\$3,850.00	\$3,750.00	\$3,750.00	\$4,850.00	\$4,850.00	\$3,600.00	\$3,600.00	\$8,580.00	\$8,580.00
18.	Bay St	1	each	\$3,850.00	\$3,850.00	\$2,750.00	\$2,750.00	\$3,850.00	\$3,850.00	\$3,600.00	\$3,600.00	\$7,850.00	\$7,850.00
19.	Buchanan St	1	each	\$3,850.00	\$3,850.00	\$5,350.00	\$5,350.00	\$5,930.00	\$5,930.00	\$1,800.00	\$1,800.00	\$5,600.00	\$5,600.00
20.	Frances St	1	each	\$3,850.00	\$3,850.00	\$3,450.00	\$3,450.00	\$4,650.00	\$4,650.00	\$3,600.00	\$3,600.00	\$2,512.00	\$2,512.00
21.	Wayne St	1	each	\$4,592.50	\$4,592.50	\$7,500.00	\$7,500.00	\$9,150.00	\$9,150.00	\$7,200.00	\$7,200.00	\$4,035.00	\$4,035.00
22.	Amelia St	1	each	\$3,850.00	\$3,850.00	\$2,750.00	\$2,750.00	\$3,850.00	\$3,850.00	\$3,570.00	\$3,570.00	\$7,450.00	\$7,450.00
23.	Racine St	1	each	\$3,850.00	\$3,850.00	\$3,350.00	\$3,350.00	\$4,850.00	\$4,850.00	\$5,400.00	\$5,400.00	\$8,180.00	\$8,180.00
24.	Bay Ridge Rd	1	each	\$4,592.50	\$4,592.50	\$4,550.00	\$4,550.00	\$5,300.00	\$5,300.00	\$5,400.00	\$5,400.00	\$10,110.00	\$10,110.00
25.	Charlotte St	1	each	\$2,350.00	\$2,350.00	\$2,650.00	\$2,650.00	\$2,450.00	\$2,450.00	\$2,300.00	\$2,300.00	\$3,820.00	\$3,820.00
26.	Northland AV	1	each	\$1,812.00	\$1,812.00	\$1,100.00	\$1,100.00	\$2,025.00	\$2,025.00	\$1,300.00	\$1,300.00	\$7,700.00	\$7,700.00
27.	Ballard Rd	1	each	\$675.00	\$675.00	\$3,100.00	\$3,100.00	\$2,950.00	\$2,950.00	\$3,350.00	\$3,350.00	\$4,210.00	\$4,210.00
28.	Eugene St	1	each	\$1,350.00	\$1,350.00	\$950.00	\$950.00	\$1,450.00	\$1,450.00	\$1,800.00	\$1,800.00	\$3,850.00	\$3,850.00
29.	Connell St	1	each	\$675.00	\$675.00	\$750.00	\$750.00	\$725.00	\$725.00	\$1,300.00	\$1,300.00	\$4,100.00	\$4,100.00

Spot Repairs, Protruding Tap and Mineral Deposit Removal  
 Unit N-19  
 October 7, 2019

BID TABULATION

ITEM	DESCRIPTION	Quantity	Units	Hydro-Klean, LLC		Visu-Sewer		Michels Corp.		National Power Rodding	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
30.	Fermeadow Dr	1	each	\$1,350.00	\$1,350.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$3,995.00	\$3,995.00
31.	Eighth St	1	each	\$675.00	\$675.00	\$1,100.00	\$1,100.00	\$1,300.00	\$1,300.00	\$4,110.00	\$4,110.00
32.	Edgemere Dr	1	each	\$2,025.00	\$2,025.00	\$2,490.00	\$2,490.00	\$1,850.00	\$1,850.00	\$3,700.00	\$3,700.00
33.	Brewster St	1	each	\$675.00	\$675.00	\$1,100.00	\$1,100.00	\$1,300.00	\$1,300.00	\$3,200.00	\$3,200.00
34.	Roosevelt St	1	each	\$675.00	\$675.00	\$750.00	\$750.00	\$1,300.00	\$1,300.00	\$3,595.00	\$3,595.00
35.	Bay Ridge Rd	1	each	\$2,700.00	\$2,700.00	\$2,500.00	\$2,500.00	\$1,750.00	\$1,750.00	\$3,610.00	\$3,610.00
36.	Chadwicke Ct	1	each	\$675.00	\$675.00	\$595.00	\$595.00	\$765.00	\$765.00	\$3,170.00	\$3,170.00
37.	Pondview Ct	1	each	\$650.00	\$650.00	\$1,250.00	\$1,250.00	\$1,300.00	\$1,300.00	\$1,800.00	\$1,800.00
38.	Frances St	1	each	\$650.00	\$650.00	\$950.00	\$950.00	\$2,300.00	\$2,300.00	\$2,512.00	\$2,512.00
39.	Silverquest Dr	1	each	\$650.00	\$650.00	\$600.00	\$600.00	\$1,630.00	\$1,630.00	\$1,600.00	\$1,600.00
40.	Lindbergh St	1	each	\$650.00	\$650.00	\$1,800.00	\$1,800.00	\$3,300.00	\$3,300.00	\$2,555.00	\$2,555.00
41.	Randall St	1	each	\$1,812.00	\$1,812.00	\$2,700.00	\$2,700.00	\$4,550.00	\$4,550.00	\$5,200.00	\$5,200.00
42.	Outagamie St	1	each	\$4,640.00	\$4,640.00	\$7,700.00	\$7,700.00	\$8,200.00	\$8,200.00	\$27,500.00	\$27,500.00
43.	College Av	1	each	\$1,812.00	\$1,812.00	\$4,500.00	\$4,500.00	\$8,075.00	\$8,075.00	\$5,470.00	\$5,470.00
44.	Pershing St	1	each	\$1,812.00	\$1,812.00	\$2,200.00	\$2,200.00	\$2,300.00	\$2,300.00	\$5,600.00	\$5,600.00
45.	Edgewood Dr	1	each	\$1,812.00	\$1,812.00	\$2,750.00	\$2,750.00	\$4,625.00	\$4,625.00	\$7,800.00	\$7,800.00
46.	Jefferson St	1	each	\$1,812.00	\$1,812.00	\$2,600.00	\$2,600.00	\$2,950.00	\$2,950.00	\$5,100.00	\$5,100.00
47.	Randall St	1	each	\$1,812.00	\$1,812.00	\$2,950.00	\$2,950.00	\$2,950.00	\$2,950.00	\$5,000.00	\$5,000.00
48.	Fench Rd	1	each	\$1,812.00	\$1,812.00	\$4,650.00	\$4,650.00	\$8,450.00	\$8,450.00	\$5,100.00	\$5,100.00
49.	Prospect Av	1	each	\$1,812.00	\$1,812.00	\$2,200.00	\$2,200.00	\$2,500.00	\$2,500.00	\$4,400.00	\$4,400.00
50.	John St	1	each	\$1,812.00	\$1,812.00	\$2,450.00	\$2,450.00	\$2,800.00	\$2,800.00	\$5,800.00	\$5,800.00
51.	John St	1	each	\$1,812.00	\$1,812.00	\$2,600.00	\$2,600.00	\$4,000.00	\$4,000.00	\$8,700.00	\$8,700.00
52.	Sylvan St	1	each	\$1,812.00	\$1,812.00	\$2,600.00	\$2,600.00	\$3,950.00	\$3,950.00	\$7,200.00	\$7,200.00
53.	Esmnt n/o Newberry St	1	each	\$3,600.00	\$3,600.00	\$3,900.00	\$3,900.00	\$3,050.00	\$3,050.00	\$30,000.00	\$30,000.00
54.	Drew St	1	each	\$650.00	\$650.00	\$600.00	\$600.00	\$1,800.00	\$1,800.00	\$2,255.00	\$2,255.00
55.	Bennett St	1	each	\$650.00	\$650.00	\$1,100.00	\$1,100.00	\$1,875.00	\$1,875.00	\$3,000.00	\$3,000.00
56.	Locust St	1	each	\$650.00	\$650.00	\$950.00	\$950.00	\$1,825.00	\$1,825.00	\$3,000.00	\$3,000.00
57.	Roberts Av	1	each	\$650.00	\$650.00	\$950.00	\$950.00	\$1,800.00	\$1,800.00	\$3,000.00	\$3,000.00
58.	Summit St	1	each	\$650.00	\$650.00	\$600.00	\$600.00	\$1,800.00	\$1,800.00	\$3,000.00	\$3,000.00

Spot Repairs, Protruding Tap and Mineral Deposit Removal

Unit N-19

October 7, 2019

BID TABULATION

ITEM	DESCRIPTION	Quantity	Units	Hydro-Klean, LLC		Great Lakes TV Seal, Inc.		Visu-Sewer		Micheis Corp.		National Power Rodding	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
59.	Joint Sealing Grout	300	gals	\$25.00	\$7,500.00	\$13.75	\$4,125.00	\$10.00	\$3,000.00	\$12.00	\$3,600.00	\$20.00	\$6,000.00
60.	Extra Hours	20	each	\$650.00	\$13,000.00	\$255.00	\$5,100.00	\$500.00	\$10,000.00	\$675.00	\$13,500.00	\$500.00	\$10,000.00

\* \$142,142.50

\$156,040.00

\$182,280.00

\$195,725.00

\$377,195.00

\* Corrected Number

CITY ATTORNEY SALARY SCHEDULE

APPROVED AT HUMAN RESOURCESS COMMITTEE DATED 7/6/15

APPROVED AT COMMON COUNCIL DATED 7/15/15

**City Attorney** - The salary of the following specific City Officer shall be as follows:

May 1 through April 30 each year

2016-2017           \$ 115,000

2017-2018           \$ 116,725

2018-2019           \$ 118,476

2019-2020           \$ 120,253

COUNCIL APPROVED MAYOR SALARY FOR 2016-2010 ELECTION TERM  
ON 10/7/2015 AS FOLLOWS:

2016-2017	\$96,106
2017-2018	\$97,548
2018-2019	\$99,011
2019-2010	\$100,496

HR COMMITTEE FILE 15-463

COUNCIL APPROVED 10-7-2015



Department	Title	Name	Date of Hire	Salary	Control Point	Maximum	Director	Deputy Director	Grade	Director/DD Differential
Mayor	Mayor	Tim Hanna	4/23/1991	\$100,496	\$100,506	\$120,598	100% N/A	N/A	R	
Fire	Fire Chief	Jeremy Hansen	7/16/2018	\$125,902	\$107,536	\$129,043	115%		S	15.30%
	Deputy Fire Chief	Darrel Baker	11/28/1988	\$109,200	\$91,166	\$109,408		120%	P	
Health	Health Officer	Kurt Eggebrecht	1/4/2000	\$118,331	\$107,536	\$129,043	110%		S	
	N/A		N/A		\$91,166	\$109,408		N/A		
Utilities	Utilities Director	Chris Shaw	7/22/1991	\$117,499	\$107,536	\$129,043	109%		S	32.57%
	Deputy Director-Utilities	Chris Stempa	1/29/2007	\$88,629	\$91,166	\$109,408		97%	P	
Police	Police Chief	Todd Thomas	1/5/2015	\$117,291	\$107,536	\$129,043	109%		S	7.21%
	Assistant Chief	Larry Potter	12/26/1991	\$109,408	\$91,166	\$109,408		120%	P	
Transit	General Manager	Ron Mc Donald	9/19/2016	\$113,381	\$107,536	\$129,043	105%		S	35.39%
	Assistant General Manager	Amy Erickson	10/22/2001	\$83,741	\$91,166	\$109,408		92%	P	
Library	Library Director	Colleen Rortvedt	8/30/1996	\$104,686	\$107,536	\$129,043	97%		S	9.13%
	Assistant Library Director	Tasha Saecker	2/28/2011	\$95,930	\$91,166	\$109,408		105%		
DPW	Public Works Director	Paula Vandehey	5/30/1989	\$140,234	\$116,854	\$140,234	120%		T	44.34%
	Deputy Director-DPW Operations	Nate Loper	5/27/2003	\$97,157	\$91,166	\$109,408		107%	P	16.26%
	Deputy Director-DPW/City Engineer	Ross Buetow	5/8/1991	\$120,619	\$100,506	\$120,598		120%	R	
HR	Human Resources Director	Sandy Matz	5/19/1997	\$138,757	\$116,854	\$140,234	119%		T	42.30%
	Deputy Director-HR	Jay Ratchman	8/2/2004	\$97,510	\$91,166	\$109,408		107%	P	
Finance	Finance Director	Tony Saucerman	8/24/1998	\$127,566	\$116,854	\$140,234	109%		T	48.64%
	Deputy Director-Finance	Jeri Ohman	5/29/2018	\$85,821	\$91,166	\$109,408		94%	P	
Parks, Rec, FMD	Parks, Recreation & Facilities Management Director	Dean Gazza	11/7/2005	\$125,965	\$116,854	\$140,234	108%		T	31.57%
	Deputy Director-PRFMD	Tom Flick	3/30/2015	\$95,742	\$91,166	\$109,408		105%	P	
Legal	City Attorney	Jim Walsh	4/17/1989	\$120,253	\$116,854	\$140,234	103%		T	11.39%
	Deputy City Attorney	Chris Behrens	1/5/1998	\$107,952	\$91,166	\$109,408		118%	P	
	Community and Economic Development Director	Karen Harkness	11/10/2008	\$118,539	\$116,854	\$140,234	101%		T	18.83%
CEDC	Deputy Director-CED	Monica Stage	12/16/1996	\$99,757	\$91,166	\$109,408		109%	P	
IT	Information Technology Director	Dean Fox	6/27/2005	\$109,678	\$116,854	\$140,234	94%		T	
	N/A		N/A					N/A		
							108%	108%		

Department	Title	Name	Date of Hire	Salary	Control Point	Maximum	Grade
Mayor	Mayor	Tim Hanna	4/23/1991	\$100,496	\$100,506	\$120,598	R 100%
Fire	Fire Chief	Jeremy Hansen	7/16/2018	\$125,902	\$107,536	\$129,043	S 117%
Health	Health Officer	Kurt Eggebrecht	1/4/2000	\$118,331	\$107,536	\$129,043	S 110%
Utilities	Utilities Director	Chris Shaw	7/22/1991	\$117,499	\$107,536	\$129,043	S 109%
Police	Police Chief	Todd Thomas	1/5/2015	\$117,291	\$107,536	\$129,043	S 109%
Transit	General Manager	Ron Mc Donald	9/19/2016	\$113,381	\$107,536	\$129,043	S 105%
Library	Library Director	Colleen Rortvedt	8/30/1996	\$104,686	\$107,536	\$129,043	S 97%
DPW	Public Works Director	Paula Vandehey	5/30/1989	\$140,234	\$116,854	\$140,234	T 120%
HR	Human Resources Director	Sandy Matz	5/19/1997	\$138,757	\$116,854	\$140,234	T 119%
Finance	Finance Director	Tony Saucerman	8/24/1998	\$127,566	\$116,854	\$140,234	T 109%
Parks, Rec,	Parks, Recreation & Facilities						
FMD	Management Director	Dean Gazza	11/7/2005	\$125,965	\$116,854	\$140,234	T 108%
Legal	City Attorney	Jim Walsh	4/17/1989	\$120,253	\$116,854	\$140,234	T 103%
	Community and Economic						
CEDC	Development Director	Karen Harkness	11/10/2008	\$118,539	\$116,854	\$140,234	T 101%
IT	Information Technology Director	Dean Fox	6/27/2005	\$109,678	\$116,854	\$140,234	T 94%

Year	Union	Non-Reps	Performance	CPI	Attorney with Non-rep increases	Attorney	Salary	Mayor with Non-rep increases	Mayor	Salary
2003	3.00%				\$87,505			\$76,478		
2004	3.00%	1.50%		2.70%	\$88,818	1.50%	\$88,816	\$77,625	1.50%	\$77,625
2005	3.00%	3.00%		3.40%	\$91,482	1.50%	\$90,147	\$79,954	1.51%	\$78,790
2006	3.00%	3.00%		3.20%	\$94,227	1.50%	\$91,499	\$82,353	1.51%	\$79,976
2007	2.75%	2.75%		2.90%	\$96,818	3.37%	\$92,872	\$84,617	3.47%	\$81,182
2008	2.00%	2.00%		3.80%	\$98,754	2.08%	\$96,000	\$86,310	3.47%	\$84,000
	1.00%	1.00%			\$99,742			\$87,173		
2009	2.00%	2.00%		-0.40%	\$101,737	2.08%	\$98,000	\$88,916	2.38%	\$86,000
	1.00%	1.00%			\$102,754			\$89,805		
2010	2.00%	2.00%		1.60%	\$104,809	3.06%	\$101,000	\$91,601	2.33%	\$88,000
	1.00%	1.00%			\$105,857			\$92,517		
2011	0.00%	0.00%		3.20%	\$105,857	2.97%	\$104,000	\$92,517	3.41%	\$91,000
2012	1.00%	0.00%		2.10%	\$105,857	0.00%	\$104,000	\$92,517	0.00%	\$91,000
	3.00%									
2013	1.00%	1.00%	1%*	1.50%	\$106,916	2.00%	\$106,080	\$93,443	1.00%	\$91,910
	3.00%									
2014	3.00%	2.00%	2%	1.60%	\$109,054	2.00%	\$108,202	\$95,311	1.00%	\$92,829
2015	2.50%	1.50%	1.75%	0.10%	\$110,690	2.00%	\$110,365	\$96,741	2.00%	\$94,686
	1.00%									
2016	2.00%	1.50%	.5%-1.5%	1.30%	\$113,457	4.20%	\$115,000	\$99,160	1.50%	\$96,106
	1.50%									
2017	1.00%		2.00%	2.10%	\$115,726	1.50%	\$116,725	\$101,143	1.50%	\$97,548
2018	1.50%		2.24%	2.20%	\$118,318	1.50%	\$118,476	\$103,408	1.50%	\$99,011
	1.00%									
2019	1.00%		2.09%	1.60%	\$120,791	1.50%	\$120,253	\$105,570	1.50%	\$100,496
	1.00%									
	47.25%	25.25%	10.08%	32.90%		32.76%			29.57%	
			35.33%							

2006 + \$.20 quid

\* Only employees paying WRS were eligible for the Performance 1%

Average Salary for Civil Attorney Positions by State (US Dollars)									
State	Chief Legal Officer	Deputy	Managing Attorney	Senior Assistant (20+years)	Assistant (10-20 years)	Assistant (5-10 years)	Assistant (2-5 years)	New Lawyer	
Missouri	\$148,744	\$130,552		\$107,864	\$82,225	\$81,325	\$62,144	\$59,340	
Nebraska	\$140,488	\$129,790			\$104,664	\$75,780	\$65,673		
Nevada	\$172,867	\$160,092			\$149,722	\$136,654			
New Mexico	\$116,343	\$90,667	\$101,000	\$90,500	\$87,500	\$68,000			
New York	\$115,667	\$93,055			\$79,566			\$65,707	
North Carolina	\$165,458	\$116,461		\$117,234		\$78,231			
Ohio	\$125,982	\$120,333	\$106,660	\$98,942	\$80,060	\$68,402	\$57,128	\$52,250	
Oklahoma	\$137,052	\$127,509		\$121,867		\$87,062	\$68,750		
Oregon	\$167,431	\$124,585		\$154,604	\$136,195	\$95,181	\$92,482		
South Carolina	\$106,353								
South Dakota	\$99,490								
Tennessee	\$149,200	\$138,333		\$105,500	\$99,000	\$85,167	\$74,400		
Texas	\$190,273	\$148,604	\$119,887	\$118,933	\$103,113	\$88,796	\$72,987	\$68,052	
Utah	\$135,295	\$110,170							
Virginia	\$203,124	\$162,503		\$132,225	\$103,229	\$88,867	\$85,206		
West Virginia	\$115,500								
Wisconsin	\$131,262	\$105,066		\$103,333	\$89,569	\$76,711	\$61,154		
Wyoming	\$122,500								

**Survey Question 15. Does your office have a criminal as well as a civil function?**

Question 15 asked respondents if their office has a criminal as well as a civil function. Of the 241 responses, 118 answered yes.

Municipality	City Attorney	Salary	# Reports	Benefits	Expense Account	Other
Appleton	Elected	\$120,253	4	Health, Dental, Life, LTD, Pension	None	None
EauClaire	Appointed by City Manager					
Green Bay	Appointed by Mayor	\$113,250	5	Health, Dental, Life, LTD, Pension	None	\$30/month mileage reimbursement
Janesville	Appointed by City Manager					
Kenosha	Non-Represented Employee	\$108,268-\$139,186	6	Health, Dental, Life, Pension, Sick Accural	None	None
La Crosse	Non-Represented Employee	\$133,889.60	4	Health, Dental, Life, LTD, Pension	None	None
Manitowoc	Non-Represented Employee					
Oshkosh	Appointed	\$124,058	3	Health, Dental, Life, LTD, Pension	None	None
Racine	Appointed					
Sheboygan	Elected	\$121,351	3.5	Same as non-reps, but no PTO	None	None
Waukesha	Elected					
Wausau	Non-Represented Employee					

ATTORNEY



Municipality	Mayor	Population	Term	Salary	# Reports	Benefits	Expense Account	Other	# of Staff in Mayor's Office (not including Mayor)
Appleton	Mayor	74,653	2019-2020	\$100,496	15	Health, Dental, Life, LTD, Pension	None	None	3 (Secretary to Mayor, Communications Coordinator, Diversity & Inclusion Coordinator)
Green Bay	Mayor	105,116	2019-2020	\$87,930	13	Health, Dental, Life, LTD, Pension	None	\$30/month mileage reimbursement	3 (Chief of Staff, Community Relations Assistant, Executive Secretary)
La Crosse	Mayor	51,834	2017-2021	\$76,908.00	3	Health, Dental, Life, LTD, Pension	\$2,075.06	\$250/mo car allowance	3 (Executive Secretary, Courtesy and Information Representative, Employee Wellness Coordinator)
Manitowoc	Mayor	92,697	2017-2021	\$79,773.00	10	Health, Dental, Life, Pension, Flex Spending	None	Receives a \$450.00 auto allowance \$300/month vehicle allowance	1 (Administrative Assistant)
Neenah	Mayor	25,954	2018-2022	\$79,250.00	12	Health, Dental, Life, LTD, Pension	None	annually (\$37.50 per month), \$40.00 per month cell phone stipend	1 (Administrative Assistant)
Wausau	Mayor	39,114	2017-2020	\$74,850.00	8	Health, Dental, Life, LTD, Pension	None	\$300 monthly vehicle allowance, \$50/month cell phone allowance	1 (Administrative Assistant)
Municipality	Mayor/City Administrator	Population	Term	Salary	Combined Salary	Benefits	# Reports	Expense Account	Other
Kenosha	Mayor	99,877		\$65,800	-	Health, Dental, Life, Pension, Sick Accrual	10	None	City car
Kenosha	City Administrator	99,877		\$139,065-\$178,782	\$224,865-\$264,582	Health, Dental, Life, Pension, Sick Accrual	19	None	None
Racine	Mayor	77,542	2019-2020	\$77,459	-	Health, Dental, Life, Pension, FSA plan	Did not report #	None	None
Racine	City Administrator	77,542	2019-2020	\$140,000	-	Health, Dental, Life, LTD, Pension	Did not report #	None	None
Shaboygan	Mayor	48,329	2019-2020	\$53,844	-	Health, Dental, Life, LTD, Pension	1	None	Access to a mini-van
Shaboygan	City Administrator	48,329	2019-2020	\$150,000	-	Health, Dental, Life, LTD, Pension	18	None	None
Waukesha	Mayor	72,489	Did not report (four attempts...last attempt 7/17/2019)						
Waukesha	City Administrator	72,489	Did not report (four attempts...last attempt 7/17/2019)						
Municipality	Mayor/City Manager	Population	Term	Salary	# Reports	Benefits	Expense Account	Other	
Eau Claire	City Manager	68,587	Did not report (three attempts)						
Janesville	City Manager	64,359	Did not report (three attempts)		0	None	None	Parking pass	
Oshkosh	Mayor (part-time)	66,665	2019-2020	\$6,500		Non-emp benefits	None	None	
Oshkosh	City Manager	66,665	2019-2020	\$154,000	12				
County	County Executive	County Pop	Term	Salary	# Reports	Benefits	Expense Account	Other	
Brown	County Executive	69,587	Did not report (left a voice message 7/17/2019)						
Calumet	County Executive	64,359	Did not report (request made 7/16/2019)						
Outagamie	County Executive	66,665	Did not report (request made 7/16/2019)						
Winnebago	County Executive	156,763	2018-2021	2019-\$109,129; 2020-\$111,311; 2021=\$111,537	17	Same as non-emp employees	None	None	

## **Setting Elected Official Salary Survey**

1. How do you go about establishing the salary for your elected Officials? (e.g. HR provides data, outside resource provides data, etc.).
2. Who makes the recommendation for future salaries for your elected Officials?
3. Who makes the decision about future salaries for your elected Officials?

### **Wausau**

1. Not sure how they were *initially* established, but since I have been in Human Resources (about 10 years) we've done several surveys asking other municipalities what their rates are.
2. It's always started in the Human Resources Committee – an alderman makes a suggestion to look at salaries, we do a survey, and then present the information to HR Committee. They would vote to accept or deny recommendation, then it would go to Finance Committee to accept or deny, then to Council.
3. The Council would make the final vote. I'm not sure if they have had a raise in the past 10+ years. If my memory serves me correctly, it's been brought up 2 or so times but I think that once they have it on the HR Committee agenda, they decide not to approve it and it hasn't gone any further. This is the same process for the mayor. I'm not sure if that position has had a raise in the last decade either.

### **La Crosse**

Honestly, I've only been employed with the City of La Crosse for about a year and a half, so I can't necessarily speak to the history of the process. However, I do know the salaries for elected officials are essentially controlled by our Common Council. In fact there was a resolution recently passed that increases the salaries of the members of the Common Council and the Mayor that will be effective with the next election cycle. I was not asked to research/provide any data regarding these increases.

### **Neenah**

1. The Human Resource department will periodically survey other communities for both aldermanic and mayoral salaries. This is usually done when someone (i.e. council member, attorney, mayor, etc.) makes a request for the information.
2. Usually it the council or mayor that will make a recommendation for their salaries based on the political climate and what the surrounding areas are doing. Anyone may make the recommendation.
3. All budget changes are brought up during the budget workshops and tweaks, recommendations are made. Ultimately it is the Common Council that makes the final approval for all budget issues. Any changes to an elected officials salary must be approved prior to an election. Salaries may not be changed during an incumbent's term. (Example: Neenah has 9 aldermen, with 3 being up for election each year. A recommendation is put through to increase the aldermanic salary. The change is then approved. It will only the three alderman who are up for election the next year. The following year the next 3 aldermen would receive the change. The 3rd year they would all be at new salary. For the mayoral salary, the recommendation would be made and approved the year before the mayoral election for the next term.)

**CITY OF APPLETON**  
**Appleton Professional Police Association**  
**CBA TENTATIVE AGREEMENTS**  
**August 26, 2019**

1. ARTICLE 3 HOURS

Strike language (lines 45-47): ~~Officers requesting this provision shall notify their Assistant Chief not earlier than October 1 nor later than October 15 of the number of days which they are requesting for the following year.~~

Add language (G. Trade Time): Employees shall be allowed to trade shifts with other employees pursuant to departmental procedures for trading. Additionally, employees shall be allowed to trade compensatory time in lieu of working back a trade day pursuant to departmental procedures. The traded compensatory time must be for the same number of hours worked.

2. ARTICLE 4 OVERTIME

Add language: Employees may request to be paid out for some or all of their accumulated compensatory time balance on any payroll with appropriate notice to the department.

Strike language (lines 30-32): ~~Any hours in excess of eighty (80) that are carried over into the next year must be taken as time off. Overtime off will be charged against the excess hours before being charged against the eighty (80) or against the current year's accumulation.~~

Add language: The three hours of straight time call pay for Court, Re-call, and Court Cancellation will be paid in cash and cannot be banked as compensatory time. In addition, reimbursed overtime services (e.g. grant work, security services, and AASD services) work will be paid in cash and cannot be banked as compensatory time.

Replace language: ~~Court Cancellation: Court cancellations shall include any cancellation that does not occur prior to or at the end of the officer's regular shift before the appearance. That an officer scheduled to make a court appearance outside their regularly scheduled workday or workweek shall follow the department procedure to verify if court has been cancelled. If court has been canceled, the officer shall not report and will not be eligible for court cancellation pay. If court is cancelled after following procedure, then the officer shall be eligible for court cancellation pay. The City agrees that no changes will be made in the court cancellation criteria without the prior approval of the Association.~~

Add language (to define actual hours worked as): the officer is in a department issued vehicle or has arrived at the department, is in department appropriate attire, and has the necessary equipment to carry out their work (10-41).

Add language (to define within one-half (1/2) hour): as equal to or less 30.00 minutes.

Strike redundant language (lines 43-45) given this is already under Article 31 Physical Fitness: ~~Payment for off duty time spent in physical fitness or weight standards testing shall be at the rate of time and one half for all time spent in such testings, but not to exceed two hours at time and one half for any employee in any testing period.~~

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

### 3. ARTICLE 8 VACATION

Modify language: The first 40 hours of unused vacation will be carried over. Any hours in addition to the carry over hours, up to 40 hours, may be paid to the Post Employment Health Plan or H.S.A. An employee choosing to have unused vacation paid to the Post Employment Health Plan or H.S.A. shall complete and submit the appropriate departmental form.

Strike language: ~~notify the Chief or designee of their intent to do so not earlier than October 15 and not later than November 1. All requests must be approved by the Chief and forwarded to Human Resources by December 15. Any vacation carried over to the following year must be used by June 1 or it will be forfeited.~~

Modify language ~~Regular employees will be eligible for their first paid vacation as of the first anniversary of their date of hire. After qualifying for their first vacation, employees will be eligible for future vacations as of January 1 of each calendar year. Regular employees shall be entitled to paid vacation benefits as of January 1 of each year based upon their length of continuous service. For purposes of determining future vacation eligibility, the year of hire shall be treated as a full year of service.~~

Add language: Vacation picks for patrol shall be accomplished by a rotation of vacation block requests followed by single vacation day requests. For purposes of this article, a block shall be defined as two (2) or more consecutive work days. The vacation block requests will be approved on a seniority basis with the most senior employee being granted the requested block followed by the next senior until the first, second, and third rounds of vacation block requests are complete. All subsequent block requests submitted during the fourth submission period as designated by the Operations Coordinator will be approved based on seniority. All vacation requests submitted after the rotation above has been completed will be granted on a first come first serve basis, with seniority serving as the tie breaker for requests submitted at the same time.

Add language: Employees shall use vacation time to cover the hours of their scheduled shift not including resume time.

Add language: To accommodate employees who request to voluntarily participate in training on their off-duty time, the department will attempt to schedule the employee for time off in either the same FLSA period for training time worked so as not to create FLSA overtime or outside of the FLSA period in exchange for training time worked. When the department is not able to schedule time off in exchange for training time worked, the employee shall be paid overtime.

### 4. ARTICLE 10 LEAVES

Reduce sick rate from 5.33 hours for each month to 4 hours for each month starting on 1/1/2023.

Add language: Employees shall use sick time to cover the hours of their scheduled shift not including resume time.

Add language: Employees shall use PTO to cover the hours of their scheduled shift not including resume time.

Modify language: ~~ninetyseven hundred twenty (90720) working days~~ hours paid to the PEHP.

### 5. ARTICLE 11 HEALTH AND DENTAL INSURANCE

Strike language: ~~Effective 1/1/14, provided the employer offers a Health Reimbursement Account Plan, employees shall pay 15% of the COBRA rate. Effective 1/1/14, provided the employer offers a Health Savings~~

~~Account Plan employees shall pay 0% of the COBRA rate. Effective 1/1/15, E~~employees shall pay the same contribution as non-represented employees on plans offered by the City to non-represented employees.

Strike and modify language: ~~Effective 1/1/14, P~~provided the employer offers a Dental Plan, employees shall pay the same contribution as non-represented employees on plans offered by the City to non-represented employees. ~~contribute \$10 per month toward a single premium and \$20 per month toward a family premium for the same dental plan offered by the City to non-represented employees.~~

6. ARTICLE 15 CLOTHING ALLOWANCE

Modify language that the initial clothing allowance will be reduced to \$600, which will be added to the employees first paycheck.

Add language that the duty weapon will be issued by the department for new hires. In addition, that department issued duty weapon, three magazines, badge, body armor, and apparel patches will be turned over to the department upon end of employment.

Eliminate annual maintenance and cleaning allowance. These will be rolled into wages. The market basket language will also be deleted.

7. ARTICLE 20 SUSPENSION, DISMISSAL & REDUCTION IN RANK

Modify language: probationary period shall not exceed eighteen (18) months from their date of hire, unless for extenuating circumstances (e.g. military leave, etc.).

8. ~~ARTICLE 22 CANINE HANDLERS (this is a new article to the contract and elimination of a side letter)~~

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

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

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

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

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

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

9. ARTICLE 29 DUES DEDUCTION FAIR SHARE

A. The Employer agrees to deduct monthly dues in the amount certified by the WPPA/LEER from the pay of employees who individually sign a dues deduction authorization form provided by the Employer where the Employee is knowingly and affirmatively consenting to the deduction of dues from the employee's paycheck, including any Local Association dues which the employee has authorized to be deducted in conjunction with the WPPA/LEER dues.

B. It shall be the employee's responsibility to sign the dues deduction authorization form and provide the signed form to the Employer and Association no less than 30 days prior to the date in which dues deductions are to commence.

C. The Employer shall deduct the combined dues amount each pay period for each employee requesting such deduction, upon receipt of such form and shall remit the total of such deductions, with a list of employees from whom such sums have been deducted, to the Local Association in one lump sum after the last payroll of each month.

D. Authorization of dues deduction by a member may be revoked upon notice in writing to the Employer, WPPA, or to the Local Association with the understanding that the deduction will cease as reasonably as practical after receipt of written notice of revocation.

E. No employee shall be required to join the Association, but membership in the Association shall be made available to all employees in the bargaining unit who apply consistently with either the WPPA or local Association Constitution and Bylaws.

F. No employee shall be denied membership because of race, creed, color, sex or other legally protected class status.

G. It is expressly understood and agreed that WPPA/LEER will refund to the Employer any dues erroneously deducted by the Employer and paid to WPPA/LEER and/or the Local Association. WPPA/LEER shall indemnify, defend, and hold harmless the Employer against any and all third party claims, demands, suits, order, judgments or any other forms of liability against or incurred by the Employer, including all costs of defense and attorney's fees, which may arise out of action taken or not taken by the Employer's compliance with this Article, provided that the defense of any such claims, demands, suits or other forms of liability shall not be interpreted to preclude the Employer from participating in any legal proceedings challenging the application or interpretation of the Article through representatives of the Employer's own choosing and at its own expense.

10. ARTICLE 31 PHYSICAL FITNESS PROGRAM

Modify language: participating employees will be tested ~~annually twice each year~~ and will be paid a maximum of ~~60-minutes two hours~~ pay, or 90-minutes if completing the run, at time and one half for participation in the testing procedure.

Modify language: that all officers who score as "excellent" will be paid a premium of 2% of their base pay and shall accumulate ~~four eight~~ (48) hours of physical fitness bonus for each testing date. All Officers who score as "good" will be paid a premium of 1% of their base pay and shall accumulate ~~two four~~ (24) hours of physical fitness bonus for each testing date.

Modify language: Such premium payment shall be in a lump sum payable within thirty (30) days of the finalization of the testing results and shall be calculated on the basis of 2% or 1% ~~of one half~~ of the employee's annual base pay, calculated on the rate of pay at the time of the test.



11. EXHIBIT A

**2020:** 2.25% increase (1.00% on April 1<sup>st</sup> and 1.25% on October 1<sup>st</sup>)

**2021:** 2.25% increase (1.00% on April 1<sup>st</sup> and 1.25% on October 1<sup>st</sup>)

**2022:** 2.50% increase (1.00% on April 1<sup>st</sup> and 1.50% on October 1<sup>st</sup>)

**2023:** 3.00% increase (1.50% on April 1<sup>st</sup> and 1.50% on October 1<sup>st</sup>)

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

Add language: The Chief has ability to determine sick allowance for new officers with significant policing experience.

12. OTHER ITEMS:

1. Delete canine side letter.
2. Delete sick leave bank side letter.
3. Add Modified Pittman language to the contract and delete side letter.
4. Renew Week Day Patrol side letter.
5. Clean up spelling and punctuation.
6. Change non-schedule dependent and schedule dependent to patrol and non-patrol.
7. Add consistency to either refer to Officer or to Employee throughout the contract.



## **Award Recommendation for a Valley Transit Support Vehicle**

### **BACKGROUND**

Valley Transit provides public transportation during extreme and adverse weather conditions. During all weather conditions, it's imperative that Valley Transit Supervisory staff can get to an incident when needed.

In the past, Valley Transit Supervisory staff has been forced to commandeer the Maintenance Department pick-up truck to get to a bus during adverse weather conditions. Consequently, the Maintenance Department was unable to complete necessary tasks. A 4x4 vehicle is necessary for Valley Transit Supervisory staff.

It's common for Valley Transit Supervisory staff to transport passengers due to missed transfers or other operational issues. A vehicle with a capacity up to 7 or 8 passenger seats is necessary for Valley Transit Supervisory Staff.

When transporting passengers, it's not uncommon to have personal belongings that must also be transported. Examples include a bicycle, stroller, shopping cart, etc. A vehicle with sufficient space for personal belongings in addition to passengers is necessary for Valley Transit Supervisory staff.

Valley Transit budgeted \$50,000 for a support vehicle in the 2019 budget.

### **ANALYSIS**

The State of Wisconsin DOA, Division of Enterprise Operations, State of Bureau of Procurement successfully completed a solicitation that was competitively bid and designated as a cooperative purchasing contract, allowing municipalities to use this purchasing contract.

Three bids meeting the minimum requirements delineated above were received by the State contract. Low to High bids were received for a Ford Expedition, Chevrolet Tahoe, and Chevrolet Suburban.

A System for Award Management (SAM) report was printed for Ford Motor and Ewald Ford. Neither is suspended or debarred from Federal contracts.

The City of Appleton Central Equipment Division regularly purchases fleet vehicles through the State contract.

Milwaukee County Transit regularly purchases support vehicles through the State contract.

**FISCAL IMPACT**

Valley Transit budgeted \$50,000 for a support vehicle in the 2019 budget.

Ewald's Hartford Ford, 363833 E. Wisconsin Ave., Oconomowoc, WI 53067 submitted the lowest bid at \$38,830.

Valley Transit has sufficient fund balances within the budget.

**RECOMMENDATION**

Staff recommends authorization for Valley Transit to issue a Purchase Order to Ewald's Ford for a [Fleet] 2020 Ford Expedition (U1G) XL 4x4 for \$38,830.



# Ewald Automotive Group

Scott Kussow | 262-567-5555 | skfleet@ewaldauto.com

Vehicle: [Fleet] 2020 Ford Expedition (U1G) XL 4x4 (✔ Complete)

## Quote Worksheet

	MSRP
Base Price	\$51,990.00
Dest Charge	\$1,395.00
Total Options	\$1,204.00
<b>Subtotal</b>	<b>\$54,589.00</b>
<b>Subtotal Pre-Tax Adjustments</b>	<b>\$0.00</b>
Less Customer Discount	( <b>\$15,759.00</b> )
<b>Subtotal Discount</b>	<b>(<b>\$15,759.00</b>)</b>
Trade-In	\$0.00
<b>Subtotal Trade-In</b>	<b>\$0.00</b>
<b>Taxable Price</b>	<b>\$38,830.00</b>
Sales Tax	\$0.00
<b>Subtotal Taxes</b>	<b>\$0.00</b>
<b>Subtotal Post-Tax Adjustments</b>	<b>\$0.00</b>
<b>Total Sales Price</b>	<b>\$38,830.00</b>

### Comments:

2020 Ford Expedition XL 4wd to your specs as detailed. Registration fees are not included. Delivery can be anticipated 90-120 days from receipt of your order.

\_\_\_\_\_  
Dealer Signature / Date

\_\_\_\_\_  
Customer Signature / Date

This document contains information considered Confidential between GM and its Clients uniquely. The information provided is not intended for public disclosure. Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided.

Data Version: 9417. Data Updated: Oct 6, 2019 9:52:00 PM PDT.



Valley Transit  
 Support Vehicle  
 Wisconsin Department of Administration, Division of Enterprise Operations, State Bureau of Procurement  
 Model Year 2019 or Newer Passenger and Law Enforcement Vehicles and Light Duty Trucks  
 State Contract #505ENT-M19-2019

Min. Requirement: SUV, 4x4, Min. 7 passengers

Year	Make	Model	Bid Result	4wd	3rd Row Seating	Met Requirements	Dealer
2020	Ford	Expedition	38,830	Yes	Yes	Yes	Ewald's Hartford Ford, 36833 E. Wisconsin Ave., Oconomowoc, WI 53067
2019/20	Chevrolet	Tahoe	39,166	Yes	Yes	Yes	Napleton Chevrolet Buick, 800 Maple Ave., Columbus, WI 53924
2019/20	Chevrolet	Suburban	41,720	Yes	Yes	Yes	Napleton Chevrolet Buick, 800 Maple Ave., Columbus, WI 53925
2019/20	Ford	Explorer	30,648	Yes	No	No	Ewald's Hartford Ford, 36833 E. Wisconsin Ave., Oconomowoc, WI 53066
2019/20	Jeep	Grand Cherokee	35,230	Yes	No	No	Chrysler Dodge Ram Jeep-Ewald of Oconomowoc

**CONTRACT BETWEEN  
CITY OF APPLETON / VALLEY TRANSIT  
AND  
FOX VALLEY TECHNICAL COLLEGE**

This Agreement is by and between the City of Appleton/Valley Transit (hereinafter referred to as the "City") and the Fox Valley Technical College (hereinafter referred to as "FVTC").

The FVTC wishes to encourage the use of City bus service by FVTC students. In exchange for the mutual consideration stated below, the parties agree as follows:

1. During the term of this Agreement, the City agrees to honor the FVTC Identification Card as a bus pass to allow Program and Adult Basic Education students enrolled at FVTC to utilize the City bus services.
2. The FVTC agrees to establish appropriate procedures to assure that one and only one FVTC Identification Card is distributed to each student enrolled at FVTC. If validation becomes a management issue, the City and FVTC will mutually agree to an alternative to the FVTC Identification Card.
3. The FVTC Identification Card will be valid for transportation on all City bus routes when shown by the students, at no additional charge as provided in this contract.
4. This agreement applies strictly to Valley Transit's fixed route bus service. FVTC students meeting the ADA paratransit eligibility criteria will have comparable access to Valley Transit II. A fare that is double the rate of the approved regular bus cash fare will be charged to students using Valley Transit II. The Connector services and the other Valley Transit paratransit services are not part of this agreement.
5. The FVTC Identification Card is not transferable and not for resale and shall be forfeited and confiscated if misused or presented for transportation by any person other than the person to whom issued.
6. This Contract shall be effective for the period of January 1, 2020, through December 31, 2025, with the option to extend this Contract for up to two (2) additional one (1) year periods. For City bus services provided for herein, the FVTC shall pay to the City \$46,000 in January of each year or in two payments, \$23,000 in January and \$23,000 in August of each year.
7. The City shall provide its established and regularly publicized bus service.



8. Additional bus service may be added if both the City and FVTC mutually agree based upon ridership need. The City shall invoice FVTC for additional service/routes which will be shared with FVTC yearly in January.
9. The FVTC Identification Card shall be valid for transportation on all days during all scheduled hours on all Valley Transit buses.
10. The City will keep ridership records of FVTC Identification Card usage. The City will provide quarterly ridership reports to the FVTC. FVTC and the City will work cooperatively to obtain and share any other information deemed necessary by either or both parties.
11. In providing and furnishing any of the aforementioned bus services, the City shall act as an independent contractor, and FVTC shall not have, and shall not exercise any control over the City's operation.
12. Individual student privileges may be revoked due to violations of the Valley Transit Code of Conduct. Valley Transit will make FVTC aware of the issues before actually revoking the privilege.
13. It is understood that the administration, management, marketing and promotion of the bus service program are the mutual responsibility of the City and FVTC. The City will work with FVTC to develop a marketing plan and to market the bus service program.
14. The City shall defend and hold harmless FVTC and its agents, servants, and employees against all loss, damages, legal expenses and other expenses which FVTC may sustain or become liable for on account of injury to or death of persons, or on account of damage to, loss or destruction of property resulting from the negligent operation of city buses.
15. The City and the FVTC agree to cooperatively establish administrative policies and procedures that will effectively safeguard the interest of both parties.
16. The City shall not be in default of any provision of the Agreement for failure to perform where such failure is due solely to strikes, walkouts, civil insurrections or disorders, orders of civil authorities, shortages of motor fuel or equipment, acts of God, or for any other cause or caused beyond the control of the City.
17. Should the City or FVTC be unable to fulfill the requirements of this agreement because of expected lack of funds, then either the City or FVTC may provide written notice of such expected lack of funds upon thirty (30) days prior written notice and this agreement shall be terminated.
18. FVTC or the City may cancel the contract for breach of any terms or condition of this contract or failure to perform as specified in this contract. FVTC or the City shall provide ten (10) calendar days written notice of contract breach and unless within ten (10) calendar

days such neglect has ceased and arrangements made to correct, the contract may be cancelled by giving sixty (60) days notice in writing by registered or certified mail of its intention to cancel the contract.

19. All accounts shall be settled on a prorated basis in the event of termination of this Agreement prior to its full term.

20. The term of this Agreement at the amounts stated in Item 6 shall be for the 2020 calendar year from January 1 through December 31, 2020 with an option by mutual agreement of FVTC and the City to renew each of the subsequent four (4) years.

21. City warrants that it has the authority to enter into this Agreement and that any approval required of and by the City of Appleton have been obtained are valid for the full term of this Agreement.

The City of Appleton hereby duly executes the Agreement the \_\_\_ day of \_\_\_\_\_, 2019.

By: \_\_\_\_\_  
Timothy M. Hanna, Mayor

By: \_\_\_\_\_  
Kami Lynch, City Clerk

By: \_\_\_\_\_  
Ronald McDonald,  
General Manager Valley Transit

Provision has been made to pay the liability that will accrue under this contract.

Approved as to form:

\_\_\_\_\_  
Anthony D. Saucerman, Finance Director

\_\_\_\_\_  
James P. Walsh, City Attorney

The Fox Valley Technical College (FVTC) hereby duly executes this Agreement the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Witness: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
Dr. Susan A. May  
President, Fox Valley Technical College

Witness: \_\_\_\_\_  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
Elizabeth Burns  
Associate VP of Student Services  
Fox Valley Technical College

City Law A19-0887

**91-19**

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

(City Plan Commission 10/16/2019)

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

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

To rezone a portion of the parcel of lands generally located on North Haymeadow Avenue, south of Spartan Drive (part of Tax Id #31-6-6201-00), from AG Agricultural District and PD/R-2 Planned Development Two-family Residential District to P-I Public Institutional District. (Rezoning #8-19 – Haymeadow Stormwater Pond, City of Appleton)

**LEGAL DESCRIPTION:**

Part of the Northwest ¼ of the Southeast ¼ of Section 2, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 75,212 sq. ft. of land and being described by:

Commencing at the W ¼ corner of said Section 2;  
Thence South 89°57'54" East 2478.72 feet coincident with the North line of the SW ¼ to the Center of said Section 2;  
Thence South 89°40'21" East 212.11 feet coincident with the North line of the SE ¼ of said Section 2;  
Thence South 00°15'15" West 115.56 feet to a point on the East line of Haymeadow Avenue and being the Point of Beginning;  
Thence Northeasterly 278.09 feet along the arc of a curve to the left having a radius of 315.00 feet and the chord of which bears North 64°57'46" East 269.15 feet;  
Thence continue Northeasterly 198.10 feet along the arc of a curve to the right having a radius of 1,035.00 feet and the chord of which bears North 45°09'17" East 197.80 feet;  
Thence North 50°38'16" East 325.25 feet;  
Thence South 00°19'45" West 90.97 feet;  
Thence South 50°38'16" West 267.15 feet;  
Thence Southwesterly 184.70 feet along the arc of curve to the left having a radius of 965.00 feet and the chord of which bears South 45°09'17" West 184.42 feet;

Thence continue Southwesterly 339.89 feet along the arc of a curve to the right having a radius of 385.00 feet and the chord of which bears South 64°57'46" West 328.96 feet;  
Thence North 00°15'15" East 70.00 feet coincident with the East line of Haymeadow Avenue to the point of beginning. Also including to the center line of the adjacent right-of-way.

**COMMON DESCRIPTION:**

Part of Tax Id #31-6-6201-00 generally located on North Haymeadow Avenue, south of Spartan Drive

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.