



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, April 19, 2017

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

[17-523](#) Common Council Meeting Minutes of April 5, 2017

Attachments: [CC Minutes 4-5-17.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[17-524](#) Presentation of Library Volunteer of the Year Awards

[17-525](#) Presentation of Elks National Youth Week Proclamation

[17-526](#) Reappointment of James Smith and Kelly Sperl to the Board of Zoning Appeals

Attachments: [COMM REAPPOINTS BD OF ZONING APPEALS HPC 041917.pdf](#)

[17-527](#) Reappointment of Mary Duba and Thomas Werth to the Historic Preservation Commission

Attachments: [COMM REAPPOINTS BD OF ZONING APPEALS HPC 041917.pdf](#)

- I. PUBLIC HEARINGS

[17-404](#) Public Hearing for Rezoning #1-17

Attachments: [Public Hearing RZ #1-17.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[17-440](#) Approve replacing colored crosswalks (across College Avenue at the intersections of State, Walnut, Division, Superior, Oneida, Morrison and Durkee) with standard concrete and continental style crosswalk markings.

Attachments: [College Avenue Crosswalks and Pavement Markings.pdf](#)

Legislative History

4/11/17	Municipal Services Committee	recommended for approval
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[17-442](#) Approve Inter-Governmental Agreements with the City of Menasha for initial street light installation costs and on-going maintenance and electrical power costs for street lights on Midway Road.

Attachments: [Street Lighting in the City of Menasha-Midway Rd at Oneida St.pdf](#)

Legislative History

4/11/17	Municipal Services Committee	recommended for approval
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[17-445](#) Anticipated award for P-17 Pavement Marking (Epoxy) Contract.

Legislative History

4/11/17	Municipal Services Committee	recommended for approval
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Item 17-445 amended to award pavement marking contract to Brickline, Inc. in an amount not to exceed \$135,000. Motion by Coenen, 2nd by Martin. Amendment approved 4-0.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

3. MINUTES OF THE CITY PLAN COMMISSION

[17-353](#) Request to approve Rezoning #1-17 for the Third Addition to Emerald Valley, as shown on the attached maps, from AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport_Rezoning #1-17_ThirdAddtoEmeraldValley.pdf](#)

Legislative History

3/20/17	City Plan Commission	recommended for approval
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Proceeds to Council on April 19, 2017.

[17-354](#)

Request to approve the Third Addition to Emerald Valley Preliminary Plat as shown on the attached maps and subject to the attached conditions

Attachments: [StaffReport_Preliminary Plat_ThirdAddtoEmeraldValley.pdf](#)

Legislative History

3/20/17 City Plan Commission recommended for approval
Proceeds to Council on April 19, 2017.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[17-463](#)

Request to award the Wastewater Treatment Plant 2017 hardscape repairs project contract to Peters Concrete Co in the amount of \$156,820 with a contingency of 10% for a project total not to exceed \$172,500.

Attachments: [2017 Wastewater Hardscape Repairs.pdf](#)

Legislative History

4/11/17 Finance Committee recommended for approval

[17-464](#)

Request to award contract for engineering services to complete the City of Appleton hardscape assessments and master plan project to Patrick Engineering in the amount of \$60,000 with a contingency of 8% for a contract not to exceed \$64,800.

Attachments: [2017 Hardscapes Assessments and Master Plan.pdf](#)

Legislative History

4/11/17 Finance Committee recommended for approval

[17-466](#)

Request to approve Contract Amendment/Change Order No. 1 to contract 9-17 for Unit U-17 Sewer and Water Reconstruction No.2 to increase for additional sanitary, storm, water and traffic items added to scope of work by the City in the amount of \$64,082 resulting in a decrease to contingency from \$122,500 to \$74,003. Overall contract increased from 2,456,936 to 2,472,520.

Attachments: [Unit U-15 Contract Amendment-Change Order No.1.pdf](#)

Legislative History

4/11/17 Finance Committee recommended for approval

[17-467](#)

Request to approve Finance Committee Report 3-P-17 for Sanitary Laterals, Storm Laterals and Storm Main.

Attachments: [Report 3-P-17.pdf](#)

Legislative History

4/11/17 Finance Committee recommended for approval

[17-468](#)

Request to award contract for Unit D-17 sidewalk construction to Jim Fischer, Inc for a contract amount not to exceed \$240,000.

Attachments: [Unit D-17.pdf](#)

Legislative History

4/11/17 Finance Committee recommended for approval

[17-469](#)

Request to approve recommendation to preclude access to Pierce Avenue for properties fronting on Pierce Court.

Attachments: [Pierce Court.pdf](#)

Legislative History

4/11/17 Finance Committee recommended for approval

[17-471](#)

Request to approve the following 2017 Budget adjustment:

General Fund - Mayor's Office

Salaries +\$48,235

Fringe Benefits +\$23,761

General Fund - Community & Economic Development

Salaries - \$48,235

Fringe Benefits - \$23,761

to transfer personnel costs in the 2017 budget for Diversity Coordinator position to the Mayor's Office as approved by Council on April 5, 2017.

Attachments: [Diversity Coordinator Mayor memo.pdf](#)

Legislative History

4/11/17 Finance Committee recommended for approval

[17-479](#)

Request to award the Water Treatment Facility 2017 hardscape repairs project contract to Northeast Asphalt, Inc in the amount of \$88,987 with a contingency of \$13,000 for a project total not to exceed \$101,987.

Attachments: [2017 Water Treatment Facility Hardscape Repairs.pdf](#)

Legislative History

4/11/17 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

- [17-456](#) Request to approve recommended funding for 2017 sponsorship requests from the Fox Cities Regional Partnership, Appleton Downtown, Inc., and Habitat for Humanity as outlined in the attached documents

Attachments: [Sponsorships Memo to CEDC 4-12-17.pdf](#)
[Sponsorship Requests April 2017.pdf](#)
[Fox Cities Chamber Sponsorships.pdf](#)
[Talent Upload Fall 2016 Final Report.pdf](#)
[ADI Sponsorships.pdf](#)
[Habitat for Humanity Sponsorship.pdf](#)

Legislative History

4/12/17 Community & Economic recommended for approval
Development Committee

7. MINUTES OF THE UTILITIES COMMITTEE

- [17-435](#) Award of 2017C Stormwater Consulting Services Contract for Spartan Drive Culverts and Stormwater Practices Sixty Percent (60%) Design and Permitting to Brown & Caldwell in an amount not to exceed \$202,767.

Attachments: [2017C Spartan Drive Award Memo to BC.pdf](#)

Legislative History

4/11/17 Utilities Committee recommended for approval

- [17-436](#) Preliminary Resolution 3-P-17 for Sanitary Laterals, Storm Laterals and Storm Sewer be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Resolution 3-P-17.pdf](#)

Legislative History

4/11/17 Utilities Committee recommended for approval

- [17-437](#) Award Unit F-17, Sewer Cleaning & Televising to Northern Pipe, Inc. in an amount not to exceed \$247,500.

Attachments: [Unit F-17.pdf](#)

Legislative History

4/11/17 Utilities Committee recommended for approval

- [17-443](#) Award Engineering Services Contract for the North Reservoir Project to McMahon Associates, Inc. in the amount of \$34,871 with a 10% contingency of \$3,487 for a project total not to exceed \$38,358.

Attachments: [North Reservoir Project - Engineering Award.pdf](#)

Legislative History

4/11/17

Utilities Committee

recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION****10. MINUTES OF THE BOARD OF HEALTH**[17-397](#)

Noise Variance Request - Fox River House

Attachments: [Noise Variance Request - Fox River House.pdf](#)
[Schaff-Rattray Fox River House email.pdf](#)

Legislative History

4/12/17

Board of Health

recommended for approval

[17-449](#)

Approval of Version "A" of Rules & Regulations and Chicken Permit Application
for Keeping of Backyard Chickens

Attachments: [VERSION A - Original DRAFT Mar 2017.pdf](#)
[Chicken Permit Application DRAFT.pdf](#)

Legislative History

4/12/17

Board of Health

recommended for approval

[17-492](#)

Approval of Chicken Ordinance 30-17, Referred back by Alderperson
Plank

Attachments: [Ordinance 30-17.pdf](#)

Legislative History

4/12/17

Board of Health

recommended for denial

M. CONSOLIDATED ACTION ITEMS**N. ITEMS HELD**[16-1536](#)

Resolution #R-11-16 - Chickens

Attachments: [Resolution #R-11-16 - Chickens.pdf](#)
[VERSION A - Original DRAFT Mar 2017.pdf](#)
[Chicken Permit Application DRAFT.pdf](#)

Legislative History

10/12/16

Board of Health

presented

11/9/16

Board of Health

presented

12/14/16

Board of Health

held

1/11/17

Board of Health

held

2/8/17	Board of Health	presented
3/8/17	Board of Health	recommended for denial
3/15/17	Common Council	approved
4/5/17	Common Council	reconsidered
4/5/17	Common Council	held

O. ORDINANCES

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO
COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO
COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Kami Lynch, City Clerk

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



City of Appleton

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Meeting Minutes - Final-revised Common Council

Wednesday, April 5, 2017

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

The Invocation was offered by Alderperson Mann

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 16 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Mayor Timothy Hanna

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Clerk Lynch, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community & Economic Development Harkness, Fire Chief Vander Wyst, Director of Finance Saucerman, Director of Human Resources Matz, Director of Information Technology Fox, Director of Parks, Recreation & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Utilities Shaw, & Valley Transit General Manager Mc Donald Library Director Rortvedt was excused

F. PUBLIC PARTICIPATION

*The following individuals spoke on Item #16-1536 Chickens:
Mendee Monfils, 1226 S Perkins St
Matt Lind, 314 S Badger Ave
Mary Williams, 2100 N Douglas St
Alex Schultz, 716 W Front St
Amy Dingel, 1325 N Oneida St
Shannon Kenevan, 908 N Fox St
Ronna Swift, 230 W Seymour St
Kate Gargo, 106 Foster Ct*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[17-447](#)

Common Council Meeting Minutes of March 15, 2017

Attachments: [CC Minutes 3-15-17.pdf](#)**Moved by Martin, seconded by Konetzke to approve the Minutes.****Roll Call. Motion carried:**

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[17-419](#)

Presentation of Autism Awareness Month and Day Proclamation

This Report Action Item was presented[17-394](#)

Presentation of Appleton North High School Girls Basketball Day Proclamation

This Report Action Item was presented[17-413](#)

Presentation of Arbor Day Proclamation

This Report Action Item was presented[17-393](#)

Announcement of the winning poems for the 2017 Sidewalk Poetry Program

This Report Action Item was presented[17-414](#)

Appointment of Peter Stueck to the Board of Review

Attachments: [APPT TO BD OF REVIEW PETER STUECK BIO EXPIRED TERM 040517.pdf](#)**Alderperson Baranowski moved, seconded by Alderperson Croatt, that the appointment be approved. Roll Call. Motion carried by the following vote:**

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

[17-395](#)

Public Hearing: Resolution 2-P-17 Concrete Pavement, Sidewalk Construction & Driveway Aprons

Attachments: [2-P-17 Public Hearing Notice.pdf](#)

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

J. SPECIAL RESOLUTIONS

[17-415](#)

Resolution 2-P-17 Concrete Paving

Attachments: [2-P-17 Concrete Paving Final Resolution.pdf](#)

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

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

Reconsideration of:

[16-1536](#)

Resolution #R-11-16 - Chickens

Attachments: [Resolution #R-11-16 - Chickens.pdf](#)
[VERSION A - Original DRAFT Mar 2017.pdf](#)
[Chicken Permit Application DRAFT.pdf](#)

Motion by Plank, seconded by Baranowski to reconsider Resolution #R-11-16 Chickens.

Motion carried by the following vote:

Aye: 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Nay: 1 - Aldersperson Vered Meltzer

Abstained: 1 - Mayor Timothy Hanna

Motion by Lobner, seconded by Reed to approve #R-11-16 with a notwithstanding vote.

No vote was taken on this Motion as the Motion to Hold (below) passed.

Alderson Lobner moved, seconded by Alderson Coenen, that the Resolution on Chickens be held until the next Council Meeting on April 19th.

Roll Call. Motion carried by the following vote:

Aye: 9 - Alderson William Siebers, Alderson Margret Mann, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin and Alderson Chris Croatt

Nay: 6 - Alderson Kathleen Plank, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Greg Dannecker, Alderson Christine Williams and Alderson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

[17-328](#)

Resolution introduced by Alderperson Jirschele at the March 1, 2017 Common Council meeting relating to Reid Municipal Golf Course:

Resolution #3-R-17

Jeff Jirschele, Alderperson, District 15

WHEREAS, Reid Municipal Golf Course in the City of Appleton has become a traditional feature of Appleton and has been recognized as such by the Appleton Common Council through commitments to its survival and growth, and

WHEREAS, Reid Municipal Golf Course has become a multi-feature, revenue-producing asset to the city, offering not only recreational opportunities but options to serve the city collaboratively through projects such as detention pond construction, cell tower emplacements, and future possibilities such as winter walking trails, and

WHEREAS, Reid Municipal Golf Course has begun a program of renovation and refurbishment, and has embarked on new construction and business processes aimed at increasing its capabilities and attraction as a top level golf course and multi-use, multi-season attraction within the city, in addition to increasing its long-term benefits to the city in areas such as tourism, economic development, sustainability through conservation of green space and habitat for wildlife, improved health/recreational opportunities and community building, and

WHEREAS, long-term debt is stifling Reid Municipal Golf Course's capacity to invest in itself and accelerate its ability to improve itself in a timely and productive manner aligned with its strategic plans to grow its potential to serve the city,

BE IT RESOLVED, that the city relieve Reid Municipal Golf Course of all its long-standing debt consisting of two loans within the enterprise fund established to administrate its operations.

Alderperson Baranowski moved, seconded by Alderperson Croatt, that the recommendation to deny the Resolution be approved. A notwithstanding vote was taken in which an 'aye' vote approves the Resolution and a 'nay' vote denies the Resolution. Roll Call. Motion failed by the following vote:

Aye: 4 - Alderperson Curt Konetzke, Alderperson Jeffrey Jirschele, Alderperson Joe Martin and Alderperson Cathy Spears

Nay: 11 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[17-304](#)

Request to move the Diversity Coordinator position to report directly to the Mayor.

Attachments: [Diversity Coordinator Mayor memo.pdf](#)
 [Diversity Coordinator job description.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Lobner, that the Diversity Coordinator Reporting to the Mayor be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Nay: 3 - Alderperson Kathleen Plank, Alderperson William Siebers and Alderperson Greg Dannecker

Excused: 1 - Mayor Timothy Hanna

[17-374](#)

Request to award Heartland Business Systems the contract to purchase and implement a Meraki wireless environment within City buildings and Houdini Park.

Attachments: [Wireless Memo.pdf](#)

Alderperson Dannecker moved, seconded by Alderperson Plank, that the Heartland Business Systems Contract be approved. 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 Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Cathy Spears

Abstained: 2 - Alderperson Chris Croatt and Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Lobner moved, Alderperson Croatt seconded, to approve the report. The motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[17-376](#) Approve sidewalk installation on the south side of the Northland Avenue south service road from Mason Street to Locust Street except at 1225 W. Northland Avenue where the sidewalk will be installed along the Northland Avenue right-of-way line.

Attachments: [Sidewalk installation from Mason St-Locust St..pdf](#)
[James Baumbach-memo.pdf](#)
[David & Dianne Dexter memo.pdf](#)

This Report Action Item was approved.

[17-377](#) Award parking meter pay-by-phone services to Passport for a \$2,500 initial set-up fee and merchant processing fees of 2.9% plus \$0.30 per transaction.

Attachments: [Award parking meter pay-by-phone services to Passport.pdf](#)

This Report Action Item was approved.

[17-378](#) Request from Aric & Molly Hanseter to be waived from the \$100 Residential Refuse Cart Exchange Fee.

Attachments: [Aric & Molly Hanseter-wavied fee.pdf](#)

This Report Action Item was approved.

[17-379](#) Approve Permanent Street Occupancy Permit for the Fox Cities Exhibition Center Skywalk to be constructed in the right-of-way of the 300 block of W. Lawrence Street.

Attachments: [Fox Cities Exhibition Center Skywalk.pdf](#)

This Report Action Item was approved.

- [17-388](#) Request from ENVIRO forensics for a permanent street occupancy permit to install monitoring wells in Meade Street right-of-way to monitor ground water at the Luvata Site at 908 N. Lawe Street.

Attachments: [ENVIRO Forensics.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

- [17-340](#) Secondhand Article License Renewal application of The Attique Resale, James A. Boylan, Applicant, 415 N. Oneida St., contingent upon approval from all departments.

This Report Action Item was approved.

- [17-359](#) Operator's Licenses

Attachments: [Operator's Licenses for 3-22-17 S & L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

- [17-355](#) Request to approve the Affidavit of Correction for White Hawk Meadows III Extraterritorial Final Plat located in the Town of Grand Chute, as shown on the attached maps and documents

Attachments: [StaffReport_AffidavitofCorrectionWhiteHawkMeadowsIIIFinalPlat.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

- [17-384](#) Request to approve elevator services contract for inspections and maintenance services to Otis Elevator for \$49,140.

Attachments: [2017 Elevator Maintenance Repair Services.pdf](#)

This Report Action Item was approved.

- [17-385](#) Request to approve HVAC services contract to Energy Control and Design for \$126,675.31 for HVAC maintenance and \$42,846.44 for HVAC Controls maintenance.

Attachments: [2017 HVAC Maintenance Repair Services.pdf](#)

This Report Action Item was approved.

- [17-386](#) Request to award Unit C-17 sidewalk sawcutting to ASTI Sawing, Inc. in an amount not to exceed \$30,000.

Attachments: [Award of Contract Unit C-17.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

- [17-366](#) Award Organic Recycling Contractor Services to Hsu Growing Supply for an initial term ending December 31, 2020 for a total not to exceed contract cost of \$315,000.

Attachments: [170306 UC Memo - Hsu Contract.pdf](#)

This Report Action Item was approved.

- [17-367](#) Request to file Water Leak Policy with the Public Service Commission of Wisconsin.

Attachments: [Water Leak Policy.pdf](#)

This Report Action Item was approved.

- [17-368](#) Approve City of Appleton Water Usage Monitoring Procedure.

Attachments: [Water Usage Monitoring Procedure.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[17-403](#)

Ordinances 27-17 to 30-17

Attachments: [Ordinances going to Council 4-5-17.pdf](#)

Ordinance 30-17 was referred back to the Board of Health by Alderperson Plank

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

City of Appleton – Resolution #4-R-17

April 05, 2017

Submitted by: Alderperson Edward Baranowski – District 5 & Alderperson William Siebers – District 1

Referred to: The Board of Health

Whereas more than 2/3 of the 100 crop species that provide 90% of the world's food are pollinated by bees,

Whereas bee populations have been declining at alarming rates for years,

Whereas it has been shown that it is not only possible to keep bees in crowded suburban areas, but also on rooftops of businesses in large and small cities without problem,

Whereas rooftops are a good place for urban beekeeping being that bees tend to fly up when exiting a hive thereby lessening interaction with people on the streets below,

Whereas city governments across the United States are lifting their restrictions on keeping beehives on rooftops in commercial districts – with City Hall in Minneapolis, Minnesota having bee colonies on its rooftop as an example

Therefore be it resolved,

That the City of Appleton, with input from the public along with those in the community with experience in beekeeping and with the assistance of professional beekeepers, reconsider the restrictions and then with appropriate guidelines allow beekeeping in commercial districts.

City of Appleton – Resolution #5-R-17

April 05, 2017

Submitted by: Alderperson Kathleen Plank – District 7

Referred to: Office of the Mayor

Whereas, on March 7, 2017, via referral from the Mayor, the Finance Committee was charged with addressing a resolution that was submitted to the Common Council on November 18, 2009 to address the boundary agreements between the City and surrounding municipalities,

And whereas, on March 7, 2017, upon addressing the resolution, the Finance Committee directed the Mayor to confer with his staff from the Attorney and Community and Economic Development office to provide a report and action plan on how they would address the serious ongoing issue of the city losing land to surrounding municipalities at an alarming rate,

And whereas, at the March 21st Finance Committee Meeting, a closed session took place that resulted in several members of the committee finding the report to be incomplete in addressing this issue,

And whereas, it is in the best interest of all City of Appleton taxpayers and critical to the stability of our future that the city maintain its growth areas for development of tax base,

And whereas, to date, the City of Appleton has lost over 669 acres of property resulting in over \$100 million dollars in assessed value,

*Therefor be it resolved that,
The Mayor lead the effort to immediately establish an action plan and the necessary financial and professional resources from inside and outside of the organization to assess and confront the past, present and future loss of the city's development and growth corridors. This plan will be reported out to the Finance Committee.*

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Aldersperson Mann moved, seconded by Aldersperson Jirschele, that the meeting be adjourned at 8:51 p.m. Roll Call. Motion carried by the following vote:

Aye: 16 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt and Mayor Timothy Hanna

Kami Lynch, City Clerk



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

OFFICE OF THE MAYOR

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

TO: Members of the Common Council

FROM: Mayor Timothy Hanna

DATE: April 14, 2017

RE: Committee Reappointments

It is with pleasure that I present the following reappointments for your confirmation at the April 19 Common Council meeting. Per Resolution #8-R-14, attendance has been included.

BOARD OF ZONING APPEALS

James Smith	3-year term	100% attendance
Kelly Sperl	3-year term – 1 st Alternate to fill position vacated by Richard Schoenbohm	100% attendance (as Alternate for quorum)

HISTORIC PRESERVATION COMMISSION

Mary Duba	3-year term	83% attendance
Thomas Werth	3-year term – 1 st Alternate to fill vacant Real Estate Position	100% attendance



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

OFFICE OF THE MAYOR

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NOTICE OF PUBLIC HEARING

#1-17

RE: Proposed Zone Change

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on April 19, 2017, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zoning change:

Rezoning #1-17 request has been initiated by the owner/applicant, Emerald Valley Estates LLC, Jill Hendricks is requesting to rezone part of property tax id #31-1-7600-00 from AG Agricultural District to R-1B Single-family District. The R-1B district is intended to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses.

Purpose of the Rezoning: Facilitate the construction of the Third Addition to Emerald Valley Subdivision along Providence Avenue between Edgewood Drive and Bluetopaz Drive.

LEGAL DESCRIPTION:

PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6; THENCE NORTH 88 DEGREES 19 MINUTES 36 SECONDS WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1031.99 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, ALONG THE WEST RIGHT-OF-WAY LINE OF PROVIDENCE AVENUE AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 335.08 FEET; THENCE NORTH 75 DEGREES 42 MINUTES 30 SECONDS WEST, CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF PROVIDENCE AVENUE, A DISTANCE OF 0.33 FEET TO THE POINT OF BEGINNING; THENCE NORTH 75 DEGREES 42 MINUTES 30 SECONDS WEST, ALONG THE NORTH LINE OF CERTIFIED SURVEY MAP NO. 6311, A DISTANCE 123.84 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, 280.05 FEET; THENCE NORTH 45 DEGREES 11 MINUTES 26 SECONDS WEST, 53.70 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, 107.87 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 100.00 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 206.71 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 61.61 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 120.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 197.73 FEET; THENCE 25.16 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 333.00 FEET AND A CHORD THAT BEARS SOUTH 27 DEGREES 04 MINUTES 53.0 SECONDS EAST, 25.15 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 134.60 FEET; THE FOLLOWING SEVEN CALLS ARE ALONG THE WEST LINE OF THE SECOND ADDITION TO EMERALD VALLEY:

THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 116.53 FEET;
THENCE SOUTH 51 DEGREES 48 MINUTES 14 SECONDS WEST, 42.25 FEET;
THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, 270.58 FEET;
THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS EAST, 185.00 FEET;

THENCE SOUTH 21 DEGREES 00 MINUTES 01 SECONDS WEST, 153.41 FEET;
THENCE SOUTH 89 DEGREES 59 MINUTES 27 SECONDS WEST, 211.00 FEET;
THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS EAST, 300.64 FEET TO THE POINT
OF BEGINNING. CONTAINING 261,163 SQUARE FEET [5.995 ACRES]

April 6, 2017

KAMI LYNCH
City Clerk

RUN: April 8, 2017
April 11, 2017



MEMO

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

TO: Municipal Services Committee

FROM: Paula Vandehey, Director of Public Works

DATE: April 4, 2017

SUBJECT: College Avenue Crosswalks and Pavement Markings.

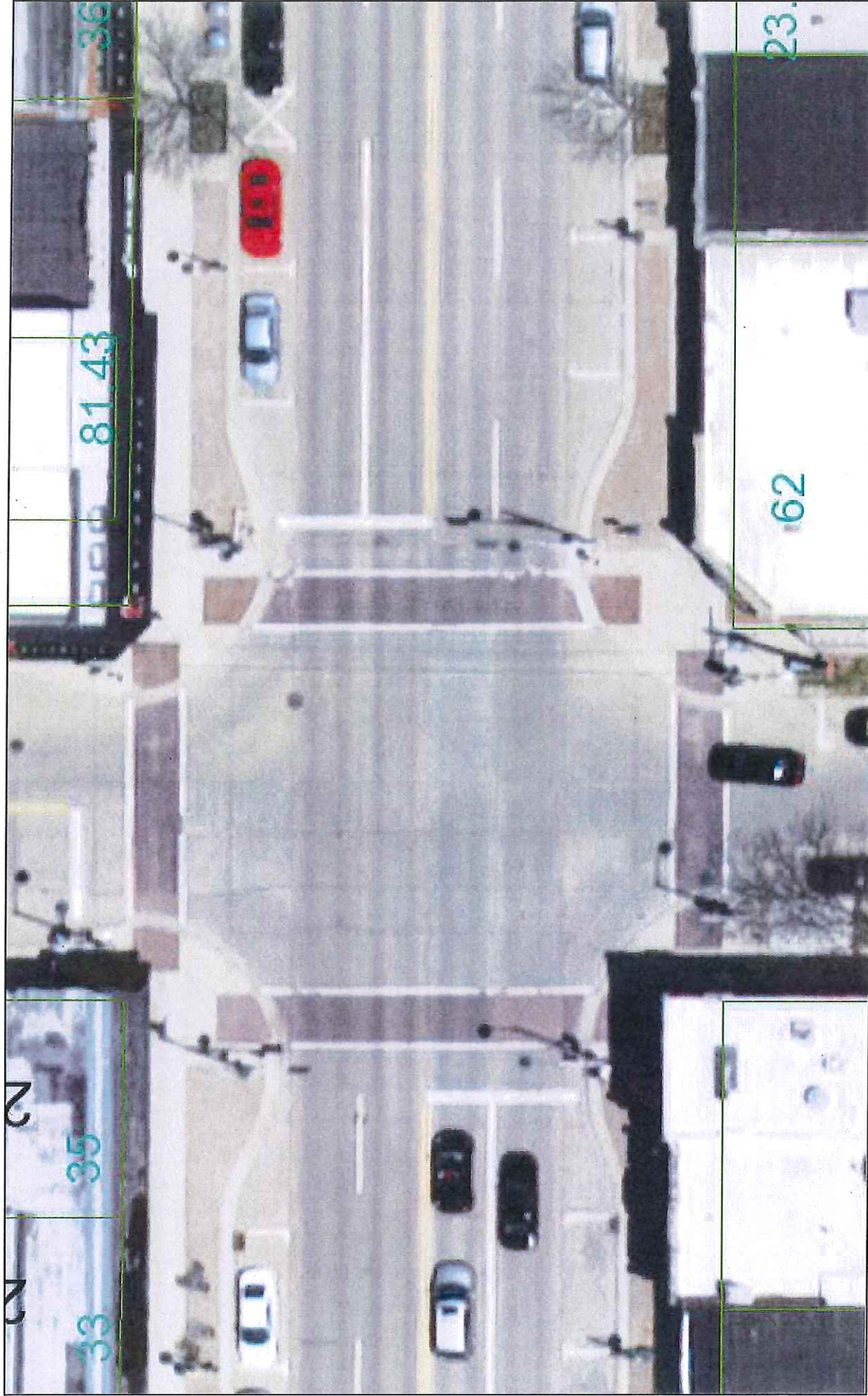
The 2017 Budget includes replacing the College Avenue crosswalks (across College Avenue) at the intersections of State Street, Walnut Street, Division Street, Superior Street, Oneida Street, Morrison Street and Durkee Street. The existing crosswalks are 15 years old and are in need of replacement. In addition, the Downtown Mobility Study recommended that the intersections in the downtown area be marked using enhanced crosswalk markings.

City staff is proposing to replace the existing crosswalks (Exhibit A) with standard concrete and continental style crosswalk markings (Exhibit B). This recommendation is similar to what was constructed at the John Street roundabout near Richmond Elementary School (Exhibit C).

The downtown crosswalks parallel to College Avenue will be replaced in future years with the expectation that they will be replaced in the same manner as is approved for the College Avenue crosswalks.

Please let me know if you have any questions regarding this recommendation.

Attachments



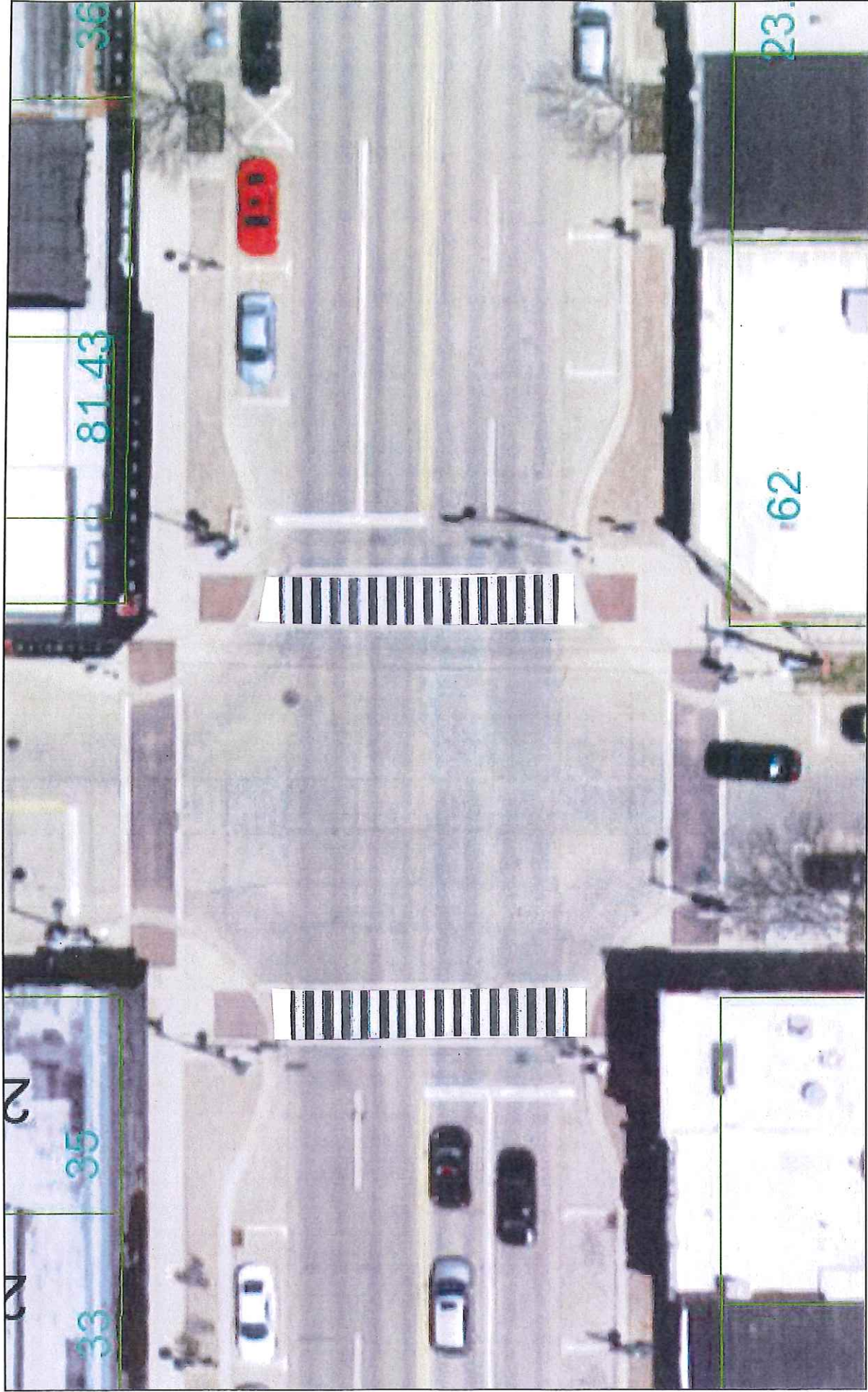
March 28, 2017

City Parcels

Easements

1:375
0 0.003 0.006 0.012 mi
0 0.005 0.01 0.02 km

EXISTING - Exhibit A



March 28, 2017

City Parcels

Easements

1:375

0.012 mi

0.02 km

Proposed for 2017 - Exhibit B

Exhibit C



INTER-GOVERNMENTAL AGREEMENT FOR HIGHWAY IMPROVEMENT PROJECTS

Description: Street Lighting in the City of Menasha on Midway Road at Oneida Street

The City of Appleton, through its undersigned duly authorized officers or officials hereby request City of Menasha to participate in implementation of street lights on the project that locate within City of Menasha corporate limits as part of the Wisconsin DOT highway improvements (1517-75-83).

PROPOSED IMPROVEMENTS:

The City of Appleton and City of Menasha have mutual interest to provide street lighting on Midway Road approaching Oneida Street (US Highway 10). Wisconsin Department of Transportation (DOT) is leading the design and reconstruction of Oneida Street, including the Midway Road intersection and approaches. Through mutual interest, the City of Appleton applied for and received approval for a Continuous Lighting Permit from Wisconsin DOT to construct new street lighting within the project limits concurrent with project 1517-75-83. A subsequent State-Municipal Agreement (SMA) between the City of Appleton and Wisconsin DOT established 50/50 cost share for the construction of all permitted street lighting facilities within the project limits. Through this SMA, the City of Appleton will make payment to Wisconsin DOT for their 50/50 share of all street lights along Midway Road. This agreement is for payment to the City of Appleton for the street lighting facilities that are within City of Menasha corporate limits.

TERMS AND CONDITIONS:

1. The State of Wisconsin Department of Transportation will be the lead agency for this project.
2. The project cost in the agreement is an estimate. The City of Menasha will be invoiced based on actual costs incurred.

COST ESTIMATE AND PARTICIPATION

	Total Estimated Cost	City of Appleton	Effective %	City of Menasha	Effective %
1517-75-83 Street Lighting (Per SMA - 19 total lighting units) UPFRONT PAYMENT TO WISCONSIN DOT	\$95,000	\$47,500	50%	\$0	0%
City of Menasha Street Lights (4 total lighting units) REIMBURSEMENT TO CITY OF APPLETON FOR UPFRONT PAYMENT TO WISCONSIN DOT	\$20,000	- \$10,000	50%	\$10,000	50%
TOTALS		\$37,500		\$10,000	

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
City of Menasha

Signed on behalf of
City of Appleton

By: _____

Mayor Timothy Hanna

Date

Printed Name: _____

Title: _____

Kami Lynch
City Clerk

Date

Anthony Saucerman
Finance Director

Date

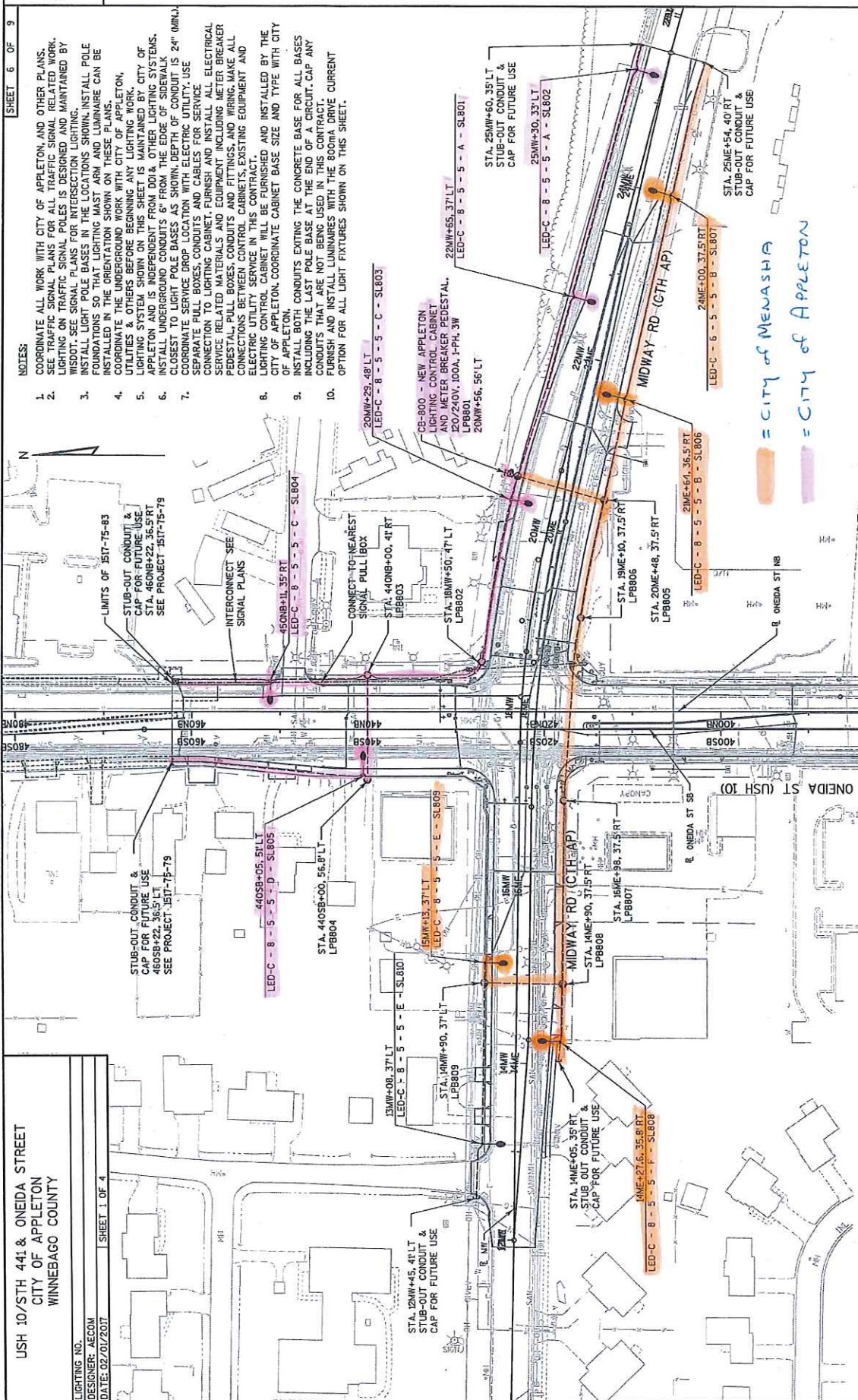
Jim Walsh
City Attorney

Date

USH 10/STH 441 & ONEIDA STREET CITY OF APPLETON WINNEBAGO COUNTY	LIGHTING NO. DESIGNER: AECOM DATE: 02/01/2017	SHEET 1 OF 4
--	---	--------------

NOTES:

1. COORDINATE ALL WORK WITH CITY OF APLETON, AND OTHER PLANS.
2. SEE TRAFFIC SIGNAL PLANS FOR ALL TRAFFIC SIGNAL RELATED WORK. SEE TRAFFIC SIGNAL POLES FOR ALL TRAFFIC SIGNAL RELATED WORK.
3. SEE TRAFFIC SIGNAL POLES FOR ALL TRAFFIC SIGNAL RELATED WORK. SEE TRAFFIC SIGNAL POLES FOR ALL TRAFFIC SIGNAL RELATED WORK.
4. COORDINATE THE UNDERGROUND WORK WITH CITY OF APLETON, UTILITIES & OTHERS BEFORE BEGINNING ANY LIGHTING WORK.
5. LIGHTING SYSTEM SHOWN ON THIS SHEET IS MAINTAINED BY CITY OF APLETON. SEE CITY OF APLETON, UTILITIES & OTHERS FOR LIGHTING SYSTEMS.
6. INSTALL UNDERGROUND CONDUITS FOR ALL LIGHTING SYSTEMS. CLOSEST TO LIGHT POLE BASES AS SHOWN. DEPTH OF CONDUIT IS 24" (MIN).
7. COORDINATE SERVICE DROP LOCATION WITH ELECTRIC UTILITY. USE SEPARATE FULL BOXES, CONDUITS AND CABLES FOR SERVICE CONNECTION TO LIGHTING CABINET. FURNISH AND INSTALL ALL ELECTRICAL SERVICE RELATED MATERIALS AND EQUIPMENT INCLUDING METER BREAKER PEDESTAL, FULL BOXES, CONDUITS AND FITTINGS, AND WIRING, MAKE ALL CONNECTIONS BETWEEN CONTROL CABINETS, EXISTING EQUIPMENT AND ELECTRICAL UTILITY SERVICE IN THIS CONTRACT.
8. LIGHTING CONTROL CABINET WILL BE FURNISHED AND INSTALLED BY THE CITY OF APLETON. COORDINATE CABINET BASE SIZE AND TYPE WITH CITY OF APLETON.
9. INSTALL BOTH CONDUITS EXTING THE CONCRETE BASE FOR ALL BASES INCLUDING THE LAST POLE BASE AT THE END OF A CIRCUIT. CAP ANY CONDUITS THAT ARE NOT BEING USED IN THIS CONTRACT.
10. FURNISH AND INSTALL LUMINAIRES WITH THE 800MA CURRENT OPTIION FOR ALL LIGHT FIXTURES SHOWN ON THIS SHEET.



= CITY of MENASHA

PROJECT NO: 1517-75-83	HWY: USH 10	COUNTY: WINNEBAGO	LIGHTING PLAN - MIDWAY ROAD AT ONEIDA STREET	SHEET
FILE NAME : \\S311026306\Proje\1517Transportation\US 10 RIS 441\CADD\sheet\1517583\025111.jp.dgn		PLOT DATE : 11/29/2016		PLOT BY : r.nuck-becker
		PLOT SCALE : 100.0000 ft / in.		WISDOT/CADDOS SHEET 42

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE
CITY OF APPLETON AND CITY OF MENASHA
TO PROVIDE FOR STREET LIGHTING RELATED SERVICES**

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is entered into as of the date appearing at the end of this Agreement ("**Effective Date**") by and between the CITY OF APPLETON, with a business address of 100 North Appleton Street, Appleton, WI 54911 ("**Appleton**"), and the CITY OF MENASHA, with a business address of 140 Main Street, Menasha, WI 54952 ("**Menasha**"). The purpose of this Agreement is to define the services Appleton shall provide to Menasha relating to four (4) street lighting units located along Midway Road near the intersection of Oneida Street in Calumet and Winnebago Counties ("**street lights**"). Appleton and Menasha may be singularly referred to herein as a "**party**" or jointly referred to as the "**parties**."

RECITALS

WHEREAS, the parties wish to enter into an agreement pursuant to the authority granted to them in Wis. Stats. § 66.0301 whereby Appleton will service street lights located in Menasha; and

WHEREAS, Appleton has the means and ability to efficiently service the street lights; and

WHEREAS, Menasha desires to have Appleton service the street lights as it will be cost effective and time-saving to Menasha; and

WHEREAS, this Agreement shall bind the parties for the length of time herein specified;

IT IS NOW, THEREFORE, in consideration of the foregoing and for the consideration described herein, agreed by the parties agree as follows:

**ARTICLE I
TERM**

1.1 Term. This Agreement shall become binding on the Effective Date. The Agreement shall have no expiration or termination date but may be terminated by either party pursuant to the Section 1.2 below.

1.2 Termination. Either party may terminate this Agreement at any time and for any reason by giving thirty (30) calendar days written notice of termination to the other party.

**ARTICLE II
SERVICES**

2.1 Services. Appleton shall provide Menasha the following services as they relate to this Agreement: electrical power to the street lights, repairs to the street lights, maintenance work to the street lights, and other assistance as noted in this Agreement.

2.2 Routine Repairs and Electrical Maintenance Work. Appleton's electrical crews will perform required repairs and electrical maintenance work on the street lights upon the reasonable written request of Menasha. Common examples of this category of work are servicing the LED fixtures; repairs to above or below-ground facilities as necessary as a result of vehicular collisions, weather, and construction damage; and repairs necessary as a result of normal equipment malfunctions or failures.

2.3 Non-Routine Electrical Work. Appleton will perform non-routine electrical work on the street lights as Appleton's staff time and availability permits upon the reasonable written request of Menasha. Examples of non-routine electrical work include, but are not limited to, special projects, i.e., adding or upgrading equipment, street lights, poles, underground facilities; and upgrades or changes to lighting control cabinets.

2.4 Technical Assistance. Appleton will review related construction plans and specifications; assist with field location, laying out, and implementation of new street lights as Appleton's staff time and availability permits.

ARTICLE III FEES AND PAYMENT

3.1 Fees. Menasha will pay Appleton for electrical power to the street lights and for the cost of repairs and maintenance work to the street lights:

- 3.1.1 Parts, materials, subcontractor, and third-party rental fees will be billed by Appleton to Menasha at Appleton's actual cost.
- 3.1.2 Electrical maintenance truck time and other equipment time will be billed by Appleton to Menasha at the current Appleton rate per hour plus mileage.
- 3.1.3 Labor cost will be billed by Appleton to Menasha at Appleton's current hourly rate plus fringe benefits.
- 3.1.4 Appleton will bill Menasha the actual cost for all other normal administrative and small tool costs associated with any work on or to the street lights.
- 3.1.5 Appleton will bill Menasha for the actual costs for the electrical power pursuant to Section 3.2.2 below.

3.2 Invoices.

- 3.2.1 All invoices for repairs and maintenance work will be generated quarterly or by incident and will include a description of the work, hours worked and party requesting the work.
- 3.2.2 All invoices for electrical power work will be generated annually and will be based on the estimated power consumption, with an annual review of electrical tariff rates (CG6) established by the utility company. The invoice will assume a street light is energized 4,400 hours per year, with 600 hours in the peak (9AM to 9PM) tariff rate and 3,800 hours in the off-peak (9PM to 9AM) tariff rate.
- 3.2.3 Payment must be received by Appleton on or before the date indicated on the invoice.

ARTICLE IV ADDITIONAL PROVISIONS

4.1 Items covered by this Agreement. This Agreement pertains solely to the four (4) street lighting units located along Midway Road near the intersection of Oneida Street in both Calumet and Winnebago Counties as shown on Exhibit A.

4.2 Other Street Lights. Menasha agrees that any future street lights constructed on the same electrical circuit as the street lights during the time this Agreement is in force will be constructed in compliance with Appleton's specifications.

4.3 No Assignment. No party to this Agreement may assign its interest in this Agreement to any other entity or individual.

4.4 Entire Agreement; Rules of Construction. The parties acknowledge and agree that this Agreement, including the recitals which are incorporated into and made a part of this Agreement, expresses the entire agreement between the Parties as to the subject matter of this Agreement, and that this Agreement replaces and supersedes any prior negotiations and agreements, written or oral. The parties further acknowledge and agree that each party has been adequately and fully represented in connection with the negotiation and execution of this Agreement, and that, accordingly, rules of interpretation that signify that an agreement shall be construed against the drafter shall not apply.

4.5 Captions. The captions or headings in this Agreement are for convenience and in no way define, limit, or describe the scope or intent of the provisions of this Agreement.

4.6 Governing Law. The laws of the State of Wisconsin shall govern the interpretation and enforcement of this Agreement. Venue over any action brought under this Agreement will lie in the Circuit Court for Outagamie County.

4.7 Counterparts. This Agreement may be signed in any number of counterparts with the same effect as if the signatures were on the same instrument.

4.8 No Third-party Beneficiaries. This Agreement is entered into for the sole and exclusive benefit of the parties. No third party (including, without limitation, any employees of the parties) shall have, obtain, or derive from this Agreement any rights or other benefits or interests, under law, in equity, or otherwise.

4.9 No Joint Venture. Nothing contained in this Agreement shall be deemed or construed as creating a partnership or joint venture between the parties.

4.10 Exculpatory Provision. The parties expressly acknowledge and agree that, anything herein to the contrary notwithstanding, that no officer, director, employee, agent, or official (elected or appointed) of either party shall have any personal liability or obligation arising out of this Agreement, and no party shall make any claim to the contrary.

4.11 No Waiver. No failure to exercise, and no delay in exercising, any right, power, or remedy under this Agreement on the part of any party shall operate as a waiver of such right, power, or remedy, nor shall any single or partial exercise of any right, power, or remedy preclude any other or further exercise thereof or the exercise of any other right, power, or remedy. No express waiver shall affect any event or default other than the event or default specified in such waiver, and any such waiver, to be effective, must be in writing and shall be operative only for the time and to the extent expressly provided therein. A waiver of any covenant, term, or condition contained in this Agreement shall not be construed as a waiver of any, subsequent breach of the same covenant, term, or condition.

4.12 Notice. For the purpose of this Agreement, the term "notice" shall mean notice in writing,

provided in person or sent to the other party by United States Certified Mail or other mail delivery that provides proof of mailing and delivery, unless an alternate method of service is agreed to in writing by the parties, and sent to the following:

To Appleton: City of Appleton
Department of Public Works – Traffic Section
100 North Appleton Street
Appleton, WI 54911

To Menasha: City of Menasha
140 Main Street
Menasha, WI 54952

4.13 Severability. The terms of this Agreement are severable and any determination by any court or agency having jurisdiction over the subject matter of this Agreement that results in the invalidity of any part shall not affect the remainder of the Agreement.

4.14 INDEMNIFICATION.

4.14.1 For good and valuable consideration, Menasha agrees to indemnify, defend and hold harmless Appleton and its officers, officials, employees and agents from and against any and all liability, loss, damage, expenses, costs, including attorney's fees, arising out of the activities and/or services performed as described herein, caused in whole or in part by any negligent act or omission of Menasha, anyone directly or indirectly employed by them, or anyone whose acts any of them may be liable, except where caused by the sole negligence or willful misconduct of Appleton.

4.14.2 For good and valuable consideration, Appleton agrees to indemnify, defend and hold harmless Menasha and its officers, officials, employees and agents from and against any and all liability, loss, damage, expenses, costs, including attorney's fees, arising out of the activities and/or services performed as described herein, caused in whole or in part by any negligent act or omission of Appleton, anyone directly or indirectly employed by them, or anyone whose acts any of them may be liable, except where caused by the sole negligence or willful misconduct of Menasha.

4.15 Disputes. The parties shall endeavor to resolve any disputes as they pertain to this Agreement by mediation which, unless the parties mutually agree otherwise, shall be held in Appleton, Wisconsin. The parties shall share the mediator's fee and any filing fees equally. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

4.16 Amendments. This Agreement may be amended at any time by mutual written agreement by the parties.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the _____ day of _____, 2017

CITY OF APPLETON

Witness: _____
Printed Name: _____

By: _____
Timothy M. Hanna, Mayor

Witness: _____
Printed Name: _____

By: _____
Kami Lynch, City Clerk

Provision has been made to pay the liability
that will accrue under this contract.

Approved as to form:

Anthony D. Saucerman, Finance Director

James P. Walsh, City Attorney

CITY OF MENASHA

Witness: _____
Printed Name: _____

By: _____
Printed Name: _____
Title: _____

Witness: _____
Printed Name: _____

By: _____
Printed Name: _____
Title: _____

J:\Attorney\WORD\FORMS\CONTRACT\2017Contracts\Intergovernmental Agreement for Street Lighting Service.doc
CityLaw: A17-0201



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: March 20, 2017

Common Council Public Hearing Meeting Date: April 19, 2017 (Public Hearing on Rezoning)

Item: Rezoning #1-17 – Third Addition to Emerald Valley

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Robert DeBruin, Emerald Valley Estates, LLC – owner/applicant

Address/Parcel #: Providence Avenue / Part of 31-1-7600-00

Petitioner's Request: The owner/applicant is requesting a zoning change from AG Agricultural District to R-1B Single-Family District to construct the third phase of Emerald Valley subdivision.

BACKGROUND

The subject property was annexed to the City in 2004 as part of the French Road Annexation, and a zoning classification of AG Agricultural District was assigned at that time. In 2005, a preliminary plat had been submitted for the overall property, which called for the creation of a total of 252 residential lots.

STAFF ANALYSIS

Proposed Zoning Classification: The purpose of the R-1B Single-Family Residential District is to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium-sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses.

Existing Conditions: The portion of the lot to be rezoned is currently undeveloped and zoned AG Agricultural District.

Zoning Ordinance Review Criteria: Lot development standards (Section 23-93 – R-1B Single-Family Residential District) are as follows:

- Minimum lot area: Six thousand (6,000) square feet.
 - *The proposed lots shown on the preliminary plat satisfy this standard.*
- Minimum lot width: Fifty (50) feet.
 - *The proposed lots shown on the preliminary plat satisfy this standard.*

Surrounding zoning and land uses:

North: AG Agricultural District – undeveloped land
South: P-I Public Institutional District – drainage corridor
East: R-1B Single-Family Residential District – residential uses
West: AG Agricultural District – undeveloped land

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies this parcel for future Single-Family/Two-Family residential land uses.

Overall Community Goals

Goal 1 – Community Growth (Chapter 10 – Land Use)

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

Findings: The proposed single-family zoning classification supports this goal. The proposed zoning classification will allow the construction of residential housing units on the subject site after the platting process has been completed.

Goal 3 – Housing Quality and Affordability: Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

Findings: The proposed single-family zoning classification supports this goal. The proposed zoning classification will allow the construction of residential housing units on subject site after the platting process has been completed. Maintaining an adequate supply of housing units will help to address affordability for Appleton residents and ensures an adequate supply of housing styles to all income levels.

OBJECTIVE 5.1 Housing and Neighborhoods.

Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.

OBJECTIVE 5.3 Housing and Neighborhoods.

Provide a range of housing styles that meet the needs and appeal to all segments of the community.

Findings: The request is consistent with these objectives and policies because the single-family zoning classification will allow the subject site to be developed with residential housing units. Maintaining an adequate supply of housing units will help to address affordability for Appleton residents and ensures an adequate supply of housing styles to all income levels. The proposal is compatible with the existing single-family dwellings development on adjacent properties.

OBJECTIVE 6.3 Transportation:

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

Policy 6.3.1 Prioritize bicycle and pedestrian improvement projects that enhance connectivity between important destinations within the community, and to regional bicycle and pedestrian networks.

Policy 6.3.2 Maintain existing sidewalks and implement plans to install new sidewalks in targeted areas where they do not exist. Continue the City's policies to require sidewalks in new neighborhoods.

Findings: The proposed development will be a continuation of the lot-block pattern and straight street patterns previously established by the earlier phases of Emerald Valley Subdivision. As new homes are built, new sidewalk segments will be installed in this area of the City. Once all sidewalk segments are connected together, opportunities for walking to services, schools, and parks and transit will exist in the area of the City. These objectives and policies appear to be met.

OBJECTIVE 7.1 Utilities and Community Facilities:

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

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

Findings: The anticipated development is consistent with this objective and policy, as adequate public infrastructure exists in this area of the City.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. It would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 objectives and strategies stated above.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.

3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.
 2. The effect of the proposed rezoning on surrounding uses. Single-family uses are already *present to the north and east of the subject site. The rezoning request is being made to accommodate the third phase of this residential subdivision which will expand this residential neighborhood. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding uses.*

Technical Review Group Report (TRG): This item was discussed at the February 28, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #1-17 to rezone the subject property from AG Agricultural District to R-1B Single-Family District as shown on the attached maps, **BE APPROVED**.

Rezoning Third Addition to Emerald Valley
AG Agricultural District to
R-1B Single-Family District

Subject
Area

CITY LIMITS

AG

AG to R-1B

R-1B

P-I

PROVIDENCE AVENUE

BLUETOPAZ DRIVE

AMETHYST DRIVE



City Plan Commission
03-20-17

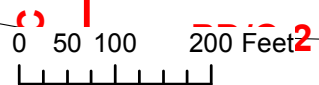
EDGEWOOD DRIVE (C.T.H. "JJ")

PD/R-1A

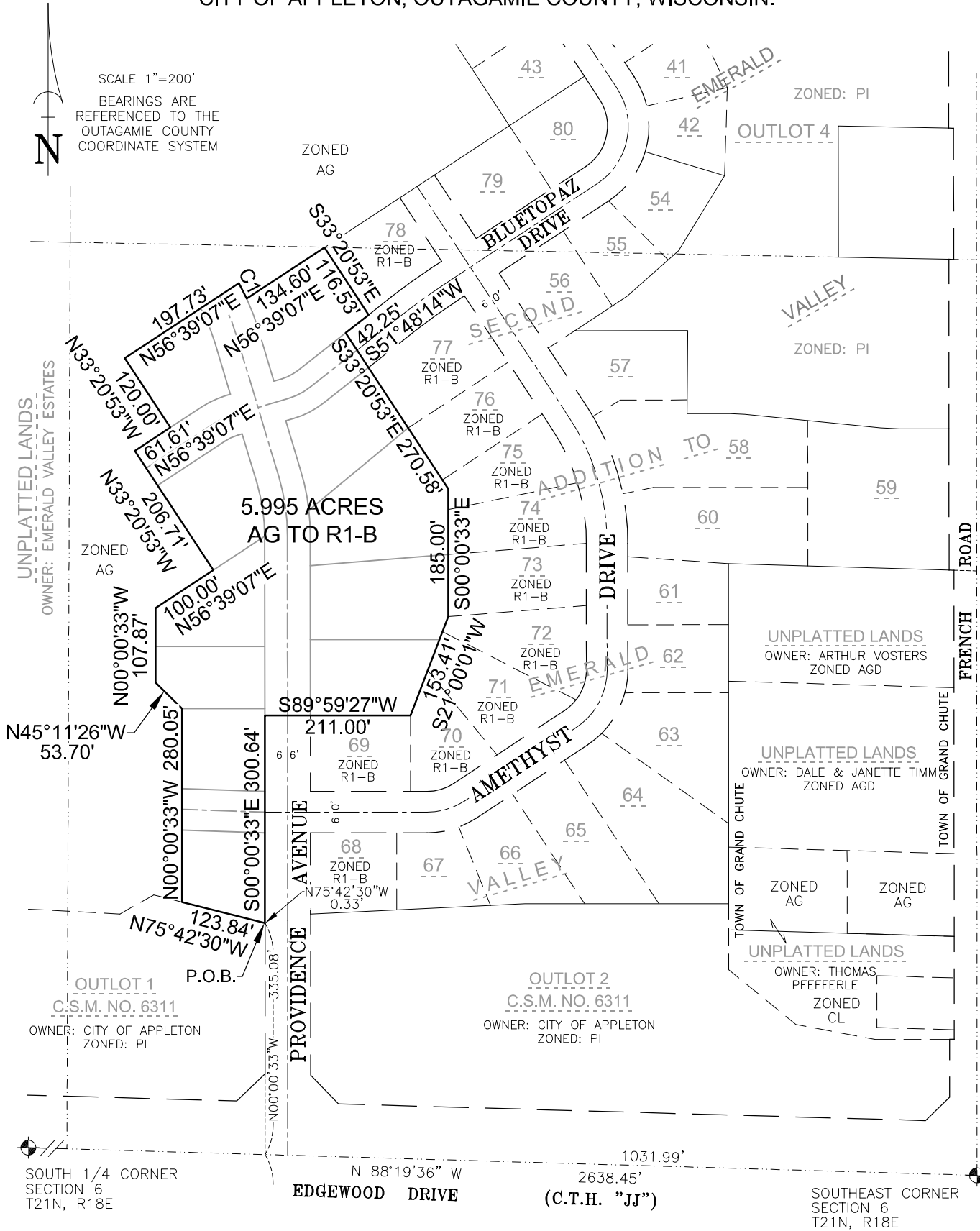
R-1A

PD/R-2

C-1



REZONING REFERENCE MAP
PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4,
SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST,
CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	
1	333.00'	04°19'42"	25.16'	S 27°04'53.0" E	25.15'	

Martenson & Eisele, Inc.



1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 1-0534-004
FILE 1-0534-004rezone.dwg
THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: March 20, 2017

Common Council Meeting Date: April 19, 2017

Item: Preliminary Plat – Third Addition to Emerald Valley

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Robert DeBruin, Emerald Valley Estates, LLC – owner/applicant

Address/Parcel #: Providence Avenue / Part of 31-1-7600-00

Petitioner's Request: The owner/applicant is proposing to subdivide property under a multi-phased approach.

BACKGROUND

The Final Plat for the Second Addition to Emerald Valley consisting of 28 residential lots was approved by the Common Council on September 17, 2014.

The Final Plat for the First Addition to Emerald Valley consisting of 3 residential lots was approved by the Common Council on June 2, 2010.

The Final Plat for Emerald Valley consisting of 50 residential lots was approved by the Common Council on June 6, 2007.

The subject property was annexed to the City in 2004 as part of the French Road Annexation, and a zoning classification of AG Agricultural District was assigned at that time. In 2005, a preliminary plat had been submitted for the overall property, which called for the creation of a total of 252 residential lots.

STAFF ANALYSIS

Existing Conditions: The portion of the lot to be subdivided is currently undeveloped and zoned AG Agricultural District. Rezoning #1-17 for subject site is also being presented at this March 20, 2017 Plan Commission meeting to rezone the site from AG to R-1B. The 5.995 acre area will be divided into eleven (11) single family lots.

Zoning Ordinance Review Criteria: R-1B lot development standards (Section 23-93) are as follows:

- Minimum lot area: Six thousand (6,000) square feet.
 - *The proposed average lots size is 18,000 square feet. All lots exceed this requirement.*

- Minimum lot width: Fifty (50) feet.
 - *The proposed lots average lot width is 110 feet. All lots exceed this requirement.*
- Minimum front, side and rear yard setbacks: Twenty (20) foot front yard, Six (6) foot side yard, and Twenty-five (25) foot rear yard.
 - *Required front yard setback had been shown on the Preliminary Plat. Required setbacks will be reviewed through the building permit review process.*
- Maximum building height: Thirty-five (35) feet.
 - *This will be reviewed through the building permit review process.*
- Maximum lot coverage. Fifty percent (50%).
 - *This will be reviewed through the building permit review process.*

Compliance with the Appleton Subdivision Regulations: This subdivision complies with the Appleton Subdivision Regulations, and no variances have been requested.

Access and Traffic: The primary vehicular access to this phase is via Providence Avenue, which connects to Amethyst Drive and Bluetopaz Drive. The full 66 foot road right-of-way for Providence Avenue and 60 foot road right-of-way for width of Amethyst Drive and Bluetopaz Drive will be dedicated to the City with the Final Plat.

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

2010-2030 Comprehensive Plan: Community Development staff has reviewed this proposed subdivision and determined it is compatible with the One and Two-Family Residential uses shown on the City's 2010-2030 Comprehensive Plan Future Land Use Map.

Parks and Open Space: The Appleton Subdivision Regulations do require parkland dedication or fee in lieu for residential subdivisions. The parkland fees pursuant to Chapter 17 of the Appleton Municipal Code have been waived in exchange for parkland as illustrated in the current Emerald Valley Development Agreement

Technical Review Group Report (TRG): This item was discussed at the February 28, 2017 Technical Review Group Report meeting.

Department of Public Works Comments:

- The consultant comments for the Stormwater Management Plan review will be provided via separate cover directly to the engineer.
- A Development Agreement will be required as part of the Final Platting process.

RECOMMENDATION

The Third Addition to Emerald Valley Preliminary Plat, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

1. The owner/applicant shall submit to the City the Final Plat within 36 months after the last required approval of the Preliminary Plat. If the Final Plat is not submitted within said 36 months, the City (and any other approving authority) may refuse to approve the Final Plat and shall recommence the procedure for Preliminary Plat approval or may extend the time for submission of the Final Plat.
2. The owner/applicant shall submit to the City Engineering Division for review and approval information showing how storm sewer/drainage will be developed to accommodate the proposed phasing, prior to City signatures being affixed to the Final Plat.
3. All easements, including but not limited to, storm sewers, utility, and drainage shall be shown on the Final Plat to the satisfaction of the City Engineer.
4. Grant a storm sewer easement to the City for portions of proposed storm sewer that extend west of plat limits (future Lots 137 and 138 and adjacent future Bluetopaz Drive). The easement may be via separate instrument from the plat.
5. A Development Agreement being made and entered into by and between the City of Appleton and the applicant/owner, and any amendments related thereto, prior to the issuance of any permit to commence construction of any public improvement. The Development Agreement will include a stipulation that the rear lot line berm along Lots 59-64 in Emerald Valley 2nd Addition must be constructed prior to issuance of any building permits in Emerald Valley 3rd Addition.
6. The Preliminary Plat and Rezoning #1-17 being acted on at the same Common Council meeting.
7. Prior to City signatures being affixed to the Final Plat, a revised Drainage Plan shall be submitted to the Community and Economic Development Department for Department of Public Works review showing the following:
 - a. Show lot dimensions.

- b. Provide a temporary drainage ditch that runs from the northwest corner of Lot 88 to a selected location of the storm sewer west of the plat and daylight one of the pipes to collect this flow.
- c. Provide proposed spot grade for the northeast corner of Lot 81.

Third Addition to Emerald Valley Preliminary Plat Aerial Map

Subject Area

AG

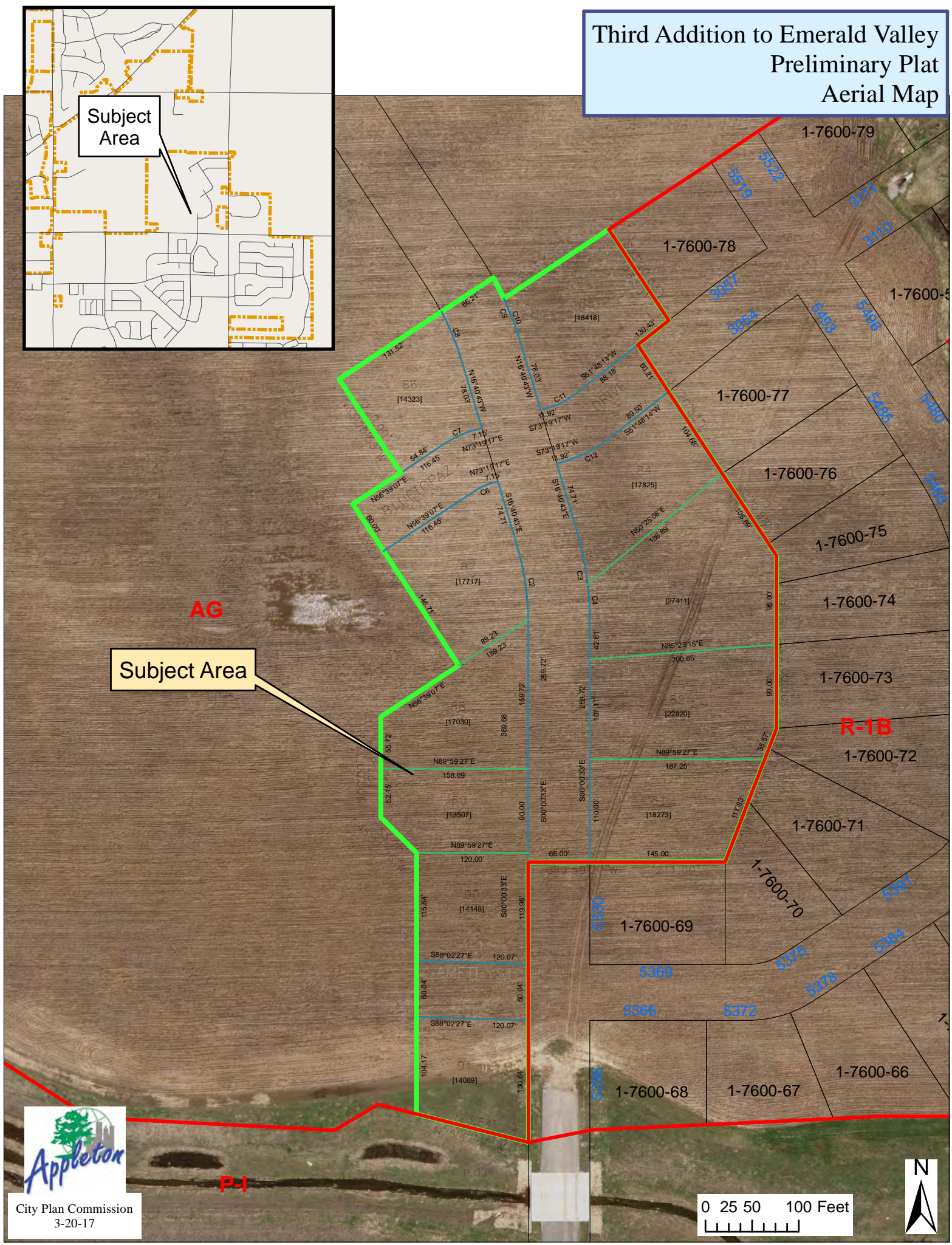
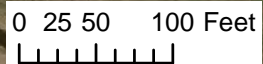
Subject Area

R-1B

P-1



City Plan Commission
3-20-17



Subject
Area

Subject Area

R-1B

P-I





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

**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: 4/11/2017

RE: Action: Award the Wastewater Treatment Plant "2017 Hardscape Repairs Project" contract to Peters Concrete Company in the amount of \$156,820 with a contingency of 10% for a project total not to exceed \$172,500

The 2017 Capital Improvement Plan includes \$220,000 to repair hardscapes at the Wastewater Treatment Plant. Of that amount, \$13,800 has been utilized on design, leaving a balance of \$206,200 for construction. The project includes replacing sections of failing asphalt and concrete at the Wastewater Treatment Plant. The locations were determined by our consulting engineer after a hardscape audit was completed at the site.

The bids were received as follows:

Peters Concrete Company (low bid)	\$156,820.00
Vinton Construction Company	\$172,735.50
Northeast Asphalt	\$176,500.00
Parking Lot Maintenance	\$223,500.00
MCC	\$224,863.42

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to Peters Concrete Company. The Parks, Recreation, and Facilities Management Department has also reviewed the bids and is in agreement with the engineer's recommendation. Therefore we recommend awarding the contract to Peters Concrete Company in the amount of \$156,820 plus a contingency of 10% only to be utilized as needed.

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



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

**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, Director of Parks, Recreation and Facilities Management

DATE: 4/11/2017

RE: Action Item: Award contract to Patrick Engineering for engineering services to complete the City of Appleton Hardscapes Assessments and Master Plan project for \$60,000 and an 8% contingency for a contract not to exceed \$64,800.

The 2017 Capital Improvement Program budget allocated monies to complete assessments of all city owned hardscape assets and complete a master plan for repairs. This project will include documenting and assigning ratings to all hardscape assets, creating a management plan, and updating the GIS system.

Four firms responded to a Request for Proposals and two finalists were chosen for the interview process. They were evaluated for relevant experience, project success, project team, project understanding/study methodology, project schedule and cost. It was important that the firms clearly demonstrated experience in hardscape assessments and planning along with experience in updating GIS applications. The project team for evaluating the firms consisted of: the Parks, Recreation and Facilities Management Project Manager, Parks, Recreation and Facilities Management Deputy Director, Parks, Recreation and Facilities Management Director, and a GIS Specialist from Community Development.

The proposal amounts are listed below:

Patrick Engineering	\$60,000
KL Engineering	\$58,955
STR-SEG	\$58,360
McMahon	\$57,270

After careful review our team recommends awarding a contract to Patrick Engineering for \$60,000 with a 8% contingency. The project team unanimously chose Patrick Engineering based upon experience, cost, their proposal, and the interview. Even though other firms may have provided a lower cost, the proposals and interview process determined that the other firms did not demonstrate the necessary experience with projects of similar size and scope along with a thorough understanding of our project requirements. We believe that our choice of Patrick Engineering will ensure that the investment is fully maximized.

Please feel free to contact me at 832-5572 with any questions, or by email at dean.gazza@appleton.org.

CONTRACT CHANGE ORDER & CONTRACT AMENDMENT

Change Order No. ONE

Date 03/28/17

Contract No. 9-17 for the following public work : Unit U-17 Sewer & Water Reconstruction #2

between Dorner, Inc. and the City of Appleton dated 03/01/17 is hereby changed in the following particular wit:

Item No.	Account No.	Current Contract Amount	Current Contingency	C.O. Amount (+/-)	Contingency (+/-)	New Contract Total	New Contingency Total
1	<u>5371.6809.5</u>	<u>\$721,948.33</u>	<u>\$40,000.00</u>	<u>\$55,584.87</u>	<u>-\$40,000.00</u>	<u>\$777,533.20</u>	<u>\$0.00</u>
2	<u>5431.6809.3</u>	<u>\$454,182.84</u>	<u>\$22,500.00</u>	<u>\$3,692.00</u>	<u>-\$3,692.00</u>	<u>\$457,874.84</u>	<u>\$18,808.00</u>
3	<u>5230.6809.4</u>	<u>\$1,158,304.33</u>	<u>\$60,000.00</u>	<u>\$4,805.00</u>	<u>-\$4,805.00</u>	<u>\$1,163,109.33</u>	<u>\$55,195.00</u>
4	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
5	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
6	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
7	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
8	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
9	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
10	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
Total		<u>\$2,334,435.50</u>	<u>\$122,500.00</u>	<u>\$64,081.87</u>	<u>-\$48,497.00</u>	<u>\$2,398,517.37</u>	<u>\$74,003.00</u>

Reason for Change: #5371 - Funds for addition of a 42" butterfly valve and PCCP adaptors and additional isolation valves at Community First Credit Union service connection.
#5431 - Funds for additional sanitary manhole #16-19 (11 vf and casting)
#5230 - Funds for replacement of unreinforced storm sewer(s) on Coolidge & Murray. (70 l.f. - 12" storm sewer)
#5230 - Funds for additional traffic controls (Invoice dated 3/22/17 for \$255.00)

The Contract Time will be (**increased** / ~~decreased~~ / ~~unchanged~~) by this Change Order: 5 Days

The Date of Completion as of the date of this Change Order therefore is: 125

Finance Committee Agenda Date: 04/11/17

Date approved by Council: 04/19/17

PROJECT LIMITS:

3-P-17

SANITARY LATERALS, STORM LATERALS AND STORM MAIN

Calumet Street from Oneida Street to Jefferson Street
Lincoln Street from Olde Oneida Street to Madison Street
Oneida Street from Calumet Street to Olde Oneida Street
Oneida Street from 441 to Calumet Street
Drew Street from Glendale Avenue to Pershing Street
Kamps Avenue 200' west of Douglas Street to Douglas Street
Lynndale Drive from Leonard Street to Everett Street
Marquette Street from Harriman Street to Oneida Street
Reeve Street from Linwood Avenue to Winnebago Street
Sanders Street 400' north of Verbrick Street to Seymour Street
Summer Street from Oneida Street to Lawe Street
Winnebago Street from Linwood Avenue to Badger Avenue

In accordance with the preliminary resolution of the Common Council dated April 19, 2017, we herewith submit our report on the assessment of benefits on the above named construction.

This report consists of the following:

Schedule A - Preliminary plans and specifications on file in the office of the Director of Public Works.

Schedule B - The total cost within the project limits in accordance with the plans and specifications in Schedule A is **\$7,294,759.00.**

Schedule C - Proposed Assessments. The properties included within the project limits are benefited and the work or improvements constitute an exercise of the police power. The total value of assessments is **\$492,256.63.**

Finance Committee

CITY OF APPLETON
Department of Public Works
MEMORANDUM

TO: ☒ Finance Committee
☐ Municipal Services Committee
☐ Utilities Committee

SUBJECT: Award of Contract

The Department of Public Works recommends that the following described work:

Unit D-17 Sidewalk Construction

Be awarded to:

Name: Jim Fischer, Inc.

Address: 2635 S. Casaloma Drive

Appleton, WI 54914

In the amount of : _____

With a _____ % contingency of : _____

For a project total not to exceed : _____

**** OR ****

In an amount Not To Exceed : \$240,000.00

Budget: \$240,000.00

Estimate: \$263,549.45

Committee Date: 04/11/17

Council Date: 04/19/17

SIDEWALK CONSTRUCTION

BID TABULATION

Unit D-17

March 24, 2017

ITEM	DESCRIPTION	Quantity	Units	Jim Fischer, Inc		Fischer-Ulman Const		Al Dix Concrete, Inc		Marvin Gleason Contractor	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1.	Furnish & Install 4" Sidewalk	35,000	sq. ft.	\$4.50	\$157,500.00	\$3.97	\$139,950.00	\$4.10	\$143,500.00	\$5.75	\$201,250.00
2.	Furnish & Install 5" Sidewalk	8,500	sq. ft.	\$4.75	\$40,375.00	\$4.85	\$41,225.00	\$4.75	\$40,375.00	\$6.10	\$51,850.00
3.	Furnish & Install 5" Driveway Apron	700	sq. ft.	\$4.75	\$3,325.00	\$4.50	\$3,150.00	\$4.75	\$3,325.00	\$6.15	\$4,305.00
4.	Furnish & Install 5" Private Driveway	150	sq. ft.	\$4.75	\$712.50	\$4.50	\$675.00	\$4.75	\$712.50	\$6.25	\$937.50
5.	Furnish & Install 7" Sidewalk	700	sq. ft.	\$5.10	\$3,570.00	\$5.15	\$3,605.00	\$5.25	\$3,675.00	\$6.60	\$4,620.00
6.	Furnish & Install 7" Handicap Ramp	1,400	sq. ft.	\$5.10	\$7,140.00	\$5.15	\$7,210.00	\$5.50	\$7,700.00	\$6.65	\$9,310.00
7.	Furnish & Install 7" Driveway Apron	250	sq. ft.	\$5.10	\$1,275.00	\$5.15	\$1,287.50	\$5.25	\$1,312.50	\$6.65	\$1,662.50
8.	Furnish & Install 8" Sidewalk	75	sq. ft.	\$5.35	\$401.25	\$6.00	\$450.00	\$5.75	\$431.25	\$7.10	\$532.50
9.	Furnish & Install 8" Driveway Apron	100	sq. ft.	\$5.35	\$535.00	\$6.00	\$600.00	\$5.75	\$575.00	\$7.15	\$715.00
10.	Text Imprint (Poem Stamping)	20	Each	\$90.00	\$1,800.00	\$175.00	\$3,500.00	\$100.00	\$2,000.00	\$50.00	\$1,000.00
11.	Furnish & Install 3" Sidewalk at Vaults	20	sq. ft.	\$8.00	\$160.00	\$17.00	\$340.00	\$10.00	\$200.00	\$6.00	\$120.00
12.	Furnish & Install 4" Sidewalk at Vaults	20	sq. ft.	\$8.50	\$170.00	\$17.00	\$340.00	\$10.00	\$200.00	\$7.00	\$140.00
13.	Furnish & Install 6" Sidewalk at Vaults	20	sq. ft.	\$9.00	\$180.00	\$17.00	\$340.00	\$15.00	\$300.00	\$8.00	\$160.00
14.	Furnish & Install 3" Colored & Stamped Sidewalk at Vaults	20	sq. ft.	\$16.00	\$320.00	\$22.00	\$440.00	\$25.00	\$500.00	\$35.00	\$700.00
15.	Furnish & Install 4" Colored & Stamped Sidewalk at Vaults	20	sq. ft.	\$16.25	\$325.00	\$22.00	\$440.00	\$25.00	\$500.00	\$40.00	\$800.00
16.	Furnish & Install 6" Colored & Stamped Sidewalk at Vaults	20	sq. ft.	\$16.50	\$330.00	\$26.00	\$520.00	\$30.00	\$600.00	\$45.00	\$900.00
17.	Furnish & Install 4" Picture Frame Sidewalk	250	sq. ft.	\$5.50	\$1,375.00	\$7.00	\$1,750.00	\$6.00	\$2,000.00	\$5.95	\$1,487.50
18.	Furnish & Install 7" Picture Frame Sidewalk	175	sq. ft.	\$5.75	\$1,006.25	\$9.50	\$1,662.50	\$10.00	\$1,750.00	\$6.85	\$1,198.75
19.	Furnish & Install 5" Colored & Stamped Sidewalk	125	sq. ft.	\$12.00	\$1,500.00	\$18.00	\$2,250.00	\$16.00	\$2,000.00	\$15.00	\$1,875.00
20.	Furnish & Install 7" Colored Concrete Handicap Ramp	100	sq. ft.	\$13.00	\$1,300.00	\$18.00	\$1,800.00	\$17.00	\$1,700.00	\$16.00	\$1,600.00
21.	Furnish & Install 7" Plain Concrete Pavement	40	sq. yds.	\$45.50	\$1,836.00	\$55.00	\$2,200.00	\$60.00	\$2,400.00	\$65.00	\$2,600.00
22.	Furnish & Install 8" Plain Concrete Pavement	40	sq. yds.	\$49.50	\$1,980.00	\$63.00	\$2,520.00	\$62.00	\$2,480.00 *	\$70.00	\$2,800.00
23.	Furnish & Install 30" Concrete Curb & Gutter	100	lin. ft.	\$27.00	\$2,700.00	\$27.00	\$2,700.00	\$27.00	\$2,700.00	\$28.00	\$2,800.00
24.	Furnish & Install Special Curb	125	lin. ft.	\$23.00	\$2,875.00	\$26.00	\$3,250.00	\$27.00	\$3,375.00	\$30.00	\$3,750.00
25.	High Early Concrete - 3 Day	40	cu. yds.	\$12.00	\$480.00	\$15.00	\$600.00	\$12.00	\$480.00	\$115.00	\$4,600.00

SIDEWALK CONSTRUCTION

BID TABULATION

Unit D-17

March 24, 2017

ITEM	DESCRIPTION	Quantity	Units	Jim Fischer, Inc		Fischer-Ulman Const.		Al Dix Concrete, Inc		Marvin Gleason Contractor	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
26.	High Early Concrete - 1 Day	60	cu. yds.	\$15.00	\$900.00	\$20.00	\$1,200.00	\$20.00	\$1,200.00	\$150.00	\$9,000.00
27.	Full Depth Sawcut	275	lin. ft.	\$3.00	\$825.00	\$5.00	\$1,375.00	\$4.00	\$1,100.00	\$4.00	\$1,100.00
28.	Concrete Pavement Removal	60	sq. yds.	\$6.00	\$360.00	\$7.00	\$420.00	\$10.00	\$600.00	\$22.00	\$1,320.00
29.	Curb & Gutter Removal	150	lin. ft.	\$4.00	\$600.00	\$6.50	\$975.00	\$5.00	\$750.00	\$10.00	\$1,500.00
30.	Private Concrete/Asphalt Drive Removal	150	sq. ft.	\$1.00	\$150.00	\$1.10	\$165.00	\$1.25	\$187.50	\$2.50	\$375.00
31.	Concrete/Asphalt Driveway Apron Removal	550	sq. ft.	\$1.00	\$550.00	\$1.10	\$605.00	\$1.25	\$687.50	\$2.25	\$1,237.50
32.	Concrete/Asphalt Handicap Removal	1,200	sq. ft.	\$1.00	\$1,200.00	\$1.10	\$1,320.00	\$1.25	\$1,500.00	\$2.25	\$2,700.00
33.	Concrete/Asphalt Sidewalk Removal	36,500	sq. ft.	\$1.00	\$36,500.00	\$1.10	\$40,150.00	\$1.25	\$45,625.00	\$2.20	\$80,300.00
34.	Furnish & Install Gravel Fill	100	tons	\$15.00	\$1,500.00	\$14.00	\$1,400.00	\$15.00	\$1,500.00	\$15.00	\$1,500.00
35.	Furnish & Install No. 4 Reinforcing Rods	150	lin. ft.	\$1.00	\$150.00	\$1.75	\$262.50	\$1.10	\$165.00	\$2.00	\$300.00
36.	Furnish & Install Drill-In Tie Bars	50	each	\$6.00	\$300.00	\$9.00	\$450.00	\$6.00	\$300.00	\$12.00	\$600.00
37.	Furnish & Install 3" Asphalt Pavement	325	sq. ft.	\$7.00	\$2,275.00	\$7.00	\$2,275.00	\$10.00	\$3,250.00	\$9.00	\$2,925.00
38.	Furnish & Install 6" Asphalt Pavement	250	sq. ft.	\$9.00	\$2,250.00	\$9.25	\$2,312.50	\$12.00	\$3,000.00	\$10.00	\$2,500.00
39.	Adjust Sanitary Manhole Top	1	each	\$300.00	\$300.00	\$500.00	\$500.00	\$300.00	\$300.00	\$500.00	\$500.00
40.	Adjust Storm Manhole Top	2	each	\$275.00	\$550.00	\$500.00	\$1,000.00	\$300.00	\$600.00	\$300.00	\$600.00
41.	Prospect Avenue restoration work (6:1 Slope)	700	sq. yd.	\$7.00	\$4,900.00	\$9.50	\$6,650.00	\$10.00	\$7,000.00	\$15.00	\$10,500.00
42.	Furnish & Install 15' of 3" PVC	4	each	\$70.00	\$280.00	\$200.00	\$800.00	\$100.00	\$400.00	\$50.00	\$200.00
43.	Adjust Inlet Tops	2	each	\$275.00	\$550.00	\$500.00	\$1,000.00	\$300.00	\$600.00	\$300.00	\$600.00
44.	Furnish & Install Truncated Domes	300	sq. ft.	\$28.00	\$8,400.00	\$31.00	\$9,300.00	\$30.00	\$9,000.00	\$45.00	\$13,500.00
45.	F&I Erosion Cont. Revegetative Mat, Class I, Type A Urban	600	sq. yds.	\$2.00	\$1,200.00	\$5.00	\$3,000.00	\$8.00	\$4,800.00	\$5.00	\$3,000.00
46.	Furnish & Install & Remove Type D-M Inlet Protection	3	each	\$90.00	\$270.00	\$90.00	\$270.00	\$100.00	\$300.00	\$100.00	\$300.00
47.	Furnish & Install & Remove Curlex Sediment Log	20	lin. Ft.	\$3.00	\$60.00	\$20.00	\$400.00	\$10.00	\$200.00	\$8.00	\$160.00
48.	Furnish & Install Traffic Control	1	lump sum	\$2,500.00	\$2,500.00	\$13,000.00	\$13,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00

*-Corrected Value

\$446,431.25

\$313,856.25

\$310,635.00

\$299,741.00



MEMO

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

TO: Finance Committee

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

DATE: April 6, 2017

SUBJECT: **Recommendation to preclude access to Pierce Avenue for properties fronting on Pierce Court.**

The 2017 Budget includes the installation of sidewalk on the east side of Pierce Avenue from Front Street to Lutz Drive. The sidewalk will be installed along four (4) properties that front on Pierce Court (see attached maps). Due to the terrain, vegetation and narrow width of Pierce Avenue, we recommend that access to Pierce Avenue be precluded for the following four properties:

- 12 Pierce Court
- 10 Pierce Court
- 8 Pierce Court
- 7 Pierce Court

If approved, these properties will not be assessed for the new sidewalk per the City's Special Assessment Policy.

Attachments

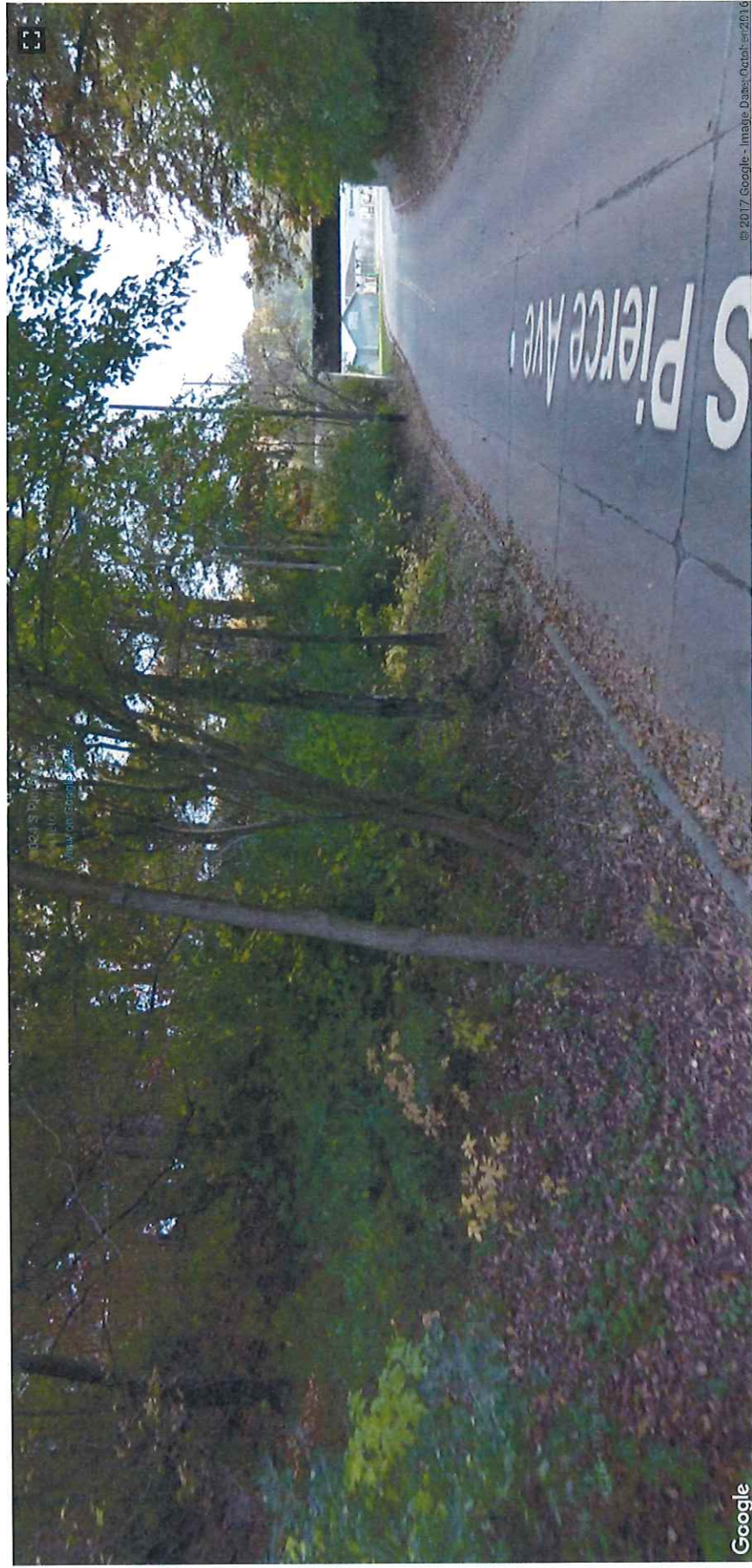
ArcGIS Web Map



April 6, 2017

- City Parcels
- Easements

1:1,500
0 0.0125 0.025 0.04 0.05 mi
0 0.02 0.04 0.08 km






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

OFFICE OF THE MAYOR

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

MEMORANDUM

TO: Members of the Human Resources & Information Technology Committee

FROM: Mayor Timothy M. Hanna 

DATE: March 6, 2017

SUBJECT: Relocation of Diversity and Inclusion Coordinator position

Diversity and inclusion continues to grow in importance at a national, state and local level, and the need for inclusion and respect is more critical than ever before. The City has recognized the need to proactively support diversity and inclusion in both our organization and in the community. Our vision is to be a community that is known as welcoming, inclusive and respectful to all residents, businesses and visitors.

In recent months, we have worked to fill our Diversity and Inclusion Coordinator position. During that recruitment process, we re-visited our expectations and scope of responsibilities for the position. We recognize that this is a City-wide position that serves all internal departments and external communities. We want the person in the position to be strategic, visionary, politically-savvy, a strong decision-maker and an excellent communicator, which are competencies that we expect of employees at the highest level of the organization. We expect the person to be proactive in building internal capacity in all City departments, while reacting to the external communities' needs as they arise.

Because this position is considered Non-Exempt under the Fair Labor Standards Act (FLSA), the person in the position is expected to fulfill these duties within the confines of a 40-hour work week. Often these hours are consumed in reacting to immediate needs that emerge, to the detriment of long-range strategic planning and proactive development of our organization to meet our vision of being a welcoming and inclusive community.

In recognition of the need for the position to be both strategic and flexible to meet City-wide needs, I am proposing to move the position to the Mayor's Office, and increase the responsibilities to give the position strategic oversight of internal and external diversity efforts,

March 6, 2017

Page 2

including development and administration of policies, communication, and training as they relate to diversity and inclusion. We expect these additional responsibilities will change the position to 'Exempt' status under FLSA, which will allow the position more flexibility to be both proactive and strategic, while still meeting the needs of the community when they emerge. We anticipate these added responsibilities may move the position to another classification category under the City's Compensation Plan once it has been reviewed by our external Compensation Consultant.

We expect these changes to yield the following benefits:

- The position will be more strategic, proactive, and deliberate in our approach to meet internal and external needs.
- The position will have oversight for all diversity and inclusion policies and communication, allowing for better coordination and a unified message from the City.
- By increasing the responsibilities, the position may be classified as 'Exempt', which will allow the candidate to have the ability to proactively build our internal capacity, while responding to diversity and inclusion needs without being restricted by FLSA hour limitations.
- The position will fulfill the key objectives of the City's Strategic and Comprehensive Plans.

Thank you for your consideration of these changes. Should you have questions, please let me know.



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

**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: 4/11/2017

RE: Action: Award the Water Treatment Facility "2017 Hardscape Repairs Project" contract to Northeast Asphalt, Inc in the amount of \$88,986.75 with a contingency of \$13,000 for a project total not to exceed \$101,986.75

The 2017 Capital Improvement Plan includes \$115,000 to repair hardscapes at the Water Treatment Facility. Of that amount, \$12,650 has been utilized on design, leaving a balance of \$102,350 for construction. The project includes replacing sections of failing asphalt at the Water Treatment Facility. The locations were determined by our consulting engineer after a hardscape audit was completed at the site.

The bids were received as follows:

Northeast Asphalt, INC	\$88,986.75
MCC	\$98,671.00

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to Northeast Asphalt, Inc. The Parks, Recreation, and Facilities Management Department has also reviewed the bids and is in agreement with the engineer's recommendation. Therefore, we recommend awarding the contract to Northeast Asphalt, Inc in the amount of \$88,986.75 plus a contingency of \$13,000 only to be utilized as needed.

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



MEMORANDUM

TO: Community & Economic Development Committee

FROM: Karen Harkness, Director of Community & Economic Development

DATE: April 12, 2017

RE: Sponsorships for 2017

When Council approved the 2017 budget, it included \$72,000 for Marketing, Business Services, Other Contracts and Obligations. Of the \$72,000 approved, \$36,000 was allocated for the Fox Cities Regional Partnership and \$36,000 was allocated for other opportunities.

For the Fox Cities Regional Partnership, we are recommending sponsoring four opportunities that total \$18,500. If approved, there would remain \$17,500 of the \$36,000 approved in the 2017 budget.

For other opportunities, we are recommending sponsoring seven happenings for Appleton Downtown, Inc. (ADI) that will total \$15,000. We are also recommending sponsoring one event for Habitat for Humanity that totals \$5,000. If these two recommendations are approved for a total of \$20,000, and along with \$4,800 previously allocated, we would have a remaining balance of \$11,200.

Please see the attached documents for further detail and feel free to contact Karen Harkness, Director of Community and Economic Development at 920-832-6408 or email karen.harkness@appleton.org with any questions.

Fox Cities Regional Partnership Request	<i>Requested</i>	<i>Recommend</i>
The Artery - early Aug. - Downtown Riverfront	\$1,000	\$1,000
Bazaar After Dark - September - Wisconsin Ave.	\$9,000	\$5,000
YP Week - April 22 to 29	\$5,000	\$2,500
Talent Upload - September 2017	\$10,000	\$10,000
Mural	\$5,000	\$0
Total	\$30,000	\$18,500

- 2017 Budget allocated \$36,000 to Fox Cities Regional Partnership, Remaining \$17,500

Appleton Downtown Inc. (ADI) Request	<i>Requested</i>	<i>Recommend</i>
The Trolley		
Art on the Town - 5 events - May-September		
Light up the Night/Window Walk		
Downtown for the Holidays		
State of the Downtown Report		
Small Business Saturday		
Summer Support Banner displayed at 14 Thursday concerts and Farm Market		
Total	\$15,000	\$15,000

- ADI did not break out the sponsorships

Habitat for Humanity Request	<i>Requested</i>	<i>Recommend</i>
Rock the Block - Arbutus Park Neighborhood - September	\$5,000	\$5,000
Total	\$5,000	\$5,000

Overall Total of	\$20,000
-------------------------	-----------------

*2017 Budget allocated \$36,000 to Marketing, Business Services and Other Contracts

\$3,800 previously allocated to 6 vendors – Remaining balance \$12,200



FOX CITIES
CHAMBER

SPONSORSHIP
CATALOG

2016-2017





TERMS AND CONDITIONS

- Right of first refusal is granted to all prior year's sponsors. You will have 30 days from the start of the campaign to commit for this year.
- Sponsorships/tables sold after the campaign may be sold at higher prices.
- Sponsorships will be invoiced 30 days after contract is signed and are due Net 30.
- Sponsor logos must be submitted by due date or with payment, whichever is earliest. The Fox Cities Chamber will use logos in its library if no updated logo is submitted.
- The Chamber reserves the right to modify a sponsor logo in regards to it being presented in color, black or white for inclusion on Chamber artwork.
- See completed signed contract for any additional terms and conditions that may apply.

PRIMARY CONTACT

Patty Milka
Vice President of Talent & Education
Fox Cities Chamber of Commerce
pmilka@foxcitieschamber.com
(920) 734-7101



Fox Cities Chamber of Commerce
125 N. Superior Street, Appleton, Wisconsin 54911
www.foxcitieschamber.com





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ABOUT THE CHAMBER

INSPIRING COMMUNITY | STRENGTHENING BUSINESS | INVESTING IN PEOPLE

The Fox Cities Chamber is your resource for making your business goals possible. Our mission is to promote growth and prosperity in the Fox Cities. Our vision is to recognize the Fox Cities as a world-class community.

The Chamber is a dynamic group of dedicated professionals that provides business services to businesses of all sizes within the Fox Cities Region. The Chamber acts as an access point for solving business challenges, establishing and growing professional and social networks, and providing assistance for business leaders to achieve their goals.

The Fox Cities Chamber of Commerce captures the energy of one of Wisconsin's most dynamic regions and transforms it into innovative programs and services for its business members. The Chamber serves all of the Fox Cities communities within the counties of Outagamie, Calumet and the northern portion of Winnebago. The Chamber plays a leadership role in regional economic development efforts in Northeastern Wisconsin.



125 N. Superior Street | Appleton, WI 5911 | (920) 734-7101 | info@foxcitieschamber.com

 www.foxcitieschamber.com

 www.facebook.com/foxcitieschamber

 www.twitter.com/FoxCitiesChmbr

 www.linkedin.com/company/2337391



BOARD OF DIRECTORS

BOARD OF DIRECTORS 2016-2017

CHAIRMAN OF THE BOARD

Daniel P. Ferris
SECURA Insurance Companies

PAST CHAIRMAN

Kip Golden
CR Structures Group, Inc.

CHAIRMAN-ELECT

Bruce Zak
Chase, N.A.

SECRETARY/TREASURER

Kathi Seifert
Katapult, LLC

DIRECTORS

Jen Bauer
Miron Construction Co., Inc.

Rick Parks
Modern Woodmen of America

Lisa Cruz
Red Shoes PR, Inc.

Todd Romenesko
Calumet County

John Dennis
Gardan Inc.

Bruce Sasman
We Energies

Curt Detjen
Community Foundation

Mark Scheffler
Appleton Group, LLC

Travis Froze
BMO Harris Bank

Heather Schimmers
St. Elizabeth Hospital/
Ministry Healthcare

Ted Galloway
Galloway Company

Scott Teerlinck
Werner Electric Supply

Brian Giroux
Kimberly-Clark

Gary Vaughan
Guident Business Solutions

Jason Henderson

Abe Weber
Appleton International Airport

Chris Hess
ThedaCare

Bob Zemple
Baker Tilly Virchow Krause, LLP

Sharon Hulce
Employment Resource Group Inc.

Ex-Officio

Kevin Eismann
Epiphany Law, LLC

Dean Kaufert
City of Neenah

Chris Matheny
Fox Valley Technical College

CHAMBER STAFF

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Adrienne Palm
Director, Pulse Young Professionals Network
apalm@foxcitieschamber.com



Amy Schanke
Director, Leadership Fox Cities
aschanke@foxcitieschamber.com



Nikki Hessel
Program Coordinator, Talent & Education
nhessel@foxcitieschamber.com



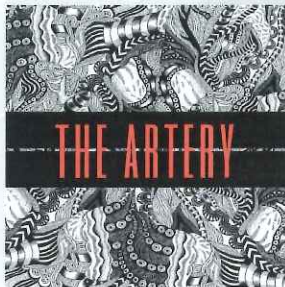
SPONSORSHIP OPPORTUNITIES & BENEFITS

The Artery

Ongoing/Seasonal

CONTACT INFORMATION:

Adrienne Palm
Director, Pulse Young Professionals Network
EMAIL: apalm@foxcitieschamber.com
PHONE: 920-734-7101



The Artery is the Fox Cities first urban market. This seasonal event has given local Wisconsin artists a platform to sell their work, meet fellow makers and keep driving the creative economy forward in Northeast Wisconsin.

* EARLY AUGUST *

* DOWNTOWN/RIVERFRONT *



SPONSORSHIP LEVELS

	Sponsor Level Title	Annual Presenting	Presenting (Available when Annual commitment is not fulfilled)	Sustaining Patron	Local Art Advocate
	Sponsor Price	\$6,000	\$3,500	\$1,000	\$300
	Number of Sponsors Needed	1		4	Unlimited
SPONSOR BENEFITS	Top placement on all marketing materials, including the "Presented By" tagline with your company name on all web & print recognition pre & post event	•			
	First right of refusal for all future events	•			
	First consideration for all media interviews (Television, Radio & Print)	•	•		
	Inclusion in all paid advertising	•	•		
	Access to Vendor information - Name/Business/Contact Info (with their explicit approval)	•	•		
	Logo Inclusion on all marketing pieces, web & print (Website Event page, Facebook Event page, Monthly Pulse Newsletter, Chamber Up2Date, Press Release, Signage, etc...)	•	•	•	
	Name Inclusion in all marketing pieces, web & print (see above)	•	•	•	•
	Name inclusion in all event communications	•	•	•	•
	Social Media Mention on two separate platforms up to 3x pre-event (Facebook & Twitter)	•	•	•	
	Custom Social Media Engagement	•	•		
	Customizable on-site activation/performance	•			
	On-site Booth Space with the ability to distribute materials/information/widgets to attendees	•			
	Logo on day-of signage	•	•	•	

Some events may be subject to change and have limitations due to existing sponsorships for coinciding state-related events.
We will do our best to accommodate your needs and requests.

Bazaar After Dark (Night Market)

Ongoing/Seasonal

* SEPTEMBER *
* WISCONSIN AVE *

CONTACT INFORMATION:

Adrienne Palm
Director, Pulse Young Professionals Network
EMAIL: apalm@foxcitieschamber.com
PHONE: 920-734-7101



Bazaar After Dark, the Fox Cities first night market, brings together live music, art vendors, food trucks, family activities and a few other quirky surprises. The free event attracts 3,000+ community members of all ages for an evening of fun, celebration and to support local businesses in the area.



SPONSORSHIP LEVELS

	Sponsor Level Title	Sponsor Price			
		Presenting	Premier	Contributing	Supporting
		\$9,000	\$5,000	\$2,500	\$1,000 & <
	Number of Sponsors Needed	1	2	4	Unlimited
SPONSOR BENEFITS	Top placement on all marketing materials, including the "Presented By" tagline with your name on all web & print representation pre & post event	*			
	First right of refusal for all future events	*			
	First consideration for all media interviews (Television, Radio & Print)	*			
	Inclusion in all paid advertising	*	*		
	Exclusivity of Industry (i.e. no industry competitors)	*	*		
	Logo Inclusion on all marketing pieces, web & print (Website Event page, Facebook Event page, Event Program to be handed out at the event, Monthly Pulse Newsletter, Chamber Up2Date, Press Release, Signage, etc...)	*	*	*	
	Access to Vendor information - Name/Business/Contact Info (with their explicit approval)	*	*	*	
	Name Inclusion in all marketing pieces, web & print (see above)	*	*	*	*
	Name inclusion in all event communications	*	*	*	*
	Social Media Mention on two separate platforms up to 3x pre-event (Facebook & Twitter)	*	*	*	
	Custom Social Media Engagement	*	*		
	Customizable on-site activation/performance	*			
	VIP Lounge Access for all employees, clients and guests of your choosing	*	*		
	On-site Booth Space with the ability to distribute materials/information/widgets to attendees	*	*	*	
	Custom invitation to distribute internally to all employees	*	*	*	

Some events may be subject to change and have limitations due to existing sponsorships for coinciding state-related events.
We will do our best to accommodate your needs and requests.

YP Week

Last Week of April

4/22 - 4/29
Various locations

CONTACT INFORMATION:

Adrienne Palm
Director, Pulse Young Professionals Network
EMAIL: apalm@foxcitieschamber.com
PHONE: 920-734-7101



ypWeek

YPWeek is a weeklong platform for discovery, adventure and meaningful conversations about the issues that matter among young professionals in Wisconsin. YPWeek brings together key leaders in the community, at purposefully chosen locations that integrate the unique cultural assets with meaningful learning or social interaction. The activities engage the millennial workforce in experiences that are important, while educating employers on the important role these functions play in retaining workforce.



SPONSORSHIP LEVELS

	Sponsor Level Title	SPONSORSHIP LEVELS		
		Presenting	Full Week	Single Event
	Sponsor Price	\$10,000	\$5,000	\$2,500
	Number of Sponsors Needed	1	2	2
SPONSOR BENEFITS	Top placement on all marketing materials, including the "Presented By" tagline with your name/logo on all web & print representation pre & post event	*		
	First right of refusal for annual YP Week Events (subject to price change)	*		
	Access to statewide network of YP leaders via email introduction	*		
	First consideration for all local and statewide media interviews (Television, Radio & Print)	*		
	Inclusion in all local paid advertising	*	*	
	Exclusivity of Industry (i.e. no industry competitors will be permitted to sponsor)	*	*	
	Logo Inclusion in statewide website & regional media coverage	*	*	
	Logo Inclusion on all local marketing pieces, web & print (Website Event page, Facebook Event page, Event Program, Monthly Pulse Newsletter, Chamber Up2Date, Press Release, Signage, etc...)	*	*	Applies to the specific event to be hosted
	Recognition in all marketing pieces, web & print (see above)	Logo	Logo	Name
	Recognition in all event communications	Logo	Logo	Name
	Social Media Mentions	30 (minimum)	15 (minimum)	5 (minimum)
	Custom Social Media Engagement	*		
	Customizable on-site program introduction	3	1	1
	Provide program content (subject to committee review)	3	1	n/a
	On-site Booth Space with the ability to distribute materials/information/widgets to attendees	3	2	1

Some events may be subject to change and have limitations due to existing sponsorships for coinciding state-related events. We will do our best to accommodate your needs and requests.



TALENT UPLOAD FOX CITIES TOUR

A PROGRAM OF 

Fall 2016: FINAL REPORT

september 29-october 1, 2016

2015

INTERNATIONAL ECONOMIC
DEVELOPMENT COUNCIL
EXCELLENCE
IN ECONOMIC DEVELOPMENT
AWARDS

WINNER OF IEDC'S 2015 BEST IN SHOW

FOX CITIES
REGIONAL
PARTNERSHIP 
A DIVISION OF

FoxCitiesRegion.com/talent-upload

THANK YOU

16 PARTICIPATING EMPLOYERS LOOKING FOR:

139 engineering interns | 58 entry-level engineering hires
37 IT or computer science interns | 33 entry-level IT or computer science hires

GIGABYTE EMPLOYERS



MEGABYTE EMPLOYERS



KILOBYTE EMPLOYERS



CONTRIBUTING SPONSORS



J. J. Keller & Associates, Inc. is a proud participant in Talent Upload program since its inception. As a growing company, with a strong focus on hiring technology talent, it is critical that we have engaging ways to connect with students. Talent Upload is a valuable and meaningful program that exposes students to career opportunities and hiring companies within the Fox Cities.

Cindy Enli, Talent Acquisition Manager
J. J. Keller & Associates, Inc.

THANK YOU

74 STUDENTS FROM 13 PARTICIPATING UNIVERSITIES

13 seeking engineering internships
27 seeking FT entry-level engineering positions
30 seeking IT or computer science internships
7 seeking FT entry-level IT or computer science positions

Lawrence University | Michigan Tech | Purdue University | UW Stout
UW-Platteville | UW-Stout | UW-Madison | UW-Green Bay | UW-Eau Claire
UW-Milwaukee | UW-Oshkosh | UW-Stevens Point | Valparaiso University

BEFORE & AFTER TALENT UPLOAD STUDENT SURVEY RESULTS

What is your perception of starting your career in the Fox Cities?



What is your perception of living in the Fox Cities?



What is your perception of living as a young professional in the Fox Cities?



How likely are you to pursue a job/internship in the Fox Cities?



March 14, 2017

Karen Harkness
Director of Community and Economic Development
100 N. Appleton Street
Appleton, WI 54911

Dear Karen,

Downtown Appleton has become the premiere arts and culture district for the entire Fox Cities, and support from the City of Appleton is critical to maintaining our annual calendar of quality events, programs and attractions. Now is the time for the city to secure your spot as a sponsor at some of our most popular events. This special package rate detailed below will increase your exposure and demonstrate your commitment to downtown.

For your \$15,000 contribution in 2017, the City of Appleton will receive recognition associated with the following events/amenities in downtown: The Trolley, Art on the Town (5 events May-Sept), Light Up Night/Window Walk, Downtown for the Holidays, the State of Downtown report, Small Business Saturday, and our Summer Support Banner (displayed at 14 Thursday concerts and every weekend at the Farm Market). Given your history of support, we can offer the City of Appleton this discounted package to maximize your sponsorship dollars.

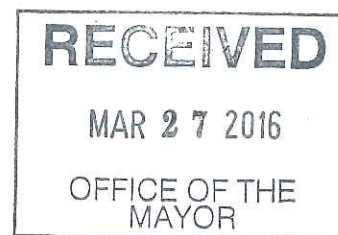
As you know, Appleton's vibrant downtown contributes to the community's economic vitality and improves quality of life for residents and businesses. Statistics show that the arts and culture sector in Wisconsin generates \$535 million in economic activity, \$65 million in local and state revenue, and \$479 million in resident income, according to the Wisconsin Arts Board (Economic Impact Study, 2010).

You know better than almost anyone the powerful way these events transform public spaces into desirable places for people. Your sponsorship of Appleton Downtown's events builds on your investment in Houdini Plaza, College Ave and the surrounding areas.

Thanks for your consideration. I look forward to hearing from you soon!

Warmly,


Jennifer Stephany
Executive Director
Appleton Downtown Inc.



March 21, 2017

Mayor Tim Hanna
City of Appleton
100 N Main Street
Appleton, WI 54911

Dear Tim,

Our thanks to the City of Appleton for supporting "Rock the Block." The City's \$5,000 contribution will help support our work on this September's Columbus School Area Rock the Block and our continued work in the Pierce Avenue neighborhood.

Rock the Block continues to be a great catalyst for neighborhood improvement. We expect to work on over 30 properties around Columbus School. Neighborhood meetings are beginning soon to both encourage residents to sign up for repairs and become involved in helping their neighbors. Over 500 volunteers will again be engaged. The Chamber of Commerce will host a "Bazaar After Dark" to kick off the event. The entire event will bring tremendous energy and excitement to the improvement of the neighborhood.

We thank the City of Appleton for being a great partner in this effort. It is a great city and we are proud to report that the community is coming together to make it even better.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Weyenberg".

John Weyenberg
President-Executive Director

Department of Public Works – Engineering Division

MEMO

TO: Utilities Committee

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

DATE: April 5, 2017

RE: Award of 2017C Stormwater Consulting Services Contract for Spartan Drive Culverts and Stormwater Practices Sixty Percent (60%) Design and Permitting to Brown & Caldwell in an amount not to exceed \$202,767.

The Department of Public Works is requesting approval of the 2017C Stormwater Consulting Services Contract with Brown & Caldwell (BC) for Spartan Drive Culvert and Stormwater Practices Sixty Percent (60%) Design and Permitting in an amount not to exceed \$202,767. After this contract \$383,033 will remain in the 2017 stormwater consulting services budget.

Brown and Caldwell was selected for the original Stormwater Evaluation of the Spartan Drive corridor (Richmond Street to Meade Street) based on a competitive RFP process. They have shown efficient and cost-effective performance on the Stormwater Evaluation, the Spartan Drive Preliminary Engineering and on other projects as well. Therefore, DPW is requesting permission to contract with BC for these design services using a negotiated contract scope.

The 2015E Spartan Drive culverts and stormwater BMPs preliminary design contract is nearly complete. Based on the results of the preliminary engineering, City and BC staff met with the Wisconsin Department of Natural Resource (WDNR) and Army Corps of Engineer (ACOE) on March 22, 2017, as required, prior to submitting permits for construction of the Spartan Drive infrastructure. City staff had planned to submit two permit applications, splitting the Spartan Drive corridor at Haymeadow Avenue, to correspond to construction years and ensure each phase of construction was completed within the permit time limit. However, WDNR has instructed the City that Spartan Drive from Richmond Street to Meade Street, including both creek crossings and eight BMPs, must be submitted in one permit application.

The construction of Spartan Drive from Richmond Street to Meade Street requires large culverts to cross Bear Creek and Apple Creek, and eight stormwater practices (BMPs) to address the water quantity and quality changes from the new roadway and some amount of development. Per the Preliminary Engineering, the eight BMPs include 4 wet ponds, one biofilter, one flood storage area, and two water quality roadside swales. It is anticipated that the construction of Spartan Drive will begin mid to late 2018 and take several years to complete. (A portion of the sanitary sewer was constructed in 2016 and the new sanitary lift station is currently under construction.)

Under this contract, the consultant will:

- Complete 60% design and construction drawings of the culverts and BMPs
- Complete the water quality and quantity modeling to support the 60% plans, including inlet capacity calculations

- Work iteratively with City staff on the design of the utilities and streets
- Provide the base files for the City to prepare legal descriptions and acquire the necessary property
- Obtain additional survey, if needed
- Provide updated cost estimates at the 60% design milestone and for the 2018 and 2019 budget processes.
- Attend various meetings with City staff at key project milestones
- Submit the WDNR and ACOE permit applications, respond to questions during the permitting process, and attend a public hearing, if needed

Provided the current level of service continues and key staff remain part of the project team, future contract requests with BC are anticipated for the Spartan Drive corridor without an RFP process. These include Final Design and Specifications, Operation and Maintenance Manuals and Construction Related Services for various years, and are subject to approval by the Utilities Committee and Common Council at the appropriate time and budget availability.

SANITARY LATERALS, STORM LATERALS AND STORM MAIN

RESOLUTION 3-P-17

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

RESOLVED, by the Common Council of the City of Appleton, Wisconsin:

1. 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.

SANITARY LATERALS, STORM LATERALS AND STORM MAIN

Calumet Street from Oneida Street to Jefferson Street
Lincoln Street from Olde Oneida Street to Madison Street
Oneida Street from Calumet Street to Olde Oneida Street
Oneida Street from 441 to Calumet Street
Drew Street from Glendale Avenue to Pershing Street
Kamps Avenue 200' west of Douglas Street to Douglas Street
Lynndale Drive from Leonard Street to Everett Street
Marquette Street from Harriman Street to Oneida Street
Reeve Street from Linwood Avenue to Winnebago Street
Sanders Street 400' north of Verbrick Street to Seymour Street
Summer Street from Oneida Street to Lawe Street
Winnebago Street from Linwood Avenue to Badger Avenue

2. The total amount assessed against such property shall not exceed the total cost of the improvements. The Common Council determines that such improvements shall be made under the police power and the amount assessed against each parcel shall be on a cost per front foot, area or unit cost basis.

3. The assessments 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 annual installments, if the assessment is greater than \$1000;

Deferred payments shall bear an interest at the rate of 6.75% per annum on the unpaid balance.

4. The Finance Committee is directed to prepare a report consisting of:

- a. Preliminary plans and specifications for said improvements.
- b. An estimate of the entire cost of the proposed street improvements.
- c. A schedule of proposed assessments showing the properties that are benefited by the work or improvements.

Upon completing such report, the Finance Committee is directed to file a copy thereof in the office of the City Clerk for public inspection.

5. Upon receiving the report of the Finance Committee, the City Clerk is directed to give notice of a public hearing on such report as specified in Section 66.0703 (7) (a), Wisconsin Statutes. The hearing shall be held at the Council Chambers in the City Hall at a time set by the City Clerk in accordance with Section 66.0703 (7) (a), Wisconsin Statutes.

S/TIMOTHY M. HANNA (Mayor)

Adopted: April 19, 2017

Attest: Kami L. Lynch (City Clerk)

SANITARY & STORM SEWER CLEANING & TELEVISION

Unit F-17

April 3, 2017

BID TABULATION

ITEM	DESCRIPTION	Quantity	Units	Northern Pipe, Inc		Green Bay Pipe & TV, LLC		Great Lakes TV Seal, Inc.		Michels Pipe Services		National Power Rodding	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1.	Sanitary Sewer Cleaning	225,000	lin. ft.	\$0.31	\$69,750.00	\$0.33	\$74,250.00	\$0.42	\$94,500.00	\$0.99	\$222,750.00	\$1.00	\$225,000.00
2.	Sanitary Sewer Televising	225,000	lin. ft.	\$0.30	\$67,500.00	\$0.31	\$69,750.00	\$0.40	\$90,000.00	\$0.70	\$157,500.00	\$1.25	\$281,250.00
3.	Storm Sewer Cleaning	150,000	lin. ft.	\$0.32	\$48,000.00	\$0.33	\$49,500.00	\$0.42	\$63,000.00	\$0.97	\$145,500.00	\$1.00	\$150,000.00
4.	Storm Sewer Televising	150,000	lin. ft.	\$0.30	\$45,000.00	\$0.31	\$46,500.00	\$0.40	\$60,000.00	\$0.68	\$102,000.00	\$1.50	\$225,000.00
5.	6" Sanitary or Storm Sewer Cleaning	1,000	lin. ft.	\$0.31	\$310.00	\$0.37	\$370.00	\$0.42	\$420.00	\$2.60	\$2,600.00	\$1.00	\$1,000.00
6.	6" Sanitary or Storm Sewer Televising	1,000	lin. ft.	\$0.30	\$300.00	\$0.37	\$370.00	\$0.45	\$450.00	\$0.68	\$680.00	\$1.50	\$1,500.00
7.	Lateral Televising (Storm or Sanitary)	8	each	\$150.00	\$1,200.00	\$175.00	\$1,400.00	\$195.00	\$1,560.00	\$413.55	\$3,308.40	\$1,000.00	\$8,000.00
8.	Stormceptor Cleaning & Inspection	1	each	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,250.00	\$1,250.00	\$3,306.78	\$3,306.78	\$10,000.00	\$10,000.00
				\$233,060.00		\$243,140.00		\$311,180.00		\$637,645.18		\$901,750.00	



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

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

TO: Chairperson Greg Dannecker and Members of the Utilities Committee

FROM: Chris Shaw, Utilities Director

DATE: April 4, 2017

RE: *Award Engineering Services Contract for the North Reservoir Project to McMAHON Associates, Inc., in the amount of \$34,871 with a 10% contingency of \$3,487 for a project total not to exceed \$38,358*

BACKGROUND:

The Appleton Water Utility includes the North Reservoir. This reservoir was constructed in 2000. The capacity of the reservoir is 3 million gallons. To date, the tank has had little maintenance other than scheduled cleanings and inspections. During the 2012 regulatory inspection it was noted that a number of maintenance items need to be attended to preserve this asset. To prevent the spread of corrosion, the report also included a recommendation to have the tank painted.

Professional Services proposals were solicited from four engineering firms. The firms were selected for the following reasons: McMahon and Associates were the original design engineers of the North Reservoir. Robert E Lee and Associates were identified as a firm with successful coatings projects including the AWTF Softener Recoating Project. Strand and Associates were the successful engineering firm for the Glendale Tower Project. Donohue and Associates were identified due to their successful digester projects that included pipe and tank coating tasks.

An evaluation team completed their review of three proposals (Donohue did not submit) and scored according to the results in the table below. Of the submitted proposals, the evaluation team found that Robert E Lee had scored the highest and provided a proposal that best met the City's needs. The team also found that the McMAHON firm had provided a competitive proposal. The evaluation team completed the value evaluation to provide whether or not the additional costs for the Robert E Lee proposal were worth justifying. The formula produced results that McMAHON provided the best overall project value. In addition, McMahon and Associates has performed a number of coatings projects in the past with successful results.

COMPANY	QUOTE	SCORE	VALUE
McMAHON Associates, Inc.	\$34,871	151	\$231
Robert E Lee and Associates, Inc.	\$85,375	191	\$447
Strand Associates	60,800	104	\$585
Donohue and Associates	N/A	DNP	N/A

*DNP – Did Not Propose

RECOMMENDATION:

I recommend awarding the Engineering Services Contract for the North Reservoir Project to McMAHON Associates, Inc., in the amount of \$34,871 with a 10% contingency of \$3,487 for a project total not to exceed \$38,358. The 2017 water operations budget includes \$675,000 for professional services and a contractor to complete the maintenance activities listed previously.

If you have any questions regarding this project please contact me, Chris Shaw, at ph: 832-5945.

Britney K. Stobbe

From: Kurt Eggebrecht
Sent: Tuesday, March 07, 2017 1:17 PM
To: foxriverhouse@gmail.com
Cc: Patti Coenen; Britney K. Stobbe
Subject: RE: Noise Variance

We just missed the deadline for March BOH but will add to the April 12 meeting.

Thanks,
Kurt

From: foxriverhouse@gmail.com [mailto:foxriverhouse@gmail.com]
Sent: Tuesday, March 07, 2017 12:52 PM
To: Kurt Eggebrecht <Kurt.Eggebrecht@Appleton.org>
Cc: Patti Coenen <District11@Appleton.org>
Subject: Noise Variance

Hi Kurt,

I am requesting a noise variance for the following dates and times:

May 19, 20, 26, 27 until 11PM
June 2, 3, 9, 10, 16, 17, 23, 24, 30 Until 11PM
July 1, 7, 8, 14, 15, 21, 22, 28, 29 Until 11PM
August 2, 6, 11, 12, 18, 19, 25, 26 Until 11PM
August 3, 4, 5 Until Midnight (Mile of Music Aug 2-6)
September 1, 2, 8, 9, 15, 16, 22, 23, 29, 30 Until 11PM

In addition, my staff has asked about starting up music on Wednesday nights again. It would be a 2 hour set probably between the hours of 6-10PM. I would make this concession, that whoever is playing no drum set and no base guitars. Volume would be minimal. In the past I do not believe that our Midweek music was an issue with the neighbors.

Rgds,

Patti

Sent from Mail for Windows 10

Begin forwarded message:

From: B Schaff <betschaff@yahoo.com>

Date: April 5, 2017 at 7:41:04 PM CDT

To: "Kurt.Eggebrecht@Appleton.org" <Kurt.Eggebrecht@Appleton.org>, "district11@appleton.org" <district11@appleton.org>, "Britney.Stobbe@Appleton.org" <Britney.Stobbe@Appleton.org>

Subject: Noise Variance Request for Fox River House

Reply-To: B Schaff <betschaff@yahoo.com>

Dear Mr. Eggebrecht,

We recently received a copy of the Fox River House's e-mail request for a noise variance for Friday and Saturday nights in May, June, July, August, and September, as well as Wednesday nights. We live at 523 West 8th Street, so we can see the bands from our front porch. I know in the past, our neighbors on the corner of 8th and Walnut have expressed concerns over the noise; but unfortunately, nothing has really changed in the four years we have lived in our house. We have heard from our neighbors that if the music is too loud, the band won't be asked back. I don't know for certain if that is the case, but either way that does nothing to help us on the nights when the music is so loud, we can't even watch TV with our windows shut. It is also disappointing that the establishment has made no visible efforts to put up sound barriers to reduce the noise. We are not opposed to having the bands play on weekends, but do ask that more effort be made to reduce the noise and that the bands start wrapping up at 10:45pm in order to ensure the music is done by 11pm. In terms of Wednesday nights, we have two boys in school and both work, so we would request that any music mid-week be done by 9:30pm and would prefer no music during the school year.

As neighbors directly impacted by Fox River House hosting outdoor bands, we ask that you take our request into consideration and share with BOH Committee. Please let us know the outcome of the April 12th meeting. Thank you for your time.

Sincerely,

Elizabeth Schaff and Kirk Rattray

CHICKEN KEEPING

RULES AND REGULATIONS

Incorporated into Sec. 3-52 and adopted
pursuant to Sec. 7-28, Appleton Municipal Code

In conjunction with the adoption of Sec. 3-52(d), the following rules, regulations and restrictions are hereby adopted:

1. Persons desiring to keep chickens within the City of Appleton shall obtain an annual permit from the Health Department. Fees for said permits shall be on file with the Health Department. Before a permit is issued, the applicant must provide a plan on the form provided by the City that includes a detailed diagram of the coop location including distances from nearby structures on neighboring properties, coop design and materials plan, a plan to dispose of manure in a safe and adequate manner and comply with Wisconsin Department of Agriculture, Trade and Consumer Protection's premises registration program. Upon receiving a completed application, the Health Department will notify all property owners immediately abutting the property where the chickens will be kept, including those properties diagonally abutting the subject property, including properties located across an alley but not including properties located across a street. Property owners written objections must be received within 14 working days and contain the name, address, phone number and reason for the objection.
2. Upon receipt of written objection, the application shall be denied by the Health Officer. The applicant may appeal this decision to the Board of Health per APPEALS Section ten (10) below.
3. The keeping of up to 4 chickens, with a permit is allowed on single family or two family dwellings only. Permits will not be allowed on commercial or mixed-use occupancies.
4. The term "chicken" used throughout these regulations shall exclusively mean a female gallinaceous bird or hen of any age (including chicks). The term "chicken" does not include roosters or other kinds of fowl, including but not limited to, ducks, quail, grouse pheasant, turkeys, peacocks, emus, ostriches or the like.

5. Property Requirements

- a. Written permission from the property owner is required if the permit applicant does not own the property where chickens will be kept.
- b. Chickens shall not be kept or maintained upon a vacant lot, inside a residential dwelling unit including basements, porches, garages, sheds or similar storage structures.
- c. A coop shall be located in the rear yard of the license holder's residence. For purposes of these regulations, "rear yard" shall be defined by the Zoning Code Chapter 23.
- d. Coop and chicken run placement shall be at a minimum of, but not limited to, a three (3) foot setback from side and rear yard lot lines. If not attached to accessory structure such as detached garage or shed, coop placement must be a minimum of 10 feet from any structure on the parcel. In addition, coops shall not be closer than twenty-five feet to a residential dwelling, church, school or business on an abutting lot.

6. Coop Design

- a. All chickens shall be kept and maintained within a ventilated and roofed coop in compliance with any applicable city codes.
- b. The coop's structural floor area shall be no less than three (3) square feet per bird, and the height of the coop shall not exceed eight (8) linear feet as measured vertically from the coop's grade level to the outside highest point of the coop.
- c. All coops, including an attached chicken run enclosure, shall be enclosed with wire netting or equivalent material that prevents chickens from escaping the coop and predators from entering the coop.
- d. Coops shall be built in a workmanlike manner with quality materials and shall be moisture resistant.
- e. All coop floors shall be composed of a hard, cleanable surface, e.g., painted or sealed wood, linoleum, hard plastic, and shall be resistant to rodents, therefore, a dirt floor is not acceptable.
- f. Coops shall be entirely removed from the property within thirty (30) days of a previously issued permit expiring and not being renewed.

7. Conditions for Keeping and Sanitation

- a. Not more than four (4) chickens may be kept on a property.
- b. Chickens shall be kept or maintained within a coop or attached chicken run enclosure at all times and be provided with adequate water, feed and shelter.
- c. Deceased chickens shall be disposed of immediately in a safe manner, which may include trash disposal after placing the deceased chicken in a sealed bag.
- d. ***Unusual illness or death of chickens shall be immediately reported to the Health Department.***
- e. Offsite sale of eggs is prohibited except as otherwise permitted by the State of Wisconsin and USDA.
- f. Coops and chicken runs shall be cleaned of hen droppings, uneaten feed, feathers and other waste as necessary to ensure the birds health and minimize odor and other nuisances.
- g. Feed shall be stored in containers which make the feed inaccessible to rodents, vermin, wild birds and predators.
- h. Culling of chickens kept pursuant to a permit, on the permit holder's property, is permissible.

8. Permits and Fees

- a. Permits shall be issued on an annual basis and expire on December 31st.
- b. Permits shall not be transferrable and license application fees shall not be prorated or refundable.
- c. The Health Officer, or designee thereof, is authorized to issue a permit pursuant to this section upon the applicant satisfying all requirements set forth herein and upon confirmation from Health and/or the Building Inspections Department that all set back requirements are met and all work requiring permits has been completed.

9. Enforcement

- a. Permits for the keeping of chickens are issued by the Health Department. The Health Department, Police Department and Inspections Division of the Public Works Department shall also have jurisdiction to investigate and enforce any failure to comply with these requirements. These departments may issue compliance orders and citations pursuant to these requirements and the municipal code section under which they are adopted, other sections of the municipal code that may apply and state law.

- b. Violations of these requirements may also constitute a public nuisance under the City of Appleton Municipal Code and Wisconsin Statutes.
- c. In addition to any other penalties imposed, any actual costs incurred by the City resulting from the abatement of a nuisance or other violation of these rules and regulations shall be collected by the City as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance and, if notice to abate the nuisance or violation has been given to the owner, such cost shall be assessed against the real estate as a special charge.
- d. In addition to issuing citations for violations, the City shall have the right to suspend or revoke any permit issued pursuant to this section for violations of ordinances, laws or requirements regulating activity and for other good cause.

10. APPEALS

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

11. Severability

- a. If any section of these rules and regulations is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.



HEALTH DEPARTMENT - 100 N Appleton St, Appleton WI 54911

Telephone: 920-832-6429 Fax: 920-832-5853

CHICKEN PERMIT APPLICATION

Effective Date XXXX

PLEASE PRINT

Date of Application: _____ Anticipated Start Date _____

Applicant Information:

Name: _____ Number of Hens: _____

Applicant Address: _____ Person in Charge of coop: _____

City/State/ZIP: _____ Property Owner Name, if Rental Property: _____

Telephone #: _____ Property Owner Address, if Rental Property: _____

E-mail Address: _____ City/State/ZIP _____

Provide a plan that includes a detailed diagram of the coop location, including setbacks and distances from nearby structures on neighboring properties; a coop design and materials plan; a plan to dispose of manure in a safe and adequate manner. Applicant must comply with the Wisconsin Dept. of Agriculture, Trade and Consumer Protection's Livestock Premises Registration Program and provide the premises number to the Health Department.*

What is your Livestock Premises Registration number? * _____

Livestock Premises Registration forms may be obtained by calling (888) 808-1910

Will the Coop be provided with Electricity? _____ YES _____ NO

Do you have an Electrical Permit? _____ YES _____ NO

Will Coop size be 50 square feet or larger? _____ YES _____ NO

Do you have a Building Permit? _____ YES _____ NO

The Building and Electrical Inspectors can be reached at: 920-832-6411

How many animals do you currently have on the premises? _____

<u>Activity Code</u>	<u>Permit Description</u>	<u>Fee</u>
	Chicken Keeping Preinspection Fee:	\$145.00
	Chicken Keeping Permit	\$59.00
NOTE:	Preinspection Fee Is Non-Refundable	<u>Total Amount Due \$</u>

Name of Applicant (Print) _____

Signature of Applicant _____ Date _____

Drivers License Number _____

MAKE CHECK OR MONEY ORDER PAYABLE TO
SUBMIT APPLICATION AND FEE TO

CITY OF APPLETON
APPLETON HEALTH DEPT.
100 N APPLETON ST
APPLETON WI 54911-4799

OFFICE USE		
Inspector Signature _____	Date _____	
Start Date _____		
Establishment Number (COA#) _____		
License Year _____	Expires June 30, Year _____	Assigned Inspector _____
Amount Paid \$ _____	Check # _____	Account Name: _____

AN ORDINANCE CREATING SECTION 3-52(e) OF CHAPTER 3 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO RESTRICTED SPECIES.

(Board of Health – 3-15-2017)

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

Section 1: That Section 3-52(e) of Chapter 3 of the Municipal Code of the City of Appleton, relating to restricted species, is hereby created to read as follows:

Sec. 3-52. Restricted species.

(e) Upon obtaining a permit issued by the Health Department, and subject to the Rules and Regulations for hen keeping, up to four (4) chicken hens may be maintained by the permit holder. The Rules and Regulations for chicken hen keeping shall be on file in the Health Department. The permit will allow up to four (4) chicken hens at all one- (1-) and two- (2-) family dwellings.

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

Dated: April 5, 2017

Timothy M. Hanna, Mayor

S:\WPWIN\2017ords\AMEND030 (chickens).doc

Kami Lynch, City Clerk

REFERRAL LETTER

***TO THE MAYOR, MEMBERS
OF THE COMMON COUNCIL
AND CITY STAFF:***

September 22, 2016

At the regular meeting of the Common Council held September 21, 2016 the following items of business were referred to the respective Committees/Boards/Commissions.

Kami Lynch
City Clerk

RESOLUTIONS SUBMITTED BY ALDERPERSONS

R-11-16

Submitted by Alderperson Meltzer

Whereas there are many benefits to keeping chickens which will improve both the health and quality of life of Appleton residents, and

Whereas keeping chickens is allowed in many cities throughout the country and has been proven compatible with an urban environment,

Therefore be it resolved that the City of Appleton allow the keeping of up to four (4) hens at all single family and two family dwellings, following a permitting process including neighborhood notification and inspection of coop, and other guidelines as determined appropriate by the City.

Referred to the Board of Health

CHICKEN KEEPING RULES AND REGULATIONS

Incorporated into Sec. 3-52 and adopted
pursuant to Sec. 7-28, Appleton Municipal Code

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2. Upon receipt of written objection, the application shall be denied by the Health Officer. The applicant may appeal this decision to the Board of Health per APPEALS Section ten (10) below.
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Telephone: 920-832-6429 Fax: 920-832-5853

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Effective Date XXXX

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Name: _____ Number of Hens: _____

Applicant Address: _____ Person in Charge of coop: _____

City/State/ZIP: _____ Property Owner Name, if Rental Property: _____

Telephone #: _____ Property Owner Address, if Rental Property: _____

E-mail Address: _____ City/State/ZIP _____

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Activity Code

Permit Description

Fee

Chicken Keeping Preinspection Fee: \$145.00

Chicken Keeping Permit \$59.00

NOTE: Preinspection Fee Is Non-Refundable Total Amount Due \$ _____

Name of Applicant (Print) _____

Signature of Applicant _____ Date _____

Drivers License Number _____

MAKE CHECK OR MONEY ORDER PAYABLE TO

SUBMIT APPLICATION AND FEE TO

CITY OF APPLETON
APPLETON HEALTH DEPT.
100 N APPLETON ST
APPLETON WI 54911-4799

OFFICE USE		
Inspector Signature _____	Date _____	
Start Date _____		
Establishment Number (COA#) _____		
License Year _____	Expires June 30, Year _____	Assigned Inspector _____
Amount Paid \$ _____	Check # _____	Account Name: _____