



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, February 1, 2023

7:00 PM

Council Chambers

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[23-0081](#) Common Council Meeting Minutes of January 18, 2023

Attachments: [CC Minutes 1-18-23.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

[23-0090](#)

Proclamations:

- Burn Awareness Week
- Transit Equity Day
- Black History Month
- Career & Technical Education Month
- Gun Violence Survivor Week

Attachments: [Burn Awareness Week Proclamation.pdf](#)

[Transit Equity Day Proclamation.pdf](#)

[Black History Month Proclamation.pdf](#)

[Career and Technical Education Month Proclamation.pdf](#)

[Gun Violence Survivor Week Proclamation.pdf](#)

- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS

[23-0033](#) Public Hearing for Subdivision Ordinance Text Amendments - Sections: 17-3; 17-4; 17-29; 17-30; 17-31; 17-32; 17-33; 17-34; and 17-35

Attachments: [TA 5-22 Notice of Public Hearing Subdivision Ordinance.pdf](#)

[22-1530](#) Public Hearing for the Street Vacation of portions of Appleton Street, Pacific Street, & Oneida Street

Attachments: [Public Hearing - SV AppletonPacificOneida.pdf](#)

J. SPECIAL RESOLUTIONS

[23-0034](#) Final Resolution for the Street Vacation of portions of Appleton Street, Pacific Street, & Oneida Street

Attachments: [SV AppletonPacificOneida - Final Resolution \(with exhibits\).pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[23-0068](#) Request from TC Energy for a permanent street occupancy permit for gas pipeline markers along the utility easement within Maple Hills Subdivision.

Attachments: [Maple Hills 12-7-2022 Final Permit Application.pdf](#)

Legislative History

1/23/23	Municipal Services Committee	recommended for approval
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[23-0069](#) Approve proposed change to Municipal Code 19-91, Parking in front and side yard in residential district; parking on terraces.

Attachments: [Municipal code19-91memo.pdf](#)

Legislative History

1/23/23	Municipal Services Committee	recommended for approval
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[23-0011](#) Request to approve text amendments to Chapter 17 Subdivision Ordinance of the Municipal Code relating to Sec. 17-3 General Provisions, Sec. 17-4 Preplating Requirements, Sec. 17-29 Dedication of Public Sites and Open Spaces, Sec. 17-30 Identification of Dedicated Areas, Sec. 17-31 Reservation of Road Widths, Sec. 17-32 Reservation of Public Sites, Sec. 17-33 Private Reservations, Sec. 17-34 Right of Refusal, and Sec. 17-35 Accomplishment of Dedication, as identified in the attached document

Attachments: [StaffReport TextAmendment ParklandAndTrails For01-11-23.pdf](#)
[FINAL 2022 Fee in Lieu Baker Tilly.pdf](#)

Legislative History

1/11/23 City Plan Commission recommended for approval
Proceeds to Council on February 1, 2023.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[23-0072](#) Request to award ARPA Affordable Housing grant funds to RISE Apartments, LLC for a grant total not to exceed \$1,000,000.

Attachments: [Memo ARPA Housing Grant Award 1.pdf](#)

Legislative History

1/23/23 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[23-0050](#) Authorization to Award Computer Aided Dispatch and Automated Vehicle Location (CAD/AVL) Software Contract to GMV

Attachments: [Award Recommendation GMV.pdf](#)

Legislative History

1/24/23 Fox Cities Transit Commission recommended for approval

[23-0051](#) Authorization to Apply and Accept Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant

Attachments: [2023 RAISE Appleton Council Resolution.0117.pdf](#)
[Conceptual Streetfront and Busway Rendering.pdf](#)

Legislative History

1/24/23 Fox Cities Transit Commission recommended for approval

[23-0076](#) Authorization to Utilize Stafford Rosenbaum LLP as legal counsel for the Transit Center Joint Development project

Legislative History

1/24/23 Fox Cities Transit Commission recommended for approval

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[23-0082](#) Ordinances #3-23 to #11-23

Attachments: [Ordinances to Council 2-1-23.pdf](#)

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

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, January 18, 2023

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Woodford at 7:06 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Hartzheim.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

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

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All Departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[23-0001](#)

Common Council Meeting Minutes of December 21, 2022

Attachments: [CC Minutes 12-21-22.pdf](#)

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

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

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[23-0045](#)

Proclamations:

- Human Trafficking Awareness Day
- Martin Luther King Jr. Day

Attachments: [Human Trafficking Awareness Proclamation.pdf](#)
[Martin Luther King Jr Day Proclamation.pdf](#)

[23-0046](#)

Library Update

Attachments: [Library Update Jan 2023.pdf](#)

The Library Project Update was presented.

H. PUBLIC PARTICIPATION

TK Marr, 1024 E Glendale Ave spoke regarding Item 23-0007 Development Agreement for 200 W College Avenue

I. PUBLIC HEARINGS

[22-1491](#)

Public Hearing for Floodplain Ordinance Text Amendments: North Edgewood Estates

Attachments: [TA 4-22 Notice of Public Hearing.pdf](#)

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

[22-1529](#)

Public Hearing for Rezoning #5-22 at 1208 N. Oneida Street from C-2 General Commercial District to R-2 Two-Family District.

Attachments: [RZ #5 22 Notice of Public Hearing.pdf](#)

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

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[23-0007](#)

Request to approve the Development Agreement with Oshkosh Investment LLC and Lofgren Properties 6 LLC for improvements to the property located at 200 W. College Avenue (Tax Id #31-2-0263-00) (Chase Bank building) in Tax Increment Financing District No. 11

Attachments: [Oshkosh Investment-Lofgren Properties 6 LLC DA Memo to CEDC 1-11-23.pdf](#)
[1046 - Oshkosh-Lofgren - Dev Agrm - 01-04-2023.pdf](#)

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

Aye: 13 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Nay: 2 - Aldersperson Vered Meltzer and Aldersperson Israel Del Toro

Abstained: 1 - Mayor Jake Woodford

[23-0028](#)

Resolution Changing the District 12 Polling Place

Attachments: [2023 Resolution Changing District 12 Polling Place.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Hartzheim, that the Polling Place Resolution be approved. Roll Call. Motion carried by the following vote:

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

Abstained: 1 - Mayor Jake Woodford

[23-0043](#)

*** Critical Timing*** 2023 Sole Source Purchase Request - Downtown Streetscape Elements

Attachments: [2023 Sole Source Purchase Request.pdf](#)

Aldersperson Firkus moved, seconded by Aldersperson Fenton, that the Sole Source Purchase be approved. Roll Call. Motion carried by the following vote:

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

Abstained: 1 - Mayor Jake Woodford

[23-0027](#)

Request to award contract Unit O-23 Sanitary and Storm Sewer CIPP Lining to Visu-Sewer, Inc. in the amount of \$626,000 with a 9.5% contingency of \$59,933 for a project total not to exceed \$685,933.

Attachments: [Award of Contract Unit O-23.pdf](#)

Alderperson Firkus moved, seconded by Alderperson Del Toro, that the awarding of Contract O-23 be approved. Roll Call. Motion carried by the following vote:

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

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

This was approved

Balance of the action items on the agenda.

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

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

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[23-0015](#) 2023 Sole Source Purchase Request

Attachments: [2023 Sole Source Purchase Request.pdf](#)

This Report Action Item was approved.

[23-0018](#) M-23-2023 Materials Testing Contract

Attachments: [M-23 Contract Award Memo.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-0013](#) Class "B" Beer and "Class B" Liquor License application for Appleton Souvenir & Cigar Co, Norman J Kopesky III, Agent, located at 415 W College Ave, contingent upon approval from all departments.

Attachments: [Appleton Souvenir & Cigar.pdf](#)

This Report Action Item was approved.

[23-0020](#) Cigarette License application for Appleton Souvenir & Cigar Co, Norman J Kopecky III, Applicant, located at 415 W College Ave.

Attachments: [Appleton Souvenir & Cigar S&L.pdf](#)

This Report Action Item was approved.

[23-0021](#) Cigarette License application for SK Gas Mart LLC d/b/a Badger Mobil, Satbir Singh, Applicant, located at 1201 N Badger Ave

Attachments: [Badger Mobil S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[22-1522](#) Request to approve Rezoning #5-22 for the subject parcel located at 1208 N. Oneida Street (Tax Id #31-6-0329-00), including the adjacent one-half (1/2) right-of-way of N. Oneida Street, as shown on the attached maps, from C-2 General Commercial District to R-2 Two-Family District

Attachments: [StaffReport_1208NOneidaSt_Rezoning_For_12-14-22.pdf](#)

This Report Action Item was approved.

[22-1526](#)

Request to approve Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code relating to Section 23-205(b)(2) General provisions; Official maps and revisions; Official maps based on other studies related to LOMR - Case #21-05-2374P, as identified in the attached staff report

Attachments: [StaffReport AmendFloodplainOrd NorthEdgewoodEst LOMR For12-14-22.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[23-0006](#)

Request to amend the Development Agreement (Phase II) with Merge LLC extending the purchase date from February 16, 2023 to September 29, 2023 for a mixed-use development located on the southeast corner of W. Washington Street and N. Appleton Street (Tax Id #31-2-0272-00) in Tax Increment Financing District No. 11

Attachments: [Merge Ph II DA 1st Amendment Memo to CEDC 1-11-23.pdf](#)
[Request from Merge LLC to Amend Dev Agrm.pdf](#)
[Merge Ph II Recorded Dev Agrm.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[23-0003](#)

Award sole source purchase of Goulds axial flow pump from Crane Engineering in the amount of \$133,876.

Attachments: [Utilities Committee Blended Sludge Pump 12-29-22.pdf](#)

This Report Action Item was approved.

[23-0032](#)

Award axial flow sludge blending pump impeller repair contract to August Winter and Sons in the amount of \$23,000 with a 15% contingency of \$3,450 for a total not to exceed \$26,450.

Attachments: [230106_Blended Sludge Pump Repair Contract Award Memo.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[23-0042](#) Ordinances #1-23 & #2-23

Attachments: [Ordinances to Council 1-18-23.pdf](#)

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

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

Abstained: 1 - Mayor Jake Woodford

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderson Hartzheim moved, seconded by Alderson Schultz, that the meeting be adjourned at 8:40 p.m. Roll Call. Motion carried by the following vote:

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

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk

PROCLAMATION



Office of the Mayor

WHEREAS, across the nation, approximately 276,086 people received medical care for treatment of unintentional burn injuries in 2020; and

WHEREAS, children under five are twice as likely to be seen for burn injuries at a hospital emergency department, young adults 20-29 have 1.4 times the risk, and those 30-39 have 1.3 times the risk of the general population; and

WHEREAS, the primary causes of injury include fire-flame, scalds, contact with hot objects, electrical, and chemicals, and most of the injuries occur in the home. Most of those who suffer burn injuries will survive. However, many survivors will sustain serious scarring, life-long physical disabilities, and adjustment difficulties; and

WHEREAS, burn safety education and prevention efforts continue to reduce the number of people who suffer burns each year; and

WHEREAS, the American Burn Association's initiative, National Burn Awareness Week, is a collaboration of burn, fire, and life safety educators working to bring awareness to the frequency, devastation, and causes of burn injuries, how best to care for those who are injured, and most importantly, prevention of burns.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, does hereby proclaim February 5-11, 2023 as

Burn Awareness Week

in Appleton and encourage all resident to become familiar with burn prevention and take appropriate steps to protect their families from burn injuries.



Signed and sealed this 23rd day of January 2023.

JACOB A. WOODFORD
MAYOR OF APPLETON

PROCLAMATION



Office of the Mayor

WHEREAS, Rosa Parks was an iconic figure in the movement for equal access, social justice, and racial equality, playing a major role in the inception of the Civil Rights movement that ended legal segregation and the unequal access of African-Americans to public transportation in the United States; and

WHEREAS, Valley Transit provides public transit and paratransit to Appleton and the entire Fox Cities area; and

WHEREAS, paratransit with the same timeliness and reliability standards is a necessary component for any public transit system to ensure equal access for people with disabilities; and

WHEREAS, Valley Transit has developed standards and best practices to maintain reliability of the transit system as well as developed technology to help riders determine the location of buses in the system; and

WHEREAS, Valley Transit and its member communities have sought out grants and have consistently funded the transit system to ensure affordable access to riders; and

WHEREAS, providing a balanced transportation system to all community members reduces automobile dependence and helps transition our economy from fossil fuels to renewable energy, lower emissions, and improved air quality; and

WHEREAS, public transit plays an important role in addressing climate change and provides an opportunity to continue the advancement of civil rights by ensuring that all people have access to transit services.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim February 4, 2023 as

Transit Equity Day

in Appleton and encourage residents to join me in using public transportation on February 3, as using the public transportation we have is the best way to support equitable access for those who need it, and to recognize that equal access to reliable, affordable, and environmentally sound public transportation plays an important part in reducing carbon emissions improving the social and economic wellbeing of all.

Signed and sealed this 23rd day of January 2023.

JACOB A. WOODFORD
MAYOR OF APPLETON



PROCLAMATION



Office of the Mayor

WHEREAS, Black History Month grew out of the 1926 establishment of Negro History Week by Carter G. Woodson and the Association for the Study of African American Life and History; and

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by Black Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, the observance of Black History Month calls our attention to the continued need to dismantle racism and build a society that lives up to our nation's democratic ideals; and

WHEREAS, *A Stone of Hope: Black Experiences in the Fox Cities*, an exhibit on local Black history from the 1700s to the present produced by the History Museum at the Castle, reminds us that Appleton's past includes examples of racism and discrimination, and that the road to becoming a more inclusive community has been long and difficult for BIPOC Appletonians; and

WHEREAS, the City of Appleton continues to work toward being a welcoming community where all people are respected and recognized for their contributions and is proud to honor the history and achievements of Black community members.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim February 2022 as

Black History Month

in Appleton and encourage all residents to celebrate our diverse heritage and culture, learn about our history, and continue efforts to create a community that is more just, peaceful, and prosperous for all.

Signed and sealed this 23rd day of January 2023.



JACOB A. WOODFORD
MAYOR OF APPLETON

PROCLAMATION



Office of the Mayor

WHEREAS, economic and technological advances necessitate a capable, educated workforce with career-ready skills, thereby placing new and additional demands on our educational system; and

WHEREAS, career and technical education connects individuals with potential careers and is the backbone of a strong, well-educated workforce, which fosters productivity in business and industry, contributes to greater leadership in the international marketplace, and fills the growing skills gap; and

WHEREAS, career and technical education gives high school students experience in practical, meaningful applications of academic, employability, and technical skills, thus improving the quality of education and increasing student engagement; and

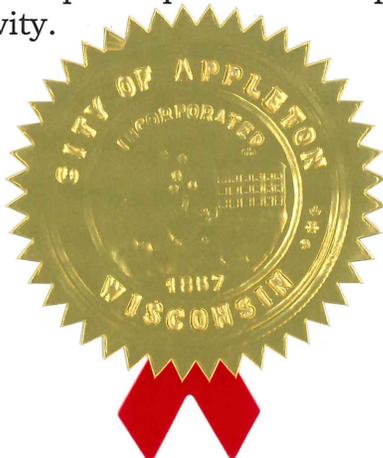
WHEREAS, career and technical education offers individuals lifelong opportunities to learn new skills, which provide them with more career choices; and

WHEREAS, the ever-increasing collaborative efforts of career and technical educators, business, and industry stimulate the growth and vitality of our local economy and that of the entire nation by preparing graduates for career fields forecast to experience the largest demand in the next decade.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim February 2023 as

Career and Technical Education Month

in Appleton and urge all residents to become familiar with the services and benefits offered by the career and technical education programs in our community and to support and participate in these programs to enhance individual work skills and productivity.



Signed and sealed this 23rd day of January 2023.

JACOB A. WOODFORD
MAYOR OF APPLETON

PROCLAMATION



Office of the Mayor

WHEREAS, every year over 40,000 people in the U.S. are killed in acts of gun violence, and 76,725 more are shot and wounded; and

WHEREAS, by early February more people across the nation are killed with guns than are killed in our peer countries in an entire calendar year; and

WHEREAS, forms of gun violence include gun suicides, gun homicides, domestic violence involving a gun, law enforcement-involved shootings, and intentional and unintentional shootings; and

WHEREAS, 58 percent of adults or someone they care for has experienced gun violence, demonstrating the reach and impact gun violence has in communities across the nation; and

WHEREAS, firearms are the leading cause of death for children and teens in the U.S.; and

WHEREAS, people in cities across the nation are working to end senseless violence by advocating for common-sense gun safety legislation.

NOW, THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD, Mayor of the City of Appleton, Wisconsin, do hereby proclaim February 1-7, 2023 as

Gun Violence Survivor Week

in Appleton and encourage all residents to raise awareness about gun violence, renew our commitment to reduce gun violence, keep firearms out of the wrong hands, and encourage responsible gun ownership.

Signed and sealed this 23rd day of January 2023.



JACOB A. WOODFORD
MAYOR OF APPLETON

NOTICE OF PUBLIC HEARING

OF THE

APPLETON COMMON COUNCIL

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the Appleton Common Council in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, on Wednesday, February 1, 2023, at 7:00 P.M., or as soon thereafter as can be heard, for the purpose of considering the following text amendments to the Subdivision Ordinance, Chapter 17 of the Municipal Code:

The City of Appleton is considering amendments to Sec. 17-3 General Provisions, Sec. 17-4 Preplatting Requirements, Sec. 17-29 Dedication of Public Sites and Open Spaces, Sec. 17-30 Identification of Dedicated Areas, Sec. 17-31 Reservation of Road Widths, Sec. 17-32 Reservation of Public Sites, Sec. 17-33 Private Reservations, Sec. 17-34 Right of Refusal, and Sec. 17-35 Accomplishment of Dedication of Chapter 17 Subdivision Ordinance of the Municipal Code.

A copy of the proposed text amendments to Chapter 17 Subdivision Ordinance of the Municipal Code relating to the above-referenced Subdivision Ordinance sections is available in the Appleton Community and Economic Development Department or the Office of the City Clerk from 8:00 a.m. until 4:30 p.m., Monday through Friday.

All persons interested are invited to attend this meeting and will be given an opportunity to be heard. Feedback can also be shared with Common Council members via written letter, email, or phone call. Any questions regarding the proposed text amendments to Chapter 17 Subdivision Ordinance of the Municipal Code should be directed to David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428 or by email at david.kress@appleton.org.

KAMI LYNCH
CITY CLERK

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

NOTICE OF PROPOSED STREET VACATION

(Pursuant to Section 66.1003, Wisconsin Statutes-2013-2014)

Notice is hereby given that a written resolution has been filed with the Common Council of the City of Appleton for the discontinuance of:

LEGAL DESCRIPTION OF AREA TO BE VACATED:

A part of Oneida Street abutting the West side of Block Sixty-Eight (68) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,361 square feet of land and being further described by:

Commencing at the Northeast corner of Pacific Street and Oneida Street, said point also being the Southwest corner of Block 68 of the APPLETON PLAT (aka Second Ward Plat) and being the point of beginning;
Thence South 89°55'06" West 5.70 feet along the Westerly extension of the North line of Pacific Street;
Thence Northwesterly 4.73 feet along the arc of a curve to the right having a radius of 4.00 feet and the chord of which bears North 56°12'19" West 4.46 feet;
Thence Northwesterly 27.81 feet along the arc of a curve to the left having a radius of 108.00 feet and the chord of which bears North 29°42'19" West 27.73 feet;
Thence Northerly 12.65 feet along the arc of a curve to the right having a radius of 11.00 feet and the chord of which bears North 04°08'10" West 11.96 feet;
Thence Northerly 70.91 feet along the arc of a curve to the left having a radius of 228.50 feet and the chord of which bears North 19°55'06" East 70.63 feet to the East line of Oneida Street;
Thence South 00°01'51" West 104.90 feet along the East line of Oneida Street and being coincident with the West line of said Block 68 to the point of beginning.

AND

A part of Pacific Street abutting the North side of Block Fifty-Nine (59) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,832 square feet of land and being further described by:

Commencing at the Southwest corner of Pacific Street and Oneida Street, said point also being the Northeast corner of Block 59 of the APPLETON PLAT (aka Second Ward Plat) and being the point of beginning;
Thence South 89°55'06" West 111.86 feet along the South line of Pacific Street and being coincident with the North line of said Block 59;
Thence Easterly 102.16 feet along the arc of a curve to the left having a radius of 182.00 feet and the chord of which bears North 69°14'08" East 100.82 feet;
Thence Southeasterly 24.35 feet along the arc of a curve to the right having a radius of 11.00 feet and the chord of which bears South 63°25'02" East 19.68 feet to the Northerly extension of the West line of Oneida Street;
Thence South 00°00'36" West 26.78 feet coincident with the Northerly extension of the West line of Oneida Street to the point of beginning.

AND

A part of Pacific Street and Appleton Street, also being formerly known as a part of Lot Twelve (12), Thirteen (13) and Fourteen (14) of Block Fifty-Nine (59) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 445 square feet of land and being further described by:

Commencing at the Northwest corner of Block 59 of the APPLETON PLAT (aka Second Ward Plat);
Thence South 00°02'57" East 115.69 feet coincident with the West line of said Block 59 to the point of beginning;
Thence North 00°02'57" West 0.33 feet coincident with the West line of said Block 59;
Thence Northeasterly 117.59 feet along the arc of a curve to the right having a radius of 90.00 feet and the chord of which bears North 37°22'50" East 109.40 feet to the existing Southeasterly line of Pacific Street per A.O.D. Document No.778217;
Thence South 51°15'47" West 71.53 feet (recorded as North 50°27'24" East 71.53 feet) coincident with Southeast line of Pacific Street per A.O.D. Document No.778217;
Thence South 14°01'58" West 43.81 feet (recorded as North 12°57'24" East 43.81 feet) coincident with Southeast line of Pacific Street and the East line of Appleton Street per A.O.D. Document No.779003 to the West line of Block 59 and the point of beginning.

AND

A part of Pacific Street and Appleton Street abutting the South side of Block Sixty-Seven (67) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 3,843 square feet of land and being further described by:

Commencing at the Northeast corner of Pacific Street and Appleton Street, said point also being the Southwest corner of Block 67 of the APPLETON PLAT (aka Second Ward Plat) and being the point of beginning;

Thence North 89°55'06" East 165.28 feet along the North line of Pacific Street and being coincident with the South line of said Block 67;

Thence South 74°55'40" West 117.97 feet;

Thence Southwesterly 57.49 feet along the arc of a curve to the left having a radius of 150.00 feet and the chord of which bears South 63°56'53" West 57.14 feet to the Southerly extension of the West line of Block 67;

Thence North 00°02'19" West 55.54 feet coincident with the Southerly extension of the West line of Block 67 to the point of beginning.

AND

A part of Pacific Street and Oneida Street also being formerly known as a part of Lot Seven (7) and Lot Eight (8) of Block Sixty-Seven (67) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,433 square feet of land and being further described by:

Commencing at the Northeast corner of Pacific Street and Appleton Street, said point also being the Southwest corner of Block 67 of the APPLETON PLAT (aka Second Ward Plat);

Thence North 89°55'06" East 166.83 feet along the North line of Pacific Street and being coincident with the South line of said Block 67 to the Southwest corner of Lot 7 of said Block 67 and being the point of beginning;

Thence North 51°30'19" East 128.76 feet (recorded as North 50°26'53" East 128.73 feet) to a point on the North line of said Lot 7 being 16.99 feet West of the Northeast corner thereof;

Thence North 13°33'47" East 72.61 feet (recorded as North 14°40'01" East 72.61 feet) to a point on the West line of Oneida Street (as platted) said point being 150.56 feet (recorded as 150.56 feet) North of the Southeast corner of said Block 67;

Thence Southwesterly 202.92 feet along the arc of a curve to the right having a radius of 155.00 feet and the chord of which bears South 37°25'22" West 188.74 feet;

Thence South 74°55'40" West 3.22 feet to the point of beginning.

A map is available in the City Clerk's office upon request.

COMMON DESCRIPTION:

Portions of Appleton Street, Pacific Street, and Oneida Street, generally located north of Packard Street and south of Atlantic Street.

ZONING DISTRICT BOUNDARIES:

Per Section 23-39 of the Municipal Code, zoning district boundaries indicated as approximately following the centerlines of streets shall be construed to follow such centerlines. In this case, the centerlines will change due to the proposed street vacation. Therefore, it is the intent of the City of Appleton that existing zoning district boundaries located in the public right-of-way will be amended accordingly. The public right-of-way at the intersection of Appleton Street and Pacific Street, from PD/R-3 Planned Development Multi-Family District to R-1C Central City Residential District. The public right-of-way at the intersection of Oneida Street and Pacific Street, from R-1C Central City Residential District to PD/R-3 Planned Development Multi-Family District. The public right-of-way at the intersection of Oneida Street and Pacific Street, from R-1C Central City Residential District to C-2 General Commercial District.

Proposed changes to the zoning district boundaries would occur in the public right-of-way only. Nearby privately-owned parcels are not involved in the proposed zoning changes.

A map is available in the City Clerk's office upon request.

Notice is further given that a hearing of said resolution will be held at a regular meeting of the Common Council to be held at 7:00 p.m. or as soon thereafter as can be heard, on Wednesday, February 1, 2023, in the Council Chambers at the City Hall in said City of Appleton.

By Order of the Common Council.

December 22, 2022

KAMI LYNCH
City Clerk

RUN: December 25, 2022
January 1, 2023
January 8, 2023

**REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES WILL BE MADE UPON
REQUEST AND IF FEASIBLE.**

FINAL RESOLUTION

WHEREAS, the public interest requires that portions of Appleton Street, Pacific Street, and Oneida Street, that have not previously been vacated, be vacated and discontinued; and

WHEREAS, notice was given when and where the resolution would be acted on, as required by law; and

WHEREAS, hearing was had on said Resolution on the 1st day of February, 2023, at City Hall, in and for the City of Appleton, Wisconsin.

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that:

LEGAL DESCRIPTION

A part of Oneida Street abutting the West side of Block Sixty-Eight (68) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,361 square feet of land and being further described by:
Commencing at the Northeast corner of Pacific Street and Oneida Street, said point also being the Southwest corner of Block 68 of the APPLETON PLAT (aka Second Ward Plat) and being the point of beginning;
Thence South 89°55'06" West 5.70 feet along the Westerly extension of the North line of Pacific Street;
Thence Northwesterly 4.73 feet along the arc of a curve to the right having a radius of 4.00 feet and the chord of which bears North 56°12'19" West 4.46 feet;
Thence Northwesterly 27.81 feet along the arc of a curve to the left having a radius of 108.00 feet and the chord of which bears North 29°42'19" West 27.73 feet;
Thence Northerly 12.65 feet along the arc of a curve to the right having a radius of 11.00 feet and the chord of which bears North 04°08'10" West 11.96 feet;
Thence Northerly 70.91 feet along the arc of a curve to the left having a radius of 228.50 feet and the chord of which bears North 19°55'06" East 70.63 feet to the East line of Oneida Street;
Thence South 00°01'51" West 104.90 feet along the East line of Oneida Street and being coincident with the West line of said Block 68 to the point of beginning.
AND

A part of Pacific Street abutting the North side of Block Fifty-Nine (59) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,832 square feet of land and being further described by:
Commencing at the Southwest corner of Pacific Street and Oneida Street, said point

Record and return to:

City of Appleton | City Attorney's Office
100 North Appleton Street
Appleton, WI 54911-4799

Tax Key Nos.: 31-2-0748-00, 31-2-0604-00,
31-2-0738-00, 31-2-0739-00, 31-2-0741-00

also being the Northeast corner of Block 59 of the APPLETON PLAT (aka Second Ward Plat) and being the point of beginning;

Thence South 89°55'06" West 111.86 feet along the South line of Pacific Street and being coincident with the North line of said Block 59;

Thence Easterly 102.16 feet along the arc of a curve to the left having a radius of 182.00 feet and the chord of which bears North 69°14'08" East 100.82 feet;

Thence Southeasterly 24.35 feet along the arc of a curve to the right having a radius of 11.00 feet and the chord of which bears South 63°25'02" East 19.68 feet to the Northerly extension of the West line of Oneida Street;

Thence South 00°00'36" West 26.78 feet coincident with the Northerly extension of the West line of Oneida Street to the point of beginning.

AND

A part of Pacific Street and Appleton Street, also being formerly known as a part of Lot Twelve (12), Thirteen (13) and Fourteen (14) of Block Fifty-Nine (59) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 445 square feet of land and being further described by:

Commencing at the Northwest corner of Block 59 of the APPLETON PLAT (aka Second Ward Plat);

Thence South 00°02'57" East 115.69 feet coincident with the West line of said Block 59 to the point of beginning;

Thence North 00°02'57" West 0.33 feet coincident with the West line of said Block 59;

Thence Northeasterly 117.59 feet along the arc of a curve to the right having a radius of 90.00 feet and the chord of which bears North 37°22'50" East 109.40 feet to the existing Southeasterly line of Pacific Street per A.O.D. Document No.778217;

Thence South 51°15'47" West 71.53 feet (recorded as North 50°27'24" East 71.53 feet) coincident with Southeast line of Pacific Street per A.O.D. Document No.778217;

Thence South 14°01'58" West 43.81 feet (recorded as North 12°57'24" East 43.81 feet) coincident with Southeast line of Pacific Street and the East line of Appleton Street per A.O.D. Document No.779003 to the West line of Block 59 and the point of beginning.

AND

A part of Pacific Street and Appleton Street abutting the South side of Block Sixty-Seven (67) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 3,843 square feet of land and being further described by:

Commencing at the Northeast corner of Pacific Street and Appleton Street, said point also being the Southwest corner of Block 67 of the APPLETON PLAT (aka Second Ward Plat) and being the point of beginning;

Thence North 89°55'06" East 165.28 feet along the North line of Pacific Street and being coincident with the South line of said Block 67;

Thence South 74°55'40" West 117.97 feet;

Thence Southwesterly 57.49 feet along the arc of a curve to the left having a radius of 150.00 feet and the chord of which bears South 63°56'53" West 57.14 feet to the Southerly extension of the West line of Block 67;

Thence North 00°02'19" West 55.54 feet coincident with the Southerly extension of

the West line of Block 67 to the point of beginning.

AND

A part of Pacific Street and Oneida Street also being formerly known as a part of Lot Seven (7) and Lot Eight (8) of Block Sixty-Seven (67) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼), Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,433 square feet of land and being further described by:

Commencing at the Northeast corner of Pacific Street and Appleton Street, said point also being the Southwest corner of Block 67 of the APPLETON PLAT (aka Second Ward Plat);

Thence North 89°55'06" East 166.83 feet along the North line of Pacific Street and being coincident with the South line of said Block 67 to the Southwest corner of Lot 7 of said Block 67 and being the point of beginning;

Thence North 51°30'19" East 128.76 feet (recorded as North 50°26'53" East 128.73 feet) to a point on the North line of said Lot 7 being 16.99 feet West of the Northeast corner thereof;

Thence North 13°33'47" East 72.61 feet (recorded as North 14°40'01" East 72.61 feet) to a point on the West line of Oneida Street (as platted) said point being 150.56 feet (recorded as 150.56 feet) North of the Southeast corner of said Block 67;

Thence Southwesterly 202.92 feet along the arc of a curve to the right having a radius of 155.00 feet and the chord of which bears South 37°25'22" West 188.74 feet;

Thence South 74°55'40" West 3.22 feet to the point of beginning.

See also attached Exhibit "A" for illustration.

EASEMENTS

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for any and all existing utilities and also any future utilities deemed necessary or desirable by Grantee within the vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer, watermain, gas, electric, cable and fiber-optic within the entire length and width of the afore described right of way areas. It is further agreed that this easement shall be a permanent easement. It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize, and repair any and all of these utilities and their associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing, or repairing of these utilities and their associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel, and dirt on said property, as closely as possible, to the condition previously existing. 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, trees, shrubs, and landscaping, disturbed as a result of the maintenance activities described herein. Buildings or any other type of permanent structure shall not be placed over Grantees' facilities or in, upon or over said easement area. This easement includes the right to operate any and all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

OWNERSHIP DISTRIBUTION OF THE VACATED STREET AREA

It is the intent of the City of Appleton that the existing common lot line between Lot 5 and 6 of said Block 67 be extended in a Southerly direction to its intersection with the proposed Northwesterly line of Pacific Street. The remaining areas of vacated street right of way are intended to accrue to the sole abutting landowner.

ZONING DISTRICT BOUNDARIES

Per Section 23-39 of the Municipal Code, zoning district boundaries indicated as approximately following the centerlines of streets shall be construed to follow such centerlines. In this case, the centerlines will change due to the proposed street vacation. Therefore, it is the intent of the City of Appleton that existing zoning district boundaries located in the public right-of-way will be amended accordingly.

The public right-of-way at the intersection of Appleton Street and Pacific Street, from PD/R-3 Planned Development Multi-Family District to R-1C Central City Residential District.

The public right-of-way at the intersection of Oneida Street and Pacific Street, from R-1C Central City Residential District to PD/R-3 Planned Development Multi-Family District.

The public right-of-way at the intersection of Oneida Street and Pacific Street, from R-1C Central City Residential District to C-2 General Commercial District.

See also attached Exhibit "B" for illustration.

COMMON DESCRIPTION:

Portions of Appleton Street, Pacific Street, and Oneida Street, generally located north of Packard Street and south of Atlantic Street

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

FURTHER RESOLVED, that according to §66.1005, Wisconsin Statutes, upon vacation and discontinuance of said portions of Appleton Street, Pacific Street, and Oneida Street, title to the above-described area shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated (as deemed necessary).

City of Appleton

By: _____
Jacob A. Woodford, Mayor

By: _____
Kami Lynch, City Clerk

Date: _____

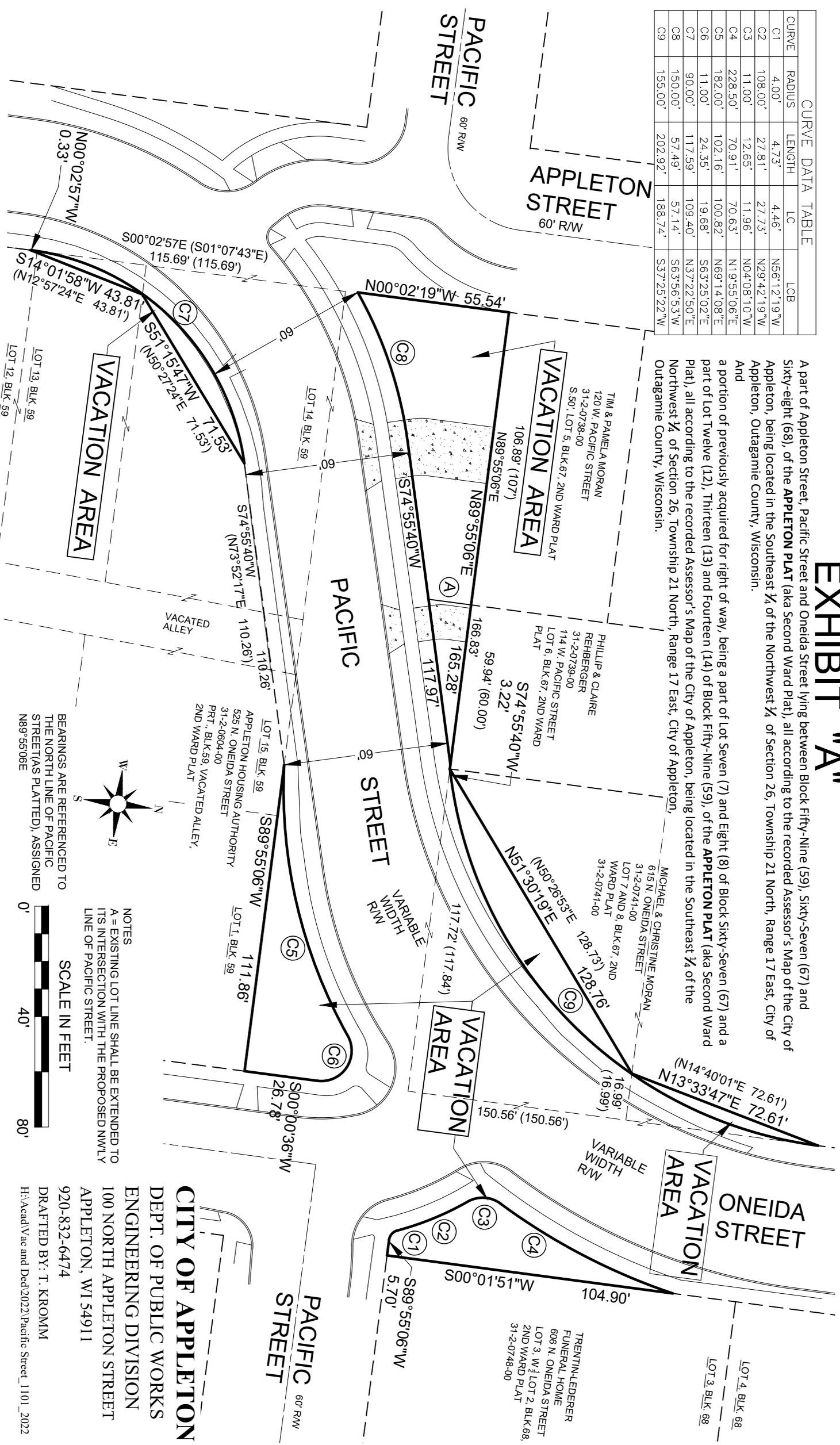
EXHIBIT "A"

CURVE	RADIUS	LENGTH	LC	LCB
C1	4.00'	4.73'	4.46'	N56°12'19"W
C2	108.00'	27.81'	27.73'	N29°42'19"W
C3	11.00'	12.65'	11.96'	N04°08'10"W
C4	228.50'	70.91'	70.63'	N19°55'06"E
C5	182.00'	102.16'	100.82'	N69°14'08"E
C6	11.00'	24.35'	19.68'	S63°25'02"E
C7	90.00'	117.59'	109.40'	N37°22'50"E
C8	150.00'	57.49'	57.14'	S63°56'53"W
C9	155.00'	202.92'	188.74'	S37°25'22"W

A part of Appleton Street, Pacific Street and Oneida Street lying between Block Fifty-Nine (59), Sixty-Seven (67) and Sixty-eight (68), of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast ¼ of the Northwest ¼ of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.

And

a portion of previously acquired for right of way, being a part of Lot Seven (7) and Eight (8) of Block Sixty-Seven (67) and a part of Lot Twelve (12), Thirteen (13) and Fourteen (14) of Block Fifty-Nine (59), of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the Southeast ¼ of the Northwest ¼ of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.



NOTES
 A = EXISTING LOT LINE SHALL BE EXTENDED TO ITS INTERSECTION WITH THE PROPOSED NWLY LINE OF PACIFIC STREET.

BEARINGS ARE REFERENCED TO THE NORTH LINE OF PACIFIC STREET (AS PLATTED), ASSIGNED N89°55'06"E

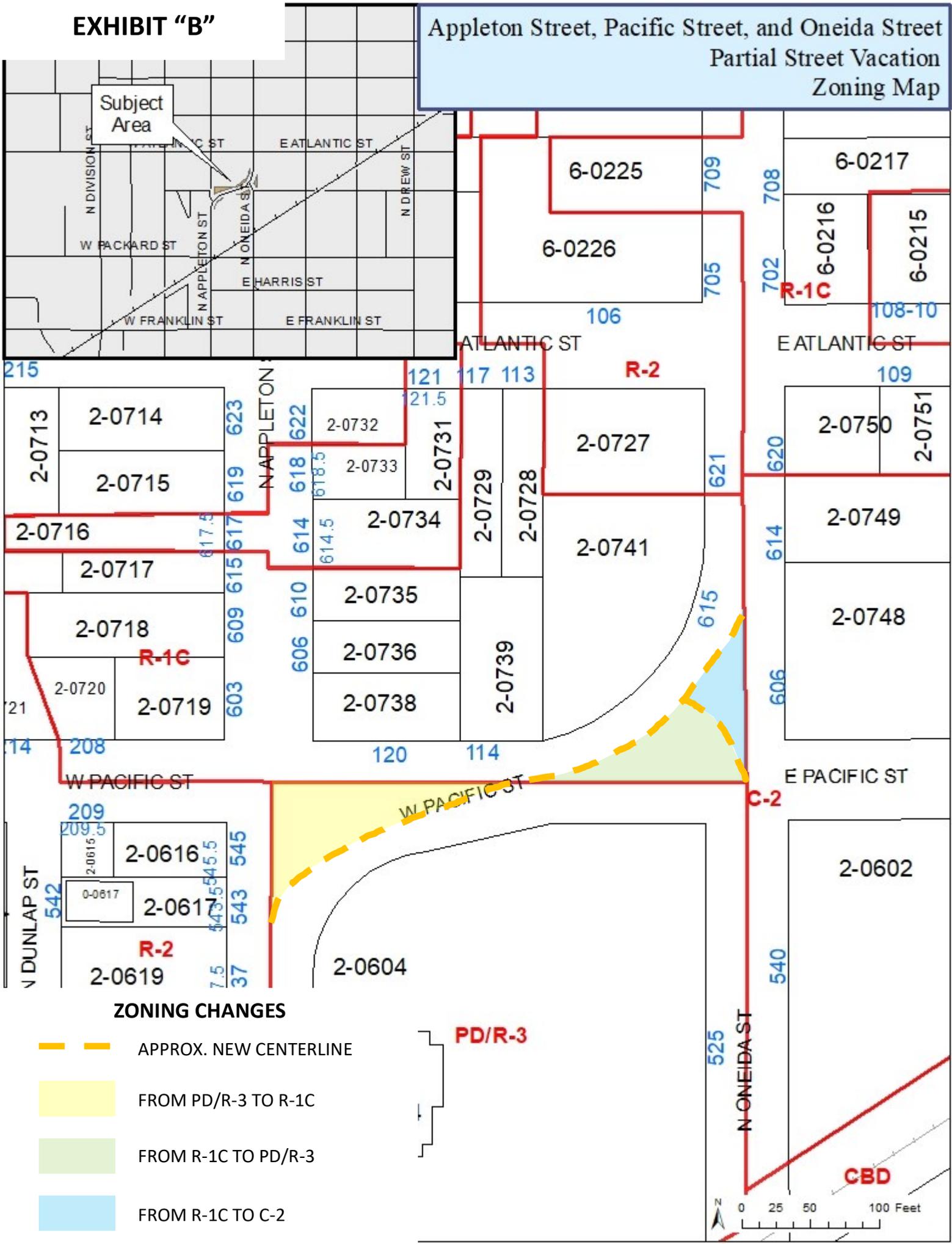
SCALE IN FEET
 0' 40' 80'

CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474
 DRAFTED BY: T. KROMM
 H:\Acad\Vac and Decd\2022\Pacific Street_1101_2022

EXHIBIT "B"

**Appleton Street, Pacific Street, and Oneida Street
Partial Street Vacation
Zoning Map**

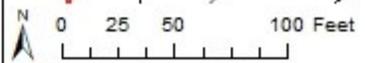
Subject Area



ZONING CHANGES

- APPROX. NEW CENTERLINE
- FROM PD/R-3 TO R-1C
- FROM R-1C TO PD/R-3
- FROM R-1C TO C-2

PD/R-3



CBD



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

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

Rev. 04-10-15

Applicant Information

Name (print): Devon Shumaker Company: TC Energy
Address: N.4956 Oakcrest DR Bonduel, WI Telephone: 269-286-3502 FAX:
e-mail: Devon_shumaker@tcenergy.com
Applicant Signature: Date: 01/06/23

Occupancy Information

General Description: Pipeline Markers in our Utility R.O.W Easment. Some markers are by terraces and side walks
Street Address: Maple Hills Subdivision Appleton WI Tax Key No.:
- or -
Street: From: To:
Multiple Streets: Attached Drawing

(Department use only)

Table with 3 columns: Occupancy Type, Sub-Type, Location. Includes checkboxes for Permanent, Temporary, Amenity, Blanket, Block Party and locations like Sidewalk, Terrace, Roadway.

Additional Requirements

Plan/Sketch Certificate of Insurance Bond
Other:

Traffic Control Requirements

Type of Street: Proposed Traffic Control:
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.

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.

APPROVED BY: (Department of Public Works) DATE:

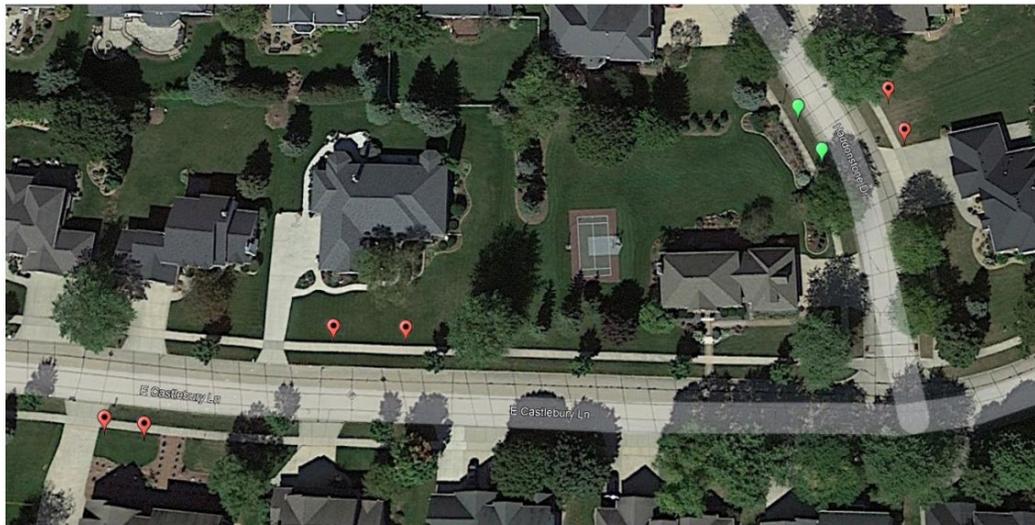


Terraview Court

- Remove 2 signs

Windcross

- Remove 2 signs
- Signs to be placed on the west side only
- Remaining 2 signs are the lower height bullet signs, to be placed between sidewalk and the street

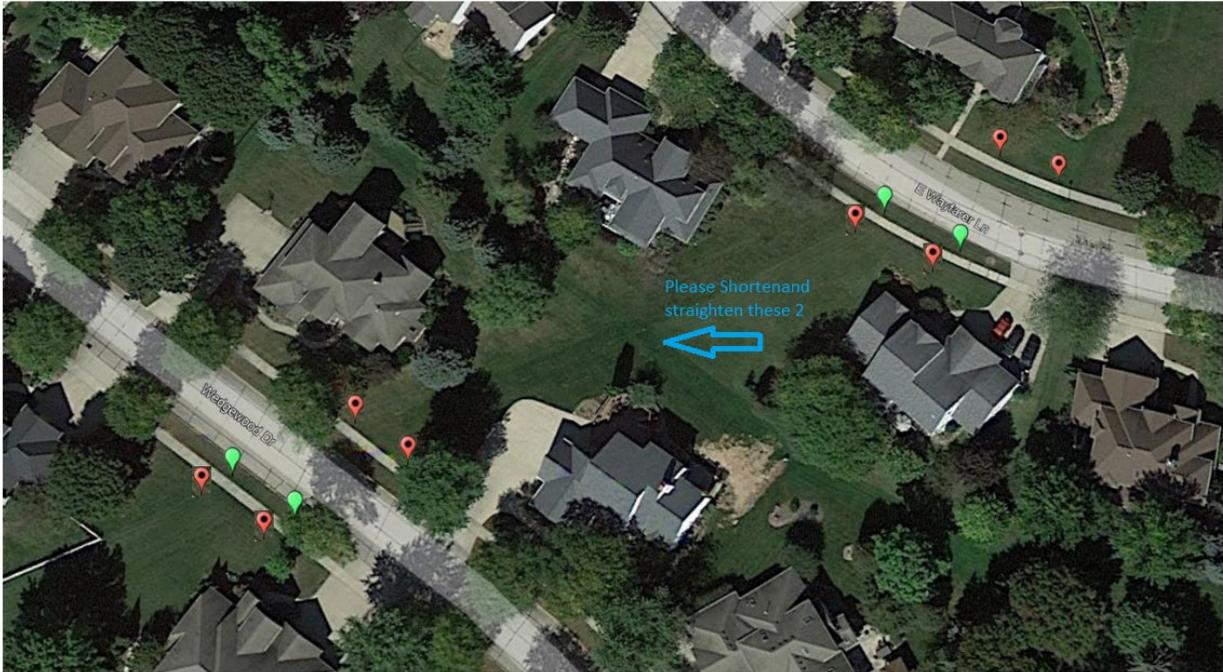


Haddenstone

- Remove 2 signs
- Signs to be placed on the west side only
- Remaining 2 signs are the lower height bullet signs, to be placed between sidewalk and the street

E Castlebury

- Remove all signs



Wayfair Street

- Remove 2 signs
- Signs to be placed on the west side only
- Remaining 2 signs are the lower height bullet signs, to be placed between sidewalk and the street

Wedgewood

- Remove 2 signs
- Signs to be placed on the west side only
- Remaining 2 signs are the lower height bullet signs, to be placed between sidewalk and the street



Foxcroft

- Remove 2 signs
- Signs to be placed on the west side only
- Remaining 2 signs are the lower height bullet signs, to be placed between sidewalk and the street



DEPARTMENT OF PUBLIC WORKS

100 North Appleton Street

Appleton, WI 54911

Phone (920) 832-6474

Fax (920) 832-6489

TO: Municipal Services Committee

FROM: Danielle Block, P.E., Director of Public Works
Kurt W. Craanen, Inspections Supervisor

SUBJECT: Updates to Section 19-91 of the Municipal Code

DATE: January 23, 2023

Section 19-91 of the Municipal Code, regulates front yard parking for vehicles on residential properties. This section prohibits parking on an unpaved surface in the front and side yards. This section also includes language requiring a permit for driveway extensions and maximum length of the extension.

Attached are recommended changes to Section 19-91 of the Municipal Code. These recommendations do not change standards or create new regulations. Rather, the recommended changes clarify language and remove unenforceable requirements. The changes include:

- **Gravel Driveways.** Portions of Section 19-91(c) that refer to paving gravel driveways within six (6) months of sale have not been enforceable since Wisconsin Act 55 was signed into law by Governor Walker on July 12, 2015. This act prohibits time of sale requirements from municipalities.
- **Flaring Driveway Extensions.** Permits issued for driveway extensions have typically included requirements to flare pavement at a 45 degree angle to prevent cars from driving over the city terrace. However, there was no code language to support this requirement. Adding this language provides clarification and solidifies the city's ability to enforce this requirement.
- **Corner Lots.** Language and diagrams are included in the recommended changes for clarification of driveway extensions on corner lots. For example, staff has interpreted the existing language to allow a four (4) foot extension on the corner side of the front yard.

Recommendation: Staff recommends approval of the attached language of Section 19-91 of the Municipal Code relating to front yard parking and driveway extensions.

Sec. 19-91. Parking in front and side yard in residential district; parking on terraces.

(a) **Purpose.** The purpose of this section is to clearly define acceptable areas for parking vehicles within the front yard or side yard, as defined in Chapter 23, of private properties in order to address off-street parking issues and maintain the acceptable appearance of City neighborhoods.

(b) **Residential driveway.** Residential driveway means that area leading directly from the street to a garage, carport, or rear yard parking area.

(c) **Front yard.** No person shall park or store any motor vehicle, or recreational vehicle of 26 feet or less, i.e., a “camping trailer”, “fifth-wheel trailer”, “motor home” or “recreational vehicle” as those terms are defined by §340.01, Stats., as well as boat trailers and boats, utilities trailers, trailered snowmobiles, trailered jet-ski(s) or fishing shanties in the front yard of any residential district except upon a residential driveway and shall be subject to temporary recreational vehicle parking restrictions set forth in §19-92. No recreational vehicle or boat greater than 26 feet in length may be parked or stored in the front yard of any residential district. Any vehicle parked in the front yard, shall be parked within the driveway area in such a manner as to maintain all wheels on the driveway surface, and shall neither obstruct the sidewalk nor extend onto the driveway apron. ~~All driveways on one (1) and two (2) family residential properties, as well as those properties with three (3) dwelling units, shall be paved with concrete, asphalt, brick or a similar hard surface within one (1) year of construction.~~ Carriage style driveways with a minimum of 2-foot wide strips paved with concrete, asphalt or brick and maintained grass medians in accordance with Sec. 12-59(c)(3) are permitted. ~~Those existing driveways on one (1) and two (2) family properties, as well as those properties with three (3) dwelling units, that are not currently paved as described for new driveways shall be so paved within one (1) year of notice of non-compliance.~~
(Ord 84-15, §1, 10-27-15)

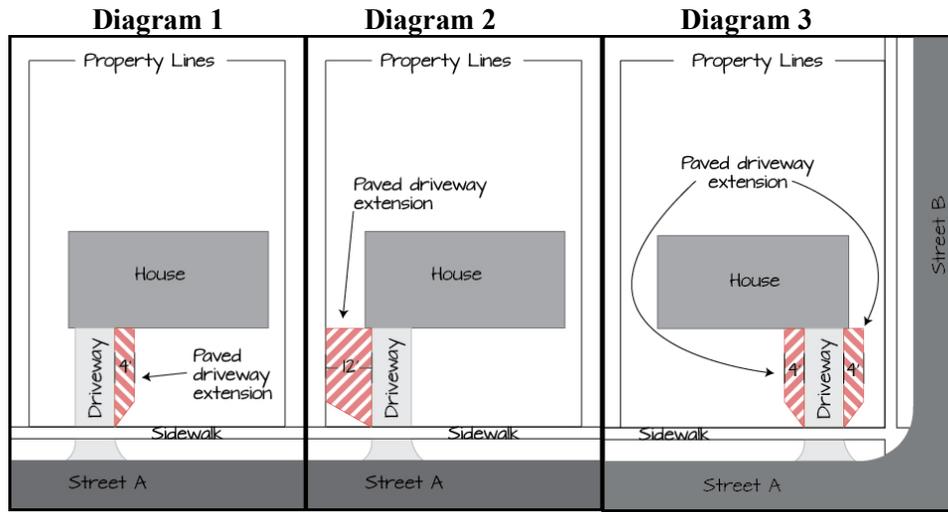
(d) **Side yard.** No person shall park or store any motor vehicle, “camping trailer”, “fifth-wheel trailer”, “motor home” or “recreational vehicle” as those terms are defined by §340.01, Stats., as well as boat trailers and trailered boats, pick-up camper tops, utilities trailers, trailered snowmobiles, trailered jet-ski(s) or fishing shanties in the side yard of any residential district unless ~~the side yard parking area is no greater than twelve (12) feet wide and extends no farther than the rear plane of the principal structure on the property.~~ Side yard parking areas are required to be it ~~it is parked on a~~ hard surfaced and subject to the requirements of this section, including the requirement for a permit for the installation of said hard surface

(e) **Permits.** The Inspections Supervisor shall issue a driveway extension permit or a side yard parking pad permit upon the filing of a proper application, which shall be on a form furnished by the Director and shall describe the nature of the work, material to be used, measurements, plans and/or specifications of the proposed extension as well as such other information as may be required for inspection. Permits shall be issued prior to the start of the work. Fees for this permit shall be kept on file with the City Clerk.

(f) Extensions to the driveway surface, beyond the area previously described in section (d), are permissible provided all of the following apply:

- (1) The property owner has obtained appropriate driveway extension permit; and,
- (2) Both the extension and driveway are paved as provided in sec. (d) above; and,
- (3) The extension is no greater than twelve (12) feet wide on the side nearest the side lot line (See

Diagram 2) and no greater than four (4) feet wide in front yard closest to the dwelling, (see Diagram 1). Extensions to driveways on corner lots may extend no more than four (4) feet on both sides of the driveway, (See Diagram 3) and,



(4) The paved area is no longer than the length of the driveway, extending from the edge of the City's right-of-way to a carport, rear yard parking area or garage. For the purpose of creating a parking pad, the paved area may extend along the side of the principal structure on the property and may extend to the rear plane of said structure; and,

(5) Driveway extensions shall be flared at an angle from the sidewalk per Diagrams 1, 2 & 3 above:

(5) Whenever practicable, the extension shall be located on the side of the driveway such that it extends toward the nearest side lot line. When such a configuration is not possible, the property owner may install an extension no greater than four (4) feet into the greater front yard. Any extension into the greater front yard of the property that is more than four (4) feet wide shall require approval from the Municipal Services Committee.

(6) This section shall not apply toward paved circular driveways.

(7) The paved area shall meet any other requirements of the Municipal Code including, but not limited to, zoning requirements and the Driveway Installation Policy.

(g) Appeals to the requirements of this section shall be filed with the Inspections Supervisor and heard by the Municipal Services Committee. In hearing and deciding appeals, the Committee shall have the power to grant relief from the terms of this section only where there are unusual and practical difficulties or undue hardships due to an irregular shape of the lot, topographical, or other conditions present, as contrasted with merely granting an advantage or convenience. Decisions of the Committee shall be consistent with the purpose and intent of this section.

(h) Relief granted by the Municipal Services Committee, pursuant to (g) above, shall run with the land.
(Ord 85-15, §1, 10-27-15)

(i) ***Penalty.***

(1) *First offense parking forfeiture.* Any person to whom a ticket has been issued for a violation of this section shall incur a forfeiture of forty-five dollars (\$45.00), which may be satisfied by paying twenty dollars (\$20.00) within fifteen (15) days of the date of the ticket. The procedures in Sec. 19-90(i), (k), and (l) apply to first offenses of this section.

(2) *Second and subsequent violations of this section.* Any person who violates any provision of this section more than one time in a twelve (12) month period shall be subject to a penalty as provided in Sec. 1-16 of the Municipal Code.

City of Appleton
100 North Appleton Street, Appleton WI 54911
Phone: (920) 832-6411 Fax: (920) 832-6464

Permit No.:	D23-00
Key No.:	31-3-1005-00
Receipt No.:	127179705
Date:	1-3-2023

SIGN PERMIT

A separate permit is required for each proposed sign.

Permit Fee: \$40.00 Penalty Fee

Site Address: 513 W College
 Business Name: Bela Development LLC/The 513 Appleton LLC

Single Tenant
 Multi-Tenant

Estimated Cost: \$5,000.00

Type of Sign		
<input type="checkbox"/> Ground Sign	<input checked="" type="checkbox"/> Awning Sign	<input type="checkbox"/> Changeable Copy Sign (No animation)
<input type="checkbox"/> Wall Mounted Sign	<input type="checkbox"/> Temporary Sign (Sandwich, Etc.)	<input type="checkbox"/> Painted Wall Sign
<input type="checkbox"/> Projecting Sign	<input type="checkbox"/> Canopy Sign	<input type="checkbox"/> Other <input type="text"/>
<input type="checkbox"/> Window Sign	<input type="checkbox"/> Portable Sign	

Zoning District		
<input type="checkbox"/> C2- General Commercial	<input type="checkbox"/> M1- Industrial Park	<input type="checkbox"/> PI- Public Institution
<input type="checkbox"/> CO- Commercial Office	<input type="checkbox"/> M2- General Industrial	<input type="checkbox"/> P- Park District
<input type="checkbox"/> AG- Agriculture		<input checked="" type="checkbox"/> CBD- Central Business District

Dimensions/Other Information	
Width of Sign: 12'	Height of Sign: 8"
Height Above Normal Grade: 10'	Underclearance: 10'
Projecting into ROW: 4'	Distance to Side Lot Line (5' Min): 20'
Setback from R-O-W: 0'	Setback from Driveway: N/A
Design Exception (Sec. 23-529):	Material: Aluminum

Wall Sign Details (Wall/Painted Signs Only)					
	Proposed Size Width x Height (ft)	Proposed Area of Sign (sq. ft.)	Existing Size Width x Height (ft)	Existing Area of Sign (sq. ft.)	Area of Entire Wall
Wall North	X		X		
Wall East	X		X		
Wall West	X		X		
Wall South	X		X		

Electrical Information of Sign			
<input type="checkbox"/> Internal	<input type="checkbox"/> Florescent	<input type="checkbox"/> LED	<input type="checkbox"/> Message Center
<input type="checkbox"/> External	<input type="checkbox"/> Incandescent	<input type="checkbox"/> Electronic	<input type="checkbox"/> Neon

UL Design No:	Electrical Contractor:
---------------	------------------------

Office Information	
BZA Variance Date:	Street Occupancy Permit No.: In Review

Sign Contractor	Contractor Address	Contractor Phone	Contractor Email
Kolby Knuth	513 W. College Ave	9202096626	kolby.knuth@gmail.com

Applicant hereby agrees to comply with all laws and regulations of the State of Wisconsin and of the Ordinances of the City of Appleton. Applicant further agrees in consideration of the issuance of the permit to save the City of Appleton harmless for any injury or damage caused by reason of the erection or maintenance of the sign or signboard. If any sign erected pursuant to the permit occupies public street right-of-way, it is subject to all of the provisions of Wis. State. 60.045, but without charge or bond. This permit as applied for is granted subject to revocation when any law or regulation of the State of Wisconsin or the Ordinance of the City of Appleton is violated or when inspection reveals that the sign or signboard creates a hazard.

Name of Applicant: Kolby Knuth	Phone: 9202096626
Address: 513 W. College Ave, Appleton, WI 54911	Inspector Approval: <i>Daniel J. Messinger</i> BVA

By checking this box, I confirm this as signature and have owner's permission. I also agree that this permit is not valid until an approved permit is e-mailed back to me.



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

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

Rev. 04-10-15

Applicant Information

Name (print): Kolby Knuth Company: The 513 Appleton LLC/Bela Development LLC
Address: 513 W. College Ave Telephone: 920-209-6626 FAX:
Appleton, WI 54911 e-mail: kolby.knuth@gmail.com
Applicant Signature: Date: 01/04/2023

Occupancy Information

General Description: Installation of 12' x 4' awning above front door (College Ave facing).
Street Address: 513 W. College Ave Tax Key No.: 313100500
Street: From: To:
Multiple Streets:

(Department use only)

Table with 3 columns: Occupancy Type, Sub-Type, Location. Includes checkboxes for Permanent, Temporary, Amenity, Blanket, Block Party, Sandwich Board, Tables/Chairs, Dumpster, POD/Container, Obstruction/Other, Sidewalk, Terrace, Roadway.

Additional Requirements

Plan/Sketch Certificate of Insurance Bond
Other:

Traffic Control Requirements

Type of Street: Proposed Traffic Control:
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.

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.

APPROVED BY: DATE:
(Department of Public Works)



January 19, 2023

Danielle Block
Director of Public Works - City of Appleton
100 N. Appleton St.
Appleton, WI 54911

Re: Avenue of Ice, February 17-19, 2023

Dear Ms. Block,

Please accept this request for a Sidewalk Occupancy permit for our upcoming "Avenue of Ice", featuring ice carvings throughout downtown. The carvings would need to be placed on Friday, February 17, for a weekend opportunity for the community to be able to view. Spacing the carvings throughout downtown, encourages exploration and walkability!

As in previous years, we would like to work with your department to place planters withing the amenity strip, (colored concrete), of College Avenue; to place the ice carvings on. A list of participating businesses and locations will be sent to you, as we near the date, thus giving your staff time to prepare.

Ice carvings are being ordered through Paul Salmon of Krystal Kleer Ice Carvings, as in previous years. If you have any questions or concerns, please do not hesitate to call or email me.

Thank you for your time and consideration.

A handwritten signature in cursive script that reads "Carissa Hackel".

Carissa Hackel
Event Coordinator
Appleton Downtown Inc.
carissa@appleondowntown.org

CITY OF APPLETON

FIRE DEPARTMENT

 700 N. Drew Street
Appleton, WI 54911

 (920) 832-5810

 (920) 832-5830

 jeremy.hansen@appleton.org

MEMORANDUM

January 18, 2023

To: Safety & Licensing Committee and Common Council
From: Jeremy Hansen, Fire Chief
Cc: Doug Vrechek, Battalion Chief of Resource Development & Special Operations
Re: Request to Purchase Red Wave Threat ID Spectrometer

The Appleton Fire Department Hazardous Materials Team operates jointly with Green Bay and Oshkosh Fire Departments as the Northeast Regional Hazardous Material Response Team. Over the past 20 years, the Appleton Fire Department has attained specialized equipment and training to provide enhanced capability in classifying and identifying unknown chemicals. This capability allows for a rapid threat assessment and a prudent action plan to be developed as well as pinpointing the source of spills. This allows for the responsible party to be held accountable for any financial and environmental impacts.

Some potential examples include:

- Postal operations resume after a suspicious white powder was identified.
- A fuel spill located in the Fox River was accurately traced back to a leaking underground storage tank.
- An unknown substance found in a roadway gutter accurately identified as a paint product and traced back to its source.
- Gasoline used in an arson fire was accurately identified and matched with gasoline in a suspect's gas can, adding essential physical evidence in an arrest.

These are just a few examples of the capabilities that Appleton Fire Department Hazardous Materials Team has been able to provide with the use of FTIR spectroscopy.

Our current technology is over fifteen years old, is no longer supported by the manufacturer, and needs replacement. Additionally, the Hazardous Materials Team has not had the capability to use this type of technology on unknown gases and vapors for over fifteen years. A spectrometer has been located that provides the ability to accurately identify over 22,000 powders and liquids and 5,500 gases and vapors. This device will allow our team to have up-to-date capabilities and ensure we can continue to provide efficient and effective response for the region.

The department sought quotes for this spectrometer as follows:

Vendor	Item	Cost
All Safe Industries	Red Wave Threat ID Full Spectrum FTIR Spectrometer	\$75,172.95
FarrWest	Red Wave Threat ID Full Spectrum FTIR Spectrometer	\$74,850.00
Red Wave Technology	Red Wave Threat ID Full Spectrum FTIR Spectrometer	\$72,190.50

Based on the submittals, ***the Appleton Fire Department requests to purchase the RedWave Threat ID Full Spectrum FTIR Spectrometer from Red Wave Technology for \$72,190.50.***

If you have any questions or concerns, please do not hesitate to contact me at (920) 832-5810. Thank you for your consideration.

GRANT TRACKING FORM



PART #1: Notification of Grant Funds

(email to tony.saucerman@appleton.org)

APPLICANT DEPARTMENT: Appleton Fire Department

DATE: 12/13/2021

APPLICANT DEPARTMENT GRANT CONTACT NAME/TITLE: Jeremy Hansen/Fire Chief

COMMITTEE OF JURISDICTION: Safety & Licensing Committee

NAME OF GRANT/FUNDING SOURCE: Assistance to Firefighter's Grant Program/Department of Homeland Security

AMOUNT OF GRANT REQUEST: \$358,822

LOCAL MATCH REQUIREMENT: 35,882.20

SOURCE OF MATCH: General Fund Non-General Fund Not Applicable

TIMEFRAME OF GRANT: 01/09/2023 through 12/31/2024

TYPE OF GRANT REQUEST: Monetary Other (explain under 'purpose of grant')

PURPOSE OF GRANT (summary): The Appleton Fire Department (AFD) is requesting grant funding to support the purchase of advanced life support (ALS) cardiac monitors. The AFD has a strong desire to provide the community an exceptional pre-hospital experience by upgrading our medical response capabilities from Emergency Medical Technician (EMT) to Paramedic.

How does the grant meet City/Department/Program goals? This project relates to the City's mission of being '...dedicated to meeting the needs of the community and enhancing its quality of life.' This project will assist with Goal # 1 that states 'Improve response times,' and Goal # 2 that states 'provide the community with exceptional pre-hospital experience.'

What are the personnel requirements (include both existing and new staff) of the grant? There are no personnel requirements other than training on the equipment.

DEPARTMENT HEAD SIGNATURE: _____

PART #2: Request to Accept Grant Funds

(complete after notification of grant award; email to tony.saucerman@appleton.org)

AMOUNT OF GRANT AWARD: \$ _____

FEDERAL/STATE ID #: _____

LOCAL MATCH REQUIREMENT: \$ _____

Please describe the source of match, if applicable: _____

Please describe any major changes in proposed grant-funded activities: _____

<i>PART</i>	<i>TO:</i>	<i>DATE:</i>	<i>TO:</i>	<i>DATE:</i>	<i>TO:</i>	<i>DATE:</i>
#1: Request to Apply	Finance Dept		COJ – Info/Action		FAC – Info/Action	
#2: Request to Accept	Finance Dept		COJ – Action		FAC – Action	

COJ = Committee of Jurisdiction

FAC = Finance and Administration Committee

OAK # 68

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

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by 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 CALUMET
 City

The undersigned duly authorized officer/member/manager of ALDI INC (WISCONSIN)
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as ALDI #68
(Trade Name)

located at 116 N LINWOOD AVE., APPLETON WI 54914

appoints CHRIS RYAN SUBERT
(Name of Appointed Agent)
W8426 COUNTY RD F SHIOCTON, WI 54170
(Home Address of Appointed Agent)

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

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

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 19 YEARS

Place of residence last year W8426 COUNTY RD F SHIOCTON, WI 54170

For: ALDI, INC (WISCONSIN)
(Name of Corporation / Organization / Limited Liability Company)

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

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

ACCEPTANCE BY AGENT

I, CHRIS RYAN SUBERT
(Print / Type Agent's Name), hereby accept this appointment as agent for the

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

[Signature] 1/18/2023
(Signature of Agent) (Date)

Agent's age ●●●

W8426 COUNTY RD F SHIOCTON, WI 54170
(Home Address of Agent)

Date of birth ●●●/●●/●●

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

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

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

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07-01-2022 ending: 06-30-2023
(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 <u>[REDACTED]</u>	
FEE NUMBER <u>[REDACTED]</u>	
TYPE OF LICENSE REQUESTED	FEE
<input checked="" type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ 100
<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 type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ 60
TOTAL FEE	\$ 160

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
EL Guadalajara Mexican Restaurant LLC

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

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Gutman</u>	<u>Lucelia</u>		<u>1409 Grignos St Green Bay WI 54301</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Valquez</u>	<u>José</u>	<u>A</u>	<u>1409 Grignos St Green Bay WI</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Gutman</u>	<u>Lucelia</u>		<u>1409 Grignos St Green Bay WI</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name EL Guadalajara Mexican Restaurant Business Phone Number 920-574-3553
 2. Address of Premises 1003 B West Northland Ave 54914 Post Office & Zip Code 54914

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
IN THE Kitchen stored
1742 sq Feet Sold in dining
Area
IN The Dining Area nex to
te bathroom

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? _____

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
Need take class before licenced
Issue
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 6/9/2022 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** Yes No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

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

Contact Person's Name (Last, First, M.I.) <u>Lucelia Guzman</u>	Title/Member <u>Manager</u>	Date <u>10/25-29</u>
Signature <u>Lucelia Guzman</u>	Phone Number 	Email Address 

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>1-6-23</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



City of Appleton

Liquor License Questionnaire

1. Name of Applicant: Lucelia Gorman

2. Name of Business: EL Guadalajara Mexican Restaurant

(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: 1003 B West Northland Ave Appleton WI 54914

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

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

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

operatin Motor Vehicle who proof of Insurance
operatin valid licence
ther false Representation

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>Lucelia</u>		<u>Gorman</u>	<u> </u>
First name	M.I.	Last name	Date of Birth
<u>Jose</u>	<u>A</u>	<u>Vazquez</u>	<u> </u>
First name	M.I.	Last name	Date of Birth
First name	M.I.	Last name	Date of Birth
First name	M.I.	Last name	Date of Birth

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

Name: Scott Muggenthaler

First name Middle Initial Last name

Address: 2631 N. Meade St. Appleton WI 54911

City State ZIP

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

Name: _____

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

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

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

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

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

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

_____ months ago.

10. Seating capacity: Inside 50 Outside _____

11. Operating hours (Inside the building): 8 AM to 9 PM
Operating hours (Outdoor seating areas): _____

12. Employees/Staff

Number of floor personnel 3 Number of door checkers _____

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

- a. Gross floor building area of the premises to be licensed: 1742 square feet.
- b. Gross outdoor seating areas of the premises to be licensed: _____ square feet.
- c. Below, identify the operational details of the proposed establishment:

TO sell Food like Tacos
Enchiladas.

Lucelia Acosta
Signature

10-25-22
Date

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

Submit to municipal clerk.

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

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

The undersigned duly authorized officer/member/manager of EL Guadalajara Mexican Restaurant LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

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

located at 1003 B W Northland Ave 54914

appoints Lucelia Guzman
(Name of Appointed Agent)
1409 Grignon St. Green Bay WI 54301
(Home Address of Appointed Agent)

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

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

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 2003

Place of residence last year 1409 Grignon St Green Bay WI 54301

For: EL Guadalajara Mexican Restaurant
(Name of Corporation / Organization / Limited Liability Company)

By: Lucelia Guzman
(Signature of Officer / Member / Manager)

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

ACCEPTANCE BY AGENT

I, Lucelia Guzman, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

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

Lucelia Guzman 10-25-22
(Signature of Agent) (Date)

Agent's age 50
Date of birth [REDACTED]

1409 Grignon St Green Bay WI
(Home Address of Agent)

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

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

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



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Public Hearing Date: January 11, 2023

Common Council Public Hearing Date: February 1, 2023

Item: Subdivision Ordinance Text Amendments – Chapter 17 of the Municipal Code

Article I In General: Section 17-3

Article II Plats: Section 17-4

Article V Dedications and Reservations: Sections 17-29, 17-30, 17-31, 17-32, 17-33, 17-34, and 17-35

Case Manager: David Kress, Principal Planner

BACKGROUND AND PURPOSE

At the December 14, 2022 Plan Commission meeting, staff presented the proposed Subdivision Ordinance text amendments to the Commission for review and discussion. At the conclusion of the presentation, the Plan Commission directed staff to schedule an Informal Public Hearing at the January 11, 2023 Plan Commission meeting.

The Subdivision Ordinance (Chapter 17 of the Municipal Code) was last amended in 2010. Staff from multiple City departments have been working collaboratively to review and update various sections throughout this chapter. This will be an ongoing effort, and the information below/attached represents the first bundle of proposed text amendments. The primary objectives for these proposed amendments are listed below.

- Incorporate recommendations from the “Fee In Lieu of Land Dedication and Public Facility Needs Assessment” completed by Baker Tilly.
The Parks, Recreation, and Facilities Management Department contracted with Baker Tilly to prepare this report, which serves as the basis for the land dedication (square feet per dwelling unit) and fee in lieu of dedication (dollars per dwelling unit) numbers included in the proposed text amendments. This item was approved by Common Council on December 7, 2022.
- Simplify and clarify expectations for the land dedication process.
- Include trails in the dedication process and aid in the implementation of the Trails Master Plan.
- Comply with applicable requirements of 2017 Wisconsin Act 243, particularly Section 236.45(6) of the Wisconsin State Statutes.

In addition to the objectives outlined above, Community and Economic Development Department staff took into account recommendations from the City of Appleton *Comprehensive Plan 2010-2030*. Listed below are related excerpts.

OBJECTIVE 6.3 Transportation:

Create an environment that is safe and conducive to walking and bicycling throughout the entire city.

Policy 6.3.1 Continue to prioritize bicycle and pedestrian improvement projects that make destinations more accessible, including but not limited to greater connectivity between important destinations within the community, and to regional bicycle and pedestrian networks.

Policy 6.3.7 Support implementation of the City's Trail Master Plan in order to create a comprehensive network of well linked bike lanes and off-street trails.

OBJECTIVE 9.6 Economic Development:

Create a vibrant environment that is conducive to attracting and retaining talented people.

Policy 9.6.1 Continue the City's efforts to expand and improve its amenities such as trails, parks and recreation, the Fox Cities Performing Arts Center, the Appleton Public Library, Fox Cities Exhibition Center, sporting facilities, and other cultural or civic offerings.

OBJECTIVE 10.3 Land Use:

Support future changes to zoning and other regulatory tools which are necessary to achieve the type of urban form and development reflective of smart growth principles, including support for "complete" neighborhoods (neighborhoods where residents can meet the majority of their daily needs on foot and by bicycle) throughout the City and in growth areas.

Policy 10.3.5 Plan for park amenities in complete neighborhoods and integrate into existing neighborhoods.

OBJECTIVE 18.2 Park and Recreation:

Continue to work with land developers and municipalities to acquire new park land through dedication or other means, as new development occurs.

Policy 18.2.1 Continue park land and trail dedication, or fee-in-lieu-of land dedication requirements for all new residential development. Additional land should be required for new development in the north, far southeast, and southwest parts of Appleton and its future growth area.

OBJECTIVE 18.3 Park and Recreation:

Develop the City's park system as an interconnected network of sites linked by greenways and trails.

Policy 18.3.2 Implement the recommendations contained within the 2016 Appleton Trails Master Plan.

PROPOSED TEXT AMENDMENTS

Staff offers the following proposed text amendments. The text recommended to be added is underlined. The text recommended for deletion is identified by ~~strikethrough~~. Staff commentary is identified in *blue italics* to provide insight regarding that specific amendment/change.

Sec. 17-3. General provisions.

(d) ***Dedication and reservation of lands.*** Streets, Highways, Trails, Parks, Drainageways, Stormwater Facilities, and Floodplain. Whenever a tract of land to be divided or developed within the jurisdiction of this ordinance encompasses all or any part of a street, highway, trail, park, drainageway, stormwater facility, floodplain, or other public way which has been

designated on ~~the a duly adopted municipal or regional official map, comprehensive plan, or other plan officially adopted by is in any way determined to be such by the Plan Commission or Common Council, said public way shall be dedicated or reserved by the owner in the locations and dimensions indicated on said plan or component and as set forth in this ordinance.~~

Sec. 17-4. Preplatting requirements.

(a) ***Preplatting conference.*** Prior to submitting an application for the approval of a Preliminary Plat within the corporate limits, the subdivider shall schedule a preplatting conference with the City Engineer or ~~his or her~~ their designee. The purpose of the preplatting conference is to provide an opportunity for communication between the ~~developer~~ subdivider and City staff, regarding the purpose and objectives of these regulations, the Official Map, eComprehensive pPlan, Comprehensive Outdoor Recreation Plan, Trails Master Plan, zoning regulations, erosion control and stormwater management practices, neighborhood plans, and duly adopted plan implementation devices of the City, and to otherwise assist the subdivider in planning the development. The subdivider will receive information regarding required procedures.

(1) The City staff involved in the preplatting conference shall include, but not be limited to, representatives from the Department of Public Works, Community and Economic Development Department, Parks, Recreation and Facilities Management Department, and Fire Department.

(b) ***Required information.*** The following information shall be submitted to the City Engineer or ~~his or her~~ their designee prior to the preplatting conference:

(1) The scaled sketch plan shall show:

- a. The title, scale, north point, and date;
- b. The boundaries of the property to be subdivided;
- c. Natural characteristics such as drainage, wetlands, steep slopes, hills, ridges, floodplains, environmentally sensitive lands, and wooded areas;
- d. Development characteristics such as surrounding streets, existing structures, and available utilities;
- e. The proposed layout of streets, blocks, and lots;
- f. The proposed location of business, parkland, trails, and other nonresidential areas;
- g. Existing easements and covenants affecting the property; and
- h. Where site conditions permit, any tract subdivided into parcels containing one (1) or more acres shall be arranged to allow future resubdivision of any parcels into smaller lots.

(2) The scaled location sketch shall show the relationship of the proposed subdivision to:

- a. Traffic arterials;
- b. Schools, parks, playgrounds, trails, and other community facilities;
- c. Churches and retail facilities;
- d. Public transportation;
- e. Local zoning districts; and
- f. Existing plats.

(Code 1965, §21.16, Ord 200-01, §1, 12-24-01, Ord 140-06, §1, 12-26-06)

- (3) The subdivider shall indicate how they propose to accommodate parkland and/or trail needs in a manner that is consistent with §17-29.

Comments: Listed the City departments to be involved in preliminary platting discussions, as noted above. Clarified that park/trail needs are items to be evaluated during the pre-submittal process.

Sec. 17-29. Dedication of public parks and other public sites and open spaces.

~~(a) **Purpose.** In order~~ The requirements of this section are established to ensure that adequate parks, open spaces, and sites for other public uses may be properly located and preserved as the community develops, and in order ~~This section has also been established to ensure that the cost of providing park and recreation sites and facilities necessary to serve the additional families people brought into the community by subdivision development may be most equitably apportioned on the basis of the additional need created by the individual subdivision or minor land division development, the following provisions are established:~~ The requirements shall apply to all lands proposed for all residential development.

~~(b) **Applicability.** Any subdivision or minor land division (certified survey map) approval which enables the creation of additional dwelling units, and that has not already been subject to the requirements of this section, shall require compliance with the parkland and/or trail dedication and fee in lieu of dedication requirements included in this section.~~

~~(c) **Exception.** Reconfiguration of existing lots and redevelopment which does not create new, additional lots shall not be subject to the provisions of this section. Zoning districts not listed in the tables under §17-29(e)(1) and §17-29(f)(1) are exempt from the provisions of this section.~~

~~(d) **Conformance with adopted ordinances and planning documents.** The location, size, standards, and recommendations related to parkland and/or trail dedication and fee in lieu of parkland and/or trail dedication shall be consistent with the following adopted city documents: Official Map, Comprehensive Plan, Comprehensive Outdoor Recreation Plan, Trails Master Plan, and/or other document officially adopted by Common Council.~~

Comments: Created the paragraph above regarding consistency with municipal plans in order to comply with 2017 Wisconsin Act 243, particularly Section 236.45(6) of the Wisconsin State Statutes.

~~(a) **Reservation of potential sites.** In the design of the subdivision or minor land division, consideration shall be given to the adequate provision of and correlation with such public sites or open areas. Where it is determined by the Plan Commission that a portion of that subdivision or minor land division is required for such public sites or open spaces, the subdivider may be required to reserve such area for a period not to exceed three (3) years, after which the City shall either acquire the property or release the reservation.~~

~~(b) (e) **Dedication of sites Parkland and/or trail dedication.** Within the corporate limits of the City, the subdivider shall dedicate land to provide for park, trail, and/or recreation needs in accordance with the adopted ordinances and planning documents described in subsection (d) above.~~

~~(1) Within the corporate limits of the City, the subdivider shall provide and dedicate to the public either a minimum of five (5) acres of land to provide for park and recreation needs of the community as required by the adopted comprehensive plan or as determined by the Plan Commission in conjunction with the subdivider and in **Dedication area calculation.** The dedication to the public shall be a minimum of three (3) acres or an amount of land to be determined in accordance with the zoning classification intended for each lot in the subdivision as specified in the following table, whichever is greater.:~~

<i>Types of Dwelling Units and Zones</i>	<i>Percent Allocation of Total Gross Residential Acreage</i>
R-1A zone, one family	5
R-1B and R-1C zone, one family	6

R-2 zone, two-family	8
R-3 zone, apartment	12
PD (Planned Development Overlay—Residential)	12

<u>Zoning District</u>	<u>Land Dedication (per dwelling unit)</u>
R-1A, R-1B, R-1C, and R-2	800 square feet
R-3, PD, and TND	650 square feet

Comments: Changed the land dedication amount as shown above based on the “Public Facility Needs Assessment” completed by Baker Tilly and approved by Common Council on December 7, 2022. The Baker Tilly report included irregular numbers (789.11 square feet for single-family and 667.26 square feet for multi-family), so the numbers above were rounded up and down, respectively. Adjusted from a minimum of five acres to a minimum of three acres based on direction from the Parks, Recreation, and Facilities Management Department. Streamlined the table above to improve usability.

- (2) **Dedication consultation and land evaluation.** The location, suitability, and dimensions of the land to be dedicated shall be determined in consultation between the subdivider and appropriate City departments (see §17-4), prior to submission of the preliminary plat or certified survey map. The land to be dedicated must be free of wetlands, floodplain, or other limitations that would prevent the land from being used for parkland purposes, unless this requirement is waived by the Director of Parks, Recreation and Facilities Management or their designee.
- a. Factors used in evaluating the adequacy of land to be dedicated shall include, but not be limited to, size, shape, topography, geography, tree cover, access, and location of people to be served.
 - b. Stormwater ponds may be located within the land to be dedicated, but pond square footage shall not count toward the dedication requirement unless designed and constructed to serve as a park amenity, as determined by the Director of Parks, Recreation and Facilities Management or their designee.

Comments: Identified factors above to be considered when evaluating the feasibility of land for dedication, with the goal of having land dedicated that is usable for park development and programming purposes.

- (3) **Reservation of additional land.** Where the adopted ordinances and planning documents described in §17-29(d) call for a larger amount of land than the subdivider is required to dedicate, the land needed beyond the minimum amount shall be reserved for subsequent purchase by the City. Such acquisition must occur within three (3) years from the date of approval of the final plat or certified survey map, unless the timing or other details regarding the conveyance are modified by the development agreement. If such acquisition does not occur within the specified time period, the City shall release the reservation.
- (2) ~~Where such dedication is not feasible or is not compatible with the comprehensive plan, the subdivider shall in lieu thereof pay to the City a fee according to the zoning classification intended for each lot in the subdivision as specified in the following table:~~

<u>Types of Dwelling Units and Zones</u>	<u>In Lieu of Payment (per unit)</u>
R-1A zone, one-family	\$300.00
R-1B zone, one-family	\$300.00
R-1C zone, one-family	\$300.00
R-2 zone, two-family	\$200.00
R-3 zone, apartment	\$150.00
PD (Planned Development Overlay—Residential)	\$150.00

~~(3) Such fees shall be held in a nonlapsing fund to be used exclusively for immediate or future site acquisition or capital improvement.~~

(e) ~~(f) **Proportionate payment in lieu of parkland and/or trail dedication.** Where such dedication is not feasible or is not consistent compatible with the comprehensive plan adopted ordinances and planning documents described in subsection (d) above, the subdivider landowner shall, in lieu thereof, pay to the City a fee equivalent to the value of the required dedication. Such fee should be distributed and paid as follows:~~

~~(1) **Fee amount.** In lieu of parkland and/or trail dedication, the landowner shall pay to the City a fee according to the zoning classification of each lot as specified in the following table:~~

<u>Zoning District</u>	<u>In Lieu Payment (per dwelling unit)</u>
<u>R-1A, R-1B, R-1C, and R-2</u>	<u>\$1,100.00</u>
<u>R-3, PD, and TND</u>	<u>\$900.00</u>

Comments: Changed the fees as shown above based on the "Public Facility Needs Assessment" completed by Baker Tilly and approved by Common Council on December 7, 2022. The Baker Tilly report included irregular numbers (\$1,097.29 for single-family and \$927.83 for multi-family), so the numbers above were rounded up and down, respectively. Repositioned and streamlined the table above to improve usability.

~~(1) No payment shall be required for a lot created by the subdivision of land under this ordinance on which a residential structure already exists, or which is a residential parcel in excess of one hundred twenty (120) acres and not intended for immediate sale or other conveyance.~~

~~(2) (2) **Fee collection.** The required payment shall be made before the certification of approval may be affixed to the Final Plat by the landowner upon the issuance of a building permit for individual lots.~~

Comments: Revised the paragraph above regarding the timing for fee payment in order to comply with 2017 Wisconsin Act 243, particularly Section 236.45(6) of the Wisconsin State Statutes.

~~(3) **Fee deposit.** Such fees shall be deposited and held in a nonlapsing fund to be used exclusively for immediate or future site acquisition or capital improvement.~~

~~(3) (4) **Further division of land.** After the Final Plat has been recorded, no If a lot or parcel may be is further divided, by replat, or conveyance as defined in W.S.A. §706.01(3), and no building permit may be issued, unless: payment of the fee as specified in this section must be made, upon issuance of a building permit, for each additional undeveloped lot or parcel created by the land division.~~

~~a. Such further division has been approved by the Plan Commission as being in accordance with the purpose of this ordinance and with the purposes of W.S.A. Chapter 236;~~

~~b. Payment of the fee as specified in §17-28(3) shall be made for each additional lot or parcel created by the division; and~~

~~e. The proportionate payment in lieu of dedication as set forth in this section shall be paid for all certified survey maps, and the Register of Deeds of the county in which the land is located shall not accept a certified survey map for record unless the map has been approved by the Common Council.~~

~~(g) **Provision of land for trails.** The following requirements are included in this chapter to recognize the importance of trails within and between developments. Trails provide access to parks, open spaces, and other community destinations.~~

~~(1) Within the corporate limits of the City, the subdivider shall provide land for trail needs in accordance with the adopted ordinances and planning documents described in subsection (d) above. The location, suitability, and dimensions shall be determined in consultation between the subdivider and appropriate City departments (see~~

§17-4), prior to submission of the preliminary plat or certified survey map. The following factors and criteria shall be considered:

- a. A subdivision and/or minor land division adjacent to an existing trail shall provide connection(s) to said trail.
 - b. A subdivision and/or minor land division in an area identified with a proposed trail, per the Trails Master Plan, shall accommodate future trail placement using outlot(s) dedicated to the public and/or widened street right-of-way. In limited cases, the use of easements may also be considered.
 - c. Outlots dedicated to the public for trail purposes shall be exempt from any dimensional standards on lot width and lot area found in Chapter 23, Zoning of the Municipal Code and from lot design standards found in §17-26. These outlots must be noted as such on the Final Plat or Certified Survey Map.
 - d. Exact trail placement and configuration is adaptable, based on site features at the time of subdividing. The location and dimensions of land needed for a trail shall reasonably accommodate development of the property. To allow for trail pavement, clearances, and other amenities, a corridor width of twenty (20) feet will be considered typical.
 - e. Unless otherwise agreed upon, the City is responsible for design, construction, and maintenance of trails after the land is dedicated or transferred to the City.
 - f. Rules governing trail use are found in Chapter 13, Parks and Recreation of the Municipal Code.
- (2) The area of the outlot(s) and/or widened street right-of-way dedicated for trail purposes shall be counted toward the parkland dedication requirement as specified in §17-29(e).

Comments: Created the section above to include trails in the dedication process and aid in the implementation of the Trails Master Plan.

~~(d)~~ (h) **Determination of feasibility.** The determination as to the feasibility of dedication shall be made by the Common Council City Plan Commission. When dedication to the public is proposed for a certified survey map, the acceptance of the dedication must be approved by Common Council before administrative approval of the certified survey map. (Code 1965, §21.13(1)(c); Ord 55-94, §1, 4-20-94; Ord 67-94, §1, 6-18-94, Ord 200-01, §1, 12-24-01, Ord 140-06, §1, 12-26-06; Ord 44-09, §1, 3-10-09)

Sec. 17-30. Identification of dedicated areas.

All areas to be dedicated to the public for ~~except~~ streets shall be clearly identified as such on the Final Plat or Certified Survey Map. All other areas to be dedicated for public use shall be clearly identified on the Final Plat or Certified Survey Map, with its intended purpose noted. (Code 1965, §21.13(1)(d), Ord 200-01, §1, 12-24-01, Ord 140-06, §1, 12-26-06)

Sec. 17-31. Reservation of ~~road~~ street widths.

Minimum street right-of-way widths are identified in §17-25. Any street ~~Road~~ widths requested in excess of the minimum primary arterial rights of way established in this ordinance are required to requirements must be reserved as specified in §17-29(e)(3). (Code 1965, §21.13(2)(a), Ord 200-01, §1, 12-24-01, Ord 140-06, §1, 12-26-06)

Sec. 17-32. Reservation of public sites.

Where sites for parks, schools, playgrounds or other public uses except streets, ~~as shown in the comprehensive plan,~~ are located within the subdivision or minor land division area, the Common Council shall require that the sites be reserved by the

subdivider ~~for a period of two (2) years from the date of approval of the Final Plat as specified in §17-29(e)(3). If the a government agency, other than the City, concerned passes a resolution expressing its intent to acquire the land so to be reserved, the reservation process and time period specified in §17-29(e)(3) shall apply be extended for an additional six (6) months. Public reservations shall be clearly identified on the plat; e.g., “Reserved for Public School Site”. The Council may by resolution waive any reservation so required.~~

(Code 1965, §21.13(2)(b), Ord 200-01, §1, 12-24-01, Ord 140-06, §1, 12-26-06)

Sec. 17-33. Private reservations.

Reservation of areas for the exclusive use of the occupants of a subdivision may be permitted by the Common Council when such reservations will not be contrary to the public health, safety, morals or general welfare, and such areas shall be clearly identified on the preliminary and final plats or certified survey maps as private reservations.

(Code 1965, §21.13(2)(c), Ord 200-01, §1, 12-24-01, Ord 140-06, §1, 12-26-06)

Sec. 17-34. Right of refusal.

The number, size and location of all dedications, reservations or easements shall be subject to approval, and the Common Council shall ascertain that the proposed sites are suitable for the proposed uses. The Council retains the right to refuse any dedication. Upon refusal, an alternative parkland and/or trail dedication or payment in lieu of dedication shall occur.

(Code 1965, §21.13(3), Ord 200-01, §1, 12-24-01, Ord 140-06, §1, 12-26-06)

Sec. 17-35. ~~Accomplishment~~ Acceptance of dedication.

When a final plat of a subdivision located in the City has been approved by the Common Council and all other required approvals are obtained and the plat is recorded, that approval constitutes acceptance for the purpose designated on the plat of all lands shown in the plat as dedicated to the public, including street dedications. This also applies to certified survey maps following the process described in §17-29(h).

(Code 1965, §21.13(4), Ord 200-01, §1, 12-24-01, Ord 140-06, §1, 12-26-06)

RECOMMENDATION

Pending public comments, staff recommends the text amendments to Chapter 17 Subdivision Ordinance of the Municipal Code relating to Section 17-3 General Provisions, Section 17-4 Preplatting Requirements, Section 17-29 Dedication of Public Sites and Open Spaces, Section 17-30 Identification of Dedicated Areas, Section 17-31 Reservation of Road Widths, Section 17-32 Reservation of Public Sites, Section 17-33 Private Reservations, Section 17-34 Right of Refusal, and Section 17-35 Accomplishment of Dedication, as identified in this report, **BE APPROVED**.

CITY OF APPLETON

Appleton, Wisconsin

FEE-IN-LIEU OF LAND DEDICATION AND PUBLIC FACILITY NEEDS ASSESSMENT

Baker Tilly US, LLP
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P.O. Box 7398
Madison, WI 53707-7398
608 249 6622
800 362 7301

Dated: March 7, 2022

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Executive Summary

The purpose of this project was to evaluate and update the City's current fee-in-lieu of land dedication under Wisconsin Statute, Chapter 236, and Section 236.45 Local Subdivisions Requirements. If a municipality charges a fee-in-lieu of land dedication in accordance with Wisconsin State Statute 236.45(6) (am), the municipality must follow the procedures under s. 66.0617 (3) to (5) and meet the requirements under s. 66.0617 (6) to (10).

According to the City of Appleton's (the "City") 2019-2023 Comprehensive Outdoor Recreation Plan (page 14), the City is expecting to have population growth of 3.0% every decade. This anticipated growth will require additions to the City's parkland and park facilities. A fee-in-lieu of land dedication will continue to assist in financing the acquisition or initial improvement of land for public parks.

The City currently charges a fee in lieu of land dedication as established by the following ordinance:

Appleton, WI Municipal Code, Sec. 17-29. Ordinance No. 44-09, 3-10-2009

Per the City, they have not updated the fee-in-lieu of land dedication since 2009.

This document serves as a summary of Baker Tilly's analysis of the City's existing fee-in-lieu of land dedication. It also serves to satisfy the statutory obligations as outlined in Wisconsin Statute 66.0617 and Wisconsin Statute 236.45 to update its existing fees and public facility needs assessment. The primary resources used in this development of this study include:

- > The City used the *The City of Appleton 2019-2023 Comprehensive Outdoor Recreation* (the Plan) as the facility needs assessment.
- > *The City of Appleton 2019-2023 Comprehensive Outdoor Recreation* (the Plan) as prepared by Rettler Corporation adopted on September 18, 2019. See the acknowledgements section of the Plan for those that were involved in its creation. The Plan is located on the City's website. <https://appletonparkandrec.org/wp-content/uploads/2020/03/FINAL-Appleton-CORP-2019.pdf>
- > *The park inventory listing as provided by the City*. This document was compiled by the City from the Plan. Refer to Appendix A.
- > *The land cost as provided by the City*. The land cost is based on the City-wide average cost of unimproved land acquisition based on recent land sales and the cost to improve the land for public parks. Per s. 236.45(6)(ac), "improvement for public parks" means grading, landscaping, installation of utilities, construction of sidewalks, installation of playground equipment, and construction or installation of restroom facilities on land intended for public park purposes." The average of four recent sales was used to determine an average cost per acre. The four sales include the following:

Tax Municipality	Close Date	Price	Acres Est	\$/Acre	Comments
City of Appleton	3/1/2021	\$149,900	2.81	\$53,345	single building site w/public water & sewer
City of Appleton	10/2/2020	\$161,405	2.74	\$58,907	single building site w/public water & sewer
City of Appleton	12/23/2020	\$158,500	2.68	\$59,142	single building site w/public water & sewer
City of Appleton	10/5/2020	\$142,500	2.01	\$70,896	single building site w/public water & sewer
			average	\$60,572	

Executive Summary (cont.)

- > *U.S. Census data 2019 5-year estimates* related to persons-per-household per dwelling unit type.

<https://data.census.gov/cedsci/table?t=Housing&g=1600000US5502375&tid=ACSDP5Y2019.DP04&hidePreview=true>

This study should be read in conjunction with these resources. We provide no assurance on the accuracy of the resources used to develop this study.

Introduction

As previously stated in the Executive Summary, the City expects to experience population growth through 2030. Planning responsibly for new growth within a community is one of many challenges facing local governments. Effective accommodation of this development requires additional park land to accommodate growth as well as the construction and upgrade of public facilities and infrastructure to serve new residents.

It is common that during the construction and upgrade of public infrastructure, many residents and businesses that will occupy the newly developed areas of the community may not yet be present. The purchase of land and the development of land often precedes the inhabiting of the property. While this may be an obvious fact, it holds important consequence for the public financing of new development. In order to apportion the public costs of new development fairly and responsibly, some measures must be undertaken to ensure that the entire cost of accommodating new development is not born solely by the current residents of the municipality. One such measure to accomplish this goal is the use of a fee-in-lieu of land dedication to offset the initial cost to local taxpayers of satisfying the additional demand on the public infrastructure and park land.

Section A – Statutory Requirements

A fee-in-lieu of land dedication must follow the requirements of Wisconsin State Statute Chapter 236 – Platting Lands and Recording and Vacating Plats. See the requirements below.

In addition, if a municipality charges a fee-in-lieu of land dedication in accordance with Wisconsin State Statute 236.45(6) (am), the municipality must follow the procedures under s. 66.0617 (3) to (5) and meet the requirements under s. 66.0617 (6) to (10). The City understands these requirements.

Wisconsin State Statute Chapter 236.45(6) – Requirements for Approval Conditions

- > *Per Subsection(6)(ac), “Improvement of land for public parks” means grading, landscaping, installation of utilities, construction of sidewalks, installation of playground equipment, and construction or installation of restroom facilities on land intended for public park purposes.*

Based on the definition above, only allowable costs are included in the fee-in-lieu of land dedication.

- > *Per Subsection (6)(b), any land dedication, easement, or other public improvement or fee for the acquisition or initial improvement of land for a public park that is required by a municipality, town, or county as a condition of approval under this chapter must bear a rational relationship to a need for the land dedication, easement, or other public improvement, parkland acquisition or initial improvement fee resulting from the subdivision or other division of land and must be proportional to the need.*

The City is meeting this requirement. The City is providing a service level of 6.99 acres per 1,000 residents. See Appendix A.

- > *Per Subsection (6)(c), If a subdivision ordinance of a municipality, town, or county requires, as a condition of approval under this chapter, that a subdivider dedicate land for public park, the municipality, town or county may offer the subdivider the option of either dedicating land consistent with the municipality’s, town’s or county’s park plan and comprehensive plan or paying a fee or other charge under par (am) in lieu of the dedication. If the subdivider elects to pay a fee or other charge under the paragraph, the fee or other charge is payable by the landowner to the municipality, town, or county upon issuance of a building permit by the municipality, town, or county. If the subdivider elects to dedicate land under this paragraph, unless the municipality, town, or county agrees otherwise, the subdivider only may dedicate land that is consistent with the municipality’s, town’s or county’s park plan and comprehensive plan.*

See Section C for the fee-in-lieu of land dedication fee calculation and the land dedication square footage requirements. If land dedication is selected, the City’s land dedication standard is 423.66 square feet per person. See the assumptions and calculations in Section C.

NOTE: The fee-in-lieu of land dedication requirements outlined in this section are subject to change by the legislature at any time. Refer to the state statute for the statutory requirements.

Section B – Compliance with Wisconsin Fee-in-lieu of Land Dedication Requirements

Fee-In-Lieu of Land Dedication Process

See Wisconsin State Statute 66.0617 for the detailed process. In addition, if a municipality charges a fee-in-lieu of land dedication in accordance with Wisconsin State Statute 236.45(6), the municipality must follow the procedures under s. 66.0617 (3) to (5) and meet the requirements under s. 66.0617 (6) to (10).

The process followed and information utilized in the development of the fee-in-lieu of land dedication is summarized below:

- Requires a Public Hearing (s. 66.0617 (3)):
 - Class 1 notice under Chapter 985
 - Provide copy of proposed ordinances
 - Provide public facilities needs assessment
- Based on a Public Facilities Needs Assessment (s. 66.0617 (4)):
 - Inventory of existing facilities, including deficiencies
 - Identification of new public facilities
 - Estimated (or actual) capital cost of new public facilities
 - Effect of recovering capital costs on affordable housing
 - Available for public inspection and copying in the office of the clerk at least 20 days before hearing
- Establish Accounting Requirements:
 - Use of funds restricted
 - Subject to refund
- Specify Appeal Procedure (s. 66.0617 (10))

Section B – Compliance with Wisconsin Fee-in-lieu of Land Dedication Requirements (cont.)

Imposition of the Fee-in-lieu of Land Dedication

The park fee-in-lieu of land dedication will be due upon issuance of a building permit.

Wisconsin State Statute Section 66.0617(7) – Low-Cost Housing

In general, the level of the fees in relation to average housing cost should not impede the affordability of low-cost housing. For example, including the proposed single-family fee-in-lieu of land dedication of \$1,115, in a typical 30-year mortgage at 3% interest would equate to an additional monthly payment of \$4.85. According to Zillow, the median home price in Appleton is \$204,832 (a). Assuming a down payment of 20%, the average monthly mortgage payment would be \$691. The fee-in-lieu would be 0.7% of the monthly payment. In addition, if the owner of a multifamily dwelling were to include the proposed multi-family fees of \$943 in a mortgage with the same terms, the additional monthly payment would be \$3.98 or 0.4% of the monthly payment.

Information from the 2015-2019 US Census showed that the City of Appleton's median household income was \$58,112 (2019 dollars). Wisconsin's median household income was \$61,747 (2019 dollars).

(a) <https://www.zillow.com/appleton-wi/home-values/>

Updates to the Report

The fee-in-lieu of land dedication should be evaluated for adjustment at least every five years to account for increases / decreases in raw land costs, grading and utilities. The City may also wish to adjust the fee periodically based on the Engineering News Record Municipal Cost Index. This will allow for changes in growth, project costs, estimates or other projects to be incorporated into the fees. See assumptions for recommendations.

Section C – Fee Calculation and Land Dedication Requirements

Assumptions

- > The fee in lieu of parkland dedication was last updated in 2009.

The City's current 2019-2023 Comprehensive Outdoor Recreation Plan (the Plan) was used as the basis for this study. This Plan was approved on September 18, 2019. As noted in the Plan, "A growing body of research provides evidence of the importance of parks, open space, and leisure programming to the environmental, social, and economic health of Communities." The plan also supports the guidelines established in the City of Appleton 2010-2030 Comprehensive Plan. Both plans can be found on the City website.

<https://appletonparkandrec.org/wp-content/uploads/2020/03/FINAL-Appleton-CORP-2019.pdf>

<https://www.appleton.org/government/planning/city-of-appleton-comprehensive-plan-2010-2030>
- > According to the City, 2020 Census data indicate the 2020 population estimate for the City is 75,644, which is an increase of approximately 3,021 since the 2010 U.S. Census (72,623 population) or a 4.1% increase. <https://www.census.gov/quickfacts/appletoncitywisconsin>
- > The City's fee-in-lieu of land dedication standard is based on 529.08 acres of parkland. This is comprised of 242.06 acres of community parks, 178.32 acres of neighborhood parks and 108.70 acres of special use parks such as Houdini Plaza and Reid Golf Course.
- > The land costs to calculate the fee-in-lieu of land dedication is based on the City-wide average cost of land acquisition and "improvements of land for public park costs" as allowed for under Chapter 236. Recent raw land sales with utility improvements show the average cost per acre is \$60,572. This is also referenced on Page 1.
- > Park development fees will not be assessed to nonresidential land uses as park usage is primarily residential in this community.
- > The Park & Open Space standards can be found in the City of Appleton 2019-2023 Comprehensive Outdoor Recreation Plan.
- > For purposes of this analysis, it is assumed that there will be an average of 2.59 persons per household for single-family housing units and 2.19 persons per household for duplex and multifamily housing units as per recent census data.

Section C – Fee Calculation and Land Dedication Requirements (cont.)

Assumptions (cont.)

- > The fee-in-lieu of land dedication standard used for consideration in this study is comprised of “active-parks” of 529.08 acres. While the type of land dedicated by developers is typically used for the development of active use parks, such use is not required. The city is currently providing 6.99 acres of parkland per 1,000 residents using the 2020 population of 75,644. The calculation is $(529.08 / 75,644) * 1,000 = 6.99$.
- > The City’s land dedication requirement is 304.67 square feet per person. This is computed as follows: $(6.99 \text{ acres} * 43,560 \text{ square feet in an acre}) / 1,000 = 304.67 \text{ square foot per person}$. This is then multiplied by the persons per household to determine the land dedication square footage.

Recommendation

The City should consider whether its existing fee-in-lieu of land dedication fee should be updated with the fees identified and explained on the following pages.

Section C – Fee Calculation and Land Dedication Requirements (cont.)

Fee Summary

Dwelling Unit Type	1 (A) Persons per Household	2 Cost per Person	3 (1*2) Fee
Single Family	2.59	\$ 423.66	\$ 1,097.29
Multi-Family	2.19	\$ 423.66	\$ 927.83
Standards:			
Cost standard per acre			<u>\$ 60,572</u> B
Parkland acres per 1,000 residents			<u>6.99</u> C
Cost per Person:			
	Cost standard per acre		\$ 60,572 B
	Multiplied by: acres per person		<u>0.0069943</u> per above
	Cost per person		<u>\$ 423.66</u>
A) Source: U.S. Census Bureau			
B) Per the City of Appleton - based recent land sales w/utilities			
C) Per the City of Appleton CORP			

Section C – Fee Calculation and Land Dedication Requirements (cont.)

Land Dedication

If land dedication is selected versus paying a fee-in-lieu of land dedication, the following land dedication square footage applies and will be applied prior to the Final Plat:

Land Dedication Requirement			
Dwelling Unit Type	1 (A) Persons per Household	2 Square Foot per Person	3 (1*2) Land Dedication Square Footage
Single Family	2.59	304.67	789.11
Multi-Family	2.19	304.67	667.26
Standards:			
Square feet per acre			<u>43,560</u>
Parkland acres per 1,000 residents			<u>6.99</u> B
Square Foot per Person:			
Parkland acres per person (7.11 / 1,000)			0.006994 B
Multiplied by: Square feet per acre			<u>43,560</u> per above
		Square feet per person	<u>304.67</u>
A) Source: U.S. Census Bureau			
B) Per the City of Appleton			

APPENDIX A

	<u>Park</u>	<u>Park Type</u>	<u>Acres</u>
<u>Included In Park Improvement Calculation</u>			
1	Appleton Memorial (AMP)	Community	140.10
2	Erb	Community	27.75
3	Pierce	Community	34.91
4	Telulah	Community	39.30
	Subtotal		<u>242.06</u>
1	Alicia	Neighborhood	12.00
2	Arbutus	Neighborhood	3.44
3	City	Neighborhood	8.00
4	Colony Oaks	Neighborhood	7.88
5	Derks	Neighborhood	9.07
6	Einstein	Neighborhood	6.60
7	Ellen Kort Peace	Neighborhood	3.38
8	Green Meadows	Neighborhood	5.60
9	Highview	Neighborhood	12.59
10	Hoover	Neighborhood	11.60
11	Jaycee	Neighborhood	4.00
12	Jones	Neighborhood	5.75
13	Kiwanis	Neighborhood	6.50
14	Linwood	Neighborhood	9.50
15	Lions	Neighborhood	4.40
16	Lutz	Neighborhood	2.70
17	Mead	Neighborhood	8.50
18	Lundgaard	Neighborhood	7.02
19	Peabody	Neighborhood	16.20
20	Pioneer	Neighborhood	0.52
21	Providence	Neighborhood	3.33
22	Schaefer	Neighborhood	6.40
23	Summit	Neighborhood	5.49
24	Veterans	Neighborhood	2.00
25	Vosters	Neighborhood	5.10
26	Vulcan Heritage	Neighborhood	2.05
27	Woodland	Neighborhood	8.70
	Subtotal		<u>178.32</u>
1	Houdini Plaza	Special Areas	1.00
2	Reid Golf Course	Special Areas	107.60
3	Union Springs	Special Areas	0.10
	Subtotal		<u>108.70</u>
	Total Park Acreage		<u>529.08</u>
	2020 Population		75,644
	Parkland per 1,000 residents		6.99



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

MEMORANDUM

TO: Finance Committee

FROM: Kara Homan, AICP, Director of Community & Economic Development
Jeri Ohman, Director of Finance

DATE: January 18, 2023

RE: Request to award ARPA Affordable Housing grant funds to RISE Apartments, LLC for a grant total not to exceed \$1,000,000

The City of Appleton, via its American Rescue Plan Act (ARPA) consultant, Booth Management Consulting (BMC), released an Affordable Housing Production Grant as a first step to allocate the City's \$3 million ARPA Affordable Housing allocation, as previously approved/budgeted. Grant applications were due December 12, 2022. Two applications were received, requesting a total of approximately \$2 million. Both applications were reviewed by BMC for completeness and ARPA program alignment/regulatory compliance.

Finance and Community & Economic Development staff are advancing a recommendation for one grant application (Rise Apartments, LLC), summarized below. The second grant application remains under review by administration.

Project Applicant: RISE Apartments, LLC

Project Name: RISE Apartments

Grant Request: \$1,000,000

Total Project Cost: \$13,913,458 (est.)

Project Description: Construct a 48-unit affordable housing community at the NW and SW Corners of the intersection of Harris St. and N. Oneida St. in Downtown Appleton (See Exhibit 1: Concept Plan). Said project is in alignment with the *City's College Avenue North Neighborhood Plan*, and will provide 43 rental units dedicated to households earning less than 60% of Area Median Income. The project has been awarded WHEDA affordable housing tax credits & is also bound by a development agreement with the City of Appleton (executed December 2021, amended October 2022). Grant award will be used to keep the project financially solvent considering escalating construction costs due to inflationary pressures.

Staff Recommendation:

Staff recommends approval of an ARPA Affordable Housing grant allocation of \$1,000,000 to RISE Apartments, LLC.

Exhibit 1: RISE Apartments Concept Plan



Memorandum

TO: Fox Cities Transit Commission, City of Appleton Common Council

FROM: Ron McDonald, General Manager

DATE: January 17, 2023

RE: Award Recommendation for Computer Aided Dispatch/Automatic Vehicle Location (CAD/AVL) System

BACKGROUND

Valley Transit's fixed-route bus service has utilized CAD/AVL system technology since 2011. A CAD/AVL system is comprised of onboard hardware and software providing vital service data to multiple audiences and platforms. The hardware installed on every vehicle includes a rugged tablet installed near the driver and communication cabling connecting the tablet to onboard systems (destination sign, farebox, automatic passenger counters, interior LED sign and announcement system). The CAD/AVL system is also connected to mobile cellular networks to send and receive data from a cloud-based server. CAD/AVL systems also include a software component. The software includes a web-based interface providing Valley Transit staff with vehicle location maps, access to operational data and other service oversight tools that help to maintain safe and effective service. The software also provides service data and other travel information to applications used by transit riders.

A significant benefit of a CAD/AVL system is access to real-time service data for riders and Valley Transit staff. This data includes accurate vehicle location (updating every 4 seconds); ADA-required onboard stop announcements; boarding & alighting data at each bus stop location; schedule and predictive bus stop arrival times; and various types of operation data (miles, hours, etc.) needed for reporting. The CAD/AVL system also serves as a central hub in the vehicle and ties together multiple onboard systems to ensure coordination of different functions. For example, the onboard tablet accesses current route and bus stop sequence information from a server using onboard cellular data and combines this with geographic coordinates from GPS. This layered data is relayed to onboard equipment, like onboard bus stop announcements, fare collection and destination sign messaging, and end-user applications.

Drivers interact with the CAD/AVL system from the supplied touch screen rugged tablet. Drivers use the tablet to login, logout, select route work, receive info from dispatch and receive schedule adherence feedback to aid on-time performance.

Valley Transit purchased and installed its first CAD/AVL system in 2011 from a vendor called Trapeze. In 2018, the contract was awarded to DoubleMap (current vendor). The full DoubleMap product is being discontinued by the vendor and will no longer be supported after 12/31/2023, which necessitated the search for a replacement system.

In preparation for this procurement, Valley Transit staff developed a request for proposal (RFP) document to solicit proposals from vendors. As part of this process, staff reviewed existing products in the market and other transit properties' RFP documents. City of Appleton IT staff also reviewed the project in the planning stages and provided feedback.

The RFP document was sent directly to vendors who were known suppliers; posted on the State of Wisconsin's Vendornet system; and advertised in print and online with the *Post-Crescent*, *Green Bay Press Gazette* and the *Oshkosh Northwestern*. Proposals were due on December 15, 2022. Five proposals were received prior to the required deadline: Equans (Sandy Springs, GA), TransLoc (Durham, NC), Strategic Mapping, Inc (Tampa, FL), GMV (Los Angeles, CA) and Passio (Atlanta, GA).

ANALYSIS

Each proposal was evaluated based on the vendor's compliance with the stated specifications, product capabilities, experience, qualifications, training, support & price. GMV proposal was rated highest after the written proposal evaluation and was subsequently moved forward in the evaluation process. GMV was then invited to provide a product demonstration on January 11, 2023. After consideration of the written proposal, cost proposal and product demo, the evaluation team unanimously concluded GMV's proposal provided the greatest overall benefit for Valley Transit.

GMV's written proposal clearly described the system capabilities in relation to the scope of work, implementation, system support and training process. GMV's product utilizes the same rugged tablet model currently in service for Valley Transit, which provides a cost savings for the project. By utilizing the same tablet, the driver will interact with the same display and input similar data on the touchscreen. All other proposers required the purchase of a new logic unit (onboard computer) and mobile data terminal (driver display) for each vehicle. This new equipment added expense and was often supplied solely by the proposer, which would limit competition for hardware replacement. This was a significant concern for the evaluation team.

All GMV references provided positive feedback on the system's reliability, functionality, training, and support. GMV's current customer base focuses small to mid-size transit systems, which should benefit Valley Transit as the product evolves.

A key factor in selecting the next CAD/AVL system was integration with existing onboard equipment and other third-party software used by Valley Transit. GMV provided ample examples of successive integration with current systems onboard Valley Transit vehicles and other software products used by Valley Transit, like Optibus (scheduling & planning) and TransTrack (data management system).

GMV's system includes a multi-channel notification system, where staff can formulate messaging in the software and instantly share it with several connected platforms (twitter, transit app, Google, website message widget, onboard signage and onboard annunciation). The evaluation team found this feature to be a great benefit when communicating service changes or detours. The new system also includes: a bus tracking public website; automatic voice announcement system; automatic passenger counting system; GTFS Real-Time feed generation (data needed for Google Transit); live video streaming for dispatch; driver messaging; schedule adherence feedback for drivers and dispatchers; cloud-based administrative software; and access to data in reports or raw format.

GMV proposed a 6-month timeline for implementation. Depending on contract execution, Valley Transit anticipates full system roll-out in the third quarter of 2023.

FISCAL IMPACT

The project will have a total year-one fiscal impact of \$366,510. This amount includes \$331,420 in system set-up and capital costs, as well as, \$35,090 for an annual software licensing fee. In contract years 2-5, GMV's annual software fee is \$35,090. Valley Transit requests an additional 10% contingency for unknown costs expected during implementation. This brings the total 5-year project cost to \$557,557.

Existing federal grants would cover 80% of the system set-up and capital costs. The remaining cost would be expensed from Valley Transit's annual budget. Ongoing software maintenance fees in contract years 2-5 are included in Valley Transit's annual budget and are paid for by State and Federal grants (60%) and local share (40%).

RECOMMENDATION

Staff recommends authorization for Valley Transit to enter into a contract with GMV to provide a Computer Aided Dispatch/Automatic Vehicle Location System.

**RESOLUTION OF SUPPORT FOR FY 2023 RAISE GRANT APPLICATION FOR THE
DOWNTOWN APPLETON: VALLEY TRANSIT REGIONAL MULTIMODAL/JOINT
DEVELOPMENT PROJECT**

WHEREAS, the Rebuilding American Infrastructure with Sustainability and Equity “RAISE” Transportation Grants Program provides dedicated, discretionary funding for transportation infrastructure projects of local or regional significance; and

WHEREAS, the United States Department of Transportation is soliciting applications for \$1.5 billion for the FY 2023 RAISE Grants Program as appropriated through the National Infrastructure Investments; and

WHEREAS, the FY 2023 RAISE Grants Program directs funds be divided not more than 50 percent for rural areas and 50 percent for urbanized areas and requires measures to ensure an equitable geographic distribution of grant funds and an appropriate balance in addressing the needs of urban and rural areas; and

WHEREAS, eligible projects for FY 2023 RAISE Grants Program include surface transportation capital projects including highway, bridge, or other road projects as well as public transportation projects, passenger and freight rail transportation projects, port infrastructure investments, surface transportation components of an airport project, and intermodal projects, among others; and

WHEREAS, the maximum award for this round of FY 2023 RAISE Grants Program is \$25 million; and

WHEREAS, the City of Appleton is seeking funds to construct the downtown Appleton Valley Transit Center and Joint Development mixed use housing development; and

WHEREAS, the proposed improvements will improve transit passenger and driver safety, local and regional community connectivity, access to jobs and education, and supports a public/private partnership to develop mixed income housing; and

WHEREAS, the project is identified in the Valley Transit-Transit Center Needs Assessment Master Plan; and

WHEREAS, the City of Appleton will provide funding towards the 20 percent local match as identified in the RAISE grant application, which includes the use of funding programmed for maintenance, secured funding through other grant programs, and additional program funding as applicable; and

NOW THEREFORE BE IT RESOLVED, that the Appleton City Council supports and approves the application towards FY 2023 RAISE Grants Program for the Valley Transit Regional Multimodal/Joint Development Project.



1 STREETFRONT - ENSCAPE 2023-01-06-17-07-17 (Enscape)
1/2" = 1'-0"



2 BUSWAY - ENSCAPE 2023-01-04-15-39-47 (Enscape)
1/2" = 1'-0"

3-23

AN ORDINANCE AMENDING SECTION 17-3(d) OF CHAPTER 17 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO GENERAL PROVISIONS; DEDICATION AND RESERVATION OF LANDS.

(City Plan Commission – 2-1-2023)

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

Section 1: That Section 17-3(d) of Chapter 17 of the Municipal Code of the City of Appleton, relating to general provisions; dedication and reservation of lands, is hereby amended to read as follows:

Sec. 17-3. General provisions.

(d) *Dedication and reservation of lands.* Streets, Highways, Trails, Parks, Drainageways, Stormwater Facilities, and Floodplain. Whenever a tract of land to be divided or developed within the jurisdiction of this ordinance encompasses all or any part of a street, highway, trail, park, drainageway, stormwater facility, floodplain, or other public way which has been designated on the official map, comprehensive plan, or other plan officially adopted by Common Council, said public way shall be dedicated or reserved by the owner in the locations and dimensions indicated on said plan and as set forth in this ordinance.

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

4-23

AN ORDINANCE AMENDING SECTION 17-4 OF CHAPTER 17 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PREPLATTING REQUIREMENTS.

(City Plan Commission – 2-1-2023)

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

Section 1: That Section 17-4 of Chapter 17 of the Municipal Code of the City of Appleton, relating to preplattting requirements, is hereby amended to read as follows:

Sec. 17-4. Preplatting requirements.

(a) ***Preplatting conference.*** Prior to submitting an application for the approval of a Preliminary Plat within the corporate limits, the subdivider shall schedule a preplatting conference with the City Engineer or their designee. The purpose of the preplatting conference is to provide an opportunity for communication between the subdivider and City staff, regarding the purpose and objectives of these regulations, the Official Map, Comprehensive Plan, Comprehensive Outdoor Recreation Plan, Trails Master Plan, zoning regulations, erosion control and stormwater management practices, neighborhood plans, and duly adopted plan implementation devices of the City, and to otherwise assist the subdivider in planning the development. The subdivider will receive information regarding required procedures.

- (1) The City staff involved in the preplatting conference shall include, but not be limited to, representatives from the Department of Public Works, Community and Economic Development Department, Parks, Recreation and Facilities Management Department, and Fire Department.

(b) ***Required information.*** The following information shall be submitted to the City Engineer or their designee prior to the preplatting conference:

- (1) The scaled sketch plan shall show:
 - a. The title, scale, north point, and date;
 - b. The boundaries of the property to be subdivided;
 - c. Natural characteristics such as drainage, wetlands, steep slopes, hills, ridges, floodplains, environmentally sensitive lands, and wooded areas;
 - d. Development characteristics such as surrounding streets, existing structures, and available utilities;
 - e. The proposed layout of streets, blocks, and lots;
 - f. The proposed location of business, parkland, trails, and other nonresidential areas;
 - g. Existing easements and covenants affecting the property; and
 - h. Where site conditions permit, any tract subdivided into parcels containing one (1) or more acres shall be arranged to allow future resubdivision of any parcels into smaller lots.
- (2) The scaled location sketch shall show the relationship of the proposed subdivision to:

- a. Traffic arterials;
 - b. Schools, parks, playgrounds, trails, and other community facilities;
 - c. Churches and retail facilities;
 - d. Public transportation;
 - e. Local zoning districts; and
 - f. Existing plats.
- (3) The subdivider shall indicate how they propose to accommodate parkland and/or trail needs in a manner that is consistent with §17-29.

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

5-23

AN ORDINANCE AMENDING SECTION 17-29 OF CHAPTER 17 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO DEDICATION OF PUBLIC PARKS AND OTHER PUBLIC SITES.

(City Plan Commission – 2-1-2023)

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

Section 1: That Section 17-29 of Chapter 17 of the Municipal Code of the City of Appleton, relating to dedication of public parks and other public sites, is hereby amended to read as follows:

Sec. 17-29. Dedication of public parks and other public sites.

(a) ***Purpose.*** The requirements of this section are established to ensure that adequate parks, open spaces, and sites for other public uses are properly located and preserved as the community develops. This section has also been established to ensure that the cost of providing park and recreation sites and facilities necessary to serve the additional people brought into the community by development may be equitably apportioned on the basis of the additional need created by the individual development. The requirements shall apply to all lands proposed for all residential development.

(b) **Applicability.** Any subdivision or minor land division (certified survey map) approval which enables the creation of additional dwelling units, and that has not already been subject to the requirements of this section, shall require compliance with the parkland and/or trail dedication and fee in lieu of dedication requirements included in this section.

(c) **Exception.** Reconfiguration of existing lots and redevelopment which does not create new, additional lots shall not be subject to the provisions of this section. Zoning districts not listed in the tables under §17-29(e)(1) and §17-29(f)(1) are exempt from the provisions of this section.

(d) **Conformance with adopted ordinances and planning documents.** The location, size, standards, and recommendations related to parkland and/or trail dedication and fee in lieu of parkland and/or trail dedication shall be consistent with the following adopted city documents: Official Map, Comprehensive Plan, Comprehensive Outdoor Recreation Plan, Trails Master Plan, and/or other document officially adopted by Common Council.

(e) **Parkland and/or trail dedication.** Within the corporate limits of the City, the subdivider shall dedicate land to provide for park, trail, and/or recreation needs in accordance with the adopted ordinances and planning documents described in subsection (d) above.

- (1) **Dedication area calculation.** The dedication to the public shall be a minimum of three (3) acres or an amount of land to be determined as specified in the following table, whichever is greater.

<i>Zoning District</i>	<i>Land Dedication (per dwelling unit)</i>
R-1A, R-1B, R-1C, and R-2	800 square feet
R-3, PD, and TND	650 square feet

- (2) **Dedication consultation and land evaluation.** The location, suitability, and dimensions of the land to be dedicated shall be determined in consultation between the subdivider and appropriate City departments (see §17-4), prior to submission of the preliminary plat or certified survey map. The land to be dedicated must be free of wetlands, floodplain, or other limitations that would prevent the land from being used for parkland purposes, unless this requirement is waived by the Director of Parks, Recreation and Facilities Management or their designee.

- a. Factors used in evaluating the adequacy of land to be dedicated shall include, but not be limited to, size, shape, topography, geography, tree cover, access, and location of people to be served.
- b. Stormwater ponds may be located within the land to be dedicated, but pond square footage shall not count toward the dedication requirement unless designed and constructed to serve as a park

amenity, as determined by the Director of Parks, Recreation and Facilities Management or their designee.

- (3) **Reservation of additional land.** Where the adopted ordinances and planning documents described in §17-29(d) call for a larger amount of land than the subdivider is required to dedicate, the land needed beyond the minimum amount shall be reserved for subsequent purchase by the City. Such acquisition must occur within three (3) years from the date of approval of the final plat or certified survey map, unless the timing or other details regarding the conveyance are modified by the development agreement. If such acquisition does not occur within the specified time period, the City shall release the reservation.

(f) **Proportionate payment in lieu of parkland and/or trail dedication.** Where such dedication is not feasible or is not consistent with the adopted ordinances and planning documents described in subsection (d) above, the landowner shall, in lieu thereof, pay to the City a fee equivalent to the value of the required dedication.

- (1) **Fee amount.** In lieu of parkland and/or trail dedication, the landowner shall pay to the City a fee according to the zoning classification of each lot as specified in the following table:

<i>Zoning District</i>	<i>In Lieu Payment (per dwelling unit)</i>
R-1A, R-1B, R-1C, and R-2	\$1,100.00
R-3, PD, and TND	\$900.00

- (2) **Fee collection.** The required payment shall be made by the landowner upon the issuance of a building permit for individual lots.
- (3) **Fee deposit.** Such fees shall be deposited and held in a nonlapsing fund to be used exclusively for immediate or future site acquisition or capital improvement.
- (4) **Further division of land.** If a lot or parcel is further divided, payment of the fee as specified in this section must be made, upon issuance of a building permit, for each additional undeveloped lot or parcel created by the land division.

(g) **Provision of land for trails.** The following requirements are included in this chapter to recognize the importance of trails within and between developments. Trails provide access to parks, open spaces, and other community destinations.

- (1) Within the corporate limits of the City, the subdivider shall provide land for trail needs in accordance with the adopted ordinances and planning documents described in subsection (d) above. The location, suitability, and dimensions shall be determined in consultation between the subdivider and appropriate City departments (see §17-4), prior to submission of the preliminary plat or certified survey map. The following factors and criteria shall be considered:
 - a. A subdivision and/or minor land division adjacent to an existing trail shall provide connection(s) to said trail.
 - b. A subdivision and/or minor land division in an area identified with a proposed trail, per the Trails Master Plan, shall accommodate future trail placement using outlot(s) dedicated to the public and/or widened street right-of-way. In limited cases, the use of easements may also be considered.
 - c. Outlots dedicated to the public for trail purposes shall be exempt from any dimensional standards on lot width and lot area found in Chapter 23, Zoning of the Municipal Code and from lot design standards found in §17-26. These outlots must be noted as such on the Final Plat or Certified Survey Map.
 - d. Exact trail placement and configuration is adaptable, based on site features at the time of subdividing. The location and dimensions of land needed for a trail shall reasonably accommodate development of the property. To allow for trail pavement, clearances, and other amenities, a corridor width of twenty (20) feet will be considered typical.
 - e. Unless otherwise agreed upon, the City is responsible for design, construction, and maintenance of trails after the land is dedicated or transferred to the City.
 - f. Rules governing trail use are found in Chapter 13, Parks and Recreation of the Municipal Code.
- (2) The area of the outlot(s) and/or widened street right-of-way dedicated for trail purposes shall be counted toward the parkland dedication requirement as specified in §17-29(e).

(h) ***Determination of feasibility.*** The determination as to the feasibility of dedication shall be made by the Common Council. When dedication to the public is proposed for a certified survey map, the acceptance of the dedication must be approved by Common Council before administrative approval of the certified survey map.

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

6-23

AN ORDINANCE AMENDING SECTION 17-30 OF CHAPTER 17 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO IDENTIFICATION OF DEDICATED AREAS.

(City Plan Commission – 2-1-2023)

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

Section 1: That Section 17-30 of Chapter 17 of the Municipal Code of the City of Appleton, relating to identification of dedicated areas, is hereby amended to read as follows:

Sec. 17-30. Identification of dedicated areas.

All areas to be dedicated to the public for streets shall be clearly identified as such on the Final Plat or Certified Survey Map. All other areas to be dedicated for public use shall be clearly identified on the Final Plat or Certified Survey Map, with its intended purpose noted.

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

7-23

AN ORDINANCE AMENDING SECTION 17-31 OF CHAPTER 17 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO RESERVATION OF STREET WIDTHS.

(City Plan Commission – 2-1-2023)

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

Section 1: That Section 17-31 of Chapter 17 of the Municipal Code of the City of Appleton, relating to reservation of street widths, is hereby amended to read as follows:

Sec. 17-31. Reservation of street widths.

Minimum street right-of-way widths are identified in §17-25. Any street widths requested in excess of the minimum requirements must be reserved as specified in §17-29(e)(3).

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

8-23

AN ORDINANCE AMENDING SECTION 17-32 OF CHAPTER 17 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO RESERVATION OF PUBLIC SITES.

(City Plan Commission – 2-1-2023)

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

Section 1: That Section 17-32 of Chapter 17 of the Municipal Code of the City of Appleton, relating to reservation of public sites, is hereby amended to read as follows:

Sec. 17-32. Reservation of public sites.

Where sites for parks, schools, playgrounds or other public uses except streets are located within the subdivision or minor land division area, the Common Council shall require that the sites be reserved by the subdivider as specified in §17-29(e)(3). If a government agency, other than the City, passes a resolution expressing its intent to acquire the land to be reserved, the reservation process and time period specified in §17-29(e)(3) shall apply.

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

9-23

AN ORDINANCE AMENDING SECTION 17-33 OF CHAPTER 17 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PRIVATE RESERVATIONS.

(City Plan Commission – 2-1-2023)

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

Section 1: That Section 17-33 of Chapter 17 of the Municipal Code of the City of Appleton, relating to private reservations, is hereby amended to read as follows:

Sec. 17-33. Private reservations.

Reservation of areas for the exclusive use of the occupants of a subdivision may be permitted by the Common Council when such reservations will not be contrary to the public health, safety, morals or general welfare, and such areas shall be clearly identified on the preliminary and final plats or certified survey maps as private reservations.

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

10-23

AN ORDINANCE AMENDING SECTION 17-34 OF CHAPTER 17 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO RIGHT OF REFUSAL.

(City Plan Commission – 2-1-2023)

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

Section 1: That Section 17-34 of Chapter 17 of the Municipal Code of the City of Appleton, relating to right of refusal, is hereby amended to read as follows:

Sec. 17-34. Right of refusal.

The number, size and location of all dedications, reservations or easements shall be subject to approval, and the Common Council shall ascertain that the proposed sites are suitable for the proposed uses. The Council retains the right to refuse any dedication. Upon refusal, an alternative parkland and/or trail dedication or payment in lieu of dedication shall occur.

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

11-23

AN ORDINANCE AMENDING SECTION 17-35 OF CHAPTER 17 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO ACCEPTANCE OF DEDICATION.

(City Plan Commission – 2-1-2023)

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

Section 1: That Section 17-35 of Chapter 17 of the Municipal Code of the City of Appleton, relating to acceptance of dedication, is hereby amended to read as follows:

Sec. 17-35. Acceptance of dedication.

When a final plat of a subdivision located in the City has been approved by the Common Council and all other required approvals are obtained and the plat is recorded, that approval constitutes acceptance for the purpose designated on the plat of all lands shown in the plat as dedicated to the public, including street dedications. This also applies to certified survey maps following the process described in §17-29(h).

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