



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, September 15, 2021

7:00 PM

Council Chambers

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES
 - [21-1278](#) Common Council Meeting Minutes of September 1, 2021
 - Attachments:* [CC Minutes 9-1-21.pdf](#)
- G. BUSINESS PRESENTED BY THE MAYOR
 - [21-1309](#) Board & Commission Reappointments
 - Attachments:* [Reappointments ARA CPC Memo 9'15'2021.pdf](#)
 - [21-1310](#) Hispanic Heritage Month Proclamation
 - Attachments:* [Hispanic Heritage Month Proclamation.pdf](#)
 - [21-1308](#) Library Project Update
 - [21-1311](#) COVID-19 Report
 - Attachments:* [COVID -19 Council Update 091521.pdf](#)
- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-1303](#) Request from Red Lion Hotel for a street occupancy permit to place dumpsters on College Avenue (meters CAW 305, 307, 309, 311 & 313) intermittently through December 31, 2021.

Attachments: [Red Lion street occupancy permit.pdf](#)

[21-1300](#) Recommend contract award for public safety camera server to Cable Com LLC in an amount not to exceed \$29,400.26.

Attachments: [Contract for public safety camera server-Cable Com LLC.pdf](#)

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-1234](#) Class "B" Beer and Reserve "Class B" Liquor License application for ANK Restaurant Inc d/b/a Cinders Charcoal Grill, Adam Del Fosse, Agent, located at 221 S Kensington Dr, contingent upon approval from all departments.

Attachments: [Cinders Charcoal Grill.pdf](#)

Legislative History

9/8/21	Safety and Licensing Committee	recommended for approval
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3. MINUTES OF THE CITY PLAN COMMISSION

[21-0856](#) Request to approve the Apple Fields Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport Apple Fields FinalPlat For9-8-21.pdf](#)

Legislative History

9/8/21	City Plan Commission	recommended for approval
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4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[21-1245](#) City Program Funding Approval and City Proposals for 2022 Community Development Block Grant (CDBG) Funding

Attachments: [City Proposals Memo to CEDC 09-08-21.pdf](#)

Legislative History

9/8/21 Community & Economic Development Committee recommended for approval

[21-1259](#) Request to approve the attached Notice of Clarification to the attached Warranty Deed dated April 11, 1990 affirming the variance granted for continuation of office use

Attachments: [Integrity Bldg Memo to CEDC 09-08-21.pdf](#)

[Notice of Clarification_Deed Restriction Variance_2021.pdf](#)

[Warranty Deed Integrity_1990.pdf](#)

Legislative History

9/8/21 Community & Economic Development Committee recommended for approval

[21-1269](#) Resolution #13-R-21 - Support for Resettlement of Afghanistan Parolees in Appleton

Attachments: [#13-R-21 Afghan Refugee Resettlement- UPDATED.pdf](#)

[Refugee Resettlement How You Can Help.pdf](#)

[Ronna Swift Support_ Refugee Resolution.pdf](#)

[Constituent Jeanne Roberts Remarks_Fenton_ Refugee Resolution.pdf](#)

Legislative History

9/8/21 Community & Economic Development Committee recommended for approval

Chair Reed stated that Alderperson VanZeeland did not get a chance to look over this resolution so she asked for her name to be withdrawn as a co-sponsor.

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[21-1267](#) Request to approve over hire for Water Plant Instrumentation Technician.

Attachments: [Instrumentation Technician Overhire Request 08-30-21.pdf](#)

Legislative History

9/8/21 Human Resources & Information Technology Committee recommended for approval

[21-0121](#) Discuss Alderperson salaries.

Attachments: [Elected Alderperson official salary.pdf](#)
[Alderperson Raises Deadline memo HR.IT 2-23-2021.pdf](#)
[2021 Alderperson Compensation.pdf](#)
[alderperson comparison 2021.pdf](#)

Legislative History

1/27/21	Human Resources & Information Technology Committee	held
3/10/21	Human Resources & Information Technology Committee	recommended for approval
	<i>Effective April 2023 to set Alderperson salary to \$10,125.</i>	
3/17/21	Common Council	referred to the Human Resources & Information Technology Committee
4/14/21	Human Resources & Information Technology Committee	held
	<i>Alderperson salary item to be held until the 9/8/21 committee meeting</i>	
9/8/21	Human Resources & Information Technology Committee	recommended for approval
	<i>Motion by Fenton, seconded by Smith to recommend for approval "Effective April 2023 increase Alderperson salary by 5%</i>	
	<i>Motion to amend the above motion by Fenton seconded by Alfheim to: "Effective April 2023 increase Alderperson salary to \$7,000 with Council President to receive \$8,000 and vice-president to receive \$7,500"</i>	
	<i>Motion to amend fails 0-5</i>	
	<i>Motion by Fenton, seconded by Smith to amend the above motion to "Effective April 2023 increase Alderperson salary to \$6,750"</i>	
	<i>Motion to amend passed 5-0</i>	

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

[21-1189](#) Resolution #11-R-21
Sidewalks Near Linwood Park

Attachments: [#11-R-21 Linwood Park Sidewalks.pdf](#)

Legislative History

8/23/21

Parks and Recreation
Committee

recommended for approval

Motion to approve is subject to the sidewalks being built in conjunction with the adjacent road construction when that occurs.

Per the Sidewalk Installation Policy this item, as approved by the Parks and Recreation Committee, will also require consideration by the Municipal Services Committee.

N. ITEMS HELD

O. ORDINANCES

[21-1279](#)

Ordinances #67-21 and #68-21

Attachments: [Ordinances going to Council 9-15-21.pdf](#)

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO
COMMITTEES OF JURISDICTIONQ. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES
OF JURISDICTION

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Kami Lynch, City Clerk

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

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



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, September 1, 2021

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

The Invocation was offered by Alderperson Meltzer.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska, Alderperson Chad Doran and Mayor Jake Woodford

Excused: 1 - Alderperson Kristin Alfheim

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[21-1228](#)

Common Council Meeting Minutes of August 18, 2021

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

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

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Excused: 1 - Alderperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[21-1230](#) Redistricting Committee Appointments

Attachments: [Redistricting Committee Appointments.pdf](#)

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

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Michael Smith, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 1 - Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

[21-1235](#) Proclamations:

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

Attachments: [Senior Center Month Proclamation.pdf](#)
[Childhood Cancer Awareness Month Proclamation.pdf](#)
[Hmong New Year Season Proclamation.pdf](#)
[Arts in Education Week Proclamation.pdf](#)
[September 11 2001 Remembrance Day Proclamation.pdf](#)

The Proclamations were presented

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

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

H. PUBLIC PARTICIPATION

Jennifer Stephany, ADI Executive Director spoke regarding Item #21-1186

- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY

[21-1174](#)

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

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

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

Aye: 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Michael Smith, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 1 - Alderson Kristin Alfheim
Abstained: 1 - Mayor Jake Woodford

[21-1227](#)

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

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

Alderson Fenton moved, seconded by Alderson Prohaska, that the Extended Lease be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Michael Smith, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 1 - Alderson Nate Wolff
Absent: 1 - Alderson Kristin Alfheim

Abstained: 2 - Alderson Alex Schultz and Mayor Jake Woodford

- L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Michael Smith, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 1 - Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-1194](#)

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

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

This Report Action Item was approved.

[21-1177](#)

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

Attachments: [Spats.pdf](#)

This Report Action Item was approved

3. MINUTES OF THE CITY PLAN COMMISSION

[21-1185](#)

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

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

This Report Action Item was approved.

[21-1186](#)

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

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

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[21-1170](#)

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

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

This Report Action Item was approved.

[21-1171](#)

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

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

This Report Action Item was approved.

[21-1196](#)

Request to approve Amendment to North Edgewood Estate Development Agreement

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

This Report Action Item was approved.

[21-1197](#)

Request to approve the following 2021 Budget amendment:

TIF District 6 Capital Projects Fund

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

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

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

This Report Action Item was approved.

[21-1205](#)

Request to award contract to The Boldt Company for Construction Manager at Risk services for the library for a contract of \$1,186,730 and \$25,000 for reimbursable expenses for a contract totaling \$1,211,730

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

This Report Action Item was approved.

[21-1206](#)

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

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

This Report Action Item was approved.

[21-1207](#)

Request approval to reject all bids for Unit H-21

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

This Report Action Item was approved.

[21-1208](#)

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

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

This Report Action Item was approved.

[21-1210](#)

Request to award the Sole Source Purchase of Grit Classifier System Rebuild Parts through Saveco North America Inc in the amount of \$61,774

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

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[21-1203](#)

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

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

This Report Action Item was approved.

[21-1224](#)

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

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

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[21-1219](#)

Authorization to Award Northern Winnebago Dial A Ride Contract to Running Inc.

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

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[21-1225](#)

Ordinances #36-21 and #66-21

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

Alderson Fenton moved, seconded by Alderson Hartzheim, that the Ordinances be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matthew Reed, Alderson Alex Schultz, Alderson Michael Smith, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Joe Prohaska and Alderson Chad Doran

Excused: 1 - Alderson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

RESOLUTION #13-R-21

Support for Resettlement of Afghanistan Parolees in Appleton

Date: September 1, 2021

Submitted By :Vered Meltzer – District 2, Katie VanZeeland – District 5, Denise Fenton – District 6, Maiyoua Thao – District 7, Alex Schultz – District 9, Nate Wolff – District 12

Referred To: Community & Economic Development Committee

WHEREAS, upon the collapse of the Afghanistan government and the Taliban takeover of Kabul which precipitated the emergency US led mass airlift, roughly 125,000 Afghan citizens have fled their home country and may be seeking asylum abroad with as many as 50,000 arriving in the US on “humanitarian parole” without visas; and

WHEREAS, thousands of these Afghan citizens supported American and allied forces, standing side-by-side with our service members, diplomats, and aid workers while serving as interpreters, engineers, logistical service providers, and more; and WHEREAS, the city of Appleton, which became a Compassion City in 2010 under the Earth Charter’s Charter for Compassion Campaign, has historically been a haven for refugees escaping war and political violence; and

WHEREAS, World Relief Fox Valley, the local refugee resettlement agency and its well-established refugee resettlement program, which has welcomed 1000 refugees since its inception in 2012, is preparing for the anticipated arrival of 100 Afghan parolees to the Appleton and Oshkosh communities it serves and will need additional resources for this lesser classification of arriving parolees;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of Appleton wishes to offer a home in Appleton for those who were evacuated due to the war in Afghanistan and hereby affirms to the United States federal government that the City of Appleton stands ready to welcome Afghan humanitarian parolees, and;

BE IT FURTHER RESOLVED, that the Common Council of Appleton directs the department of Community and Economic Development to coordinate any necessary response with county, state, and federal government departments and agencies, in accordance with previously established and proven best practices for emergency resettlement, as well as offer any additional assistance it can to facilitate rapid response housing options within the City of Appleton.

Resolution #14-R-21

Amend Municipal Code to include Definitions for “Intentional Motor Vehicle Operation” and “Intentional Motor Vehicle Modification” for Noise Generation

Date: September 1, 2021

Submitted By: Brad Firkus – District 3, Joe Martin – District 4, Alex Schultz – District 9, Kristin Alfheim – District 11, Nate Wolff – District 12

Referred To: Safety & Licensing Committee

WHEREAS, the City of Appleton’s Municipal Code identifies noise as a serious hazard to the public health, welfare, safety and quality of life and,

WHEREAS, the people have a right to an environment free from excessive sound that may jeopardize their health, welfare, or safety, or degrade the quality of life and,

WHEREAS, Appleton Municipal Code, Sec. 12-80, states that no person shall make

or cause to be made any loud, disturbing, fluctuating or unnecessary sounds or noises such as may tend to annoy or disturb a reasonable person, and Sec 12-81 (f), states that No person shall operate any motor vehicle unless such motor vehicle is equipped with an adequate muffler in constant operation and property maintained to prevent excessive or unusual noise, however, does not specify the intentional modification of vehicular exhaust systems specifically to emit excessive noise, in common vernacular "pop", "bang" or "crackle", nor does is specify certain methodologies of operator manipulation of gas flow to combustion engines to intentionally emit excessive noise, and,

WHEREAS, Section 12-76 of the Municipal Code does not have a definition of Intentional Vehicle Modifications to Emit Excessive Noise nor does not have a definition of Intentional Vehicle Operation to Emit Excessive Noise, and WHEREAS, Health in All Policies dictates that public health and well-being drive all policy,

NOW THEREFORE, BE IT RESOLVED, that Appleton Code Article IV, Noise, Sec. 12-76 be amended to include the following definitions;

Intentional Vehicle Modifications to Emit Excessive Noise means any intentional after-market mechanical modifications to light motor vehicles which amplify the sound of escaping gases specifically designed to create excessive noise emissions under normal operation.

Intentional Vehicle Operation to Emit Excessive Noise means the operation of any intentional light motor vehicle operation in such a manner that the exhaust system emits a loud, cracking or chattering noise unusual to its normal operation with the express purpose of excessive combustion noise emissions.

and,

BE IT FURTHER RESOLVED that infractions of the Noise ordinance under these newly defined classifications of intent, specifically to disrupt the peace, be enforced consistent with the policies and penalties defined under Sec 12-76.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Aldersperson Smith moved, seconded by Aldersperson Fenton, that the meeting be adjourned at 7:38 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Michael Smith, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Excused: 1 - Aldersperson Kristin Alfheim

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk



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

OFFICE OF THE MAYOR
Jacob A. Woodford
100 North Appleton Street
Appleton, Wisconsin 54911-4799
Phone: (920) 832-6400
Email: Mayor@Appleton.org

TO: Members of the Common Council
FROM: Mayor Jacob A. Woodford 
DATE: September 9, 2021
RE: Confirmation of Committee Reappointments

It is with pleasure that I present the following reappointments for your confirmation at the September 15, 2021, Common Council meeting.

APPLETON REDEVELOPMENT AUTHORITY – Reappointment

Gerald Fisher	5-year Term	Term Expires April 2026
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CITY PLAN COMMISSION – Reappointment

Adrienne Palm	3-year Term	Term Expires April 2024
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PROCLAMATION



Office of the Mayor

WHEREAS, the Hispanic community makes up the largest ethnic minority group in the United States and is the fastest-growing constituency within Wisconsin; and

WHEREAS, Hispanic Heritage Month has been celebrated across the United States for more than 30 years; and

WHEREAS, recognizing Hispanic Heritage Month provides us with the opportunity to recognize the contributions of our Hispanic community that add to the diversity and vitality of the Fox Cities by fueling our culture and economy through entrepreneurship and industry, the arts, agriculture, education, healthcare services, and beyond; and

WHEREAS, our Hispanic neighbors make a tremendous impact on Appleton, our state, and our county, and are valued members of our community.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, do hereby proclaim September 15 through October 15 as

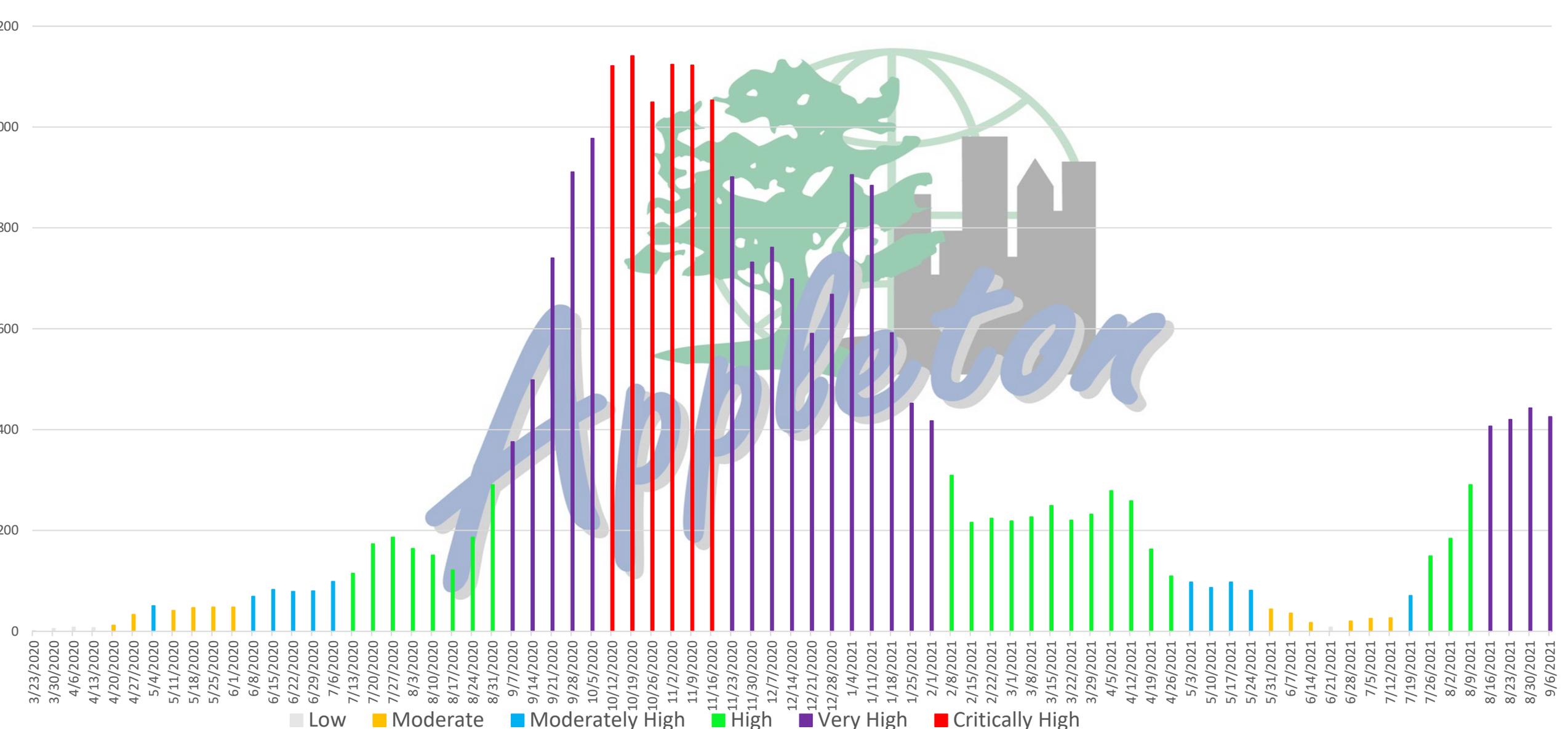
Hispanic Heritage Month

in Appleton and call upon residents to reflect on and honor the traditions and countless artistic, scientific, political, and cultural contributions of all Hispanic residents.

Signed and sealed this 8th day of September 2021.



JACOB A. WOODFORD
MAYOR OF APPLETON



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

$172 + 147 = 319$ (2 week case counts)

$319 / 75,000 = .0004253$ (Appleton population 75,000)

$.0004253 \times 100,000 = 425.3$ (equals burden)

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

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

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

High is greater than 100 per 100,000 people

Very High is greater than 350 per 100,000 people

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

Table 1. Two indicators being based on confirmed cases: Burden and Trajectory. A third indicator maps Burden and Trajectory indicators into one composite indicator.					
Indicator	Definition	Classes			
Burden	Total number of cases per 100,000 in the last two weeks (B)	Low	$B \leq 10$		
		Moderate	$10 < B \leq 50$		
		Moderately High	$50 < B \leq 100$		
		High	$100 < B \leq 350$		
		Very High	$350 < B \leq 1000$		
		Critically High	$1000 < B$		
Trajectory	Percent change in the last two weeks (T), p-value from a test against $T = 0$ (p)	Shrinking	$T \leq -10\%$ and $p < 0.025$		
		Growing	$10\% \leq T$ and $p < 0.025$		
		Not changing (No Call)	Otherwise		
Case status indicator(Composite of burden and trajectory)	Summary concern based on Burden and Trajectory classifications		Shrinking	No Call	Growing
		Low	Low	Low	Medium
		Moderate	Medium	Medium	High
		Moderately High	Medium	High	High
		High	High	High	High
		Very High	Very High	Very High	Very High
		Critically High	Critically High	Critically High	Critically High

VACCINATIONS TO DATE (09/13/21)

	FULLY VACCINATED	AT LEAST ONE SINGLE DOSE
STATE	52.4%	55.7%
CALUMET	47.9%	50.6%
WINNEBAGO	50.7%	53.9%
OUTAGAMIE	52.9%	56.1%
APPLETON	56.3%	60.2%
APPLETON VACCINE ELIGIBLE	66.8%	71.4%
APPLETON 12-17 YEARS	49.6%	57.5%



Larger than 35 days

PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit #: 21-127-

Effective Date: 9/11-9/17

Expiration Date: 9/17 - o longer

Fee: 40.00

Paid (yes or no): 97721047

Rev. 04-10-15

Applicant Information

Name (print): Linda Garvey Company: Paper Valley Hotel
 Address: 333 W. College Ave. Telephone: 920-735-2775 FAX: _____
Appleton, WI 54911 e-mail: lgarvey@appletonpvh.com
 Applicant Signature: Linda Garvey Date: 9-8-21

Occupancy Information

General Description: Dumpsters for building renovations. Occupying 5 spaces for roll-off space
CAW 305, 307, 309, 311, 313
 Street Address: 333 W. College Ave Tax Key No.: _____
 - or -
 Street: _____ From: 9-1-2021 To: 9-17-2021
 Multiple Streets: _____

(Department use only)

Occupancy Type	Sub-Type	Location
<input type="checkbox"/> Permanent (\$40)	<input type="checkbox"/> Sandwich Board	<input type="checkbox"/> Sidewalk
<input checked="" type="checkbox"/> Temporary - max. 35 days (\$40)	<input type="checkbox"/> Tables / Chairs	<input type="checkbox"/> Terrace
<input type="checkbox"/> Amenity/Annual (\$40)	<input checked="" type="checkbox"/> Dumpster	<input checked="" 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

Type of Street: Arterial/CBD City Manual Page(s)
 Collector State Manual Page(s)
 Local Other (attach plan)
 Approved by: _____ Date: _____

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: _____

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: Will go to MSC Council DATE: 9/9/21
 (Department of Public Works)



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit #: 21-27-J
 Effective Date: 7/26/21
 Expiration Date: 8/26/21
 Fee: 40.00
 Paid (yes or no): 97721047

Rev. 04-10-15

Applicant Information

Name (print): DRIFTWOOD HOSPITALITY MANAGEMENT Company: RED LION HOTEL PAPER VALLEY
 Address: 333 W. COLLEGE AVE Telephone: 920-733-5000 FAX: _____
APPLETON, WI 54911 e-mail: LHOFFMAN@DHMHOTELS.COM
 Applicant Signature: Lori Hoffman on behalf of Driftwood Hospitality Date: 7/19/21

Occupancy Information

General Description: (2)30 YARD DUMPSTERS ON COLLEGE AVENUE
 Street Address: 333 W. COLLEGE AVE Tax Key No.: _____
 - or -
 Street: _____ From: _____ To: _____
 Multiple Streets: _____

(Department use only)

Occupancy Type	Sub-Type	Location
<input type="checkbox"/> Permanent (\$40)	<input type="checkbox"/> Sandwich Board	<input type="checkbox"/> Sidewalk
<input checked="" type="checkbox"/> Temporary - max. 35 days (\$40)	<input type="checkbox"/> Tables / Chairs	<input type="checkbox"/> Terrace
<input type="checkbox"/> Amenity/Annual (\$40)	<input checked="" type="checkbox"/> Dumpster	<input checked="" 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.
 Type of Street: _____ Proposed Traffic Control: _____
 Arterial/CBD City Manual Page(s) _____
 Collector State Manual Page(s) _____
 Local Other (attach plan) _____
 Approved by: _____ Date: _____
 Additional Requirements: _____

This permit approval is subject to the following conditions:

1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
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: Lori Hoffman (Department of Public Works) DATE: 7/26/21

Paula Vandehey

From: Linda Garvey <lgarvey@appletonpvh.com>
Sent: Wednesday, September 8, 2021 5:21 PM
To: Paula Vandehey; Lisa M. Lau
Cc: Customer Service 5th Floor
Subject: RE: Dumpsters
Attachments: 20210908162622147.pdf

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

Here we go, pause after Sep 17th for a short break, then License to Cruise and Octoberfest.

Hoping we will resume around the 27th.

Application is attached. Thanks everyone!

Linda Garvey | Hotel GM
T 9207338000ext1660 | lgarvey@appletonpvh.com

Red Lion Hotel Paper Valley
333 W College Ave Appleton WI 54911 US
redlion.com | [Facebook](#) | [Twitter](#)



From: Paula Vandehey [mailto:Paula.Vandehey@Appleton.org]
Sent: Wednesday, September 08, 2021 2:56 PM
To: Linda Garvey <lgarvey@appletonpvh.com>; Lisa M. Lau <Lisa.Lau@Appleton.org>
Cc: Customer Service 5th Floor <CustomerService5thFloor@Appleton.org>
Subject: RE: Dumpsters

Linda, If I can get the request (even via email) by tomorrow at noon I can add it to our special Municipal Services Committee before Council next Wednesday.

Paula

From: Linda Garvey <lgarvey@appletonpvh.com>
Sent: Wednesday, September 8, 2021 2:49 PM
To: Lisa M. Lau <Lisa.Lau@Appleton.org>
Cc: Customer Service 5th Floor <CustomerService5thFloor@Appleton.org>; Paula Vandehey <Paula.Vandehey@Appleton.org>
Subject: RE: Dumpsters



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/25/2021

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

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

PRODUCER MHBT, a Marsh & McLennan Agency, LLC company 301 Commerce Street Suite 2201 Fort Worth TX 76102	CONTACT NAME: Amy Rosenbam PHONE (A/C, No, Ext): 817-877-3660 E-MAIL ADDRESS: amy.rosenbam@marshmma.com		FAX (A/C, No): 817-877-3480
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Driftwood Hospitality Management LLC Driftwood Hospitality Management II LLC 11770 US Hwy One East Tower Suite 202 North Palm Beach FL 33408	DRIFTVEN	INSURER A : Starr Indemnity & Liability Company	38318
		INSURER B : Great American Insurance Company	16691
		INSURER C : Evanston Insurance Company	35378
		INSURER D :	
		INSURER E :	
		INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 2027956405 **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> No Ded/SIR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	Y	Y	1000100161211	3/19/2021	3/19/2022	EACH OCCURRENCE	\$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
							MED EXP (Any one person)	\$ Excluded
							PERSONAL & ADV INJURY	\$ 2,000,000
							GENERAL AGGREGATE	\$ 4,000,000
							PRODUCTS - COMP/OP AGG	\$ 4,000,000
							Policy Aggregate	\$ 10,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	Y	Y	1000198205211 1000198206211	3/19/2021 3/19/2021	3/19/2022 3/19/2022	COMBINED SINGLE LIMIT (Ea accident)	\$ 2,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y	Y	1000589669211	3/19/2021	3/19/2022	EACH OCCURRENCE	\$ 5,000,000
							AGGREGATE	\$ 5,000,000
								\$
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	1000004553	3/19/2021	3/19/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
							E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
A B C	Liquor Liability *Crime Employee Theft *EPLI Claims Made	Y	Y	1000100161211 SAAE5897640100 MKLV4MML000116	3/19/2021 4/1/2021 3/19/2021	3/19/2022 3/19/2022 3/19/2022	Each Common Cause Aggregate *Crime & EPLI	1,000,000 2,000,000 See Remarks

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

GL Policy Includes Blanket Contractual Liability

GL Policy Includes Crime for Guest Property (Innkeepers) \$25,000 Each Occurrence/\$100,000 Aggregate

Certified Acts of Terrorism is included

Garagekeepers Legal Liability Applies to specific locations on file with company : GKLL Limit \$500,000 \$2,500 Deductible Comp/Collision

See Attached...

CERTIFICATE HOLDER

CANCELLATION

RLH Corporation
 Red Lion Hotels Corporation
 P. O. Box 100085 - R3
 Dulth GA 30096

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

AUTHORIZED REPRESENTATIVE

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ADDITIONAL REMARKS SCHEDULE

AGENCY MHBT, a Marsh & McLennan Agency, LLC company		NAMED INSURED Driftwood Hospitality Management LLC Driftwood Hospitality Management II LLC 11770 US Hwy One East Tower Suite 202 North Palm Beach FL 33408	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

**THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE**

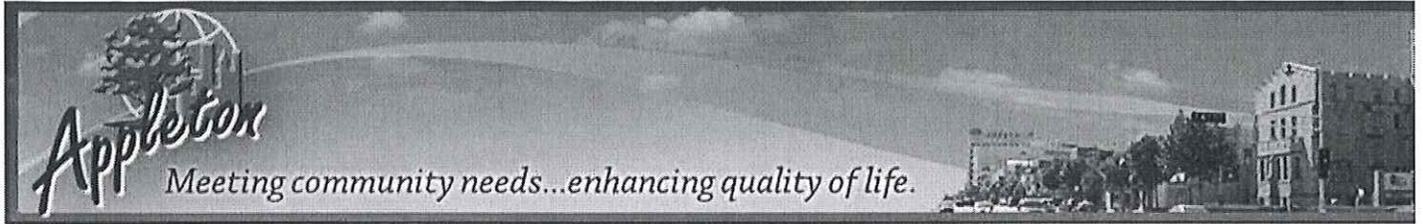
Excess Liability: Policy No. USL014028216 - Policy Period: 3/19/21-22 - Fireman's Fund Insurance Company - NAIC 21873 - Limit: \$25,000,000 Excess \$50,000,000

Excess Liability: Policy No. CX00G1421 - Policy Period: 3/19/21-22 - Aspen American Insurance Company - NAIC 43460 - Limit: \$25,000,000 Excess \$75,000,000

RE: Red Lion Hotel Paper Valley - 333 West College Avenue, Appleton, WI 54911

Additional Named Insured: 333 West College Ave, LLC

Certificate Holder Includes: Red Lion Hotels Corporation, Red Lion Hotels Franchising, Inc., all related entities, subsidiaries and affiliates of these companies, including their employees, officers and directors, now existing or which may hereafter exist



Step 1: Select Payments

Step 2: Review and Submit

Step 3: Confirmation and Receipt

Step 3: Confirmation and Receipt

Result: Payment Authorized Confirmation Number: 97721047

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

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

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

My Bills

Description	Amount
Street Occupancy Permit payment of \$40.00 on Permit Description Temporary - \$40	\$40.00

Customer Information

First Name: David
Last Name: Buddemeyer
Address Line 1: 11770 US Highway One
Address Line 2: Ste 200
City: North Palm Beach
State: Florida
Zip Code: 33408
Phone Number: 561-207-2700
Email Address: lhoffman@dnhmhotels.com

Subtotal:	\$40.00
Convenience Fee:	\$1.50
Total Payment:	\$41.50

Payment Information

Payment Date: 07/26/2021
Card Type: Optima
Card Number: *****138

Print

Finished



"... 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, City Traffic Engineer
Date: August 24, 2021
Re: Recommended contract award for public safety camera server

The City recently solicited quotes for the purchase of a physical server to serve the traffic camera portion of the City's public safety cameras system. The current virtual server is no longer capable of reliably handling the increased data throughput associated with newer cameras, which has resulted in widespread problems and outages.

The proposed server is specifically built to handle modern camera systems, and is configured in a way to allow for future expansion and upgrades as needs change and data throughput and storage increase.

Only two vendors were deemed qualified to quote the project, due to the propriety nature of the equipment involved. Quotes were solicited and received from both vendors. CableCom LLC of Milwaukee, Wisconsin, submitted the low quote in the total amount of \$29,400.26. They are highly qualified and come recommended by the equipment manufacturer (Avigilon).

Based on this, we recommend award of the contract to CableCom LLC in an amount of \$29,400.26.

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07/01/2021 ending: 06/30/2022
(mm dd yyyy) (mm dd yyyy)

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

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

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

Applicant's Wisconsin Seller's Permit Number ●●●●●●●●●●	
FEIN Number ●●●●●●●●●●	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input checked="" type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$ 10,660

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
ANK restaurant Inc

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>Khan</u>	<u>Nasir</u>		<u>74 Roosevelt street Pequannock, NJ 07440</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)
<u>Del Fosse</u>	<u>Adam</u>		<u>N207 Country ayne Appleton, WI 54915</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Cinder's Charcoal Grill Business Phone Number 201-696-1078
 2. Address of Premises 221 S Kensington Dr. Appleton Post Office & Zip Code 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.)
The alcohol is stored in the basement of the building in the deep freezer.
It is also stored in the bar coolers and storage room cooler. Alcohol is
consumed in the one story 5900 SQ ft building Especially in the bar section
In addition to inside the builidng, alcohol is also consumed outside patio
470 SQ FT.

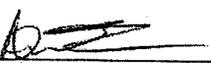
4. Legal description (omit if street address is given above): _____

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? Kensington Restaurant Inc

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No
9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 08/07/21 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
If yes, explain.
The current agent is working as a manager for the current owner's of restaurant called Kensington Restaurant Inc.
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.) Nasir Khan	Title/Member President	Date 08/11/2021
Signature 	Phone Number 	Email Address 

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 08-26-2021	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

Alcohol License Questionnaire

1. Name of Applicant: ~~John~~ Nasir Khan

2. Name of Business: Ank restaurant Inc.

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

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

3. Address of Business: 221 S. Kensington Dr 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 below:

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

<u>Nasir</u>		<u>Khan</u>	<u> </u>
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /

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

Name: ~~John~~ Kensington Restaurant Inc. ~~Appleton~~

First name
Middle Initial
Last name

Address: 221 S. Kensington Dr. Appleton, WI 54915

City
State
ZIP

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

Name: Cinderella's Charcoal Grill

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

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

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

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

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

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

Still open months ago.

10. Seating capacity: Inside 150 Outside 20

11. Operating hours (Inside the building): 11am - 9pm

Operating hours (Outdoor seating areas): 11am - 9pm

12. Employees/Staff

Number of floor personnel 25 Number of door checkers 2

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

a. Gross floor building area of the premises to be licensed: 5,900 square feet.

b. Gross outdoor seating areas of the premises to be licensed: 476 square feet.

c. Below, identify the operational details of the proposed establishment:

Cinderella's Charcoal Grill is full service restaurant.
There is a full functioning bar. Basement
contains the refrigerator.

[Signature]
Signature

08/24/2021
Date

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

Submit to municipal clerk.

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

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

The undersigned duly authorized officer/member/manager of ANK restaurant Inc
(Regulated 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
Cinder's Charcoal Grill

(Trade Name)
located at 221 S Kensington Dr Appleton WI 54915

appoints Adam Del Fosse
(Name of Appointed Agent)

N207 Country Ayre Appleton, WI 54915
(Home Address of Appointed Agent)

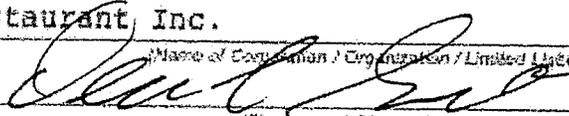
to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability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

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

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? 20 years

Place of residence last year N207 Country Ayre Appleton, WI 54915

For: ANK Restaurant, Inc.
(Name of Corporation / Organization / Limited Liability Company)

By: 
(Signature of Officer / Member / Manager)

I, **Adam Del Fosse**

(Write Type Agent's Name)

herby 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.

Adam Del Fosse

8-26-21

(Signature of Agent)

(Date)

Agent's age

N207 Country Ayre Appleton, WI 54915

(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

(Date)

by

(Signature of Proper Local Official)

Title

(Town Chair, Village President, Police Chief)

AT-114 (M-4-15)

When in District of Revenue



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: September 8, 2021

Common Council Meeting Date: September 15, 2021

Item: Final Plat – Apple Fields

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Applicant: Jim Sehloff – Davel Engineering and Environmental

Owner: Doctors Properties, LLC c/o Henry Chou

Address/Parcel #: E. Glenhurst Lane (Tax Id #31-1-6501-03 and #31-1-6501-04, Lots 3 and 4 of the Apple Creek Center plat)

Petitioner's Request: The owner/applicant is proposing to subdivide property for single-family residential development.

BACKGROUND

The subject property was annexed to the City in 1990 as part of the AAL Annexation. The property was rezoned to C-O Commercial Office District in February 2001. The subject parcels (Lots 3 and 4) are part of the Apple Creek Center Plat that was approved by the Common Council on June 5, 2002.

On March 20, 2019, the Common Council denied a request to rezone the subject parcels from C-O Commercial Office District to R-3 Multi-Family District.

City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #3-19 (Multi-Family Residential designation to the One and Two-Family Residential designation) and Rezoning #13-19 (C-O Commercial Office District to R-1B Single-Family District) were approved by the Common Council on March 4, 2020.

The Apple Fields Preliminary Plat was approved by Common Council on April 21, 2021.

STAFF ANALYSIS

Existing Conditions: The subject area to be subdivided is currently undeveloped. Apple Fields consists of 6.4136 acres and will be divided into nineteen (19) single-family lots.

Comparison between Final Plat and Preliminary Plat: The Final Plat is generally consistent with the Preliminary Plat layout in terms of the shape, size, and location of the lots. The street name for the proposed cul-de-sac was changed to Honeygold Court to avoid duplication of a road name in an adjacent community.

Final Plat – Apple Fields

September 8, 2021

Page 2

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

- Minimum lot area: Six thousand (6,000) square feet.
 - *The proposed average lots size ranges from 10,000 square feet to 18,243 square feet. All lots exceed this minimum requirement.*
- Minimum lot width: Fifty (50) feet.
 - *All lots exceed this minimum requirement.*
- Minimum front, side and rear yard setbacks: Twenty (20) foot front yard, Six (6) foot side yard, and Twenty-five (25) foot rear yard.
 - *Required front yard setback has been shown on the Final Plat. Required setbacks will be reviewed through the building permit review process.*
- Maximum building height: Thirty-five (35) feet.
 - *This will be reviewed through the building permit review process.*
- Maximum lot coverage. Fifty percent (50%).
 - *This will be reviewed through the building permit review process.*

Compliance with the Appleton Subdivision Regulations: On April 21, 2021, the Common Council granted relief at the Preliminary Plat approval stage for the following modifications of regulations, pursuant to Section 17-3(f) of the Municipal Code:

- 1) Section 17-26(c)(2) of the Municipal Code to allow for double frontage on Lots 2 through 9.
- 2) Section 17-25(g) of the Municipal Code to allow the proposed cul-de-sac (Honeygold Court) to exceed 500 feet in length.

Access and Traffic: The primary vehicular access to Apple Fields is via Lightning Drive. Proposed Honeygold Court will intersect with Lightning Drive. The full 60-foot road right-of-way widths for the proposed street will be dedicated to the City with the Final Plat.

Surrounding Zoning Classification and Land Uses:

North: PD-R-3 Northbrook Crossing Planned Development Multi-Family District #19-01– Multi-family residential

South: R-1B Single-Family District – Single-family dwellings

East: R-1B Single-Family District – Single-family dwellings

West: R-3 Multi-Family District – Multi-family residential (Century Oaks Community Based Residential Facility)

Final Plat – Apple Fields

September 8, 2021

Page 3

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

Goal 1 – Community Growth

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

Goal 3 – Housing Quality, Variety, and Affordability

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

OBJECTIVE 10.1 Land Use:

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

OBJECTIVE 10.4 Land Use:

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

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

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

Technical Review Group (TRG) Report: This item appeared on the June 1, 2021 TRG agenda. Comments were received from participating departments and captured in the stipulations found below.

RECOMMENDATION

The Apple Fields Final Plat, as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. The Final Plat shall be recorded within 12 months from the approval date of the last approving authority and within 36 months from the approval date of the first approving authority. Failure to do so requires the subdivider to recommence the entire procedure for Final Plat approval.
2. Prior to City signatures being affixed to the Final Plat, park fees shall be paid to the City of Appleton Finance Department pursuant to Section 17-29 of the Municipal Code. For lots zoned R-1B Single-Family District, park fees are \$300 per lot.

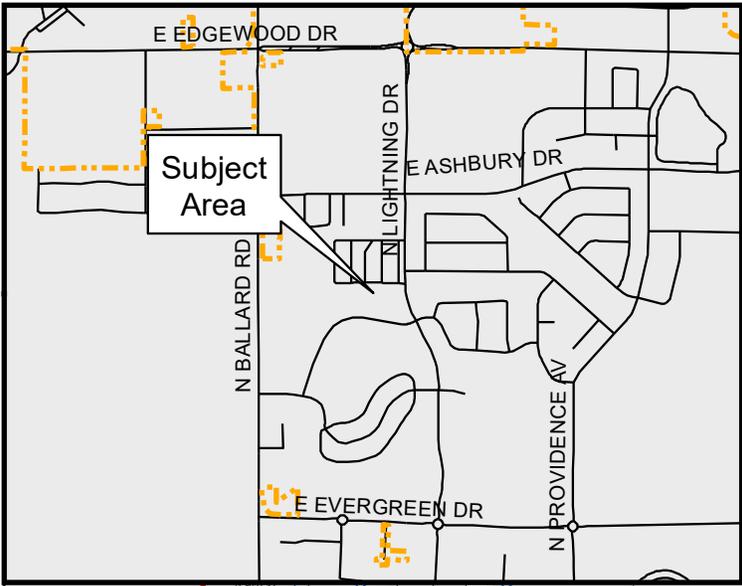
Final Plat – Apple Fields

September 8, 2021

Page 4

3. A Development Agreement is required between the City and applicant that identifies the duties and responsibilities with respect to development of the subject land.
4. Technical requirements related to site stormwater management and FEMA/CLOMR floodplain process are still being finalized. All requirements from the City of Appleton Department of Public Works, Engineering Division shall be met to the satisfaction of the City Engineer prior to the City affixing signatures on the Final Plat.
5. Remove all instances of the word “drainage” in the verbiage for the City – Water Main and Storm Sewer Easement provisions.
6. List the outside diameter of the found iron pipes shown in the legend
7. Revise the drainage plan as follows and/or provide exhibits to ensure information is clear and easily readable:
 - Provide additional lot line dimensions to show the location of the grade breaks
 - Response comments indicated that the City sets house elevations, which is not correct.
 - For any lot adjacent to a 100 year overland flowpath, provide the lowest allowable grade at foundation for the house that is at least 12” above the water surface elevation. This is for areas that are not related to an area where floodplain has been removed via fill.
 - For any lot with floodplain fill, provide the lowest allowable grade at foundation that is 2 feet above the base flood elevation.
 - All floodplain fill and drainage easement grading must be completed with the plat development prior to issuance of building permits.
 - Building permits will not be issued until the LOMR is approved and the certification of fill per FEMA Technical Bulletin 10-01 is completed.
 - Occupancy permits will not be issued until the engineer has provided a certification for each lot that the respective residence will be “Reasonable Safe from Flooding” per FEMA Technical Bulletin 10-01.

Final Plat Apple Fields Zoning Map



Subject Area

R-1A
C-2

PD/R-3

Subject Area

1-8027-35	A	4731
1-8027-38	A	4731
1-8027-2	A	47
1-8027-4	A	47
1-8027-6	A	47
1-8027-8	A	47
1-8027-13	A	4724
1-8027-15	A	4724
1-8027-9	A	4725
1-8027-11	A	4725
1-8027-10	A	4725
1-8027-12	A	4725
1-8027-14	A	4725
1-8027-16	A	4725
1-8027-33	F	4721
1-8027-42	F	4721
1-8027-40	F	4721
1-8027-43	F	4721
1-8027-41	F	4721
1-8027-29	A	4715
1-8027-31	A	4715
1-8027-25	A	4715
1-8027-27	A	4715
1-8027-26	A	4715
1-8027-28	A	4715
1-8027-30	A	4715
1-8027-32	A	4715
1-8027-45	F	4711
1-8027-48	F	4711
1-8027-46	F	4711
1-8027-49	F	4711
1-8027-47	F	4711
1-8027-50	F	4711

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N BROOKRIDGE LA

N SAGEBROOK LA

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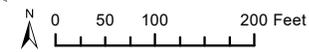
R-3

R-1B

C-O

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Final Plat
Apple Fields
Aerial Map



Subject Area

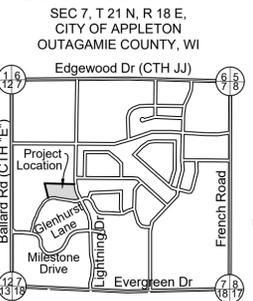


1-6501-31

Apple Fields

All of Lot 3 and Lot 4, Apple Creek Center, being located in part of the Fractional Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin

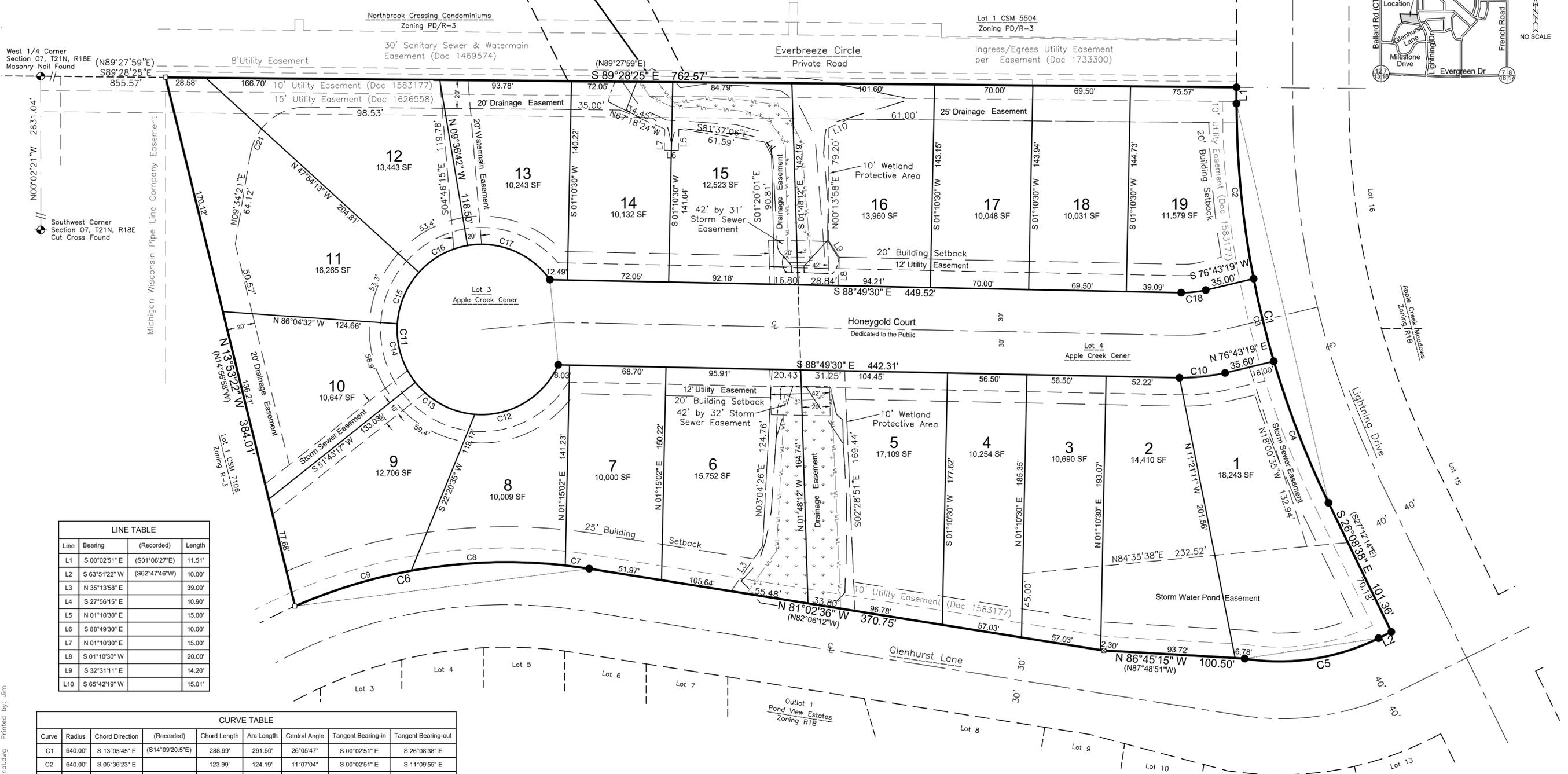
LOCATION MAP



NO SCALE



Bearings are referenced to the West line of the Southwest 1/4, Section 07, T21N, R18E, bearing N00°02'21"W, base on the Outagamie County Coordinate System.



Line	Bearing	(Recorded)	Length
L1	S 00°02'51" E	(S01°06'27"E)	11.51'
L2	S 63°51'22" W	(S62°47'46"W)	10.00'
L3	N 35°13'58" E		39.00'
L4	S 27°56'15" E		10.90'
L5	N 01°10'30" E		15.00'
L6	S 88°49'30" E		10.00'
L7	N 01°10'30" E		15.00'
L8	S 01°10'30" W		20.00'
L9	S 32°31'11" E		14.20'
L10	S 65°42'19" W		15.01'

Curve	Radius	Chord Direction	(Recorded)	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	640.00'	S 13°05'45" E	(S14°09'20.5"E)	288.99'	291.50'	26°05'47"	S 00°02'51" E	S 26°08'38" E
C2	640.00'	S 05°36'23" E		123.99'	124.19'	11°07'04"	S 00°02'51" E	S 11°09'55" E
C3	640.00'	S 13°51'08" E		60.00'	60.03'	5°22'25"	S 11°09'55" E	S 16°32'20" E
C4	640.00'	S 21°20'29" E		107.16'	107.29'	9°36'18"	S 16°32'20" E	S 26°08'38" E
C5	160.00'	S 81°24'23" W	(S80°20'47"W)	96.49'	98.02'	35°05'57"	S 63°51'25" W	N 81°02'38" W
C6	380.00'	S 82°49'18" W	(S81°45'39.5"W)	211.21'	214.03'	32°16'13"	N 81°02'36" W	S 66°41'11" W
C7	380.00'	N 82°20'53" W		17.31'	17.31'	2°36'35"	N 81°02'36" W	N 83°39'10" W
C8	380.00'	S 88°02'52" W		109.71'	110.09'	16°35'57"	N 83°39'10" W	S 79°44'53" W
C9	380.00'	S 73°13'02" W		86.44'	86.63'	13°03'42"	S 79°44'53" W	S 66°41'11" W
C10	130.00'	N 83°56'55" E		68.87'	32.79'	14°27'11"	S 88°49'30" E	N 76°43'19" E
C11	60.00'	N 05°40'44" W		60.43'	313.66'	299°31'24"	S 24°33'34" W	S 35°55'03" E
C12	60.00'	N 59°35'05" E		68.87'	73.36'	70°03'02"	N 24°33'34" E	S 85°23'24" E
C13	60.00'	S 61°50'04" E		47.96'	49.34'	47°06'41"	S 85°23'24" E	S 38°16'43" E
C14	60.00'	S 17°10'37" E		43.20'	44.20'	42°12'11"	S 38°16'43" E	S 03°55'28" W
C15	60.00'	S 23°00'38" W		39.24'	39.97'	38°10'19"	S 03°55'28" W	S 42°05'47" W
C16	60.00'	S 61°14'33" W		39.36'	40.10'	38°17'31"	S 42°05'47" W	S 80°23'18" W
C17	60.00'	N 67°45'52" W		66.70'	63.32'	63°41'39"	S 80°23'18" W	N 35°55'03" W
C18	70.00'	S 83°56'55" W		17.61'	17.66'	14°27'11"	N 76°43'19" E	S 88°49'30" E

LEGEND

- 1" Iron Pipe Found
- ⊗ Cut Cross Set
- 1 1/2" x 30" Steel Rebar @ 4.30lbs/LF SET
- 3/4" x 24" Steel Rebar @ 1.50lbs/LF SET
- SF Lot Areas In Square Feet
- () Recorded As Section, 1/4 or 1/16th line
- Existing Parcel line
- OHWM Ordinary High Water Mark
- Floodway
- Floodplain
- W-L Delineated Wetlands

Notes:

- All linear measurements have been made to the nearest one hundredth of a foot.
- All bearings are computed and measured to the nearest second.
- Maintenance of all Drainage Easements and Storm Water Pond Easements within the land division or serving this Subdivision are the sole responsibility of the lot owners for the purpose of conveying and managing stormwater through the plat.
- Upon failure of the property owners to perform maintenance of the drainage ways and storm water pond, the City of Appleton retains the right to perform maintenance and/or repairs. The payment of the maintenance and repairs shall be assessed among the property owners of this subdivision in an equal amount or where the cause can be specifically identified then the payment shall be assessed to the specific property owner(s).

Access Restriction Note:

All lots within this plat will have no access granted onto Glenhurst Lane, Lightning Drive, both which are public right of way, and Everbreeze Circle, a private road.

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

Certified _____, 20__

Department of Administration

James R. Sehloff PLS 2692 Date _____

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
 CIVIL ENGINEERING CONSULTANTS
 1164 Province Terrace Menasha, WI 54952
 Ph: 920-991-1866 Fax: 920-441-0804
 www.davel.pro

Sep 01, 2021 9:11 am J:\Projects\5629\Final.dwg 3D\5629\Final.dwg Printed by: jim

Apple Fields

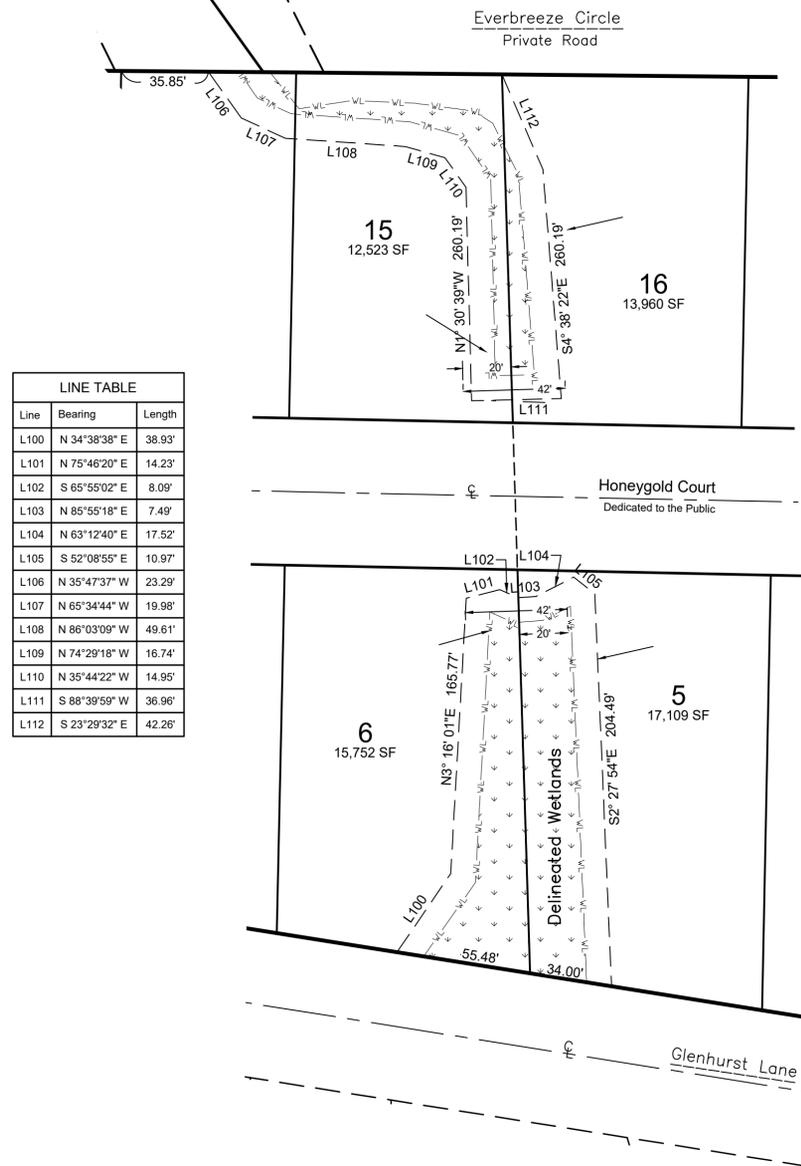
These exhibits are a representation of current conditions and regulations, at the time of platting. Per the City's current interpretation of City of Appleton code 17.12(b)(2) dimensioned location of these lines is required. Due to changing nature of environmental conditions and regulatory nature of wetlands, flood plain and ordinary high water mark these dimensions should only act as a guide and actual field conditions and/or legislative regulations are held over dimensions shown on this map.

All of Lot 3 and Lot 4, Apple Creek Center, being located in part of the Fractional Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin



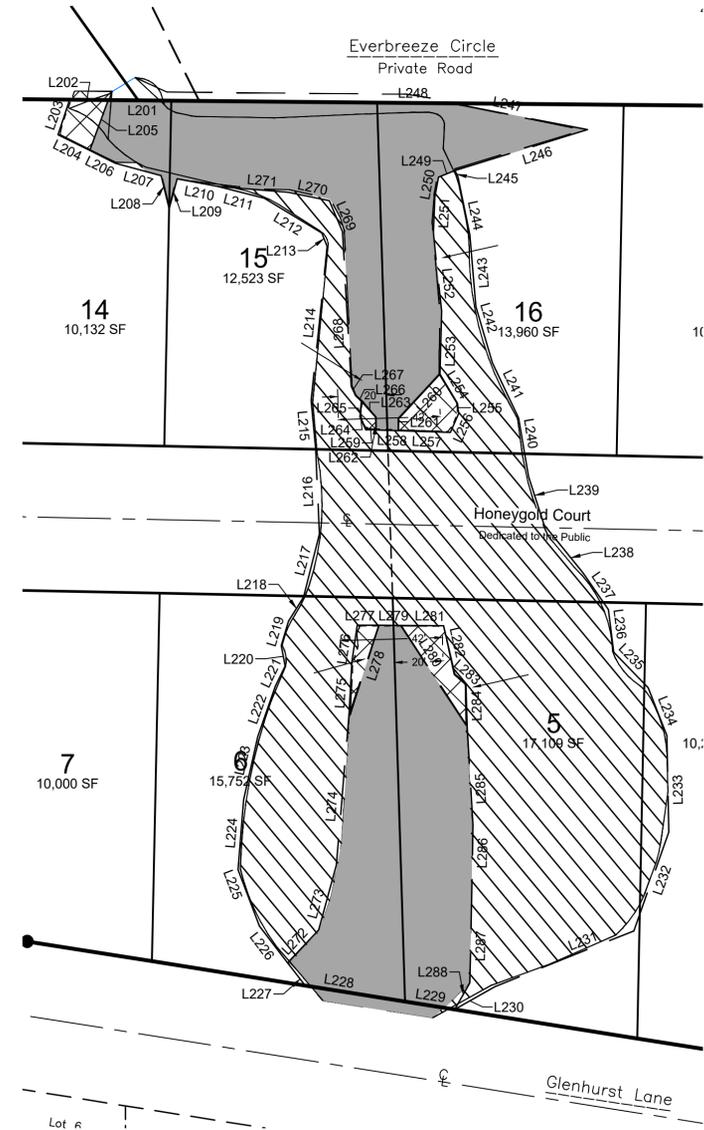
Bearings are referenced to the West line of the Northwest 1/4, Section 07, T21N, R17E, bearing N00°02'21"W, base on the Outagamie County Coordinate System.

Wetland Protected Area Exhibit:



Line	Bearing	Length
L201	S 89°28'25" E	25.97'
L202	S 89°28'25" E	15.88'
L203	S 18°45'06" W	15.06'
L204	S 64°04'11" E	14.63'
L205	N 20°14'29" E	21.86'
L206	N 63°18'18" W	11.60'
L207	N 74°48'41" W	19.71'
L208	S 13°31'28" E	13.85'
L209	N 15°06'08" E	12.62'
L210	N 79°41'14" W	17.15'
L211	N 75°47'30" W	19.63'
L212	N 59°10'25" W	27.68'
L213	N 21°24'33" W	5.93'
L214	N 05°58'17" E	63.23'
L215	N 05°17'50" W	19.99'
L216	N 02°34'37" W	34.55'
L217	N 14°07'14" E	26.58'
L218	N 32°39'36" E	11.57'
L219	N 16°47'05" E	10.47'
L220	N 10°40'27" W	8.51'
L221	N 25°43'58" E	9.01'
L222	N 19°27'18" E	21.94'
L223	N 12°50'26" E	26.38'
L224	N 04°30'04" E	28.66'
L225	N 20°48'51" W	24.63'
L226	N 37°53'43" W	19.00'
L227	N 37°53'43" W	11.75'
L228	S 81°02'36" E	41.68'
L229	S 81°02'36" E	20.71'
L230	N 60°43'26" E	19.07'
L231	N 68°18'57" E	61.48'
L232	N 19°39'57" E	42.82'
L233	N 01°06'44" W	39.46'
L234	N 21°43'37" W	20.92'
L235	N 44°17'57" W	20.29'
L236	N 07°13'11" W	17.56'
L237	N 35°02'42" W	18.13'
L238	N 39°04'42" W	25.48'
L239	N 18°09'06" W	20.64'
L240	N 09°37'31" W	24.25'
L241	N 25°48'32" W	25.01'
L242	N 16°24'55" W	23.97'
L243	N 04°50'22" W	29.37'
L244	N 11°40'53" W	24.26'

Line	Bearing	Length
L245	N 25°50'20" W	2.76'
L246	S 73°00'04" W	57.09'
L247	S 79°07'55" E	57.02'
L248	S 89°28'25" E	30.68'
L249	S 68°24'28" W	7.28'
L250	S 10°27'49" W	8.19'
L251	S 02°33'09" W	14.65'
L252	S 06°01'37" E	32.21'
L253	S 01°28'51" W	25.66'
L254	S 31°11'06" E	13.91'
L255	S 06°35'38" E	4.29'
L256	S 23°56'05" W	8.41'
L257	N 88°07'40" W	21.35'
L258	N 88°07'40" W	9.34'
L259	N 88°07'40" W	4.20'
L260	S 43°04'48" W	24.92'
L261	S 00°25'34" W	4.95'
L262	N 00°47'49" W	5.23'
L263	N 40°19'56" W	8.32'
L264	N 25°06'54" W	5.71'
L265	N 05°48'06" E	6.48'
L266	N 47°24'41" W	3.31'
L267	N 24°18'34" W	4.31'
L268	N 03°18'26" W	63.14'
L269	N 23°04'33" W	13.77'
L270	N 78°32'49" W	17.13'
L271	N 85°18'37" W	29.15'
L272	N 43°35'54" E	18.55'
L273	N 15°23'34" E	27.44'
L274	N 04°48'56" E	61.43'
L275	N 03°18'13" E	21.84'
L276	N 08°16'18" E	15.05'
L277	S 89°45'58" E	8.93'
L278	N 18°37'15" E	38.68'
L279	S 89°32'39" E	9.15'
L280	S 33°31'04" E	49.29'
L281	S 89°45'45" E	17.56'
L282	S 12°56'49" E	20.27'
L283	S 49°11'49" E	6.06'
L284	S 01°44'31" E	17.31'
L285	S 03°22'15" E	40.48'
L286	S 01°06'36" W	64.40'
L287	S 01°06'36" W	64.40'
L288	S 30°03'17" W	12.44'



James R. Sehloff PLS 2692 Date

LEGEND

- Floodway Area
- Floodplain Area
- Floodplain to be filled

Wetland Protected Area Setback Exhibit:

Setback shown is per City of Appleton protective area in City of Appleton Code 20-312(f)

The following requirements apply as excerpted from City of Appleton Municipal Code 20-312(f):

- (3) The following requirements shall be met:
- Impervious surfaces shall be kept out of the protective area entirely or [as may be approved by the City of Appleton] to the maximum extent practicable.
 - Where land disturbing construction activity occurs within a protective area, and where no impervious surface is present, adequate sod or self-sustaining native vegetative cover of seventy percent (70%) or greater shall be established and maintained. The self-sustaining vegetative cover shall be sufficient to provide for bank stability, maintenance of fish habitat and filtering of pollutants from upslope overland flow areas under sheet flow conditions. [Subject to the issuance of all applicable permit], nonvegetative materials, such as rock riprap, may be employed on the bank as necessary to prevent erosion, such as on steep slopes or where high velocity flows occur.
 - Best management practices such as filter strips, treatment swales, or wet detention basins, that are designed to control pollutants from nonpoint sources may be located in the protective area.
 - Protective areas do not apply to:
 - Post-construction sites from which runoff does not enter the surface water, including wetlands, without first being treated by a [Stormwater Management Practice that has been approved by the City of Appleton], except to the extent that vegetative ground cover is necessary to maintain bank stability.

Flood Plain Area Exhibit:

Floodplain is shown per a pending flood study submitted to FEMA, and is subject to change based on the approval of the Flood Study.

The floodplain is regulated by City of Appleton Municipal Code Chapter 23 Article X (Floodplain Zoning). A City of Appleton floodplain zoning official map revision is pending, dependent upon issuance of a FEMA LOMR. The following activities are prohibited within the floodplain unless a City of Appleton Floodplain Permit has been issued authorizing the activity: grading, placement of fill material, and/or the placement or construction of any structures that occupy volume above the existing ground surface.

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

Certified _____, 20__

Department of Administration



File: 5629Final.dwg
Date: 08/25/2021
Drafted By: Jim
Sheet: 2 of 3
Revision Date: Aug 25, 2021

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
CIVIL ENGINEERING CONSULTANTS
1164 Province Terrace Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

Aug 25, 2021 7:04am J:\Projects\5629\Drawings\3D\5629Final.dwg Printed by: jim

Apple Fields

All of Lot 3 and Lot 4, Apple Creek Center, being located in part of the Fractional Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin

Surveyor's Certificate

I, James R. Sehloff, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Appleton, and under the direction of Doctors Properties, LLC, owner of said land, I have surveyed divided and mapped Apple Fields; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is all of Lot 3 and Lot 4, Apple Creek Center, being located in part of the Fractional Northwest 1/4 of the Southwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 279,377 Square Feet (6.4136 Acres) of land more or less, subject to all easements, and restrictions of record.

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

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

Owner's Certificate

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

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

City of Appleton
Department of Administration

Dated this ____ day of _____, 20____.

In the presence of: Doctors Properties, LLC

Sign

Print Name

Title

State of Wisconsin)

County) ss

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

My Commission Expires _____
Notary Public, Wisconsin

Utility Easement Provisions

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

Doctors Properties, LLC, Grantor, to:

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

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

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

Doctors Properties, LLC

Sign _____ Date _____

Print Name

Title

City of Appleton Approval

Resolved, that the plat of Apple Fields, in the City of Appleton, Outagamie County, Doctors Properties, LLC, owners, is hereby approved by the Common Council of the City of Appleton.

Jacob A. Woodford, Mayor _____ Date _____

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

Kami Lynch, Clerk _____ Date _____

Treasurer's Certificate

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

City Treasurer _____ Date _____

County Treasurer _____ Date _____

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

The property owner of record: Doctors Properties, LLC	Recording Information: Doc No. 2146383	Parcel Number(s): 311-6501-03 311-6501-04
--	---	---

Water Main and Storm Sewer Easement Provisions

An easement for Water Main and Storm Sewer is hereby granted by:

Doctors Properties, LLC, Grantor, to:

THE CITY OF APPLETON, Grantee,

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

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

Sign _____ Date _____

Print Name

Title

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

Certified _____, 20____

Department of Administration 

Revision Date: Sep 01, 2021
File: 5629Final.dwg
Date: 09/01/2021
Drafted By: Jim
Sheet: 3 of 3



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MEMORANDUM

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

TO: Community and Economic Development Committee
FROM: Nikki Gerhard, Community Development Specialist
DATE: September 8, 2021
RE: City Program Funding Approval and City Proposals for 2022 Community Development Block Grant (CDBG) Funding

Per City of Appleton CDBG Policy, the process of allocating 2022 CDBG funds has begun. An award estimate of \$599,710 was budgeted for the 2022 Program Year. \$599,710 is only an estimate and is subject to change upon adoption of the Federal budget. Also, according to City CDBG Policy, the CEDC must approve allocations for City Programs. Those proposed amounts total \$203,479 and are listed in the 2022 Budget as follows:

Housing Rehabilitation Loan Program - **\$120,000**

*CDBG Administrative Costs for the Community and Economic Development Department - **\$83,479**

*includes funding for provision of HUD required Fair Housing Services

Staff continues to work with the Appleton Housing Authority to determine their 2022 allocation. A final proposal will be made in conjunction with the Community Partner application approvals in November 2021.

The balance of funds, \$396,231, is first made available to City departments and then community partners. Proposals from City departments were due August 31, 2021. No applications were submitted.

CEDC is asked to make a recommendation to Common Council for the proposed allocations for City programs. Following CEDC and Council approval of City program funding, the next step in the CDBG allocation process are applications from community partners. Per the Community Development Block Grant Policy, after all community partner applications have been received (due September 30, 2021) and determined eligible, CEDD staff will supply the CDBG Advisory Board with the applications and all appropriate guidelines along with a summary of each proposal and an explanation of the proposal score sheet.

These packets of information are expected to be distributed to the Advisory Board members on Monday, October 4, 2021. Board members are asked to allocate funding among the applicants and return their allocations to CEDD staff who will compile all results and will present allocation recommendations at an Advisory Board meeting on October 26, 2021, during which allocation amounts will be finalized based on the anticipated projected award. Funding recommendations from this Board will be presented as an action item to the CEDC on November 10, 2021. CEDC's recommendation will then be presented to the Common Council for final approval.

If you have any questions, please contact me at 832-6469 or nikki.gerhard@appleton.org. Thank you!



MEMORANDUM

TO: Community and Economic Development Committee (CEDC)

FROM: Matt Rehbein, Economic Development Specialist

DATE: September 8, 2021

RE: Request for Deed Restriction Clarification - 2121 E. Capitol Drive (Tax ID 1-5324)

The property located at 2121 E. Capitol Drive is owned by Integrity Mutual Insurance and is currently being marketed for sale. The use has been office since original construction in 1991.

The City has been contacted by the attorney for a prospective buyer seeking clarification on the language originally allowing office use which states:

Buyer is granted a variance from Section II of the Deed Restrictions to permit construction of an office.

The prospective buyer is looking for assurance that the variance is not personal to the original buyer and would carry with the land. Since there is no reference to an expiration of the variance, staff believes the original intent was for this to run with the land. A Deed Restriction Variance Clarification (attached) has been requested from the buyer's attorney. This document has been reviewed by the City Attorney's Office.

Staff Recommendation:

The attached Variance Clarification document affirming the continuation of office use **BE APPROVED.**

	<p>Notice of Clarification</p>
Document Number	Document Title
<p>Recording Area</p> <hr/> <p>Name and Return Address:</p> <p>Mike S. Green Michael Best & Friedrich LLP One South Pickney Street, Suite 700 Madison, WI 53703</p> <hr/> <p>Tax Parcel No. 311532400</p> <hr/>	

Take notice (“**Notice**”) that pursuant to that Warranty Deed dated April 11, 1990 (“**Deed**”) from the City of Appleton, a Wisconsin municipality, as grantor (the “**City**”) to Integrity Mutual Insurance Company, a Wisconsin corporation, as grantee (“**Integrity**”), recorded April 16, 1990 in Jacket 10221 of Records, Image 17 as Document No. 978671, the City conveyed to Integrity that certain real property (“**Property**”) described in Exhibit A attached hereto subject to certain deed restrictions. Pursuant to the Deed, the City granted to Integrity the following “**Variance**”:

“Buyer is granted a variance from Section II of deed restrictions to permit construction of an office.”

The City hereby clarifies that the Variance shall inure to the benefit of the heirs, lenders, successors and assign of Integrity and shall be a condition running with the land described as the Property.

(The remainder of this page has been left intentionally blank; signature on the following page.)

EXHIBIT A

ALL OF LOTS FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), AND SEVENTEEN (17), AND ALL OF LOT THIRTEEN (13), LESS THE SOUTH ONE HUNDRED FIFTY (150) FEET THEREOF, IN BLOCK FIVE (5), IN NORTHEAST INDUSTRIAL PARK PLAT NO. 2, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

Tax Parcel No.: 311532400

Property Address: 2121 E. Capitol Drive, Appleton, WI 54911

J 10221 1 17.

- DOCUMENT NO.

978571

WARRANTY DEED
STATE OF WISCONSIN—FORM 10

THIS SPACE RESERVED FOR RECORDING DATA

REGISTER'S OFFICE
OUTAGAMIE COUNTY, WI
RECEIVED AND RECORDED ON

THIS INDENTURE, Made by the CITY OF APPLETON,

Wisconsin Municipal
a Corporation duly organized and existing under and by virtue of the laws of
the State of Wisconsin, grantor, of Outagamie

County, Wisconsin, hereby conveys and warrants to

INTEGRITY MUTUAL INSURANCE COMPANY, a

Wisconsin Corporation, grantee,

of Outagamie County, Wisconsin, for the

sum of \$1 and other good and valuable consideration

the following tract of land in Outagamie County,
State of Wisconsin:

All of Lots Fourteen (14), Fifteen (15), Sixteen (16), and
Seventeen (17), and all of Lot Thirteen (13), less the South
one hundred fifty (150) feet thereof, in Block Five (5), in
NORTHEAST INDUSTRIAL PARK PLAT NO. 2, City of Appleton,
Outagamie County, Wisconsin.

Subject to deed restrictions attached, and:

1. Buyer is granted a variance from Section II of deed restrictions to permit construction of an office.
2. Buyer shall maintain the landscape buffer and berm located on the north and west sides of the subject property in substantially the same condition as presently exists, provided that subject to provisions of the Appleton Municipal Code the berm may be broken to permit installation of a driveway entrance to the property.

FEE
2
EXEMPT

(IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

In Witness Whereof, the said grantor has caused these presents to be signed by Dorothy C. Johnson,
its Mayor, ~~its President~~, and countersigned by Jadell K. Ferge, its City Clerk,
~~its Secretary~~ at Appleton, Wisconsin, and its corporate seal to be hereunto affixed this
11th day of April, A. D., 1990.

SIGNED AND SEALED IN PRESENCE OF

CITY OF APPLETON

Dorothy C. Johnson Corporate Name
Dorothy C. Johnson, Mayor President

COUNTERSIGNED:

Jadell K. Ferge
Jadell K. Ferge, City Clerk Secretary

STATE OF WISCONSIN

OUTAGAMIE

County.

ss.

Personally came before me, this 11th day of April, A. D., 1990,
Dorothy C. Johnson, Mayor, ~~President~~, and Jadell K. Ferge, City Clerk, ~~Secretary~~
of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me
known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing
instrument as such officers as the deed of said Corporation, by its authority.

THIS INSTRUMENT WAS DRAFTED BY

Greg J. Carman

City Attorney

Appleton, WI 54911



Notary Public, Outagamie County, Wis.

My commission (expires) ~~is~~ 7-19-92

(Section 59.51 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the name of the grantor, grantee, witness and notary. Section 59.51A similarly requires that the name of the person who, or governmental agency which, drafted such instrument, shall be printed, typewritten, stamped or written thereon in a legible manner.)

8.
12.00
form

J 10221 1 18

DEED RESTRICTIONS

APPLICABLE TO ALL PROPERTIES SOLD IN
NORTHEAST INDUSTRIAL PARK PLAT NO. 1 AND PLAT NO. 2

This conveyance is made subject to the following conditions, covenants and understandings which shall be binding upon the vendee, his heirs, successors or assigns:

I. Setbacks:

A. Front Yard: No building shall be constructed on the site nearer than forty (40) feet of the right-of-way of any public street or highway. In the case of corner lots both forty (40) feet setbacks will apply.

B. Side and Rear Yards: Minimum side and rear yards shall be twenty-five (25) feet, provided that adjacent property owners may mutually agree to jointly construct common wall structures thereby eliminating any setback between buildings.

C. County Highways: A fifty-five (55) foot building setback shall be observed along C.T.H. "00"

II. Land Use:

Uses in the Industrial Park shall be limited to manufacturing, warehousing or distribution activities, and administrative offices directly related thereto. Commercial and service uses shall not be permitted.

III. Construction and Materials:

Any building erected shall be of masonry construction or enameled steel or the equivalent thereof.

IV. Landscaping:

The front yard area of the site shall be graded, landscaped and planted with trees, shrubs, ground cover and appropriate natural landscaping materials. Landscaping shall relate to buildings and paved surfaces as to scale, massing, size, shape and color. At time of planting, vegetation shall be of sufficient size as to noticeably enhance the site (i.e. whips are inappropriate as primary landscaping elements). Existing trees shall be preserved whenever possible and may be substituted for part of the required landscaping. Plant material shall be of hardy quality, preferably native of Wisconsin. Weedy or short-lived trees such as Box Elder, Poplar, American Elm, or Willow shall not be acceptable. Vendee shall be responsible for maintenance of vegetation and replacement of any defective plant material.

V. Parking:

J 10221 1 19

page 2 Deed Restrictions NEIP #1 & 2

All parking areas shall be paved. Parking shall be permitted within the minimum front yard setback area, however, it shall be located no closer than fifteen (15) feet to the public right-of-way line. The purchaser agrees to provide off-street parking for employees, clients and visitors.

VI. Outdoor Storage:

No outside storage of any kind shall be permitted unless such stored material is visually screened from all streets with a suitable fence, vegetation, berm, or combination thereof. Screening shall be attractive in appearance and in keeping with the architectural quality of the main structure. Said storage shall be limited to behind the front line of the building on the property, and within the building setback lines. No waste material or refuse may be dumped or permitted to remain on any part of the property outside of the buildings. Storage of fuel oil or other bulk fluids must be underground. Fences, walls or hedges may not be located closer than fifteen (15) feet to any property line.

VII. Approval of Plans:

Before commencing the construction or alteration of any buildings, additions, enclosures, fences, loading docks, parking facilities, storage yards or any other structures or permanent improvements on or to the real estate conveyed hereby, the vendee shall first submit its building plans, specifications, site and landscape plans and an elevation sketch of all improvements to be placed thereon to the Commercial and Industrial Development Committee for its written approval. In the event the Commercial and Industrial Development Committee or its assigns shall fail to approve or disapprove in writing such building plans, specifications, site and landscape plans and elevation sketch within thirty (30) days after they have been submitted to them, such approval will not be required and these restrictions will be deemed to have been complied with. The Commercial and Industrial Development Committee may assign this review of plans to the Department of Planning and Development.

VIII. Erection of a Structure:

Vendee accepts this conveyance on the express condition that:

- A. He/it will, within a period of time from the date hereof, to be negotiated at the time of purchase, erect a building or structure for such purpose or purposes as may be permitted, under the terms of these restrictions, the zoning ordinance and in accordance with the building code. In the event of the vendee's failure to perform this condition within the time specified, the vendor shall, within sixty (60) days

J 10221 | 20

page 3 Deed Restrictions NEIP #1 & 2

after the termination of said period, upon written notice to the vendee have the option to repurchase said property for an amount of money equal to the purchase price paid by the vendee, plus any special assessments.

OR

B. He/it has an indefinite period of time from date thereof to erect a building or structure for such purpose or purposes as may be permitted under the applicable zoning ordinances and in accordance with building codes. If the vendee desires to sell before any building or structure has been erected, the vendor shall automatically be assigned an option for sixty (60) days to repurchase said property for an amount of money equal to the purchase price paid by the vendee, plus any special assessments.

IX. Reciprocal Switching:

The vendee shall agree to request what is known as "reciprocal switching" from the railroad spur line constructed on or across any property in the industrial park site.

X. Waiver of Notice:

All land sold before major assessable improvements are completed in the industrial park site shall be subject to the purchaser's waiving notice of assessments and hearings, and such waiver shall be part of the negotiations.

XI. Variances:

Notwithstanding anything contained herein to the contrary, the City of Appleton expressly reserves the right at any time to authorize in writing variances from the strict applications of these deed restrictions or any one or more of them where the circumstances, in its sole and exclusive judgment, justifies the granting of same.

XII. Enforcement:

In the event that the vendee fails to perform in accordance with these restrictions, the Common Council, upon recommendations of the Commercial and Industrial Development Committee, may take whatever corrective measures it deems appropriate and assess the cost thereof against the property in the same manner as a special assessment. The Council shall give at least thirty (30) days notice to the vendee of any violation and the steps required to correct it, prior to taking any action to cure such violation.

XIII. Invalidation:

J 10221 1 21

page 4 Deed Restrictions NEIP #1 & 2

The invalidation of any one of the covenants or restrictions herein set forth or the failure to enforce any of said restrictions at the time of its violation shall in no way affect any of the other restrictions nor be deemed a waiver of the right to enforce the same thereafter.

DEEDRESTRA

RESOLUTION #13-R-21

Support for Resettlement of Afghanistan Parolees in Appleton

Date: September 1, 2021

Submitted By :Vered Meltzer – District 2, Denise Fenton – District 6, Maiyoua Thao – District 7, Alex Schultz – District 9, Nate Wolff – District 12

Referred To: Community & Economic Development Committee

WHEREAS, upon the collapse of the Afghanistan government and the Taliban takeover of Kabul which precipitated the emergency US led mass airlift, roughly 125,000 Afghan citizens have fled their home country and may be seeking asylum abroad with as many as 50,000 arriving in the US on “humanitarian parole” without visas; and

WHEREAS, thousands of these Afghan citizens supported American and allied forces, standing side-by-side with our service members, diplomats, and aid workers while serving as interpreters, engineers, logistical service providers, and more; and

WHEREAS, the city of Appleton, which became a Compassion City in 2010 under the Earth Charter's Charter for Compassion Campaign, has historically been a haven for refugees escaping war and political violence; and

WHEREAS, World Relief Fox Valley, the local refugee resettlement agency and its well-established refugee resettlement program, which has welcomed 1000 refugees since its inception in 2012, is preparing for the anticipated arrival of 100 Afghan parolees to the Appleton and Oshkosh communities it serves and will need additional resources for this lesser classification of arriving parolees;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of Appleton wishes to offer a home in Appleton for those who were evacuated due to the war in Afghanistan and hereby affirms to the United States federal government that the City of Appleton stands ready to welcome Afghan humanitarian parolees, and;

BE IT FURTHER RESOLVED, that the Common Council of Appleton directs the department of Community and Economic Development to coordinate any necessary response with county, state, and federal government departments and agencies, in accordance with previously established and proven best practices for emergency resettlement, as well as offer any additional assistance it can to facilitate rapid response housing options within the City of Appleton.



Refugee Resettlement: How You Can Help

We know that many Wisconsinites are interested in helping these individuals and families. The below agencies are in need of donations and/or volunteers.

Please note that to ensure the health and safety of individuals and families at Fort McCoy, groups prefer new items, which can also help ensure expedited processing. Clean, new clothing and footwear are among items that are of the highest priority and need at this time.

Catholic Charities

Catholic Charities of La Crosse is collecting donations of new items and has set up multiple ways for people to provide supplies by simply shopping online. Their website includes a full list of the items needed, along with links to online shopping lists through major retailers. Catholic Charities is also committed to using monetary donations for items in need at Fort McCoy and refugee resettlement in the Wisconsin communities.

To learn more, visit <https://cclse.org/afghanistan-refugee-assistance>.

Team Rubicon

Businesses and other groups with large quantities of new clothing, footwear and other items to donate can contact Team Rubicon at Resettlementsupport@teamrubiconusa.org. Team Rubicon, a veteran-led disaster response organization, is working to establish a collection system for these larger donations to ensure they can be properly distributed to those staying at Fort McCoy. Team Rubicon also expects to have a donation website online by Labor Day.

To learn more, visit <https://teamrubiconusa.org/>.

Not Near a Donation Site?

While donation locations are currently limited, the state plans to open more locations across the state in the coming weeks. Individuals who are not near a location can still support local relief efforts by making a monetary donation directly to Catholic Charities of La Crosse at <https://cclse.org/>. Additionally, individuals can support efforts across the nation by donating to the American Red Cross at <https://www.redcross.org/>.

Citizens are encouraged to research any organization not provided on DCF's list prior to making a monetary or supply donation to ensure the organization is legitimate and donations are being used appropriately.

Good afternoon, community partners,

Thank you to those of you who joined us for the call today regarding the crisis in Afghanistan and evacuees residing in the US. If you were not able to join us, we discussed the likelihood that **World Relief Fox Valley will begin welcoming up to 100 Afghans with humanitarian parole status between now and March 31, 2022.** Currently we have very little information beyond this, but the presentation covered humanitarian parole, the situation at Fort McCoy, and what World Relief is doing to prepare for these arrivals.

You can view the recording here: <https://youtu.be/FVgsUWvmdFM>

Here is a list of referenced sources:

- Donation guidelines for World Relief: <https://worldrelief.org/fox-valley/get-involved/donate/>
- Situation at Fort McCoy, WI: <https://minnesota.cbslocal.com/2021/09/02/afghan-refugees-wisconsin-fort-mccoy/>
- US withdraws from Afghanistan on 8/30/21: <https://www.npr.org/2021/08/30/1032683828/the-last-american-soldier-to-leave-afghanistan>
- UN anticipates 500,000 refugees to flee Afghanistan: <https://www.reuters.com/world/asia-pacific/half-million-afghans-could-flee-across-borders-unhcr-2021-08-27/>
- Humanitarian parole (including charts on eligibility for benefits and history of large-scale parole - highly recommended reading): <https://immigrationforum.org/article/explainer-humanitarian-parole-and-the-afghan-evacuation/>
- Additionally: <https://www.cbsnews.com/news/afghan-refugees-resettlement-legal-operational-hurdles/>
- Additionally:
- <https://dcf.wisconsin.gov/refugee> For updates on the refugee situation.
- DCFrefugee@wisconsin.gov email to share resources (employment opportunities, housing, etc.) with the Wisconsin Department of Children and Family Services

Please continue to send questions, ideas for housing and employment, and connections our way. We know we are blessed to have the opportunity to welcome refugees, SIVs, asylees, and now parolees to this incredible community we live in.

Have a wonderful weekend. Thank you,



James Rashid
World Relief Fox Valley

E jrashid@wr.org

T 920-231-3600 | worldrelief.org/fox-valley



From: Ronna Swift <ronnaje61@gmail.com>

Sent: Tuesday, September 7, 2021 2:04 PM

To: Karen Harkness <Karen.Harkness@Appleton.org>; Ronna Jean Swift <ronnaje61@gmail.com>

Subject: Fwd: refugee resolution

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

Correction please.

Please read this at the meeting on Wednesday and have it read into the notes. Thanks. Ronna

I support the refugee resolution. I have been working with Congolese refugees, one family in particular, for over 2 years now. They are hard working family people who are grateful to be in Appleton. I have learned so much about their tribe, their country, the ongoing war, the refugee camp they lived in, on and on. I am honored to be part of this family and am known as Sister Ronna or grama. They moved into a Habitat house last spring and are very involved with other Congolese refugees thru their church. These people more than pay their way. I encourage you all to get involved with the work World Relief is doing locally. Some ancestors of mine came here as refugees. It is our turn to help those arriving now and in the future. Thank you.

Ronna Jean Swift

230 West Seymour Street

Appleton, WI 54915

920-205-2589

ronnaje61@gmail.com

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

From: Denise Fenton

Sent: Wednesday, September 8, 2021 2:08:54 PM

To: Matthew Reed <District8@Appleton.org>; Kristin Alfheim <District11@Appleton.org>; Brad Firkus <District3@Appleton.org>; Maiyoua Thao <District7@Appleton.org>; Nate Wolff <District12@Appleton.org>

Subject: Constituent remarks - Resolution #13-R-21

Good afternoon colleagues,

I am forwarding these remarks sent to me by my constituent Jeanne Roberts regarding this resolution. I plan to ask your indulgence to read them at the meeting this afternoon, but I wanted you to have them as well.

Apologies for the delay in getting this out, but I have been experiencing some travel issues and arrived at my daughter's in Arkansas just a little while ago.

Ms. Roberts' remarks:

I understand that this committee is considering a resolution to support World Relief's efforts to settle 100 Afghanis into the Fox Valley area. As a retired mental health counselor, I had the opportunity to work with refugees from several countries. In my work with refugees both before and after retirement I have felt honored to be in their presence and feel the strength, courage and dignity of these people. The horrendous events that they have experienced from having a child shot off their back while they were fleeing, to having a husband and son shot in front of them, to being left alone as a child in the jungle for the greater good of the community and then to not only survive that experience, but given a chance in a new country to thrive and become productive citizens without any knowledge of the culture or language of their new country shows me what kind of incredible human beings these are. Prior to being resettled, all refugees are thoroughly vetted in a process that takes at least 18 months. They are expected to become employed and self-sufficient in a very short period of time. Appleton has a history of supporting the resettlement of refugees from Laos (Hmong), Congo, Myanmar, and more. We in Appleton should be proud of our recent history to support the refugee communities and continue to support any refugee or family and who is settled in our area and the agency that arranges for this resettlement.

Best regards,

Denise

Denise Fenton

Aldersperson, Appleton District 6

(920) 475-1603

District6@Appleton.org

Please note: Wisconsin has a very broad public records law. Most written communications to or from government employees and officials regarding city/county business are public records available to the public and media upon request. Your e-mail communication may be subject to public disclosure.



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

Department of Utilities
Water Treatment Facility
2281 Manitowoc Rd.
Menasha, WI 54952
920-997-4200 tel.
920-997-3240 fax

TO: Chairperson Denise Fenton and members of the Human Resources Committee
cc: Chairperson Vered Meltzer and members of the Utilities Committee
FROM: Chris Shaw, Utilities Director
DATE: August 30, 2021
RE: *Request to Over Hire – Water Plant Instrumentation Technician*

The incumbent water plant Instrumentation Technician is planning on retiring in January 2022. The position is critical as the instrumentation technician works independently on all of the water plant electronic instruments. This would include flow meters, level indicators, pressure and temperature sensors, analyzers, etc. Maintenance and calibration of the utility's instruments is a requirement under administrative code so that process systems produce reliable data to produce and report out to the State of Wisconsin.

The position is also responsible for several pieces of computer hardware as well as software programs that are used for the plant's Supervisory Control and Data Acquisition (SCADA) system. The current inventory of input/output is ~4500 items. Being able to read and write programming code is an important part of water plant operations and maintenance initiatives.

The incumbent has 15+ years of experience with the water utility servicing all of the aforementioned equipment and software. This is a technically skilled position that requires the incumbent to be fully competent to install, maintain, troubleshoot, document, and repair a wide variety of electronic equipment as well as computer hardware and software. In order for a successful transition to the position's successor, I believe the Utility would benefit from having the incumbent transfer his key institutional knowledge over a four week over hire period.

The financial impact is approximately \$5,400 in wages and will be funded with current vacant salary dollars with the remainder or balance from a budget adjustment. Should you have questions or if you would like to discuss this matter further, please contact Chris Shaw at ph: 920-832-2362.

ELECTED ALDERPERSON SALARIES

Council Date	Election Year	Salary	Benefits	Notes
11-07-2001	2002	No increase		
11-07-2001	2003	\$5636 – 3%		
10-16-2002	2004	No increase		
10-16-2002	2005	No increase		
12-03-2003	2006	No increase		
10-19-2005	2007	No increase		
11-01-2006	2008	No increase		
01-21-2008	2009	\$5805 – 3%		
07-02-2009	2010	No increase		
07-02-2009	2011	No increase		
10-20-2010	2012	No increase		
01-04-2012	2013	No increase		
03-20-2013	2014	No increase		
11-20-2013	2015	No increase	5.12% increase with parking pass	Added Parking passes \$297 annual (\$33@9months) effective with the April, 2015 election
9-17-2014	2016	\$5921 – 2%	6.89% increase with parking pass	Parking Pass \$408 annual (\$33@6 months & \$35@6 months)
11-09-2015	2017	\$5980 – 1%	1.1% increase with parking pass	Parking Pass \$420 annual
10/19/2016	2018	\$6129.50 – 2.5%	plus parking pass	
10/18/2017	2019	No increase		
11/7/2018	2020	No increase		
10/16/2019	2021	1.5% increase \$6221.44	Plus parking pass	HR Committee & Council meeting 11/6/19



LEGAL SERVICES DIVISION

Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

To: Alderperson Maiyoua Thao, Chair
Alderperson Katie Van Zeeland
Members of the Human Resources/Information Technology Committee

From: Darrin M. Glad, Assistant City Attorney 

Date: February 23, 2021

Re: Alderperson Raises
Our File No. A19-1099

At your request, I have researched the authority for the deadline for increasing alderpersons' salaries. Wisconsin Statutes § 62.09(6)(am)2 prohibits changing alderperson salaries after the "earliest time for filing nomination papers for the office" and no changes can be made in the compensation during "the term of office for which the deadline applies."

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

- 1) For staggered salaries, the Council may establish alderpersons' salaries for Alderpersons in Districts 2, 4, 6, 8, 10, 12, and 14 for terms starting in April 2022 prior to December 1, 2021 and subsequently establish salaries for Alderpersons in Districts 1, 3, 5, 7, 9, 11, 13, and 15 who will begin their term in April 2023 prior to December 1, 2022; or,
- 2) For a single adjustment, establish the salary for all alderpersons seated on the Council in April 2023 prior to December 1, 2021.

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

Aldersperson Salary

Municipality	Population	# of Council/ Board	2021 Salary
Appleton	75,382	15	\$6,221 annually
Green Bay	104,565	12	\$9,887 annually
Fond du Lac	42,909	7	\$5,000 annually, with Council President \$6,000 annually
Manitowoc	32,702	10	\$3,120 annually with i-Pad to keep at end of term
Neenah	25,967	9	\$5,280 annually, with Council President \$6,000 annually
Oshkosh	67,010	7	\$5,000.06 annually, with Council President \$6,500 annually
Sheboygan	48,327	10	\$5720 annually, with Council President \$6720 annually

Population source <https://data.census.gov/cedsci/>

Council Member Salaries Comparison

City	Population	# of Council Members	Annual Salary for Each Council Member	Municipality's Total Annual Council Member Salaries	Total Salaries/Population
Appleton	75,382	15	\$ 6,221	\$ 93,315	\$ 1.24
Neenah	25,967	9	\$ 5,280	\$ 47,520	\$ 1.83
Sheboygan	48,327	10	\$ 5,720	\$ 57,200	\$ 1.18
Green Bay	104,565	12	\$ 9,887	\$ 118,644	\$ 1.13
Manitowoc	32,702	10	\$ 3,120	\$ 31,200	\$ 0.95
Fond du Lac	42,909	7	\$ 5,000	\$ 35,000	\$ 0.82
Oshkosh	67,010	7	\$ 5,000	\$ 35,000	\$ 0.52

#11-R-21
Sidewalks near Linwood Park

Submitted By: Alderperson Smith – District 10

Submitted On: 8/4/2021

Referred To: Parks & Recreation Committee

Whereas Linwood Park has sidewalks around the majority of its perimeter and,

Whereas easy access to parks is important to young and old,

Be it resolved that those parts of the perimeter of Linwood Park without sidewalks be connected to sidewalks already in existence, specifically needed sidewalk on Franklin St and Douglas St

67-21

AN ORDINANCE AMENDING SECTION 2-216 OF CHAPTER 2 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO RESIDENCY POLICY.

(Finance Committee – 9/1/2021)

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

Section 1: That Section 2-216 of Chapter 2 of the Municipal Code of the City of Appleton, relating to residency policy, is hereby amended to read as follows:

Sec. 2-216. Residency policy.

Members of boards or commissions shall be residents of the City at the time of appointment. If any such member of a board or commission does not meet this requirement, their office or position shall be vacated and such vacancy shall be filled in the manner prescribed by law or ordinance. The residency deadline may be extended with the recommendation of the Mayor and approval of the Common Council. This section does not apply to the physician members of the Board of Health or non-City members of the Fox Cities Transit Commission.

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

68-21

AN ORDINANCE AMENDING SECTION 15-32 OF CHAPTER 15 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO SCAVENGING OF SOLID WASTE OR RECYCLABLES PLACED FOR COLLECTION.

(Municipal Services Committee – 9/1/2021)

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

Section 1: That Section 15-32 of Chapter 15 of the Municipal Code of the City of Appleton, relating to scavenging of solid waste or recyclables placed for collection, is hereby amended to read as follows:

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

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

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