



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, September 16, 2015

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. PUBLIC PARTICIPATION

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-1443](#) Common Council Meeting Minutes from September 2, 2015

Attachments: [CC Minutes 09-02-2015.pdf](#)

H. BUSINESS PRESENTED BY THE MAYOR

[15-1477](#) Appointment of Sonia Barham to the Fox Cities Transit Commission

Attachments: [CC 09-16-2015 - Committee Appt for Transit Commission.pdf](#)

I. PUBLIC HEARINGS

[15-1478](#) Public Hearing - Street Vacation - South Badger Avenue

Attachments: [CC 09-16-2015 - Public Hearing - Badger Avenue.pdf](#)

J. SPECIAL RESOLUTIONS

[15-1480](#) Final Resolution: South Badger Avenue

Attachments: [CC 09-16-2015 - Final Resolution - Badger Avenue.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

- [15-1431](#) Request from Mr. Robert Klemp for a variance to the Street Terrace Policy for his fence and bushes outside of the 60-foot obstruction zone.

Attachments: [Robert Klemp-633 N Linwood.pdf](#)

Legislative History

9/8/15	Municipal Services Committee	recommended for approval
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- [15-1432](#) Approve Amendment No. 3 to the Bloom Companies, LLC contract for the Jackman Street Shared Use Path Project to design modifications to the stairs so the decorative lights are integral to the stair structure in an amount not to exceed \$3,924.83 (Revised contract amount of \$91,500.83).

Attachments: [Bloom Companies-Jackman St.pdf](#)

Legislative History

9/8/15	Municipal Services Committee	recommended for approval
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- [15-1433](#) Approve Amendment No. 1 to the Collins Engineers, Inc contract for the Bridge Dive Inspections to design repairs needed to pier #1 of the Olde Oneida Street Bridge over the Fox River caused by scour in an amount not to exceed \$4,213.88 (Revised contract amount of \$28,188.86).

Attachments: [Collins Engineers Inc..pdf](#)

Legislative History

9/8/15	Municipal Services Committee	recommended for approval
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- [15-1434](#) Addition of bike lanes on Roemer Road between Glendale Avenue and Capitol Drive.

Attachments: [Bike lanes on Roemer Road.pdf](#)

[Boldt Company-Roemer Road.pdf](#)

Legislative History

9/8/15	Municipal Services Committee	recommended for approval
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2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[15-1410](#) Salvage Dealer Renewal application of Mr C's Motorcycles, LLC, Janet L. Egelseer, Applicant, 724 S. Outagamie St., contingent upon approval from all departments.

Legislative History

9/9/15	Safety and Licensing Committee	recommended for approval
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[15-1412](#) Salvage Dealer's License Renewal application of Appleton Aluminum Recycling Inc., Charles O. Desten, Applicant, 300 N. Kensington Dr., contingent upon approval from all departments.

Legislative History

9/9/15	Safety and Licensing Committee	recommended for approval
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[15-1416](#) Class "A" Beer License application of SG Petroleums LLC, d/b/a SG Petroleums, Suyash Goel, Agent, 2811 E. Newberry Street, contingent upon approval from all departments.

Legislative History

9/9/15	Safety and Licensing Committee	recommended for approval
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[15-1428](#) Taxicab Company and Limousine Service License application of Superior Transport, Lorenzo Jackson, Owner, 1365 Lucerne Drive, Menasha, contingent upon approval from all departments.

Legislative History

9/9/15	Safety and Licensing Committee	recommended for approval
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[15-1438](#) Operator's Licenses

Attachments: [Operator's Licenses for 9-9-15 S&L.pdf](#)

Legislative History

9/9/15	Safety and Licensing Committee	recommended for approval
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[15-1454](#) Taxicab Driver's License application of Michael L. Cotter, 1821 N. Racine Street.

Legislative History

9/9/15	Safety and Licensing Committee	recommended for approval
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[15-1444](#) Operator's License application of Brice A. Masters, 2833 Main Avenue, Kaukauna.

Legislative History

9/9/15 Safety and Licensing recommended for denial
 Committee

[15-1455](#) Taxicab Driver's License application of Craig S. Skidmore, 1550 Acorn Court, Menasha.

Legislative History

9/9/15 Safety and Licensing recommended for approval
 Committee

3. MINUTES OF THE CITY PLAN COMMISSION

[15-1367](#) Request to approve Special Use Permit #11-15 for alcohol sales and service for on-site consumption in conjunction with an existing day spa which will also be licensed as a restaurant, at 1024 S. Olde Oneida Street, as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report

Attachments: [SUP #11-15 #2 Staff Review.pdf](#)

Legislative History

8/24/15 City Plan Commission held
9/10/15 City Plan Commission recommended for approval

[15-1421](#) ****CRITICAL TIMING**** Annual review and request to approve the Business Improvement District (BID) 2016 Operating Plan

Attachments: [2016 BID Operating Plan Staff Report.pdf](#)

[2016 BID Operating Plan.pdf](#)

[2014 BID Annual Report.pdf](#)

[2014 Year End BID Communication Report.pdf](#)

[2014 Year End BID Financial Statements Report.pdf](#)

Legislative History

9/10/15 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[15-1476](#)

Request to approve the following 2015 Budget Adjustment:

General Fund - Dept of Public Works

Miscellaneous State Aids	- \$25,000
Plant Material	+\$17,000
Herbicides/Pesticides	+\$ 1,000
Protective clothing/Equipment	+\$ 7,000

to recognize the grant award received from the Department of Natural Resources and request spending authority to purchase an Emerald Ash Borer treatment system, safety gear and additional trees to be planted to fill in urbanized areas.

Attachments: [DNR Grant.pdf](#)

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[15-1425](#)

Award rehabilitation and painting of Water Plant Softener #4 to Howard Grote and Sons in the amount of \$248,806 with a 5% contingency of \$12,440 for a project total not to exceed \$261,246.

Attachments: [Softener Painting 09-02-15.pdf](#)

Legislative History

9/8/15

Utilities Committee

recommended for approval

8. MINUTES OF THE HUMAN RESOURCES COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

[15-967](#)

Referral from City Plan Commission; Resolution #8-R-15 - Dalton/Meltzer

Amended Resolution #8-R-15 be amended as follows:

Whereas it has become popular for backyard gardeners to raise Mason Bees to aid in pollination of garden plants and backyard orchards; and

Whereas, since Mason Bees pose negligible stinging threat and provide significant benefits for the production of fruits and vegetables in backyards and community gardens,

Now, therefore, the Common Council of Appleton does amend the bee keeping ordinance to allow Mason Bees in any other zoned areas other than PI and urban farms.

Attachments: [Bee Resolution.pdf](#)

[Bees in Residential Zone.pdf](#)

[Beekeeping Permit Requirements .pdf](#)

[Apiary Permit Application 2015.pdf](#)

Legislative History

6/8/15	City Plan Commission	held
6/22/15	City Plan Commission	referred to the Board of Health
7/8/15	Board of Health	presented
8/12/15	Board of Health	recommended for approval
8/19/15	Common Council	referred to the Board of Health
9/9/15	Board of Health	recommended for approval

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[15-1456](#)

Ordinances going to 09/16/2015 Council

Attachments: [Ordinances going to 09-16-2015 Council.pdf](#)

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER COUNCIL BUSINESS

T. ADJOURN

Jamie L. Sova, Deputy City Clerk

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



City of Appleton

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

Wednesday, September 2, 2015

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

Offered by Alderperson Konetzke

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 13 - Alderperson Greg Dannecker, Alderperson Cathy Spears, Alderperson Polly Dalton, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margaret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

Excused: 2 - Alderperson Chris Croatt and Alderperson Joe Martin

Presiding: 1 - Mayor Timothy Hanna

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

PRESENT: Deputy City Clerk Sova, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community and Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Director of Parks, Recreation and Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Information Technology Fox, Valley Transit General Manager Wetter, Director of Utilities Shaw

EXCUSED: Library Director Rortvedt

F. PUBLIC PARTICIPATION

Name - Address - Topic

Shanna McKeefry - 2411 Wilson Court #10 - Bartender's License

J.P. Henning - W7586 Robert Court - Bartender's License Renewal

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-1388](#)

Common Council Meeting Minutes from August 19, 2015 Special Meeting

Attachments: [CC Minutes 08-19-2015 - Special Meeting.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Dannecker, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Dannecker, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Martin

Abstained: 1 - Mayor Hanna

[15-1389](#)

Common Council Meeting Minutes from August 19, 2015

Attachments: [CC Minutes 08-19-2015.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Dannecker, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Dannecker, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Martin

Abstained: 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[15-1399](#)

Non-Renewal Hearing for the Operator's License of Shanna L. McKeefry, 2411 Wilson Court, #10.

Attachments: [Shanna L. McKeefry.pdf](#)
 [Shanna McKeefry.pdf](#)

Aldersperson Plank moved, seconded by Aldersperson Konetzke, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 9 - Alderperson Spears, Alderperson Dalton, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Mann, Alderperson Coenen and Alderperson Jirschele

Nay: 4 - Alderperson Dannecker, Alderperson Williams, Alderperson Baranowski and Alderperson Lobner

Excused: 2 - Alderperson Croatt and Alderperson Martin

Abstained: 1 - Mayor Hanna

[15-1401](#)

Non-Renewal Hearing for the Operator's License of Jacob P. Henning, W7586 Robert Court, Hortonville.

Attachments: [Jacob P. Henning.pdf](#)
 [Jacob P. Henning.pdf](#)

Alderperson Dannecker moved, seconded by Alderperson Baranowski, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson Dannecker, Alderperson Spears, Alderperson Dalton, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Baranowski, Alderperson Mann, Alderperson Coenen, Alderperson Lobner and Alderperson Jirschele

Nay: 1 - Alderperson Williams

Excused: 2 - Alderperson Croatt and Alderperson Martin

Abstained: 1 - Mayor Hanna

[15-1362](#)

Operator's License application of Jeremy A. Ruppel, 1121 W. College Avenue.

This Report Action Item was referred to the Safety and Licensing Committee

[15-1400](#)

Non-Renewal Hearing for the Operator's License of Debbie A. Erickson, 117 E. College Avenue, #205.

Attachments: [Debbie A. Erickson.pdf](#)
 [Debbie Erickson.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Dannecker, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Dannecker, Alderperson Spears, Alderperson Dalton, Alderperson Williams, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Baranowski, Alderperson Mann, Alderperson Coenen, Alderperson Lobner and Alderperson Jirschele

Excused: 2 - Alderperson Croatt and Alderperson Martin

Abstained: 1 - Mayor Hanna

[15-1398](#)

Non-Renewal Hearing for the Operator's License of Jared R. Oatman, 621 N. Superior Street, #101.

Attachments: [Jared R. Oatman.pdf](#)
[Jared Oatman.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Dannecker, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Dannecker, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Martin

Abstained: 1 - Mayor Hanna

[15-463](#)

Request to approve Mayor salary for
2016 - 2017
2017 - 2018
2018 - 2019
2019 - 2020

Attachments: [Nonrep Attorney Mayor Increase Calculations-2004 5-11-15.pdf](#)
[Mayor Rates 4-27-15.pdf](#)
[mayor attorney email and info for 6-8-15.pdf](#)
[Elected salary proposals 8.26.15.pdf](#)

This Report Action Item was referred to the Human Resources Committee

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Dannecker moved, Aldersperson Plank seconded, to approve the report. The motion carried by the following vote:

Aye: 13 - Aldersperson Dannecker, Aldersperson Spears, Aldersperson Dalton, Aldersperson Williams, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 2 - Aldersperson Croatt and Aldersperson Martin

Abstained: 1 - Mayor Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**[15-1347](#)

Salvage Dealer Renewal application of Mach IV Motors, Kara L. Tullberg, Applicant, 724 S. Outagamie St., Ste A, contingent upon approval from all departments.

This Report Action Item was approved.

[15-1355](#)

Salvage Dealer's Renewal License application of Green Meadow Recycling, Inc. Neil D. Novak, Applicant, 2220 W. Everett St., contingent upon approval from all departments.

This Report Action Item was approved.

[15-1356](#)

Salvage Dealer's Renewal License application of Bee J Enterprise, Connie J. Hartjes, Applicant, 4845 Greenville Dr., contingent upon approval from all departments.

This Report Action Item was approved.

[15-1363](#)

Special Class "B" Beer License application of St. Joseph Congregation, Mike G. Bierstaker, Person in Charge, 404 W. Lawrence Street, September 12, 2015, contingent upon approval from all departments.

This Report Action Item was approved.

[15-1364](#)

Salvage Dealer Renewal application of Golper Supply Co., Inc., David B. Golper, Applicant, 1810 W. Edgewood Dr., contingent upon approval from all departments.

This Report Action Item was approved.

[15-1370](#)

Operator's Licenses

Attachments: [Operator's Licenses for 08-26-2015 S&L.pdf](#)

This Report Action Item was approved.

[15-1371](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 08-26-2015 S&L.pdf](#)

This Report Action Item was approved.

[15-1372](#) Special Class "B" Beer License applications filed after the agenda was published.

This Report Action Item was approved.

[15-1379](#) Operator's License application contingent upon completion of the Responsible Beverage Service Course - Jesse C. Howell, 1310 W. Hiawatha Drive.

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[15-1397](#) Action: Approval of a private event/fundraiser at Houdini Plaza for the Fox Cities Building for the Arts/Fundraising Gala on September 22, 2015

Attachments: [Approval of FC Building for the Arts Trout Museum Fundraiser \(8-24-15\).doc](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[15-1382](#) Request for Finance Director to sell \$5,830,000 General Obligation Notes.

This Report Action Item was approved.

[15-1383](#) Request for Finance Director to sell \$21,360,000 Water Revenue Refunding Bonds.

This Report Action Item was approved.

[15-1384](#)

Request for Finance Director to sell \$9,335,000 Stormwater Revenue Refunding Bonds.

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[15-1406](#)

Award Unit R-15 Chemical Root Foaming of Sanitary Sewers to Duke's Root Control, Inc. in an amount not to exceed \$25,000.

Attachments: [Award of Unit R-15 Chemical Root Foaming.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[15-1415](#)

Ordinances 66-15 thru 74-15

Attachments: [Ordinances going to 09-02-15 Council.pdf](#)

This Report Action Item was approved.

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER COUNCIL BUSINESS

T. ADJOURN

Meeting adjourned at 7:33 p.m.

Alderson Baranowski moved, seconded by Alderson Coenen, that the meeting be adjourned. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson Dannecker, Alderson Spears, Alderson Dalton, Alderson Williams, Alderson Meltzer, Alderson Plank, Alderson Siebers, Alderson Konetzke, Alderson Baranowski, Alderson Mann, Alderson Coenen, Alderson Lobner and Alderson Jirschele

Excused: 2 - Alderson Croatt and Alderson Martin

Abstained: 1 - Mayor Hanna

Jamie L. Sova, Deputy City Clerk



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

OFFICE OF THE MAYOR

Timothy M. Hanna
100 North Appleton Street
Appleton, Wisconsin 54911-4799
(920) 832-6400 FAX (920) 832-5962
email: mayor@appleton.org

September 11, 2015

Members of the Common Council:

The following is being presented for your confirmation at the September 16 Council meeting:

FOX CITIES TRANSIT COMMISSION

Appointment of one (1) member to fill the term vacated by Lynn Erickson:

SONIA BARHAM

Remainder of 3-year term to expire April 2018

Sonia Barham is the Executive Director of SOAR Fox Cities, Inc. SOAR provides services to individuals with developmental disabilities and their families. Sonia was born in Brazil and grew up in California. She completed her first two years at UCLA and later transferred to The Master's College earning a B.A. in Christian Ministries.

Ms. Barham's background consists of Management, Finance and Administration. Prior to its acquisition by FirstGroup, she worked for Laidlaw Transit, which was the largest provider of intercity bus services, contract public transit and paratransit, and contract school bus service in both the United States and Canada. She also managed a Fixed Base Operator (Million Air) at Hawthorne Airport in California. Sonia recently completed SILE III (Social Innovation Leadership Experience).

Sonia's current community involvement includes: Valley Transit – Strategic Planning Steering Committee Member; Appleton Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program – Review Panel; Appleton Alliance Church – High School Group leader; Fox West Y – Vice Chair; Fox Valley Technical College – OAR Advisory Committee Member; United Way – Strengthening Families Impact Area Volunteer; Steering Committee for the Non-Profit Executive Director Networking Educational Forum; Rotary of Appleton, Downtown – Board Member & Co-chair of Rotary Youth Services & Education Committee.

It is with pleasure that I make this recommendation.

Sincerely,

TIMOTHY M. HANNA
Mayor of Appleton

NOTICE OF PROPOSED STREET VACATION

(Pursuant to Section 66.1003, Wisconsin Statutes-2009-2010)

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:

A portion of Badger Avenue:

Bounded on the Northeast by Lots 16, 17 and 19, of Block 39, Grand Chute Plat (aka 3rd Ward Plat), according to the recorded Assessor's Plat of the City of Appleton, all being located in the SE ¼ of the SE ¼ of Section 27, the NE ¼ of the NE ¼ of Section 34 and the NW ¼ of the NW ¼ of Section 35, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin, containing 4,198 square feet of land m/l, as shown on the map.

EASEMENTS

The City of Appleton hereby retains an easement for *ALL* existing utilities within the entire width of the above-described and vacated street area.

EXISTING LOT LINE PROJECTIONS

It is the intent of the City of Appleton that the adjoining property owner to the south of this vacated street area shall acquire an ownership interest in the entire area being vacated.

COMMON DESCRIPTION:

Badger Avenue.

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, September 16, 2015, in the Council Chambers at the City Hall in said City of Appleton.

By Order of the Common Council.

August 6, 2015

DAWN A. COLLINS
City Clerk

RUN: August 8, 2015
August 15, 2015
August 22, 2015

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

FINAL RESOLUTION

WHEREAS, the public interest requires that a portion of South Badger Avenue that has 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 16th day of September, 2015, 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

Bounded on the Northeast by Lots 16, 17 and 19, of Block 39, Grand Chute Plat (aka 3rd Ward Plat), according to the recorded Assessor's Plat of the City of Appleton, all being located in the SE ¼ of the SE ¼ of Section 27, the NE ¼ of the NE ¼ of Section 34 and the NW ¼ of the NW ¼ of Section 35, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin, containing 4,198 square feet of land m/l and being further described by:

Commencing at the Southeast corner of said Section 27;
Thence North 89°12'54" West 20.68 feet along the South line of the SE ¼ of said Section 27 to the Northeasterly line of Badger Avenue and being the point of beginning;
Thence South 44°28'35" East 66.725 feet along the Northeasterly line of said Badger Avenue;
Thence South 61°11'51" West 26.09 feet;
Thence North 61°28'03" West 33.97 feet;
Thence North 34°53'10" West 28.87 feet;
Thence Northwesterly 193.72 feet, along the arc of a curve to the left having a radius of 884.00 feet and the chord of which bears North 35°28'47" West 193.34 feet to the Northeasterly line of Badger Avenue;
Thence South 44°28'35" East 192.235 feet along the Northeasterly line of said Badger Avenue to the point of beginning.

See attached Exhibit "A" for illustration.

TITLE TO VACATED LANDS

The adjoining property owners shall acquire ownership to the afore described and vacated portions of Badger Avenue as shown on the attached Exhibit "A" Map and more specifically as follows:

The owner of Lots 17, 19 and that part of Lot 16 of Block 39 in the Grand Chute Plat abutting the portion of vacated Badger Avenue shall acquire the vacated area in its entirety.

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, traffic, cable and fiber optic within the entire length and width of the above described right of way.

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 said property, as closely as possible, to the condition previously existing, and Grantee does hereby agree to compensate fully for any damage caused directly or indirectly from said maintenance, resizing, repair, replacement or relocation of said utilities. 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.

COMMON DESCRIPTION:

South Badger Avenue

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.

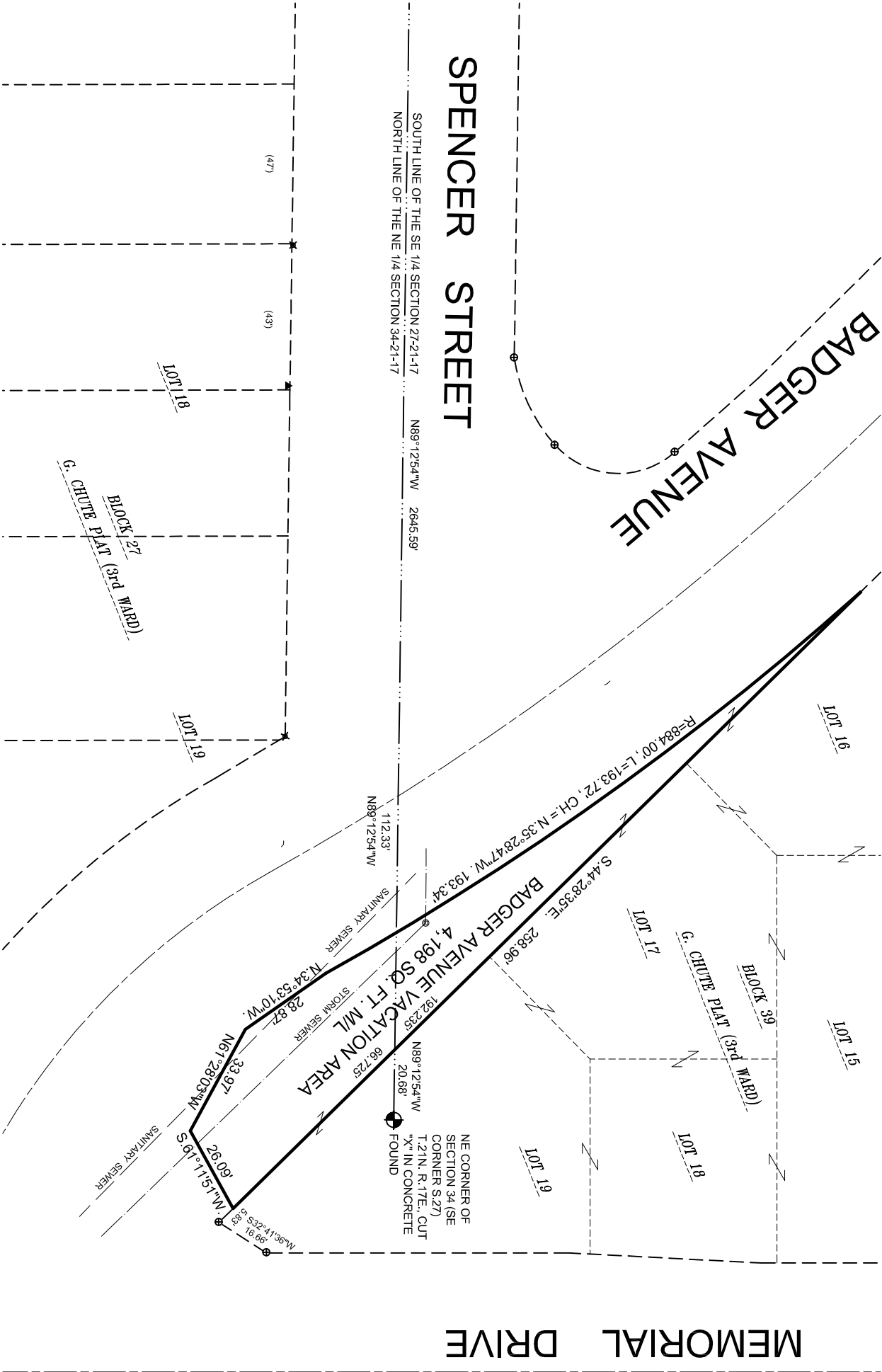
FURTHER RESOLVED, that according to §66.1005, Wisconsin Statutes, upon vacation and discontinuance of said portion of South Badger Avenue, title to the above-described area shall belong to the adjoining property owners of this vacated street area and shall acquire an ownership interest in the entire area being vacated.

Date

Christopher W. Croatt, Chair
Municipal Services Committee

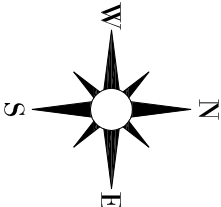
EXHIBIT "A"

PART OF BADGER AVENUE LYING ADJACENT TO LOTS 16, 17 AND 19 OF BLOCK 39, **GRAND CHUTE PLAT (AKA 3RD WARD)**, ALL ACCORDING TO THE RECORDED ASSESSOR'S PLAT OF THE CITY OF APPLETON, LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 34, THE SE 1/4 OF THE SE 1/4 OF SECTION 27 AND THE NW 1/4 OF THE NW 1/4 OF SECTION 35, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



LEGEND

- ⊕ = Chisel Mark Found
- ✕ = 3/4" Iron Rebar Found
- ▲ = 1.3" O.D. Iron Pipe Found



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, NORTH LINE OF THE NW 1/4 OF SECTION 27-21-17 RECORDED AS S.89°01'30"E.

H:\Acad\Vacation\2015\Badger_Spencer_0706_2015

SCALE IN FEET



CITY OF APPLETON

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

ROBERT C. KLEMP

**1819 N. Appleton Street
Appleton, WI 54911
robertklemp@gmail.com
Home: (920) 739-2671
Cell: (920) 851-6784**

Dear Ms Paula Vandehey,

I'am writing you per your letter dated August 18, 2015 about conc earns with my rental property at 633 N Linwood Ave..

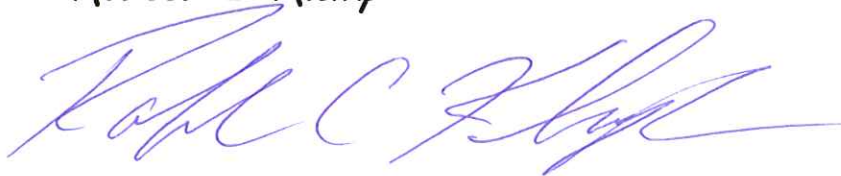
The two items that need to be addressed are the hedges and fence which you are saying need to be removed. My question about this is the previous owner of this property had these items up for the past 40 years, so why is it that we have to take them down.

I would like to request for me and my son to attend the nest Municipal Services Committee meeting September 8th at 6:30 pm. My hope is to understand why I have to remove these items when in the past 40 years there wasn't a problem. Also these items help keep my property clean of as much debris as possible from getting into my yard. I could understand is this street was a traveled road but it isn't.

I look forward in being able to speak about this property at the meeting.

Thank you and hope you can understand what I'm talking about.

Robert C Klem



APPLETON CODE

lock suitable to lock either the starting lever, throttle, steering apparatus, gearshift lever or ignition system. No person shall permit a passenger vehicle to stand or remain unattended on any street, alley or in any other public place, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift lever or ignition system of the vehicle is locked and the key for such lock is removed from the vehicle.

(Code 1965, §10.20)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 19-9. Obstruction of street by trains.

No person shall permit any railroad car, engine or tender on any railroad to stand or remain in any street in the City so as to obstruct the free passage of vehicles and pedestrians along such street and across such railroad track more than ten (10) minutes at any time, except the intersection of the railroad tracks and Second Street may not be obstructed more than thirty (30) minutes for the loading and unloading of passengers, mail and railway express.

(Code 1965, §10.16)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 19-10. Obstruction of view at intersection by vegetation, fence, etc.

(a) Vegetation or structures in terraces.

(1) All bushes, shrubs, weeds, vegetation, signs and fences, excepting trees on which limbs have been trimmed to a height of ten (10) feet above the ground, located in the terrace of any street within sixty (60) feet of the cross-street right-of-way in the approach direction and thirty (30) feet from the cross-street right-of-way in the nonapproach direction of any intersection in the City, are a public nuisance and dangerous to the safety and welfare of the people of the City. No new trees shall be planted in the terrace within the distances given in this subsection.

(2) The property owner or the person in possession of property abutting any street in the city within the distance from any intersection given in subsection (a)(1) of this section shall remove any such bushes, shrubs, weeds, vegetation, signs and fences and shall trim any trees to a height of ten (10) feet above the ground. Such bushes,

shrubs, weeds or other vegetation, if not so removed, shall be removed by the City without notice and the expense thereof reported to the City Clerk, who shall enter the same on the tax roll as a special charge against the benefited property.

(b) Vegetation or structures on private property.

(1) No owner or occupant of any property abutting a public street shall permit any trees, shrubs, bushes, weeds, signs, structures, wall or fences on his property to be so placed and maintained as to obstruct the vision of a user of the street at its intersection with another street or public thoroughfare. There shall be a vision corner on all corner lots located in zoning districts that require a minimum twenty- (20-) foot setback from street property lines. The vision corner is described as the triangular area enclosed by a straight line connecting a point on each street right-of-way line, which point is twenty-five (25) feet from the intersection of the right-of-way lines. Fences, walls, signs or structures erected in such vision corners shall not exceed three (3) feet in height. The fence, wall, sign or structure shall be a minimum of two-thirds (2/3) open to vision, equally distributed throughout the fence length and height located within the defined vision corner. Plantings in such vision corners shall be maintained in such a fashion as to provide unobstructed vision from three (3) feet above the centerline elevation of the abutting pavement to ten (10) feet above the centerline elevation.

(2) The provisions of subsection (b)(1) of this section shall also apply to those corner lots located in zoning districts that require a ten- (10-) foot setback from street property lines, except in those cases the vision corner is described as the triangular area enclosed by a straight line connecting a point on each street right-of-way line, which point is twenty (20) feet from the intersection of the street right-of-way.

(Code 1965, §10.15, Ord 67-00, §1, 8-19-00)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 19-11. Low-speed vehicles.

(a) **Definition.** Low-speed vehicle means a self-



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

DEPARTMENT OF PUBLIC WORKS

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

Adopted January 1, 2011

CITY OF APPLETON STREET TERRACE POLICY

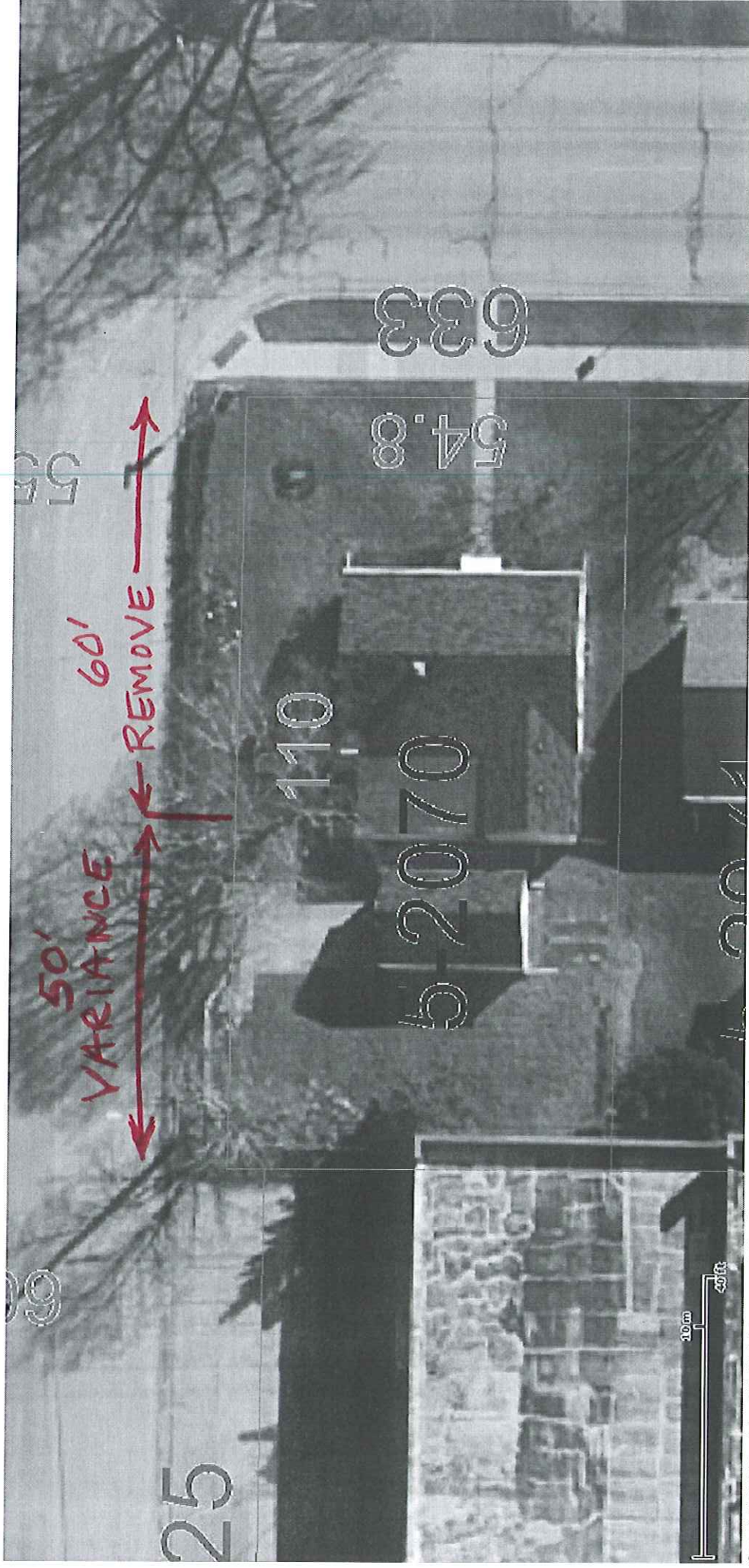
The following conditions are **not** acceptable uses of street terraces unless a street occupancy permit request is approved by the Municipal Services Committee and Common Council:

1. Plants in excess of 3 feet in height.
2. Hedges.
3. Traffic hazards such as rocks, railroad ties, etc.
4. Loose stone, mulch or sand surfaces.
5. Vegetable gardens.
6. Trees
7. Plants within 3 feet of a fire hydrant.

All other uses of street terraces are acceptable contingent upon the following:

1. Compliant with Weed Control Ordinance.
2. Elevation flush with sidewalk.
3. City's restoration cost to work in the terrace limited to cost of typical terrace.

All Council approved exceptions to this policy require a certificate of insurance and a \$40 annual street occupancy permit.





07/24/2015 12:49



07/29/2015 12:37

**AMENDMENT NO. 3 TO THE CONTRACT
BETWEEN THE CITY OF APPLETON (OWNER)
AND BLOOM COMPANIES, LLC (ENGINEER) FOR**

Jackman Street Project, Including a Shared Use Path

The contract made and entered into by and between the OWNER and ENGINEER, dated January 3, 2013, amended on March 12, 2014, amended on November 6, 2014, and is hereby amended as set forth on the following pages.

This amendment is for extra work regarding the Stairs in the southeast quadrant.

Bloom Companies will perform the additional tasks described in Attachment A - Scope of Work, for a lump sum change of **\$3,924.83**. This will bring the total fee for this contract from **\$87,576.00** to **\$91,500.83**.

In witness whereof, the parties hereto have caused this amendment to be executed and approved on the date signed by their authorized officers or representatives.

For the ENGINEER

For the OWNER

By: _____ By: _____

Title: _____ Title: _____

Date: _____ Date: _____

Attachments:

Attachment A – Scope of Work

Attachment B – Schedule

Attachment C - Fee

ATTACHMENT A

SCOPE OF WORK

GENERAL DESCRIPTION

This amendment is for extra work regarding the stairs in the southeast quadrant.

DECORATIVE RAILS AT NEW BRIDGE ABUTMENTS

The scope of the stairs shall be revised to include the following:

- Two extra piles at top landing
- Light posts added to the stairs
- Modifications to the concrete retaining wall at the top landing to accommodate piles, light pole, and extra rail on south side.
- Extra rail on south side of top landing.
- Adding conduit to top landing

Bloom will provide plans and technical specifications for the stairs. The plans will be included in a separate bid package that is associated with WisDOT Project ID 4984-09-00, Prospect Avenue Bridge over Jackman Street, City of Appleton, Prospect Avenue, Outagamie County.

The City of Appleton will assemble and complete the bid package, advertise the bid package, and select the contractor.



August 28, 2015

Mr. Chad M. Weyenberg, P.E.
City of Appleton Department of Public Works
100 North Appleton Street
Appleton, WI 54911

Bridge Dive Inspections in the City of Appleton (Unit Y-15)
Amendment #1- Bridge B44-0886, Olde Oneida Street over Fox River Pier Repairs

Dear Mr. Weyenberg:

As you are aware Collins recently completed and submitted the underwater inspection and reports for eleven bridges owned by the City of Appleton. During the inspection of Bridge B44-0886, the inspection team leader noted that the upstream column of Pier 1 exhibited deterioration at its intersection with the stream bedrock. The City of Appleton has therefore requested Collins prepare an amendment / proposal to provide for repair of the piers. A copy of our proposal is attached for your consideration.

If there are any questions regarding this submittal, please do not hesitate to contact me at (920) 252-2418/smiller@collinsengr.com or Roy Forsyth at (414) 282-6905/rforsyth@collinsengr.com. If you are in agreement with our amendment please sign in the allotted space below. Our team looks forward to working with the City of Appleton on this project.

Very truly yours,

COLLINS ENGINEERS, INC.


Steven J. Miller, P.E.

Regional Manager

Amendment #1 Approved for the City of Appleton

Date: _____, 2015

Signature / Title _____

CC: File

Attachments:

PROJECT UNDERSTANDING

During July 2015, Collins Engineers performed an underwater diving inspection on Bridge B44-0886, Olde Oneida Street over the Fox River. During that inspection the inspection team leader noted that the upstream column of Pier 1 exhibited deterioration at its intersection with the stream bedrock. This proposal to provide for repair of the pier has been prepared at the request of the City of Appleton. A general description of the pier arrangement, the inspection notes and inspector recommendations is provided below.

Pier Descriptions

Each of the bridges' piers consist of a concrete cap beam supported by two each concrete columns founded on bedrock / piles. The original 1945 structure plans for the piers indicate the 8'-6" x 4'-6" elliptically shaped columns were to be embedded up to 4 feet into the bedrock stream bed and also keyed to the bedrock with four each 8 foot long piles (see attached drawing). Additionally, each of the columns was to be cast into 5/16" thick steel casing form work to be left in place.

Inspection Notes & Recommendations (See Attached Inspection Report)

Pier 1- is located immediately downstream of a dam on the Fox River. The inspection team leader's inspection notes indicate that the casing on the upstream column at the pier stops 8" above bedrock (see attached sketch). The as-built conditions at this location appear to be different than the original design plans. Additionally, the column concrete below the casing has eroded around its full perimeter with up to 1 ft. to 1.5 ft. of penetration. The piles at this column were not visible during the inspection. It is anticipated that the proximity of the pier to the upstream dam may be a factor in the concrete deterioration / erosion.

Pier 2- The team leader's inspection notes indicate that the upstream column is located within a 3 foot deep excavated hole in the bedrock. The bottom of the columns steel casing was found to be approximately at bedrock level, however no significant undermining or deterioration of the concrete was found.

Piers 3 to 9- the steel casings of all pier columns exhibited surface corrosion with a maximum 1/8" deep pitting. No scour or undermining was detected or noted.

Recommendations- Based on the inspection and further discussions with the City of Appleton it has been recommended that Pier 1 be repaired.

PROJECT APPROACH

Upon notice to proceed from the City of Appleton, Collins Engineers, Inc. will prepare the plans, specifications and an estimate to provide for repair of the pier column. It is anticipated that two repair alternatives will be studied and that those alternatives might include 1) Construction of repairs in the dry with a cofferdam 2) Construction of repairs underwater. The final recommended alternative will depend on various factors including, but not limited to cost, environmental considerations, constructability and other factors.

Scope of Work- It is estimated that the following work will be required to design repairs for the pier:

Task Description
• Existing Plans & Design Document Review
• Development of Alternatives (2 each)
• Repair Design
• Plans, Specifications & Estimate
• Project Coordination & Administration

Fee Estimate- Collins proposes to accomplish the above noted work for a Lump Sum Price of \$4,213.88. This amount includes all labor, materials and expenses necessary to accomplish the work as noted.

Fee Assumptions

1. Two alternatives for pier repair will be analyzed and developed based on costs, constructability and other factors. The alternatives will be verbally discussed with the City and a recommended alternative will be progressed based on those discussions. A formal written design report will not be developed or submitted to the City.
2. Collins will utilize WisDOT or City of Appleton specific specifications for non-special materials and workmanship; however Collins will prepare any special specifications required for the project. Boilerplate (front-end) specifications will be provided by the City of Appleton.
3. Geotechnical Investigation- A geotechnical investigation if required will be completed by others. The cost of geotechnical investigation is not included in this proposal.
4. Field Survey- Topographic elevations of pier elements, stream beds etc. will be assumed elevations. The costs for survey work (neither field nor hydrographic) are not included in this proposal. *
5. Construction Phase Services*- For the purposes of this proposal, we are defining construction phase services to include: attendance at preconstruction meetings, answering of contractor questions, construction inspection, shop drawing reviews, contractor payment approvals, post construction inspection and other construction related activities.

6. Preparation and the securing of any permits required for the project are not included in this estimate.*

*These services can be completed by Collins; however, are not included in this estimate.

Consultant Contract Total Fee Computation

Bridge Dive Inspections-Amendment 1
City of Appleton, WI

Project ID	N/A	Total for Contract
Number of Staff Hours	39	39
Total Labor	\$4,213.88	\$4,213.88
Direct Expenses	\$0.00	\$0.00
Total	\$4,213.88	\$4,213.88

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

September 2, 2015

«Owner_First_Name» «Owner_Middle_Init» «Owner_Last_Name»
«Owner_Address»
«Owner_CityState» «Owner_Zipcode»

Dear Roemer Road property owner,

This letter is to inform you that the City of Appleton is proposing to install bike lanes on Roemer Road. This work is planned to take place this Fall and would serve as an important connection between the bike lanes that already exist on Glendale Avenue and Capitol Drive.

Studies have shown bike lanes are becoming increasingly important as more residents trend toward choosing alternative means of transportation, like bicycles and mass transit. In light of those trends, bike lanes on this section of Roemer Road are an important part of the City’s five-year bike lane plan.

In order to accommodate the bike lanes, parking would need to be removed from both sides of Roemer Road in the section between Northland Avenue and Capitol Drive. However, in the section between Glendale Avenue and Northland Avenue, the roadway is a bit wider, so parking could be retained on one side (While state law prohibits parking in bike lanes, loading and unloading activities *are* normally allowed). A drawing is included with this letter to show you the proposed configuration.

This project will be on the Municipal Services Committee meeting agenda on September 8th at 6:30 p.m. at City Hall. If you choose to attend, you will have the opportunity to share with the committee your opinion on the plan before any vote is taken.

If you are unable to attend the meeting, feel free to contact your alderperson (Kyle Lobner, district13@appleton.org, 574-2092) or me (eric.lom@appleton.org, 832-3958), with any questions or feedback.

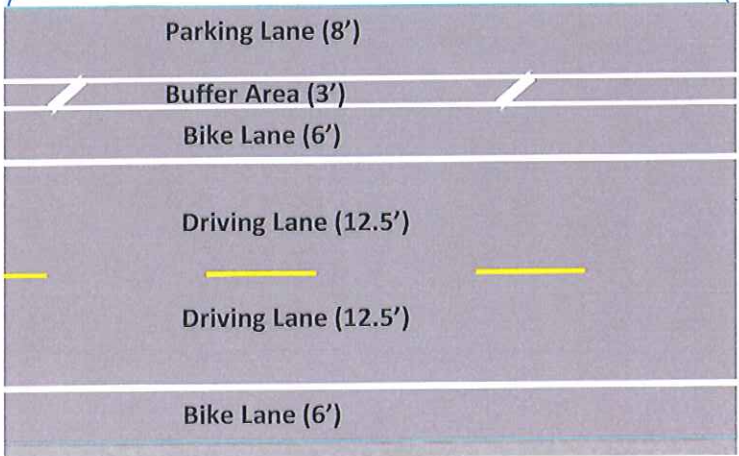
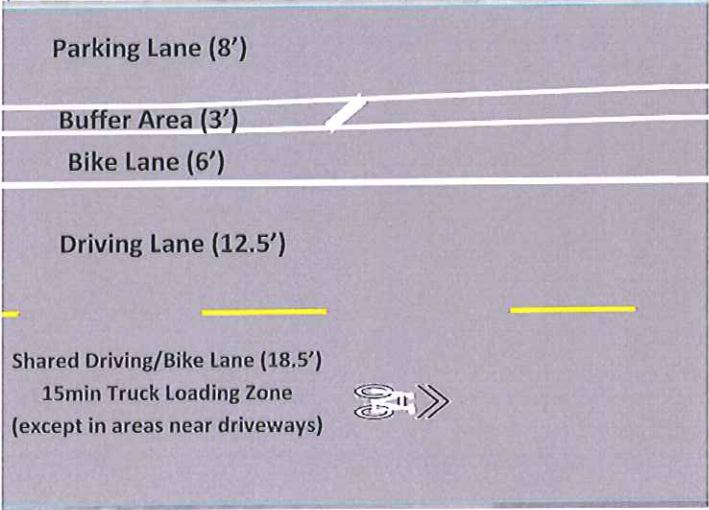
Sincerely,

Eric S. Lom, P.E.
City Traffic Engineer

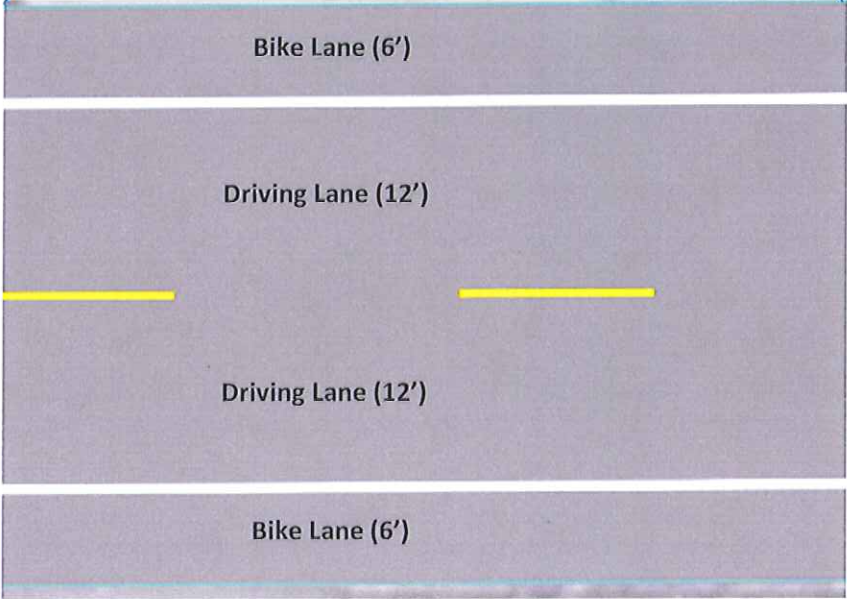
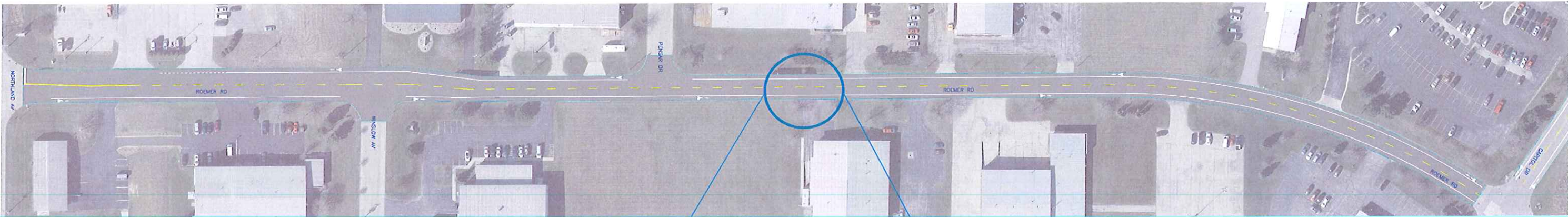
C: Alderperson Kyle Lobner (District 13)

Attachment

Glendale Av to Northland Av



Northland Av to Capitol Dr



August 13, 2015

Paula Vandehey
Director of Public Works
City of Appleton
100 North Appleton Street
Appleton, Wisconsin 54911

Re: Encouraging Wellness

Dear Paula,

On behalf of The Boldt Company and in particular our Wellness Committee, we are writing to express support for your plans to add bicycle lanes on Roemer Road. We have several employees who regularly ride their bikes to work. We especially like the design, which you shared with us, that maintains parking on the west side of the street. We do occasionally have a need for "overflow" parking and if the street is not available, we would need some time to develop additional onsite parking.

We would like to also request that you consider completion of the sidewalks on the west side of Roemer Road as well. We have over 200 employees who work at our Roemer Road headquarters and many of them would appreciate a safer route for walking to and from work, for a lunchtime walk or for a "walking meeting". With the recent improvements on Glendale, our block could provide a very nice one mile circuit.

If you have any questions please let me know.

Sincerely,



Jeffery T. Niesen
Executive Vice President HR & Risk

Operator's Licenses for 9/9/15 S & L

Approved

Adam J. Michelic	159 River Drive
Alexis A. Moon	914 East Northwood Drive
Amanda E. Roth	2210 Thrush Lane, Neenah
Brenda L. Schmulske	634 West Prospect Avenue
Cari J. Guerin	510 Valley Road, Menasha
David J. D. Gresens	N2888 Evergreen Lane
Diane M. Kempen	512 Applewood Drive, Kimberly
Don L. Barbee	209 ½ North Appleton Street
Haylle J. Hurley	1757 County Road A, Neenah
James M. Allen	2204 Michelle Court, Apt 3
Janelle M. Gosz	N8278 Old Hwy 47, Black Creek
Jessica L. Weix	1122 East Jardin Street
Jessica M. Prime	1506 East Lindbergh Street
Karen A. Lind	1541 North 27 th Street, Sheboygan
Katrina J. Menting	N6715 French Road, Seymour
Kelly M. Murray	2950 West Spencer Street
Kristine S. Hofman	139 North Bennett Street
Kristy S. Knaack	224 North Lawe Street
Lisa K. Strassburg	901 South Outagamie Street, Apt B
Nathan L. Charais	780 South Olson Avenue
Peyton J. Dodd	149 South Washington Street, Kimberly
Precious A. Casther	506 South Lake Street, Neenah
Sarah K. Jordan	521 Elm Street, Neenah
Shannon L. Montonati	1201 North Badger Avenue
Stacy A. Streck	1603 South Lee Street
Todd J. Hunter	204 Olde Pulley Lane, Apt A. Menasha
Zachary J. Bresler	1185 Christopher Drive, Apt 11, Neenah



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: September 10, 2015 *Held at August 24, 2015*

Common Council Meeting Date: September 16, 2015

Item: Special Use Permit #11-15 for a Day Spa and *Restaurant* with Alcohol Sales and Service

Case Manager: Jeff Towne

GENERAL INFORMATION

Owner/Applicant: Lacy Hardy, owner/applicant

Address/Parcel #: 1024 South Olde Oneida Street / 31-4-0399-00

Petitioner's Request: The applicant is requesting a Special Use to permit the sale and service of alcohol for on-site consumption in conjunction within an existing day spa *which will also be licensed as a restaurant.*

BACKGROUND

On August 3, 2015, the applicant filed a Class B Beer/Class C Wine license with the City Clerk's Office. A liquor license has been applied for and was held at the August 12, 2015 Safety and Licensing Committee meeting. *This SUP request was held at the August 24, 2015 Plan Commission meeting.*

City staff, including Health and Inspections, has advised the applicant on the steps necessary to obtain a restaurant license (see attached email). The restaurant license will allow the issuance of a liquor license per State Statute.

STAFF ANALYSIS

Existing Site Conditions: The property is developed with an existing building and off-street surface and garage parking. This request will not increase the building footprint, business area or tenant capacity and, therefore, does not require additional off-street parking spaces because the intensity of the use remains the same.

Operational Information: The Sunflower Spa has been in operation at this location for the past 11 years. No changes to the operation will occur except for the addition of *obtaining a restaurant license so that the owner can add* alcohol service for customers of the spa. See attached Plan of Operation and Locational Information.

Proposed Outdoor Area: A proposed outdoor area with alcohol sales and service (approximately 35' x 15') is located on a patio/deck on the top floor of the building, accessible from inside the building only.

Off-Street Parking Requirements: The off-street parking requirements are satisfied.

Ordinance Requirements: In order to permit the sale of alcohol for on-site consumption in conjunction with an existing day spa *and restaurant*, the Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A 2/3 vote of the Common Council is required for approval.

Surrounding Zoning and Land Uses:

North: C-2 General Commercial District – Commercial uses
South: R-1B Single-family District and R-3 Multi-family District – Residential uses
West: C-O Commercial Office District – Commercial office uses
East: R-3 Multi-family District – Residential uses

2010-2030 Comprehensive Plan: The 2010-2030 Future Land Use Map currently represents this area to be used for mixed use purposes. The proposed zoning classification is consistent with the City's Comprehensive Plan and is consistent with the purpose and intent of the C-2 General Commercial District.

Overall Community Goals

- **Goal 1 – Community Growth** (Chapter 10 – Land Use)
Appleton will continue to provide opportunities for residential, commercial and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods and greenfield development sites at the City's edge.
- **Goal 8 – Economic Development** (Chapter 9)
Appleton will pursue economic development that brings good jobs to the area and supports the vitality of its industrial areas, downtown, and neighborhood business districts.

Economic Development Element

- 9.1 OBJECTIVE: Grow Appleton's business community through recruitment, expansion, and retention programs that ensure a diverse business mix and jobs that pay well.
- 9.1.2 Work with the existing business community to help identify and tap opportunities for expansion.

Findings: This expansion of service is consistent with the above-mentioned goals and objectives and increases the economic viability of the establishment by offering the sales and service of alcoholic beverages to enhance the spa experience of patrons.

Finding of Fact: This request was reviewed in accordance with the standards for granting a Special Use Permit under 23-66 (e) (1-6), which were found in the affirmative, as long as all stipulations are satisfied. Additionally, the use is subject to noise regulations to further ensure compatibility with surrounding properties. With the suggested conditions of approval, the proposed sale and service of alcoholic beverages at the existing day spa should not result in increased safety or noise issues, above that expected in a commercial zoning district.

Technical Review Group Report (TRG): This item was shared with members of the Technical Review Group. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based on the above, that Special Use Permit #11-15 for a day spa *and restaurant* with alcohol sales and service, **BE APPROVED**, to run with the land, subject to the following conditions:

1. Any deviations from the approved Development Plan may require a major or minor amendment request to this Special Use Permit pursuant to Section 23-66(g) of the Zoning Ordinance.
2. Compliance with the Operational Plan is required at all times. Changes to the Operational Plan shall be submitted to the Community and Economic Development Department for review and approval.
3. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Appleton Municipal Code.
4. All applicable Codes, Ordinances and regulations, including but not limited to, Fire, Building and Health Codes and the Noise Ordinance, shall be complied with.

Jeff Towne

From: Tim Mirkes
Sent: Thursday, September 03, 2015 12:41 PM
To: Jeff Towne
Subject: RE: Sunflower Spa

Here are the comments from the Inspections group that checked the building for code compliance:

Sunflower spa proposes to serve food to their clients. No preparation of food is to be done in The facility. Food will be catered in and served in areas on the 2nd floor and if necessary, to accommodate their clients on the first floor. The total number of occupants to be served will be less than 30. The exits must meet code. The exit stair that leads to the Public way shall have uniform risers, have a 4" to a 6 1/4" gripping surface, and side rails that limit a 4" sphere from passing through. Egress lighting shall be installed to attain a 1 Foot-candle illumination in an emergency. Exit lights with emergency backup is required. A vertical grab bar for the 2nd floor restroom is recommended to accommodate clients. No plumbing issues noted for the specific use other than appliances will have to meet NSF commercial Specs. Refrigerator and dishwasher in particular.

I believe they already have the staircase completed.

They will be applying for their license soon. And I have full confidence that all items will be taken care of.

Thanks!

Tim

From: Jeff Towne
Sent: Thursday, September 03, 2015 10:35 AM
To: Tim Mirkes
Subject: Sunflower Spa

Tim,

I understand there has been an inspection/visit to the Sunflower Spa regarding their proposed restaurant license. Have they applied and if so, what will be required for them to obtain the license. We are going to put this on a special Plan Commission agenda for Sept. 10, so I want to be able to amend the report with updated information.

Thanks!

Jeff Towne
Principal Planner
City of Appleton
100 North Appleton Street
Appleton, WI 54911

Ph: (920) 832-6476

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

Business Information:

Name of business: Sunflower Spa LLC

Years in operation: 11

Percentage of business derived from restaurant service: 0 %

Type of proposed establishment (detailed explanation of business):

Day spa / restaurant

Proposed Hours of Operation for Indoor Uses:

Day	From	To
Week Day	9	9
Friday	9	9
Saturday	9	6
Sunday	closed	

Building Capacity and Area:

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

Gross floor area of the existing building(s): 4500

Gross floor area of the proposed building(s): 4500

Describe Any Potential Noise Emanating From the Proposed Use:

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

None

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

No noise

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

Yes, there is a few businesses that use the space as well. Have not had any problems.

Outdoor Uses:

Location, type, size and design of outdoor facilities:

Rooftop patio

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

Fence

Is there any alcohol service incorporated in this outdoor facility proposal? Yes ☒ No ☐

Are there plans for outdoor music/entertainment? Yes ☒ No ☐

If yes, describe how the noise will be controlled:

shut down @ 9 PM

Is there any food service incorporated in this outdoor facility proposal? Yes ☐ No ☒

Proposed Hours of Operation for Outdoor Uses:

Day	From	To
Week Day	9	9
Friday	9	9
Saturday	9	6
Sunday	closed	

Outdoor Lighting:

Type: Yes

Location: _____

Off-Street Parking:

Number of spaces existing: 10

Number of spaces proposed: ~~75~~

Other Licensed Premises:

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

List nearby licensed premises:

Stone Celler
Comedy Club
Riverside

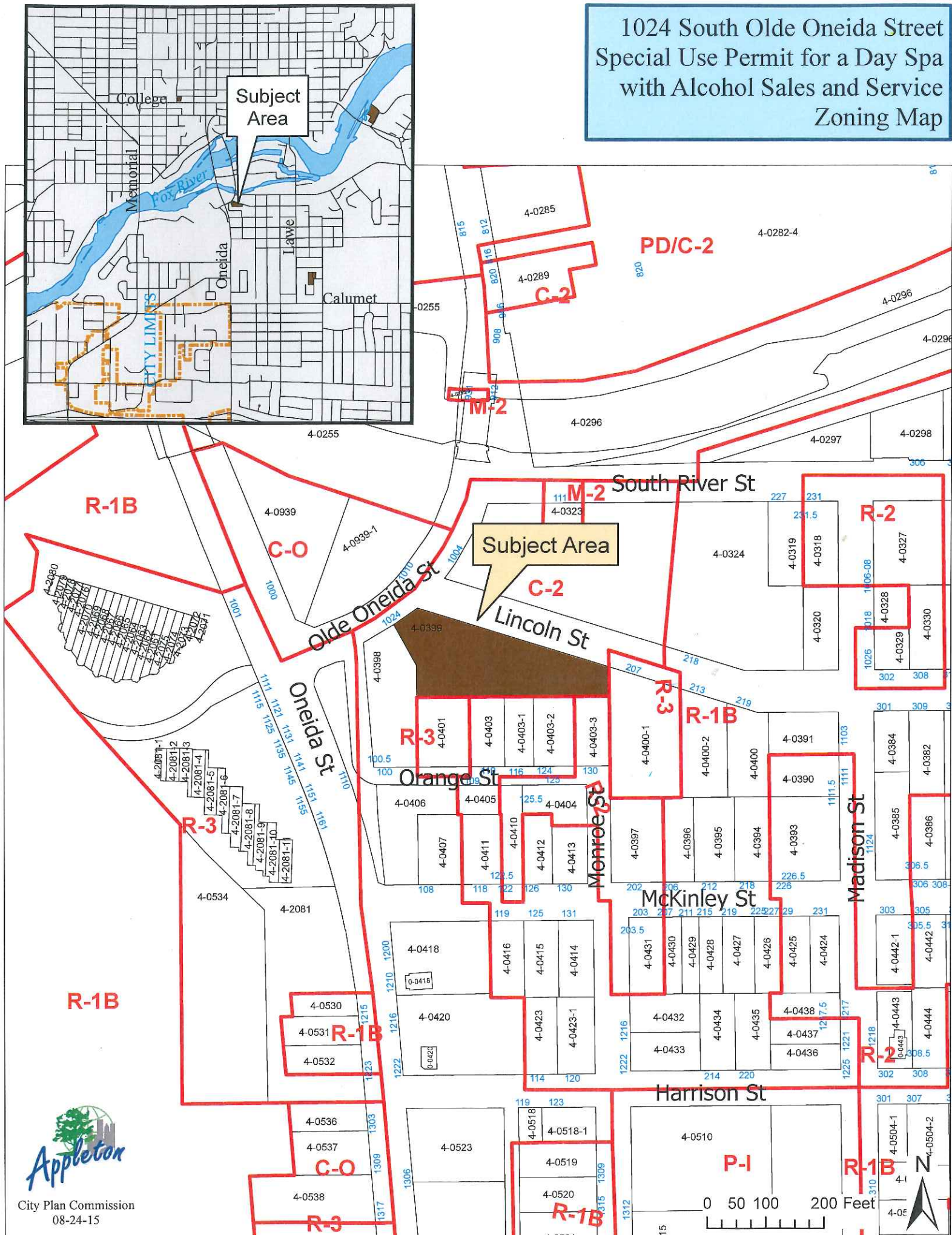
Number of Employees:

Number of existing employees: 4

Number of proposed employees: 4

Number of employees scheduled to work on the largest shift: 2

1024 South Olde Oneida Street
Special Use Permit for a Day Spa
with Alcohol Sales and Service
Zoning Map

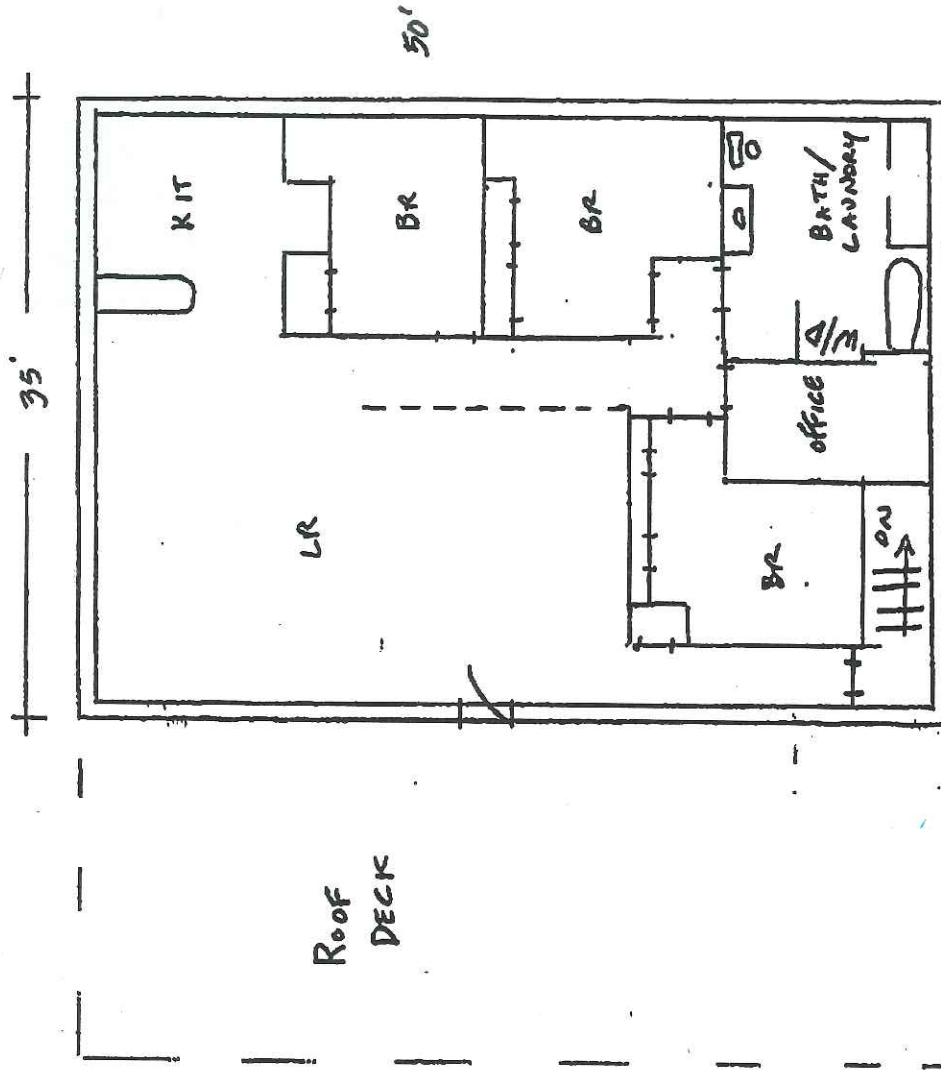


Proposed Furniture Plan
1/4" = 1'-0"

North

Existing Garage 12

Office 10
Reception 10
Waiting 12
Skin-Care 1 13
Skin-Care 2 13
Laundry/Conference 14
Toilet 15
Toilet 16
Toilet 17
Toilet 18
Storage 19
Mechanical 20
Corridor 21
Corridor 22
Corridor 23
Corridor 24
Corridor 25
Corridor 26
Corridor 27
Corridor 28
Corridor 29
Corridor 30
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Corridor 98
Corridor 99
Corridor 100



SECOND FLOOR



1024 South Olde Oneida Street
Special Use Permit for a Day Spa
with Alcohol Sales and Service



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: September 10, 2015 ***Critical Timing***

Common Council Meeting Date: September 16, 2015

Item: Annual Review of the Business Improvement District (BID) 2016 Operating Plan

Case Manager: Don Harp

GENERAL INFORMATION

On behalf of Jennifer Stephany, Executive Director of Appleton Downtown Inc., please find the attached 2016 Business Improvement District (BID) Operating Plan for your review and recommendation.

Staff has reviewed the Operating Plan, and it would appear that there are no BID boundary changes proposed.

Business Improvement Districts (BID) are regulated by Section 66.1109 of the Wisconsin State Statutes. These Statutes require that a BID Operating Plan be reviewed and approved by the local legislative body on an annual basis. The Plan Commission is being asked to review and make recommendation to the Common Council in regard to the submitted 2016 Operating Plan.



Business Improvement District 2016 Operating Plan

Downtown Appleton's future as a multi-dimensional Arts and Entertainment district embraces the creative economic energy of business, tourism, education and love of the Fox River through a culture of risk and reward that supports:

- Entrepreneurism driven by a supportive and vital business climate.
- Tourism through cleanliness, joyful customer service and a diverse retail business mix.
- Liveability featuring a walkable, family friendly environment with supportive amenities.
- Connectivity between downtown and the Fox River through complementary amenities, events and development.
- Engaging the Arts in everything we do!

The Business Improvement Districts shall work to preserve and improve economic, cultural, and social conditions within the District by facilitating partnerships of people and organizations to achieve mutual goals.



Downtown Appleton Business Improvement District Operating Plan 2016

I. Preface

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

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

Pursuant to the BID Law, this shall be, when adopted, the 2016 Operating Plan for the Downtown Appleton Business Improvement District. This Operating Plan has been prepared by Appleton Downtown Incorporated (ADI).

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

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

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

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

This Plan, when adopted by the City Council of the City of Appleton, after public hearing and recommendation of the Plan Commission in the manner required by the BID Law, shall govern the BID for

the calendar year of 2016 which shall be the Fourteenth “Plan Year”. However, it is anticipated that the BID shall continue to be so successful that it will be renewed, upon essentially the same terms and conditions for subsequent years, each of which shall be the “Plan Year”. In the manner allowed under Section 66.1109 (3)(b) of the BID Law, although with changes to the budget, work plans and assessment Appendices.

II. Plan Development

This shall be the Business Improvement District Operating Plan for the Downtown Appleton Business Improvement District, for the year 2016.

A. Goals and Objectives

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

B. Plan of Action

The Plan of Action was developed by the ADI Board of Directors and Standing Committees with approval from the BID and ADI Board of Directors. Those participating in this process were ever conscious of the need to represent the full membership of the BID and of ADI. The following Primary objectives, key performance indicators, goals and tasks, not listed in priority, are identified in the Plan of Action (**Appendix A**)

C. 2014 Annual Report

The 2014 annual report is attached. The total assessed value of properties for the District for 2014 was \$121,863,600 and experienced a 1% reduction over the previous year. The vacancy rate of 20% was calculated based on a total of 431 units within the district and reduced by a half percent over the previous year.

Also included as **Appendix B** is a current year 2015 Program of Work with a brief current status report and Downtown Vitality Index for year end 2013 and 2014.

D. Benefits

Money collected by the BID under this plan will be spent within the District or for the benefit of the District, and used to:

Help property owners get and keep tenants by:

1. Assisting property owners retain existing tenants by providing programs and services that help businesses to thrive in the District.
2. Assisting property owners recruit new businesses to downtown Appleton by using various marketing tools. A downtown space available list and for sale properties is found on the ADI website.

3. A business recruitment grant is available to BID properties. Recruitment Grants are equal to one month or rent or mortgage up to \$2000 each applicant with a total expenditure of \$10,000 for the plan year.
4. A Façade improvement and sign grant is also available to BID properties within the district as a 50/50 matching grant for a total investment of \$20,000 for the plan year.
5. We continue to meet property owners and agents to distribute and discuss recruitment information and strategies as well as explain our services and programs.
6. Conduct 30 recruitment contacts throughout the plan year.
7. Make 100 retention contacts annually by visit or phone.
8. Invest and participate in the Fox Cities Regional Partnership initiatives and committees.
9. Design a retail recruitment and retention program that will align with the updated downtown plan.

Help increase the value of property downtown by:

1. Improving the image of downtown through our amenities, events and maintenance efforts
2. Adopt and implement a plan for public art installations in downtown Appleton with Creative Downtown Appleton Inc.
3. Offering Façade Improvement grants that add value to the properties and encourage aesthetic improvements. A total of \$20,000 for the plan year.
4. Offering attractive amenities: The BID covers the expense for flowers for the planters, additional seating areas, bike racks, and banners and public space placemaking initiatives and activities.
5. Keeping downtown clean through maintenance, contracted power washing annually in partnership with the Department of Public Works. and clean up days throughout the year

Create a strong Brand and marketing campaign for downtown by:

1. Continue to build our One Great Place image marketing campaign.
2. Maintaining an updated user friendly website for the district that promotes business attraction as well as the markets the district as a destination
3. Conducting successful traffic building community events. A total of 102 events are hosted annually in the BID district.
4. Conducting successful retail and hospitality marketing campaigns like Ladies Day and Mini Golf on the Town.
5. Retention efforts by offering Marketing grant to our current BID members of up to a \$350 match to enhance an individual marketing campaign for their business. Total of \$10,000 for 2016 is available.
6. Maintain two active facebook pages and other social media outlets that promote downtown businesses, encourage conversation about downtown and promote events. Twitter, Instagram, a blog etc..
7. Communicating regularly with our members and public about happenings downtown through our Eblasts, facebook, website and local media
8. Educating our members on how to build greater awareness of their business and the district through marketing, social media, special events, coupon book, website, and cross promotion.



D. 2016 Budget

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

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

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

E. Powers

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

1. To manage the affairs of the District.
2. To promote new investment and appreciation in value of existing investments in the District.
3. To contract with Appleton Downtown Incorporated on behalf of the BID to implement the Operational Plan.
4. To develop, advertise and promote the existing and potential benefits of the District.
5. To acquire, improve, lease and sell properties within the District, and otherwise deal in real estate.
6. To undertake on its own account, public improvements and/or to assist in development, underwriting or guaranteeing public improvements within the District.
7. To apply for, accept, and use grants and gifts for these purposes.
8. To elect officers, and contract out work as necessary to carry out these goals.
9. To add to the security of the district.
10. To elect Officers to carry out the day to day work authorized by the BID Board, including signing checks and contracts on behalf of the Board, and to adopt, if the Board wishes, By-Laws governing the conduct of the Board and its Officers, not inconsistent with this Operating Plan.
11. To adopt by-laws related to the day to day operation of the Board and Board meetings.

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

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

G. Public Review Process

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

III. District Boundaries - – no change has been made to this section from the previous year.

The District is defined as those tax key parcels, which are outlined in pink and indicated by property in blue on **Appendix G**, attached hereto and incorporated herein by this reference, reflecting the parcels as they existed in the City of Appleton Assessor's records as of September 1, 2001. The District is generally bounded on the south by the south right of way line of Lawrence Street, on the north by the north right of way line of Franklin Street, on the east by the right of way line of Drew Street and on the west by the west right of way line of Richmond Street/Memorial Drive, with additional corridors extending north on Richmond Street to Packard Street and west along college Avenue to Badger Avenue. Properties zoned for commercial use by the City of Appleton Assessor on both sides of boundary streets are included in the District. The District includes 202 contributing parcels. Notwithstanding the parcels of property which are not subject to general real estate taxes, shall be excluded from the District by definition, even though they lie within the boundaries of the BID as in the map in **Appendix G**.

IV. Organization – no change has been made to this section from the previous year.

A. Operating Board

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

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

The BID Board shall be structured as follows:

1. Board size maximum of 9
2. Composition – A majority (at least 5) members shall be owners or occupants of the property within the District. Any non-owner, non-occupant appointee to the Board shall be a resident of the City of Appleton. At least 2 members shall be representative of each of the 3 identified market sectors, service/retail, hospitality, and office. One member shall be a representative of the Mayor or City Council. Any Board member who because of transfer of ownership of property is no longer eligible to act as a representative for a particular sector, or where such transfer of property shall cause the make-up of the Board to fall out of compliance with this Operational Plan shall be replaced. The Board shall make a recommendation for replacement to the Mayor who shall appoint a new Board member within 30 days of the recommendation.
3. Term – Appointments to the Board shall be for a period of 3 years-for staggered terms, each ending on December 31 of the applicable year. The Board may remove by majority vote, any BID Board member who is absent for more than 3 meetings, without a valid excuse, and may recommend to the Mayor replacement members, which the Mayor shall act upon within 30 days of the recommendation.

4. Compensation – None.
5. Meetings – all Meetings of the Board shall be governed by Wisconsin Open Meetings Law. Minutes will be recorded and submitted to the City and the Board. The Board shall adopt rules of order to govern the conduct of its meetings and meet regularly, at least annually.
6. Record keeping – Files and records of the Board’s affairs shall be kept pursuant to public records requirements.
7. Staffing – The Board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof. Unless requested otherwise by the Board, and any staff members or employees of contractors may attend all meetings of the Board, but will not have voting authority.
8. Officers – The Board shall appoint a Chairman, Treasurer and Secretary, any two of the three of which shall have the authority to execute documents on behalf of the full Board, for the purposes authorized by the full Board, including the writing of checks. Attached Board list **Appendix D**
9. For purposes of this section “person” means an individual owner of a parcel, or a representative of an entity owner of such parcel. No one individual, and no more than one representative of any entity, may hold more than one Board position. If, during the course of a term, a Board member’s situation changes, so that they no longer fit the definition for that seat, such as by selling their parcel, they shall resign within 10 days of selling their parcel.

B. Amendments

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

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

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

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

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

V. Finance Method - no change has been made to this section from the previous year.

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

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

VI. Method of Assessment - no change has been made to this section from the previous year.

A. Parcels Assessed – Appendix E

All tax parcels within the District required to pay real estate taxes, including those taxed by the State as manufacturing, will be assessed with the exception of those parcels used solely for parking and those parcels subject to a recorded condominium declaration, and zoned for commercial use as shown on the City of Appleton Assessors records, as so indicated on **Appendix F** (“Commercial Condominiums”). Commercial Condominiums shall be assessed as if the entire building in which the Commercial Condominiums are located were not subject to the Condominium act and instead were assessed as one building, and the assessment for that entire building shall be levied against each Commercial Condominium unit in such proportion as the condominium assessments of that condominium are prorated, as defined in the Declaration of Condominium for that building. Real property used exclusively for residential purposes may not be assessed, as required by the BID Law. Property exempt from paying real estate taxes or owned by government agencies will not be assessed.

The Business Improvement District reassessment was completed by the City of Appleton Assessor’s Office. The current property assessment list was generated by the Assessor’s office and reviewed by the Finance Department and BID Board. As is stated below, the assessment rate of \$2.50 for each \$1000 of assessed value remains for the thirteenth year with no increase recommended. The minimum and maximum also remain with no increase recommended.

B. Levy of Assessments

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

The 2016 assessment shown in Appendix E was calculated as \$2.50 for each \$1000 of assessed value for each parcel in the District with no parcel assessed more than \$5,000 and no parcel assessed less than \$250, with parcels used solely for parking excluded, with parcels solely used for residences excluded, and with the adjustments for the Commercial Condominiums and adjustments for relocation of the caps and minimums. The assessment was based on the assessed value of that parcel (land and improvements) as shown in the records of the City Assessor’s Office except as otherwise identified below. It is understood that some properties within the BID may be re-assessed. The changes in the tax assessment may impact the BID assessment for these properties.

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

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

C. Schedule of Assessments

The final form of this 2016 Operating Plan has attached as **Appendix E and Appendix F** are schedules of all the tax key numbers within the BID which are being assessed, and their assessment using this formula.

The 2016 BID assessment total is anticipated to be \$193,125

The following parcels experienced a decrease or increase in assessment over previous year.

- 31-2-0081: 205 W. College Ave.: increase of \$142.25
- 31-2-0083: 201 W. College Ave.: increase of \$204.25
- 31-2-0322: 224 E. College Ave.: increase of \$840.50
- 31-3-0985: 601 W. College Ave.: increase of \$30
- 31-3-1005: 513 W. College Ave.: decrease of \$475.75
- 31-3-1006: 516 W. College Ave.: decrease of \$8.50
- 31-3-1027: 423 W. College Ave.: decrease of \$539
- 31-5-1101: 400 North Richmond: increase of \$1069.50
- 31-5-1918: 500 W. Franklin St.: decrease of \$86.75

D. Assessment Collection and Dispersal

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

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

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

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

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

The BID Board shall prepare and make available to the public and the City Council annual reports describing the current status of the BID, including expenditures and revenues, at the time it submits its amended Plan to the City for the following year. Following the end of the fiscal year an independent certified audit shall be obtained by the Board, and which shall be paid for out of the BID Budget. Copies of the 2014 audit are available in the ADI office and a copy was submit to the Community Development Department with this plan.

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

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

E. Annual Report

The Board shall prepare an annual report as required by section 66.1109 (3) (c) of the Wisconsin Statutes. A copy of the 2014 report is attached.

The 2014 report indicates the following:

- A decline in taxable property value of \$1,891,300. This raises concern as properties sold to non profit organizations continue to be removed from the tax base as well as reassessments resulting in lower values.
- A slight reduction in our vacancy rate by 1% is good news however Downtown continues to struggle with filling large vacant buildings. We have 88 available units for a 20% vacancy rate.
- The addition of new events like Mile of Music and other hands on activities in the district has positively impacted our placemaking efforts and attraction of new visitors to Downtown.
- Social media continues to be an increasingly important component to reach customers, visitors and our members. We expanded our reach with new tools like Instagram and a blog.
- An increase in APD reported calls for service by 29 over last year same report time. We are confident that a portion of this increase is attributed to our security guard in the Washington Square area being diligent with reporting suspicious and unlawful behavior.

The report shall include the required audit. The required audit shall be prepared by the auditing firm conducting the annual audit for the City of Appleton. The BID shall be solely responsible for payment of any funds specified for the BID Audit related to BID activities for said BID Audit. **2014 BID Audit attached.**

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

VII. City Role

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

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

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

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

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

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

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

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

A. Appleton Downtown Incorporated

The BID shall be a separate entity from Appleton Downtown Incorporated (ADI). ADI shall remain a private not-for-profit organization, not subject to the open meeting law, and not subject to the public records law except for its records generated in connection with its contract with the BID Board, and may, and it is intended, shall contract with the BID to provide services to the BID in accordance with the Plan. Any contracting with ADI to provide services to BID shall be exempt from the requirements of sec. 62.15, Wis. Stats., because such contracts shall not be for the construction of improvements or provision of materials. If the BID does contract for the construction of improvements or provisions of material, it shall follow the

requirements of such statutes to the extent applicable to assure open, competitive procurement of contracts and purchases. Further, the annual accounting required under 66.1109 (3) (c) Wis. Stats. Shall be deemed to fulfill the requirement of 62.15 (14) Wis. Stats. Ownership of assets of Appleton Downtown Incorporated shall remain solely with Appleton Downtown Incorporated.

A. Binding Clause

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

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

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

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

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

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

All appendices are hereby incorporated by this reference.

APPENDIX A

2016 Plan of Action

APPLETON DOWNTOWN INC., BUSINESS IMPROVEMENT DISTRICT and CREATIVE DOWNTOWN APPLETON INC.

2016 Program of Work

Our cooperative mission is to make Downtown Appleton a vibrant and accessible destination for business, learning, living and leisure

1. Proposed 2016 Goal:

Support entrepreneurship and promote a vital business climate.

2016 Key Performance Indicators:

- Employment Growth
- Increase number of businesses to the district
- Tax base for the Business Improvement District is sustained or experiences growth
- Property vacancy rate declines
- ADI Member satisfaction rates “above average”

Tasks: ADI and BID

- Continue work on the vision plan for Downtown and the Riverfront.
- Manage the business recruitment grant and building improvement façade /signage grant program (BID).
- Implement the business recruitment plan to expand our business mix (BID).
- Partner with the City of Appleton and the Fox Cities Regional Partnership on attraction, retention and workforce development efforts
- Form a Riverfront task force to further the work of developing a riverfront BID district.

Creative Downtown Appleton Inc.

- Support Pop-Up initiatives downtown & on the riverfront: galleries, (like Rabbit Gallery), theaters, music and shops.
- Provide support for development of arts related spaces: studios, interactive art classes and workshops. Live work studio.
- Support Arts Wisconsin and endorse the statewide creative economy development initiative.
- Partner with PULSE on creative class attraction initiatives and events.

2. Proposed 2016 Goal:

Enhance Downtown’s Urban Design, Accessibility, Inclusiveness and Walkability through Placemaking initiatives.

2016 Key Performance Indicators:

- Walkability score increases annually (base: 79/100)
- APD calls for service declines for the CBD
- Support for the Placemaker campaign grows to \$5000 annually

Tasks ADI & BID:

- Continue streetscape maintenance program.
- Work with City DPW to implement strategies presented in the Walker downtown parking report.
- Continue Washington Square improvement and security initiatives in conjunction with the neighbors and work with the city on a development plan for the corridor that includes adequate parking for the future.
- Encourage improved access to riverfront

Creative Downtown Appleton Inc.

- Continue the Walkability Task Force annual evaluation. Work together with the City & other partners to make improvements.
- Assist City departments to identify opportunities to infuse arts and culture in civic infrastructure projects.
- Support the Downtown Public Art Plan and engage our partners to make public art happen.
- Continue and grow the Placemaker campaign.
- Develop a Downtown wide effort to establish

through Jones Park and better signage. <ul style="list-style-type: none"> • Support access and mobility improvement efforts • Reinstate the secret shopper customer service program. • Continue to provide support for a new library building 	public charging stations
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**3. Proposed 2016 Goal:
Enhance Downtown tourism attraction and visitor experience through a strong unified brand.**

2016 Key Performance Indicators:

- Social media & website engagement numbers
- Exhibition Center begins construction
- Downtown hotel room nights increase
- Increase attendance at Downtown events
- Zip code survey indicates visitors from beyond the Fox Cities

Tasks ADI & BID:

- Continue to build brand awareness for Downtown Appleton One Great Place.
- 2016 marketing plan is focused on driving guests to our website and social media outlets (BID).
- Manage the marketing grant (BID).
- Expand our social media engagement plan (BID).
- Continue to host more than 100 annual events*
- Continue to provide support for new Exhibition Center project.
- Develop a technology plan to enhance visitor experience within the Downtown

Creative Downtown Appleton Inc.

- Attract and promote river activities: i.e. kayak rental, riverboat tours
- Continue to work with the downtown arts organizations through FAN to add more arts and cultural offerings to our existing events.
- Host Art on the Town May – September
- Host Downtown for the Holidays
- Co-host Mile of Music outdoor events in Houdini Plaza and Jones Park

**4. Proposed 2016 Goal:
Support the attraction and development of residential density and enhance downtown's livability.**

2016 Key Performance Indicators:

- More residential units are developed in Downtown and Riverfront

Tasks ADI & BID

- Form a Residential committee to plan future action and performance measurements

*Mini Golf on the Town, Death by Chocolate, Saturday Farm Market, Midweek Farm Market, LunchTime Live concerts, Summer Concert Series, Soup Walk, Octoberfest Arts & Crafts, all City parades, Ladies Day, co-host movies in the park, Art on the Town, Downtown for the Holidays, Ladies Fall Fashion night,

Appendix B

2015 Program of Work and Current Status Report

APPLETON DOWNTOWN INC. and BUSINESS IMPROVEMENT DISTRICT

2015 Program of Work – MID YEAR REVIEW

Our cooperative mission is to make Downtown Appleton a vibrant and accessible destination for business, learning, living and leisure

Proposed 2015 Goal

Be a resource to support entrepreneurship and a vital business climate

2015 Key Performance Indicators:

Partner with the City of Appleton for a new Downtown Vision Plan to be completed within 2015	Downtown Plan RFP draft by the City ready soon – draft comments
Employment Growth	Employment numbers are tracked in the fall. Fall of 2014 indicated a slight increase to 7493.
Increase number of businesses to the district	In 2014 23 new businesses opened. 16 closed or moved out of the district.
Tax base for the Business Improvement District is sustained or experiences growth	2014 BID assessment sustained within 1% over 2013. Total assessed value of taxable properties: \$121,863,600.
Property vacancy rate declines	20% (88 units) Vacancy rate calculated on the 431 total units in the BID. Vacancy rate reduced by 1% over previous year.
Member satisfaction rates “above average”	Very low number of completed member surveys. Of the 36 respondents: 88.8% responded somewhat or very satisfied with Downtown. 52.7% indicated an increase in their business over last year.
Riverfront BID adoption for a 2016 plan year.	Riverfront BID white paper first draft – this fall we will set up property visits. We are establishing a task force to help with edits to the proposal and with the visits this fall.

2015 Proposed Tasks

Advocate and support for a new vision plan for Downtown and the Riverfront:	Working with Community Development to produce the RFP.
Manage the business recruitment grant and property improvement façade /signage grant program (BID)	2014 Recruitment Grant: supported 7 new businesses 2015 Recruitment Grant to date has supported 6 new businesses – list attached. 2014 Façade/sign grants assisted 19 properties in the district. 2015 Façade/sign grants to date have supported improvements for 14 properties – list attached
Engage the Economic Development committee to draft a business recruitment plan and work with development partners to identify opportunities to expand our retail mix (BID)	The committee has started the outline for the recruitment plan that will incorporate into the downtown vision plan update. Draft attached. Plan will be completed by end of the year.
Participate actively in a community-wide economic development strategy (1/2 BID)	Our participation continues in the Regional Partnership. Downtown has engaged in site selector visits, website reviews and leadership discussions.
Riverfront task force is established and a riverfront BID district is proposed and adopted by property owners and City	The Riverfront BID white paper has a first draft and will be edited and ready for property owner visits this fall. It is not realistic that the new BID will be ready to propose until next

Council	year.
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<u>Proposed 2015 Goal:</u> Enhance Downtown's Urban Design, Public Spaces, Accessibility and Walkability	
<u>2015 Key Performance Indicators:</u>	
Walkability score increases annually (base established in 2014)	First baseline established by the task force as 79/100 We think this was a generous number but we have identified a number of possible improvements to present to the City and property owners. Another audit will happen in the fall.
APD calls for service declines for the CBD	The calls for service have not declined and we have new areas of concern like Jones Park. We continue to work side by side with APD to improve awareness and communication to help them address issues.
New Public Art piece is unveiled	Several new murals will be unveiled in Downtown this year: one of the side of the Copper Rock building as part of the parklet renovation and one on the side of the History Museum as part of Back Alley Bash project. A mural will also appear on Water street depicting the history of the paper industry in Appleton. A bronze bust of Houdini will be unveiled August 27 th in Houdini Plaza. Valley Transit will also unveil a mural inside the public building. We are also working with the city to cover the electrical boxes downtown with artful vinyl wraps.
New riverfront wayfinding signage is introduced	This project has not been worked on but will be included in the potential riverfront BID program of work.
<u>2015 Tasks:</u>	
Continue the Walkability Task Force and annual evaluation. Work together with the City & other partners to make improvements	First audit comments and survey summary available. Cleanliness concerns, lighting, and beautification. Other concerns: some cracked concrete, condition of the garbage cans, storefront windows.
Continue streetscape maintenance program: sidewalks, planters, tree lights Parklet renovation project	Partnered with the City on one powerwashing so far this year. We continue to struggle with cigarette butts on the sidewalk. The Creative Downtown committee took on the Parklet Place renovation project between the 222 Building and the Copper Rock. Together with the City and funding support from Octoberfest and Principal Financial this space will be renovated with new seating, a mural, a mini stage, better lighting and vegetation
Continue to support the proposed Public Art Plan	Creative Downtown committee is working on the plan and has identified a number of locations that will be ideal for murals and art installations. The plan now needs to explore a mural program as well as funding sources. The parklet project sidetracked this progress. We will pick it back up in

	the fall.
Work with City staff to implement strategies presented in the newly proposed downtown parking report	Supported at committee the proposed change to 6pm on the meters and meters north of Washington to change to long term 12 hour meters at .20 an hour. Next steps will be support of the 2016 City budget to improve equipment in the ramps and meter heads that take credit cards.
Continue Washington Square improvement and security initiatives in conjunction with the neighbors and work with the city on a development plan for the corridor	Daniel continues to provide improved security to the Washington Square. Daniel has stopped fights, car break ins and public drinking. He remains in communication with APD on serious issues and patrols the area continuously. The neighbors would like to see the service continue next year.
Encourage improved access to riverfront through Jones Park and better signage	No work has been done on this task. Wayfinding signage to the riverfront is included in the white paper for the Riverfront BID.

Proposed 2015 Goals:

Enhance Downtown tourism attraction through a strong unified brand

2015 Key Performance Indicators:

A new brand is introduced and new banners in place by event season	New brand was launched at the annual dinner One Great Place has been well received. Street banners are up, the sidewalk kiosks have the new logo, the office windows, the website, all of our promotional material.
Social media & website engagement numbers	Social media number continue to increase – numbers are attached in the quarterly marketing report.
Exhibition Center begins construction	Good progress. Land purchase is contingent on the management agreement with Inner Circle and the room tax increase in all supporting municipalities.
Downtown hotel room nights increase	Radisson indicates occupancy rates at 60% indicating the highest occupancy in the last 10 years.
Downtown calendar is full with a variety of events	ADI will host 101 events in 2015. We are also adding restaurant week to the lineup.
Increase attendance at Downtown events	Downtown event attendance is up on most events. However midweek Farm Market continues to struggle with attendance.
Zip code survey indicates visitors from beyond the Fox Cities	We have not conducted a zip code survey yet this year.

Tasks:

Rebranding process is completed and includes updated website graphics, banners and promotional material by June 2105	Rebranding we have learned is an ongoing process. There is always one more piece to the process. Many of our promotional materials have been updated. We are looking at a website update to make our site responsive.
Marketing budget includes a region marketing plan (BID)	The marketing committee remains focused on local advertising and relies heavily on the website to provide information to travelers. An image marketing summary is attached.
Manage the marketing grant (BID)	The 2014 marketing grant supported 28 businesses with marketing ads. The 2015 marketing grant to date has supported 6

	businesses with ads that include the One Great Place brand as well.
Expand our social media engagement plan (BID)	Social media number continue to increase – numbers are attached in the quarterly marketing report.
Continue to host: Golf on the Town, Farm Market, lunch & evening concerts, Death by Chocolate, Soup Walk, Octoberfest Arts & Crafts, parades, Ladies Day, co-host Mile of Music outdoor events, co-host movies in the park	All events are being hosted. Additionally we are working on a restaurant week for October.
Community event recruitment piece is redesigned & distributed	Intern working on redesign – no draft to show yet.
Continue to provide support for the new Exhibition Center	Continue to support but have little opportunity right now to engage. Work continues with the City and Inner Circle on the management agreement and soon conversations on room tax increase will allow for participation from our Boards.

<u>Proposed 2015 Goals:</u> Engage the Arts and Culture in all aspects of Creative Placemaking	
<u>2015 Key Performance Indicators:</u>	
Creative Downtown Appleton is supported by the 501c3 and their recommendations are adopted by the ADI Board	501c3 has been approved. The Creative Downtown Appleton committee works.
A minimum of three Pop-up initiatives are supported	Assisted the following pop up galleries: YoungSpace Gallery, Rabbit Gallery, Mile of Music pop up, and will organize the holiday elf shop pop up store in November.
3 rd Friday Events grow attendance to over 1000	Retained the name Art on the Town and expanded to include May. Attendance has been seen an increase. Chalk on the Town night has been the highest so far.
Opportunities are identified for developments that support economic growth and the attraction of a creative class	We continue to partner and support Pulse activities geared toward young professionals. We also believe our events and placemaking activities largely attract the creative class.

2015 Tasks:

Support Pop-Up initiatives in vacant storefronts, downtown & on the riverfront: galleries, theater performances, music and retail	Assisted the following pop up galleries: YoungSpace Gallery, Rabbit Gallery, Mile of Music pop up, and will organize the holiday elf shop pop up store in November.
Art on the Town is enhanced and rebranded as 3 rd Friday Events	Retained the name Art on the Town and expanded to include May. Attendance has been seen an increase. Chalk on the Town night has been the highest so far.
Attract and promote river activities: i.e. kayak rental, paddle boat tours	Jennifer continues to be involved in the riverboat research team.
Attract artist, “makers” and innovation spaces	ADI shared support for the innovation/entrepreneur space project that continues to work toward a physical location but has not been able to purchase a property.
Connect with City departments to identify opportunities to infuse arts and culture in projects in civil infrastructure.	Working with the city on wrapping electrical boxes on College Ave. with artful vinyl wraps – like a bus. Applied to the Community Foundation for partial funding. Also managed the photo contest to create new images for the

	Houdini Tower – will be up in two weeks.
Support Arts Wisconsin and endorse the statewide creative economy development initiative	Jennifer maintains her seat on the Arts Wisconsin Board of Directors as well as the Wisconsin Downtown Action Council to work on statewide issues.

<u>Proposed 2015 Goals:</u> Create a Downtown that is more Liveable, Diverse and Inclusive	
<u>2015 Key Performance Indicators:</u>	
The 501c3 launches a “Downtown Placemaker” campaign and attracts the first 100 “Placemakers”	Placemaker campaign launched and now needs a stronger online campaign and promotional push. To date the campaign has raised \$2100.
6 Mini \$500 Placemaking grants are distributed annually	The grant effort was replaced with the parklet project this year and support for other projects. We are also the fiscal agent for ArtiCulture community supported art program
A mesh WIFI network is pilot tested downtown	Discussion continues on how to accomplish this... really need the city’s help on this.

2015 Tasks:

Establish a quarterly social event to engage downtown residents	Have yet to get one of these organized. July agenda included an ask to the Creative committee to host. We will host the community dinner as part of Art on the Town and a party in the parklet during the September Art on the Town.
A friends campaign is launched to fund mini placemaking grants submitted to the Creative Downtown committee	Placemaker campaign launched and now needs a stronger online campaign and promotional push. To date the campaign has raised \$2100.
Build support to make Downtown wide WIFI a reality	We continue to have discussion on this but unclear how to proceed. Working with Skyline Technologies on beacon technology to collect data and push promotions.
Incorporate creative class attraction strategies in the new downtown vision plan.	This will be part of the downtown plan work.
Continue to offer Dementia Friendly training and look for new ways to enhance customer service in Downtown	We have partnered with Inclusion Solutions to offer a discount to BID properties on the BIGBELL product. A wireless doorbell that lets a business know someone needs assistance at the front door. ADI has installed one on the office. Works Great! Discount offer is only \$79 and it qualifies for our grant program.

2015 Grant program updates:

Recruitment Grants total Budget /Balance	\$11,000 / \$7170
<u>Business name</u>	<u>Amount Approved</u>
Inspire Spa	1,500
Atlas Group	2,000
Goebel Group Benefits	1,850
Boardlandia	400
Conrad	608
Crafty Cat	812
TOTAL	\$7,170

<u>Façade Grants 2015</u>		
<u>\$21,000</u>		
		Amount
Green Gecko II		700.00
The Appleton Group		1000.00
Joseph Shoes		600.00
Moonshell Salon		605.00
Antojitos		700.00
D2		1000.00
GD Holdings 500 W. Franklin		1000.00
Stellpflug Law		274.30
118 N. Durkee		1000.00
Heid Music		1000.00
Boarlandia		64.84
Anderson Pen		1000.00
Atlas Group		1000.00
Conrad Studios		812.50
TOTAL		\$10,756.34

2015 Marketing Grant		
Boardlandia		350.00
Expert Jewelry Repair*		200.00
Spats Bar & Restaurant		200.00
Sonnet Garden Blooms LLC		350.00
Tina Maries Unique Boutique LLC		350.00
Hunan		300.00
Total		1,750.00

Downtown BID Vitality Index (dashboard)

Measurement		2013	2014	Source
Downtown Employment		7425	7493	ADI
Student count			1519	LU/Valley New School
BID District property value		\$121,992,200	\$121,863,600	City of Appleton
Traffic count on College Ave.		13,100 – 19,600	13,100-19,600	2010 City Traffic Counts
New Businesses		27	23	ADI
Business Closing or Move		13	16	ADI
Overall vacancy rate based on total number of available units		21%	20%	ADI: 431 total units
Business Mix By Property				
Office		25%	33%	ADI
Attractions		3%	3%	ADI
Hospitality		17%	21%	ADI
Retail		21%	20%	ADI
Service		18%	23%	ADI
Trolley riders		5756	6904	Lamers
Event Attendance				
Death by Chocolate		400	450	tickets sold
Farm Market Summer		Up to 10,000	Up to 10,000	
Farm Market Winter		Up to 1000	Up to 1500	
Concerts in the Park		1500-2000	1750 - 2500	
Art on the Town		Up to 1000	Up to 1000	
Soup Walk		400	450	tickets sold
BYGD		180	195	tickets sold
Walkability Score out of 100		N/A	79	Creative Downtown
APD Calls for Service in BID		197	226	APD reported
Social Media:				
Facebook likes total		13,187	18,163	Goggle Analytics
Twitter followers		3411	5079	Goggle Analytics
Website Unique visitors		114,886	220,974	Goggle Analytics
Visitors on Mobile devices		64962	92,809 (42%)	Goggle Analytics

APPENDIX C

2016

Budget

BUSINESS IMPROVEMENT DISTRICT BUDGET

REVENUE		Proposed 2016 Budget
	2016 BID Assessments	193,125
	Carry Over from Prior Year	
	Interest Income	
EXPENSES		
Contracted Services		
	ADI Staff Support	37,500
	Security Washington Square	2,700
Administrative		7,000
	Telephone	
	Food/Provisions	
	Office Supplies	
	Postage	
	Conferences/Workshops	
	Dues, Fees, Subscriptions	
	Space Lease/Rental Fees	
	Office equipment	
BID Audit/Accounting Services		2,500
Marketing & Printing		
	Website and Social Media	15,000
	Image Advertising	37,000
	Business to Business	5,000
	Retail and Hospitality promotions	15,000
	Printing	15,000
Economic Development		
	Façade Grants	20,000
	Marketing Grant	10,000
	Recruitment Grant	10,000
	Sidewalk, flowers	9,125
	Business Recruitment	7,300
TOTAL		193,125

APPENDIX D

2015 BID Board List

Board Member	Business	Category
Monica Klaeser – Treasurer	City of Appleton	City Government
Pam Ulness	Ulness Health and Downtown Resident	Property owner / service & Residential
Brad Schweb	Newmark Grubb Pfefferle	Property owner representative
Gary Schmitz – President	Universal Insurance	Business office / service
Steve Winter	Real Estate developer	Property Owner / retail
Mark Behnke – Secretary	Behnke Enterprises	Property Owner / hospitality & Retail
Paul Heid	Heid Music	Property Owner / retail
John Reader	Good Company	Property Owner / hospitality
Nate Weyenberg	Angels Forever Windows of Light	Property Owner / retail

Appendix E

Schedule of Assessments

Schedule of Assessments Downtown Appleton BID 2016 Operational Plan

FULLTAXKEY	Owner Last name	Owner first name	Business Name	type	Property Address	Unit #	Improvements \$	Land \$	Total Value \$	%of condo	Assess	Total Assess
31-0-0044-00	BEHNKE PROPERTIES LLC		BEHNKE PROPERTIES LLC	PRIVATE	119 E COLLEGE AVE		269000	0	269000		\$ 672.50	\$ 672.50
31-0-0069-00	BEHNKE PROPERTIES LLC		BEHNKE PROPERTIES LLC	PRIVATE	109 W COLLEGE AVE		259300	0	259300		\$ 648.25	\$ 648.25
31-0-0337-00	BGO LLC		BGO LLC	PRIVATE	304 E COLLEGE AVE		73500	0	73500		\$ 183.75	\$ 250.00
31-0-0976-02	LINDBERG	ROBERT	ROBERT LINDBERG	PRIVATE	104 S MEMORIAL DR		37300	0	37300		\$ 93.25	\$ 250.00
31-2-0002-00	WP & R INC		WP & R INC	PRIVATE	303 E COLLEGE AVE		161200	128600	289800		\$ 724.50	\$ 724.50
31-2-0003-00	NOYCE MANAGEMENT LLC		NOYCE MANAGEMENT LLC	PRIVATE	305 E COLLEGE AVE		84300	54900	139200		\$ 348.00	\$ 348.00
31-2-0004-00	CLARK	HARLAN	HARLAN CLARK	PRIVATE	311 E COLLEGE AVE		82700	43000	125700		\$ 314.25	\$ 314.25
31-2-0007-00	PHIMMASENE	JIMMY	JIMMY PHIMMASENE	PRIVATE	321 E COLLEGE AVE		237800	68300	306100		\$ 765.25	\$ 765.25
31-2-0020-00	ISAKSON	PETER	PETER ISAKSON	PRIVATE	227 E COLLEGE AVE	#9	81100	30700	111800		\$ 279.50	\$ 279.50
31-2-0021-00	GREENE ET AL	THOMAS	THOMAS GREENE ET AL	PRIVATE	225 E COLLEGE AVE		82600	32100	114700		\$ 286.75	\$ 286.75
31-2-0022-00	PLAMANN	JAY	JAY PLAMANN	PRIVATE	223 E COLLEGE AVE		111700	59400	171100		\$ 427.75	\$ 427.75
31-2-0023-00	SJSOCZKA LLC		SJSOCZKA LLC	PRIVATE	219 E COLLEGE AVE		40400	59400	99800		\$ 249.50	\$ 250.00
31-2-0025-00	MUELLER	ANTHONY	ANTHONY MUELLER	PRIVATE	217 E COLLEGE AVE		85900	59400	145300		\$ 363.25	\$ 363.25
31-2-0026-00	KORN ACQUISITIONS	R.E. LLC	KORN ACQUISITIONS R.E. LLC	PRIVATE	215 E COLLEGE AVE		268900	59700	328600		\$ 821.50	\$ 821.50
31-2-0027-00	STUDIO 213 LLC		STUDIO 213 LLC	PRIVATE	213 E COLLEGE AVE		129400	59700	189100		\$ 472.75	\$ 472.75
31-2-0029-00	WELLS	JOSEPH	JOSEPH WELLS	PRIVATE	209 E COLLEGE AVE		84700	118900	203600		\$ 509.00	\$ 509.00
31-2-0030-00	WELLS	JOSEPH	JOSEPH WELLS	PRIVATE	207 E COLLEGE AVE		51700	59400	111100		\$ 277.75	\$ 277.75
31-2-0031-00	WELLS	JOSEPH	JOSEPH WELLS	PRIVATE	201 E COLLEGE AVE		203600	125500	329100		\$ 822.75	\$ 822.75
31-2-0038-00	BEHNKE PROPERTIES LLC		BEHNKE PROPERTIES LLC	PRIVATE	101 E COLLEGE AVE		188400	37900	226300		\$ 565.75	\$ 565.75
31-2-0039-00	SOMA CORPORATION		SOMA CORPORATION	PRIVATE	103 E COLLEGE AVE	#1045	437300	122300	559600		\$ 1,399.00	\$ 1,399.00
31-2-0040-00	ASPLUND	RAYMON	RAYMON ASPLUND	PRIVATE	107 E COLLEGE AVE		124000	49400	173400		\$ 433.50	\$ 433.50
31-2-0041-00	DKS REALTY WISCONSIN IV LLC	IV LLC	DKS REALTY WISCONSIN IV LLC	PRIVATE	109 E COLLEGE AVE		93700	53000	146700		\$ 366.75	\$ 366.75
31-2-0042-00	DKS REALTY WISCONSIN IV LLC	IV LLC	DKS REALTY WISCONSIN IV LLC	PRIVATE	111 E COLLEGE AVE		82100	53000	135100		\$ 337.75	\$ 337.75
31-2-0043-00	ISAKSON	PETER	PETER ISAKSON	PRIVATE	113 E COLLEGE AVE	#9	92000	55100	147100		\$ 367.75	\$ 367.75
31-2-0044-00	BEHNKE PROPERTIES LLC		BEHNKE PROPERTIES LLC	PRIVATE	115 E COLLEGE AVE		104600	152900	257500		\$ 643.75	\$ 643.75
31-2-0046-00	BEHNKE PROPERTIES LLC		BEHNKE PROPERTIES LLC	PRIVATE	121 E COLLEGE AVE		113200	46400	159600		\$ 399.00	\$ 399.00
31-2-0047-00	ECO PROPERTIES LLC		ECO PROPERTIES LLC	PRIVATE	123 E COLLEGE AVE		98700	44900	143600		\$ 359.00	\$ 359.00
31-2-0048-00	SOMA CORPORATION		SOMA CORPORATION	PRIVATE	125 E COLLEGE AVE	#1045	165500	47500	213000		\$ 532.50	\$ 532.50
31-2-0049-00	BEHNKE PROPERTIES LLC		BEHNKE PROPERTIES LLC	PRIVATE	127 E COLLEGE AVE		126100	58700	184800		\$ 462.00	\$ 462.00
31-2-0050-00	BEHNKE PROPERTIES LLC		BEHNKE PROPERTIES LLC	PRIVATE	129 E COLLEGE AVE		171200	58700	229900		\$ 574.75	\$ 574.75
31-2-0051-00	TAYLOR-CHANCE LLC		TAYLOR-CHANCE LLC	PRIVATE	133 E COLLEGE AVE		247600	58700	306300		\$ 765.75	\$ 765.75
31-2-0051-01	GREENSIDE PROPERTIES	LLC	GREENSIDE PROPERTIES LLC	PRIVATE	135 E COLLEGE AVE		135600	61900	197500		\$ 493.75	\$ 493.75
31-2-0069-00	BEHNKE PROPERTIES		BEHNKE PROPERTIES LLC	PRIVATE	107 W COLLEGE		120000	90100	210100		\$ 525.25	\$ 525.25

31-2-0273-02	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	191500	16500	208000	3.70%	\$ 520.00	\$ 520.00	\$ 185.00
31-2-0273-03	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	100	5800	5900	1.30%	\$ 14.75	\$ 250.00	\$ 65.00
31-2-0273-04	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	100	3600	3700	0.80%	\$ 9.25	\$ 250.00	\$ 40.00
31-2-0273-05	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	100	3600	3700	0.80%	\$ 9.25	\$ 250.00	\$ 40.00
31-2-0273-06	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	100	2200	2300	0.50%	\$ 5.75	\$ 250.00	\$ 25.00
31-2-0273-08	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	100	20100	20200	4.50%	\$ 50.50	\$ 250.00	\$ 225.00
31-2-0273-10	THE BUILDING FOR KIDS	INC	THE BUILDING FOR KIDS INC	PRIVATE	100 W COLLEGE AVE		42600	0	42600	0.00%	\$ 106.50	\$ 250.00	\$ -
31-2-0273-12	PFEFFERLE FAMILY LTD	PARTNERSHIP	PFEFFERLE FAMILY LTD PARTNERSHIP	PRIVATE	116 N APPLETON ST	#2-A	83100	5400	88500	1.20%	\$ 221.25	\$ 250.00	\$ 60.00
31-2-0273-30	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	890700	67000	957700	15.00%	\$ 2,394.25	\$ 2,394.25	\$ 750.00
31-2-0273-40	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	898500	67400	965900	15.10%	\$ 2,414.75	\$ 2,414.75	\$ 755.00
31-2-0273-41	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	100	500	600	0.10%	\$ 1.50	\$ 250.00	\$ 5.00
31-2-0273-42	ISLAND MEDICAL LLC	ET AL	ISLAND MEDICAL LLC ET AL	PRIVATE	100 W COLLEGE AVE	#2A	100	500	600	0.10%	\$ 1.50	\$ 250.00	\$ 5.00
31-2-0282-00	PFEFFERLE INVESTMENTS	INC ET AL	PFEFFERLE INVESTMENTS INC ET AL	PRIVATE	122 E COLLEGE AVE	#2A	2040600	335300	2375900	34.00%	\$ 5,939.75	\$ 5,000.00	\$ 1,700.00
31-2-0282-01	PFEFFERLE INVESTMENTS	INC ET AL	PFEFFERLE INVESTMENTS INC ET AL	PRIVATE	122 E COLLEGE AVE	#2A	7300	2000	9300	0.17%	\$ 23.25	\$ 250.00	\$ 8.50
31-2-0282-02	WASHINGTON STREET R.E.	INVESTMENT	WASHINGTON STREET R.E. INVESTMENT	PRIVATE	122 E COLLEGE AVE	#2A	1225600	92900	1318500	9.42%	\$ 3,296.25	\$ 3,296.25	\$ 471.00
31-2-0282-03	WASHINGTON STREET R.E.	INVESTMENT	WASHINGTON STREET R.E. INVESTMENT	PRIVATE	122 E COLLEGE AVE	#2A	21700	4900	26600	0.54%	\$ 66.50	\$ 250.00	\$ 27.00
31-2-0282-04	WASHINGTON STREET R.E.	INVESTMENT	WASHINGTON STREET R.E. INVESTMENT	PRIVATE	122 E COLLEGE AVE	#2A	74600	9200	83800	0.93%	\$ 209.50	\$ 250.00	\$ 46.50
31-2-0282-05	HOFFMAN HOLDINGS LLC	ET AL	HOFFMAN HOLDINGS LLC ET AL	PRIVATE	122 E COLLEGE AVE	#2A	20700	5900	26600	0.58%	\$ 66.50	\$ 250.00	\$ 29.00
31-2-0282-07	PFEFFERLE INVESTMENTS	INC ET AL	PFEFFERLE INVESTMENTS INC ET AL	PRIVATE	122 E COLLEGE AVE	#2A	1648400	125100	1773500	12.68%	\$ 4,433.75	\$ 4,433.75	\$ 634.00
31-2-0282-08	PFEFFERLE INVESTMENTS	INC ET AL	PFEFFERLE INVESTMENTS INC ET AL	PRIVATE	122 E COLLEGE AVE	#2A	14900	3900	18800	0.38%	\$ 47.00	\$ 250.00	\$ 19.00
31-2-0282-10	PFEFFERLE INVESTMENTS	INC ET AL	PFEFFERLE INVESTMENTS INC ET AL	PRIVATE	122 E COLLEGE AVE	#2A	2388300	182700	2571000	18.52%	\$ 6,427.50	\$ 5,000.00	\$ 926.00
31-2-0282-11	PFEFFERLE INVESTMENTS	INC ET AL	PFEFFERLE INVESTMENTS INC ET AL	PRIVATE	122 E COLLEGE AVE	#2A	10800	2600	13400	0.26%	\$ 33.50	\$ 250.00	\$ 13.00
31-2-0282-12	PFEFFERLE INVESTMENTS	INC ET AL	PFEFFERLE INVESTMENTS INC ET AL	PRIVATE	122 E COLLEGE AVE	#2A	10600	2700	13300	0.27%	\$ 33.25	\$ 250.00	\$ 13.50
31-2-0282-13	WASHINGTON STREET R.E.	INVESTMENT	WASHINGTON STREET R.E. INVESTMENT	PRIVATE	122 E COLLEGE AVE	#2A	422100	34000	456100	3.45%	\$ 1,140.25	\$ 1,140.25	\$ 172.50
31-2-0282-14	WASHINGTON STREET R.E.	INVESTMENT	WASHINGTON STREET R.E. INVESTMENT	PRIVATE	122 E COLLEGE AVE	#2A	569200	43100	612300	4.37%	\$ 1,530.75	\$ 1,530.75	\$ 218.50
31-2-0282-15	HOFFMAN HOLDINGS LLC	ET AL	HOFFMAN HOLDINGS LLC ET AL	PRIVATE	122 E COLLEGE AVE	#2A	893600	65500	959100	6.64%	\$ 2,397.75	\$ 2,397.75	\$ 332.00
31-2-0287-00	APPLETON HOTEL GROUP	LLC	APPLETON HOTEL GROUP LLC	PRIVATE	100 E COLLEGE AVE		227700	60300	288000		\$ 720.00	\$ 720.00	\$ 720.00
31-2-0290-01	TAM LLC		TAM LLC	PRIVATE	10 COLLEGE AVE		951700	1007800	1959500		\$ 4,898.75	\$ 4,898.75	\$ 4,898.75
31-2-0302-00	RUECKL	ROBERT	ROBERT RUECKL	PRIVATE	130 N MORRISON		97400	26000	123400		\$ 308.50	\$ 308.50	\$ 308.50

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31-2-0303-00	MORRISON BUILDING LLC		MORRISON BUILDING LLC	PRIVATE	120 N MORRISON ST	#200	293500	96500	390000	\$ 975.00	\$ 975.00	\$ 975.00
31-2-0311-00	BROUILLARD	ROBERT	ROBERT BROUILLARD	PRIVATE	129 N DURKEE ST		36200	37100	73300	\$ 183.25	\$ 250.00	\$ 250.00
31-2-0312-00	200 EAST LLC		200 EAST LLC	PRIVATE	200 E COLLEGE AVE	#A	502400	102600	605000	\$ 1,512.50	\$ 1,512.50	\$ 1,512.50
31-2-0313-00	SOMA CORPORATION		SOMA CORPORATION	PRIVATE	204 E COLLEGE AVE	#1045	221500	97500	319000	\$ 797.50	\$ 797.50	\$ 797.50
31-2-0315-00	FRISCH	BRIAN	BRIAN FRISCH	PRIVATE	208 E COLLEGE AVE		92500	47500	140000	\$ 350.00	\$ 350.00	\$ 350.00
31-2-0316-00	VANDINTER	BRADLEY	BRADLEY VANDINTER	PRIVATE	212 E COLLEGE AVE		64800	49700	114500	\$ 286.25	\$ 286.25	\$ 286.25
31-2-0317-00	QUEEN BEE RESTAURANT	INC	QUEEN BEE RESTAURANT INC	PRIVATE	216 E COLLEGE AVE		242300	97200	339500	\$ 848.75	\$ 848.75	\$ 848.75
31-2-0319-00	SCOTT	HELEN	HELEN SCOTT	PRIVATE	218 E COLLEGE AVE		275600	94000	369600	\$ 924.00	\$ 924.00	\$ 924.00
31-2-0321-00	HALEY'S PROPERTIES ONE	LLC	HALEY'S PROPERTIES ONE LLC	PRIVATE	222 E COLLEGE AVE		115400	45900	161300	\$ 403.25	\$ 403.25	\$ 403.25
31-2-0322-00	THE WEIDERS LLC		THE WEIDERS LLC	PRIVATE	224 E COLLEGE AVE		337500	78500	416000	\$ 1,040.00	\$ 1,040.00	\$ 1,040.00
31-2-0323-00	CJW PROPERTIES LLC		CJW PROPERTIES LLC	PRIVATE	228 E COLLEGE AVE	#A	102500	67300	169800	\$ 424.50	\$ 424.50	\$ 424.50
31-2-0324-00	CJW PROPERTIES LLC		CJW PROPERTIES LLC	PRIVATE	232 E COLLEGE AVE	#A	125400	60500	185900	\$ 464.75	\$ 464.75	\$ 464.75
31-2-0325-00	CJW PROPERTIES LLC		CJW PROPERTIES LLC	PRIVATE	109 N DURKEE ST	#A	45000	8400	53400	\$ 133.50	\$ 250.00	\$ 250.00
31-2-0326-00	GILL	GREGORY SR	GREGORY SR GILL	PRIVATE	128 N DURKEE ST		110800	34700	145500	\$ 363.75	\$ 363.75	\$ 363.75
31-2-0327-01	WAGNER ET AL	TIMOTHY	TIMOTHY WAGNER ET AL	PRIVATE	118 N DURKEE ST		109600	37400	147000	\$ 367.50	\$ 367.50	\$ 367.50
31-2-0328-00	RICKS	DREW	DREW RICKS	PRIVATE	309 E WASHINGTON ST		51600	107400	159000	\$ 397.50	\$ 397.50	\$ 397.50
31-2-0334-00	331 PROPERTIES LLP		331 PROPERTIES LLP	PRIVATE	331 E WASHINGTON ST		195500	42500	238000	\$ 595.00	\$ 595.00	\$ 595.00
31-2-0337-00	BGO LLC		BGO LLC	PRIVATE	300 E COLLEGE AVE		120700	193400	314100	\$ 785.25	\$ 785.25	\$ 785.25
31-2-0340-00	FREEMAN REAL ESTATE	PARTNERSHIP	FREEMAN REAL ESTATE PARTNERSHIP	PRIVATE	308 E COLLEGE AVE		152800	96300	249100	\$ 622.75	\$ 622.75	\$ 622.75
31-2-0342-00	TESKE	RONALD	RONALD TESKE	PRIVATE	314 E COLLEGE AVE		136500	45600	182100	\$ 455.25	\$ 455.25	\$ 455.25
31-2-0353-00	FIRSTAR BANK APPLETON		FIRSTAR BANK APPLETON	PRIVATE	200 N DURKEE ST		1072500	492500	1565000	\$ 3,912.50	\$ 3,912.50	\$ 3,912.50
31-2-0363-00	230 N MORRISON LLC		230 N MORRISON LLC	PRIVATE	230 N MORRISON ST		193400	115600	309000	\$ 772.50	\$ 772.50	\$ 772.50
31-2-0366-00	FOND DU LAC BLDG ASSOC	LLP	FOND DU LAC BLDG ASSOC LLP	PRIVATE	200 E WASHINGTON ST		359700	70300	430000	8.19% \$ 1,075.00	\$ 1,075.00	\$ 409.50
31-2-0366-01	PFEFFERLE ENTERPRISES		PFEFFERLE ENTERPRISES	PRIVATE	200 E WASHINGTON ST		954400	140600	1095000	20.73% \$ 2,737.50	\$ 2,737.50	\$ 1,036.50
31-2-0366-02	FOND DU LAC BLDG ASSOC	LLP	FOND DU LAC BLDG ASSOC LLP	PRIVATE	200 E WASHINGTON ST		947500	140600	1088100	20.73% \$ 2,720.25	\$ 2,720.25	\$ 1,036.50
31-2-0366-03	FOND DU LAC BLDG ASSOC		FOND DU LAC BLDG ASSOC	PRIVATE	200 E WASHINGTON ST		947500	140600	1088100	20.73% \$ 2,720.25	\$ 2,720.25	\$ 1,036.50
31-2-0366-04	FOND DU LAC BLDG ASSOC		FOND DU LAC BLDG ASSOC	PRIVATE	200 E WASHINGTON ST		947500	140600	1088100	20.73% \$ 2,720.25	\$ 2,720.25	\$ 1,036.50
31-2-0366-05	FOND DU LAC BLDG ASSOC		FOND DU LAC BLDG ASSOC	PRIVATE	200 E WASHINGTON ST		435400	70300	505700	8.89% \$ 1,264.25	\$ 1,264.25	\$ 444.50
31-2-0371-00	CONNER LLC	ETHEL PROPERTY	ETHEL CONNER LLC	PRIVATE	229 E FRANKLIN ST		120000	65000	185000	\$ 462.50	\$ 462.50	\$ 462.50
31-2-0384-00	VALLEY PREMIER	LLC	VALLEY PREMIER PROPERTY LLC	PRIVATE	222 N ONEIDA ST		118900	92100	211000	\$ 527.50	\$ 527.50	\$ 527.50
31-2-0404-00	SEC PROPERTIES LLC		SEC PROPERTIES LLC	PRIVATE	231 W FRANKLIN ST		107800	132200	240000	\$ 600.00	\$ 600.00	\$ 600.00
31-2-0405-00	214 SUPERIOR LLC		214 SUPERIOR LLC	PRIVATE	214 N SUPERIOR ST		138500	21500	160000	\$ 400.00	\$ 400.00	\$ 400.00
31-2-0408-00	BERKEN	SCOTT	SCOTT BERKEN	PRIVATE	233 N APPLETON ST		120600	86500	207100	\$ 517.75	\$ 517.75	\$ 517.75
31-2-0417-00	MALZHAN ET AL	LISA	LISA MALZHAN ET AL	PRIVATE	211 N APPLETON ST		105000	30500	135500	\$ 338.75	\$ 338.75	\$ 338.75

31-2-0418-00	JK APOLLON LLC S & S	LLC PUBLISHING INC	JK APOLLON LLC S & S ENTREPRENEURS	PRIVATE	207 N APPLETON ST	159400	34600	194000	\$ 485.00	\$ 485.00	\$ 485.00
31-2-0419-00	ENTREPRENEURS		LLC	PRIVATE	201 N APPLETON ST	221700	58300	280000	\$ 700.00	\$ 700.00	\$ 700.00
31-2-0428-00	GANNETT MIDWEST		GANNETT MIDWEST PUBLISHING INC	PRIVATE	306 W WASHINGTON ST	1245800	455200	1701000	\$ 4,252.50	\$ 4,252.50	\$ 4,252.50
31-2-0430-06	HOERSCH AVRIL PROPERTIES LLC		ROBERT ROBERT HOERSCH	PRIVATE	218 N DIVISION ST	103400	71100	174500	\$ 436.25	\$ 436.25	\$ 436.25
31-2-0458-00		JOHN	AVRIL PROPERTIES LLC	PRIVATE	130 E FRANKLIN ST	189800	42000	231800	\$ 579.50	\$ 579.50	\$ 579.50
31-3-0847-00	MCGUINNESS		JOHN MCGUINNESS	PRIVATE	201 S WALNUT ST	307600	64800	372400	\$ 931.00	\$ 931.00	\$ 931.00
31-3-0849-00	DEXTERS PUB LLC		DEXTERS PUB LLC	PRIVATE	211 S WALNUT ST	111200	28800	140000	\$ 350.00	\$ 350.00	\$ 350.00
31-3-0855-00	NORWEST BANK WISC NA		NORWEST BANK WISC NA	PRIVATE	516 W EIGHTH ST	141900	375900	517800	\$ 1,294.50	\$ 1,294.50	\$ 1,294.50
31-3-0876-00	THAO PROPERTIES LLC	CHUNGYIA	THAO PROPERTIES LLC	PRIVATE	206 S MEMORIAL DR	144800	61200	206000	\$ 515.00	\$ 515.00	\$ 515.00
31-3-0877-00	THAO REVOCABLE TRUST		CHUNGYIA THAO REVOCABLE TRUST	PRIVATE	625 W LAWRENCE ST	15700	34800	50500	\$ 126.25	\$ 250.00	\$ 250.00
31-3-0879-00	BEHNKE PROPERTIES LLC		BEHNKE PROPERTIES LLC	PRIVATE	617 W LAWRENCE ST	45600	42900	88500	\$ 221.25	\$ 250.00	\$ 250.00
31-3-0883-00	DECLEENE-ZELLNER LLC		DECLEENE-ZELLNER LLC	PRIVATE	215 S MEMORIAL DR	448300	145700	594000	\$ 1,485.00	\$ 1,485.00	\$ 1,485.00
31-3-0934-00	BOYLE	JAMES	JAMES BOYLE	PRIVATE	131 S BADGER AVE	47400	77600	125000	\$ 312.50	\$ 312.50	\$ 312.50
31-3-0937-00	S & K FOOD MART INC		S & K FOOD MART INC	PRIVATE	911 W COLLEGE AVE	289600	132800	422400	\$ 1,056.00	\$ 1,056.00	\$ 1,056.00
31-3-0938-00	NEVINS TRUST		LANCE NEVINS TRUST	PRIVATE	843 W COLLEGE AVE	316200	109900	426100	\$ 1,065.25	\$ 1,065.25	\$ 1,065.25
31-3-0943-00	MARTINEZ		ROBERTO MARTINEZ	PRIVATE	823 W COLLEGE AVE	19400	60600	80000	\$ 200.00	\$ 250.00	\$ 250.00
31-3-0943-02	MARTINEZ	ROBERTO	ROBERTO MARTINEZ	PRIVATE	827 W COLLEGE AVE	400	44600	45000	\$ 112.50	\$ 250.00	\$ 250.00
31-3-0944-00	PIERRI TRUST	SARA	SARA PIERRI TRUST	PRIVATE	819 W COLLEGE AVE	76100	21400	97500	\$ 243.75	\$ 250.00	\$ 250.00
31-3-0945-00	PIERRI TRUST	SARA	SARA PIERRI TRUST	PRIVATE	815 W COLLEGE AVE	132400	36400	168800	\$ 422.00	\$ 422.00	\$ 422.00
31-3-0945-01	PIERRI TRUST	SARA	SARA PIERRI TRUST	PRIVATE	813 W COLLEGE AVE	47900	17700	65600	\$ 164.00	\$ 250.00	\$ 250.00
31-3-0946-00	SCHILLING PROPERTIES	LLC	SCHILLING PROPERTIES LLC	PRIVATE	809 W COLLEGE AVE	45000	17100	62100	\$ 155.25	\$ 250.00	\$ 250.00
31-3-0947-00	BOARDWALK RENTALS LLP		BOARDWALK RENTALS LLP	PRIVATE	807 W COLLEGE AVE	70800	17100	87900	\$ 219.75	\$ 250.00	\$ 250.00
31-3-0948-00	WENZ RENTAL PROPERTIES		WENZ RENTAL PROPERTIES LLC	PRIVATE	801 W COLLEGE AVE	115200	40300	155500	\$ 388.75	\$ 388.75	\$ 388.75
31-3-0960-00	745 COLLEGE LLC		745 COLLEGE LLC	PRIVATE	745 W COLLEGE AVE	274500	29500	304000	\$ 760.00	\$ 760.00	\$ 760.00
31-3-0961-00	VANEGEREN PROPERTIES	LLC	VANEGEREN PROPERTIES LLC	PRIVATE	741 W COLLEGE AVE	51700	77100	128800	\$ 322.00	\$ 322.00	\$ 322.00
31-3-0963-01	THEADOCIA LLC		THEADOCIA LLC	PRIVATE	733 W COLLEGE AVE	142700	64400	207100	\$ 517.75	\$ 517.75	\$ 517.75
31-3-0964-00	CHI-LING KONG		CHI-LING KONG	PRIVATE	719 W COLLEGE AVE	185300	114500	299800	\$ 749.50	\$ 749.50	\$ 749.50
31-3-0972-00	ANCHOR BANK FSB		ANCHOR BANK FSB	PRIVATE	127 S MEMORIAL DR	445500	269500	715000	\$ 1,787.50	\$ 1,787.50	\$ 1,787.50
31-3-0976-00	MILLER	WILLIAM	WILLIAM MILLER	PRIVATE	623 W COLLEGE AVE	207000	69400	276400	\$ 691.00	\$ 691.00	\$ 691.00
31-3-0976-01	LINDBERG	ROBERT	ROBERT LINDBERG	PRIVATE	100 S MEMORIAL DR	48100	95100	143200	\$ 358.00	\$ 358.00	\$ 358.00

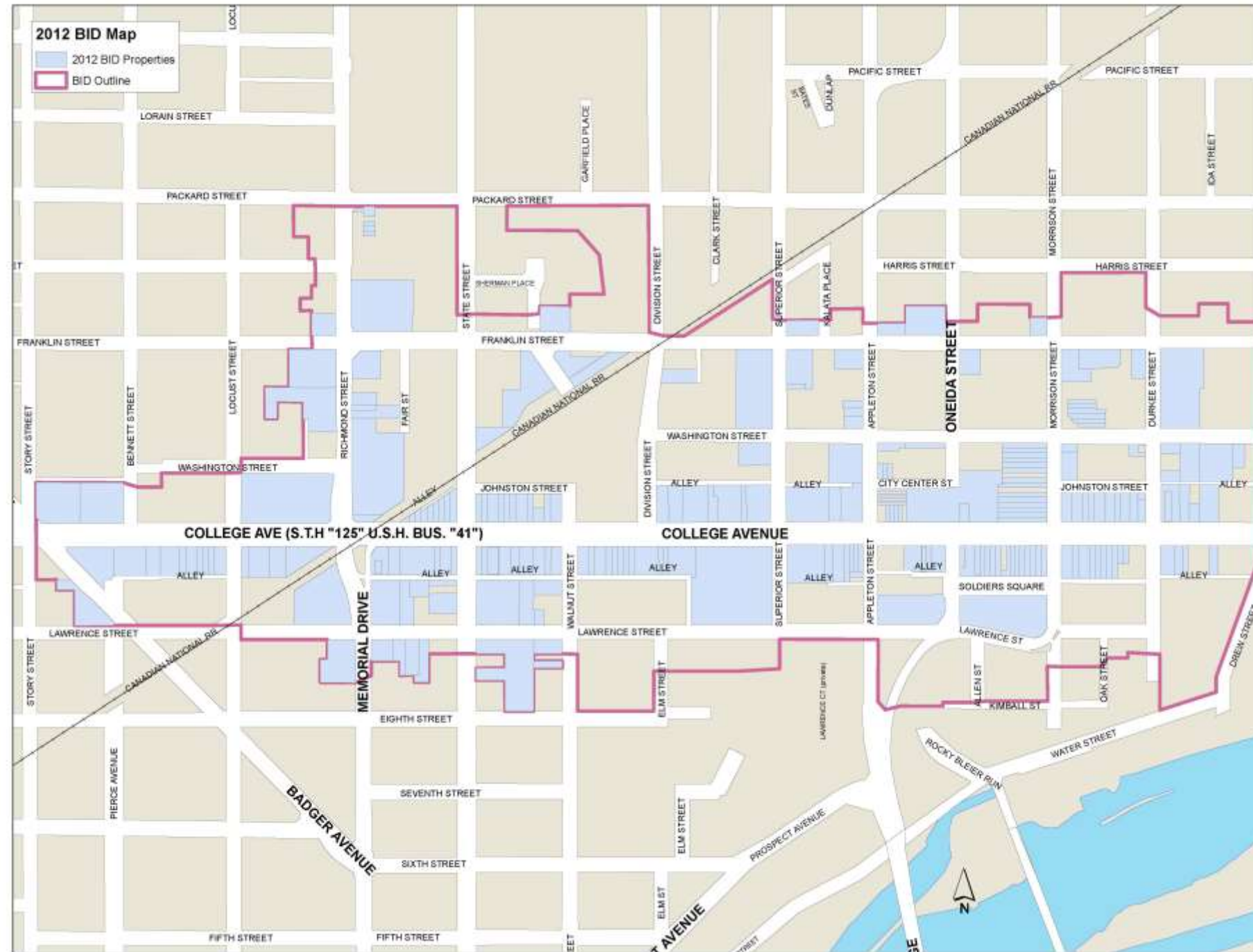
31-3-0979-00	APPLETON WEST END	REALTY LTD	APPLETON WEST END REALTY LTD	PRIVATE	609 W COLLEGE AVE	#300	198700	179900	378600	\$ 946.50	\$ 946.50	\$ 946.50
31-3-0983-00	DAS VENTURES HOLDINGS	LLC	DAS VENTURES HOLDINGS LLC	PRIVATE	603 W COLLEGE AVE		401800	112500	514300	\$ 1,285.75	\$ 1,285.75	\$ 1,285.75
31-3-0985-00	LISON	JAMES	JAMES LISON	PRIVATE	601 W COLLEGE AVE		158800	43200	202000	\$ 505.00	\$ 505.00	\$ 505.00
31-3-0986-00	BOYCE	JAMIE	JAMIE BOYCE	PRIVATE	115 S STATE ST		79400	29100	108500	\$ 271.25	\$ 271.25	\$ 271.25
31-3-0988-00	HINZMAN BOXER ENTERPRISES LLC	PAUL	PAUL HINZMAN BOXER ENTERPRISES LLC	PRIVATE	121 S STATE ST 620 W LAWRENCE ST		106300	83000	189300	\$ 473.25	\$ 473.25	\$ 473.25
31-3-0993-00	VANDEHEY FOUNDATION	ROBERT	ROBERT VANDEHEY FOUNDATION	PRIVATE	122 S MEMORIAL DR		207900	182000	389900	\$ 974.75	\$ 974.75	\$ 974.75
31-3-0998-00	DAS VENTURES HOLDINGS	LLC	DAS VENTURES HOLDINGS LLC	PRIVATE	613 W COLLEGE AVE		21000	24400	45400	\$ 113.50	\$ 250.00	\$ 250.00
31-3-0999-00	GREINER	JOHN	JOHN GREINER	PRIVATE	535 W COLLEGE AVE		151100	49000	200100	\$ 500.25	\$ 500.25	\$ 500.25
31-3-1003-00	EFS LLC		EFS LLC	PRIVATE	523 W COLLEGE AVE		724800	246400	971200	\$ 2,428.00	\$ 2,428.00	\$ 2,428.00
31-3-1004-00	KOROLL PROPERTIES LLC		KOROLL PROPERTIES LLC	PRIVATE	519 W COLLEGE AVE		364500	77600	442100	\$ 1,105.25	\$ 1,105.25	\$ 1,105.25
31-3-1005-00	EVERGREEN STORAGE LLC		EVERGREEN STORAGE LLC	PRIVATE	513 W COLLEGE AVE	#A	83200	128100	211300	\$ 528.25	\$ 528.25	\$ 528.25
31-3-1006-00	EVERGREEN STORAGE LLC		EVERGREEN STORAGE LLC	PRIVATE	516 W LAWRENCE ST	#A	7800	90900	98700	\$ 246.75	\$ 250.00	\$ 250.00
31-3-1008-00	NORWEST BANK WISC NA		NORWEST BANK WISC NA	PRIVATE	118 S STATE ST 510 W LAWRENCE ST		1009000	341000	1350000	\$ 3,375.00	\$ 3,375.00	\$ 3,375.00
31-3-1015-00	VICTORIA	CRESENCIO	CRESENCIO VICTORIA	PRIVATE			59500	24300	83800	\$ 209.50	\$ 250.00	\$ 250.00
31-3-1017-00	HAUSSERMAN ET AL	ROBERT	ROBERT HAUSSERMAN ET AL	PRIVATE	119 S WALNUT ST	#1093	78000	82000	160000	\$ 400.00	\$ 400.00	\$ 400.00
31-3-1020-00	NAKASHIMA	HIROYUKI	HIROYUKI NAKASHIMA	PRIVATE	509 W COLLEGE AVE		443600	109400	553000	\$ 1,382.50	\$ 1,382.50	\$ 1,382.50
31-3-1021-00	VICTORIAS		VICTORIAS	PRIVATE	507 W COLLEGE AVE		201800	57600	259400	\$ 648.50	\$ 648.50	\$ 648.50
31-3-1022-00	APPLETON INC VICTORIAS		APPLETON INC VICTORIAS	PRIVATE	503 W COLLEGE AVE		238200	121400	359600	\$ 899.00	\$ 899.00	\$ 899.00
31-3-1023-00	APPLETON INC		APPLETON INC	PRIVATE	427 W COLLEGE AVE		837700	138200	975900	\$ 2,439.75	\$ 2,439.75	\$ 2,439.75
31-3-1025-00	THE BAR GROUP LLC		THE BAR GROUP LLC	PRIVATE	425 W COLLEGE AVE		183800	66200	250000	\$ 625.00	\$ 625.00	\$ 625.00
31-3-1027-00	OTTPERTIES LLC		OTTPERTIES LLC	PRIVATE	423 W COLLEGE AVE		163000	132500	295500	\$ 738.75	\$ 738.75	\$ 738.75
31-3-1027-00	MILL ROAD REAL ESTATE	CO LLC	MILL ROAD REAL ESTATE CO LLC	PRIVATE	417 W COLLEGE AVE		242700	69300	312000	\$ 780.00	\$ 780.00	\$ 780.00
31-3-1028-00	M & H PROPERTIES LLC		M & H PROPERTIES LLC	PRIVATE	415 W COLLEGE AVE		167800	63500	231300	\$ 578.25	\$ 578.25	\$ 578.25
31-3-1029-00	ZIMJET LLC		ZIMJET LLC	PRIVATE	413 W COLLEGE AVE		238600	66200	304800	\$ 762.00	\$ 762.00	\$ 762.00
31-3-1030-00	JTB APPLETON LLC		JTB APPLETON LLC	PRIVATE	411 W COLLEGE AVE		206700	66200	272900	\$ 682.25	\$ 682.25	\$ 682.25
31-3-1031-00	ELMAZI	MERIJE	MERIJE ELMAZI	PRIVATE	409 W COLLEGE AVE		142500	66200	208700	\$ 521.75	\$ 521.75	\$ 521.75
31-3-1032-00	GUYETTE	TIMOTHY	TIMOTHY GUYETTE	PRIVATE	403 W COLLEGE AVE		1184400	250900	1435300	\$ 3,588.25	\$ 3,588.25	\$ 3,588.25
31-3-1033-00	AH&M ENTERPRISES LLC		AH&M ENTERPRISES LLC	PRIVATE	305 N RICHMOND ST		105200	71800	177000	\$ 442.50	\$ 442.50	\$ 442.50
31-5-0693-00	KRUEGER	LEWIS	LEWIS KRUEGER	PRIVATE								

31-5-0712-00	AK INVESTMENTS LLC		AK INVESTMENTS LLC	PRIVATE	225 N RICHMOND ST		376400	239200	615600	\$	1,539.00	\$	1,539.00	\$	1,539.00
31-5-1058-00	LANG FAMILY ENTERPRISE	LLC	LANG FAMILY ENTERPRISE LLC	PRIVATE	532 W COLLEGE AVE		197600	49000	246600	\$	616.50	\$	616.50	\$	616.50
31-5-1059-00	LANG FAMILY	ENTERPRISES	LANG FAMILY ENTERPRISES	PRIVATE	530 W COLLEGE AVE		70800	49000	119800	\$	299.50	\$	299.50	\$	299.50
31-5-1060-00	FLANAGAN	PATRICK	PATRICK FLANAGAN	PRIVATE	524 W COLLEGE AVE		173200	97900	271100	\$	677.75	\$	677.75	\$	677.75
31-5-1061-00	FLANAGAN	PATRICK	PATRICK FLANAGAN	PRIVATE	522 W COLLEGE AVE		57900	51800	109700	\$	274.25	\$	274.25	\$	274.25
31-5-1062-00	FLANAGAN	PATRICK	PATRICK FLANAGAN	PRIVATE	518 W COLLEGE AVE		95000	51800	146800	\$	367.00	\$	367.00	\$	367.00
31-5-1063-00	MULDOON ET AL	LINDA	LINDA MULDOON ET AL	PRIVATE	516 W COLLEGE AVE		56100	51800	107900	\$	269.75	\$	269.75	\$	269.75
31-5-1064-00	MULDOON ET AL	LINDA	LINDA MULDOON ET AL	PRIVATE	514 W COLLEGE AVE		55400	103100	158500	\$	396.25	\$	396.25	\$	396.25
31-5-1065-00	CHUDACOFF (TC) APPLETON WEST	BRUCE	BRUCE CHUDACOFF (TC) APPLETON WEST	PRIVATE	512 W COLLEGE AVE	#300	108000	52400	160400	\$	401.00	\$	401.00	\$	401.00
31-5-1067-00	END	REALTY LTD	REALTY LTD	PRIVATE	508 W COLLEGE AVE	#300	129400	55700	185100	\$	462.75	\$	462.75	\$	462.75
31-5-1068-00	APPLETON WEST	REALTY LTD	APPLETON WEST	PRIVATE	506 W COLLEGE AVE	#300	121400	54700	176100	\$	440.25	\$	440.25	\$	440.25
31-5-1070-00	END	REALTY LTD	REALTY LTD	PRIVATE	500 W COLLEGE AVE	#300	105700	114000	219700	\$	549.25	\$	549.25	\$	549.25
31-5-1075-00	COLLEGE AVENUE BELFEUIL RENTALS LLC	ASSOCIATES	ASSOCIATES	PRIVATE						\$		\$		\$	
31-5-1075-02	HAHNEMANN	TODD	BELFEUIL RENTALS LLC	PRIVATE	509 W FRANKLIN ST		83500	111500	195000	\$	487.50	\$	487.50	\$	487.50
31-5-1076-00	CASTON	ROBERT	TODD HAHNEMANN	PRIVATE	437 W FRANKLIN ST		58500	55500	114000	\$	285.00	\$	285.00	\$	285.00
			ROBERT CASTON	PRIVATE	136 N STATE ST		54800	43200	98000	\$	245.00	\$	250.00	\$	250.00
31-5-1100-00	NORTHWEST INVESTMENTS	OF LACROSSE	NORTHWEST INVESTMENTS OF LACROSSE	PRIVATE	306 N RICHMOND ST		898300	401700	1300000	\$	3,250.00	\$	3,250.00	\$	3,250.00
31-5-1101-00	400 NORTH LLC		400 NORTH LLC	PRIVATE	400 N RICHMOND ST		295400	67700	363100	\$	907.75	\$	907.75	\$	907.75
31-5-1101-20	400 NORTH LLC		400 NORTH LLC	PRIVATE	400 N RICHMOND ST		117800	16800	134600	\$	336.50	\$	336.50	\$	336.50
31-5-1101-21	400 NORTH LLC		400 NORTH LLC	PRIVATE	400 N RICHMOND ST		334000	85200	419200	\$	1,048.00	\$	1,048.00	\$	1,048.00
31-5-1101-22	400 NORTH LLC		400 NORTH LLC	PRIVATE	400 N RICHMOND ST		141900	14100	156000	\$	390.00	\$	390.00	\$	390.00
31-5-1139-00	PETROLEUM REALTY IV	LLC	PETROLEUM REALTY IV LLC	PRIVATE	226 N RICHMOND ST	#100	34400	104500	138900	\$	347.25	\$	347.25	\$	347.25
31-5-1147-00	BOYCE	JAMIE	JAMIE BOYCE	PRIVATE	208 N RICHMOND ST		60300	34700	95000	\$	237.50	\$	250.00	\$	250.00
31-5-1148-00	BOYCE	JAMIE	JAMIE BOYCE	PRIVATE	200 N RICHMOND ST		81500	50500	132000	\$	330.00	\$	330.00	\$	330.00
31-5-1148-01	BOYCE	JAMIE	JAMIE BOYCE	PRIVATE	204 N RICHMOND ST		66300	14700	81000	\$	202.50	\$	250.00	\$	250.00
31-5-1158-00	OLD BRICK PROPERTIES	LLC	OLD BRICK PROPERTIES LLC	PRIVATE	110 N RICHMOND ST		489100	630900	1120000	\$	2,800.00	\$	2,800.00	\$	2,800.00
31-5-1159-00	HANSEN TRUST	JOHN	JOHN HANSEN TRUST	PRIVATE	638 W COLLEGE AVE		35900	41700	77600	\$	194.00	\$	250.00	\$	250.00
31-5-1160-00	COLLEGE AVENUE	ASSOCIATES	COLLEGE AVENUE ASSOCIATES	PRIVATE	600 W COLLEGE AVE	#300	58800	53500	112300	\$	280.75	\$	280.75	\$	280.75
31-5-1162-00	KRUEGER	SHANE	SHANE KRUEGER	PRIVATE	602 W COLLEGE AVE		73500	32600	106100	\$	265.25	\$	265.25	\$	265.25

31-5-1163-00	DOUBLE G PROPERTIES	LLC	DOUBLE G PROPERTIES LLC	PRIVATE	604 W COLLEGE AVE	70500	28500	99000	\$	247.50	\$ 250.00	\$ 250.00
31-5-1164-00	VANHANDEL	FREDERICK	FREDERICK VANHANDEL	PRIVATE	606 W COLLEGE AVE	82500	24300	106800	\$	267.00	\$ 267.00	\$ 267.00
31-5-1165-00	VANHANDEL INVESTMENT CREATIONS	FREDERICK	FREDERICK VANHANDEL INVESTMENT CREATIONS LLC	PRIVATE	610 W COLLEGE AVE	88400	20200	108600	\$	271.50	\$ 271.50	\$ 271.50
31-5-1166-00		LLC		PRIVATE	612 W COLLEGE AVE	86700	16300	103000	\$	257.50	\$ 257.50	\$ 257.50
31-5-1167-00	ASCHENBRENER	JAMES	JAMES ASCHENBRENER	PRIVATE	614 W COLLEGE AVE	63900	15100	79000	\$	197.50	\$ 250.00	\$ 250.00
31-5-1168-00	YDE	JOHN	JOHN YDE	PRIVATE	616 W COLLEGE AVE	54500	11000	65500	\$	163.75	\$ 250.00	\$ 250.00
31-5-1169-00	BARQUET-LEYTE GNI OF APPLETON LLC	ANTAR	ANTAR BARQUET-LEYTE	PRIVATE	618 W COLLEGE AVE	30900	9700	40600	\$	101.50	\$ 250.00	\$ 250.00
31-5-1173-00	CHRISTENSEN LAND CO		GNI OF APPLETON LLC	PRIVATE	700 W COLLEGE AVE	1409300	790700	2200000	\$	5,500.00	\$ 5,000.00	\$ 5,000.00
31-5-1184-00	MAY REVOCABLE TRUST		CHRISTENSEN LAND CO JOHN MAY REVOCABLE TRUST	PRIVATE	137 N RICHMOND ST	410700	227200	637900	\$	1,594.75	\$ 1,594.75	\$ 1,594.75
31-5-1212-00	CAPITAL CREDIT UNION	JOHN		PRIVATE	900 W COLLEGE AVE	864000	231000	1095000	\$	2,737.50	\$ 2,737.50	\$ 2,737.50
31-5-1216-00	500 W FRANKLIN STREET		CAPITAL CREDIT UNION 500 W FRANKLIN STREET	PRIVATE	926 W COLLEGE AVE	455000	243300	698300	\$	1,745.75	\$ 1,745.75	\$ 1,745.75
31-5-1918-00		LLC	LLC	PRIVATE	500 W FRANKLIN ST	81600	69900	151500	\$	378.75	\$ 378.75	\$ 378.75
31-5-2226-01	GRISHABER	FRANK	FRANK GRISHABER	PRIVATE	407 W FRANKLIN ST	30800	39800	70600	\$	176.50	\$ 250.00	\$ 250.00
												\$ 193,125.00

Appendix G

Map of District





Appleton Downtown Inc. and Business Improvement District 2014 ANNUAL REPORT

**Our collaborative mission:
To make Downtown Appleton a vibrant
and accessible destination for business,
learning, living and leisure.**



2014 Board of Directors...

Appleton Downtown Inc.

President: John Hendrickson
Bank of Kaukauna

Past President: Trevor Frank
Short Elliott Hendrickson

President Elect: John Peterson
Peterson Berk & Cross

Secretary: Robyn Gruner
A T & T

Treasurer: Angela Rust
Johnson Bank

Tim Duchow, *Radisson Paper Valley Hotel*

Lynn Hagee, *Lawrence University*

Lyssa King, *OuterEdge Stage*

Monica Klaeser, *City of Appleton*

Mary Greiner, *Schenck SC*

Joe Kohlbeck, *The Bar On The Avenue*

Pat Murray, *Murray Photo & Video*

Joe Pankratz, *Avenue Jewelers*

Jill Vanderloop, *Joseph's Shoes*

Chris Winter, *Rollie Winter & Associates*

Sarah Schneider, *Thrivent Financial*

Will Weider, *Ministry Health Care*

Elizabeth Ringgold, *Newmark Grubb
Pfefferle*

Business Improvement District

President: Gary Schmitz,
Universal Insurance

Secretary: Mark Behnke
Bazil's Pub & Provisions

Treasurer: Monica Klaeser
City of Appleton

Steve Winter, *Rollie Winter & Associates*

Brad Schwebs, *Newmark Grubb
Pfefferle*

Paul Heid, *Heid Music*

Pam Ulness, *Ulness Health and
Wellness*

John Reader, *Good Company &
Pullmans Restaurant*

Nate Weyenberg, *Angels Forever
Windows of Light*

Another Great Year...

President's Message:

2014 was an energizing year as we established new infrastructure and strong partnerships to move critical initiatives forward. The district welcomed more than two dozen new businesses with the support of our business attraction and retention programs.

Our partnership with the City of Appleton brought approval for an updated vision and strategic downtown plan, scheduled for 2015. Together with our community partners, we continued to support the development of an Exhibition Center, new Library and diverse residential stock within the district.

From the vision work in 2013 emerged Creative Downtown Appleton, Inc., a 501(c)(3) entity established to increase access to arts and culture through creative placemaking activities. An enthusiastic advisory committee has already engaged in proactively encouraging the inclusion of painted signs in the City sign ordinance, placed Adirondack chairs in Houdini Plaza and embarked on a public art plan process. As we launch our Placemakers campaign, we look to mobilize not only our business members but also each Downtowner as a contributing co-creator and brand Ambassador!

The Downtown lineup of events welcomed a new Midweek Farm Market and the addition of Holiday Fun Fest, featuring the Thrivent Avenue of Ice, sure to be a holiday tradition for years to come. We proudly partnered with Mile of Music 2 to grow the momentum of celebrated artisanship and growth of our creative economy. Work continued on our brand development, yielding us a comprehensive campaign with a strong unifying message and identity as One Great Place!

A healthy Downtown helps our community attract new businesses to the Fox Cities, recruit top employees, attract convention business and visitors and provide a high quality of life for all residents. Because of the commitment of our business members, community partners and the hundreds of volunteers that give freely of their time and talents, Downtown Appleton is viewed as the economic, cultural, and social heart of our thriving community.

Thank you for continuing your support!



John Hendrickson
President of the Board 2013—2014



MAKING DOWNTOWN... One Great Place in 2015!

Support entrepreneurship and enhance business VITALITY in the Downtown

- Partner with the City of Appleton to update the Downtown vision plan
- Business recruitment, marketing and property improvements grants
- Continue to advocate and support the development of an Exhibition Center and new Library

Enhance Downtown's urban design, public spaces, accessibility and WALKABILITY

- Continue our walkability annual review and share recommendations
- A surprise renovation of an unsuspecting parklet
- Work with the City to successfully implement new parking study strategies

Promote Downtown as a strong DESTINATION through a new unified brand

- Launch the One Great Place brand campaign on a local and regional level

Engage the arts and culture in all aspects of creative PLACEMAKING

- Continue to develop a Downtown public art plan
- Create and support pop up events and exhibits
- Support Downtown creative economy placemaking initiatives

Create a Downtown that is more LIVEABLE, DIVERSE and INCLUSIVE

- Launch a Placemakers campaign to engage individuals to connect with Downtown
- Incorporate creative class attraction strategies in the new downtown vision plan
- Continue to support LGBT initiatives, the Dementia friendly campaign and ADA accessibility programs



2014 Highlights...

Appleton Downtown Inc. and the Business Improvement District *



Economic Development

- 23 new businesses opened!
- Supported 7 new business with a recruitment grant*
- Our marketing grant program benefitted 28 businesses*
- Façade improvement and signage grants impacted 19 buildings and businesses within the district*
- The City agreed to partner with us on a new Downtown vision plan in 2015
- Participation in the Fox Cities Regional Partnership supported a regional economic development strategy*
- We offered continued support for the Library and Exhibition Center development projects

Clean, Safe and Friendly

- General sidewalk cleaning*
- Flowers for the planters on College Ave.*
- Washington Square neighborhood monitor *
- Partner with Valley Transit to provide the Trolley
- ADI and BID members were active participants in the new Downtown parking study

Communication and Marketing*

- Weekly High Five updates to our 425 members
- Weekly What's Up Downtown eBlast to 4371 subscribers.
- Active social media campaigns to 20,000+ Fans
- Hosted a kiosk and display window in the Radisson Paper Valley Hotel
- Placed downtown image ads with over 27 different outlets including 12 non-local publications from Chicago to the UP
- Distributed 25,000 downtown guides, 5500 summer pocket schedules, 3000 Trolley brochures, 12,000 Employee Appreciation & Convention Coupon Books, 3,000 seasonal bag stuffers and 6500 Holiday Guides
- Thanks to our partners at the CVB and downtown businesses, two groups of travel writers were treated to shopping, lunch, hands on activities, dinner and a show during their stay in Downtown
- Downtown Guides were distributed at 5 festivals throughout the state through Wisconsin2Go

* Initiatives funded with BID support

Placemaking!

- ADI together with our partners produced 100 outstanding community events including two new events: The Wednesday midweek Farm Market and Holiday Fun Fest featuring Thrivent's Avenue of Ice
- Over half a million guests attended the 100 downtown events during the year
- We launched a 501(c)(3) dedicated to enhancing art and culture throughout the district
- A Creative Downtown Team emerged to help guide exciting placemaking activity
- Work began on a Downtown public art plan
- A walkability audit was created and we calculated our base score of 79/100
- 3 Placemaking mini grants supported the Downtown Bike corral, Houdini Plaza chairs and a funky mobile mural designed to support a public art initiative – coming soon!



As a proud partner with the Mile of Music team we co-hosted outstanding original music in Houdini Plaza and Jones Park during Mile 2! Mile of Music 2014 welcomed over 35,000 local and out of state attendees, more than 200 original music artists with 620 live performances and a nearly \$2 million dollar impact.



2014 BID Year in Review...

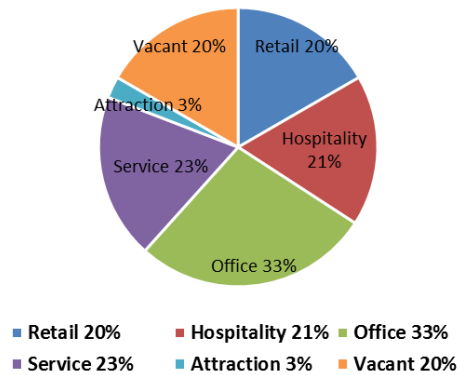
	2015 Budget	2014 BID Actual
Total Assessments	\$192,211	\$ 193,131
Carryover	\$2,567.72	\$ 39
Actual interest earned		\$ 1,873
Total	194,778.72	\$ 195,043
		Expenses
Wages	\$37,000	\$ 42,913
Security Services	\$ 2,500	\$ 2,500
Administrative	\$ 7,000	\$ 6,894
BID Audit	\$ 2,500	\$ 2,500
Marketing and Printing	\$88,000	\$ 87,082
Façade Grants	\$21,000	\$ 20,050
Sidewalk/Maintenance	\$9,000	\$ 7,042
Marketing Grants	\$10,000	\$ 7,959
Business Recruitment	\$ 6,500	\$ 6,204
Recruitment Grants	\$11,000	\$ 8,975
Total Expenses	\$194,500	\$ 192,475
Carryover to 2015		\$2,567.72

BID Property Data

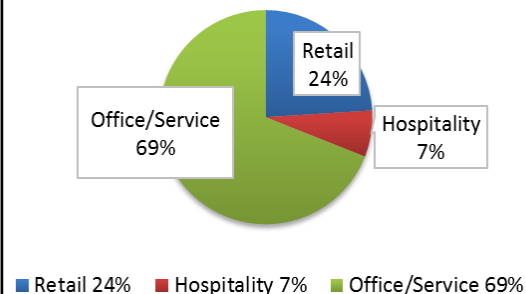
Total assessed value of properties: \$121,863,600
Value comparison to previous year is within 1%

- 202 BID Properties containing 431 total units
- 79.5% Occupancy rate: 343 units
- 20% Vacancy rate: 88 units
- Vacancy rate reduced by 1% over previous year

BID Property Classifications



Vacancy Summary: (88 vacant units)



2015 ADI Staff...

Jennifer Stephany
Executive Director

Anne Wiegman
Marketing Director

Djuanna Hugdahl
Farm Market Director
and Event Coordinator

Greg Otis
Project & Ambassador
Coordinator

Traci Ebrecht
Office & Event
Assistant

Karie Mindock
Farm Market Staff

Travis Nagle
Farm Market Staff

Meghan Warner
Farm Market Staff

Alex Hugdahl
Farm Market Staff

Bob Eisch
Ambassador

Appleton Downtown Inc and the Business Improvement District
116 N. Appleton St. | Appleton WI 54911 | Phone (920) 954-9112 | Fax (920) 954-0219
appletondowntown.org

**CITY OF APPLETON
BUSINESS IMPROVEMENT DISTRICT**

Appleton, Wisconsin

COMMUNICATION TO THOSE CHARGED
WITH GOVERNANCE AND MANAGEMENT

As of and for the Year Ended December 31, 2014

APPLETON BUSINESS IMPROVEMENT DISTRICT

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**REQUIRED COMMUNICATION OF INTERNAL CONTROL RELATED MATTERS
IDENTIFIED IN THE AUDIT TO THOSE CHARGED WITH GOVERNANCE**



Baker Tilly Virchow Krause, LLP
Ten Terrace Ct, PO Box 7398
Madison, WI 53707-7398
tel 608 249 6622
fax 608 249 8532
bakertilly.com

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

In planning and performing our audit of the financial statements of the Appleton Business Improvement District (BID) as of and for the year ended December 31, 2014, in accordance with auditing standards generally accepted in the United States of America, we considered its internal control over financial reporting (internal control) as a basis for designing our auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of its internal control. Accordingly, we do not express an opinion on the effectiveness of its internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We did not identify any deficiencies in internal control that we consider to be material weaknesses.

This communication is intended solely for the information and use of management, the Board of Directors, and others within the organization and is not intended to be, and should not be, used by anyone other than these specified parties.

Baker Tilly Virchow Krause, LLP

Madison, Wisconsin
June 8, 2015

OTHER COMMUNICATIONS TO THOSE CHARGED WITH GOVERNANCE

TWO WAY COMMUNICATION REGARDING YOUR AUDIT

As part of our audit of your financial statements, we are providing communications to you throughout the audit process. Auditing requirements provide for two-way communication and are important in assisting the auditor and you with more information relevant to the audit.

As this past audit is concluded, we use what we have learned to begin the planning process for next year's audit. It is important that you understand the following points about the scope and timing of our next audit:

- a. We address the significant risks of material misstatement, whether due to fraud or error, through our detailed audit procedures.
- b. We will obtain an understanding of the five components of internal control sufficient to assess the risk of material misstatement of the financial statements whether due to error or fraud, and to design the nature, timing, and extent of further audit procedures. We will obtain a sufficient understanding by performing risk assessment procedures to evaluate the design of controls relevant to an audit of financial statements and to determine whether they have been implemented. We will use such knowledge to:
 - > Identify types of potential misstatements.
 - > Consider factors that affect the risks of material misstatement.
 - > Design tests of controls, when applicable, and substantive procedures.

We will not express an opinion on the effectiveness of internal control over financial reporting or compliance with laws, regulations, and provisions of contracts or grant programs.

- c. The concept of materiality recognizes that some matters, either individually or in the aggregate, are important for fair presentation of financial statements in conformity with generally accepted accounting principles while other matters are not important. In performing the audit, we are concerned with matters that, either individually or in the aggregate, could be material to the financial statements. Our responsibility is to plan and perform the audit to obtain reasonable assurance that material misstatements, whether caused by errors or fraud, are detected.

We are very interested in your views regarding certain matters. Those matters are listed here:

- a. We typically will communicate with your top level of management unless you tell us otherwise.
- b. We understand that the district board has the responsibility to oversee the strategic direction of your organization, as well as the overall accountability of the entity. Management has the responsibility for achieving the objectives of the entity.
- c. We need to know your views about your organization's objectives and strategies, and the related business risks that may result in material misstatements.
- d. Which matters do you consider warrant particular attention during the audit, and are there any areas where you request additional procedures to be undertaken?
- e. Have you had any significant communications with regulators or grantor agencies?
- f. Are there other matters that you believe are relevant to the audit of the financial statements?

TWO WAY COMMUNICATION REGARDING YOUR AUDIT (cont.)

Also, is there anything that we need to know about the attitudes, awareness, and actions of the district concerning:

- a. The district's internal control and its importance in the entity, including how those charged with governance oversee the effectiveness of internal control?
- b. The detection or the possibility of fraud?

We also need to know if you have taken actions in response to developments in financial reporting, laws, accounting standards, governance practices, or other related matters, or in response to previous communications with us.

With regard to the timing of our audit, here is some general information. If necessary, we may perform preliminary audit work during the months of October-December, and sometimes early January. Our final fieldwork is scheduled during the spring to best coincide with your readiness and report deadlines. After fieldwork, we wrap up our audit procedures at our office and may issue drafts of our report for your review. Final copies of our report and other communications are issued after approval by your staff. This is typically 6-12 weeks after final fieldwork, but may vary depending on a number of factors.

Keep in mind that while this communication may assist us with planning the scope and timing of the audit, it does not change the auditor's sole responsibility to determine the overall audit strategy and the audit plan, including the nature, timing, and extent of procedures necessary to obtain sufficient appropriate audit evidence.

We realize that you may have questions on what this all means, or wish to provide other feedback. We welcome the opportunity to hear from you.

REQUIRED COMMUNICATIONS BY THE AUDITOR TO THOSE CHARGED WITH GOVERNANCE

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

We have completed our audit of the financial statements of the Appleton Business Improvement a component unit of the City of Appleton, Wisconsin as of December 31, 2014 and have issued our report thereon dated June 8, 2015. This letter presents communications required by our professional standards.

***OUR RESPONSIBILITY UNDER AUDITING STANDARDS
GENERALLY ACCEPTED IN THE UNITED STATES OF AMERICA***

The objective of a financial statement audit is the expression of an opinion on the financial statements. We conducted the audit in accordance with auditing standards generally accepted in the United States of America. These standards require that we plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements prepared by management with your oversight are free of material misstatement, whether caused by error or fraud. Our audit included examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation. Our audit does not relieve management or those charged with governance of their responsibilities.

As part of the audit we obtained an understanding of the Appleton Business Improvement District and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing and extent of further audit procedures. The audit was not designed to provide assurance on internal control or to identify deficiencies in internal control.

OTHER INFORMATION IN DOCUMENTS CONTAINING AUDITED FINANCIAL STATEMENTS

Our responsibility does not extend beyond the audited financial statements identified in this report. We do not have any obligation to and have not performed any procedures to corroborate other information contained in client prepared documents, such as official statements related to debt issues.

PLANNED SCOPE AND TIMING OF THE AUDIT

We performed the audit according to the planned scope and timing previously communicated to the district in our 2013 Communication to Those Charged with Governance and Management dated June 4, 2014.

QUALITATIVE ASPECTS OF THE ENTITY'S SIGNIFICANT ACCOUNTING PRACTICES

Accounting Policies

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the Appleton Business Improvement District are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2014. We noted no transactions entered into by the Appleton Business Improvement District during the year that were both significant and unusual, and of which, under professional standards, we are required to inform you, or transactions for which there is a lack of authoritative guidance or consensus.

To the Board of Directors
Appleton Business Improvement District

QUALITATIVE ASPECTS OF THE ENTITY'S SIGNIFICANT ACCOUNTING PRACTICES (cont.)

Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

Financial Statement Disclosures

The disclosures in the financial statements are neutral, consistent, and clear.

DIFFICULTIES ENCOUNTERED IN PERFORMING THE AUDIT

We encountered no significant difficulties in dealing with management in performing our audit.

CORRECTED AND UNCORRECTED ADJUSTMENTS

Professional standards require us to accumulate all known and likely misstatement identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management.

There were no such misstatements identified.

DISAGREEMENTS WITH MANAGEMENT

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

CONSULTATIONS WITH OTHER INDEPENDENT ACCOUNTANTS

In some cases, management may decide to consult with other accountants about auditing and accounting matters. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

MANAGEMENT REPRESENTATIONS

We have requested certain representations from management that are included in the management representation letter. This letter follows the required communication.

INDEPENDENCE

We are not aware of any relationships between Baker Tilly Virchow Krause, LLP and the Appleton Business Improvement District that, in our professional judgment, may reasonably be thought to bear on our independence.

To the Board of Directors
Appleton Business Improvement District

INDEPENDENCE (cont.)

Relating to our audit of the financial statements of the Appleton Business Improvement District for the year ended December 31, 2014, Baker Tilly Virchow Krause, LLP hereby confirms that we are, in our professional judgment, independent with respect to the Appleton Business Improvement District in accordance with the Code of Professional Conduct issued by the American Institute of Certified Public Accountants. We provided no services to the Appleton Business Improvement District other than audit services provided in connection with the audit of the current year's financial statements and non-audit services consisting of financial statement preparation which in our judgment do not impair our independence.

OTHER AUDIT FINDINGS OR ISSUES

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Appleton Business Improvement District's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

RESTRICTION ON USE

This information is intended solely for the use of the board of directors and management and is not intended to be, and should not be, used by anyone other than the specified parties.

We welcome the opportunity to discuss the information included in this letter and any other matters. Thank you for allowing us to serve you.

Baker Tilly Virchow Krause, LLP

Madison, Wisconsin
June 8, 2015

MANAGEMENT REPRESENTATIONS



June 8, 2015 "...meeting community needs...enhancing quality of life."

Baker Tilly Virchow Krause, LLP
Ten Terrace Court
P.O. Box 7398
Madison, WI 53707-7398

Dear Baker Tilly Virchow Krause, LLP:

We are providing this letter in connection with your audit of the basic financial statements of the City of Appleton Business Improvement District (BID) as of December 31, 2014 and 2013 and for the years then ended for the purpose of expressing an opinion as to whether the basic financial statements present fairly, in all material respects, the financial position of the BID and the respective changes in financial position and cash flows, where applicable, in conformity with accounting principles generally accepted in the United States of America. We confirm that we are responsible for the fair presentation of the previously mentioned financial statements in conformity with accounting principles generally accepted in the United States of America. We are also responsible for adopting sound accounting policies, establishing and maintaining internal control over financial reporting, and preventing and detecting fraud.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, the following representations made to you during your audit.

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter.
2. The financial statements referred to above are fairly presented in conformity with accounting principles generally accepted in the United States of America. We have engaged you to advise us in fulfilling that responsibility. The financial statements include all properly classified funds of the primary government and all component units required by accounting principles generally accepted in the United States of America to be included in the financial reporting entity.
3. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
4. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
5. Significant assumptions we used in making accounting estimates are reasonable.

6. All events subsequent to the date of the financial statements and for which accounting principles generally accepted in the United States of America require adjustment or disclosure have been adjusted or disclosed. No other events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements.
7. All material transactions have been recorded in the accounting records and are reflected in the financial statements.
8. There are no known or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements. There are no unasserted claims or assessments that our lawyer has advised us are probable of assertion and must be disclosed in accordance with accounting principles generally accepted in the United States of America.
9. Guarantees, whether written or oral, under which the BID is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

10. We have provided you with:
 - a. Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as financial records and related data, documentation, and other matters.
 - b. Additional information that you have requested from us for the purpose of the audit.
 - c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
 - d. Minutes of the meetings of Appleton Business Improvement District or summaries of actions of recent meetings for which minutes have not yet been prepared.
11. We have not completed an assessment of the risk that the financial statements may be materially misstated as a result of fraud.
12. We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
 - a. Management,
 - b. Employees who have significant roles in internal control, or
 - c. Others where the fraud could have a material effect on the financial statements.
13. We have no knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, regulators, or others.
14. We have no knowledge of known instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or abuse, whose effects should be considered when preparing financial statements.
15. There are no known related parties or related party relationships and transactions of which we are aware.

Other

16. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
17. We have identified to you any previous financial audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.

18. The BID has no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or equity.
19. We are responsible for compliance with federal, state, and local laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits, debt contracts, and IRS arbitrage regulations; and we have identified and disclosed to you all federal, state, and local laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives, including legal and contractual provisions for reporting specific activities in separate funds.
20. There are no:
- a. Violations or possible violations of budget ordinances, federal, state, and local laws or regulations (including those pertaining to adopting, approving and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency, or for reporting on noncompliance, except those already disclosed in the financial statement, if any.
 - b. Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by accounting principles generally accepted in the United States of America.
21. In regards to the nonattest services performed by you listed below, we have 1) accepted all management responsibility; 2) designated an individual with suitable skill, knowledge, or experience to oversee the services; 3) evaluated the adequacy and results of the services performed, and 4) accepted responsibility for the results of the services.
- a. Financial statement preparation
- None of these nonattest services constitute an audit under generally accepted auditing standards, including *Government Auditing Standards*.
22. The City of Appleton Business Improvement District (BID) has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
23. The City of Appleton Business Improvement District (BID) has complied with all aspects of contractual agreements that would have a material effect on the financial statement in the event of noncompliance.
24. The financial statements properly classify all funds and activities.
25. Components of net position (net investment in capital assets; restricted; and unrestricted) and components of fund balance (nonspendable, restricted, committed, assigned and unassigned) are properly classified and, if applicable, approved.
26. The City of Appleton Business Improvement District (BID) has no derivative financial instruments such as contracts that could be assigned to someone else or net settled, interest rate swaps, collars or caps.
27. Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
28. Revenues are appropriately classified in the statement of activities within program revenues and general revenues.
29. Deposits and investment securities are properly classified as to risk, and investments are properly valued. Collateralization agreements with financial institutions, if any, have been properly disclosed.

30. We have appropriately disclosed the City of Appleton Business Improvement District (BID)'s policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position are available and have determined that net position were properly recognized under the policy. We have also disclosed our policy regarding which resources (that is, restricted, committed, assigned or unassigned) are considered to be spent first for expenditures for which more than one resource classification is available.


Sincerely,

City of Appleton Business Improvement District (BID)

Signed:


Tony Saucerman,, City of Appleton Finance Director

Signed:


Jennifer Stephany, Executive Director of ADI

**CITY OF APPLETON
BUSINESS IMPROVEMENT DISTRICT**

(A Component Unit of the City of Appleton)
Appleton, Wisconsin

FINANCIAL STATEMENTS

Including Independent Auditors' Report

As of and for the Year Ended December 31, 2014 and 2013



BAKER TILLY

Candor. Insight. Results.

**CITY OF APPLETON
BUSINESS IMPROVEMENT DISTRICT**

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INDEPENDENT AUDITORS' REPORT

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

Report on the Financial Statements

We have audited the accompanying financial statements of the Appleton Business Improvement District, a component unit of the City of Appleton, Wisconsin, as of and for the years ended December 31, 2014, and the related notes to the financial statements, which collectively comprise the Appleton Business Improvement District's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditors' Responsibility

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

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

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

To the Board of Directors
Appleton Business Improvement District

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Appleton Business Improvement District as of December 31, 2014 and 2013, and the changes in financial position and cash flows and budgetary comparisons for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matter

Required Supplementary Information

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

Report on Other Legal and Regulatory Requirements

We have also issued our report dated June 8, 2015 on our tests of its compliance with Wisconsin State Statutes Section 66.1109. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing, and not to provide an opinion on compliance.

Baker Tilly Virchow Krause, LLP

Madison, Wisconsin
June 8, 2015

**CITY OF APPLETON
BUSINESS IMPROVEMENT DISTRICT**

STATEMENT OF NET POSITION
As of and for the Years Ended December 31, 2014 and 2013

	<u>2014</u>	<u>2013</u>
ASSETS		
Cash and investments	\$ 164,651	\$ 135,958
Accounts receivable	<u>70,407</u>	<u>64,362</u>
Total Assets	<u>235,058</u>	<u>200,320</u>
LIABILITIES		
Accounts payable	<u>39,806</u>	<u>7,150</u>
Total Liabilities	<u>39,806</u>	<u>7,150</u>
DEFERRED INFLOWS OF RESOURCES		
Unearned revenue	<u>192,684</u>	<u>193,131</u>
NET POSITION		
Unrestricted	<u>2,568</u>	<u>39</u>
TOTAL NET POSITION	<u>\$ 2,568</u>	<u>\$ 39</u>

**CITY OF APPLETON
BUSINESS IMPROVEMENT DISTRICT**

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN
NET POSITION - ACTUAL AND BUDGET
For the Years Ended December 31, 2014 and 2013

	2014			2013	
	Original Budget	Final Budget	Actual	Final Budget	Actual
OPERATING REVENUES					
Assessments	\$ 206,368	\$ 193,130	\$ 193,131	\$ 205,570	\$ 205,569
OPERATING EXPENSES					
Operations					
Marketing	95,000	85,000	-	84,624	-
Advertising	-	-	83,828	-	72,204
Printing	-	-	3,254	-	16,399
Total Marketing	95,000	85,000	87,082	84,624	88,603
Administrative	7,000	7,000	-	7,000	-
Conferences/workshops/classes	-	-	69	-	75
Office supplies	-	-	1,607	-	825
Equipment	-	-	322	-	1,410
Telephone	-	-	2,389	-	2,950
Dues, fees, and subscriptions	-	-	816	-	421
Postage	-	-	1,008	-	1,168
Facility rent	-	-	683	-	-
Total Administrative	7,000	7,000	6,894	7,000	6,849
Audit and accounting services	2,000	2,500	2,500	2,000	2,425
Economic Development Projects					
Sidewalk cleaning/amenities	12,368	12,130	7,043	12,500	10,905
Facade grants	20,000	20,000	20,050	21,000	21,100
Marketing grant	10,000	10,000	7,959	10,000	9,810
Recruitment grant	10,000	10,000	8,975	9,000	9,000
Business recruitment	7,500	7,000	6,205	7,500	5,545
Total Economic Development Projects	59,868	59,130	50,232	60,000	56,360
Contracted services	42,500	39,500	45,768	51,946	51,946
Total Expenses	206,368	193,130	192,476	205,570	206,183
Operating Income (Loss)	-	-	655	-	(614)
NONOPERATING REVENUES					
Investment income	-	-	1,874	-	-
CHANGE IN NET POSITION	-	-	2,529	-	(614)
NET POSITION - Beginning of Year	39	39	39	653	653
NET POSITION - END OF YEAR	\$ 39	\$ 39	\$ 2,568	\$ 653	\$ 39

See accompanying notes to financial statements.

**CITY OF APPLETON
BUSINESS IMPROVEMENT DISTRICT**

STATEMENT OF CASH FLOWS
For the Years Ended December 31, 2014 and 2013

	<u>2014</u>	<u>2013</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Received from customers	\$ 186,639	\$ 199,050
Payments to suppliers	<u>(159,820)</u>	<u>(254,282)</u>
Net Cash Provided by (Used for) Operating Activities	<u>26,819</u>	<u>(55,232)</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Investment income	<u>1,874</u>	<u>-</u>
Net Change in Cash and Cash Equivalents	28,693	(55,232)
CASH AND CASH EQUIVALENTS, Beginning	<u>135,958</u>	<u>191,190</u>
CASH AND CASH EQUIVALENTS, ENDING	<u>\$ 164,651</u>	<u>\$ 135,958</u>
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED BY (USED FOR) OPERATING ACTIVITIES		
Operating Income (loss)	\$ 655	\$ (614)
Adjustments to Reconcile Operating Income (Loss) to Net Cash Provided by (Used for) Operating Activities		
Changes in Assets and Liabilities		
Accounts receivable	(6,045)	5,919
Accounts payable	32,656	(48,099)
Unearned revenue	<u>(447)</u>	<u>(12,438)</u>
NET CASH PROVIDED BY (USED FOR) OPERATING ACTIVITIES	<u>\$ 26,819</u>	<u>\$ (55,232)</u>
NONCASH ACTIVITIES		
None.		

See accompanying notes to financial statements.

CITY OF APPLETON BUSINESS IMPROVEMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS As of and for the Years Ended December 31, 2014 and 2013

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting policies of the City of Appleton's Business Improvement District (the "district") conform to accounting principles as applicable to governmental units. The accepted standard-setting body for establishing governmental accounting and financial reporting principles is the Government Auditing Standards Board (GASB).

A. DESCRIPTION OF REPORTING ENTITY

This report contains the financial information of the City of Appleton's Business Improvement District, which is a component unit of the City of Appleton, Wisconsin.

The district was created under the provisions of Wisconsin Statute Section 66.1109. It is the purpose of that section to authorize municipalities to create one or more business improvement districts to allow businesses within those districts to develop, manage, and promote the districts and to establish an assessment method to fund these activities.

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

B. BASIS OF ACCOUNTING/MEASUREMENT FOCUS

Government-Wide Financial Statements

The accounting and financial reporting treatment applied to the district is determined by its measurement focus. The transactions of the district are accounted for on a flow of economic resources measurement focus. With this measurement focus, all assets, deferred outflows of resources, liabilities, and deferred inflows of resources associated with the operations are included on the statement of net position. Net position is segregated into "net investment in capital assets"; "restricted"; and "unrestricted" components.

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

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

**CITY OF APPLETON
BUSINESS IMPROVEMENT DISTRICT**

NOTES TO FINANCIAL STATEMENTS
As of and for the Years Ended December 31, 2014 and 2013

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (cont.)

B. BASIS OF ACCOUNTING/MEASUREMENT FOCUS (cont.)

Fund Financial Statements

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

C. SPECIAL ASSESSMENT METHOD

The district is authorized to levy special assessments to fund its operations. The method of levy is based on assessed valuation of all real property within the district except property used exclusively for residential and manufacturing purposes.

D. DEFERRED INFLOWS OF RESOURCES

A deferred inflow of resources represents an acquisition of net position that applies to a future period and therefore will not be recognized as an inflow of resource (revenue) until that future time.

E. EQUITY CLASSIFICATIONS

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

- a. Net investment in capital assets – Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances (excluding unspent debt proceeds) of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- b. Restricted net position – Consists of net position with constraints placed on their use either by 1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments or, 2) law through constitutional provisions or enabling legislation.
- c. Unrestricted net position – All other net position that do not meet the definition of “restricted” or “net investment in capital assets.”

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

F. CLAIMS AND JUDGMENTS

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

**CITY OF APPLETON
BUSINESS IMPROVEMENT DISTRICT**

NOTES TO FINANCIAL STATEMENTS
As of and for the Years Ended December 31, 2014 and 2013

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (cont.)

G. OPERATING PLAN BUDGET

The budgetary information is derived from the annual operating plan budget and is presented using the same basis of accounting as described in Note 1.B.

H. COMPARATIVE DATA

Certain amounts presented in the prior year may have been reclassified in order to be consistent with the current year's presentation.

NOTE 2 – DEPOSITS AND INVESTMENTS

For purposes of the statement of cash flows. The district considers all highly liquid investments with an initial maturity of three months or less when acquired to be cash equivalents.

The district has not adopted an investment policy, but invests its funds in accordance with the provisions of the Wisconsin Statutes 66.0603(1m) and 67.11(2).

Investments are stated at fair value, which is the amount at which an investment could be exchanged in a current transaction between willing parties. Fair values are based on quoted market prices. No investments are reported at amortized cost. Adjustments necessary to record investments at fair value are recorded in the operating statement as increases or decreases in investment income.

The district's deposits and investments were comprised of the following at December 31, 2014:

	<u>Carrying Value</u>	<u>Bank Balance</u>	<u>Associated Risks</u>
Demand deposits	<u>\$ 164,651</u>	<u>\$ 164,651</u>	Custodial credit risk

The district's deposits and investments were comprised of the following at December 31, 2013:

	<u>Carrying Value</u>	<u>Bank Balance</u>	<u>Associated Risks</u>
Demand deposits	<u>\$ 135,958</u>	<u>\$ 135,958</u>	Custodial credit risk

The district, which is treated similar to a fund of the city, maintains separate and common cash and investment accounts at the same financial institutions utilized by the city. Federal depository insurance and the State of Wisconsin Guarantee Fund insurance apply to the city as an individual municipality and, accordingly, the amount of insured funds is not determinable for the district.

**CITY OF APPLETON
BUSINESS IMPROVEMENT DISTRICT**

NOTES TO FINANCIAL STATEMENTS
As of and for the Years Ended December 31, 2014 and 2013

NOTE 2 – DEPOSITS AND INVESTMENTS

Custodial Credit Risk

Deposits – Custodial credit risk is the risk that in the event of a financial institution failure, the district's deposits may not be returned to the district.

The district's deposits are invested in a cash and investments pool maintained by the City of Appleton government. See the City of Appleton's financial statements for further information.



Baker Tilly Virchow Krause, LLP
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INDEPENDENT AUDITORS' REPORT ON COMPLIANCE

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

We have audited the financial statements of the Business Improvement District (BID), a component unit of the City of Appleton, Wisconsin as of and for the years ended December 31, 2014 and 2013 and have issued our report thereon dated June 8, 2015. We conducted our audit in accordance with auditing standards generally accepted in the United States of America.

In connection with our audit, nothing came to our attention that caused us to believe that the BID failed to comply with Wisconsin State Statutes Section 66.1109, insofar as it relates to accounting matters. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the BID's noncompliance with the above referenced statutes, insofar as it relates to accounting matters.

This report is intended solely for the information and use of the BID's Board and management and is not intended to be, and should not be, used by anyone other than the specified parties.

Baker Tilly Virchow Krause, LLP

Madison, Wisconsin
June 8, 2015



MEMO

TO: Finance Committee

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

DATE: September 3, 2015

RE: Request for spending authority and associated budget adjustments for the \$25,000 Department of Natural Resources Tree Grant.

This summer, the Department of Public Works unexpectedly received a \$25,000 grant from the Department of Natural Resources for completing our Tree Inventory and providing enhanced staff training and development. With the recent discovery of emerald ash borer in Appleton, and with the upcoming hiring of an additional Arborist, we have additional expenses that could be partially addressed with this grant funding.

If approved, the Department would spend the grant funds on approximately an additional 275 trees, an emerald ash borer soil injection application for treating the downtown College Avenue trees, and safety/rigging gear.

Therefore, we request spending authority and associated budget adjustments for the \$25,000 Department of Natural Resources Tree Grant as follows:

Miscellaneous State Aids	\$ (25,000)
Plant Material	\$ 17,000
Herbicides/Pesticides	\$ 1,000
Protective clothing/equipment	\$ 7,000

Attachment

C: Tony Saucerman, Finance Director
Bev Matheys, Managerial Accounting Coordinator

CITY OF APPLETON
BUDGET ADJUSTMENT REQUEST
Budget Year 2015

<u>Budget Description</u>	<u>Business Unit</u>	<u>Acct. No.</u>	<u>Sub Acct No.</u>	<u>Subledger No.</u>	<u>Transfer Amount</u>
Misc State Aids	17034	4224			\$ (25,000)
Plant Material	17034	6308	4		\$ 17,000
Herbicides/Pesticides	17034	6308	7		\$ 1,000
Protective clothing/equipment	17034	6321	2		\$ 7,000

For the purpose of:

To recognize the grant award received from the Department of Natural Resources and request spending authority to purchase an Emerald Ash Borer treatment system, safety gear and additional trees to be planted to fill-in urbanized areas.

Requested by:

Department Head

Date

Budget Entry (BE) No.: _____

Approved by:

Tony Saucerman Finance Director

Date

Timothy M. Hanna, Mayor

Date

Reported to Administrative Services Committee:

Date

Additional comments:



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

Department of Utilities
Appleton Water Treatment Facility
2281 Manitowoc Road
Menasha, WI 54952
920-997-4200 ph
920-997-3240 fax

TO: Chairperson Greg Dannecker and Members of the Utilities Committee

FROM: Utilities Director Chris Shaw

DATE: September 2, 2015

RE: *Award rehabilitation and painting of Water Plant Softener #4 to Howard Grote and Sons in the amount of \$248,806 with a 5% contingency of \$12,440 for a project total not to exceed \$261,246*

Approve additional rehabilitation and painting of Water Plant Softener #3 to Howard Grote and Sons in the amount of \$248,806 with a 5% contingency of \$12,440 for a project total not to exceed \$261,246 Pending City Council approval of the 2016 Water Utility budget.

BACKGROUND:

The Water Utility has conducted public bidding for the rehabilitation services of Water Plant Softener #4 and #3. Robert E. Lee and Associates performed the inspection and prepared the project specifications and bidding documents. Robert E. Lee recommends award of the Water Plant Softener rehabilitation to Howard Grote and Sons from McFarland, Wisconsin.

BACKGROUND

The City of Appleton Water Treatment Facility has four water softeners that require maintenance and painting approximately every 10 years. This maintenance work protects carbon steel components from corrosion and extends equipment life. In addition, Wisconsin DNR has recently required the city to paint the softeners as detailed in their Sanitary Inspection Report. Two softeners have been rehabilitated to date leaving a balance of two which are scheduled for this year and 2016.

BIDDING PROCESS

The Softener Painting bid package bids were opened on August 25, 2015. The base bid was recommended without the alternate. A tabulation of base bid for one or two softeners are listed in the following table.

Softener Rehabilitation Bid Tabulation for #4 and #3 Softeners		
Company Name	Softener #4 Only	Softeners #3 & #4
Howard Grote & Sons, McFarland, WI	\$248,806	\$497,612
TMI Coating, St. Paul, MN	\$306,250	\$612,500
MZ Construction, Linden, WI	\$325,100	\$650,200
Mill Coating, Suamico, WI	\$354,000	\$708,000

Four sealed bids were opened and all met requirements defined in the bid package. The low bid was submitted by Howard Grote & Sons in the amount of \$248,806 for Softener #4 and 248,806 for #3. The bid specifications limit work start on Softener #3 until after January 1, 2016 when anticipated funding in the 2016 budget would be available.

RECOMMENDATION:

I recommend award of rehabilitation and painting Water Plant Softener #4 to Howard Grote and Sons in the amount of \$248,806 with a contingency of \$12,440 for a project total not to exceed \$261,246. I also recommend rehabilitation and painting of Water Plant Softener #3 to Howard Grote and Sons in the amount of \$248,806 with a contingency of \$12,440 for a project total not to exceed \$261,246 pending City Council approval of the 2016 Water Utility budget.

If you have any questions regarding this project please contact me at ph: 920-997-4200.

BACKGROUND

At the June 8, 2015 Plan Commission meeting, staff was asked to provide the current beekeeping requirements of the Municipal Code in response to Resolution #8-R-15 - Dalton/Meltzer, which is as follows:

Resolution #8-R-15 - Dalton/Meltzer

"Whereas, the City of Appleton approved amended language to allow for the keeping of honeybees on areas zoned Public Institution in 2011, and areas zoned Urban Farm in 2013,

Whereas, there have been no reported incidents or problems related to the maintained honeybee populations,

Now, Therefore, Be it Resolved, the Appleton Municipal Code 3-52 be amended to include the following language:

"All zoned areas may, with the Health Officer's written consent, maintain up to 5 hives" and approved Beekeeping Permit requirements."

Study

Over the course of the past 15 years, Health Department staff and the Board of Health have had requests to make various revisions to Appleton Municipal Code Chapter 3 Animals, Sec 3-52, related to restricted species in the City. During this time frame, the Health Department has had varying requests to revise the ordinance language to allow for residents to raise pot belly pigs, pigmy horses, goats, chickens, bees, and ducks. Requests to change the language to allow for raising these restricted species in residential settings have been denied by the Common Council on each occasion.

In 2011, Health Department staff recommended, and the Board of Health and Common Council voted to approve, a permitting process, administered by the Health Department, for allowing up to five Honey Bee hives within areas zoned P-I, Public Institution Districts. In 2013, the Municipal Code was again amended so that a permit holder may maintain three Honey Bee hives per acre up to a maximum of 25 hives within an area approved as an urban farm. This language was added into Sec 3-52 (b) of the Municipal Code.

As it relates to this current request, Health Department staff has reviewed dozens of municipal codes and a model ordinance from the State of Minnesota related to bee-keeping.

We also received helpful information from residents, business owners (who sell related equipment) and current bee tenders who live outside the City.

Some of what we learned in these discussions, and by the review of ordinances, relate to two particular species of bees: the Mason Bee, and the Common Honey Bee.

Mason Bees (*Osmia Lignaria*) are non-stinging, honey producing bees. One hundred forty different varieties of Mason Bees are present in North America, and there are 200 varieties worldwide. Mason Bees, also known as the blue orchard bee, are the most common bee found in Wisconsin. The Mason Bee is a great pollinator, but nonsocial unlike the Honey Bee. Mason Bees work alone. All

Mason Bees lay eggs, live about 8-10 weeks, hibernate in the winter, and the males die in the spring after inseminating the females as they are no longer needed. They move frequently to where the pollen is, and they need a source of mud to cap the tubes filled with honey and the larvae in them - no wax. Mason Bees are a food source for birds including Robins, Crows, Starlings, and Wood Peckers. Their short coming is a low amount of honey production and no wax production. They are good pollinators when they stick around, and they do not sting.

Honey Bees (*Apis mellifera*) are social insects. They do sting but only as a last resort. When they sting they die. Honey Bees produce commercial quantities of honey and wax. Honey Bees are eusocial: they live in groups and divide labor among members who specialize in certain tasks. Honey Bees are so reliant on each other that no individual bee can live long on its own.

The Queen: The only sexually developed female in the hive. The Queen's task is reproduction and hive control via pheromone production.

Drones: Male bees. They have a defined life cycle. They mate with Queen Bees from other hives for genetic diversity. Despite the lack of participation in day to day operation of a colony, drones seem important for the normal function of a colony from which they originate.

Worker Bees: They are sexually underdeveloped female bees. Workers live only 6 weeks during the foraging season (honey producing season). Their life span is affected by flight miles more than time. Worker bees that emerge in the fall live 6 months, help the colony survive the winter, and help rear new Worker bees for the spring.

Bees sometimes make headlines in the news because of the Africanization of the bees in South America and South US from strains of aggressive African bees infiltrating the native hives, displacing the docile strain with a more aggressive bee. These bees have value because they produce more honey. They are more difficult to control, and like to sting. Lucky for us they do not like cold weather. Bee-keepers in the Midwest do not handle these strains.

Recommendations

Staff members from both the Health Department and Attorney's Office have completed extensive research and identified the important components, within the various ordinances we have reviewed, to be included in the draft ordinance we crafted as requested. We did limit our language just to honeybees based on the written request by the sponsoring alderpersons.

We recognize the policy decision as to whether or not to allow Honey Bee hives within residential sections of the City will be decided by Common Council.

As staff, in addition to the drafting Apiary Requirements, which is based on minimizing neighborhood disputes and related concerns, we have also written a suggested permitting process. This process includes a permitting fee to capture staff time commitment to reviewing applications, neighborhood notifications and inspecting the hives.

BEEKEEPING PERMIT REQUIREMENTS
(Ref. 3-52 Appleton Municipal Code)

DEFINITIONS:

ACRE means a unit of measure equal to 4,840 sq. yds. or 43,560 sq. ft.

AGGESSIVE BEHAVIOR is any instance in which unusual characteristics are displayed by a honeybee or colony including, but not limited to, stinging, swarming or attacking humans or animals without provocation.

APIARY means the assembly of one or more colonies of bees at a single location on a property.

BEEKEEPER means a person who owns or has charge of one (1) or more colonies of bees and has demonstrated to the Health Officer that he or she has obtained formal education or sufficient practical experience to act as a beekeeper.

BEEKEEPING EQUIPMENT means all items used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

COLONY means an aggregate of honeybees in a hive consisting principally of workers, but having one queen and at times drones, including brood, combs and honey.

HEALTH DEPARTMENT means the City of Appleton's Health Department.

HIVE means the receptacle inhabited by a colony that is manufactured for that purpose.

HONEYBEE means all life stages of the common domestic honeybee, *Apis mellifera* species, including the queen and drones.

LOT means a tract of land, designated by metes and bounds, land survey, minor land division or plat, and recorded in the office of the county register of deeds

PERMIT means the written approval given by the Health Department to a property owner who occupies the premises and who is also a beekeeper pursuant to the definition herein.

PERMIT HOLDER means a beekeeper and who has received a permit from the Health Department allowing for an apiary on his or her property.

PROPERTY means a parcel of land identified by the City of Appleton as a lot in any state of development, ownership and occupation.

PROPERTY OWNER means a person, individual firm, association, syndicate or partnership that appears on the recorded deed of the lot.

URBAN FARM means the land or rooftops that are managed and maintained by an individual, group of individuals, organization or business for growing, harvesting, washing and packaging of fruits, vegetables, flowers and other plant and herb products with the primary purpose of growing food for sale and/or distribution.

1. **GENERALLY.** No person shall keep honeybees in the City of Appleton without being a beekeeper and obtaining a permit issued by the Health Department. A permit shall be valid for a period of one (1) year from March 1 through the last day of February the following year, and may be renewed annually. Only one (1) permit shall be granted per property regardless of the number of beekeepers

residing at or owning said property. Should multiple beekeepers request permits and be eligible for permits for a property, the permit shall be issued on a first-come, first-served basis.

2. **APPLICATION FOR PERMIT.** Application for a permit required in this section shall be made to the Health Department upon a form furnished by the Health Department and shall contain such information which the Health Department may prescribe and require and shall be accompanied by payment of the applicable fees. The Application may be updated and/or amended as deemed necessary by the Health Department. No prior approval of a permit guarantees future approval. The Health Department reserves the right to require permit holders to reapply if the application is updated and/or amended, and refusal to reapply may result in the termination of a permit.

(a) **GENERAL REQUIREMENTS.**

1. The applicant must complete the required form by the Health Department, and provide to the Health Department the non-refundable application fee.
2. The permit applicant must provide proof of formal education and/or sufficient practical experience to act as a beekeeper.
3. The permit applicant must provide proof of property ownership for the property where the proposed apiary will be located.
4. The permit application must provide proof of occupancy of the property where the proposed apiary will be located.

(b) **NEIGHBORHOOD APPROVAL REQUIRED.**

1. When a permit is applied for, all property owners within a circular area having a radius of two hundred (200) feet, centered on the location where the proposed hive(s) will be placed, shall be notified of the application by the Health Officer. Notification shall be by first-class U.S. mail.
2. Property owners located within the circular radius of two hundred (200) feet of the proposed apiary objecting to the permit must file a written objection to the permit by contacting the Health Department or City Health Officer within fourteen (14) business days of the date the notice was mailed or postmarked. Each objection must contain the objector's name, address, phone number, and reason for the objection to the permit.
3. Upon receipt of a written objection, the application shall be denied by the Health Officer. The applicant may appeal to the Board of Health per APPEALS Section seven (7) below. The Board of Health shall allow the applicant and objector an opportunity to be heard on why the permit should or should not be issued. The Board shall make a recommendation to the Common Council regarding approval of said permit.

(c) **INSPECTION OF APIARY.** Prior to populating the apiary, an inspection of the apiary by the City Health Officer or his or her designee shall be conducted to ensure compliance with all of the following provisions:

1. **Public Institutional District.** A maximum of five (5) hives may be maintained within areas zoned P-I, Public Institutional District.

2. Urban Farm. A maximum of three (3) hives may be maintained by a permit holder per acre up to a maximum of twenty-five (25) hives within an area approved as an urban farm.
3. Residential Zone. No residentially zoned property shall have more than the following numbers of hives on the property:
 - a. A maximum of two (2) hives may be maintained on a lot one half (1/2) acre or smaller.
 - b. A maximum of three (3) hives may be maintained on a lot larger than one half (1/2) acre but smaller than three quarters (3/4) acre.
 - c. A maximum of four (4) hives may be maintained on a lot larger than three quarters (3/4) but smaller than one (1) acre.
 - d. A maximum of five (5) hives may be maintained on a lot one (1) acre or larger.
4. Occupation. Apiaries in residentially zoned areas must be located on the lot occupied by the permit holder.
5. Vacant/Unoccupied Lot. No apiary may be placed on vacant or unoccupied lots.
6. Frames. All colonies shall be kept in hives with removable frames, which shall be continuously maintained in sound and usable condition by the permit holder.
7. Identification. Each apiary shall, at all times, have the permit holder's name, address and phone number permanently and legibly displayed in a prominent place on an external portion of each hive.
8. Flyway Barrier. For all hives located within thirty (30) feet of a property line, a 6-foot high closed fence, closed hedge, building, or other solid flyway barrier, or other type of barrier which the Health Officer determines to be of sufficient height, shall be located between the rear and/or side property lines and the hive(s). A flyway barrier is not needed if the hive(s) are kept at least ten (10) feet off the ground. Flyway barriers, if required shall meet the requirements of the building code.
9. Water Supply. A continuous supply of water shall be located on the property where the apiary is located, and placed near the hive(s) and within the enclosures or flyway barriers. The water source shall be designed to allow the honeybees' access water by landing on a hard surface available to the honeybees so long as they remain active outside of the hive.
10. Placement.
 - a. All beekeeping equipment must be located a minimum of thirty (30) feet from the front property line and ten (10) feet from all other property lines.

- b. Hives may not be located in the front yard of any lot. Should there be multiple street frontages to a property or no front yard clearly indicated on the property records for a property, the placement of the apiary shall be at the discretion of the City Health Officer.
- c. Apiaries must be located a minimum of fifty (50) feet from dwellings, porches, gazebos, decks, swimming pools, permanently affixed play equipment and any other habitable area on any adjoining lots unless the owner of the adjoining property has provided written permission to the Health Department for closer placement.

3. **PERMIT RENEWAL.**

(a) Permits shall be renewed each year on a form furnished by the Health Department unless written notice of discontinued operation is received by the Health Department.

(b) The Health Officer or his or her designee shall enter upon the permit holder's property at any reasonable time once a year to inspect the apiary, beekeeping equipment and honeybees.

4. **APIARY MAINTENANCE.**

(a) Beekeeping equipment shall be actively maintained and managed at all times by the permit holder.

(b) If a permit holder no longer intends to maintain and/or manage their apiary, the permit holder must immediately notify the Health Department and remove or dismantle the hive(s). Failure to immediately remove the hives will be grounds for the Health Department to cause the removal of the hive(s) and the cost thereof shall be charged back to the permit holder as a special charge pursuant to Wis. Stat. § 66.0627

(c) In any instance where the City Health Officer reasonably believes a colony exhibits aggressive behavior, it shall be the duty of the permit holder to immediately destroy or re-queen the hive.

(d) Queens shall be selected from stock bred for gentleness and non-swarming characteristics.

(e) The provisions of Sec. 3-15(a), Appleton Municipal Code, do not apply to beekeeping.

5. **RIGHT OF ENTRY.**

(a) The Health Officer or his or her designee may enter upon any permit holder's property at any time to inspect the apiary, beekeeping equipment and/or honeybees, and may take photographs and/or videos of the apiary, beekeeping equipment and/or honeybees as he or she deems necessary, or take any other action deemed necessary to properly enforce the provisions of this section.

(b) If the Health Officer or his or her designee finds any apiary kept in violation of any portion of this section, he or she may order the violation corrected within thirty (30) days unless the violation appears to put the honeybee's or people in immediate harm or danger, in which case the Health Officer or his or her designee may order the immediate correction of the violation. If the permit holder fails to correct the violation pursuant to the order of the Health Officer, the hive(s) in violation may be

destroyed and/or removed from the municipality by the Health Officer or his or her designee and the cost thereof shall be charged back to the permit holder as a special charge pursuant to Wis. Stat. § 66.0627.

6. **SUSPENSION OR REVOCATION OF PERMIT.** The Health Officer may suspend or revoke any permit issued pursuant to this section for violations of ordinances, laws or requirements regulating activity and for other good cause.

7. **APPEALS.** Any person aggrieved by the denial of a permit or by suspension or revocation of a permit by the Health Officer, or by any temporary suspension or any other order may appeal any such order to the Board of Health within thirty (30) days of denial, suspension or revocation of a permit or issuance of the order. The Board of Health shall provide the appellant a hearing or opportunity for hearing on the matter and may either suspend or continue any such order pending determination of appeal. The Board may affirm, modify or set aside the order of the Health Officer after a hearing on the matter. The Board of Health shall make and keep a record of all proceedings related to any such appeal and the record and actions of the Board of Health shall be subject to review by certiorari by a court of record.



HEALTH DEPARTMENT - 100 N Appleton St, Appleton WI 54911
Telephone: 920-832-6429 Fax: 920-832-5853
APIARY PERMIT APPLICATION
Effective Date May 1, 2015

PLEASE PRINT

Check Appropriate Box:

This is an NEW Application

☐

This is a RENEWAL Application

☐

Date of Application: _____

Anticipated Start Date _____

Applicant Information:

Name: _____

Apiary Information:

Person in Charge of Apiary: _____

Address: _____

Number of Hives: _____

City/State/ZIP: _____

E-mail Address: _____

Telephone #: _____

Activity Code

Permit Description

Fee

141 Preinspection Fee: (New Apiary) \$145.00

142 Apiary Permit (New and Renewal) \$59.00

NOTE: The Preinspection Fee Is Non-Refundable

Total Amount Due \$

For NEW and RENEWAL applications, provide a sketch of the property and the location where the hive or hives will be kept. Include hive distances from property lines, neighboring dwellings, porches, gazebos, decks, swimming pools, permanently affixed play equipment. Indicate watering location. Indicate flyway barrier location, material and height. Provide documentation of training as a Beekeeper.

Signature of Applicant _____ Date _____

Drivers License Number _____

MAKE CHECK OR MONEY ORDER PAYABLE TO

CITY OF APPLETON

SUBMIT APPLICATION AND FEE TO

APPLETON HEALTH DEPT.

100 N APPLETON ST

APPLETON WI 54911-4799

OFFICE USE

Date letter sent to property owners within 200 feet of proposed apiary _____

Written Objections Received (attach) _____

Written Objection Deadline _____

Inspector Signature _____ Date _____

Apiary Start Date _____

Establishment Number (COA#) _____

License Year: March 1, _____ Expires February _____, Year _____ Assigned Inspector _____

Amount Paid \$ _____ Check # _____ Account Name: _____

75-15

AN ORDINANCE AMENDING SECTION 9-26 OF CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO APPEAL OF DENIAL.

(Safety and Licensing Committee – 9-2-15)

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

Section 1: That Section 9-26 of Chapter 9 of the Municipal Code of the City of Appleton, relating to appeal of denial, is hereby amended to read as follows:

Sec. 9-26. Appeal of denial.

If the investigating authority denies an application for a license or permit, the City Clerk shall forthwith notify the applicant by certified mail of the recommendation for denial and the reason therefor. The notice shall indicate that the applicant has the right to appeal the decision, but must contact the City Clerk's Office within thirty (30) days of receipt of the letter to schedule the appeal of the denial before the Safety and Licensing Committee. The Safety and Licensing Committee shall hear any person for or against the granting of the license or permit and shall report its recommendation to the Common Council, which shall grant or deny the license or permit.

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

76-15

AN ORDINANCE AMENDING SECTION 9-79 OF CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO APPEAL OF DENIAL.

(Safety and Licensing Committee – 9-2-15)

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

Section 1: That Section 9-79 of Chapter 9 of the Municipal Code of the City of Appleton, relating to appeal of denial, is hereby amended to read as follows:

Sec. 9-79. Appeal of denial.

If the investigating authority denies an application for a license or grant under this division, the City Clerk shall forthwith notify the applicant by certified mail of the recommendation for denial and the reason therefor. The notice shall indicate that the applicant has the right to appeal the decision but must contact the City Clerk's Office within thirty (30) days of receipt of the letter to schedule the appeal before the Safety and Licensing Committee. The Safety and Licensing Committee shall hear any person for or against the granting of the license or grant

and shall report its recommendation to the Common Council, which shall grant or deny the license or grant.

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

77-15

AN ORDINANCE AMENDING SECTION 9-389 OF CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO APPEAL OF DENIAL OF LICENSE.

(Safety and Licensing Committee – 9-2-15)

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

Section 1: That Section 9-389 of Chapter 9 of the Municipal Code of the City of Appleton, relating to appeal of denial of license, is hereby amended to read as follows:

Sec. 9-389. Appeal of denial of license.

If the investigating authority denies an application for a license under this division, the City Clerk shall forthwith notify the applicant by certified mail of the recommendation for denial and the reason therefor. The notice shall indicate that the applicant has the right to appeal the decision but must contact the City Clerk's Office within thirty (30) days of receipt of the letter to schedule an appeal of the denial before the Safety and Licensing Committee. The Safety and Licensing Committee shall hear any person for or against granting the license and shall report its recommendation to the Common Council, which shall grant or deny the license.

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