



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, July 20, 2016

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
[16-1141](#) Common Council meeting minutes of July 6, 2016
Attachments: [CC Minutes 7-6-16.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
- I. PUBLIC HEARINGS
[16-1146](#) Public Hearing for Resolution 4-P-16, Sidewalk Construction
Attachments: [4-P-16 Public Hearing Notice.pdf](#)
- J. SPECIAL RESOLUTIONS
[16-1148](#) Final Resolution 4-P-16 Sidewalk Construction
Attachments: [4-P-16 Sidewalk Construction Final Res.pdf](#)
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-1004](#) Adopt City of Appleton Complete Streets Policy.

Attachments: [Adopt City of Appleton Complete Streets Policy.pdf](#)

Legislative History

6/21/16	Municipal Services Committee	recommended for approval
7/6/16	Common Council	referred to the Municipal Services Committee
	<i>Aldersperson Reed referred this item back to the Municipal Services Committee.</i>	
7/12/16	Municipal Services Committee	recommended for approval

[16-1083](#) Request from David Brost, 229 N. Rankin Street, for a variance to Municipal Code 19-91(f)(5) to extend his driveway 10 feet into the front yard, contingent upon property owner paying WE Energies any relocation costs to move the power pole.

Attachments: [229 N Rankin St.pdf](#)

Legislative History

7/12/16	Municipal Services Committee	recommended for approval
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[16-1084](#) Request from Holton Brothers for a Street Occupancy Permit to place scaffolding in the College Avenue right-of-way for repairs to the City Center Building from July 5, 2016 through September 16, 2016.

Attachments: [Holton Brothers.pdf](#)

Legislative History

7/12/16	Municipal Services Committee	recommended for approval
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[16-1086](#) Approve Amendment #3 to OMNNI Associates, Inc. for survey staking for the CTH JJ/Lightning Drive Project in the amount of \$4,300 for a revised not to exceed amount of \$174,790.60.

Attachments: [CTH JJ-Lightning Drive.pdf](#)

Legislative History

7/12/16	Municipal Services Committee	recommended for approval
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[16-1087](#) Approve Inter-Governmental Agreement with Outagamie County for the Northland Avenue (Mason Street to Richmond Street) Project.

Attachments: [Inter-Governmental Agreement.pdf](#)

Legislative History

7/12/16	Municipal Services Committee	recommended for approval
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- [16-1088](#) Award of 2016 Structural Condition Analysis of City Parking Ramps to GRAEF, in an amount not to exceed \$20,000.00.

Attachments: [Structural Condition Analysis of City Parking Rams.pdf](#)

Legislative History

7/12/16 Municipal Services recommended for approval
Committee

- [16-1089](#) Request from Appleton Downtown Inc. to purchase up to 18 parking stalls on September 16, 2016 for annual Park(ing) Day.

Attachments: [ADI request for parking stalls.pdf](#)

Legislative History

7/12/16 Municipal Services recommended for approval
Committee

- [16-1102](#) Replace YIELD signs with STOP signs on Alexander Street at Lindbergh Street.

Attachments: [Alexander Street & Lindbergh Street.pdf](#)

Legislative History

7/12/16 Municipal Services recommended for approval
Committee

- [16-1103](#) Replace YIELD signs with STOP signs on Edgewood Avenue at Grant Street.

Attachments: [Edgewood Avenue & Grant St.pdf](#)

Legislative History

7/12/16 Municipal Services recommended for approval
Committee

- [16-1104](#) Replace YIELD signs with STOP signs on Outagamie Street at Franklin Street.

Attachments: [Franklin Street & Outagamie St.pdf](#)

Legislative History

7/12/16 Municipal Services recommended for approval
Committee

- [16-1105](#) Approve request for new Memorial Park Ground Sign to be installed within the Witzke Boulevard right-of-way contingent upon placement at least 11 feet from back of island curb.

Attachments: [Memorial Park Ground Sign.pdf](#)

Legislative History

7/12/16 Municipal Services recommended for approval
Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-1068](#) Operator's License application of Lisa J. Finkler, 954 W. Cecil Street, Neenah.

Attachments: [Lisa Finkler application.pdf](#)

Legislative History

7/13/16	Safety and Licensing Committee	recommended for approval
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[16-1048](#) Request to modify Appleton Municipal Code Chapter 6.

Attachments: [Modify Municipal Code Chapter 6.pdf](#)

Legislative History

7/13/16	Safety and Licensing Committee	recommended for approval
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[16-1049](#) Request Authorization to Single Source the Purchase of a Fire Pumper

Attachments: [Memo - Request to Sole Source Purchase Fire Pumper - 2016.pdf](#)

Legislative History

7/13/16	Safety and Licensing Committee	recommended for approval
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[16-1027](#) "Class B" Beer/Liquor License - Change of Premise Description of Emmetts Bar & Grill, Sharon L. Reader, Agent, 139 N. Richmond St., for the dates of August 4-7, 2016, contingent upon approval from all departments.

Attachments: [Emmetts Bar & Grill.pdf](#)

Legislative History

7/13/16	Safety and Licensing Committee	recommended for approval
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[16-1038](#) Operator's Licenses

Attachments: [Operator's Licenses for 7-13-16 S & L.pdf](#)

Legislative History

7/13/16	Safety and Licensing Committee	recommended for approval
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[16-1039](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 7-13-16 S & L.pdf](#)

Legislative History

7/13/16	Safety and Licensing Committee	recommended for approval
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[16-1047](#)

"Class B" Beer/Liquor License - Change of Agent application of Apple Hospitality Group LLC, d/b/a Applebee's Neighborhood Grill & Bar, Vincenzo Annisi, Agent, 3040 E. College Ave., contingent upon approval from the Police Department.

Legislative History

7/13/16	Safety and Licensing Committee	recommended for approval
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3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[16-923](#)

Resolution #7-R-16
June 1, 2016
Submitted by Alderperson Meltzer & Alderperson Reed

Whereas, our parks are a valuable community resource, and

Whereas, the current ban on dogs in parks restricts access of many members of the community who would otherwise responsibly enjoy this resource,

Therefore, be it resolved that the City of Appleton allow dogs in parks under full control of a collared leash by the owner at all times.

Referred to the Parks & Recreation Committee

Attachments: [2016 Resolution for Dogs in Parks- PRFMD, Health, PD.pdf](#)
[WI Department of Tourism National Dog Owner Statistics.pdf](#)

Legislative History

6/6/16	Parks and Recreation Committee	held
	<i>Item held and referred to staff including input from Police, Health and other departments. To be reported back on July 11, 2016.</i>	
7/11/16	Parks and Recreation Committee	recommended for approval
7/11/16	Parks and Recreation Committee	recommended for denial

The item was first moved and seconded for approval, that Motion failed 0/3.

Then the vote to recommend denial was taken. Motion carried 3/0.

Alderperson Spears distributed a handout by the Wisconsin Department of Tourism entitled "National Dog Owner Statistics"

5. MINUTES OF THE FINANCE COMMITTEE

- [16-1096](#) Request to award the Highview Park 2016 Tennis and Basketball Courts contract to MCC, Inc. in the amount of \$131,351.38 with a contingency of 10% for a project not to exceed \$144,486.52.

Attachments: [Highview Park courts.pdf](#)

Legislative History

7/12/16 Finance Committee recommended for approval

- [16-1108](#) ****Critical Timing****

Request to approve the following 2016 Budget adjustment:

TIF 6

Storm Sewer Construction	+\$249,700
Sanitary Sewer Construction	+ \$74,440
Water Main Construction	+\$144,200
Fund Balance (advance from General Fund)	- \$468,340

to provide funding for infrastructure construction related to the extension of Milis Drive in the Southpoint Commerce Park (2/3 vote required).

Attachments: [Additional TIF 6 Spending Authority.pdf](#)

[Finance 16-1108.pdf](#)

Legislative History

7/12/16 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**7. MINUTES OF THE UTILITIES COMMITTEE**

- [16-1043](#) Award Matthias Tower Contract Amendment #1 to McMahon and Associates, Inc. for Engineering and Field Services in the amount of \$12,000.

Attachments: [utilities memo - Matthias Tower Engineering Award Memo 06-21-16.pdf](#)

Legislative History

7/12/16 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

16-1076

Request to award contract to Nexum Inc. for their First Defense Monitored Services for outside firewall monitoring of our Palo Alto Firewalls. Monthly cost of \$1,362.22 with a one-time installation fee of \$1,362.22 for a total of \$17,708.86 for year one 2016 CIP Funds to be used in first year.

Attachments: [First Defense Monitored ServicesHR-IT Committee Memo.pdf](#)

Legislative History

7/11/16

Human Resources &
Information Technology
Committee

recommended for approval

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**10. MINUTES OF THE BOARD OF HEALTH**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

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

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

T. ADJOURN

Kami Lynch, City Clerk

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



City of Appleton

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Meeting Minutes - Final Common Council

Wednesday, July 6, 2016

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

The Invocation was offered by Alderperson Williams.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Mayor Timothy Hanna

Excused: 2 - Alderperson Kyle Lobner and Alderperson Greg Dannecker

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Clerk Lynch, City Attorney Walsh, Deputy City Attorney Behrens,
Director of Community & Economic Development Harkness,
Director of Finance Saucerman, Fire Battalion Chief Baker,
Health Officer Eggebrecht, Director of Parks, Recreation and Facilities Gazza,
Police Chief Thomas, Director of Public Works Vandehey,
Director of Utilities Shaw, Valley Transit Asst. General Manager Sandmeier,*

F. PUBLIC PARTICIPATION

The following spoke regarding Item 16-706 to approve Special Use Permit #2-16 for a cell tower:

*Ryan Vissers, 2713 Kesting Ct
Rod Roovers, 2708 Kesting Ct*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-1029](#)

Common Council Meeting Minutes of June 15, 2016

Attachments: [CC Minutes 6-15-16.pdf](#)

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

Aye: 12 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Christine Williams and Alderson Chris Croatt

Excused: 2 - Alderson Kyle Lobner and Alderson Greg Dannecker

Abstained: 2 - Alderson Cathy Spears and Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[16-1030](#)

Presentation of Appleton Police Department Civilian Medals of Gallantry to Andrew Maltbey and Nicholas Maltbey

[16-1031](#)

Presentation of Parks and Recreation Month Proclamation

[16-1032](#)

Presentation of Children's Week Proclamation

[16-1033](#)

Presentation of Flag Day Parade Awards

[16-1056](#)

Appointment of Tanya Rabec to the City Plan Commission

Attachments: [APPT TO CITY PLAN COMM BIOGRAPHY EXPIRED 070516.pdf](#)

Alderson Konetzke moved, seconded by Alderson Croatt, that the Appointment be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Margret Mann, Alderson Patti Coenen, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Christine Williams, Alderson Cathy Spears and Alderson Chris Croatt

Nay: 1 - Alderson Ed Baranowski

Excused: 2 - Alderson Kyle Lobner and Alderson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

[16-1046](#)

Public Hearing for Resolution 3-P-16, Sanitary Sewer, Storm Sewer and Laterals

Attachments: [3-P-16 Public Hearing Notice.pdf](#)

The Public Hearing was held. No one spoke during the Public Hearing.

J. SPECIAL RESOLUTIONS

[16-1034](#)

Resolution 3-P-16, Sanitary Sewer, Storm Sewer & Laterals

Attachments: [3-P-16 Final Resolution Sanitary Storm Sewer Laterals.pdf](#)

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

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 2 - Aldersperson Kyle Lobner and Aldersperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[16-706](#)

Reconsideration of Request to approve Special Use Permit #2-16 for an 85-foot monopole wireless telecommunication tower with associated antennas and ground equipment located in the 2700 block of N. Kesting Court (Tax Id 31-1-4025-00), as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report

Attachments: [StaffReportReferBack_KestingCtTower_SpecialUsePermit#2-16.pdf](#)
[Kesting Ct Cell Tower Petition.pdf](#)
[Photos submitted to Plan Commission on 5-9-16 re Kesting Ct Tower.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Martin, that the Report Action Item be reconsidered. Roll Call. Motion carried by the following vote:

Aye: 12 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Jeffrey Jirschele, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Nay: 1 - Aldersperson Matt Reed

Excused: 2 - Aldersperson Kyle Lobner and Aldersperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

*Aldersperson Coenen moved to call the question, seconded by Aldersperson Martin.
Motion carried 12/1 with Aldersperson Spears voting Nay.*

Aldersperson Jirschele moved, seconded by Aldersperson Plank, that the Special Use Permit be approved. Roll Call. Motion failed by the following vote:

Aye: 5 - Aldersperson Kathleen Plank, Aldersperson Curt Konetzke, Aldersperson Margret Mann, Aldersperson Jeffrey Jirschele and Aldersperson Matt Reed

Nay: 8 - Aldersperson William Siebers, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 2 - Aldersperson Kyle Lobner and Aldersperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

16-1022

Request to approve the following 2016 Budget adjustment:

TIF #6

Land Purchase	+\$152,749
Fund Balance (advance from General Fund)	- \$152,749

to provide funding for the repurchase of Lot 13 in the Southpoint Commerce Park.

Attachments: [Commercial Horizons LOI 6-7-16.pdf](#)
 [SubjectParcel06162016.pdf](#)

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

Aye: 12 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams and Aldersperson Chris Croatt

Nay: 1 - Aldersperson Cathy Spears

Excused: 2 - Aldersperson Kyle Lobner and Aldersperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

[16-1004](#)

Adopt City of Appleton Complete Streets Policy.

Attachments: [Adopt City of Appleton Complete Streets Policy.pdf](#)

Alderson Reed referred this item back to the Municipal Services Committee.

This Report Action Item was referred to the Municipal Services Committee

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 13 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Christine Williams, Alderson Cathy Spears and Alderson Chris Croatt

Excused: 2 - Alderson Kyle Lobner and Alderson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-996](#)

Request from Jim Ackerman to appeal his \$50 Weed Administration Fee for 131 W. Winrowe Drive.

Attachments: [131 W. Winrowe Drive.pdf](#)

This Report Action Item was approved as recommend, the appeal was denied.

[16-1003](#)

Approve Red Ramp Pedestrian Access Agreement with SOMA Corp.

Attachments: [Red Ramp Pedestrian Access Agreement.pdf](#)

This Report Action Item was approved.

[16-1008](#)

Preliminary Resolution 4-P-16 for Sidewalk Construction be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Resolution #4-P-16.pdf](#)

This Report Action Item was approved.

[16-1023](#) Anticipated award for P-16 Epoxy Contract.

Attachments: [Unit P-16.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-956](#) Reserve "Class B" Beer/Liquor License application of El Jaripeo Appleton LLC, Antonio Sandoval, Agent, 3401 E. Evergreen Drive, contingent upon approval from all departments.

This Report Action Item was approved.

[16-961](#) Taxi Cab and Limousine Service renewal application of A2B Taxi LLC, Bradley Pingel, 1348 W. Summer Street, contingent upon approvals from all departments.

This Report Action Item was approved.

[16-994](#) Taxi Cab and Limousine Service renewal application of LIR Transportation LLC, Igor Leykin, 719 W. Frances Street, contingent upon approvals from all departments.

This Report Action Item was approved.

[16-995](#) Farm Market application of Long Cheng Marketplace, Mai Youa Thao, 1804 S. Lawe Street, every day from July to October, 2016, contingent upon approval from all departments.

This Report Action Item was approved.

[16-1010](#) Operator's Licenses

Attachments: [Operator's Licenses for 6-22-16 S & L.pdf](#)

This Report Action Item was approved.

[16-1011](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 6-22-16 S & L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE****5. MINUTES OF THE FINANCE COMMITTEE****[16-1015](#)**

Request to award Unit H-15 Spartan Drive and Haymeadow Avenue Sewer and Force Main Construction to Kruczek Construction Inc. in the amount of \$427,427 with a 4.7% contingency of \$20,000 for a project total not to exceed \$447,427.

Attachments: [Unit H-15.pdf](#)

This Report Action Item was approved.

[16-1016](#)

Request to reject bid received for Unit Y-16 Arbutus Park Storm Lift Station Rehabilitation and rebid in Fall, 2016.

Attachments: [Unit Y-16.pdf](#)

This Report Action Item was approved.

[16-1017](#)

Request to approve Finance Committee Report 4-P-16 for Sidewalk Construction.

Attachments: [Report 4-P-16.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**[16-977](#)**

Request to waive repurchase rights for Lot 2 of CSM 3490 in the Northeast Business Park, allowing the transfer from Nicolet National Bank to C3 Corporation or Assigns; this waiver is not transferable, survivable, or assignable and the City's repurchase rights would remain on this property

Attachments: [Repurchase waiver Lot 2 CSM 3490.pdf](#)
[CovenantsandRestrictions_CSM3490Lot2.pdf](#)
[Venture Offer.pdf](#)
[AvailableSites_06122016.pdf](#)

This Report Action Item was approved.

[16-1019](#)

Request to authorize staff to accept the basic terms of the Letter of Intent from Commercial Horizons dated June 7, 2016 and continue to negotiate terms toward offer to purchase and development agreement for Lots 12 and 13 of Plat 1 in the Southpoint Commerce Park (Associated with Action Item #16-1020)

Attachments: [Commercial Horizons LOI 6-7-16.pdf](#)
 [SubjectParcel06162016.pdf](#)
 [Southpoint Deed Restrictions.pdf](#)

This Report Action Item was approved.

[16-1020](#)

Request to authorize staff to proceed with the repurchase of Lot 13 of Plat 1 in the Southpoint Commerce Park under the terms outlined in Section 13 - Repurchase Rights (Associated with Action Item #16-1019)

Attachments: [Commercial Horizons LOI 6-7-16.pdf](#)
 [SubjectParcel06162016.pdf](#)
 [Southpoint Deed Restrictions.pdf](#)

This Report Action Item was approved.

[16-1026](#)

Request to approve a Variance to the Deed Restrictions and Covenants allowing for a fence setback less than fifteen (15) feet from the lot line at 2619 E. Capitol Drive, specifically to allow a setback of six and one-half (6 1/2) feet on the western property boundary and five (5) feet on the southern boundary

Attachments: [2619 E Capitol Var 6-16-16.pdf](#)
 [Variance Request 2619 E. Capitol.pdf](#)
 [Northeast Business Park Map.pdf](#)
 [NEIP Deed Restrictions.pdf](#)

This Report Action Item was approved.

- 7. MINUTES OF THE UTILITIES COMMITTEE**
- 8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**
- 9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**
- 10. MINUTES OF THE BOARD OF HEALTH**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[16-1028](#)

Ordinance 50-16 and 51-16

Attachments: [Ordinances going to Council 7-6-16.pdf](#)**This Report Action Item was approved.**

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

[16-1053](#)

Convene into Committee of the Whole

*The Common Council convened into the Committee of the Whole at 7:56 p.m.***Aldersperson Baranowski moved, seconded by Aldersperson Croatt, to convene into Committee of the Whole. Roll Call. Motion carried by the following vote:**

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 2 - Aldersperson Kyle Lobner and Aldersperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

[16-1057](#)

Award contract to Zimmerman Architectural Studios for design and engineering services for the Fox Cities Exhibition Center for a contract of \$1,819,114 and a 10% design contingency for a contract not to exceed \$2,001,025.

Attachments: [2016 Expo Center Architect and Engineer \(002\).pdf](#)

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

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 2 - Alderperson Kyle Lobner and Alderperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

[16-1058](#)

Award contract to Miron Construction for Construction Manager at Risk services for the Fox Cities Exhibition Center for a contract of \$589,315 and \$25,000 for reimbursable expenses for a contract not to exceed \$614,315.

Attachments: [2016 Expo Center Construction Manager.pdf](#)

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

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 2 - Alderperson Kyle Lobner and Alderperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

[16-1059](#)

Request to approve the following 2016 Budget adjustment:

Exhibition Center Capital Projects Fund

Architect Fees	\$2,001,025
Contractor Fees	\$614,315
Proceeds of Debt/Hotel Room Tax	\$2,615,340

To record cost of architect and construction management fees for the construction of the Exhibition Center.

Costs will be funded by the hotel room tax.

2/3 vote is required

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

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 2 - Alderperson Kyle Lobner and Alderperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

16-1055

Reconvene to Common Council

The Common Council reconvened at 7:59 p.m.

Alderperson Meltzer moved, seconded by Alderperson Spears, that they reconvene to the Common Council. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 2 - Alderperson Kyle Lobner and Alderperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

16-1060

Report of the Committee of the Whole

Alderperson Konetzke moved, seconded by Alderperson Martin, that the Report of the Committee of the Whole be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 2 - Alderperson Kyle Lobner and Alderperson Greg Dannecker

Abstained: 1 - Mayor Timothy Hanna

S. ADJOURN

Alderperson Baranowski moved, seconded by Alderperson Spears, that the meeting be adjourned at 8:19 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Mayor Timothy Hanna

Excused: 2 - Alderperson Kyle Lobner and Alderperson Greg Dannecker

Kami Lynch, City Clerk

NOTICE OF PUBLIC HEARING ON SPECIAL ASSESSMENTS
(Preliminary Resolution 4-P-16)

PLEASE TAKE NOTICE THAT the Common Council hereby declares its intention to exercise its powers under Section 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following area.

SIDEWALK CONSTRUCTION

Lake Park Road from Plank Road to Northshore Boulevard

The assessment area consists of all property fronting upon both sides of the named streets from intersection to intersection or point to point described herewith including the full width of said intersection of said limits.

The Report of the Finance Committee showing preliminary and/or Final Plans and Specifications, estimated cost of improvements, schedule of proposed assessments is on file in the Department of Public Works, Fifth Floor, 100 North Appleton Street, Appleton, WI 54911. Please call 832-5592 to discuss specific questions or amounts to be assessed to your property or to view said documents, Monday through Friday, between the hours of 7:30 A.M. to 3:00 P.M.

You are further notified that the Common Council will hear all persons interested or their agents or attorneys concerning matters contained in the preliminary resolution authorizing such improvements and assessments at a regular meeting of the Common Council to be held on **July 20, 2016, at 7:00 P.M.** or as soon thereafter as can be heard, in the Council Chambers at the City Hall, 100 North Appleton Street, Appleton, Wisconsin. All objections will be considered at said hearing and thereafter the amount of the assessments will be finally determined.

July 5, 2016

RUN: July 7, 2016

KAMI LYNCH
City Clerk

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

RESOLUTION 4-P-16

FINAL RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER SECTION 66.0703 (7) (a), WISCONSIN STATUTES OF 2011-2012.

WHEREAS, the Common Council of the City of Appleton, Wisconsin, held a Public Hearing at the Council Chambers in the City Hall at 7:00 P.M. on the 20th day of July, 2016, for the purpose of hearing all interested persons concerning the proposed improvements and construction in the following streets or portion of streets:

SIDEWALK CONSTRUCTION

Lake Park Road from Plank Road to Northshore Boulevard

And has heard all person desiring an audience at such hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Appleton as follows:

1. That the report of the Finance Committee pertaining to the construction of the above described public improvements including plans and specifications therefor, is hereby adopted and approved.
2. That the Finance Committee is directed to advertise for bids to carry out the work of such improvement in accordance with the report of the Finance Committee.
3. That payment for said improvements be made by assessing the cost to the property benefited as indicated in said report.
4. The schedule of proposed assessments made under the police power and the amount assessed against each parcel are true and correct and are hereby confirmed.
5. That the assessment for all projects included on said report are hereby combined as a single assessments but any interested property owner shall be entitled to object to each assessment separately or both assessments jointly for any purpose or purposes.
6. The assessment against any parcel may be paid to the Finance Department on receipt of Special Assessment Notice by one of the following:
 - a. In cash, or if entered on the Tax Roll.
 - b. One installment, if the assessment is \$1000 or less.
 - c. In five equal installments, if the assessment is greater than \$1000;Deferred payment will bear an interest at the rate of 6.25% per annum on the unpaid balance.
7. The City Clerk is directed to publish this resolution in the Appleton Post Crescent, the Official Newspaper of the City.
8. The Clerk is further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll and whose post office address is known or can with diligence be ascertained.

Adopted: July 20, 2016

Published: July 25, 2016

S/ TIMOTHY M. HANNA (Mayor)

Attest: KAMI L. LYNCH, (City Clerk)



"...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 July, 2016

**CITY OF APPLETON
Complete Streets Policy**

VISION

Appleton streets are designed and maintained to be safe, accessible, convenient and comfortable for all transportation modes, ages and abilities at all times.

INTENT

Complete Streets will help make Appleton more walkable and bikeable, support investments in transit, foster social engagement and community pride, support the local economy, and improve long-term sustainability of our community.

POLICY

This policy will provide the basis for establishing guiding principles and practices to ensure transportation improvements are planned, designed, constructed, operated and maintained for an accessible, safe, reliable, efficient, integrated, convenient and connected multimodal transportation system. The system created will promote active transportation and public health, and accommodate people of all ages and abilities.

PROJECTS AND PHASES

The City of Appleton shall approach all transportation projects as an opportunity to create safer, more accessible streets for all users. Complete Streets infrastructure improvements shall be added to the maximum extent practicable to all projects involving construction, reconstruction, expansion within the public right-of-way, retrofit of streets, bridges, or other public portions of the transportation network. This approach shall be used from the inception of the planning and design stages to final approval and implementation.

NETWORK

Under this policy, the City of Appleton will gradually create a network of streets to serve all users. While all modes will not receive the same type of accommodation and space on every street (due to considerations such as terrain, width of public right-of-way, typical use, etc.) these changes will greatly expand overall transportation options for residents traveling between the City of Appleton's various destinations.

EXCEPTIONS

Complete Streets principles and practices will be considered in design, construction, reconstruction, repaving, and rehabilitation projects related to streets, pedestrian walkways, bikeways and bike facilities. Any exceptions to this policy **denied by the Director of Public Works** must be approved by the Municipal Services Committee and City Council. Exceptions may be granted by the Director of Public Works when any of the following conditions apply:

1. Cost of accommodation is determined to be excessively disproportionate to the need or probable use.
2. Project does not fit within the context sensitivity objectives of this policy and there is no apparent current or future need.
3. Specific users are prohibited from the corridor (such as interstate freeways or pedestrian malls).
4. Site conditions render implementation infeasible.

Any exceptions granted ~~under the policy shall be documented.~~ **by the Director of Public Works shall be reported out as an information item to Municipal Services Committee.**

CONTEXT SENSITIVITY

Community context will be an important factor in all transportation decision making. Transportation projects will be planned, designed and constructed in a manner that is sensitive to the existing built environment, while taking into account future anticipated transportation needs. Recognizing that Appleton is one of many communities within the Fox Valley Region, the City will selectively target its limited resources to improve alternative transportation modes which serve the principal purpose of connecting Appleton to contiguous communities and/or to major points of interest or use within the city itself.

PERFORMANCE MEASURES

The City of Appleton shall put into place performance measures that determine the success of this policy. These measures may include, but are not limited to:

- Total miles of on-street bike lanes
- Total miles of trails
- Rate of crashes, injuries and fatalities by mode

- Percent of bus stops that have ADA-compliant sidewalk access from adjacent neighborhoods
- Percent of active transportation mode share

IMPLEMENTATION PLAN

The City of Appleton will view Complete Streets as integral to everyday transportation decision-making practices and processes. To this end:

1. Documents. The City shall review all codes, plans, procedures, regulations, guidelines, etc. to integrate Complete Street principles.
2. Inventory. The City shall maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure that will prioritize projects to eliminate gaps in the sidewalk and bikeway network.
3. Funding. The City will actively seek sources of appropriate funding to implement Complete Streets.
4. Training. The City will make training opportunities available and train pertinent City staff on the content of the Complete Streets principles and best practices for implementing the policy. The City will offer training opportunities to community stakeholders and residents to understand the importance of the Complete Streets vision.

June 28, 2016

Kurt W. Craanen
Inspection Supervisor
City of Appleton

Dear Mr. Craanen:

This letter concerns our request for a variance regarding the replacement and modification of our concrete driveway.

The variance: By extending our driveway straight out from the northwest corner of the house towards the street, the triangular area of additional concrete is wider than the 4 feet allowed. Please note that there is a similar situation with the two homes directly across Franklin St.

We have several objectives for this project which we believe will all be positive improvements to a very bad situation that exists at present.

Drainage: The existing driveway slopes from the street towards the garage and house. Any rain is funneled towards the southwest corner of the house between the house and garage. We had the garage lifted and a new slab poured about 18 months ago. We have concerns about water attacking that slab and the house foundation as well. In addition a heavy rainfall causes a torrent which runs through our back yard/garden towards the neighbor's house at 225 N. Rankin St. (one house to the south). Our plan would pitch the proposed driveway from the garage towards the street, with a secondary pitch to keep water away from the house. Added green space in the plan would help with water absorption.

Greenspace: The greenspace included in the plan would offset any additional concrete in the plan. Additional concrete in the driveway totals 67.5 ft². Proposed greenspace totals 136 ft², for a net loss of impervious surface of 68.5 ft². We are at 41.5% lot coverage, the code allows 75%.

Poor condition, Safety: The existing driveway is severely cracked, and pieced together due to years of wear and tear and piecemeal repair. Separate sections differentiate as much 2 inches vertically during the winter, causing trip hazards and difficulty clearing snow.

Vehicular Safety: The strange angle and configuration cause a driver to maneuver excessively while backing out in order to avoid hitting the power pole, which should never have been placed in such a position.

Convenience: Ease parking and snow removal.

Conjoined Driveways: Presently, the various driveway sections are not well defined and in some areas overlap the lot line of the house at 839 E. Franklin St. Our goal is to define these two properties, both with the new slab we pour and the green space in between. We will be doing a saw cut on the lot line to achieve this. We will be leaving a "horse-shoe" shaped area at the end of the greenspace in order to make driving in and out of the neighbor's easier.

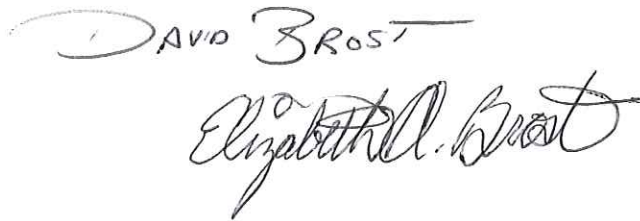
Neighborly Relations: On every project, we take into account how it will affect our neighbors. I have spoken at length with my contractor, and everything about this project will be done to channel water away from neighboring properties, as well as away from our structures. In addition, I hope that the way this is designed will ease any future repairs or improvements that the neighbor at 839 E. Franklin might wish to make to his driveway.

Health: My wife, Elizabeth has M.S. We are planning for the future. We will either rent out our upper level at some point in the future to simply generate income to cover her care, or we will have live in help. The additional full parking space that we wish to add would be for that renter or care-giver's vehicle. All those issues of safety and convenience will then play into that situation more so with another individual and their vehicle.

Utilities: engineers from WE-Energies have visited the site and have a proposal drawn up for moving the utility pole. They are awaiting our go-ahead. In addition we have confirmation from the Mike, the City Forester, that a small tree adjacent to the pole will be removed to facilitate that aspect.

Summary: In essence, what we wish to achieve is simply a standard double width driveway; repair existing poor concrete, improve drainage, and improve safety and convenience for anyone using the driveway.

Thank you for your time and attention,

The image shows two handwritten signatures. The first signature, 'DAVID BROST', is in a stylized, cursive script. The second signature, 'Elizabeth A. Brost', is also in a cursive script, with a more flowing and connected style.

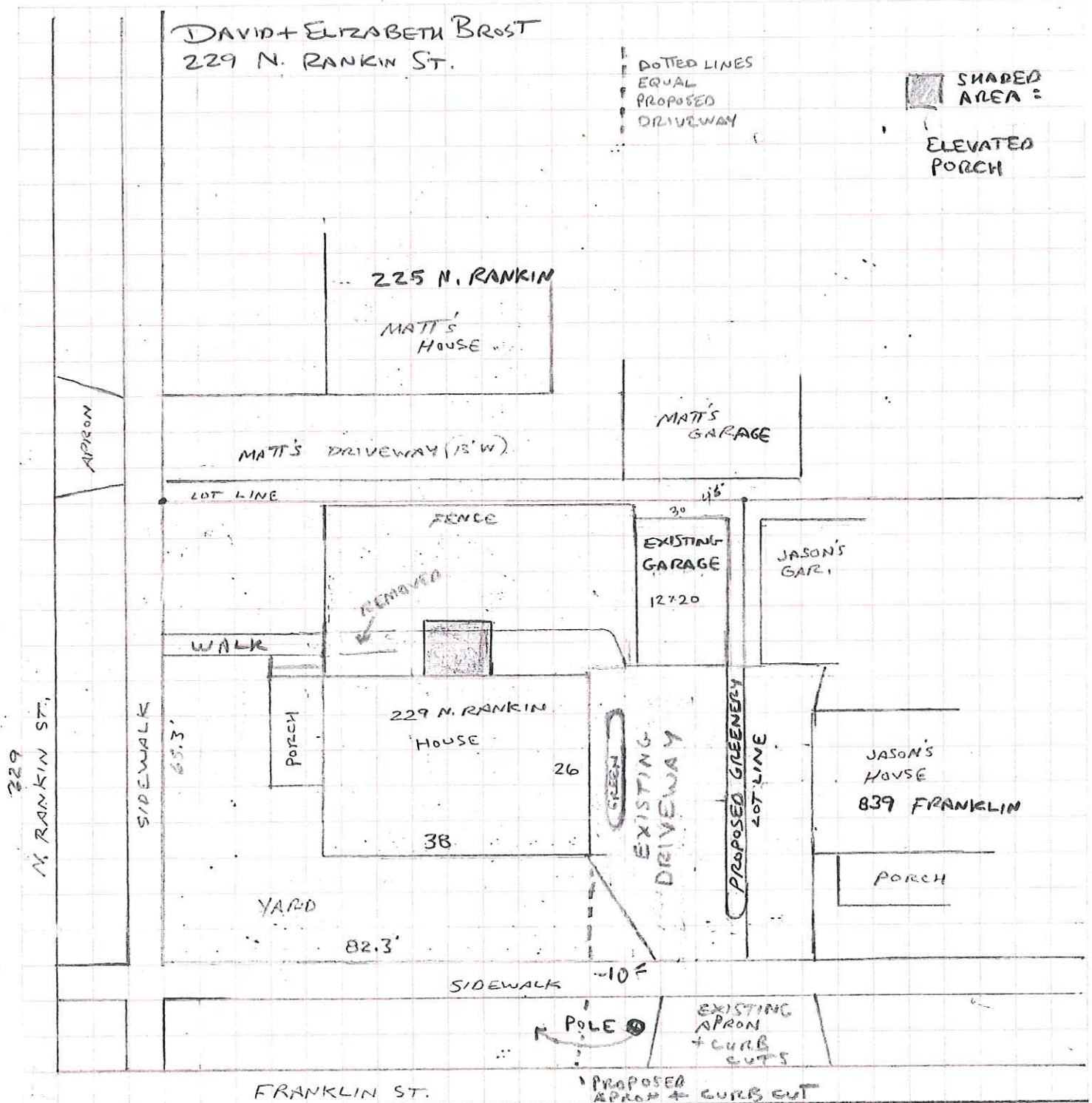
David and Elizabeth Brost
229 N. Rankin St.
Appleton, WI 54911

920-882-0887
920-358-3227 (David's Cell)

enc: site map
project plan
Google map image
impervious surface calculations

1. All lines must be drawn with a straightedge. Free hand drawings cannot be accepted
2. All lot lines and all buildings must be shown and dimensioned. Partial plot plans cannot be accepted.
3. Driveway(s) and curb cuts must be shown and labeled "proposed" or "existing".
4. Irregular shaped lots must be drawn to scale.

5 Foot Grid



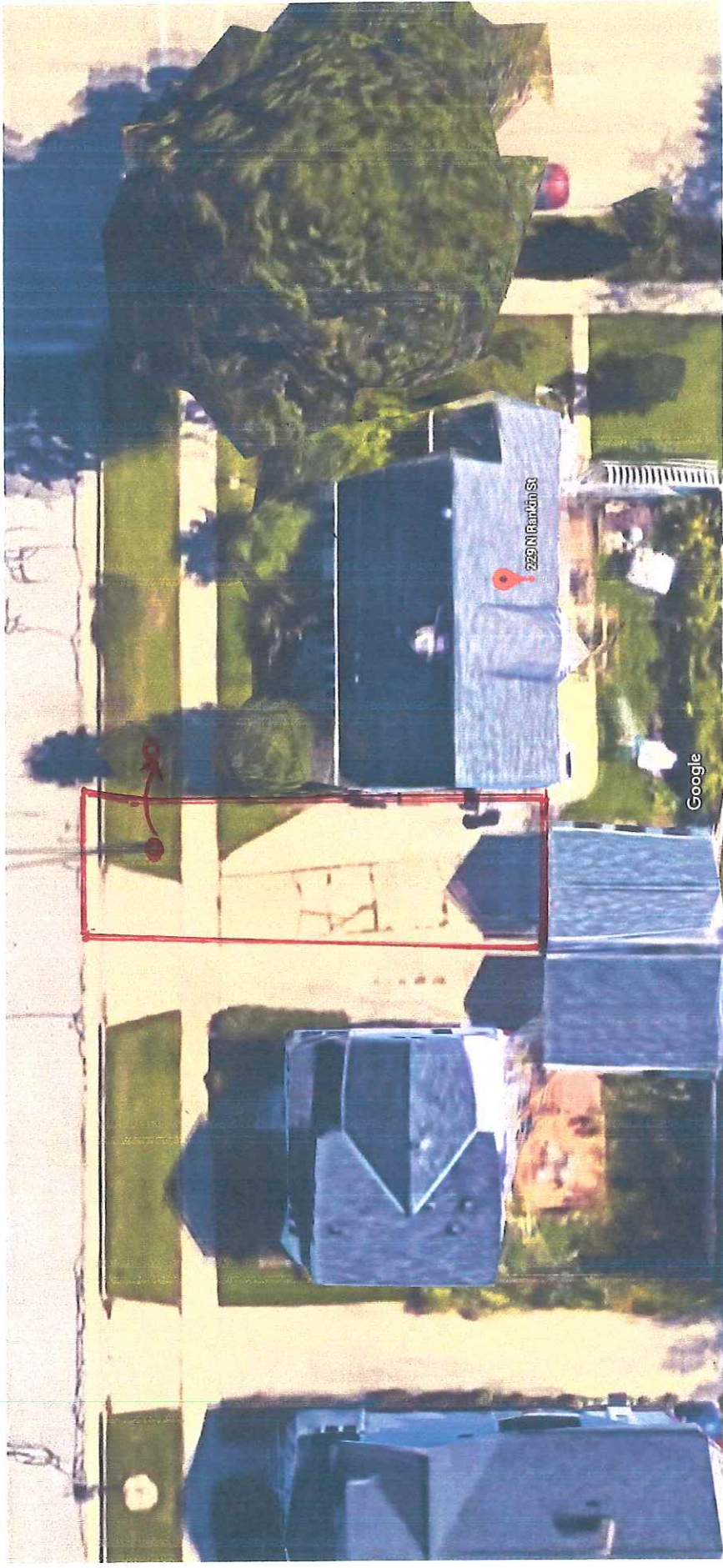
PLOT PLAN

Project: REMOVE OLD DRIVEWAY + REPOUR

Scale: 1" = ____ Ft.

Address: 229 N. RANKIN ST.

Google Maps 229 N Rankin St



Imagery ©2016 Google, Map data ©2016 Google 10 ft



229 N Rankin St
Appleton, WI 54911

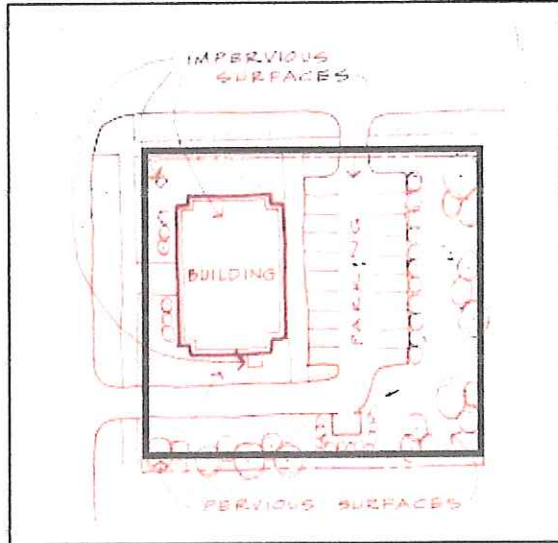
6-28-2016

DAVID + ELIZABETH BROS
229 N. RANKIN ST.

Foundation Note

An accessory building of greater area than 100 square feet must have a concrete slab foundation.

Calculation: Impervious surface ratio.



Impervious surface means an area that releases, as runoff, all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways and parking lots are examples of surfaces that are typically impervious. Surfaces in the public right-of-way, such as a street, driveway apron or public sidewalk, are not counted in this calculation—only areas on your property.

Impervious surface ratio means the measure of intensity of land use, determined by dividing the total of all impervious surfaces on a site by the gross area of the site.

Required for new buildings of any kind, additions, porches, patios, driveways, and walks—anything impervious to water.

MAXIMUM LOT COVERAGE: R1A 40%, R1B 50%, R1C 75%, R2 60%

Component	Area (square feet)
1. House (including porches, patios, attached garage)	1086 Sq. ft
2. New Detached Garage	— Sq. ft
3. Storage shed EXISTING GARAGE	240 Sq. ft
4. Driveway	681 Sq. ft
5. Sidewalks (private)	224 Sq. ft
6. Total of all impervious surfaces on the site (sum of lines 1-5)	2231 Sq. ft
7. Gross area of the site (lot area)	5374 Sq. ft
Impervious surface ratio (line 6 ÷ line 7 X 100 = %)	41.5 %

Example: If #6 is 4,000 and #7 is 10,000 the ratio would be $4,000 \div 10,000 \times 100 = 40\%$

-----Original Message-----

From: Matt Lempke [mailto:matt@holtonbrothers.com]

Sent: Wednesday, June 29, 2016 3:15 PM

To: Corinne Pigeon <Corinne.Pigeon@Appleton.org>

Subject: Picture of City Center Plaza

Hi Corinne,

As requested, here is a photo which shows the front of the City Center Plaza building that we will be making repairs to starting on July 11th. We are looking to mobilize a scaffolding canopy on the sidewalk for pedestrian safety starting on Wednesday, July 6th. There are multiple tradesmen that will be working on the plaza facade. We are doing everything from cleaning the awnings to caulking, masonry repairs, window replacement and painting of the facade.

We anticipate this work will take approximately 2 months, give or take a week depending on how Mother Nature treats us. I would like to have the sidewalk occupancy permit issued starting July 6th.

I would also like to get parking meter hoods for meters CAW102 and CAW110 to start with. I would also like to have these issued for July 6th so the scaffold company can utilize these spots to stage their equipment. I would like to get the meter bags for a month's time, with the understanding that we may need to move our lift trucks from spot to spot along this particular stretch of wall to make our repairs.

Please advise as to the related costs and when I can return to pay for and sign off on the required permits. My cell phone # is 414-349-2083 and my office # is 414-405-1792 if anyone from the city would need to contact me.

Thanks you very much for all of your help with this!



Department of Public Works – Engineering Division

MEMO

TO: Municipal Services Committee

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

DATE: July 7, 2016

RE: Amend Design Contract for CTH JJ/Lightning Drive with OMNNI Associates by an amount not to exceed \$4,300.

The Department of Public Works requests approval to amend the design contract for CTH JJ/Lightning Drive with OMNNI Associates by an amount not to exceed \$4,300. If the amendment is approved, the total contract amount will be \$174,790.60.

Scope of work for this contract amendment is as follows:

- Stake the proposed right-of-way once with wood lath for appraisals.
- Stake the proposed right-of-way once with wood lath for utility relocations.
- Provide final right-of-way monumentation with rebar.

The proposed changes are per requests by the City's appraisal consultant and the contractor, Outagamie County Highway Department, to facilitate consulting and construction activities.

Therefore, the Department of Public Works requests approval to amend the design contract for CTH JJ/Lightning Drive with OMNNI Associates by an amount not to exceed \$4,300.

**INTER-GOVERNMENTAL AGREEMENT
FOR HIGHWAY IMPROVEMENT PROJECTS**

Description: Northland Avenue (CTH "OO") from Mason Street to Richmond Street

The City of Appleton, through its undersigned duly authorized officers or officials hereby request Outagamie County to initiate and affect the highway improvements.

PROPOSED IMPROVEMENTS:

Reconstruct Northland Avenue (CTH "OO") from Mason Street to Richmond Street (STH 47) to include intersection alignment and traffic signal improvements at the Northland/Mason, Northland/Mall Entrance and Northland/Bennett intersections in 2017.

TERMS AND CONDITIONS:

1. The State of Wisconsin Department of Transportation will be the lead agency for this project.
2. All plans and specifications for the improvements will be provided for Outagamie County's review and approval by State of Wisconsin.
3. The City of Appleton will provide the labor and equipment for traffic signal/intersection alignment improvements at the intersections of Northland/Mason St, Northland/West Service Rd and Northland/Bennett St.
4. The project cost in the agreement is an estimate. The County will be invoiced periodically based on actual costs incurred.
5. Operations and maintenance of the facilities built within the project footprint are as follows:

Outagamie County will maintain the following along CTH OO outside of the STH 47 roundabout circle:

- a. Highway surface and roadway base between curbs.
- b. Curb & gutter along the County Trunk Highway.
- c. Typical roadway signing and pavement marking, including overhead sign structures S-44-0134 and S-44-0135.
- d. Median island surface or landscaping.
- e. Retaining wall structure R-44-0022.

City of Appleton will maintain the following:

- a. Pavement and base and landscaping within the STH 47 roundabout circle.
- b. All storm sewer inlets, laterals and main.
- c. Traffic signals at Mason Street, West Service Rd, Bennett Street, including electrical service.
- d. Overhead street lighting.
- e. Signing near the yield line and within the circle, and pedestrian crossing warning signs.
- f. Colored and stamped concrete terrace and pavements adjacent to the roundabout.
- g. Off-road multi-modal facilities and crossings.
- h. Mowing outside of curb.
- i. Maintenance of trees planted in medians.
- j. Street sweeping.


COST ESTIMATE AND PARTICIPATION

	Total Estimated Cost	City of Appleton	Effective %	Outagamie Co.	Effective %
Left-turn lane alignments	\$98,699.50	\$49,349.75	50%	\$49,349.75	50%
City procurement of traffic signal items	\$196,270.22	* \$0	50%	* \$0	50%
City labor & equipment for traffic signal items	\$60,000	\$30,000	50%	\$30,000	50%
Pavement Marking (County Resurfacing)	\$22,410	\$0	0%	\$22,410	100%
TOTALS		\$79,349.75		\$101,759.75	

* City will be reimbursed thru State Municipal Agreement for Total Estimated procurement costs for project 6240-26-00/71 STH 47/CTH OO. If actual costs exceed Total Estimated cost, then 50/50 costs share would apply

This request is subject to the terms and conditions listed above, and is made by the undersigned under proper authority to make such request and upon acceptance by Outagamie County shall constitute agreement between City of Appleton and Outagamie County.

Signed on behalf of
Outagamie County



Dean E. Stemgraber, P.E.
Highway Commissioner

6/28/16

Date

Signed on behalf of
City of Appleton

Mayor Timothy Hanna

Date

Kami Lynch
City Clerk

Date

Anthony Saucerman
Finance Director

Date

Jim Walsh
City Attorney

Date



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

DEPARTMENT OF PUBLIC WORKS - Engineering Division

MEMO

TO: Members of the Municipal Services Committee

FROM: Ross Buetow, Deputy Director of Public Works

SUBJECT: Award of Contract: Structural Condition Analyses of City Parking Ramps

DATE: July 6, 2016

In response to a request for proposals issued by our office, we received 3 responses for structural condition analyses of all four of the City's Parking Ramps. The proposal deadline was Monday, June 27, 2016. Below is a summary of the proposed fees for each firm:

GRAEF	-	\$17,400.00
Walker Restoration Consultants	-	\$29,350.00
R.A. Smith National	-	\$43,340.00

The requested scope of services includes a visual inspection, chain drag survey and/or soundings of all ramp surfaces along with appropriate material sampling and testing to thoroughly assess the current condition and integrity of each of the ramp's structural elements. The selected consultant is also required to provide short-term and long-term repair and maintenance recommendations including methods, materials, and estimated costs of such repairs. All of their findings will be documented in a final report, including an executive summary and plan drawings showing the locations and extents of any defects found. The City will utilize the information contained in the final report to plan and budget for any necessary future maintenance or repair projects in each of the ramps.

All of the responding firms demonstrated the technical ability and previous experience to complete all of the requested services. The base fee listed for Walker includes \$2,160.00 for recommended material testing beyond the initial analysis methods. GRAEF provided unit prices for these same tests but did not include them in their base fee since the scope will be dependent on the initial inspections. R.A. Smith indicated in their proposal that no additional testing of structural elements is recommended at this time. When considering the overall content of the proposals received, including project understanding, relevant experience, project approach, timeline and proposed fee, we recommend award in an amount not to exceed \$20,000.00 to GRAEF. This amount will allow for additional material tests deemed necessary by the City and GRAEF based on the initial analysis. Our approved budget for this project is \$25,000. Thank you for your consideration.



July 5, 2016

To: Municipal Services

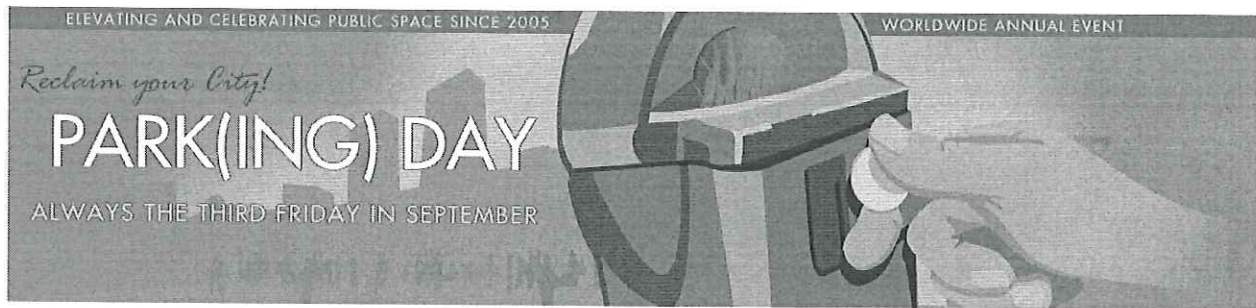
From: Appleton Downtown Inc.

ADI requests permission to purchase up to 18 parking stalls on September 16th to participate in Park(ing) Day as a feature of Art on the Town. Parks would be installed beginning at 9am and removed by 11pm. We would reserve one or two stalls per block between Drew St and Memorial St. We are partnering with business owners to create unique urban attractions. We will work with the committee, the Parking utility and Appleton Police to keep the "parks" safe. Last year's event featured 16 "Parks" and we are happy to report there were no incidents.

We request your partnership to bring this creative urban attraction to Downtown Appleton.

Thank you,

Jennifer Stephany



ABOUT PARK(ING) DAY

Providing temporary public open space . . . one parking spot at a time.

Q: What is PARK(ing) Day?

A: PARK(ing) Day is an annual, worldwide event where artists, activists, and citizens independently (but simultaneously) turn metered parking spots into "PARK(ing)" spaces: temporary public parks and other spaces for people to enjoy. PARK(ing) Day is a non-commercial project, intended to promote creativity, civic engagement, critical thinking, unscripted social interactions, generosity and play.

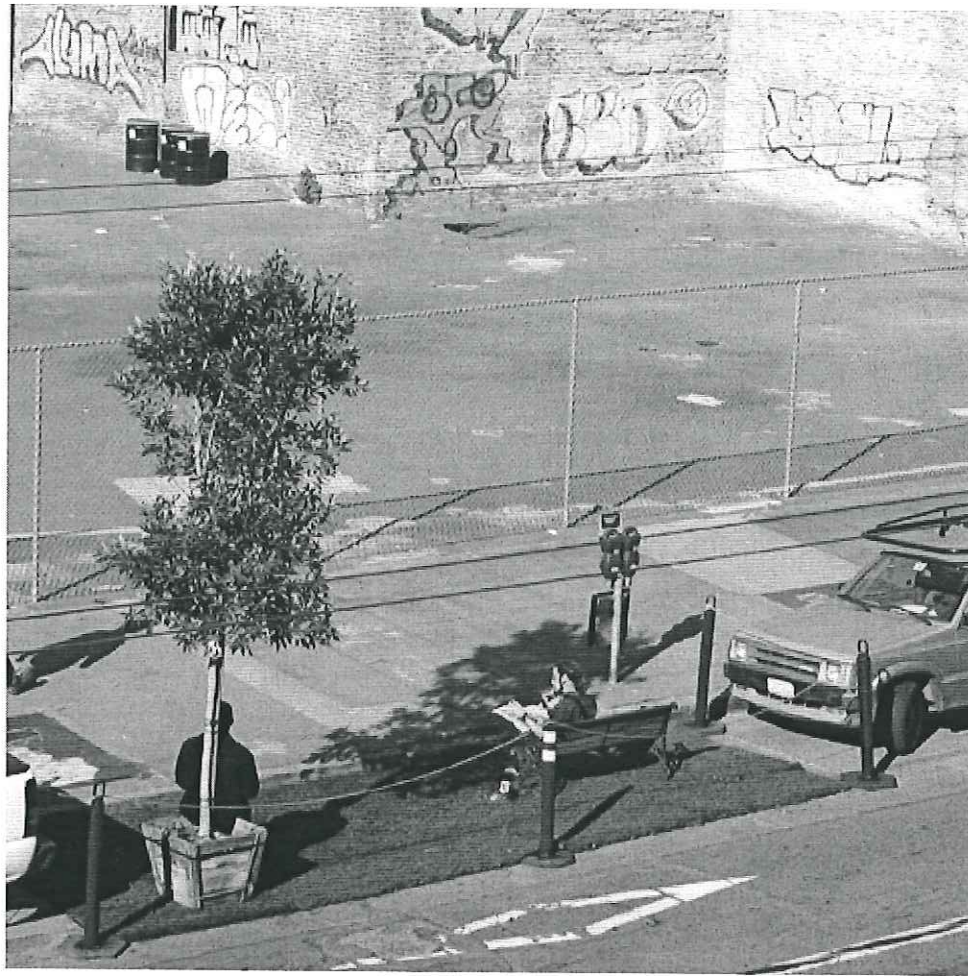
The project began in 2005 when Rebar, a San Francisco art and design studio, converted a single metered parking space into a temporary public park in downtown San Francisco. Since 2005, PARK(ing) Day has evolved into a global movement, with organizations and individuals (operating independently of Rebar but following an established set of guidelines) creating new forms of temporary public space in urban contexts around the world.

Q: When is PARK(ing) Day?

A: PARK(ing) Day is an annual event that occurs on the **third Friday in September. September 18th**

The Stats:

975 Parks
162 Cities
35 Countries
6 Continents







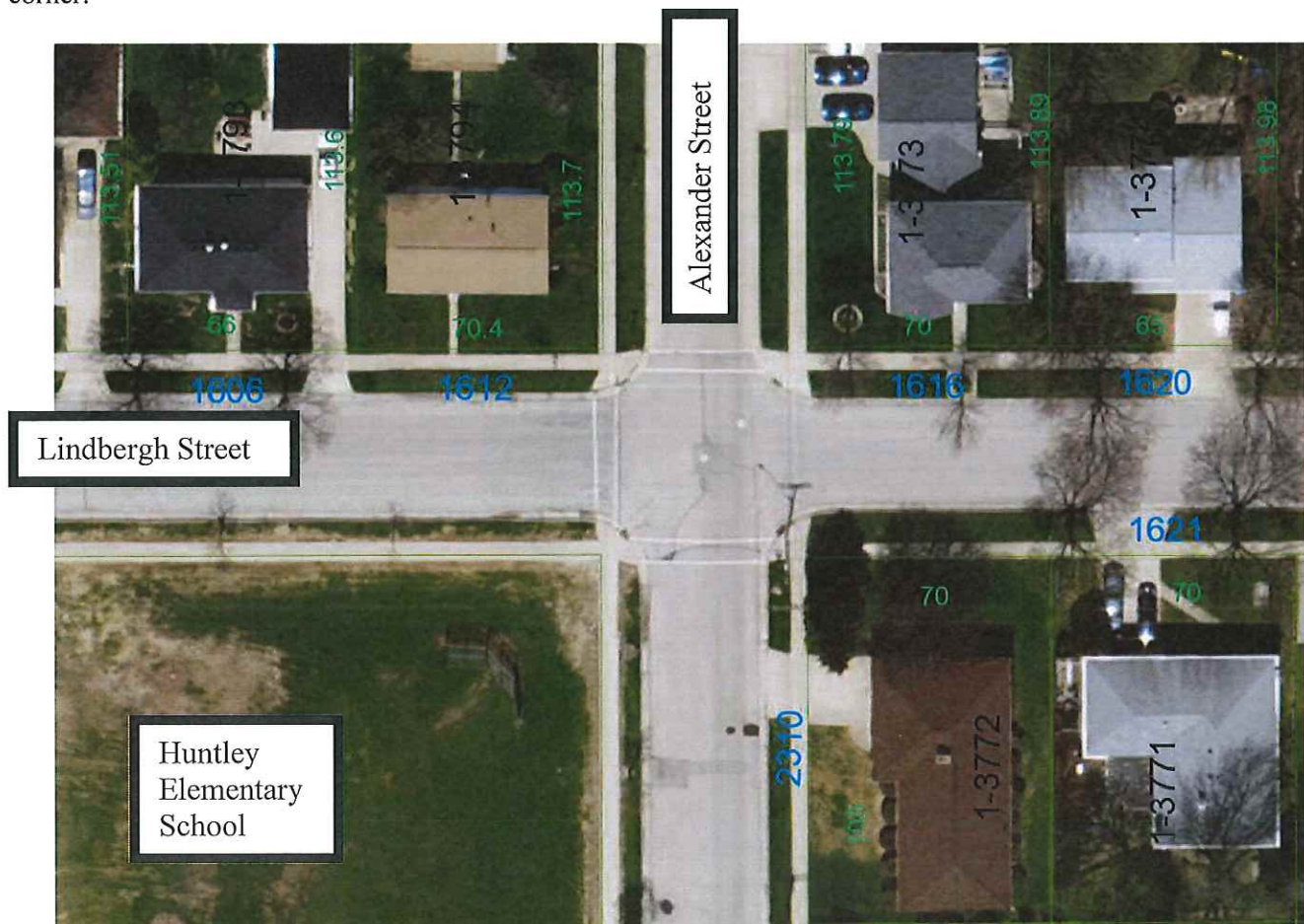
"... meeting community needs ... enhancing quality of life."

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

To: Municipal Services Committee
From: Michael Hardy, Assistant Traffic Engineer
Date: June 28, 2016
Re: Alexander Street & Lindbergh Street - Intersection Control

At the request of a concerned citizen, the Traffic Section has reviewed the traffic control at the intersection of Alexander Street and Lindbergh Street. This individual had concerns regarding this intersection, specifically that drivers headed south on Alexander Street arriving at the intersection of Lindbergh Street are not yielding as the sign instructs, especially during school arrival times.

This intersection is located at the northeast corner of Huntley Elementary property. The existing control at this intersection has Alexander Street yielding to Lindbergh Street. Both roadways are functionally classified as *Local* at this intersection. The land use in this area is residential, adjacent to Huntley Elementary located in the southeast corner.



Aerial Photo, Intersection of Alexander Street & Lindbergh Street

The procedure for evaluating *stop* control was applied. Based on City policy, as well as state and federal standards, we consider traffic volumes, crash experience, critical approach speeds, and the functional classification of the roadways when performing a typical intersection control study. Designated *school safe walking routes* are also considered when appropriate.

The City of Appleton policy states that *stop* control *may* be appropriate at a four-legged intersection when:

1. Entering volumes are greater than 3,000 vehicles per day, OR
2. There has been at least one preventable-type crash in the past 12-months, OR
3. The critical approach speed is less than 15 miles per hour, OR
4. If the roadway is intersecting with a roadway which is functionally classified as a *Collector* or *Arterial*.

Historical traffic counts at this intersection revealed estimated volumes of approximately 400 vehicles per day along Lindbergh Street, and over 200 vehicles per day on Alexander Street. These daily counts do not meet the volume criteria for a stop controlled approach.

The most recent five years of crash experience indicates there were two reportable crashes at this intersection in 2012. Of the two crashes, only one would be considered a preventable type.

The *critical approach speed* is the speed that a vehicle may approach the intersection and safely stop if an opposing vehicle is sighted. The critical approach speed for this intersection was measured to be less than 10 miles per hour on the Alexander Street approaches, which is due in large part to the close proximity of houses and landscaping near the corners of the intersection. If *stop* control were implemented, it would create a safer situation.

All intersecting streets are functionally classified as *Local*. With a close proximity to Huntley Elementary, the sidewalks and crossings here are an active part of the safe walking routes to this school. In addition, Huntley Elementary has a student Safety Patrol posted at this intersection during school day arrival and release to assist children with crossing this intersection.

While this intersection does not meet the volume or crash criterion for *stop* control, it *does* meet the critical approach speed criteria based criteria. The presence of a Safety Patrol by Huntley Elementary School also favors *stop* control.

Based on this review, stop control is recommended at this intersection.

To accomplish this, the following ordinance action is required:

1. **Create:** "Replace Yield signs with Stop signs on Alexander Street at Lindbergh Street."



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

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

To: Municipal Services Committee
From: Michael Hardy, Assistant Traffic Engineer
Date: June 28, 2016
Re: Edgewood Avenue & Grant Street - Intersection Control

In response to being flagged in our 2014 City Annual Crash Overview report, the Traffic Section has reviewed the traffic control at the intersection of Edgewood Avenue and Grant Street. The crash rate at this intersection is 2.09 crashes per million entering vehicles (based on the 5-year crash history from 2010 to 2014). This crash rate ranks in the top five for yield-controlled intersections across the City. The average citywide crash rate for yield-controlled intersections in 2014 was 0.362.

This intersection is located north of Wisconsin Avenue and west of Linwood Street. The existing control at this intersection has Edgewood Avenue yielding to Grant Street. Both roadways are functionally classified as *Local* at this intersection. The land use in this area is residential.



Aerial Photo, Intersection of Edgewood Avenue & Grant Street

The procedure for evaluating *stop* control was applied. Based on City policy, as well as state and federal standards, we consider traffic volumes, crash experience, critical approach speeds, and the functional classification of the roadways when performing a typical intersection control study. Designated *school safe walking routes* are also considered when appropriate.

The City of Appleton policy states that *stop* control *may* be appropriate at a four-legged intersection when:

1. Entering volumes are greater than 3,000 vehicles per day, OR
2. There has been at least one preventable-type crash in the past 12-months, OR
3. The critical approach speed is less than 15 miles per hour, OR
4. If the roadway is intersecting with a roadway which is functionally classified as a *Collector* or *Arterial*.

Historical traffic counts at this intersection revealed approximately 300 vehicles per day along Edgewood Avenue, and approximately 300 vehicles per day on Grant Street. These daily counts do not meet the volume criteria for a stop controlled approach.

The most recent five years of crash experience indicates there were two reportable crashes at this intersection, one in 2012 and the other in 2013. Both crashes would be considered a preventable type.

The *critical approach speed* is the speed that a vehicle may approach the intersection and safely stop if an opposing vehicle is sighted. The critical approach speeds on Edgewood Avenue for this intersection was measured to be approximately 6 miles per hour on the southbound approach, and 10 miles per hour on the northbound approach, which is due in large part to the close proximity of houses and landscaping near the intersection corners. If *stop* control were implemented, it would create a safer situation.

While this intersection does not meet the volume or crash based criteria for *stop* control, it *does* meet the critical approach speed criteria.

Based on this review, stop control is recommended at this intersection.

To accomplish this, the following ordinance action is required:

1. **Create:** “Replace Yield signs with Stop signs on Edgewood Avenue at Grant Street.”



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

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

To: Municipal Services Committee
From: Michael Hardy, Assistant Traffic Engineer
Date: June 28, 2016
Re: Franklin Street & Outagamie Street - Intersection Control

In response to being flagged in our 2014 City Annual Crash Overview report, the Traffic Section has reviewed the traffic control at the intersection of Franklin Street and Outagamie Street. The crash rate at this intersection is 2.55 crashes per million entering vehicles (based on the 5-year crash history from 2010 to 2014). This crash rate ranks in the top five for yield-controlled intersections across the City. The average citywide crash rate for yield-controlled intersections in 2014 was 0.362.

This intersection is located north of College Avenue and east of Linwood Street. The existing control at this intersection has Outagamie Street yielding to Franklin Street. Both roadways are functionally classified as *Local* at this intersection. The land use in this area is residential.



Aerial Photo, Intersection of Franklin Street & Outagamie Street

The procedure for evaluating *stop* control was applied. Based on City policy, as well as state and federal standards, we consider traffic volumes, crash experience, critical approach speeds, and the functional classification of the roadways when performing a typical intersection control study. Designated *school safe walking routes* are also considered when appropriate.

The City of Appleton policy states that *stop* control *may* be appropriate at a four-legged intersection when:

1. Entering volumes are greater than 3,000 vehicles per day, OR
2. There has been at least one preventable-type crash in the past 12-months, OR
3. The critical approach speed is less than 15 miles per hour, OR
4. If the roadway is intersecting with a roadway which is functionally classified as a *Collector* or *Arterial*.

Historical traffic counts at this intersection revealed estimated volumes of approximately 300 vehicles per day along Outagamie Street, and approximately 300 vehicles per day on Franklin Street. These daily counts do not meet the volume criteria for a stop controlled approach.

The most recent five years of crash experience indicates there were two reportable crashes at this intersection, one in 2013 and the other in 2014. Both would be classified as preventable. Since this analysis used 2014 as the most recent 12-months of crash history, the crash criterion is met.

The *critical approach speed* is the speed that a vehicle may approach the intersection and safely stop if an opposing vehicle is sighted. The critical approach speeds on Outagamie Street for this intersection was measured to be approximately 6 miles per hour on the northbound approach, and 10 miles per hour on the southbound approach, which is due in large part to the close proximity of houses near the intersection corners and large trees in the terraces near the intersection. If *stop* control were implemented, it would create a safer situation.

All intersecting streets are functionally classified as *Local*.

While this intersection does not meet the volume based criteria for *stop* control, it *does* meet the crash and critical approach speed criteria.

Based on this review, stop control is recommended at this intersection.

To accomplish this, the following ordinance action is required:

1. **Create:** "Replace Yield signs with Stop signs on Outagamie Street at Franklin Street."

OPTION 1:
ILLUMINATED PANELS,
ELECTRONIC MESSAGE CENTER

8'-0" CABINET
7'-8" V.O.

7'-3" MESSAGE CENTER

2'

D/F ILLUMINATED MONUMENT
QUANTITY: (1)

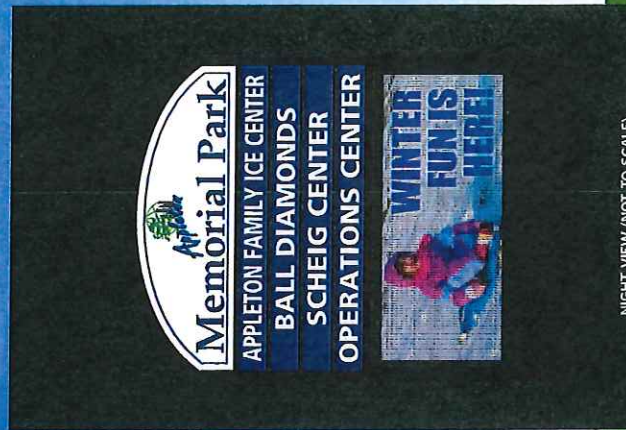
FABRICATED ALUMINUM CABINET
PAINTED SILVER

POLY FACE WITH DIGITALLY PRINTED
AND CUT VINYL GRAPHICS
ILLUMINATED WITH WHITE LEDS
ALUMINUM DIVIDER BAR

POLY FACE WITH TRANSLUCENT
BLUE CUT VINYL GRAPHICS
AND OPAQUE WHITE VINYL DIVIDERS


FULL COLOR MESSAGE CENTER
3'-5" H x 7'-3" W x 8" D
3' H x 7' W VIEWING AREA

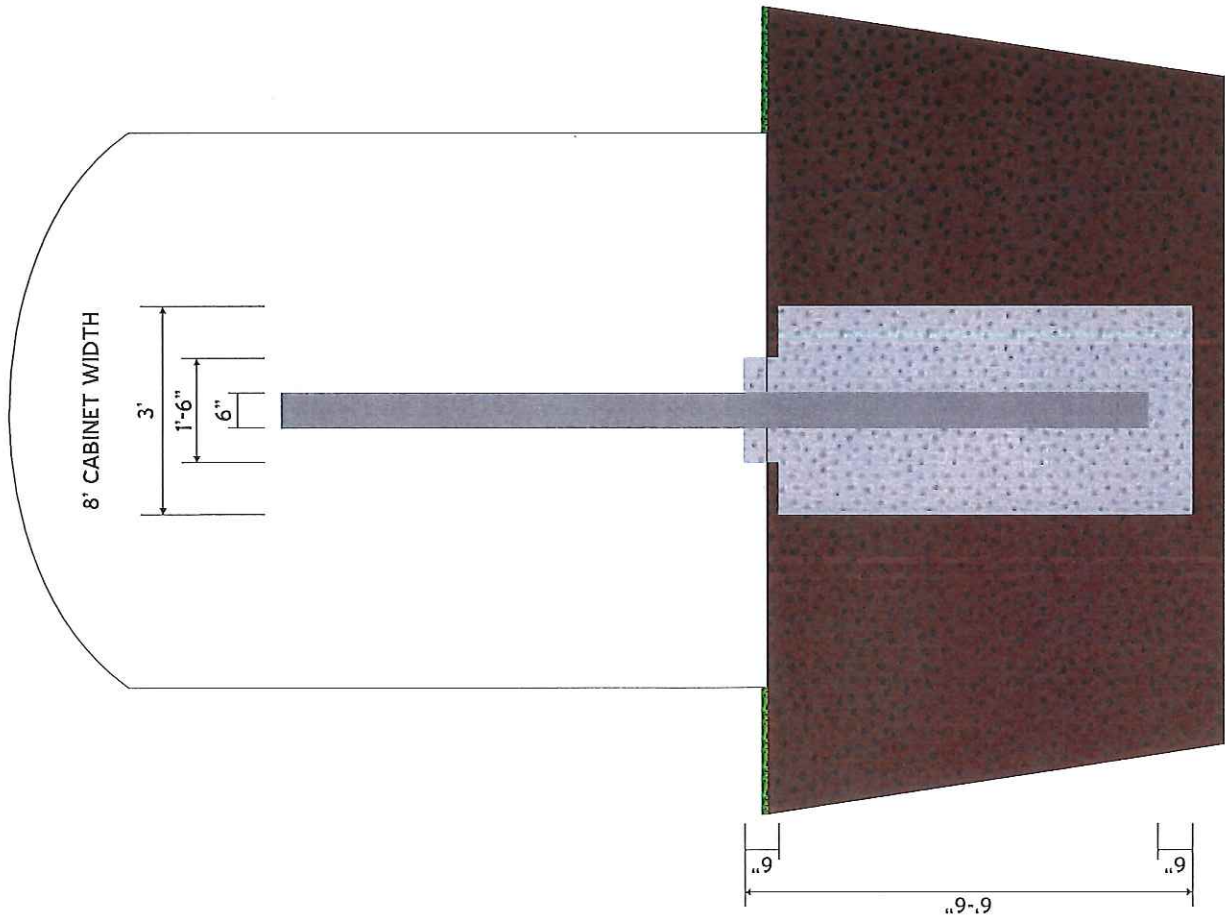
11'-0" CABINET
2'-5" V.O.
3'-1/2" V.O.
3'-5" MESSAGE CENTER



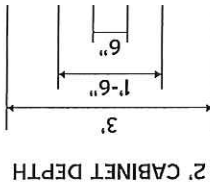
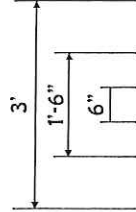
NIGHT VIEW (NOT TO SCALE)

SIDE VIEW

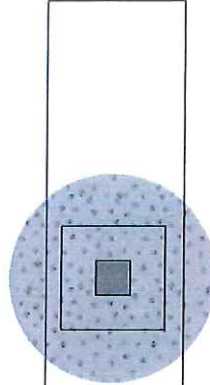
 <p>TRUSTED. LOYAL. CREATIVE. A DIVISION OF TIM'S LIGHTING COMPANY, INC.</p> <p> EASTERN WISCONSIN: O: 920-733-411C F: 920-733-3416 555 ESSENHOVER DR. KIMBERLY WI 54156 CENTRAL WISCONSIN: N7255 32ND CT. WEAVALUEGA, WI 54983 O: 920-867-411C 800-920-0770 F: 920-867-3625 </p>	<p>CLIENT: CITY OF APPLETON-MEMORIAL PARK</p> <p>ADDRESS: APPLETON, WI</p> <p>DATE: 02.06.12</p> <p>FILE NAME: 12-00121.CDR</p> <p>REVISED BY: DAN</p>	<p>DESIGNER: KRISTY STACY</p> <p>SCALE: 3/8"=1'-0"</p> <p>REV. DATE: 1.7.16</p>	<p>PG: 1 OF 2</p> <p>NOTES:</p> <p>THIS IS AN ORIGINAL DRAWING CREATED BY TIM'S LIGHTING COMPANY, INC. NO PART OF THIS DOCUMENT MAY BE USED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION FROM TIM'S LIGHTING COMPANY, INC. COLORS SHOWN ON ART MAY VARY DUE TO VARYING SURFACE MATERIALS AND PAINT.</p>
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8' CABINET WIDTH



2' CABINET DEPTH



TOP VIEW

DIRECT EMBEDMENT POLE AND CONCRETE FOUNDATION

<p>TLCSIGN TRUSTED. LOYAL. CREATIVE. A DIVISION OF TIM'S LIGHTING COMPANY, INC. 920-657-4113 920-657-3625 920-657-3625</p>	<p>Sign</p>	<p>EASTERN WISCONSIN: O: 920-733-4113 F: 920-733-3448 555 EISENHOWER DR. KIMBERLY, WI 54136</p> <p>CENTRAL WISCONSIN: N7255 32ND CT. WEYBURN, WI 54983 O: 920-657-4113 F: 920-657-3625</p>	<p>CLIENT: CITY OF APPLETON-MEMORIAL PARK PG: 2 OF 2</p> <p>ADDRESS: APPLETON, WI</p> <p>DATE: 02.06.12</p> <p>FILE NAME: 12-00121.CDR</p> <p>DESIGNER: DAN LUKASZEWSKI</p> <p>SCALE: 3/8"=1'-0"</p> <p>REV. DATE: 3.3.16</p>	<p>NOTES:</p>	<p>CUSTOMER SIGNATURE FOR DESIGN APPROVAL</p>	<p>THIS IS AN ORIGINAL DRAWING CREATED BY TIM'S LIGHTING COMPANY, INC. NO PART OF THIS DOCUMENT MAY BE USED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION FROM TIM'S LIGHTING COMPANY, INC. COLORS SHOWN ON ART MAY VARY DUE TO VARYING SURFACE MATERIALS AND PAINT.</p>
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ELEC WR **WI3899162**

GAS WR

CITY / TOWN / VILLAGE: C - APPLETONCUST/PROJ NAME: CITY OF APPLETONPROJECT LOCATION: WITZKE RD AND BALLARDWORK DESCRIPTION: NEW 200A DB SERVICE TO SIGNPREPARED BY: HEATH HEMAUERE-MAIL: HEATH.HEMAUER@WE-ENERGIES.COMOFFICE #: 920-380-3355

CELL #:

PAGER #: 5469

IO #:

PROJECT ID:

CGS #:

DATE PREPARED: 2/24/2016

DATE REVISED:

COMMON INFORMATION

STAKING REQUIREMENTS:

- ☐ SURVEYOR ☐ STAKED
☐ DESIGNER ☒ NOT NEEDED

MAIN / SERVICE IN EASEMENT:

- ☐ YES ☐ NO

RESTORE PRIVATE PROPERTY: ☒ WE ENERGIES ☐ CUSTOMERWORK IS APPROX 50 FT, DIRECTION NW OF CL OFWITZKE AND BALLARD NEAREST CROSS STREET
(ALSO FOR GAS SERVICE TEE)

ELECTRIC INFORMATION

OPER MAP #: 3888-9044-02 FEEDER/LINE #: FFRR63

CATV JOINT USE #: _____ TEL JOINT USE #:

PROPOSED GAS SERVICE INFORMATION

MTR SIZE: _____ MTR TYPE: _____ PRES: _____

SERV PIPE SIZE: _____ MATERIAL: _____

MTR LOC: _____ FT. _____ OF _____ CORNER

CONSTRUCTION TYPE: _____

- ☐ EFV
☐ RELIGHT
☐ CURB VLV
☐ TIE IN PIPING

JOB INFO:

SECTION / TOWN / RANGE: SE1/4 SEC13, T21N, R17ESITE VISIT COMPLETED BY: HEATH HEMAUERJOB OWNER: STACY CZAJKOWSKI 920-380-3346

MAIN CONTACTS

- ☐ CONTRACTOR/BUILDER:
☐ PLUMBER/ HVAC:
☐ ELECTRICIAN: TOM FLICK 920-832-3915
☐ CUSTOMER:

CONTINGENCIES & COMMENTS:

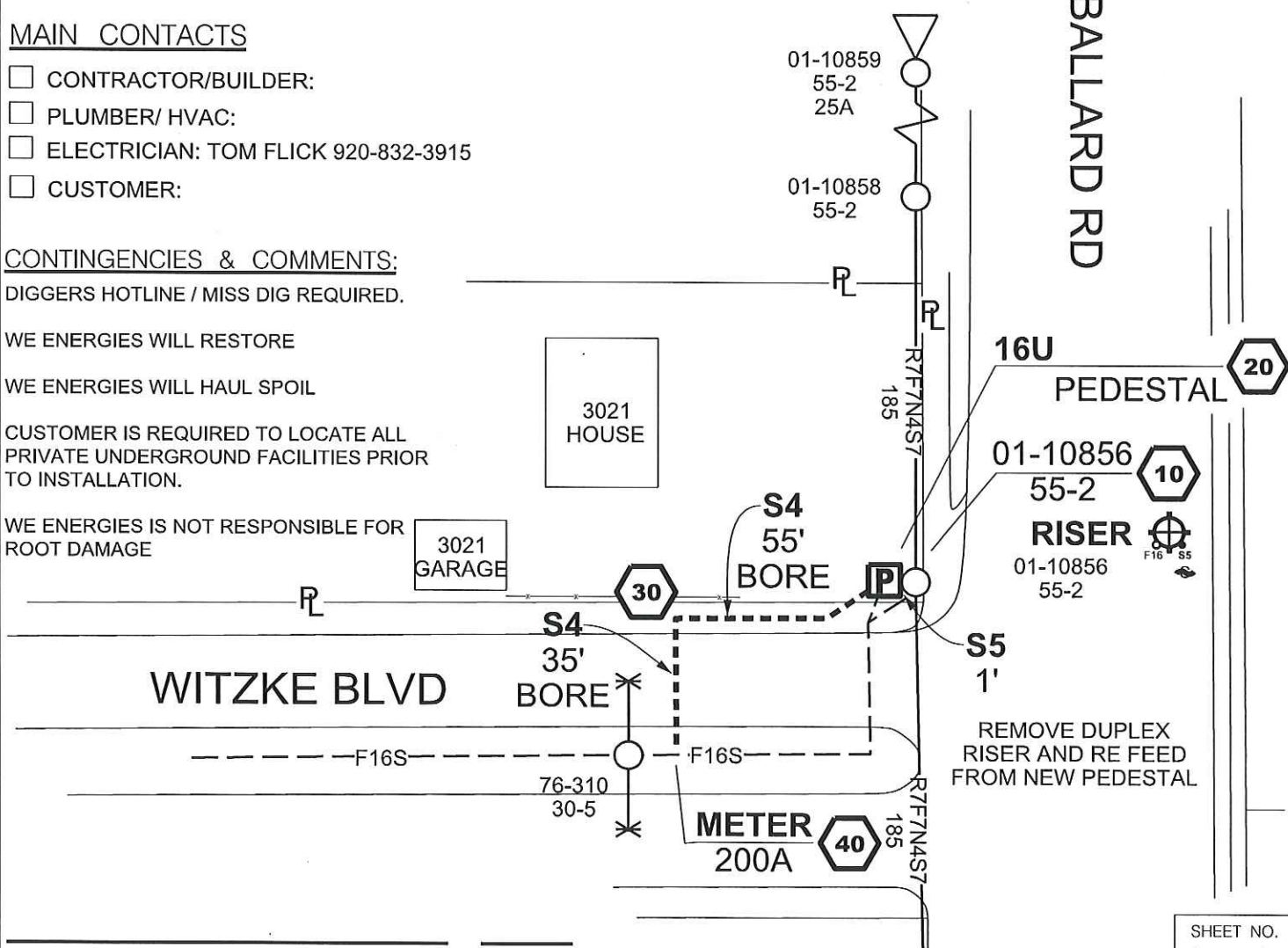
DIGGERS HOTLINE / MISS DIG REQUIRED.

WE ENERGIES WILL RESTORE

WE ENERGIES WILL HAUL SPOIL

CUSTOMER IS REQUIRED TO LOCATE ALL PRIVATE UNDERGROUND FACILITIES PRIOR TO INSTALLATION.

WE ENERGIES IS NOT RESPONSIBLE FOR ROOT DAMAGE



CUSTOMER'S SIGNATURE OF APPROVAL _____ DATE _____

\$DATE\$ \$TIMES\$ \$FILES\$

SHEET NO.

1 OF 1

Witzke Blvd

Ballard Rd (CTH E)



Proposed LED Sign



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

**LICENSE APPLICATION for
OPERATOR'S (BARTENDER'S) LICENSE**

FEES ARE NON-REFUNDABLE		Date Rec'd <u>6/29/16</u>
<input type="checkbox"/> Operator License	\$60.00	Acct. 11030.4307
<input checked="" type="checkbox"/> Operator License		
<input checked="" type="checkbox"/> Plus a provisional	\$75.00	Acct. 11030.4307
<input checked="" type="checkbox"/> Investigation fee	\$ 7.00	Acct. 100.2359
Total fee paid \$	<u>82.</u>	Receipt <u>4550926</u>
<input checked="" type="checkbox"/> Original Application		
<input type="checkbox"/> Renewal - License # _____		

SECTION 1 - APPLICANT INFORMATION

Applicant Name (Last, First, MI) <u>Finkler Lisa J</u>		Maiden	
Street Address <u>954 W Cecil St</u>	City <u>Neenah</u>	State <u>WI</u>	Zip <u>54956</u>
Driver's License Number		State License Issued In: <u>WI</u>	
Date of Birth	Sex <u>F</u>	Home Phone Number	Cell phone Number

Name and Address of Establishment you will be selling alcohol

Mr Brews taphouse 201 S Riverheath way, Appleton WI 54915

SECTION 2 - CONVICTION RECORD - NEW APPLICANT: You are required to list each and every violation and/or offense for which you have been convicted. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? ☒ YES ☐ NO

If Yes; where? Kimberly - currently

Have you EVER been convicted of a felony? ☒ YES ☐ NO

If Yes; when, where and what type of violation? (Please be specific)

1/29/14 outagamie co. possession of THC, parathen, Methamphet.

Have you EVER been convicted of a misdemeanor or ordinance violation? ☒ YES ☐ NO

If Yes; when, where and what type of violation? (Example: speeding, OWI) speeding 5/29/13 1-100 over outagamie co

SECTION 2 - CONVICTION RECORD - RENEWAL APPLICANT: List any pending charges, citations, tickets and all convictions since last license application. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? ☐ YES ☐ NO

If Yes; where? _____

Have you been convicted of a felony since last license application? ☐ YES ☐ NO

If Yes; when, where and what type of violation? (Please be specific) _____

Have you been convicted of a misdemeanor or ordinance violation since last license application? ☐ YES ☐ NO

If Yes; when, where and what type of violation? (Example: speeding, OWI) _____

SECTION 3 - PENALTY NOTICE

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.

Signature: Lisa J Finkler

FOR OFFICE USE ONLY

Department	Approve	Deny	By	Reason
POLICE		<input checked="" type="checkbox"/>	<u>Miller</u>	
Date sent to APD <u>6-28-16</u>	Scheduled FVTC Class	Class Completion Date <u>5-11-16</u>	Current other license: Muni _____ # _____	
Safety and Licensing <u>7-13-16</u>	Common Council <u>7-20-16</u>	Date issued	Expiration Date <u>6-30-18</u>	License Number

Last increase adopted 11-21-2012 Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Return application to: City Clerk, 100 N. Appleton Street, Appleton, WI 54911-4799

Scott Walker
Governor

Jon E. Litscher
Secretary



State of Wisconsin
Department of Corrections
Div. of Community Corrections
1348 American Drive
Neenah, WI 54956
Ph: 920-729-4540
Fax: 920-729-4546

State of Wisconsin Department of Corrections

07/06/16

To Whom It May Concern:

I am currently supervising Lisa Finkler and she is scheduled to discharge on 08/14/17. She is in good standings with Probation and has not had any violations since she was placed on Probation on 08/17/15. I am aware is working at Mr. Brew's and Anduzzie's and I have no concerns about her serving alcohol at these establishments.

Please let me know if you have any other questions or concerns.

Thank you,

Amy Thompson

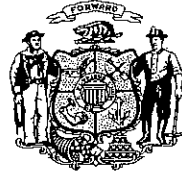
Amy Thompson
Neenah Probation/Parole
920-729-4542

Copy: File

Owner Mr Brews:
Tammy Verhagen
920-819-7177
Jason Mackie (GIM)
920-809-7311

Scott Walker
Governor

Jon E. Litscher
Secretary



State of Wisconsin
Department of Corrections
Div. of Community Corrections
1348 American Drive
Neenah, WI 54956
Ph: 920-729-4540
Fax: 920-729-4546

State of Wisconsin Department of Corrections

05/06/16

Lisa Finkler
954 W. Cecil Street
Neenah, WI 54956

Ms. Finkler,

Agent Amy Thompson recently shared with me the many accomplishments you have achieved over the past year. I would like to extend my congratulations to you on one year of sobriety. It takes a lot of hard work and dedication to accomplish this. In addition, it is my understanding you have successfully completed AODA treatment at Options and are working on receiving treatment in other areas. Agent Thompson shared that she has been very pleased you have reported as directed and have passed all of your random UA tests. Your commitment to sobriety and supervision is commendable. Additionally, I understand you are actively involved in the NA/AA community and hold a position at the meetings while also working two jobs and maintaining your own residence.

Congratulations again for accomplishing one year of sobriety and for all the positive changes you have made over this past year. Keep up the great work!

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Hornacek".

Jennifer Hornacek
Corrections Field Supervisor- Neenah

Copy: File

FIRE PREVENTION AND PROTECTION

Sec. 6-12. Burning trash, rubbish, garbage, yard waste, etc.

(a) No person shall build, maintain or allow to be operated or maintained on a premises controlled by him/her, any waste burner, refuse burner, trash burner or other similar appliance unless such device is permitted with the approval of the Inspections Supervisor and the Fire Chief, or his designee.

(b) No person shall operate an outside incinerator, burn garbage, or leaves within the City.
(Code 1965, §19.05(1), (3)-(5); Ord 1-91, §1(19.05(1), (3)-(5)), 1-9-91; Ord 174-93, §1, 10-19-93; Ord 119-96, §1, 12-18-96, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09)

Sec. 6-13. Open outdoor fires, outdoor fireplaces, cooking fires and barbecue grills, kettles and outdoor hibachis.

(a) No open outdoor fires, including fires confined within outdoor fireplaces and outdoor cooking fires, with the exception of fires fueled by natural gas, propane or charcoal in commercially manufactured appliances or a non-commercially manufactured appliance approved by the Fire Chief or his designee, shall be started by any person unless a permit is first obtained from the Fire Department. No permit shall be granted for open burning for multifamily occupancies without separate private yards for each tenant, nor without the property owner's permission, in a public right-of-way, alley or other public thoroughfare.

- (1) Daily permits are available for bonfires, brush burns, wildland management burns, outdoor fireplaces and cooking fires.
- (2) Annual permits are available for recreational fires in outdoor fireplace appliances. (January 1 through December 31).
- (3) Annual and single day permits are valid 6:00 a.m. to 10:00 p.m. Sunday through Thursday, 6:00 a.m. to 12:00 a.m. Friday, Saturday, and any day/evening preceding a federal holiday.
- (4) No permit will be issued for any fire within ten (10) feet of any building, structure, fence, combustible material or property line.
- (5) Only those fuels and appliances approved by the Fire Chief or his designee shall be used.
- (6) Burning is to be attended at all times by a person at least eighteen (18) years of age, with an approved means of extinguishing the

fire available for use at the location of the fire.

(b) Barbecue grills, kettles, outdoor hibachis.

- (1) Charcoal burners and other open-flame devices shall not be operated on combustible balconies or within ten (10) feet of combustible construction in all dwellings. Exceptions:

a. Single family dwellings.

b. Permanently piped natural gas fired barbecue grills, where dwellings, balconies, and decks are protected by automatic sprinkler system.

- (2) Cylinders having water capacities greater than 2½ lb. (1 kg) [nominal 1 lb. (0.5 kg) LP-Gas capacity] shall not be located on balconies above the first floor that are attached to a multiple family dwelling of three (3) or more living units.

(c) No person shall install, use or maintain a woodfire furnace, stove or boiler that is not located within a building intended for habitation by humans within the City limits. This prohibition shall apply to furnaces, stoves or boilers installed after the effective date of this ordinance.

(d) The Fire Chief or his designee shall have the authority to prohibit any and all open burning when atmospheric conditions or local circumstances make such fire hazardous. No burning will be allowed if wind conditions will cause smoke, embers or other burning materials to be carried towards any building or other combustible material, nor anytime the wind is in excess of nine miles per hour (9 m.p.h.) as measured by the Outagamie County Emergency Communication Center.

(e) The Fire Chief or his designee is authorized to require any fire to be immediately discontinued if determined that the smoke emissions are offensive to occupants of the surrounding properties or if the fire is determined to constitute a hazardous condition.
(Code 1965, §19.05(2); Ord 1-91, §1(19.05(2)), 1-9-91, Ord 136-01, §1, 8-20-01; Ord 135-05, §1, 11-22-05; Ord 23-09, §1, 1-13-09)

Sec. 6-14. Careless smoking prohibited.

(a) It is unlawful for any person, by reason of careless, willful or wanton conduct in smoking or in the use of lighters or matches in smoking to set fire to any bedding, carpet, curtains, draperies, furniture, household equipment or other goods or chattels or to any building.

APPLETON MUNICIPAL CODE

ARTICLE II. PUBLIC NUISANCES
GENERALLY*

Sec. 12-26. Penalty for violation of article.

Any person who shall violate any provision of this article shall be subject to a penalty as provided in §1-16.
(Code 1965, §9.05)

Sec. 12-27. Public nuisance defined.

A public nuisance is a thing, act, occupation, condition or use of property which shall continue for such length of time as to:

- (1) Substantially annoy, injure or endanger the comfort, health, repose or safety of the public.
- (2) In any way render the public insecure in life or in the use of property.
- (3) Greatly offend the public morals or decency.
- (4) Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway, navigable body of water, or other public way or the use of public property.

(Code 1965, §9.02(1))

Cross reference(s) — Sanitary facilities required for housing, §4-238. Definitions and rules of construction generally, §1-2.

State law reference — Nuisances, W.S.A. §823.01, et seq.

Sec. 12-28. Public nuisances affecting health.

The following acts, omissions, places, conditions and things are hereby specifically declared to be public health nuisances, but such enumeration shall not be construed to exclude other health nuisances coming within the provisions of §12-27.

- (1) All decayed, harmfully adulterated or unwholesome food or drink sold or offered for sale to the public.
- (2) Carcasses of animals, birds or fowl not intended for human consumption or food which are not buried or otherwise disposed of in a sanitary manner within twenty-four (24) hours after death.
- (3) Accumulations of decayed animal or vegetable matter, trash, rubbish, rotting lumber, bedding, packing material, scrap metal or any material whatsoever in which flies, mosquitoes, disease-carrying insects, rats or other vermin may breed.
- (4) Any pit, hole, excavation, gully, ditch or depression of any nature whatsoever wherein water is

accumulated and retained for more than seventy-two (72) hours, except that stormwater conveyance systems or water quality devices installed or maintained by the City; or permitted stormwater control practices installed and maintained on public or private property, are not included.

- (5) Privy vaults and garbage cans which are not flytight.
- (6) All noxious weeds and other rank growth of vegetation.
- (7) All domestic animals running at large.
- (8) The pollution of any public well or cistern, stream, lake, canal or other body of water by sewage, creamery or industrial wastes or other substances.
- (9) Any use of property substances or things within the city emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, gases, effluvia or stenches extremely repulsive to the physical senses of ordinary persons which annoy, discomfort, injure or inconvenience the health of any appreciable number of persons within the city.

- (10) Any use of property which causes any nauseous or unwholesome liquid or substance to flow into or upon any street, gutter, alley, sidewalk or public place within the city.

(Code 1965, §9.02(2); Ord 118-08, §1, 7-8-08)

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

Sec. 12-29. Public nuisances offending morals and decency.

The following acts, omissions, places, conditions and things are hereby specifically declared to be public nuisances offending public morals and decency, but such enumeration shall not be construed to exclude other nuisances offending public morals and decency coming within the provisions of §12-27.

- (1) All disorderly houses, bawdy houses, houses of ill fame, gambling houses and buildings or structures kept or resorted to for the purpose of prostitution, promiscuous sexual intercourse or gambling.
- (2) All gambling devices and slot machines.
- (3) All places where intoxicating liquor or fermented malt beverages are sold, possessed, stored, brewed, bottled, manufactured or rectified without a permit or license as provided for by the ordinances of the City.



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

APPLETON FIRE DEPARTMENT
700 N. DREW STREET
APPLETON, WI 54911

MEMORANDUM

To: Chief Vander Wyst
From: B/C Joseph Strauss
Date: 6/7/2016
Re: **AMC 6-13(e)**

When the Appleton Fire Department receives a complaint that a recreational fire is bothersome to the occupants of a nearby residence, it has been the practice to determine the following:

1. Does the person having the fire have a valid permit with the City of Appleton,
2. Is the fire pit or appliance compliant (i.e. screen, cover, appropriate size, availability of water source, set backs, etc),
3. Is the person burning within the legally prescribed hours,
4. Is the person burning when the winds are below 9 mph,
5. Is the person burning approved fuels (i.e. dry, natural wood), and
6. Is the burning attended by someone at least eighteen (18) years of age.

These requirements are all clearly defined in AMC 6-13 (a) & (d).

It has been the position of the Appleton Fire Department in recent years that if the person burning their recreational fire is in legal compliance, that we would not ask them to extinguish it based simply upon a neighbors smoke complaint.

Upon examination of AMC 6-13 (See attached copy), subsection (e) includes the following language:

"The Fire Chief or his designee is authorized to require any fire to be immediately discontinued if determined that the smoke emissions are offensive to occupants of the surrounding properties or if the fire is determined to constitute a hazardous condition."

This subsection contradicts the position of the fire department as it relates to the smoke emissions of a recreational fire. As previously stated, as a department, we have determined that if a fire is in compliance, we would not have it extinguished simply because the smoke is offensive to someone. What is determined to be an offensive odor to one

"Appleton Fire Department....serving with P.R.I.D.E."

person can equally be pleasant to another. Further, if a fire pit is in compliance, the owner should have the legal right to enjoy the fire, despite objections of a neighbor. Subsection (e) contains additional vague language such as "surrounding properties" and "hazardous condition." Does surrounding properties mean adjoining properties? What if the smoke wafts several houses down the block where it finds an open window? Is that surrounding? Equally vague, the term "hazardous condition" could mean a dangerous condition or it could mean chemically hazardous. What is the intent of the word hazardous?

Thus, my proposal would be to modify AMC 6-13 by eliminating subsection (e) in its entirety.

By eliminating subsection (e), AMC 6-13 would be consistent with the department's position that if a recreational fire is in compliance, we would not require its extinguishment simply due to smoke emissions.

Should the department be dispatched to a property that is having a fire and despite the legal compliance of the fire pit/appliance something is inherently dangerous/unsafe, the department could always fall back on AMC 12-27 (1) and classify the fire as a "Public Nuisance." AMC 12-27 (1) reads as follows:

Sec. 12-27. Public nuisance defined.

A public nuisance is a thing, act, occupation, condition or use of property which shall continue for such length of time as to:

(1) Substantially annoy, injure or endanger the comfort, health, repose or safety of the public.

By having the ability to utilize AMC 12-27 (1), the department will have some discretion to deal with a fire pit that although may be in compliance, is creating an obvious safety problem at that point in time. However, there is need to be cognizant that AMC 12-27 (1) should not be utilized to extinguish a fire that is in compliance but is "annoying" to a neighbor simply because they do not like the odor associated with the burning of a fire. AMC 12-27 (1) should be used with extreme caution and care as to address those fires that are inherently unsafe/dangerous. I would see the usage of AMC 12-27 (1) as being applied very rarely. I would encourage the officers to evaluate a fire by using items 1-6 as detailed above. If any of those items are not complied with, the fire can and should be extinguished. AMC 12-27 (1) should not be used to deal with a neighborhood dispute (i.e. a history of bad blood between neighbors) where there is a regular, small, controlled and safe backyard campfire producing a minimal amount of smoke that is typical for such a fire.

Recreational fire permits have increased from 868 in 2013 to 1,052 in 2015. We have seen a substantial increase in use of the on-line permit process for the fire permits. The Common Council made a determination years ago that recreational fires are one of those quality of life issues that citizens should have the ability to enjoy. This modification to the ordinance will be consistent with our position and the intent of the Common Council.



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**APPLETON FIRE DEPARTMENT
700 N. DREW STREET
APPLETON, WI 54911**

MEMORANDUM

To: Alderperson Kyle Lobner, Safety and Licensing Committee
Members of the Common Council

From: Len Vander Wyst, Fire Chief

Date: June 24, 2016

Re: Authorization to Purchase Fire Pumper – Single Source

The fire department is requesting authorization to purchase a fire pumper from Fire Apparatus and Equipment which is the Pierce Manufacturing vendor for this area. This purchase will take place in 2017 through the Central Equipment Agency's (CEA) replacement funds. Specification development by an internal committee will begin soon as it takes several months to develop specifications for a pumper and over nine months to manufacture a pumper from start to finish. This work is very technical in nature and a single source vendor will have the knowledge and direct ability to customize the pumper to meet the specific needs of the Appleton Fire Department.

Past experience has proven that purchasing firetrucks from Pierce Manufacturing has provided exceptionally advantageous pricing. Other agencies have garnered better pricing by single sourcing the vendor for multiple vehicle purchases. The Appleton Fire Department is not only purchasing this single firetruck, but rather five replacement vehicles over the next four years--not to mention a sixth vehicle that is in the capital improvement plan for 2018. The department has identified that standardizing our fleet will improve maintenance and consistency for personnel moving from station to station. While the department seeks to single source this purchase and potential future purchases, the final purchase recommendation each year will still come before the Safety and Licensing Committee and Common Council for approval.

The department has a long-standing relationship with Pierce Manufacturing and has seen the innovation, cooperation, improved pricing, as well as their commitment and direct involvement in the growth of our City. When the department encounters issues with firetrucks, Pierce Manufacturing is extremely responsive to our needs including taking parts off the assembly line to assist us in keeping our trucks in service. Historically, Pierce Manufacturing has supported the City of Appleton's Flag Day parade and other community-wide initiatives. Plus, hundreds of employees working for Pierce Manufacturing live in the City of Appleton and our surrounding communities. It is for all of the reasons that the department is seeking authorization to single source the future purchases of our firetrucks to Fire Apparatus and Equipment, our local Pierce Manufacturing vendor.

If you have any questions, please feel free to contact Deputy Chief Reece or myself.

16-1027

Sharon Reader
Owner - Emmetts Bar & Grill
139 N. Richmond St.

June 15, 2016

To Whom It May Concern,

I would like to amend my liquor license to include my parking lot (approximate sq. footage = 100 x 100 sq ft) for Mile Of Music Festival weekend. The dates are Thursday, August 4 through Sunday, August 7.

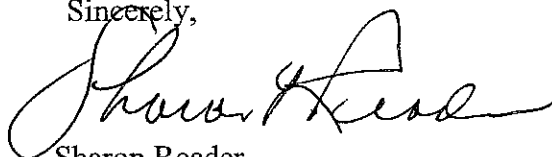
We will have plenty of staff and security scheduled for this event. We plan to have this area fenced off. We will not be allowing anyone under the age of 21 into this area. We will have plenty of Port-a-Potties available.

I have already discussed this with Dave Willems with the Mile of Music venue and he is on board. I have gotten permission from my landlord and surrounding business and neighbors to hold the event outside.

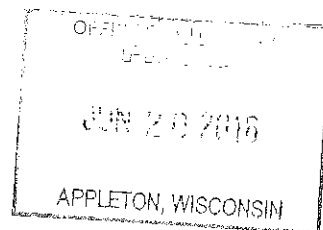
If this is any more information you would need, please call me at 920-378-3697.

Sincerely,

0001



Sharon Reader
Owner - Emmetts Bar & Grill



Operator's Licenses for 7/13/16 S & L

Approved

Alexus M. Thoma	3007 Chain Drive, #9
Andrew J. Kratz	501 E. Sheffield Lane
Ashley J. Goebel	408 ½ Fourth Street, Neenah
Carsen J. LeCapitaine	4709 N. Morningview Court
Christina L. Reitzner	W4075 Krueger Road
Courtney A. Endres	600 S. Westland Drive, #N
David T. Tarr	1015 W. Polaris Court
Elena E. Chen	222 N. Meade Street
Eric M. Vanden Boogard	4840 N. Latitude Lane
Jade L. Schauf	121 W. Capitol Drive
June Rothmeyer	3600 W. Spencer Street
Matthew J. VandenBloomer	1418 S. Lawe Street
Maurisa J. Muthig	215 ½ E. College Avenue
Michael S. Brochtrup	210 Royal Court, #8
Michelle L. Warn	2730 S. Kernan Avenue, #8
Michelle A. Wroblewski	5222 Long Court
Shannon L. Smith	3201 Blueberry Lane
Sharon L. Rusch	1807 E. Robin Way, #G
Vang Thao	735 Appleton Road, Menasha
Vanessa L. Sonzo	707 N. Harriman Street
Mitchell W. Gaffner	1402 N. Clark Street
Mahmud K. Khatib	N111 Coop Road
Jake G. Kreutzer	711 E. Boldt Way, SPC 1341
Courtney J. Wendt	1001 S. East Street, #23
Anna C. Johnson	303B Lom Street, Combined Locks

Renewal Operator's Licenses for 7/13/16 S & L

Approved

Alan P. Brockman	207 S. Pine Street, Kimberly
Brandon Koepke	3502 S. Telulah Avenue
Bruce R. Bartels	W2735 Emons Road
Bryan C. Robertson	N3894 Lawrence Road, Hortonville
Camila M. Knudson	900 E. Apple Creek Road
Deborah M. Wirth	1767 Schaefer Circle
Dorothy Yang	1341 W. Homestead Drive
Erika K. Nakashima	1271 Whippletree Lane, Neenah
Hamilton H. Ngo	412 Emons Road
James M. Weidner	512 Valley Road, Menasha
Kallie A. Housum	220 E. Atlantic Street
Lori J. Brockman	207 S. Pine Street, Kimberly
LynnAnn Wierschem	W6767 Winward Drive, Greenville
Mandy L. Davenport	812 W. Washington Street
Patrick W. Bourassa	603 W. Parkway Blvd.
Priscilla D. Baker	201 W. 8 th Street, Kaukauna
Stephanie Danielson	814 W. Spencer Street
Tyler J. Dolan	3020A W. Spencer Street
Taylor J. Bruch	122 Mary Street, Combined Locks
Shelby A. Zahringer	W1481 Schneider Road, Hilbert
Savannah N. Goodwill	N925 Dale Avenue, Dale
Peter J. Lettermann	611 Van Buren Street, Little Chute
Lani M. Xiong	N1458 Fairwinds Drive, Greenville
Jordan M. Murray	719 W. Oklahoma Drive
Jon K. Jansen	1818 S. Peabody Street
Jessica M. Dukelow	1611 N. Durkee Street
Christine A. Taycher	N3115 Twelve Corners Road
Christine M. Becker	917 Short Street
Chantay L. Riedle	1109 Geneva Road, #4, Menasha
Berray A. Billington	415 E. Pacific Street
Amber M. Koclanes	508 Spring Road Dr., Neenah
Amanda M. Settle	1422 W. Oakcrest Drive



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**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

1819 East Witzke Boulevard
Appleton, Wisconsin 54911-8401
(920) 832-5572 FAX (920) 993-3103
Email - dean.gazza@appleton.org

TO: Parks & Recreation Committee

FROM: Dean R. Gazza, Director of Parks, Recreation and Facilities Management

DATE: 7/11/2016

RE: Action Item: Request Approval of Resolution #7-R-16 Submitted by Alderperson Meltzer and Alderperson Reed on 6-1-16.

Alderperson Meltzer and Alderperson Reed submitted Resolution #7-R-16 on June 1, 2016 to allow dogs in parks under full control of a collared leash by the owner at all times. This resolution was referred to staff to come back to the Parks and Recreation Committee on July 11, 2016.

The Parks, Recreation and Facilities Management Department believes there are two reasonable options for the Parks and Recreation Committee to consider:

1. No change to the current ordinance.
2. Modifying the ordinance with the following restrictions:
 - No person shall bring animals onto park property, with the exception of leashed dogs on roads or paved or gravel trails. Dogs are not allowed on playgrounds, athletic fields, picnic areas, the skateboard parks, lawns or in park shelters.
 - All persons shall secure their dog on a leash eight feet or shorter in length and maintain their dog under control, meaning connected to a leash held by a person at all times.
 - Dogs are not to run at large. It shall be unlawful for any person, who is the owner of, or in possession of, or charged with the care of a dog, to permit same to run at large within any city park.
 - Dogs must display current rabies tag and current registration tags.
 - All dog waste must be immediately picked up and disposed of by the dog handler.
 - This shall not apply to a service animal, as defined under the American for Disabilities Act, that under control by the use of a harness or other restraint and are accompanying blind, deaf or mobility impaired persons, as provided under Wis. Stats. § 174.056.

Please find additional letters from both the Police and Health Departments regarding this resolution.

Please feel free to contact myself, Dean Gazza at 832-5572 with any questions.



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Date: June 22, 2016

To: Joe Martin-Chair, Parks and Recreation Committee

From: Kurt Eggebrecht, Health Officer

In response to your committee's request I have put into writing four issues that I also discussed at the October 9th, 2013 Park and Recreation committee meeting regarding the topic of allowing dogs in City parks. The context of my remarks that night are true today and was intended to bring awareness of health related issues for the committee's consideration as they make their policy decision of whether to allow dogs in City parks.

I should share that I am a dog lover and have owned dogs in the past and recognized that pet owners often gain physically and emotionally from dog ownership. Generally dog handlers benefit from more walking as a result of having a dog.

I. First, I had made the committee aware that based on State Food Codes dogs are not allowed in licensed premises of Food and Beverage establishments. The rationale for this specific food code is to prevent the spread of illness that could occur during the preparation and serving of food. Animals carry disease—causing organisms and can transmit pathogens to humans through direct and/or indirect contamination of food and food contact surfaces. Animals shed hair and may deposit liquid or fecal waste, creating the need for vigilance and more frequent and rigorous cleaning efforts. Currently as agents of the State we license food establishments at Reid, Meade, Erb, and Memorial parks.

II. Next I spoke about other considerations including predatory behavior often referred to as predatory drift. This occurs when a larger dog views a smaller dog as prey. Playful interaction can turn dangerous if the smaller dog starts to act like prey, such as yelping, struggling or attempting to flee. The yelping can result from something as simple as accidentally being stepped on by a bigger dog- or it could be a genuine fear response. This is the reason why in dog parks you have a separate space for large dogs and small dogs. Even when leashed, a large dog can overpower its handler.

III. Third I spoke of other unintended consequences. Dog bites and rabies control. On or off leash a dog can cause a bite or scratch to another pet or human, requiring medical attention. The dog handler could leave the scene which may result in the victim undergoing rabies post-exposure prophylaxis. The biting dog, if found would be ordered quarantined. Rabies from dogs are rare in the United States.

IV. I then shared that although dogs can pass germs to people, you are not likely to get sick from touching or owning dogs. To best protect yourself from getting sick, thoroughly wash your hands with running water and soap after contact with dogs, dog saliva, or dog feces. Dogs can carry a variety of germs that can make people sick. Some of these germs are common and some are rare. For example, puppies and some adult dogs may pass the bacterium campylobacter in their feces. This germ can cause diarrhea in people. Some people are more likely than others to get sick from dogs. A person's age and health status may affect his or her immune system, increasing the chances of getting sick. People who are more likely to get diseases from dogs include infants, children younger than 5 years old, organ transplant patients, people with HIV/AIDS, and people being treated for cancer.

Lastly I shared with the committee that in preparation of the meeting I became aware of how our State parks address this issue of allowing dogs on State property. I expressed that I believe the guidelines that they have in place minimize the four areas I have discussed. Some state parks allow dogs in certain areas and don't allow in other areas. Pets are not allowed in buildings, picnic areas, playgrounds, and marked nature trails, including cross country ski trails when groomed for skiing. The Wisconsin Department of natural resources website states that all dogs must be on a leash no longer than 8 feet at all times. This is consistent with the City's recently passed leash requirements. Pets must be under control at all times. Loose pets may be seized and are subject to local laws pertaining to stray animals. Pet owners are responsible for proper removal and disposal of their pets' waste products. Waste should be disposed of in dumpsters or trash receptacles.



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POLICE DEPARTMENT

222 South Walnut Street • Appleton, WI 54911-5899
(920) 832-5500 • Fax (920) 832-5553
<http://www.appleton.org/police>

To: Director Dean Gazza
From: Chief Todd Thomas
Date: June 10, 2016
Subject: Dogs in Parks Ordinance

The issue of Dogs in Parks is one people are passionate about, but as government officials we need to not become involved in emotions and make courageous decisions that are in the best interest of the public.

We do not believe there needs to be a change in the ordinance. There are many public health and safety issues with having dogs off a leash, or on a leash, in a park. I grew up with dogs in Appleton and never had a problem exercising or walking my dog in my neighborhood. We agree most dog owners are responsible, but all you need to do is walk some of the trails where dogs are allowed to see that not all of them are. Citizens are also not supposed to litter in the parks and pick up after themselves but walk through any park and you will see noncompliance.

When we discussed alcohol in the parks we looked at what our surrounding jurisdictions did to get consistency. **Grand Chute** requires a leash of 6 feet or less, and that the dogs must stay within six feet of any bike or walking trail in a park. **Little Chute** requires an eight foot leash, but must be on a road or trail and are not allowed on playgrounds, athletic fields, picnic areas, lawns or in park shelters.

As mentioned by one of the advocates for allowing dogs in the park **Madison** has On-Leash and Off-Leash areas. But Madison don't just allow dogs in parks; they are only allowed in very limited circumstances. In Madison, to have dogs off-leash requires a permit, and only in eight specific parks, and in areas not used by others; in essence "dog parks" in a regular park. They also have specific requirements for establishing an off-leash dog park area such as a minimum of one acre, parking available nearby, site conflict with other use, conflict with pedestrian or bike travel, etc..

City of Madison Dog On-Leash Areas link below;
<http://www.cityofmadison.com/parks/facilities/dogParks.cfm?typeId=2>

City of Madison Dog Off – Leash Areas link below;
<http://www.cityofmadison.com/parks/facilities/dogparks.cfm?typeId=1>

The Police Department would not be in favor of a change in the ordinance. If the council decides they need to make a change we think our city insurance carrier is consulted and we would recommend language similar to what we see in the ordinances in Grand Chute and Little Chute.

Sincerely,

Chief Todd Thomas



National Dog Owner Statistics

- It's estimated that 70-80 million dogs are owned in the United States. Approximately 37-47% of all households in the United States have a dog. (Source: American Pet Products Association, 2014)
- 51% of pet parents take their pets with them when they travel (Source: 2014 Study by AAA and Best Western International)
- In 2011, six-out-of-ten pet owners (63.2%) considered their pets to be family members. (Source: U.S. Pet Ownership & Demographics Sourcebook 2012)
- 54% consider themselves "pet parents" instead of "pet owners" (Source: 2011 Study by Mintel)
- The number of minority (i.e., other than White Non-Hispanic) dog or cat households rose 30% from 2006 to 2011, representing the addition of 2.6 million minority households as pet owners. (Source: Experian Simmons Consumer Survey)
- Twenty percent of pet owners admit to ringing home to "speak" to their pet while they're away and four percent of pet owners have even sent their dog or cat a postcard while away.
- The amount of pet owners who chose to stay at pet-friendly hotels jumped by 10 percent from 2010 to 2011 with 78% of the respondents indicating that they had stayed at a hotel because it was pet-friendly (Source: GoPetFriendly.com)
-

Governor Scott Walker
Secretary Stephanie Klett

201 West Washington Avenue P.O. Box 8690 Madison, WI 53708-8690 Telephone: 608.266.7621 FAX: 608.266.3403

TRAVELWISCONSIN.COM



2014 TripsWithPets.com Online Survey Results

- 89% of respondents have stayed at a pet friendly accommodation at least once in the past 2 years. And pet travelers aren't afraid to venture far from home. Over 65% travel anywhere from 50 to 500 miles from home.
- 42% of pet travelers like to call the hotel so that they can request a room on the first floor, close to an exit to make it easier to walk their pet.
- 41% of respondents have at some point snuck their pet into accommodations during their travels. Aside from the lodging not being pet friendly, other reasons for the sneak-ins include; their pet was too big, the accommodation did not accept their type of pet, cost was too much extra for their pet.
- 84% of respondents reported that they actually compare pet amenities offered by accommodations when selecting where to stay. On the top of the list of preferred amenities is pet-sitting services. Although most accommodations don't offer these services themselves, some high-end properties' concierge do provide guests with a directory of local pet sitters that will come to the hotel room to watch pet guests while their people step out. In response to this, TRIPSwthPETS.com now offers a nationwide directory of pet sitters. Other preferred pet amenities that are at the top of discriminating pet travelers lists include; clean-up bags (21%) pet recreation listings (12%), in-room feed bowls (7%), and pet walking services (5%).
- Pet travelers are willing to pay for these special amenities. Over 95% of respondents would pay extra to accommodate their animal companions with most willing to pay up to \$50 per night and some actually willing to pay over \$50 extra per night for their pets.

- 2014 GoPetFriendly.com Online Survey Results

- 51% of respondents always take their pets with them when they travel. Another 44% said they "sometimes" include their pets, 5% said they were planning their first pet-friendly vacation, and only 0.5% said they "never" take their pets along when they travel.
- 78% of respondents travel by car with their pets, with 19.5% traveling by RV. Only 1.5% report traveling by plane. Other modes of transportation, including trains and motorcycles, accounted for just 1% of travel plans.
- The most commonly reported pet travel challenge (41%) was finding things to do and places to eat with your pet.
- 15% of respondents report "finding accommodations" as their primary obstacle to pet travel.
- 51% of the respondents said that their top priority when planning a trip is their own desires and convenience, followed by people who plan their trip around their pet's fun and comfort (40%). Keeping costs down is the most important factor for 6% of people, and the remaining 3% make their decisions based on other considerations.

Governor Scott Walker
Secretary Stephanie Klett

201 West Washington Avenue P.O. Box 8690 Madison, WI 53708-8690 Telephone: 608.266.7621 FAX: 608.266.3403

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**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

1819 East Witzke Boulevard
Appleton, Wisconsin 54911-8401
(920) 832-5572 FAX (920) 993-3103
Email - dean.gazza@appleton.org

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 07-12-2016

RE: Action: Award the Highview Park "2016 Tennis and Basketball Courts" contract to MCC, Inc. in the amount of \$131,351.38 with a contingency of 10% for a project not to exceed \$144,486.52.

The 2016 Capital Improvement Plan includes \$160,640 for the construction of a new tennis and basketball court at Highview Park. Note that the project balance will be utilized to issue a separate contract to MCC, Inc. to address a stormwater solution to improve drainage issues as a result of this project.

The bids were received as follows:

MCC, Inc. (low bid)	\$131,351.38
Northeast Asphalt	\$162,798.95

Our consulting engineer, Rettler Corporation, has written the City of Appleton a formal letter of recommendation to award the contract to MCC, Inc. (see attached). Therefore, the Parks, Recreation, and Facilities Management Department recommends awarding the contract to MCC, Inc. in the amount of \$131,351.38 with a contingency of 10% for a project not to exceed \$144,486.52.

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



Bid Recommendation

M e m o r a n d u m

PROJECT: HIGHVIEW PARK – TENNIS / BASKETBALL COURT PROJECT

FROM: John Kneer

TO: Mr. Tom Flick, Deputy Director of Parks and Recreation, City of Appleton

DATE: May 23, 2016

RE: Bid Results – Highview Park – Tennis / Basketball Court Project

Mr. Flick;

The Highview Park Tennis / Basketball Court Project was bid on May 19, 2016.

Bids for General Site Construction, Contract A: Base Bid, and Alternate "A1" were received from two (2) contractors. Bids were received from MCC, Inc. and Northeast Asphalt, Inc. The alternate bids include: A1 –Basketball Court Surfacing.

Qualifying Bids, General Site Construction, for Contract "A" – Base Bid and Alternate are as follows:

MCC, Inc:

<i>Base Bid</i>	<i>\$127,529.78</i>
<i>Alternate "A1"</i>	<i>\$3,821.60</i>

Northeast Asphalt, Inc.:

<i>Base Bid</i>	<i>\$158,401.70</i>
<i>Alternate "A1"</i>	<i>\$4,397.25</i>

MCC, Inc. is the recommended qualified low bidder for Contract A, Base Bid and Alternate "A1".

Please contact us if you have questions concerning the bid results and accompanying recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Kneer', is written over a horizontal line.

John Kneer, PLA, ASLA
Project Manager



Department of Public Works – Engineering Division

MEMO

TO: Finance Committee
(Informational Copy to Utilities Committee)

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

DATE: July 7, 2016

RE: Request for Additional 2016 Spending Authority in TIF 6 to Construct Milis Drive (Alliance Drive to Eisenhower Drive) Storm Sewer, Sanitary Sewer, and Water Main in 2016. (*CRITICAL TIMING*)

Currently, the proposed improvements for Milis Drive from Alliance Drive to Eisenhower Drive are outside the DPW 5-Year Capital Improvement Program. Based on recent development prospects, Community Development has requested an accelerated schedule for Milis Drive to better position the City to accommodate recent high levels of interest in the Southpoint Commerce Park, and to take advantage of TIF 6 funding before the expiration of construction expenditures in February of 2018.

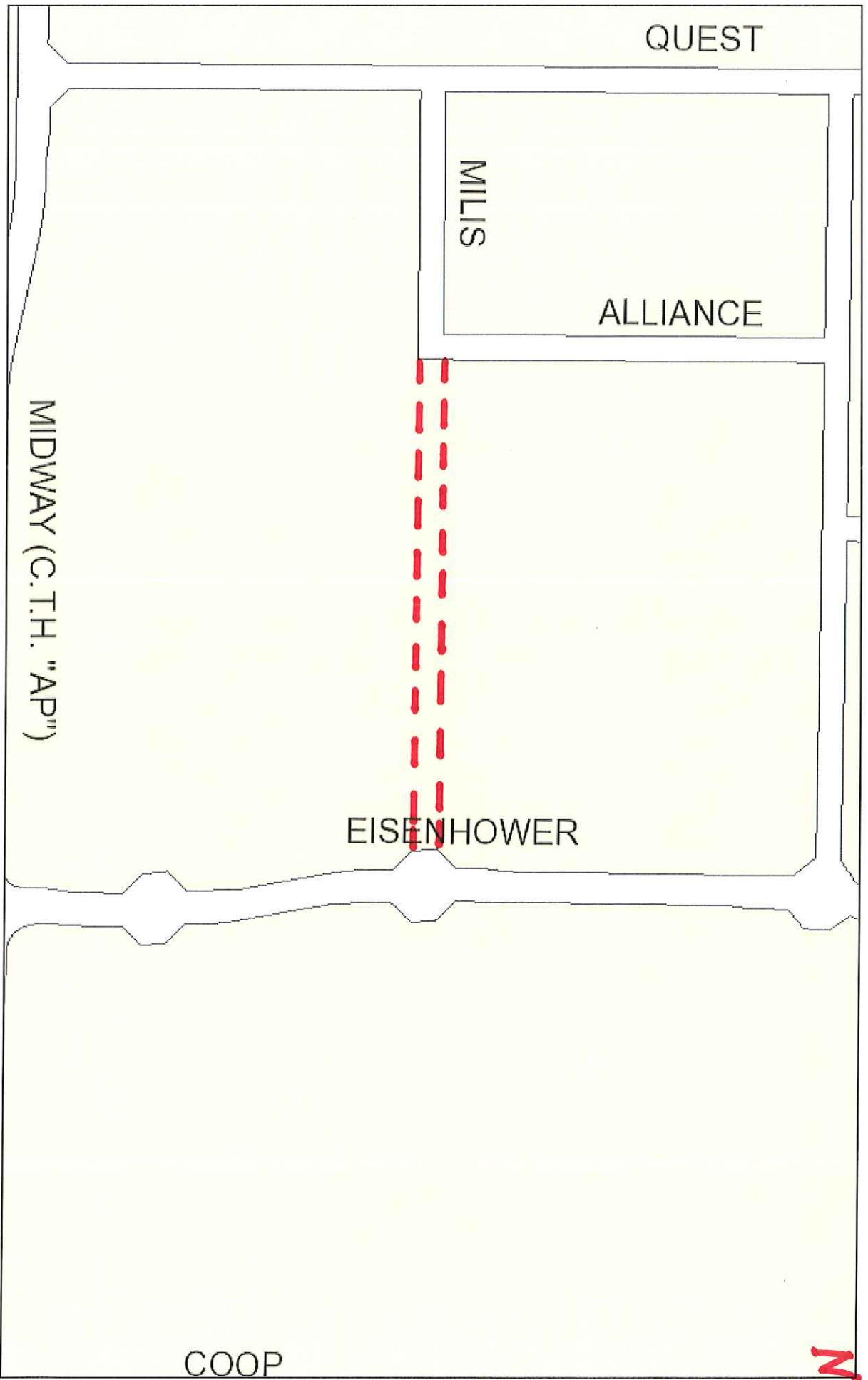
The Department of Public Works is proposing to implement the following accelerated schedule for DPW TIF 6 construction expenditures for Milis Drive:

Year	Description	Amount
2016	Storm Sewer	\$249,700
2016	Sanitary Sewer	\$74,440
2016	Water Main	\$144,200
Total:		\$468,340

The above schedule will allow concrete paving to be completed in 2017 using TIF 6 funds, while providing enough time for utility trenches to consolidate sufficiently to protect the integrity of the road surface. This request is for the proposed 2016 expenditures. 2017 expenditures would be reflected in the pending 2017-2021 CIP request.

Therefore, the Department of Public Works is requesting additional 2016 spending authority in TIF 6 to Construct Milis Drive (Alliance Drive to Eisenhower Drive) as follows:

• Storm Sewer	\$249,700
• Sanitary Sewer	\$74,440
• <u>Water Main</u>	<u>\$144,200</u>
Total:	\$468,340



July 13, 2016





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

TO: Chairperson Greg Dannecker and Members of the Utilities Committee

FROM: Utilities Director Chris Shaw

DATE: March 2, 2016

RE: *Award Matthias Tower Contract Amendment #1 to McMahon and Associates, Inc. for Engineering and Field Services in the amount of \$12,000*

BACKGROUND:

The Matthias Tower, located at 1825 Matthias Street in Appleton was taken out of service in May to be cleaned and inspected. Inspections are a regulatory requirement under Wisconsin DNR Administrative Code NR 810.14 and the American Water Works Association (AWWA) C652. McMahon and Associates was the approved engineering firm to complete the cleaning and inspection work. A contract deliverable was to generate a report with their firm's findings. McMahon and Associates reported a number of maintenance items that will require multiple disciplines to complete including electrical work, welding, and metal fabrication. To ensure project success, bidding documents will have to be developed. In addition, contractor oversight with engineering field services deployed will ensure project quality control.

The March 2, 2016 Matthias Tower memo to the Utilities Committee stated:

"upon receipt of the project deliverables, the City may amend the existing contract by mutual agreement or a new contract may be executed between the parties, for additional work" therefore we are also requesting permission to negotiate the contract for the design and development of construction bid documents with McMahon and Associates, provided their work on the Cleaning and Inspection Project is deemed satisfactory".

I have reviewed McMahon's proposed project scope and feel the City will attain good value by retaining their services during the engineering and construction phase of this project. The 2016 Water Treatment Operations Budget includes \$255,000 for engineering and a construction project at Matthias Tower.

RECOMMENDATION:

I recommend the Award Matthias Tower Contract Amendment #1 to McMahon and Associates, Inc. in the amount of \$12,000 for engineering and field services. If you have any questions regarding this project please contact me at ph: 832-5945



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Information Technology Department
100 N. Appleton Street
Appleton, WI 54911

MEMO

To: Alderperson Konetzke and Members of the IT Committee

From: Dean Fox, Information Technology Director

Date: 7/5/16

Re: Request to award contract for First Defense Monitored Services for outside firewall monitoring of our Palo Alto Firewalls. Monthly cost of \$1,362.22 with a one-time installation fee of \$1,362.22 for a total of \$17,708.86 for year one 2016 CIP Funds to be used in first year.

The 2016 budget includes \$50,000 CIP funding for security assessment and advancement. Part of that assessment calls for 24x7 monitoring of our firewall infrastructure to quickly obtain information on potential threats and then the ability to quickly mitigate those threats.

A quote request went to two companies that offer such a service that has familiarity with our network as well as our Palo Alto firewalls. We received pricing from each of them.

Nexum First Defense is \$1,362.22 per month on a month to month contract.
CoreBTS quoted \$4,122 per month for similar monitoring

No other vendors were contacted due to the specific need to monitor the City's Palo Alto firewall brand.

We worked with both Nexum and CoreBTS extensively in the past and will continue to do so for other projects but Nexum specializes in the monitoring and mitigation for many firewall brands and models in both their Chicago, IL and Albuquerque, NM Network Operations Centers (NOC) and specifically on Palo Alto Equipment. The contract calls for shared responsibilities in the management of our system, in addition 24x7 monitoring where we would be called at any time of the day if an attempt was made on our network along with immediate mitigation from Nexum's NOC to stop the attempt.

I have requested Operational Funds in the 2017 budget to continue this service for the future.

If you have any questions regarding this recommendation please contact Dean Fox.