



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda - Final Common Council

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Wednesday, August 2, 2017

7:00 PM

Council Chambers

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- 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
  - [17-1182](#) Common Council Meeting Minutes of July 19, 2017
    - Attachments:** [CC Minutes 7-19-17.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
  - [17-1187](#) Bird City Presentation
- I. PUBLIC HEARINGS
  - [17-971](#) Public Hearing for Rezoning #4-17
    - Attachments:** [Public Hearing RZ4-17 .pdf](#)
  - [17-1179](#) Public Hearing, 4-P-17 for Sanitary Laterals, Storm Laterals and Storm Main
    - Attachments:** [4-P-17 Sanitary and Storm Public Hearing Notice.pdf](#)
  - [17-1180](#) Public Hearing for Text Amendment to Chapter 23 Zoning Ordinance and Map - Article X. Floodplain Zoning
    - Attachments:** [Class II PH Notice - Floodplain Text Amendment \(2017\).pdf](#)
- J. SPECIAL RESOLUTIONS

- [17-1183](#) International Migratory Bird Day Resolution  
**Attachments:** [#10-R-17 International Migratory Bird Day.pdf](#)
- [17-998](#) Final Resolution 4-P-17 for Sanitary Laterals, Storm Laterals and Storm Main  
**Attachments:** [4-P-17 Sanitary and Storm Final Resolution.pdf](#)
- [17-1188](#) Resolution Approving Project Plan for Tax Incremental District 11  
**Attachments:** [Resolution Approving Project Plan for TID #11 8-2-17CC.pdf](#)
- [17-1189](#) Resolution Approving Project Plan for Tax Incremental District 12  
**Attachments:** [Resolution Approving Project Plan for TID #12 8-2-17 CC.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

- [17-1098](#) Alley south of Franklin Street from Summit Street to Story Street, be reconstructed with concrete pavement to its current width, varying from 13' to 15' from edge of pavement to edge of pavement.

**Legislative History**

7/24/17	Municipal Services Committee	recommended for approval
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- [17-1100](#) Center Street from North Street to Atlantic Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31', which is 2' narrower than the existing street. Existing parking proposed to remain unchanged.

**Legislative History**

7/24/17	Municipal Services Committee	recommended for approval
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- [17-1101](#) Roosevelt Street from Morrison Street to Durkee Street, be reconstructed with asphalt pavement and concrete curb & gutter to its current width of 37 feet. The street to be shifted 2' to the north to save 5 existing street trees along the south side of the street. Existing parking proposed to remain unchanged.

**Legislative History**

7/24/17	Municipal Services Committee	recommended for approval
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- [17-1102](#) Telulah Avenue from Calumet Street to Marion Street, be reconstructed with concrete pavement to a width of 40.5' from back of curb to back of curb. Project will include two travel lanes (one in each direction), bike lanes along both sides of Telulah Avenue, and a parking lane along the east side of Telulah Avenue. Parking to be prohibited along the west side of Telulah Avenue within the project limits. The west terrace width to be 5' to accommodate the planting of new trees, with the east terrace width to be 4.5'.

**Legislative History**

7/24/17          Municipal Services          recommended for approval  
                         Committee

- [17-1103](#) Request from Chad Wilson to have the \$50 Weed Administration Fee waived for 1530 E. Calumet Street.

**Attachments:** [1530 E Calumet Street Weed Ordinance.pdf](#)

**Legislative History**

7/24/17          Municipal Services          recommended for denial  
                         Committee

- [17-1104](#) Approve installation of one street light on Providence Avenue, north of Lightning Drive, at an installation cost of \$3,187.94.

**Attachments:** [Lighting at Providence and Lightning.pdf](#)

**Legislative History**

7/24/17          Municipal Services          recommended for approval  
                         Committee

- [17-1105](#) Approve Inter-Governmental Agreement with Outagamie County for traffic signal installation and associated improvements at the Northland Avenue (CTH OO)/Conkey Street intersection.

**Attachments:** [Northland Ave-Conkey Street Intersection.pdf](#)

**Legislative History**

7/24/17          Municipal Services          recommended for approval  
                         Committee

- [17-1106](#) Request from Tundraland to place a mobile showroom in the street right-of-way during Mile of Music, August 3-August 6, 2017.

**Attachments:** [Tundraland memo and map.pdf](#)

**Legislative History**

7/24/17          Municipal Services          recommended for approval  
                         Committee

- [17-1121](#) Approve Amendment No. 1 to the Collins Engineers, Inc. Contract for the Bridge Rehabilitation Reports to perform additional LRFD loading analysis as requested by WISDOT and to update the South Island Street Bridge Rehab Report in an amount not to exceed \$7,600 (revised contract amount of \$33,696.81)

**Attachments:** [Bridge Rehabilitation Report.pdf](#)

**Legislative History**

7/24/17	Municipal Services Committee	recommended for approval
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## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

- [17-1085](#) "Class B" Beer/Liquor License temporary change of premise description of McGuinness Irish Pub, Christopher A. Meyer, Agent, 201 S. Walnut St., August 3 - 6, 2017, contingent upon approval from all departments.

**Attachments:** [Change of Description-McGuinness Irish Pub.pdf](#)

**Legislative History**

7/26/17	Safety and Licensing Committee	recommended for approval
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- [17-1094](#) "Class A" Beer/Liquor License change of premise description of Ultimate Mart LLC d/b/a Pick 'n Save, Richard M. Kostecki, Agent, 2700 N. Ballard Rd., contingent upon approval from all departments.

**Attachments:** [Change of Description-Pick N Save-N Ballard.pdf](#)

**Legislative History**

7/26/17	Safety and Licensing Committee	recommended for approval
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- [17-1095](#) "Class A" Beer/Liquor License change of premise description of Ultimate Mart LLC d/b/a Pick 'n Save, Kenneth A. Voss, Agent, 511 W. Calumet St., contingent upon approval from all departments.

**Attachments:** [Change of Description-Pick N Save-W Calumet.pdf](#)

**Legislative History**

7/26/17	Safety and Licensing Committee	recommended for approval
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- [17-1113](#) Salvage Dealer's License Renewal application of Mr. C's Motorcycles, LLC, Janet Egelseer, Applicant, 724 S. Outagamie St., contingent upon approval from all departments.

**Legislative History**

7/26/17	Safety and Licensing Committee	recommended for approval
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- [17-1116](#) Reserve "Class B" Beer/Liquor License application of RiverHeath Hospitality LLC d/b/a Appleton Marriott Courtyard RiverHeath, Cindy L. Evers, Agent, 101 S. RiverHeath Way, contingent upon approval from all departments.

**Attachments:** [RiverHeath Hospitality LLC application.pdf](#)

**Legislative History**

7/26/17          Safety and Licensing          recommended for approval  
                         Committee

- [17-1164](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 07-26-17 S & L.pdf](#)

**Legislative History**

7/26/17          Safety and Licensing          recommended for approval  
                         Committee

### 3. MINUTES OF THE CITY PLAN COMMISSION

- [17-966](#) Request to approve Rezoning #4-17 to rezone 525 South Memorial Drive (Tax Id #31-3-0624-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from C-2 General Commercial District to R-3 Multi-Family District

**Attachments:** [StaffReport\\_HarborHouse\\_Rezoning\\_For06-27-17.pdf](#)

**Legislative History**

6/27/17          City Plan Commission          recommended for approval

- [17-1005](#) Request to approve the proposed Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code relating to Section 23-206(b)(1)(h) Official maps and revisions, as identified in the attached staff report

**Attachments:** [StaffReport\\_ZOText&MapAmendment\\_FloodplainZoning\\_7-11-17.pdf](#)

**Legislative History**

7/11/17          City Plan Commission          recommended for approval  
*Proceeds to Council on August 2, 2017.*

- [17-1007](#) Request to approve resolution designating the proposed boundaries and approving a project plan for Tax Incremental Financing District #11 - East College Avenue area

**Attachments:** [Resolution-City Plan Commission TIF 11 .pdf](#)

[TIF District 11 Project Plan 2017 FINAL DRAFT 6-22-17.pdf](#)

[Resolution-Common Council TIF 11 .pdf](#)

**Legislative History**

7/11/17          City Plan Commission          recommended for approval  
*Proceeds to Council on August 2, 2017.*

[17-1009](#)

Request to approve resolution designating the proposed boundaries and approving a project plan for Tax Incremental Financing District #12 - Downtown West

**Attachments:** [Resolution-City Plan Commission TIF 12.pdf](#)

[TIF District 12 Project Plan 2017 FINAL DRAFT 6-22-17.pdf](#)

[Resolution-Common Council TIF 12 .pdf](#)

**Legislative History**

7/11/17      City Plan Commission      recommended for approval  
*Proceeds to Council on August 2, 2017.*

**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**

**5. MINUTES OF THE FINANCE COMMITTEE**

[17-792](#)

Resolution introduced by Alderpersons Martin, Croatt and Plank at the May 17, 2017 Common Council meeting related to the City Attorney responsibilities:

Resolution #12-R-17 Martin/Croatt/Plank

Whereas, the City Attorney is elected by the voters of Appleton,

And whereas, it is the responsibility of the City Attorney to uphold the constitution of the State of Wisconsin when performing duties of the job he/she is elected to,

And whereas, it is the duty of the Council and Mayor, also elected by the voters, to ensure that the citizens have the legal representation of the Attorney's office in all matters concerning the city,

And whereas, it is critical that the City Attorney be in a work environment that enables and prioritizes that responsibility,

And whereas, State Statute 62.09 (12) states that, "The attorney shall conduct all the law business in which the city is interested",

Therefore be it resolved, the Finance Committee, of which has jurisdiction over the Attorney's office, be charged with creating a policy that reaffirms the City Attorney conducts all legal work when discussing, negotiating, and drafting all agreements and law business the city is a party to, unless special counsel has been retained in circumstances that comply with city policy or State Statute.

**Attachments:** [Agreement Development Policy - Revised 06-06-2017.pdf](#)

**Legislative History**

5/22/17 Finance Committee referred  
7/24/17 Finance Committee recommended for approval

[17-1144](#)

Request approval of the following 2017 Budget Adjustment:

Water Utility Fund Balance	- \$55,000
Distribution Operations & Maintenance	+\$55,000

to provide funding for additional permanent patch locations associated with water main breaks, lead service and curb box replacements.

**Attachments:** [Water Main Break Patches.pdf](#)

**Legislative History**

7/24/17 Finance Committee recommended for approval

[17-1145](#)

Request approval of Contract Amendment/Change Order No. 1 to contract 39-17 for Unit E-17 Miscellaneous Concrete & Street Excavation Repairs to increase for additional street patches from previous years' water main breaks, lead service line replacements, curb box repairs and valve repairs in the amount of \$55,000.00 resulting in no change to contingency. Overall contract increased from \$530,676.25 to \$585,676.25. NOTE: This contract amendment is contingent upon approval of a \$55,000 Budget Adjustment which is a separate action item on this Committee Agenda.

**Attachments:** [Unit E-17 Contract Amendment-Change Order No.1.pdf](#)

**Legislative History**

7/24/17 Finance Committee recommended for approval

[17-1146](#)

Request approval of Contract Amendment/Change Order No. 3 to contract 9-17 for Unit U-17 Sewer and Water Reconstruction No.2 to increase for an additional 25 L.F. of 42" water main reconstruction in the amount of \$27,500.00 resulting in no change to contingency. Overall contract increased from \$2,480,984.92 to \$2,508,484.92.

**Attachments:** [Unit U-17 Contract Amendment-Change Order No.3.pdf](#)

**Legislative History**

7/24/17 Finance Committee recommended for approval

[17-1147](#)

Request for approval to deed City owned land between Ballard Road and Smoketree Pass (Tax Key 1-8303-11) to the two abutting property owners at 6433 N. and 6505 N. Smoketree Pass.

**Attachments:** [Request to deed City owned Parcel 1-8303-11.pdf](#)

**Legislative History**

7/24/17 Finance Committee recommended for approval

- [17-1151](#) Request to award the 2017 Wastewater Lighting upgrades project to VOE Power and Systems, LLC in the amount of \$41,740 with a contingency of \$10,000 for a project total not to exceed \$51,740.

**Attachments:** [2017 Wastewater Lighting Upgrades.pdf](#)

**Legislative History**

7/24/17 Finance Committee recommended for approval

- [17-1152](#) Request to award the 2017 MSB Fire Alarm project to VOE Power and Systems, LLC in the amount of \$68,177 with a contingency of \$10,000 for a project total not to exceed \$78,177.

**Attachments:** [2017 MSB Fire Alarm.pdf](#)

**Legislative History**

7/24/17 Finance Committee recommended for approval

6. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**
7. **MINUTES OF THE UTILITIES COMMITTEE**
8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

- [17-1059](#) Request to approve Public Works reorganization to create a Lead Clerical position and move the clerical staff supervision under the Assistant City Engineer.

**Attachments:** [DPW TO reorganization 7-11-17.pdf](#)

**Legislative History**

7/26/17 Human Resources & Information Technology Committee recommended for approval

- [17-1062](#) Request to approve new Bone Marrow and Organ Donation Leave policy

**Attachments:** [Bone Marrow and Organ Donation Leave Policy.pdf](#)

**Legislative History**

7/26/17 Human Resources & Information Technology Committee recommended for approval

9. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

**10. MINUTES OF THE BOARD OF HEALTH****M. CONSOLIDATED ACTION ITEMS**

[17-1190](#) Plan Commission Item 17-1007  
Special Resolution Item 17-1188

[17-1191](#) Plan Commission Item 17-1009  
Special Resolution Item 17-1189

**N. ITEMS HELD**

[17-1111](#) CONSOLIDATED ACTION ITEMS:  
Municipal Services Item 17-991  
City Plan Commission Item 17-1003  
Initial Resolution Item 17-1110

**Legislative History**

7/19/17 Common Council held

[17-991](#) Approve Discontinuance of Locust Street at the CN Railroad Crossing  
Number 179 919F.

**Attachments:** [Discontinuance of Locust St at the CN Railroad crossing.pdf](#)

**Legislative History**

7/10/17 Municipal Services recommended for approval  
Committee

7/19/17 Common Council held

[17-1003](#) Request to approve the street discontinuance to vacate a portion of  
South Locust Street public right-of-way in the 100 block at the CN  
Railroad Crossing Number 179 919F, as shown on the attached maps  
and legal description, pending approval by the Municipal Services  
Committee, and adopt the Initial Resolution

**Attachments:** [StaffReport\\_StreetVacation\\_SLocustStreet.pdf](#)

**Legislative History**

7/11/17 City Plan Commission recommended for approval

7/19/17 Common Council held

[17-1110](#) Initial Resolution- South Locust Street Vacation

**Attachments:** [Locust Street RR Xing - Initial Resolution.pdf](#)

**Legislative History**

7/19/17 Common Council held

**O. ORDINANCES**

[17-1178](#) Ordinances 52-17 to 57-17

Attachments: [Ordinances going to Council 8-2-17.pdf](#)

- P. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION
- Q. OTHER COUNCIL BUSINESS
- R. ADJOURN

Kami Lynch, City Clerk

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



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Appleton, WI 54911-4799  
www.appleton.org

## Meeting Minutes - Final Common Council

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Wednesday, July 19, 2017

7:00 PM

Council Chambers

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A. CALL TO ORDER

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

B. INVOCATION

*The Invocation was offered by Alderperson Martin.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears, Mayor Timothy Hanna, Alderperson Keir Dvorachek and Alderperson Bob Baker

**Excused:** 2 - Alderperson Greg Dannecker and Alderperson Chris Croatt

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Clerk Lynch, Deputy City Attorney Behrens, Asst. City Attorney Abshire, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Diversity Coordinator Nelson, Director of Parks Recreation & Facilities Gazza, Police Chief Thomas, Deputy Director of Public Works Operations Loper, Director of Utilities Shaw & Valley Transit General Manager Mc Donald, Attorney Walsh, Director of Information Technology Fox, Director of Human Resources Matz, and Library Director Rortvedt were excused.*

F. PUBLIC PARTICIPATION

*The following spoke during Public Participation:  
Cindy Kort, 405 S. Olde Oneida St. #203 Item 17-1055: Ellen Kort Peace Park  
Dave Schmalz, 1445 McMahon Dr Item Item 17-100: Special Use Permit #7-17  
Alex Schultz, 716 W Front St. Item 17-1055: Ellen Kort Peace Park*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[17-1097](#)

Common Council Meeting Minutes of June 21, 2017

**Attachments:**     [CC Minutes 6-21-17.pdf](#)

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

**Aye:** 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

**Excused:** 2 - Aldersperson Greg Dannecker and Aldersperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

[17-970](#)

Public Hearing for Rezoning #3-17

**Attachments:**     [Public Hearing RZ #3-17.pdf](#)

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

J. SPECIAL RESOLUTIONS

[17-1110](#)

Initial Resolution- South Locust Street Vacation

**Attachments:**     [Locust Street RR Xing - Initial Resolution.pdf](#)

**This Item and all of the related items as part of the Consolidated Action Item (17-1110, 17-991, 17-1003) were held until the August 2nd Common Council Meeting**

**Aye:** 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

**Excused:** 2 - Aldersperson Greg Dannecker and Aldersperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY



[17-820](#)

Request to approve Rezoning #3-17 for the Fourth Addition to Emerald Valley, as shown on the attached maps, from AG Agricultural District to R-1B Single-Family District

**Attachments:**     [StaffReport\\_Rezoning #3-17\\_FourthAddtoEmeraldValley.pdf](#)

**Aldersperson Martin moved, seconded by Aldersperson Konetzke, that the Rezoning be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

**Excused:** 2 - Aldersperson Greg Dannecker and Aldersperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

[17-821](#)

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

**Attachments:**     [StaffReport\\_Preliminary Plat\\_FourthAddtoEmeraldValley.pdf](#)

**Aldersperson Konetzke moved, seconded by Aldersperson Martin, that the Preliminary Plat be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

**Excused:** 2 - Aldersperson Greg Dannecker and Aldersperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

[17-1001](#)

Request to approve Special Use Permit #7-17 to expand an existing group home facility located at 720 W. Fifth Street (Tax Id #31-3-0623-00 and #31-3-0624-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote required)

**Attachments:**     [StaffReport\\_HarborHouse\\_SUP\\_For07-11-17.pdf](#)

**Aldersperson Martin moved, seconded by Aldersperson Spears, that the Special Use Permit be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Keir Dvorachek and Alderperson Bob Baker

**Excused:** 2 - Alderperson Greg Dannecker and Alderperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

[17-948](#)

Operator's Licenses, contingent upon approval from the Police Department

**Attachments:**     [Operator's Licenses for 07-12-17 S & L.pdf](#)

**Alderperson Lobner moved, seconded by Alderperson Dvorachek, that the Operator Licenses be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Keir Dvorachek and Alderperson Bob Baker

**Excused:** 2 - Alderperson Greg Dannecker and Alderperson Chris Croatt

**Abstained:** 2 - Alderperson Patti Coenen and Mayor Timothy Hanna

[17-949](#)

Renewal Operator's Licenses, contingent upon approval from the Police Department

**Attachments:**     [Renewal Operator's Licenses for 7-12-17 S & L.pdf](#)

**Alderperson Martin moved, seconded by Alderperson Konetzke, that the Renewal Operator Licenses be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Keir Dvorachek and Alderperson Bob Baker

**Excused:** 2 - Alderperson Greg Dannecker and Alderperson Chris Croatt

**Abstained:** 2 - Alderperson Patti Coenen and Mayor Timothy Hanna

[17-1055](#)

Action Item: Approval of Ellen Kort Peace Park Conceptual Plan

**Attachments:**     [Action-Ellen Kort Peace Park Memo.doc](#)  
                              [Ellen Kort Peace Park Master Plan.pdf](#)

**Aldersperson Coenen moved, seconded by Aldersperson Martin, that the Ellen Kort Peace Park Conceptual Plan be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

**Excused:** 2 - Aldersperson Greg Dannecker and Aldersperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

## L. COMMITTEE REPORTS

### Balance of the action items on the agenda.

**Aldersperson Martin moved, Aldersperson Lobner seconded, to approve the balance of the agenda. The motion carried by the following vote:**

**Aye:** 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

**Excused:** 2 - Aldersperson Greg Dannecker and Aldersperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[17-990](#)

Approve proposed change to Section 9-262 of Municipal Code related to sidewalk cafes.

**Attachments:**     [Proposed change to Section 9-262.pdf](#)

**This Report Action Item was approved.**

- [17-991](#) Approve Discontinuance of Locust Street at the CN Railroad Crossing Number 179 919F.

**Attachments:** [Discontinuance of Locust St at the CN Railroad crossing.pdf](#)

This Report Action Item was held

- [17-992](#) Approve Amendment No. 1 to Patrick Engineering for additional services related to the Oneida Street Bridge over Jones Park for roadway, parking lot, pedestrian ramp and shared use path design in the amount of \$125,000 for a revised not to exceed contract amount of \$353,861.

**Attachments:** [Patrick Engineering.pdf](#)

This Report Action Item was approved.

- [17-1031](#) Request to approve functional classification change for portions of Conkey Street and Capitol Drive.

**Attachments:** [Conkey St and Capitol Dr.pdf](#)

This Report Action Item was approved.

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

- [17-983](#) Class "B" Beer/"Class C" Wine License temporary change of premise description of Vers Venture, LLC d/b/a Mr Brews Taphouse, Tammy L. Verhagen, agent, 201 S. Riverheath Way, Suite 1100, July 22, 2017, contingent upon approval from all departments.

**Attachments:** [Mr Brews Taphouse amendment.pdf](#)

This Report Action Item was approved.

- [17-987](#) Class "B" Beer/"Class C" Wine License temporary change of premise description of Tempest Coffee Collective LLC, Tyler A. Lonadier, Agent, 181 S. Riverheath Way, Suite 1100, July 22, 2017, contingent upon approval from all departments.

**Attachments:** [Change of Description-Tempest Coffee Collective.pdf](#)

This Report Action Item was approved.

[17-1017](#) Winter Farm Market application of Appleton Downtown, Inc., Djuanna Hugdahl, 116 N. Appleton Street, contingent upon approvals from all departments.

This Report Action Item was approved.

[17-938](#) "Class B" Beer/Liquor License application of Strange Case d/b/a Dr Jekylls, Thomas M. Ales III, Agent, 314 E. College Ave., contingent upon approval from all departments.

Attachments: [Dr Jekylls application.pdf](#)

This Report Action Item was approved.

### 3. MINUTES OF THE CITY PLAN COMMISSION

[17-1003](#) Request to approve the street discontinuance to vacate a portion of South Locust Street public right-of-way in the 100 block at the CN Railroad Crossing Number 179 919F, as shown on the attached maps and legal description, pending approval by the Municipal Services Committee, and adopt the Initial Resolution

Attachments: [StaffReport\\_StreetVacation\\_SLocustStreet.pdf](#)

This Report Action Item was held

[17-1010](#) Request to approve Extraterritorial Final Plat for White Hawk Meadows North 4 located in the Town of Grand Chute as shown on the attached maps

Attachments: [StaffReport\\_WhiteHawkMeadowsNorth4\\_ExtraFinalPlat.pdf](#)

This Report Action Item was approved.

### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

### 5. MINUTES OF THE FINANCE COMMITTEE

[17-957](#) Request to award the 2017 Wastewater Water Lateral replacement project to Degroot, Inc. in the amount of \$93,816 with a contingency of \$10,000 for a project total not to exceed \$103,816.

Attachments: [2017 Wastewater Water Lateral Replacement.pdf](#)

This Report Action Item was approved.

[17-967](#)

Request to approve retaining outside counsel for personnel issues.

**Attachments:**     [WC Matters with Retained Counsel.pdf](#)

This Report Action Item was approved.

[17-955](#)

Request to award the City of Appleton 2017 Parks Hardscape repairs project contract to MCC, Inc. in the amount of \$99,539 with a contingency of 10% for a project total not to exceed \$109,493.

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

This Report Action Item was approved.

[17-956](#)

Request to award the City of Appleton 2017 Fire Stations #3 and #5 Hardscape repairs project contract to MCC, Inc. in the amount of \$78,088 with a contingency of \$3,500 for a project total not to exceed \$81,588.

**Attachments:**     [2017 Fire Stations #3 and #5 Hardscape Repairs.pdf](#)

This Report Action Item was approved.

[17-1019](#)

Request to approve Finance Committee Report 4-P-17 for Sanitary Laterals, Storm Laterals and Storm Main.

**Attachments:**     [Report 4-P-17.pdf](#)

This Report Action Item was approved.

[17-1020](#)

Request to award the City of Appleton Parks, Recreation, and Facilities Management Building 2107 HVAC replacement project contract to B & P Mechanical, Inc. in the amount of \$401,000 with a contingency of \$20,500 for a contract total not to exceed \$421,500; and approval of the following 2018 budget adjustment:

**Facilities & Construction Management Capital Projects Fund**

Erb Park and Pool Project	- \$206,000
PRFMD HVAC Replacement Project	+\$206,000

to reflect transfer of positive balance from the Erb Park and Pool project to the PRFMD HVAC Replacement project (2/3 vote required).

**Attachments:**     [2017 PRFMD HVAC replacement award and budget adjustemnt.pdf](#)

This Report Action Item was approved.

[17-1021](#)

Request to award the Exhibition Center design and development of Exhibition Center artwork contract to Rob Neilson in the amount of \$85,000.

**Attachments:**     [2017 Expo Center Artwork .pdf](#)

This Report Action Item was approved.

[17-1030](#)

Request approval of Bid packages and project related expenses into the Guaranteed Maximum Price Amendment to Miron Construction for the Fox Cities Exhibition Center for a contract not to exceed \$646,415.

**Attachments:**     [2017 Expo Center Bid Package #6 .pdf](#)

This Report Action Item was approved.

[17-1044](#)

Request to approve the following 2017 Budget adjustment for additional services related to the Oneida Street Bridge over Jones Park for roadway, parking lot, pedestrian ramp and shared use path design:

Facilities Management Capital Projects Fund	- \$54,000
Public Works Capital Projects Funds	+ \$54,000

to transfer funds from the Facilities Management Capital Projects fund to the Public Works Capital Projects fund for phase 2 design work at the north end of Oneida Street bridge (2/3 vote required).

**Attachments:**     [Oneida St Bridge.pdf](#)

This Report Action Item was approved.

## 6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[17-962](#)

**\*\*CRITICAL TIMING\*\*** Request to approve the allocation of 2017 Community Development Block Grant funding as described in the attached memorandum

**Attachments:**     [Alloc Recs Memo to CEDC Final Award 06-28-17.pdf](#)  
                              [Alloc Recs Memo to CEDC 10-26-16 mtg.pdf](#)  
                              [2017 Revised CDBG Award Recommendations.pdf](#)  
                              [2017 Revised Executive Summary of CDBG Award Recommendations.pdf](#)

This Report Action Item was approved.

[17-963](#)

Request to approve the remaining Economic Development Pledge for 2017 to the Fox Cities Regional Partnership

**Attachments:** [Fox Cities Regional Partnership Sponsorship Opportunities Memo.pdf](#)  
[Funding Request From Fox Cities Regional Partnership.pdf](#)

This Report Action Item was approved.

## 7. MINUTES OF THE UTILITIES COMMITTEE

[17-972](#)

Award the North Reservoir Painting Project to L C United Painting Company in the amount of \$569,000 with a 10% contingency of \$56,900 for a project total not to exceed \$625,900.

**Attachments:** [North Reservoir Project - Contractor Award 06-26-17.pdf](#)

This Report Action Item was approved.

[17-974](#)

Preliminary Resolution 4-P-17 for Sanitary Laterals, Storm Laterals and Storm Sewer Main be adopted and refer the matter to the Finance Committee to determine the assessment rate.

**Attachments:** [4-P-17 Sanitary and Storm.pdf](#)

This Report Action Item was approved.

[17-975](#)

Award the Water Meter Customer Portal System to American Conservation and Billing Solutions, Inc. (AquaHawk) in the amount of \$65,300 with a 10% contingency of \$6,530 for a project total cost not to exceed \$71,830.

**Attachments:** [AquaHawk memo.pdf](#)

This Report Action Item was approved.

[17-982](#)

Award engineering contract for AWTF Chemical Systems Rehabilitation Project to McMahon in the amount of \$39,200 with a 10% contingency of \$3,920 for a project total not to exceed \$43,120.

**Attachments:** [utilities memo - Chemical Systems Rehabilitation Engineering Contract Award 06-26-17.pdf](#)

This Report Action Item was approved.



[17-985](#) Approval of a 3% Rate Increase for Receiving Station Waste Haulers effective January 1, 2018.

**Attachments:** [utilities memo Receiving Station Rates Changes 06-27-17.pdf](#)

This Report Action Item was approved.

**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

[17-1041](#) New Hope Temporary Six Month Extension

**Attachments:** [FCTC 2017 New Hope Extension.pdf](#)  
[2017 New Hope Extension.pdf](#)  
[2012 New Hope Contract.pdf](#)

This Report Action Item was approved.

[17-1042](#) Outagamie County Emergency Management Letter of Agreement

**Attachments:** [Outagamie County Emergency Management Letter of Agreement 2017.pdf](#)

This Report Action Item was approved.

[17-1043](#) Resolution Submitted to Appleton Common Council by Alderperson Referred to Committee of Jurisdiction - #13-R-17

**Attachments:** [Resolution #13-R-17.pdf](#)

This Report Action Item was approved.

**10. MINUTES OF THE BOARD OF HEALTH**

**M. CONSOLIDATED ACTION ITEMS**

[17-1112](#) Finance Committee Item 17-1019  
Utilities Committee Item 17-974

This Report Action Item was approved.

[17-1111](#)

Municipal Services Item 17-991  
City Plan Commission Item 17-1003  
Initial Resolution Item 17-1110

**This Report Action Item was held**

N. ITEMS HELD

O. ORDINANCES

[17-969](#)

Ordinances 42-17 to 51-17

**Attachments:**     [Ordinances going to Council 7-19-17.pdf](#)

**This Report Action Item was approved.**

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO  
COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO  
COMMITTEES OF JURISDICTION

*City of Appleton – Resolution #14-R-17*

*July 19, 2017*

*Submitted by: Alderperson Meltzer – District 2*

*Referred to: Safety & Licensing Committee*

*Whereas Appleton Municipal Code Sec 3-12 limits the number of animals kept per household to six, and*

*Whereas this restriction makes sense for animals that range free through the premise but does not make sense for community animals housed in tanks or aquariums,*

*Therefore be it resolved that Municipal Code Sec 3-12 be amended to include an exception for animals in tanks and aquariums.*

*City of Appleton – Resolution #15-R-17*

*July 19, 2017*

*Submitted by: Alderperson Baker – District 9, Alderperson Meltzer – District 2,*

*Alderperson Dvorachek – District 15*

*Referred to: Mayor's Office*

*WHEREAS, consensus exists among the world's leading climate scientists that global warming caused by emissions of greenhouse gases from human activities is among the most significant problems facing the world today; and*

*WHEREAS, documented impacts of global warming include but are not limited to increased occurrences of extreme weather events, adverse impacts on ecosystems, demographic patterns and economic value chains; and*

*WHEREAS, responding to climate change provides communities an opportunity to access first mover advantage in a range of products, services and know-how that transitioning to a climate compatible future brings; and*

*WHEREAS, the Pairs Agreement resulted in a commitment from almost every nation to take action and enact programs to limit global temperature increase to less than 2 degrees Celsius, with an expectation that this goal would reduced to 1.5 degrees in the future;*

*NOW, THEREFORE, BE IT RESOLVED that the City of Appleton, Wisconsin*

- 1. Indicates its commitment to reducing GHG emissions through future implementation of a Climate Action Plan; and*
- 2. Join other US cities in the Climate Mayors network in adopting and supporting the goals of the Paris Agreement; and*
- 3. 3 Commits to exploring the potential benefits and costs of adopting policies and programs that promote the long-term goal of GHG emissions reduction while maximizing economic and social co-benefits of such action.*
- 4. Form a Climate Change Board, to be filled by citizens of Appleton, city officials, and city staff to help set these goals and policies.*

*City of Appleton – Resolution #16-R-17*

*July 19, 2017*

*Submitted by: Alderperson Baranowski – District 5*

*Referred to: Organizational Meeting*

*Whereas, the City Attorney's Office issued a memorandum to the Finance Committee*

*dated July 6, 2017, in response to Resolution #7-R-17, seeking an opinion on the use of social media during posted meetings, and*

*Whereas, in summary of that memorandum, the City Attorney notes, "... while social media has become a widely-used mechanism for communication, its use during committee meetings would be at best, problematic. This office would recommend the non-use of social media by alderpersons during meetings",*

*Therefore, the Common Council adopt a Council Rule of the non-use of social media by alderperson's during posted meetings.*

*City of Appleton – Resolution #10-R-17*

*May 3, 2017*

*Submitted by: Alderperson Martin – District 4*

*Referred to: Mayor's Office*

*Resubmitted: July 19, 2017*

*Referred to: August 2, 2017 Council Meeting*

*International Migratory Bird Day Resolution*

*Whereas, migratory birds are some of the most beautiful and easily observed wildlife that share our communities, And*

*Whereas, many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring, And*

*Whereas, public awareness and concern are crucial components of migratory bird conservation, And*

*Whereas, the Lower Fox River is a flight line and nesting zone for these birds, And*

*Whereas, since 1993 International Migratory Bird Day (IMBD) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in our communities and throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean, and the southern U.S., And*

*Whereas, while IMBD officially is held each year on the second Saturday in May, its observance, is not limited to a single day, and planners are encouraged to schedule activities on the dates best suited to the presence of both migrants and celebrants,*

*NOW THEREFORE BE IT RESOLVED, that all citizens support this observance and efforts to protect and conserve migratory birds and their habitats in our community and the world at large.*

R. OTHER COUNCIL BUSINESS

S. ADJOURN

**Alderperson Baranowski moved, seconded by Alderperson Spears, that the meeting be adjourned at 7:33 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears, Mayor Timothy Hanna, Alderperson Keir Dvorachek and Alderperson Bob Baker

**Excused:** 2 - Alderperson Greg Dannecker and Alderperson Chris Croatt

Kami Lynch, City Clerk

**NOTICE OF PUBLIC HEARING**

**#4-17**

**RE: Proposed Zone Change**

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on August 2, 2017, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zone change:

**Rezoning #4-17** has been initiated by the owner, Harbor House Domestic Abuse Programs Inc., and applicant, McMAHON Associates, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the above-described real estate, which is currently zoned C-2 General Commercial District. The owner/applicant proposes to rezone the property to R-3 Multi-Family District (see attached map). The R-3 District is intended to provide for and maintain residential areas characterized by multiple family dwellings, while maintaining the basic qualities of a dense residential neighborhood, which may include other housing types and institutional and limited non-residential uses.

**Purpose of the Request:** The owner/applicant proposes to combine the subject parcel with adjacent property currently zoned R-3 Multi-Family District.

**LEGAL DESCRIPTION:**

The South 50 feet of Lot 7, Block 27, Grand Chute Plat 3<sup>rd</sup> Ward, City of Appleton, Outagamie County, Wisconsin, according to the recorded Assessor's Map of said City. EXCEPT Parcel 24 of Transportation Project Plat 6240-13130624006-21-4.02, recorded in Plat Cabinet L, Page 174 as Document Number 1821753, on February 6, 2009 in the Outagamie County Office of the Register of Deeds, being part of Lot 7, Block 27, of Grand Chute Plat, located in the NW ¼ of the NW ¼, Section 35, T21N, R17E, City of Appleton, Outagamie County, Wisconsin. Including all of the adjacent one-half (1/2) right of way of West Fifth Street and Memorial Drive (aka S.T.H. 47).

July 11, 2017

**KAMI LYNCH**  
**City Clerk**

RUN: July 15, 2017  
July 18, 2017

**NOTICE OF PUBLIC HEARING ON SPECIAL ASSESSMENTS**

(Preliminary Resolution 4-P-17)

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

**SANITARY LATERALS, STORM LATERALS AND STORM MAIN**

Catherine Street from Washington Street to North Street

Mary Street from North Street to Pacific Street

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

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

You are further notified that the Common Council will hear all persons interested or their agents or attorneys concerning matters contained in the preliminary resolution authorizing such improvements and assessments at a regular meeting of the Common Council to be held on **August 2, 2017, at 7:00 P.M.** or as soon thereafter as can be heard, in the Council Chambers at the City Hall, 100 North Appleton Street, Appleton, Wisconsin. All objections will be considered at said hearing and thereafter the amount of the assessments will be finally determined.

July 20, 2017

RUN: July 21, 2017

KAMI LYNCH, City Clerk

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

## **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** of an Public Hearing to be held before the Common Council in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, on Wednesday, August 2, 2017, at 7:00 P.M., or as soon thereafter as can be heard, for the purpose of considering the following map and text amendment to Chapter 23 Zoning Ordinance of the Municipal Code that are required by state and federal law.

Article X. Floodplain Zoning Division 1. Statutory Authorization, Finding of Fact, Statement of Purpose, Title and General Provisions. Sec. 23-206 (b) (1) h. LOMR – Case #17-05-1963P. Floodplain revisions on Outagamie County Flood Insurance Study (FIS) AAL Tributary Cross Section C, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0336D, effective September 29, 2017. This reflects changes along the AAL Tributary from just downstream of Lightning Drive to approximately 200 feet upstream of East Glenhurst Lane.

A copy of the proposed map amendment and text amendment to Chapter 23 of the Zoning Ordinance is available in the Appleton Community and Economic Development Department or the Office of the City Clerk from 8:00 a.m. until 4:30 p.m., Monday through Friday.

All persons interested are invited to attend this meeting and will be given an opportunity to be heard.

Any questions regarding the proposed text amendment to Chapter 23 Zoning Ordinance of the Municipal Code should be directed to Don Harp, Principal Planner at 920-832-6466.

July 20, 2017

KAMI LYNCH  
City Clerk

RUN: July 22, 2017  
July 25, 2017

REASONABLE ACCOMODATIONS FOR PERSON WITH DISABILITES WILL BE MADE  
UPON REQUEST AND IF FEASIBLE.





City of Appleton – **Resolution #10-R-17**

May 3, 2017

Submitted by: Alderperson Martin – District 4

Referred to: Mayor's Office

Resubmitted: July 19, 2017

Referred to: August 2, 2017 Council Meeting

### **International Migratory Bird Day Resolution**

Whereas, migratory birds are some of the most beautiful and easily observed wildlife that share our communities,

And

Whereas, many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring,

And

Whereas, public awareness and concern are crucial components of migratory bird conservation,

And

Whereas, the Lower Fox River is a flight line and nesting zone for these birds,

And

Whereas, since 1993 International Migratory Bird Day (IMBD) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in our communities and throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean, and the southern U.S.,

And

Whereas, while IMBD officially is held each year on the second Saturday in May, its observance, is not limited to a single day, and planners are encouraged to schedule activities on the dates best suited to the presence of both migrants and celebrants,

And

NOW THEREFORE BE IT RESOLVED, that all citizens support this observance and efforts to protect and conserve migratory birds and their habitats in our community and the world at large.

**RESOLUTION 4-P-17**

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

WHEREAS, the Common Council of the City of Appleton, Wisconsin, held a Public Hearing at the Council Chambers in City Hall at 7:00 P.M. on the 2nd day of August, 2017, for the purpose of hearing all interested persons concerning the proposed improvements and construction in the following streets or portion of streets:

SANITARY LATERALS, STORM LATERALS AND STORM MAIN

Catherine Street from Washington Street to North Street  
Mary Street from North Street to Pacific Street

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

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

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

S/TIMOTHY M. HANNA (Mayor)

Adopted: August 2, 2017

Published: August 7, 2017

Attest: Kami L. Lynch (City Clerk)

## **COMMON COUNCIL RESOLUTION**

### **A RESOLUTION CREATING, DESCRIBING, AND MAKING CERTAIN FINDINGS AND APPROVING A PROJECT PLAN FOR TAX INCREMENTAL DISTRICT #11 CITY OF APPLETON, WISCONSIN**

WHEREAS, the overall development of the City of Appleton is recognized as a major need of the City; and

WHEREAS, the City of Appleton desires to create a tax incremental district, in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes (the “Tax Increment Law”), in order to provide a viable method of financing the costs of needed public works and improvement projects within said district and thereby create incentives and opportunities for appropriate private development, which will contribute to the overall development of the City; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission on July 11, 2017 held a public hearing concerning the proposed creation of a tax incremental district and proposed project plan thereof in the City of Appleton, wherein interested parties were afforded a reasonable opportunity to express their views; and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the chief executive officers of Outagamie County and the Fox Valley Technical College District (the other entities having the power to levy taxes on property located within the proposed District) and the Board of Education of the Appleton Area School District (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the proposed tax incremental district and recommended to the Common Council that it create such tax incremental district within the area enclosed by said boundaries, as specified in the boundary description attached to this Resolution as Exhibit A and entitled “Boundary Description of Tax Incremental District #11, City of Appleton”; and

WHEREAS, the City of Appleton Plan Commission has prepared and adopted a Project Plan for Tax Incremental District #11, which includes:

1. Intent and purpose of Tax Increment Financing District #11;
2. A statement of the kind, number, and location of all proposed public works and improvements projects within the district and the ½ mile buffer zone;
3. Qualification of the proposed TIF District based on City valuation;
4. A list of estimated project costs;
5. A statement on non-project costs;
6. An economic feasibility study;
7. A description of the methods of financing and the time when such costs or monetary obligations are to be incurred;
8. Proposed changes of zoning ordinances, master plan, map, building codes, maps, and City ordinances;

9. A statement indicating how the creation of the district promotes orderly development of the City;
10. Estimate of property to be devoted to retail use;
11. A statement of a proposed method for the relocation of any persons or businesses to be displaced;
12. A map showing the district boundaries and a map of the ½ mile buffer zone;
13. A map showing existing uses and conditions of real property in such district;
14. A map showing proposed improvements and public works projects by development areas;
15. A listing of the parcels and legal description of the district; and
16. An opinion of the City Attorney on the compliance of the project plan with Wisconsin Statutes, Section 66.1105(4); and

WHEREAS, the Plan Commission has submitted such Project Plan to the Common Council and recommended approval thereof; and

WHEREAS, the Common Council hereby approves such Project Plan and finds the Plan feasible and in conformity with the master plan:

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

1. Pursuant to the Tax Increment Law, there is hereby created in the City of Appleton, a tax incremental district to be known as “Tax Incremental District #11, City of Appleton” the boundaries of which shall be those recommended to the Common Council by the Plan Commission, as specified in the attached Exhibit A.
2. The Common Council hereby finds and declares that:
  - a. Not less than 50 percent by area of real property within such district is blighted within the meaning of Wisconsin Statute Section 66.1105 and 66.1333; and therefore the district is created as a “Blighted District”.
  - b. The improvement of such area is likely to enhance significantly the value of substantially all the other real property in the said tax incremental district; and
  - c. The project costs directly serve to redevelop the area consistent with the purpose for which the district is created; and
  - d. The equalized value of taxable property of the district plus the value increment of all existing districts within the city does not exceed 12 percent of the total equalized value of the taxable property within the City of Appleton; and
  - e. Finds, pursuant to Section 66.1105(5)(b) that approximately 10 percent of the real property within the district will be devoted to retail business at the end of the district’s maximum expenditure period;
  - f. The boundaries for Tax Incremental District #11 does not include any annexed territory not within the boundaries of the City of Appleton on January 1, 2004; and

- g. Less than 25% of the area of Tax Incremental District #11 has been vacant for a period of 7 years or more; and
- h. The Project Plan is economically feasible and is in conformity with the City of Appleton Comprehensive Plan 2010-2030; and

The District is hereby created as of January 1, 2017. The City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2017, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

The City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property that are within Tax Incremental District #11, specifying thereon the name of the said tax incremental district, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

Adopted \_\_\_\_ day of August, 2017.

---

Timothy M. Hanna, Mayor

Attest:

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Kami L. Lynch, City Clerk

**EXHIBIT A**  
**BOUNDARY DESCRIPTION OF TAX INCREMENTAL DISTRICT #11**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW  $\frac{1}{4}$  OF SECTION 26, PART OF THE SE  $\frac{1}{4}$  OF SECTION 26 AND PART OF THE NW  $\frac{1}{4}$  OF SECTION 35, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:  
COMMENCING AT THE CENTERLINE OF WASHINGTON STREET AND THE CENTERLINE OF DREW STREET AND BEING THE POINT OF BEGINNING;  
THENCE SOUTH AND THEN SOUTHWESTERLY ALONG THE CENTERLINE OF SAID DREW STREET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF AN ALLEY IN BLOCK 2 OF THE **APPLETON PLAT**;  
THENCE WEST ALONG THE SOUTH LINE OF SAID EXTENSION AND THEN THE SOUTH LINE OF SAID ALLEY AND ALSO BEING CONTIGUOUS WITH THE NORTH OF LOT 1 OF CERTIFIED SURVEY MAP NO.6362 TO THE EAST LINE OF DURKEE STREET;  
THENCE SOUTH ALONG THE EAST LINE OF SAID DURKEE STREET TO THE CENTERLINE OF WATER STREET;  
THENCE SOUTHWESTERLY ALONG THE CENTERLINE OF SAID WATER STREET TO A POINT 50 FEET WEST OF THE EAST LINE ONEIDA STREET AND BEING COINCIDENT WITH A REFERENCE LINE FOR SAID ONEIDA STREET PER WDOT RIGHT OF WAY PLAT NO.4657-2-21;  
THENCE NORTHWESTERLY 252.91 FEET ALONG SAID REFERENCE LINE FOR ONEIDA STREET TO A REFERENCE LINE FOR PROSPECT AVENUE PER SAID WDOT RIGHT OF WAY PLAT NO.4657-2-21;  
THENCE SOUTHWESTERLY 399.57 FEET M/L ALONG SAID REFERENCE LINE FOR PROSPECT AVENUE TO THE SOUTHEASTERLY EXTENSION OF A WESTERLY LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO.6714;  
THENCE NORTHWESTERLY 140.05 FEET M/L ALONG SAID EXTENSION AND THEN THE WESTERLY LINE OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO AN ANGLE POINT IN LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714;  
THENCE ALONG THE SUBSEQUENT 8 COURSES OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO THE SOUTH LINE OF LAWRENCE STREET;  
THENCE WEST 222 FEET M/L ALONG THE SOUTH LINE OF LAWRENCE STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF A 20 FOOT WIDE ALLEY LOCATED IN BLOCK 7 OF THE APPLETON PLAT;  
THENCE NORTH 389.44 FEET M/L ALONG SAID EXTENSION AND THEN THE WEST LINE OF SAID ALLEY AND THEN THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID ALLEY TO THE SOUTH LINE OF COLLEGE AVENUE;  
THENCE EAST 419.93 FEET M/L ALONG THE SOUTH LINE OF COLLEGE AVENUE TO THE EAST LINE OF SUPERIOR STREET;  
THENCE NORTH ALONG THE EAST LINE OF SUPERIOR STREET TO A POINT 166.17 FEET SOUTH OF THE SOUTH LINE OF WASHINGTON STREET;  
THENCE EAST AND PARALLEL TO THE SOUTH LINE OF WASHINGTON STREET 380.2 FEET M/L TO THE EAST LINE OF APPLETON STREET;  
THENCE NORTH 166.17 FEET ALONG THE EAST LINE OF APPLETON STREET TO THE SOUTH LINE OF WASHINGTON STREET;  
THENCE EAST 770.57 FEET M/L ALONG THE SOUTH LINE OF WASHINGTON STREET TO THE EAST LINE OF MORRISON STREET;  
THENCE SOUTH ALONG THE EAST LINE OF MORRISON STREET TO A POINT 180 FEET NORTH OF THE SOUTH LINE OF JOHNSTON STREET;  
THENCE EAST 63.24 FEET;  
THENCE SOUTH 180 FEET TO THE SOUTH LINE OF JOHNSTON STREET;  
THENCE EAST ALONG THE SOUTH LINE OF JOHNSTON STREET AND THEN THE EASTERLY EXTENSION OF SAID JOHNSTON STREET TO THE EAST LINE OF DURKEE STREET;

THENCE NORTH 242.34 FEET M/L ALONG THE EAST LINE OF DURKEE STREET TO THE CENTERLINE OF WASHINGTON STREET;  
THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET TO THE POINT OF BEGINNING.

## **COMMON COUNCIL RESOLUTION**

### **A RESOLUTION CREATING, DESCRIBING, AND MAKING CERTAIN FINDINGS AND APPROVING PROJECT PLAN FOR TAX INCREMENTAL DISTRICT #12 CITY OF APPLETON, WISCONSIN**

WHEREAS, the overall development of the City of Appleton is recognized as a major need of the City; and

WHEREAS, the City of Appleton desires to create a tax incremental district, in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes (the “Tax Increment Law”), in order to provide a viable method of financing the costs of needed public improvements within said district and thereby create incentives and opportunities for appropriate private development, which will contribute to the overall development of the City; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission on July 11, 2017 held a public hearing concerning the proposed creation of a tax incremental district and proposed project plan thereof in the City of Appleton, wherein interested parties were afforded a reasonable opportunity to express their views; and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the chief executive officers of Outagamie County and the Fox Valley Technical College District (the other entities having the power to levy taxes on property located within the proposed District) and the Board of Education of the Appleton Area School District (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the proposed tax incremental district and recommended to the Common Council that it create such tax incremental district within the area enclosed by said boundaries, as specified in the boundary description attached to this Resolution as Exhibit A and entitled “Boundary Description of Tax Incremental District #12, City of Appleton”; and

WHEREAS, the City of Appleton Plan Commission has prepared and adopted a project plan for Tax Incremental District #12, which includes:

1. Intent and purpose of Tax Increment Financing District #12;
2. A statement of the kind, number, and location of all proposed public works or improvements within the district;
3. Qualification of the proposed TIF District based on City valuation;
4. A list of estimated project costs;
5. A statement on non-project costs;
6. An economic feasibility study;
7. A description of the methods of financing and the time when such costs or monetary obligations are to be incurred;
8. Proposed changes of zoning ordinances, master plan, map, building codes, maps, and City ordinances;



9. A statement indicating how the creation of the district promotes orderly development of the City;
10. Estimate of property to be devoted to retail use;
11. A statement of a proposed method for the relocation of any persons or businesses to be displaced;
12. A map showing the district boundaries;
13. A map showing existing uses and conditions of real property in such district;
14. A map showing proposed improvements and uses therein;
15. A listing of the parcels and legal description of the district; and
16. An opinion of the City Attorney on the compliance of the project plan with Wisconsin Statutes, Section 66.1105(4); and

WHEREAS, the Plan Commission has submitted such Plan to the Common Council and recommended approval thereof; and

WHEREAS, the Common Council hereby approves such Project Plan and finds the Plan feasible and in conformity with the master plan:

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

1. Pursuant to the Tax Increment Law, there is hereby created in the City of Appleton, a tax incremental district to be known as "Tax Incremental District #12, City of Appleton" the boundaries of which shall be those recommended to the Common Council by the Plan Commission, as specified in the attached Exhibit A.
2. The Common Council hereby finds and declares that:
  - a. Not less than 50 percent by area of real property within such district is in need of "rehabilitation and conservation work" within the meaning of Section 66.1337(2m)(b); and therefore the district is created as a "Rehabilitation and Conservation District".
  - b. The improvement of such area is likely to enhance significantly the value of substantially all the other real property in the said tax incremental district; and
  - c. The project costs directly serve to rehabilitate or conserve the area consistent with the purpose for which the district is created; and
  - d. The equalized value of taxable property of the district plus the value increment of all existing districts within the city does not exceed 12 percent of the total equalized value of the taxable property within the City of Appleton; and
  - e. Finds, pursuant to Section 66.1105(5)(b) that approximately 44 percent of the real property within the district will be devoted to retail business at the end of the district's maximum expenditure period;
  - f. The boundaries for Tax Incremental District #12 does not include any annexed territory not within the boundaries of the City of Appleton on January 1, 2004; and

- g. Less than 25% of the area of Tax Incremental District #12 has been vacant for a period of 7 years or more; and
- h. The Project Plan is economically feasible and is in conformity with the City of Appleton Comprehensive Plan 2010-2030; and

The District is hereby created as of January 1, 2017. The City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2017, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

The City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property that are within Tax Incremental District No. 12, specifying thereon the name of the said tax incremental district, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

Adopted \_\_\_\_ day of August, 2017.

---

Timothy M. Hanna, Mayor

Attest:

---

Kami L. Lynch, City Clerk

**EXHIBIT A**  
**BOUNDARY DESCRIPTION OF TAX INCREMENTAL DISTRICT #12**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW ¼ OF SECTION 26 AND A PART OF THE SE ¼ OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE OF FRANKLIN STREET AND THE WEST LINE OF RICHMOND STREET AND BEING THE POINT OF BEGINNING;

THENCE SOUTH ALONG THE WEST LINE OF RICHMOND STREET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 5425;

THENCE EASTERLY ALONG SAID EXTENSION AND THEN THE SOUTH LINE OF SAID LOT 1 AND THEN THE EASTERLY EXTENSION OF SOUTH LINE OF SAID LOT 1 TO THE SOUTHEASTERLY LINE OF THE WISCONSIN CENTRAL RAILROAD RIGHT OF WAY;

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID WISCONSIN CENTRAL RAILROAD RIGHT OF WAY TO THE WEST LINE OF STATE STREET;

THENCE SOUTH ALONG THE WEST LINE OF STATE STREET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF JOHNSTON STREET;

THENCE EAST ALONG SAID WESTERLY EXTENSION OF JOHNSTON STREET AND THEN THE SOUTH LINE OF JOHNSTON STREET TO THE CENTERLINE OF WALNUT STREET;

THENCE SOUTH ALONG THE CENTERLINE OF WALNUT STREET TO THE NORTH LINE OF COLLEGE AVENUE; THENCE SOUTHWESTERLY TO THE SOUTHWEST CORNER OF WALNUT STREET AND COLLEGE AVENUE;

THENCE SOUTH ALONG THE WEST LINE OF WALNUT STREET TO THE NORTH LINE OF LAWRENCE STREET;

THENCE WEST ALONG THE NORTH LINE OF LAWRENCE STREET TO THE WEST LINE OF STATE STREET;

THENCE SOUTH ALONG THE WEST LINE OF STATE STREET TO THE CENTERLINE OF LAWRENCE STREET;

THENCE WEST ALONG THE CENTERLINE OF LAWRENCE STREET TO THE CENTERLINE OF STORY STREET;

THENCE NORTH ALONG THE CENTERLINE OF STORY STREET TO THE CENTERLINE OF WASHINGTON STREET;

THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET, LYING BETWEEN BLOCK 34 AND BLOCK 35 OF THE **FIFTH WARD PLAT**, TO THE CENTERLINE OF BENNETT STREET;

THENCE NORTH ALONG THE CENTERLINE OF BENNETT STREET TO A POINT 30 FEET NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF WASHINGTON STREET AND SAID SOUTH LINE BEING CONTIGUOUS WITH THE NORTH LINE OF LOTS 4, 5, 15, 14 AND 13 OF BLOCK 32 OF THE **FIFTH WARD PLAT**;

THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID WASHINGTON STREET TO THE CENTERLINE OF LOCUST STREET;

THENCE NORTH ALONG THE CENTERLINE OF LOCUST STREET TO THE CENTERLINE OF FRANKLIN STREET;

THENCE EAST ALONG THE CENTERLINE OF FRANKLIN STREET TO THE POINT OF BEGINNING.



DEPARTMENT OF PUBLIC WORKS  
Inspection Division  
100 North Appleton Street  
Appleton, WI 54911  
Phone (920) 832-6411

No. 160716  
Date Rec'd: 06/01/17

### Neighborhood Service Form

ALAN WILSON  
116 W HARRIS ST  
APPLETON WI 54911

Tax Key Number(s) 31-4-1572-00		Location of Complaint 1530 E CALUMET ST APPLETON WI
Map Number T54	Lot Size 7440 sq ft	

#### Complaint:

Grass and weeds over eight inches.

#### Inspection Report:

This complaint was investigated on June 2, 2017 by BLAYNE LANSER and was found to be:

- ☐ in violation letter sent  
☐ in violation hang tag left  
☒ in violation letter and hang tag

YOU ARE HEREBY ORDERED to abate the above confirmed violation(s) of the nuisance ordinance by the following corrective action:

Cut all tall grass and weeds in back yard.

JUN 22 2017  
RD

Such correction is to be completed no later than 4:00 pm on June 9, 2017

Assessment charged: There is a minimum \$50 assessment charged for all owners who received this weed notice. Should the owner fail or refuse to complete corrective action by the time given, the City may enter upon subject property and abate the nuisance. The additional cost of such abatement will be charged to the property owner.

\*\*\*\*\*Office Use Only\*\*\*\*\*

Date Notice Mailed: June 5, 2017

Re-inspection Date: 6/21/17

Result: Uncut

Warrant Served: \_\_\_\_\_

Return of Officer: Blayne Lanser

Called Contractor: \_\_\_\_\_

Contractor Cut: \_\_\_\_\_

1530

06/02/2017 14:25





06/02/2017 14:18





06/02/2017 14:17



## 2017 Weed Fee Appeals

ADDRESS	Complaint Received	Compliance Date	Re-inspection Date	Cut	Warrant Date	Fee
12 Ramlen Court	24-May-17	29-May-17	31-May-17	Yes	N/A	\$50
1530 E. Calumet Street	1-Jun-17	9-Jun-17	21-Jun-17	Yes	N/A	\$50





**We Energies**  
800 S. Lynndale Dr.  
Appleton, WI 54914

[www.we-energies.com](http://www.we-energies.com)

July 10, 2017

Mr. Mike Hardy  
Assistant Traffic Engineer  
2625 E. Glendale Ave.  
Appleton, WI 54911-8688

Subject: Work Request 4078080; Lighting at Providence & Edgewood Dr.

Dear Mr. Hardy:

A work order for Night Aura® Outdoor Lighting, provided by We Energies, is detailed on subsequent pages of this letter. The upfront charge for this work, which expires 90 days from the date of this letter, is \$3,187.94, and does not include site restoration. The initial net change to monthly charges will increase by \$13.21, which is subject to future rate changes as approved by the Public Service Commission of Wisconsin.

- Luminaires are controlled to provide dusk to dawn operation.
- Normal maintenance is performed by the Company upon notification.
- All fixtures are warranted until removed. Non-Standard poles and conductors are warranted for 15 years.
- For installation, removal and maintenance, the customer shall locate private underground facilities and grant or obtain, without expense to We Energies: access to property, necessary permissions, easements, ordinance satisfaction and permits.
- Termination or change requests after installation and prior to conclusion of the Initial Term shall result in customer charges. Monthly rates for fixtures on the LED rate are reduced after Initial Term.
- A complete list of applicable Lighting Tariff terms & conditions are available at [www.we-energies.com](http://www.we-energies.com).
- We Energies does not guarantee this installation meets AASHTO or the Illuminating Engineering Society's minimum recommended standards for lighting.

Please sign all of the enclosed documents and return them, along with payment for the upfront charge (check made payable to We Energies) in the enclosed envelope. Material will be ordered after all authorizations and payment have been received and this order will be released to construction for scheduling after all contingencies have been met. If you have any questions, please call me at (920) 380-3406.

Sincerely,

Lisa Rupiper, Energy Services Consultant

By signing this letter, you authorize us to do this work and acknowledge acceptance of the Rates and Conditions of the specified tariffs as approved by the Public Service Commission of Wisconsin.

By: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_



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

Description: Northland Avenue (CTH "OO") / Conkey Street Intersection

The City of Appleton, through its undersigned duly authorized officers or officials hereby request Outagamie County to initiate and affect the highway improvements, pursuant to the 3030 E. Goodland Drive Agreement.

**PROPOSED IMPROVEMENTS:**

Make the following improvements to the Northland Avenue (CTH "OO") / Conkey Street intersection in 2018:

- 1) modification of the median islands on the east and west legs
- 2) extension/widening of the north and south leg approaches
- 3) installation of a traffic signal and associated street lighting

**TERMS AND CONDITIONS:**

1. Outagamie County will be the lead agency for this project.
2. The City will assume ownership of the traffic signal.
3. All plans and specifications for the improvements will be provided for City of Appleton's review and approval.
4. The City of Appleton will conduct the necessary public hearings.
5. The project cost in the agreement is an estimate. The City will be invoiced periodically based on actual costs incurred.

**COST ESTIMATE AND PARTICIPATION**

	Total Estimated Cost	City of Appleton	Outagamie County
City Engineering, Labor, Equipment & Other	40,000	10,000	30,000
Traffic Signal Installation & Roadway Modifications	263,946	0	263,946
Pedestrian Modifications (Sidewalk, Pedestrian Signals, Crosswalk Markings)	6,000	6,000	0
Street Lighting Outside of Intersection	28,000	28,000	0
Sanitary Sewer Adjustments	2,500	2,500	0
<b>TOTALS</b>	<b>340,446</b>	<b>46,500</b>	<b>293,946</b>

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

Signed on behalf of  
Outagamie County

Signed on behalf of  
City of Appleton

\_\_\_\_\_  
Dean Steingraber  
Highway Commissioner

\_\_\_\_\_  
Timothy Hanna  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kami Lynch  
City Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tony Saucerman  
Finance Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jim Walsh  
City Attorney

\_\_\_\_\_  
Date

## Paula Vandehey

---

**From:** Mike Van Thull <mike@willemsmarketing.com>  
**Sent:** Thursday, July 13, 2017 2:02 PM  
**To:** Paula Vandehey  
**Subject:** Mile of Music

Paula,

Tundraland would like to place a mobile showroom outside the PAC lobby as close to the College Avenue corner and Division Street as possible during the Mile of Music (August 3<sup>rd</sup> through the 6<sup>th</sup>). I have received permission from the PAC, but I am assuming I need your approval also. There would still be plenty of access to get in and out of the lobby and walking space on the sidewalk.

Please let me know what I need to do to make this happen.

Thanks!

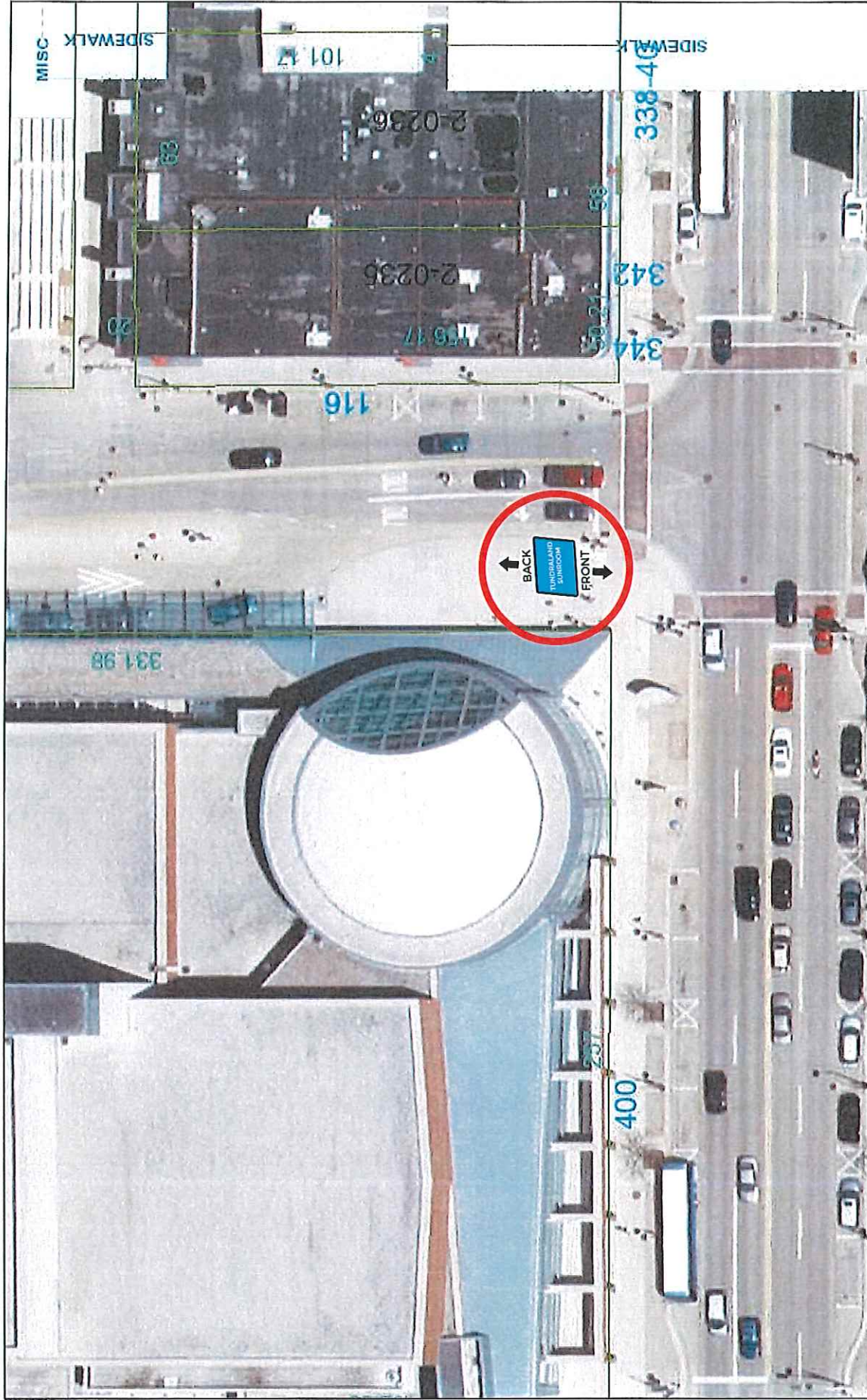
Mike  
*Mike Van Thull*  
Willems Marketing & Events  
120 N. Morrison St., Suite 200  
Appleton, WI 54911  
(920) 750-5014  
[mike@willemsmarketing.com](mailto:mike@willemsmarketing.com)



Follow Us or [Sign Up](#) for Marketing Tips



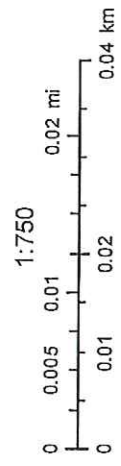
# ArcGIS Web Map



July 13, 2017

City Parcels

Easements





July 12, 2017

**Bridge Rehabilitation Reports for Local Bridge Program Funding-Amendment #1**

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

Dear Mr. Weyenberg:

As you are aware, the application for bridge replacement funding for the South Island Bridge over Powerr Canal, Bridge P44-729 was recently denied by WisDOT. WisDOT's denial was based on an error in the WisDOT Highway Structure Information System (HSIS) which changed the sufficiency rating of the bridge to a value greater than 50. The error as well as WisDOT's denial has resulted in the necessity of revising a previously developed bridge rehabilitation report.

As part of these revisions it is necessary to analyze the existing bridge foundations to assure they have the capacity to withstand current LRFD loading requirements. The existing South Island Street Bridge was designed with H20 loads (i.e. 2 axle 20 ton trucks) vs. the new requirements (HL 93 which are 3 axle 36 ton trucks + a lane load). Additional changes to the report will also be necessary to revise the report and drawings to now justify the rehabilitation instead of replacement.

Collins cost to provide the work described above are \$7,600, and a copy of the estimate of costs is provided for your information. If you should have any questions regarding this submittal, please do not hesitate to contact me at (920)434-9857/smiller@collinsengr.com.

Very truly yours,

COLLINS ENGINEERS, INC.

*Steven J. Miller*  
Steven J. Miller, P.E.  
Regional Manager

SJM:  
Enclosure



# CONTRACT CHANGE ORDER & CONTRACT AMENDMENT

Change Order No. 1

Date 07/19/17

Contract No. \_\_\_\_\_ for the following public work : Unit BB-17 Bridge Rehabilitation Reports

between Collins Engineers, Inc. and the City of Appleton dated 11/18/17 (Council approval) 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	4240.6404.3510	\$26,096.81	\$0.00	\$7,600.00	\$0.00	\$33,696.81	\$0.00
2							
3							
4							
5							
6							
7							
8							
9							
10							
Total		\$26,096.81	\$0.00	\$7,600.00	\$0.00	\$33,696.81	\$0.00

Reason for Change: Revisions to South Island Street bridge rehabilitation report as required by the Wisconsin DOT.

The Contract Time will be (increased / decreased / unchanged) by this Change Order: 0 Days

The Date of Completion as of the date of this Change Order therefore is: N/A

Municipal Services Committee Agenda Dat 07/24/17

Date approved by Council: \_\_\_\_\_



201 S. Walnut  
McGuinness Irish Pub (MIP. LLC)

would like to amend description

for Thursday, Friday, & Saturday ~~Aug~~ & Sunday

August 3rd, 4th, 5th & 6th to include a  
temporary beer garden, fenced off with no entry  
allowed - Approx 20' x 50' in our rear  
parking lot.

ENZ BOSS  
(920) 809-9899  
enzboss80@gmail.com

McGuinness Irish Pub  
Traditional grub is a  
down-to-earth vibe

7/14/12

ROUNDY'S SUPERMARKETS, INC.

PICK 'N SAVE · COPPS · METRO MARKET · MARIANO'S  
PO Box 473  
Milwaukee, WI 53201

414-231-5000

July 12, 2017

VIA ELECTRONIC MAIL

Ms. Cathy Bolwerk  
City of Appleton  
Office of the City Clerk  
100 N. Appleton Street, 6<sup>th</sup> FL  
Appleton, WI 54911

Re: Modification to Premise Description

Dear Cathy:

Ultimate Mart, LLC, the owner and operator of the Pick 'n Save located at 2700 North Ballard Road in Appleton (the "Store"), hereby formally requests an amendment to the premise description on the "Class A" license issued to the Store to encompass the ClickList service as described below.

The Store's program named "ClickList" will allow customers to submit an online order for grocery, alcohol and tobacco products. A designated ClickList shopper, which is a Store employee, selects the customer's items and generates a receipt. The customer is then notified that the order is available for pickup. The pickup occurs in the designated parking stalls. The shopper will load the merchandise into the customer's vehicle. If the order contains alcohol or tobacco product, the customer's age will be verified by the shopper prior to the transfer of these products. After the product is loaded into the customer's vehicle, the shopper reenters the store and finalizes the transaction.

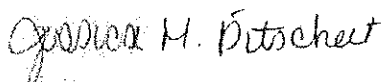
The ClickList service will be available to our customers daily between the hours of 8:00 a.m. and 8:00 p.m. There will be approximately 12-14 employees trained to be shoppers. The shoppers will be 18 years of age or older and hold a City issued bartender's license. A site plan identifying the designated ClickList parking stalls is attached for your review.

The current premise description on the license reads as "2700 North Ballard Road – single story building – retail grocery and liquor." Please amend the language to read: 2700 North Ballard Road - retail grocery and liquor store with exterior parking stalls designated for the merchandise pickup service.

Please contact me with any questions you may have at 414-231-5904 or [jessica.ditscheit@roundys.com](mailto:jessica.ditscheit@roundys.com).

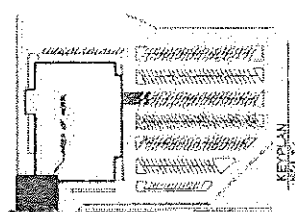
Very truly yours,

ROUNDY'S SUPERMARKETS, INC.

  
Jessica M. Ditscheit  
Paralegal

Attachment





**ROUNDY'S SUPERMARKETS, INC.****PICK 'N SAVE · COPPS · METRO MARKET · MARIANO'S**

PO Box 473

Milwaukee, WI 53201

414-231-5000

July 12, 2017

**VIA ELECTRONIC MAIL**

Ms. Cathy Bolwerk  
City of Appleton  
Office of the City Clerk  
100 N. Appleton Street, 6<sup>th</sup> FL  
Appleton, WI 54911

Re: Modification to Premise Description

Dear Cathy:

Ultimate Mart, LLC, the owner and operator of the Pick 'n Save located at 511 West Calumet Street in Appleton (the "Store"), hereby formally requests an amendment to the premise description on the "Class A" license issued to the Store to encompass the ClickList service as described below.

The Store's program named "ClickList" will allow customers to submit an online order for grocery, alcohol and tobacco products. A designated ClickList shopper, which is a Store employee, selects the customer's items and generates a receipt. The customer is then notified that the order is available for pickup. The pickup occurs in the designated parking stalls. The shopper will load the merchandise into the customer's vehicle. If the order contains alcohol or tobacco product, the customer's age will be verified by the shopper prior to the transfer of these products. After the product is loaded into the customer's vehicle, the shopper reenters the store and finalizes the transaction.

The ClickList service will be available to our customers daily between the hours of 8:00 a.m. and 8:00 p.m. There will be approximately 12-14 employees trained to be shoppers. The shoppers will be 18 years of age or older and hold a City issued bartender's license. A site plan identifying the designated ClickList parking stalls is attached for your review.

The current premise description on the license reads as "*511 West Calumet Street – single story building – retail grocery and liquor.*" Please amend the language to read: *511 West Calumet Street - retail grocery and liquor store with exterior parking stalls designated for the merchandise pickup service.*

Please contact me with any questions you may have at 414-231-5904 or [jessica.ditscheit@roundys.com](mailto:jessica.ditscheit@roundys.com).

Very truly yours,

ROUNDY'S SUPERMARKETS, INC.



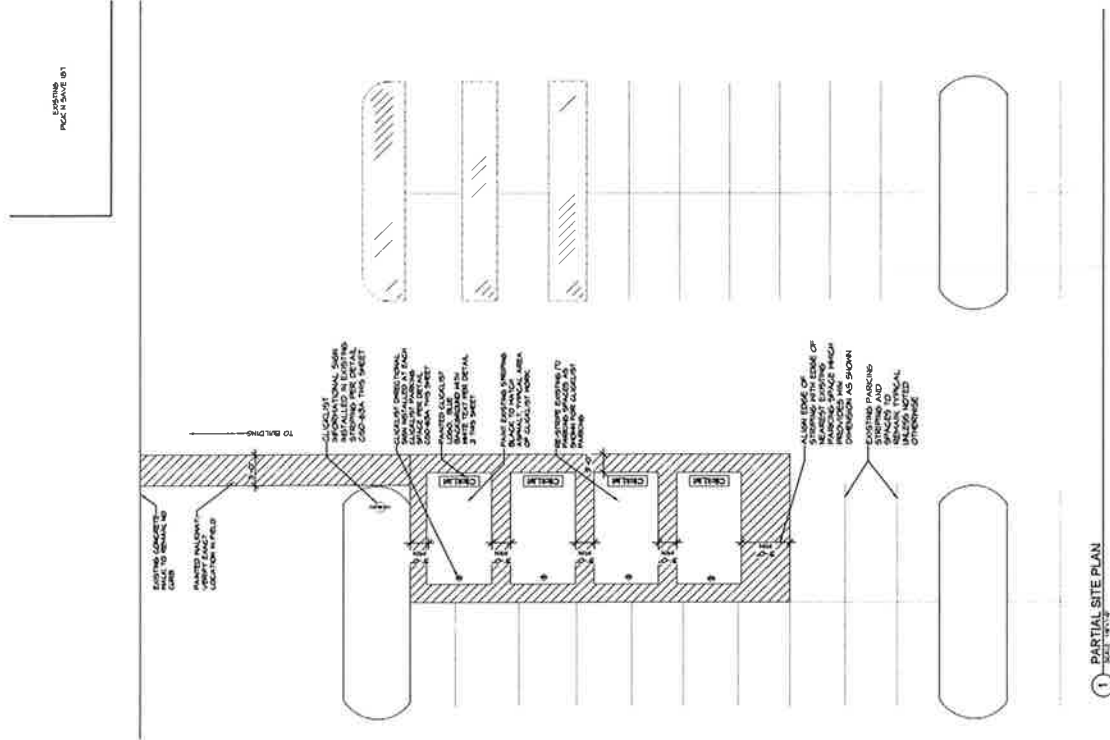
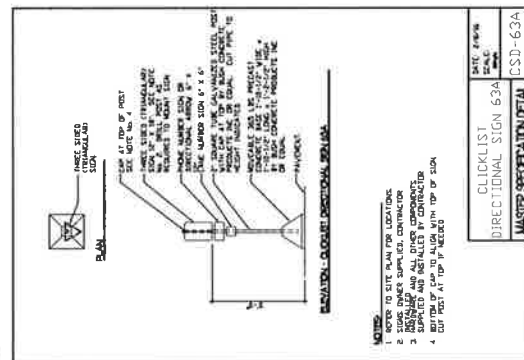
Jessica M. Ditscheit  
Paralegal

Attachment





- VERIFY AND COORDINATE IN ORDER FOR ITEMS TO BE SUPPLIED BY CONTRACTORS (WOODS OR OTHERS) AS REQUIRED BY CONTRACT.
- ALL CONTRACTORS TO VERIFY EXISTING SITE CONDITIONS BEFORE WORK IS TO BEGIN. NOTIFY OWNER OF ANY DISCREPANCIES.
- ALL WORK TO BE DONE IN ACCORDANCE WITH ALL GOVERNING STATE AND LOCAL CODES & ORDINANCES.
- PROTECT EXISTING TO BE AVOIDED DAMAGE FOR THE PROJECT. CONTRACTORS TO BE RESPONSIBLE FOR THE PROTECTION OF EXISTING UTILITIES AND STRUCTURES.
- ALL EXISTING STRUCTURES ARE TYPICAL AND SHOULD ONLY BE CHANGED FOR CLARITY. PROPOSED WORK SHOULD BE IN ACCORD WITH THE INTENT OF THE PLAN.
- ALL EXISTING UTILITIES TO BE PROTECTED AND NOT REMOVED UNLESS SPECIFICALLY NOTED BY THE ARCHITECT.
- CONCRETE SHALL BE CAST WITH BULK FILL AND SHOWN IN COLOR MATCH WITH EXISTING FILL.
- STRUCTURES TO MATCH EXISTING IN COLOR AND SIZE INCLUDING EXTERIOR FINISH.
- STRUCTURES TO BE BUILT ON EXISTING BASES OR THE GROUND TO BE EXCAVATED AND BUILT ON A MOVED BASE PER THE ARCHITECT'S REQUIREMENTS.
- CONSTRUCTORS SHALL PROVIDE A FENCE DURING THE CONSTRUCTION OF THE PROJECT. THE FENCE SHALL BE MAINTAINED THROUGHOUT THE PROJECT. THE FENCE SHALL BE A MINIMUM OF 4 FEET HIGH AND SHALL BE A MINIMUM OF 4 FEET WIDE. THE FENCE SHALL BE A MINIMUM OF 4 FEET WIDE AND SHALL BE A MINIMUM OF 4 FEET HIGH.



# ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 17 ;  
ending June 30 20 18 ;

TO THE GOVERNING BODY of the: ☐ Town of } Appleton  
☐ Village of }  
☒ City of }

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

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY  
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): RiverHeath Hospitality LLC

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

Title	Name	Home Address	Post Office & Zip Code
President/Member <u>Principal</u>	<u>Mark Geall</u>	<u>1300 Astor Street, Chicago IL 60610</u>	
Vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent <u>Cindy Evers</u>			
Directors/Managers			

3. Trade Name Appleton Marriott Courtyard RiverHeath Business Phone Number 920-903-9256  
4. Address of Premises 101 S RiverHeath Way, Appleton WI Post Office & Zip Code 54915

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No  
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No  
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No  
8. (a) Corporate/limited liability company applicants only: Insert state \_\_\_\_\_ and date \_\_\_\_\_ of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No  
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Courtyard by Marriott Hotel and terrace. Approx 2,000 sq ft bistro space

10. Legal description (omit if street address is given above): and storage area in the back, including adjacent terrace  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No  
(b) If yes, under what name was license issued?

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5d) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No  
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No  
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

## SUBSCRIBED AND SWORN TO BEFORE ME

this 6 day of July

Cathy Bolwerk  
(Clerk/Notary Public) KATHY BOLWERK  
Notary Public, State of Wisconsin

My commission expires My Commission Expires January 23, 2021

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

## TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>7-6-17</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Operator's Licenses for 7/26/17 S & L

Approved

Chelsea R. Adrian	318 ½ E. Hancock Street
Juan C. Aznar	1543 N. McCarthy Road, #4
Judy M. Bleck	119 E. Calumet Street
Jessica R. Boogaard	1035 W. Elsie Street
Candi J. Buss	W4734 Palmer Court, Sherwood
Steven J. Demcak	5456 W. Michaels Drive, #1
Kathleen E. Dreyer	5456 W. Michaels Drive, #1
Thomas W. Folks	1504 W. Franklin Street
Rhiannon L. Gauwerke	888 E. Shady Lane, #138, Neenah
Cari J. Guerin	1316 S. Jackson Street
Zachary Hackstock	330 12 <sup>th</sup> Street, Neenah
Jessica L. Haumschild	1350 H Primrose Lane, Neenah
Ashley B. Helms	1218 S. Madison Street, #1
Molly M. Janssen	118 W. Greenfield Dr., Little Chute
Joy A. Laczny	318 W. Pershing Street
Matt R. Letourneaux	1529 Bruce Street, Neenah
Claudia B. Pierce	415 S. Olde Oneida St., #108
Priscilla D. Quade	W5095 Fox Lane, Sherwood
Ronald G. Teske	N248 Woodstock Lane
Jodi A. Ulman	916 W. Ridgeview Drive
Kelson R. Warner	2020 E. Plank Road, #5
Benjamin J. Wells	3102 E. Polly Wog Way, #13
Lynn M. Welter	1715 ½ N. Richmond Street
Samuel A. Wilda	2117 Southwood Drive, #8





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Hearing Meeting Date:** June 27, 2017

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

**Item:** Rezoning #4-17 – 525 South Memorial Drive

**Case Manager:** David Kress

### GENERAL INFORMATION

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**Owner:** Harbor House Domestic Abuse Programs, Inc. c/o Beth Schnorr

**Applicant:** McMAHON Associates c/o Dave Schmalz

**Address/Parcel:** 525 South Memorial Drive (Tax Id #31-3-0624-00)

**Petitioner's Request:** The applicant proposes to rezone the subject parcel from C-2 General Commercial District to R-3 Multi-Family District. The request is being made to combine the subject parcel with adjacent property currently zoned R-3 Multi-Family District.

### BACKGROUND

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Before being purchased by Harbor House Domestic Abuse Programs, Inc. in 2016, a hair salon and second-story apartment were previously located on the subject property. The building was razed in late 2016.

A Certified Survey Map (CSM) was submitted in conjunction with the rezoning request to combine the subject parcel and adjacent parcel (#31-3-0623-00). CSMs are administratively reviewed and approved by City staff. However, per Section 23-40(b) of the Municipal Code, there shall not be more than one zoning district on any parcel of land. Therefore, combining the parcels, which are currently in different zoning districts, also necessitates a rezoning.

Subsequent to the rezoning request, a Special Use Permit application was submitted for an expansion to the existing group home facility on the adjacent parcel (#31-3-0623-00). The proposed expansion incorporates the subject parcel and constitutes a "major change" to Special Use Permit #17-99. Given the timing of submittals, the Special Use Permit application is on track to go before Plan Commission on July 11, 2017 and Common Council on July 19, 2017.

### STAFF ANALYSIS

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**Existing Site Conditions:** The subject parcel is approximately 5,868 square feet in size and is located at the northwest corner of South Memorial Drive and West Fifth Street. South Memorial Drive is classified as an arterial street on the City's Arterial/Collector Plan. Currently, the parcel is vacant, as the previous building was razed in late 2016.

**Surrounding Zoning Classification and Land Uses:**

North: R-3 Multi-Family District. The adjacent land use to the north is currently multi-family residential (group home facility under same ownership as subject property).

South: R-1B Single-Family District and R-2 Two-Family District. The adjacent land uses to the south are currently a mix of single-family and two-family residential.

East: R-2 Two-Family District. The adjacent land uses to the east are currently two-family residential.

West: R-3 Multi-Family District. The adjacent land use to the west is currently multi-family residential (group home facility under same ownership as subject property).

**Proposed Zoning Classification:** The purpose of the R-3 Multi-Family District is to provide for and maintain residential areas characterized by multiple family dwellings, while maintaining the basic qualities of a dense residential neighborhood, which may include other housing types and institutional and limited non-residential uses. The development standards for the R-3 District are listed below:

- 1) ***Minimum lot area:***
  - a. 6,000 square feet for single-family dwelling.
  - b. 7,000 square feet for two story two-family dwellings.
  - c. 9,000 square feet for single story two-family dwelling.
  - d. 3,000 square feet per dwelling unit for multi-family dwellings.
  - e. 7,000 square feet for all other uses.
- 2) ***Maximum lot coverage:*** 70%.
- 3) ***Minimum lot width:***
  - a. 50 feet for single-family dwellings.
  - b. 70 feet for two-family dwellings.
  - c. 80 feet for all other uses.
- 4) ***Minimum front yard:***
  - a. 20 feet.
  - b. 25 feet if located on an arterial street.
- 5) ***Minimum rear yard:*** 35 feet.
- 6) ***Minimum side yard:***
  - a. 6 feet for single and two-family dwellings.
  - b. 20 feet for all other uses.
- 7) ***Minimum setback from single or two-family lot line:*** 30 feet.
- 8) ***Maximum building height:***
  - a. 35 feet for single and two-family dwellings.
  - b. 45 feet for all other uses.
- 9) ***Minimum distance between multi-family buildings:*** 12 feet.

**Zoning Ordinance Review Criteria:** A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the desire to combine lots (via CSM) prompted the applicant to submit the rezoning request. Based on initial CSM review, the proposed lot combination would meet applicable lot area and lot width development standards for the R-3 Multi-Family District. Future development would need to conform to the R-3 District zoning regulations listed above and other sections of the Zoning Ordinance. Ultimately, Site Plan review and approval is required, pursuant to

Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division. Also, future development on the adjacent parcel would need to comply with Special Use Permit #17-99, which was approved in 1999 for a group home facility, or an amendment request to the Special Use Permit will be required, pursuant to Section 23-66(g) of the Municipal Code.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future multi-family residential uses. The proposed R-3 Multi-Family District rezoning is consistent with the Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

*Goal 1 – Community Growth*

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

**OBJECTIVE 5.3 Housing and Neighborhoods:**

*Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.*

**OBJECTIVE 7.7 Utilities and Community Facilities:**

*Continue to partner with other agencies, organizations, and businesses to support programs and activities for at-risk populations.*

**OBJECTIVE 10.1 Land Use:**

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

**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. 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 goals and objectives stated above and the Future Land Use Map, which identifies this area for future multi-family residential uses.*

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. *Multi-family residential uses (group home facility) are already located to the north and west of the subject site. The single-family and two-family residential uses located to the south and east are separated from the subject area by street right-of-way. The rezoning request is being made to accommodate a lot combination with the adjacent parcel. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

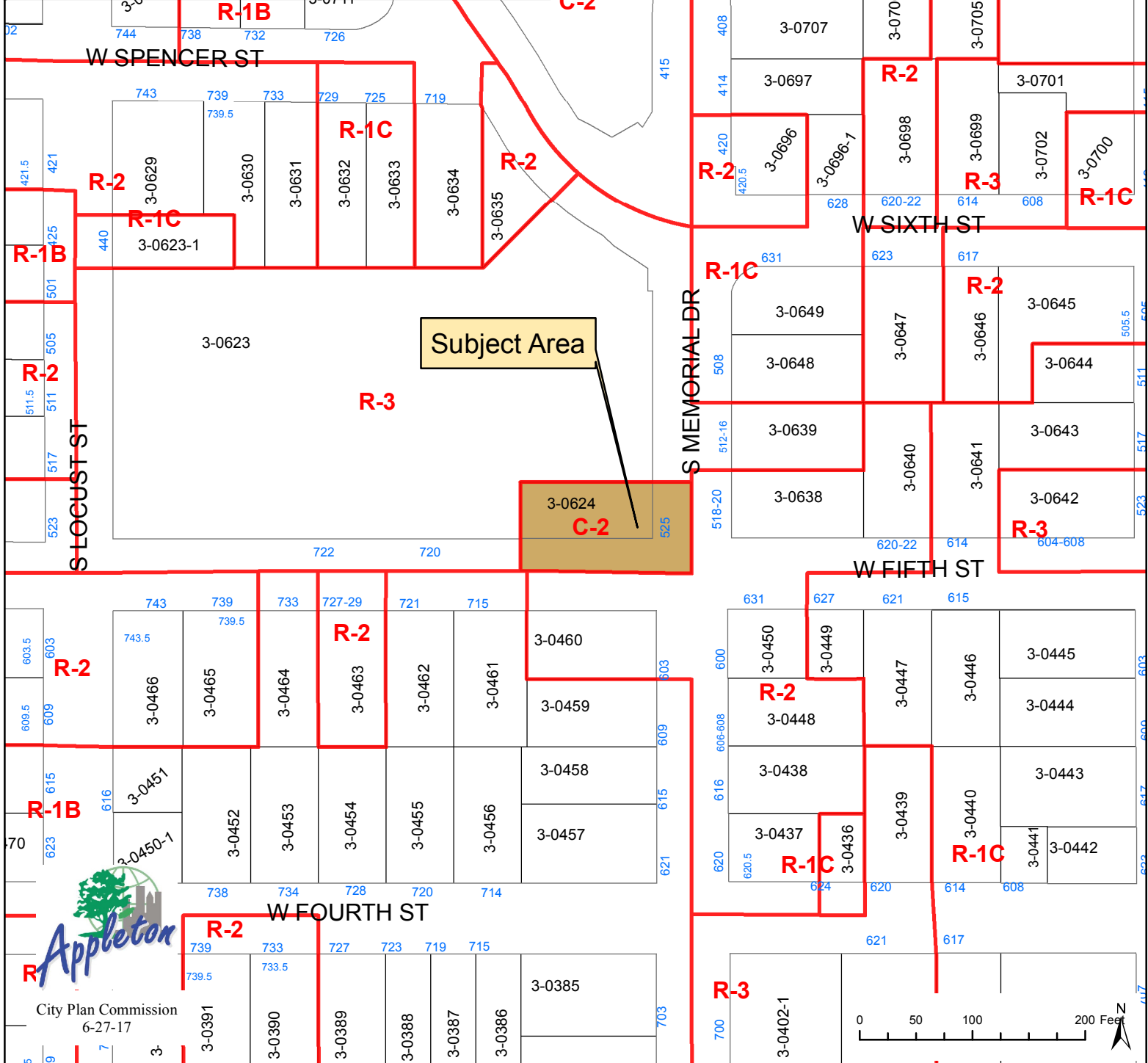
**Review Criteria:** Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

**Technical Review Group (TRG) Report:** This item was discussed at the June 6, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

## **RECOMMENDATION**

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #4-17 to rezone the subject parcel located at 525 South Memorial Drive (Tax Id #31-3-0624-00) from C-2 General Commercial District to R-3 Multi-Family District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

525 South Memorial Drive  
Rezoning  
C-2 General Commercial District  
to R-3 Multi-Family District  
Zoning Map





3-0624

City Plan Commission  
6-27-17



Description of lands to be rezoned from C-2 General Commercial to R-3 Multifamily:

The South 50 feet of Lot 7, Block 27, Grand Chute Plat 3<sup>rd</sup> Ward, City of Appleton, Outagamie County, Wisconsin, according to the recorded Assessor's Map of said City. EXCEPT Parcel 24 of Transportation Project Plat 6240-13130624006-21-4.02, recorded in Plat Cabinet L, Page 174 as Document Number 1821753, on February 6, 2009 in the Outagamie County Office of the Register of Deeds, being part of Lot 7, Block 27, of Grand Chute Plat, located in the NW ¼ of the NW ¼, Section 35, T21N, R17E, City of Appleton, Outagamie County, Wisconsin. Including all of the adjacent one-half (1/2) right of way of West Fifth Street and Memorial Drive (aka S.T.H. 47).

May 10, 2017

DEW

w:\PROJECTS\\_Money\61600138\CADD\Civil3D\Survey Documents\Rezoning\Description of Lands to be Rezoned.docx





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Public Hearing Date:** July 11, 2017

**Common Council Public Hearing Date:** August 2, 2017

**Item:** Zoning Ordinance Text and Map Amendment – Floodplain  
Zoning relating to Section 23-206(b) Official Maps and Revisions and  
Flood Insurance Rate Map Panel Number 55087C0336D

**Case Manager:** Don Harp

### STAFF ANALYSIS

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**Background:** The City has received notification from the Federal Emergency Management Agency (FEMA) that Flood Insurance Rate Map (FIRM) Panel No. 55087C0336D (see attached) was revised and will go into effect September 29, 2017 by Letter of Map Revision (LOMR). The revisions to this panel were based on additional study information prior to the approval of the Pond View Estates development project located on the south side of East Glenhurst Lane. The study area includes the AAL Tributary - from just downstream of Lighting Drive to approximately 200 feet upstream of East Glenhurst Lane.

The flood study found the AAL Tributary had land not mapped as being within special flood hazard areas such as Regulatory Floodway and Base Flood Plain Elevations (*The base flood plain elevation is commonly referred to as a 100-year flood, which is also the same as the 1% annual change flood*) that should be but were not identified on the current FIRM panel issued by FEMA.

Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, the City is required to adopt and enforce the new FIRM Panel No. 55087C0336D and provide evidence that its floodplain ordinance meets the standards of Paragraph 60.3(d) in the National Flood Insurance Program (NFIP) before September 29, 2017. The attached Ordinance revisions and FIRM Panel will accomplish this FEMA directive.

### PROPOSED ZONING ORDINANCE TEXT AMENDMENTS

The text recommended to be added is underlined.

### ARTICLE X. FLOODPLAIN ZONING

#### DIVISION 1. STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS.



**Sec. 23-206. General provisions.**

- (b) ***Official maps and revisions.*** The boundaries of all floodplain districts are designated as floodplains or A-Zones on the maps listed below and the revisions in the City of Appleton Floodplain Appendix. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Division of Inspections of the Department of Public Works for the City of Appleton. If more than one map or revision is referenced, the most restrictive information shall apply.

(1) ***Official maps based on the FIS:***

- a. Calumet County Flood Insurance Rate Map (FIRM), panel numbers 55015C0007E, 55015C0026E and 55015C0027E dated February 4, 2009; with corresponding profiles that are based on the Calumet County Flood Insurance Study (FIS), dated February 2009, volume number 55015CV000A.
- b. Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0304E, and 55087C0308E dated January 20, 2016; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated January 20, 2016, volume number 55087CV000B.
- c. Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0309D, 55087C0314D, 55087C0316D, 55087C0317D, 55087C0318D, 55087C0319D, 55087C0330, 55087C0338D, 55087C0427D, 55087C0431D and 55087C451D dated July 22, 2010; with corresponding profiles that are based on the Outagamie County Flood Insurance Study (FIS) dated July 22, 2010 volume number 55087CV000A.
- d. Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0328D, 55087C0329D, 55087C0336D, 55087C0337D dated July 22, 2010 and revised August 23, 2013 with corresponding profiles that are based on the Outagamie County Flood Insurance Study (FIS) dated July 22, 2010 volume number 55087CV000A, all revised and annotated pursuant to FEMA Letter of Map Revision Determination Document Case No: 12-05-6032P, Issue Date April 10, 2013, Effective Date August 23, 2013.

- e. LOMR – Case #11-05-7670P, Floodway and Floodplain revisions between Flood Insurance Study (FIS) Cross Section AW to BA, Outagamie County Flood Insurance Rate Map (FIRM) panels 55087C0318D and 55087C0319D, dated July 22, 2010. This reflects changes on the Fox River from just downstream of the Private Middle Dam to approximately 250 feet upstream of the Appleton Upper Dam.
- f. LOMR – Case #13-05-7920P, Floodplain revisions between Flood Insurance Study (FIS) Cross Section AN to AM, Outagamie County Flood Insurance Rate panels 55087C0319D, dated July 22, 2010. This reflects changes along the south side of the Fox River from the College Avenue Bridge to approximately 850 feet downstream.
- g. City of Appleton Kensington Pond Dam Break Analysis Hydraulic Shadow, Per Figure F-9 of Dam Failure Analysis and Assignment of the Hazard Rating for Kensington Pond Dam, by Earth Tech, dated January 2008, on file with City of Appleton Department of Public Works.
- h. LOMR – Case #17-05-1963P. Floodplain revisions on Outagamie County Flood Insurance Study (FIS) AAL Tributary Cross Section C, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0336D, effective September 29, 2017. This reflects changes along the AAL Tributary from just downstream of Lightning Drive to approximately 200 feet upstream of East Glenhurst Lane.

**Proposed Amendment to Flood Insurance Rate Map Panel Number 55087C0336D:**

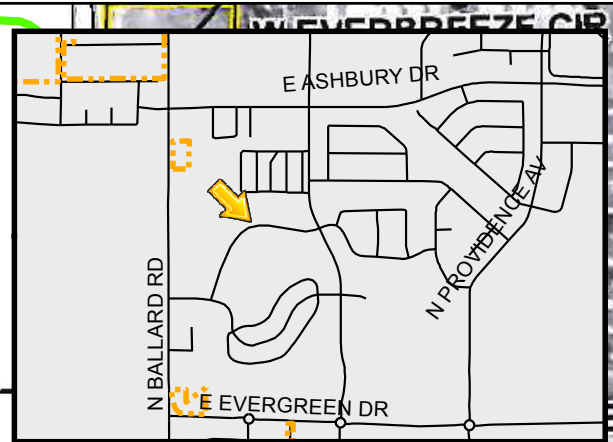
See attached maps.

**Technical Review Group Report (TRG):** This item was reviewed at the June 20, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

**RECOMMENDATION PENDING INFORMAL PUBLIC HEARING TESTIMONY:**

The proposed text and map amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code, Section 23-206 (b) (1) h. Official maps and revisions, as identified in this staff report, **BE APPROVED.**





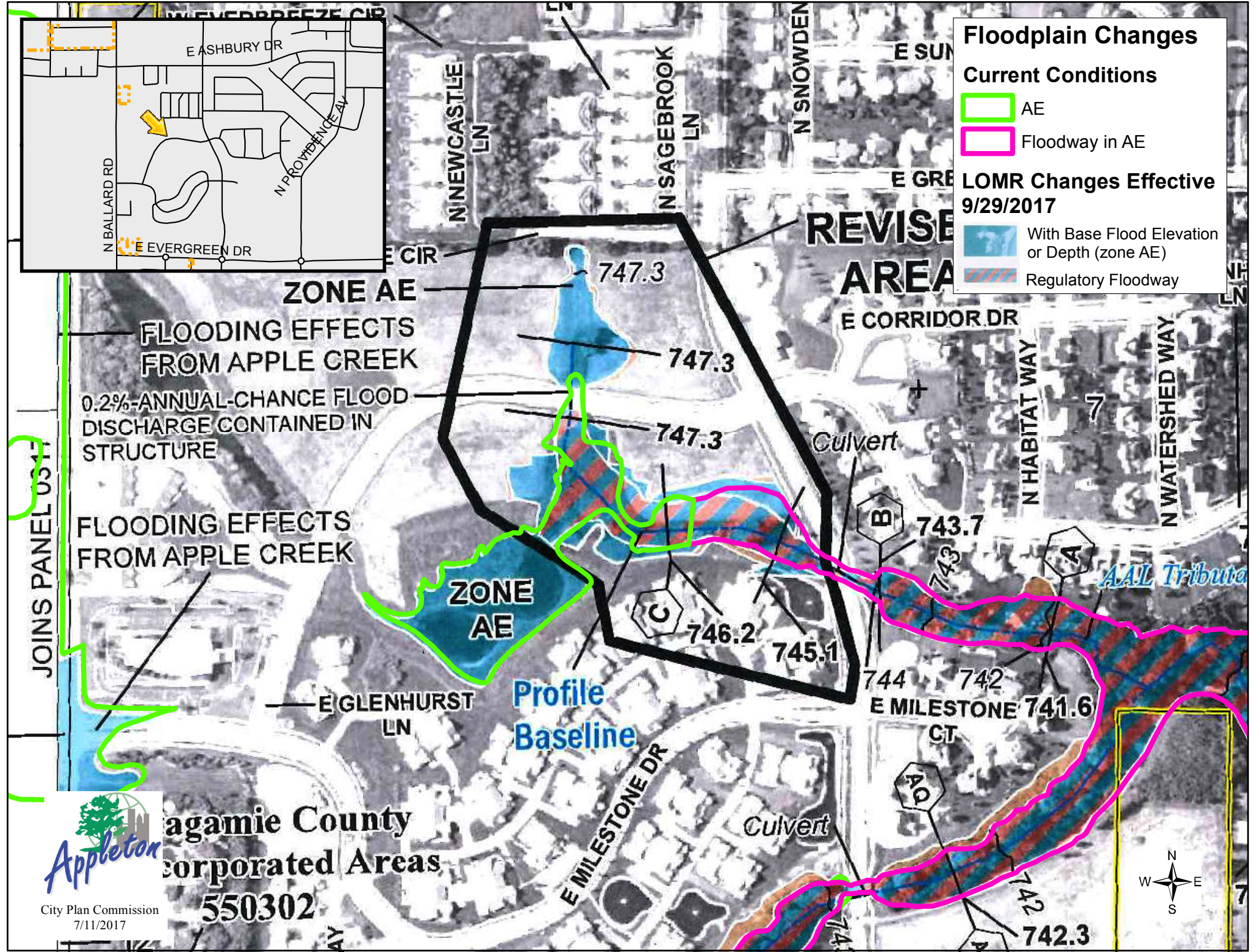
**Floodplain Changes**

**Current Conditions**

- AE
- Floodway in AE

**LOMR Changes Effective 9/29/2017**

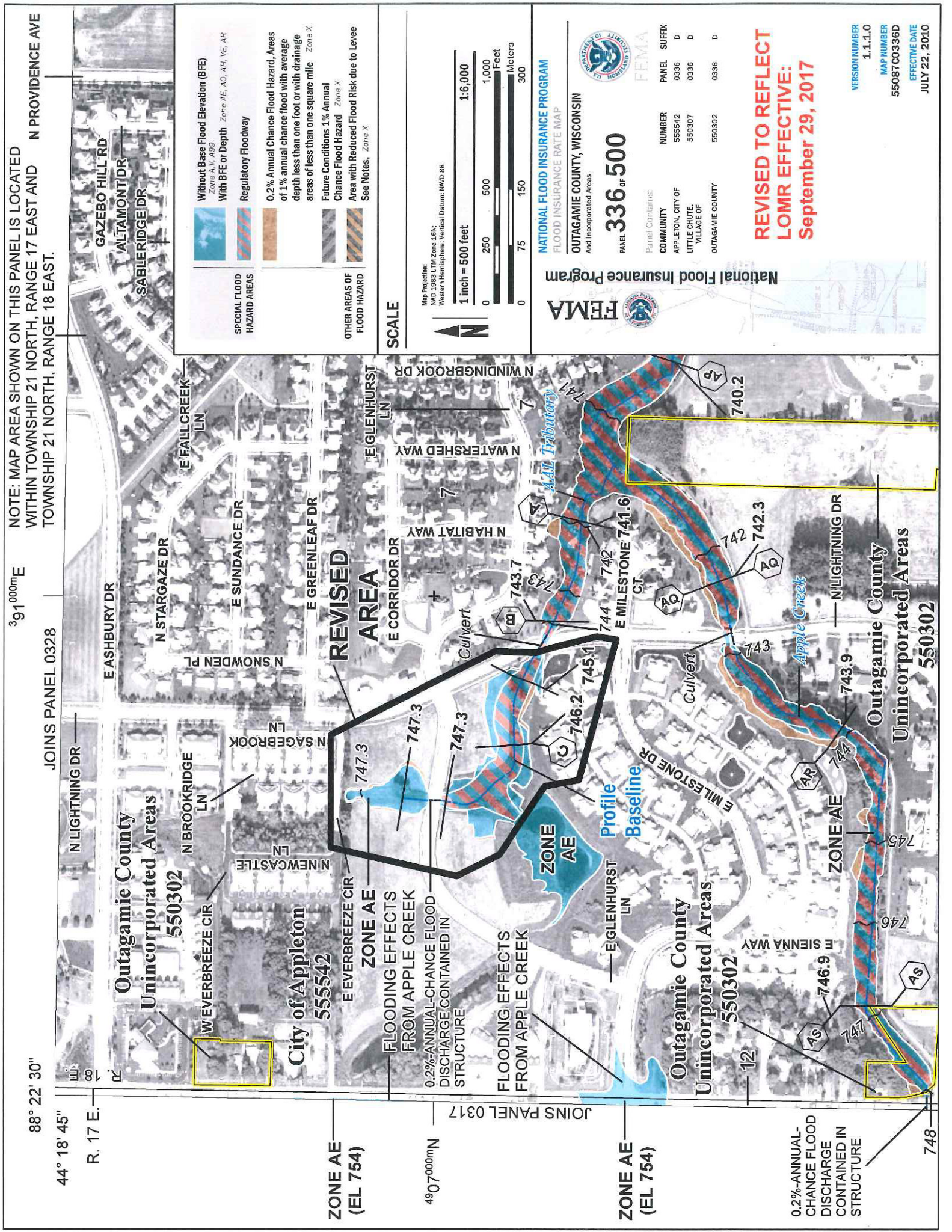
- With Base Flood Elevation or Depth (zone AE)
- Regulatory Floodway



City Plan Commission  
7/11/2017

agamie County  
Incorporated Areas  
550302









# Federal Emergency Management Agency

Washington, D.C. 20472

May 18, 2017

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Timothy Hanna  
Mayor, City of Appleton  
100 North Appleton Street  
Appleton, WI 54911

IN REPLY REFER TO:

Case No.: 17-05-1963P  
Community Name: City of Appleton, WI  
Community No.: 555542  
Effective Date of  
This Revision: September 29, 2017

Dear Mayor Hanna:

The Flood Insurance Study Report and Flood Insurance Rate Map for your community have been revised by this Letter of Map Revision (LOMR). Please use the enclosed annotated map panel(s) revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals issued in your community.

Additional documents are enclosed which provide information regarding this LOMR. Please see the List of Enclosures below to determine which documents are included. Other attachments specific to this request may be included as referenced in the Determination Document. If you have any questions regarding floodplain management regulations for your community or the National Flood Insurance Program (NFIP) in general, please contact the Consultation Coordination Officer for your community. If you have any technical questions regarding this LOMR, please contact the Director, Mitigation Division of the Department of Homeland Security's Federal Emergency Management Agency (FEMA) in Chicago, Illinois, at (312) 408-5500, or the FEMA Map Information eXchange (EMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP). Additional information about the NFIP is available on our website at <http://www.fema.gov/business/nfip>.

Sincerely,

Patrick "Rick" F. Sachibit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration

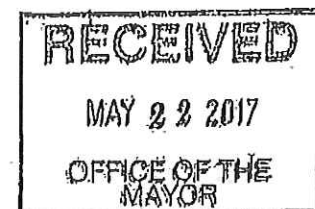
List of Enclosures:

Letter of Map Revision Determination Document  
Annotated Flood Insurance Rate Map  
Annotated Flood Insurance Study Report

cc: Ms. Paula Vandekney  
Director of Public Works  
City of Appleton

Ms. Michelle Staff, CFM  
NFIP Coordinator  
Wisconsin Department of Natural Resources

Mr. John Davel, P.E.  
President  
Davel Engineering and Environmental, Inc.





# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	City of Appleton Outagamie County Wisconsin	FILL	BASE MAP CHANGES FLOODWAY HYDRAULIC ANALYSIS NEW TOPOGRAPHIC DATA
	COMMUNITY NO.: 655542		
IDENTIFIER	Pond View Estates	APPROXIMATE LATITUDE & LONGITUDE: 44.308, -88.366 SOURCE: Other      DATUM: NAD 83	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM*      NO.: 65087C0336D      DATE: July 22, 2010		DATE OF EFFECTIVE FLOOD INSURANCE STUDY: February 04, 2009 PROFILE(S): 01P FLOODWAY DATA TABLE: 11	

Enclosures reflect changes to flooding sources affected by this revision.  
 \* FIRM - Flood Insurance Rate Map

### FLOODING SOURCE(S) & REVISED REACH(ES)

AAL Tributary - From just downstream of Lightning Drive to approximately 200 feet upstream of East Glenhurst Drive

SUMMARY OF REVISIONS				
Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
AAL Tributary	Zone AE	Zone AE	YES	YES
	Zone X (shaded)	Zone X (shaded)	YES	YES
	BFEs	BFEs	YES	YES
	Floodway	Floodway	YES	YES

\* BFEs - Base Flood Elevations

### DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community;

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-338-2827 (1-877-FEMA-MAP) or by letter addressed to the Engineering Library, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Patrick Rick F. Sacblat, P.E., Branch Chief  
 Engineering Services Branch  
 Federal Insurance and Mitigation Administration

17-05-1903P

102-I-A-C





## Federal Emergency Management Agency

Washington, D.C. 20472

### LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

#### COMMUNITY INFORMATION

##### APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

We provide the floodway designation to your community as a tool to regulate floodplain development. Therefore, the floodway revision we have described in this letter, while acceptable to us, must also be acceptable to your community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations.

##### COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive study of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This revision has met our criteria for removing an area from the 1-percent-annual-chance floodplain to reflect the placement of fill. However, we encourage you to require that the lowest adjacent grade and lowest floor (including basement) of any structure placed within the subject area be elevated to or above the Base (1-percent-annual-chance) Flood Elevation.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information Exchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the Engineering Library, 3801 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Patrick Rick F. Sachib, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Ms. Christine Stack  
Director, Mitigation Division  
Federal Emergency Management Agency, Region V  
536 South Clark Street, Sixth Floor  
Chicago, IL 60605  
(312) 408-5500

**STATUS OF THE COMMUNITY NFIP MAPS**

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel(s) and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-336-2627 (1-877-FEMA-MAP) or by letter addressed to the Engineering Library, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6428. Additional information about the NFIP is available on our website at <http://www.fema.gov/hfp>.

Patrick "Rick" F. Sacibiti, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration





**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**PUBLIC NOTIFICATION OF REVISION**

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below, and through FEMA's Flood Hazard Mapping website at [https://www.floodmaps.fema.gov/fhm/bfa\\_status/bfa\\_main.asp](https://www.floodmaps.fema.gov/fhm/bfa_status/bfa_main.asp)

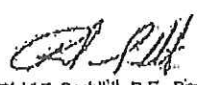
**LOCAL NEWSPAPER**

Name: *Post-Crescent*

Dates: May 25, 2017 and June 1, 2017

Within 90 days of the second publication in the local newspaper, any interested party may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. Therefore, this letter will be effective only after the 90-day appeal period has elapsed and we have resolved any appeals that we receive during this appeal period. Until this LOMR is effective, the revised flood hazard determination presented in this LOMR may be changed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1-877-338-2827 (1-877-FEMA MAP) or by letter addressed to the Engineering Library, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-8428. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

  
Patrick "Rick" F. Sachlitt, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration

17-05-1983P

102-1-A-C

REVISED TO REFLECT LOMR EFFECTIVE: September 29, 2017

FLOODING SOURCE		FLOODWAY				1-PERCENT-ANNUAL-CHANCE FLOOD WATER SURFACE ELEVATION (FEET NAVD 88)			
CROSS SECTION	DISTANCE <sup>1</sup>	WIDTH (FEET)	SECTION AREA (SQUARE FEET)	MEAN VELOCITY (FEET PER SECOND)	WIDTH REDUCED FROM PRIOR STUDY (FEET)	REGULATORY	WITHOUT FLOODWAY	WITH FLOODWAY	INCREASE
<b>AAL TRIBUTARY</b>									
A	327 <sup>1</sup>	142	194	3.0	0	741.6	741.6	741.6	0.0
B	780 <sup>1</sup>	113	204	2.7	61	743.7	743.7	743.7	0.0
C	1360 <sup>1</sup>	113	180	2.8	34	746.2	746.2	746.2	0.0
<b>APPLE CREEK</b>									
A	1,444	797	3,091	1.4	0	647.1	647.1	647.1	0.0
B	3,973	448	1,734	2.5	0	650.7	650.7	650.7	0.0
C	6,723	472	3,504	1.3	0	656.0	656.0	656.0	0.0
D	10,982	467	1,285	3.4	0	657.4	657.4	657.4	0.0
E	13,191	804	4,486	1.0	0	660.0	660.0	660.0	0.0
F	16,387	291	1,698	2.7	0	662.7	662.7	662.7	0.0
G	17,367	442	3,901	1.1	0	664.8	664.8	664.8	0.0
H	19,413	611	4,260	1.4	0	665.2	665.2	665.2	0.0
I	21,797	412	2,007	2.1	0	667.3	667.3	667.3	0.0
J	23,646	858	3,761	1.1	0	669.6	669.6	669.6	0.0
K	25,915	374	1,974	2.1	0	670.8	670.8	670.8	0.0
L	29,779	438	2,126	1.8	0	673.8	673.8	673.8	0.0
M	31,618	532	3,342	1.1	0	678.4	678.4	678.4	0.0
N	34,396	404	1,989	1.9	0	678.8	678.8	678.8	0.0
O	36,122	429	2,013	1.9	0	680.1	680.1	680.1	0.0
P	39,983	374	1,989	1.9	0	683.0	683.0	683.0	0.0
Q	41,501	641	4,545	0.8	0	686.7	686.7	686.7	0.0
R	44,975	361	1,378	2.5	0	687.7	687.7	687.7	0.0
S	47,586	464	1,776	1.9	0	691.4	691.4	691.4	0.0
T	49,431	546	3,554	1.0	0	696.4	696.4	696.4	0.0

<sup>1</sup> FEET ABOVE CONFLUENCE WITH APPLE CREEK  
<sup>2</sup> FEET ABOVE OUTAGAMIE COUNTY BOUNDARY

TABLE 11

FEDERAL EMERGENCY MANAGEMENT AGENCY

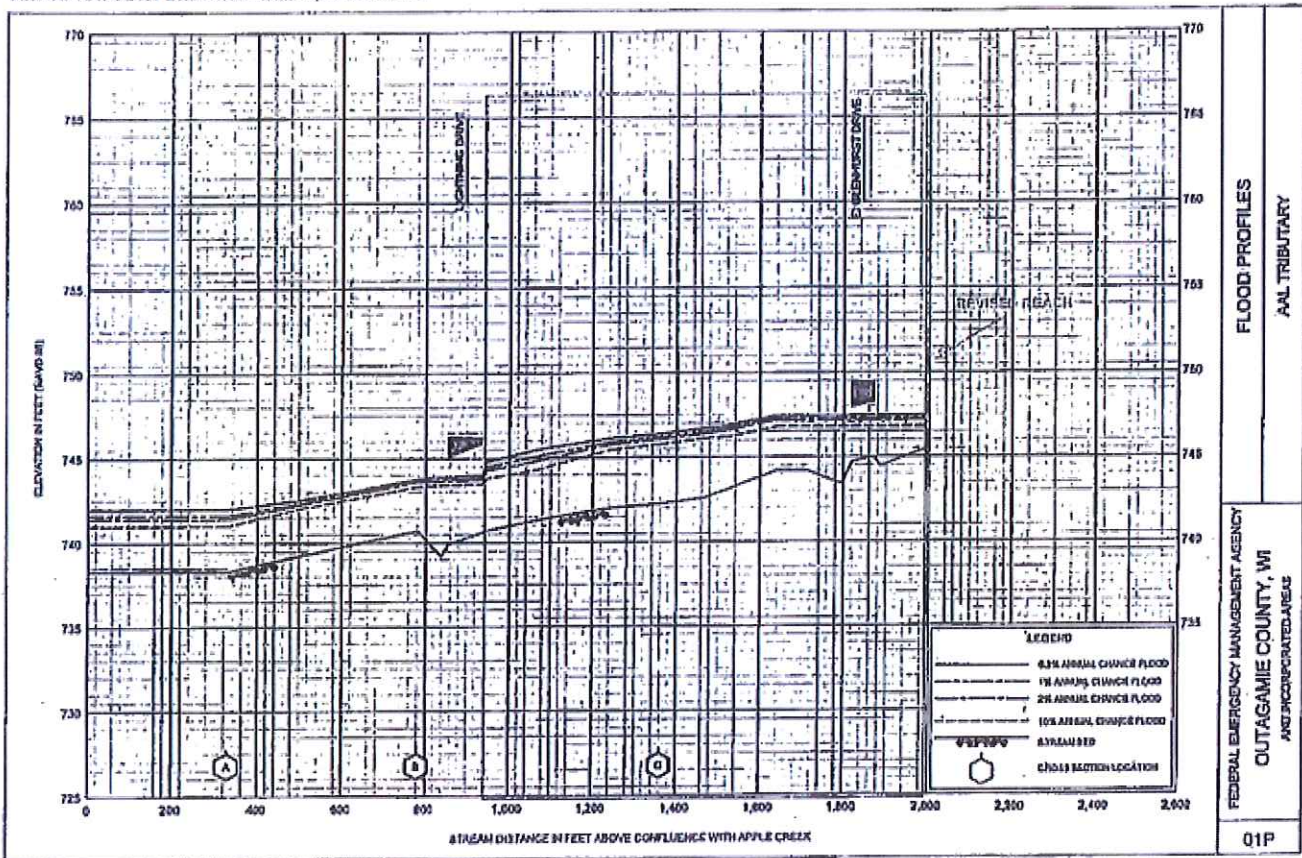
OUTAGAMIE COUNTY, WI  
 AND INCORPORATED AREAS

FLOODWAY DATA

AAL TRIBUTARY-APPLE CREEK



REVISED TO REFLECT LOW: EFFECTIVE: September 29, 2017



REVISED TO REFLECT LOMR EFFECTIVE: September 29, 2017

FLOODING SOURCE		FLOODWAY				1-PERCENT-ANNUAL-CHANCE FLOOD WATER SURFACE ELEVATION (FEET NAVD 88)			
CROSS SECTION	DISTANCE <sup>1</sup>	WIDTH (FEET)	SECTION AREA (SQUARE FEET)	MEAN VELOCITY (FEET PER SECOND)	WIDTH REDUCED FROM PRIOR STUDY (FEET)	REGULATORY	WITHOUT FLOODWAY	WITH FLOODWAY	INCREASE
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C	6,725	472	3,504	1.3	0	656.0	656.0	656.0	0.0
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R	44,975	361	1,378	2.5	0	687.7	687.7	687.7	0.0
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<sup>1</sup> FEET ABOVE CONJUNCTION WITH APPLE CREEK

<sup>2</sup> FEET ABOVE OUTAGAMIE COUNTY BOUNDARY

FEDERAL EMERGENCY MANAGEMENT AGENCY

OUTAGAMIE COUNTY, WI  
AND INCORPORATED AREAS

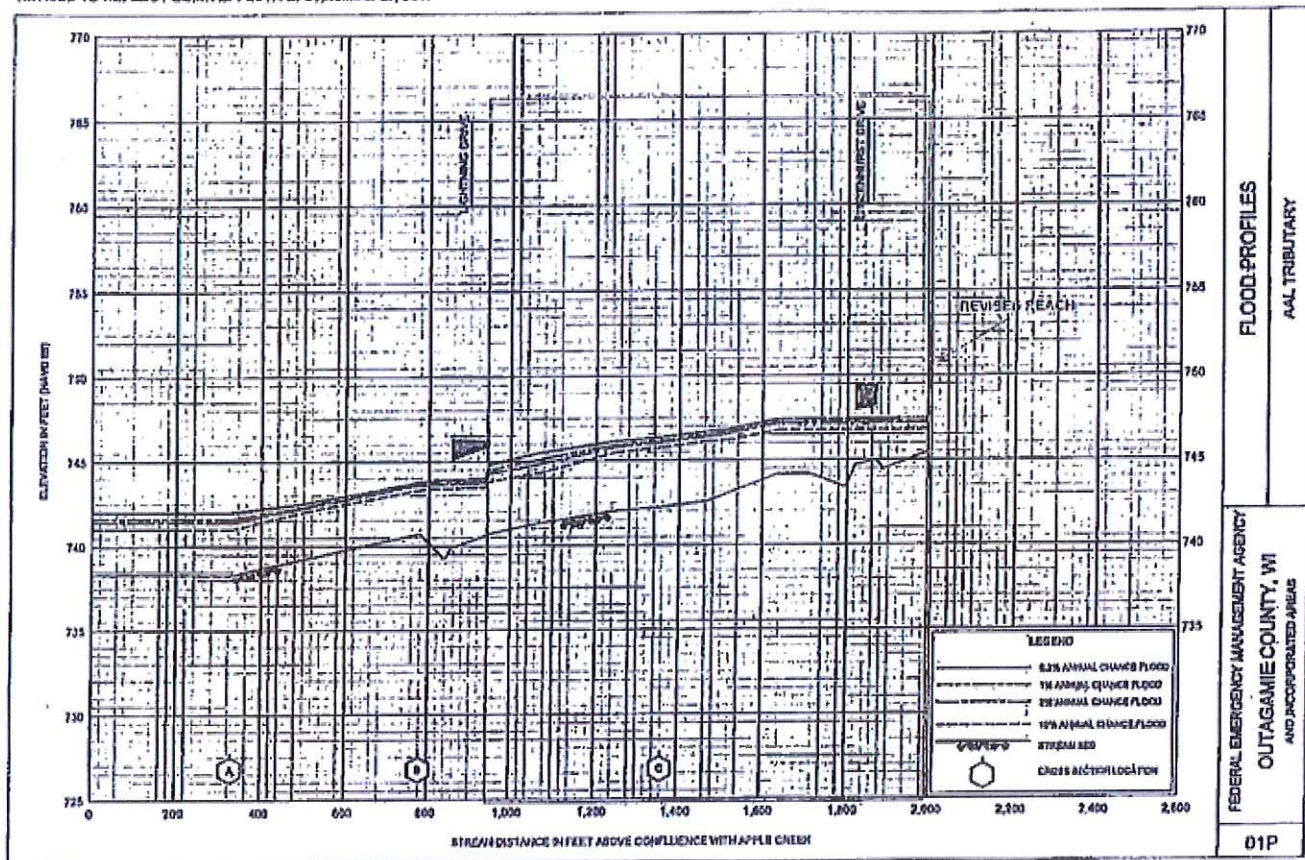
FLOODWAY DATA

AAL TRIBUTARY-APPLE CREEK

TABLE 11



REVISED TO REFLECT LOPAR EFFECTIVE: September 29, 2017



## **PLAN COMMISSION RESOLUTION**

### **A RESOLUTION DESIGNATING THE PROPOSED BOUNDARIES AND APPROVING A PROJECT PLAN FOR TAX INCREMENTAL DISTRICT #11 CITY OF APPLETON, WISCONSIN**

WHEREAS, Section 66.1105 of the Wisconsin Statutes (the Tax Increment Law) provides the authority and establishes procedures for creating tax incremental districts and approving the project plans; and

WHEREAS, the Plan Commission, after completing preliminary planning work, scheduled, gave public notice of, and on July 11, 2017 held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of a tax incremental district and the proposed boundaries thereof, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the chief executive officers of Outagamie County and the Fox Valley Technical College District (the other entities having the power to levy taxes on property located within the proposed District) and the Board of Education of the Appleton Area School District (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Plan Commission, after due consideration following the said public hearing, determined the creation of a tax incremental district within the area described by the boundary description attached to this resolution as Exhibit A hereof will provide the City of Appleton with a viable method of financing the cost of needed public works and improvement projects within said area, thereby creating incentives and opportunities for appropriate private development, including new development and rehabilitation of existing development, which will contribute to the overall development of the City of Appleton; and

WHEREAS, it finds that not less than 50 percent by area of real property within such district is blighted within the meaning of Wisconsin Statute Section 66.1105 and 66.1333; and

WHEREAS, it finds the improvement of the area in Tax Incremental District #11 is likely to enhance significantly the value of substantially all the other real property in the district; and

WHEREAS, the City of Appleton Plan Commission has prepared a Project Plan for Tax Incremental District #11, attached as Exhibit B, which includes:

1. Intent and purpose of Tax Increment Financing District #11;
2. A statement of the kind, number, and location of all proposed public works and improvements projects within the district and the ½ mile buffer zone;
3. Qualification of the proposed TIF District based on City valuation;
4. A list of estimated project costs;
5. A statement on non-project costs;
6. An economic feasibility study;
7. A description of the methods of financing and the time when such costs or monetary obligations are to be incurred;



8. Proposed changes of zoning ordinances, master plan, map, building codes, maps, and City ordinances;
9. A statement indicating how the creation of the district promotes orderly development of the City;
10. Estimate of property to be devoted to retail use;
11. A statement of a proposed method for the relocation of any persons or businesses to be displaced;
12. A map showing the district boundaries and a map of the ½ mile buffer zone;
13. A map showing existing uses and conditions of real property in such district;
14. A map showing proposed improvements and public works projects by development areas;
15. A listing of the parcels and legal description of the district; and
16. An opinion of the City Attorney on the compliance of the project plan with Wisconsin Statutes, Section 66.1105(4); and

WHEREAS the project costs directly serve to eliminate blighted conditions in the area, consistent with the purpose for which the tax incremental district is created; and

WHEREAS the equalized value of taxable property in the district, plus the value increment of all other existing districts does not exceed 12% of the total value of equalized taxable property within the City; and

WHEREAS the percentage of territory within the Tax Incremental District #11 that is estimated will be devoted to retail business at the end of the maximum expenditure period is approximately 10%; and

WHEREAS the boundaries for Tax Incremental District #11 does not include any annexed territory not within the boundaries of the City of Appleton on January 1, 2004; and

WHEREAS less than 25% of the area of Tax Incremental District #11 has been vacant for a period of 7 years or more; and

WHEREAS the Project Plan is economically feasible and is in conformity with the City of Appleton Comprehensive Plan 2010-2030; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, before the Common Council may create any tax incremental district, the Plan Commission must designate the boundaries of such district and submit its recommendation concerning the creation of such district to the Common Council;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Appleton as follows:

1. That the Plan Commission hereby designates the boundaries specified in the boundary description attached to this resolution as Exhibit A hereof and entitled "Boundary Description of Tax Incremental District #11, City of Appleton", as the boundaries of said Tax Incremental District #11, and recommends that the said district be created by the Common Council of the City of Appleton within the area enclosed by the said boundaries.

2. That the Plan Commission hereby adopts such Project Plan for Tax Incremental District #11, attached to this Resolution as Exhibit B, and recommends to the Common Council the approval of such Project Plan as its creation promotes the orderly development of the City.
3. That the Plan Commission hereby recommends that the Common Council adopt the Resolution attached to this Resolution as Exhibit C hereof and entitled “A Resolution Creating, Describing, and Making Certain Findings and Approving a Project Plan for Tax Incremental District #11, City of Appleton, Wisconsin”, and thereby formally create the said district as of January 1, 2017 and approve its Project Plan in accordance with the provisions of the Tax Increment Law.

Adopted this 11<sup>th</sup> day of July, 2017

---

Timothy M. Hanna, Mayor

Attest:

---

Kami L. Lynch, City Clerk

**EXHIBIT A**  
**BOUNDARY DESCRIPTION OF TAX INCREMENTAL DISTRICT #11**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW  $\frac{1}{4}$  OF SECTION 26, PART OF THE SE  $\frac{1}{4}$  OF SECTION 26 AND PART OF THE NW  $\frac{1}{4}$  OF SECTION 35, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:  
COMMENCING AT THE CENTERLINE OF WASHINGTON STREET AND THE CENTERLINE OF DREW STREET AND BEING THE POINT OF BEGINNING;  
THENCE SOUTH AND THEN SOUTHWESTERLY ALONG THE CENTERLINE OF SAID DREW STREET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF AN ALLEY IN BLOCK 2 OF THE **APPLETON PLAT**;  
THENCE WEST ALONG THE SOUTH LINE OF SAID EXTENSION AND THEN THE SOUTH LINE OF SAID ALLEY AND ALSO BEING CONTIGUOUS WITH THE NORTH OF LOT 1 OF CERTIFIED SURVEY MAP NO.6362 TO THE EAST LINE OF DURKEE STREET;  
THENCE SOUTH ALONG THE EAST LINE OF SAID DURKEE STREET TO THE CENTERLINE OF WATER STREET;  
THENCE SOUTHWESTERLY ALONG THE CENTERLINE OF SAID WATER STREET TO A POINT 50 FEET WEST OF THE EAST LINE ONEIDA STREET AND BEING COINCIDENT WITH A REFERENCE LINE FOR SAID ONEIDA STREET PER WDOT RIGHT OF WAY PLAT NO.4657-2-21;  
THENCE NORTHWESTERLY 252.91 FEET ALONG SAID REFERENCE LINE FOR ONEIDA STREET TO A REFERENCE LINE FOR PROSPECT AVENUE PER SAID WDOT RIGHT OF WAY PLAT NO.4657-2-21;  
THENCE SOUTHWESTERLY 399.57 FEET M/L ALONG SAID REFERENCE LINE FOR PROSPECT AVENUE TO THE SOUTHEASTERLY EXTENSION OF A WESTERLY LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO.6714;  
THENCE NORTHWESTERLY 140.05 FEET M/L ALONG SAID EXTENSION AND THEN THE WESTERLY LINE OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO AN ANGLE POINT IN LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714;  
THENCE ALONG THE SUBSEQUENT 8 COURSES OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO THE SOUTH LINE OF LAWRENCE STREET;  
THENCE WEST 222 FEET M/L ALONG THE SOUTH LINE OF LAWRENCE STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF A 20 FOOT WIDE ALLEY LOCATED IN BLOCK 7 OF THE APPLETON PLAT;  
THENCE NORTH 389.44 FEET M/L ALONG SAID EXTENSION AND THEN THE WEST LINE OF SAID ALLEY AND THEN THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID ALLEY TO THE SOUTH LINE OF COLLEGE AVENUE;  
THENCE EAST 419.93 FEET M/L ALONG THE SOUTH LINE OF COLLEGE AVENUE TO THE EAST LINE OF SUPERIOR STREET;  
THENCE NORTH ALONG THE EAST LINE OF SUPERIOR STREET TO A POINT 166.17 FEET SOUTH OF THE SOUTH LINE OF WASHINGTON STREET;  
THENCE EAST AND PARALLEL TO THE SOUTH LINE OF WASHINGTON STREET 380.2 FEET M/L TO THE EAST LINE OF APPLETON STREET;  
THENCE NORTH 166.17 FEET ALONG THE EAST LINE OF APPLETON STREET TO THE SOUTH LINE OF WASHINGTON STREET;  
THENCE EAST 770.57 FEET M/L ALONG THE SOUTH LINE OF WASHINGTON STREET TO THE EAST LINE OF MORRISON STREET;  
THENCE SOUTH ALONG THE EAST LINE OF MORRISON STREET TO A POINT 180 FEET NORTH OF THE SOUTH LINE OF JOHNSTON STREET;  
THENCE EAST 63.24 FEET;  
THENCE SOUTH 180 FEET TO THE SOUTH LINE OF JOHNSTON STREET;  
THENCE EAST ALONG THE SOUTH LINE OF JOHNSTON STREET AND THEN THE EASTERLY EXTENSION OF

SAID JOHNSTON STREET TO THE EAST LINE OF DURKEE STREET;  
THENCE NORTH 242.34 FEET M/L ALONG THE EAST LINE OF DURKEE STREET TO THE CENTERLINE OF  
WASHINGTON STREET;  
THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET TO THE POINT OF BEGINNING.

**FINAL DRAFT**



**PROJECT PLAN  
FOR THE CREATION OF  
TAX INCREMENTAL FINANCING DISTRICT #11  
EAST COLLEGE AVENUE  
CITY OF APPLETON, WISCONSIN**

DATE ADOPTED BY COMMON COUNCIL:

SEPTEMBER 2017

DATE ADOPTED BY JOINT REVIEW BOARD:

SEPTEMBER 2017

EXPENDITURE DEADLINE:

SEPTEMBER 2039 (22 YEARS)

TID EXPIRATION DATE:

SEPTEMBER 2044 (27 YEARS)

## **TAX INCREMENT DISTRICT #11 PROJECT PLAN**

### **CITY OF APPLETON OFFICIALS & STAFF**

Timothy M. Hanna	Mayor
William Siebers	Aldersperson District 1
Vered Meltzer	Aldersperson District 2
Curt J. Konetzke	Aldersperson District 3
Joe A. Martin	Aldersperson District 4
Edward Baranowski	Aldersperson District 5
Greg E. Dannecker	Aldersperson District 6
Kathleen S. Plank	Aldersperson District 7
Matthew Reed	Aldersperson District 8
Bob Baker	Aldersperson District 9
Christine Williams	Aldersperson District 10
Patti S. Coenen	Aldersperson District 11
Cathy M. Spears	Aldersperson District 12
Kyle Lobner	Aldersperson District 13
Christopher W. Croatt	Aldersperson District 14
Keir Dvorachek	Aldersperson District 15
James P. Walsh	City Attorney
Kami L. Lynch	City Clerk
Tony Saucerman	Finance Director
Karen E. Harkness	Community & Economic Development Director

### **PLANNING COMMISSION**

Mayor Timothy M. Hanna	Chair
Tanya Rabec	Member
Adrienne Palm	Member
Steve Uslabar	Member
Joe Martin	Aldersperson/Member
Ross Buetow	Member/Deputy Director of Public Works

### **JOINT REVIEW BOARD**

City Representative  
Outagamie County  
Fox Valley Technical College  
Appleton Area School District  
Public Member



# **TAX INCREMENT DISTRICT #11 PROJECT PLAN**

## **TABLE OF CONTENTS**

1. Intent and Purpose of Tax Increment Financing District #11 .....	4
2. Statement of Kind, Number and Location of Proposed Public Works and Improvement Projects Within the District or the ½ Mile Buffer Zone .....	16
3. Qualification Based on City Valuation .....	19
4. List of Project Costs .....	20
5. List of Non-Project Costs .....	21
6. Economic Feasibility Study .....	22
7. Description of the Methods of Financing and the Time When Such Costs or Monetary Obligations are to be Incurred.....	27
8. Proposed Changes in Zoning Ordinances, Master Plan, Building Codes, Maps and City Ordinances.....	31
9. Orderly Development of the City of Appleton .....	32
10. Estimate of Property to be Devoted to Retail Use .....	33
11. Proposed Relocation Plan for Displaced Persons or Businesses .....	34
12. Map of TIF District #11 Boundaries and TIF District #11 Boundaries with Half Mile Buffer Zone .....	35
13. Map of Existing Uses and Conditions.....	37
14. Map of Proposed Improvements and Public Works Projects by Development Area .....	38
15. Parcel List & Legal Description.....	39
16. Opinion of the City Attorney on the Compliance of the Project Plan with Wisconsin Statute.....	46

# 1

## **INTENT AND PURPOSE OF TAX INCREMENT FINANCING DISTRICT #11**

Tax Increment Financing District Number 11 (the “District”) is being created by the City of Appleton under the authority provided by Wisconsin Statute Section 66.1105 “Tax Increment Law” to eliminate blight and stimulate the redevelopment of East College Avenue approximately from Drew Street to just west of Superior Street, South to Water Street and North to E. Washington Street. A map of the proposed District boundaries is found in Section 12.

This area is primarily characterized by a large blighted and vacant commercial site and a mixture of small businesses, office space, and housing which have the potential to, and in some cases already have, created a blighting influence on the surrounding area. The District consists of approximately 59.68 acres of land with the vast majority currently zoned Central Business District. A minority of parcels in TIF #11 are currently zoned Planned Development Multi-Family, Public Institution, Single-Family Residential, and Multi-Family Residential.

The District is being created as a “Blighted District” based upon the finding that at least 50%, by area of the real property within the District, is blighted within the meaning of Wisconsin Statute Section 66.1105 and 66.1333 described below. The map exhibit in Section 13 illustrates existing uses and conditions of the District.

**Blight is described as:** *the presence of a substantial number of substandard or deteriorating structures or site improvements; inadequate street layout or faulty lot layout in relation to size, adequacy, accessibility or usefulness, or conditions which endanger life or property by fire and other causes, or any combination of such factors that impairs or arrests the sound growth of a city. This definition also includes land upon which building or structures have been demolished and which because of obsolete platting, diversity of ownership or deterioration of structures or site improvements, or otherwise, substantially impairs or arrests the sound growth of the community.*

This Project Plan outlines the City of Appleton’s role in assisting with the redevelopment of vacant, blighted, and underutilized properties and rehabilitation/conservation of existing properties as needed to support the urban renewal of this area. The investment in this District will:

- eliminate blight and foster urban renewal through public and private investment
- enhance the development potential of private property within and adjacent to the District
- stabilize and increase property values in the area

- promote retention, expansion, attraction and reuse through the development of an improved area thereby facilitating the creation of new jobs and increased tax base
- improve the overall appearance of public and private spaces
- strengthen the economic well-being and economic diversity of the area
- provide appropriate financial incentives to encourage business expansion
- maximize the Districts strategic location in Downtown Appleton

There are eight identified development areas within the District that include a combination of redevelopment and rehabilitation sites. The following map and narrative highlights the key development areas targeted for redevelopment and rehabilitation/conservation in this District that would not happen otherwise but for the creation of this District.



**Development Area #1:** The largest site in this Development Area is commonly known as “The Bluff Site”. This site is comprised of Trinity Lutheran Church and Michiels Fox Banquet Rivertyme Catering.

Trinity Lutheran Church is located at 209 Allen Street and is approximately 1.86 acres. This site originally consisted of several residential lots. In 1924, Trinity English Lutheran Church was constructed on the northwest corner of Allen Street and Kimball Street. In 1954, a parish center was built on the north end of the property. The church and parish center were connected via an addition in 1963, which greatly expanded the church sanctuary. Another addition was completed in 1996 on the northwest side to create a lobby with an elevator. The building is currently vacant as the parish relocated to another site in December of 2016, and the site was purchased in January, 2017 by local developers intending to demolish the site for redevelopment. Future possible uses for this site include mixed use, public parking, public library, medical clinic, multi-family apartments and/or condos. The timing for this redevelopment is 2017-2021, and the proposed construction costs are estimated at \$57 million. Potentially, a portion of this would be exempt from property taxes if owned by a not-for-profit or tax exempt entity.

Michiels Fox Banquet Rivertyme Catering is located at 111 Kimball Street and is approximately 2.15 acres. This site originally consisted of several residential lots. In 1917, the Appleton Vocational School was constructed on the southwest corner of Allen Street and Kimball Street. The school was the precursor to the Fox Valley Technical College. In 1935, the portion of Allen Street south of Kimball Street was vacated, and the Appleton Vocational School built a second building to the southeast of the original building. An addition was built onto the south end of the original building in 1952. The auto mechanics shop was expanded in 1954. The Appleton Vocational School moved to Grand Chute in 1972 and became the Fox Valley Technical Institute. The school buildings on this site were razed in 1975. The Elks Club built the present building on the site in 1982. The building and property were sold to Michiels Fox Banquet in the late 1980's. Michiels operated a banquet and catering business from this facility until December of 2016 when they moved operations to their Menasha facility, vacated this site and sold the property to a local developer in January, 2017. The local developer intends to demolish the site for redevelopment. Future possible uses for this site include public parking, commercial office building, and/or multi-family housing and condos. The timing for this redevelopment is 2017-2021, and the proposed construction costs are estimated at \$80 million. Potentially, a portion of this would be exempt from property taxes if owned by a not-for-profit or tax exempt entity.

The Bluff Site is highly visible from the Oneida Street Bridge, a primary gateway into the City of Appleton and Appleton's Downtown. Redevelopment of this site would further benefit, and potentially induce, investment in parcels located surrounding and in close proximity to this site. This development area would benefit from increased commercial activity from Development Area #2 and along College Avenue.

This information was largely taken from a Phase 1 Environmental Site Assessment conducted by Omnini in June, 2016.



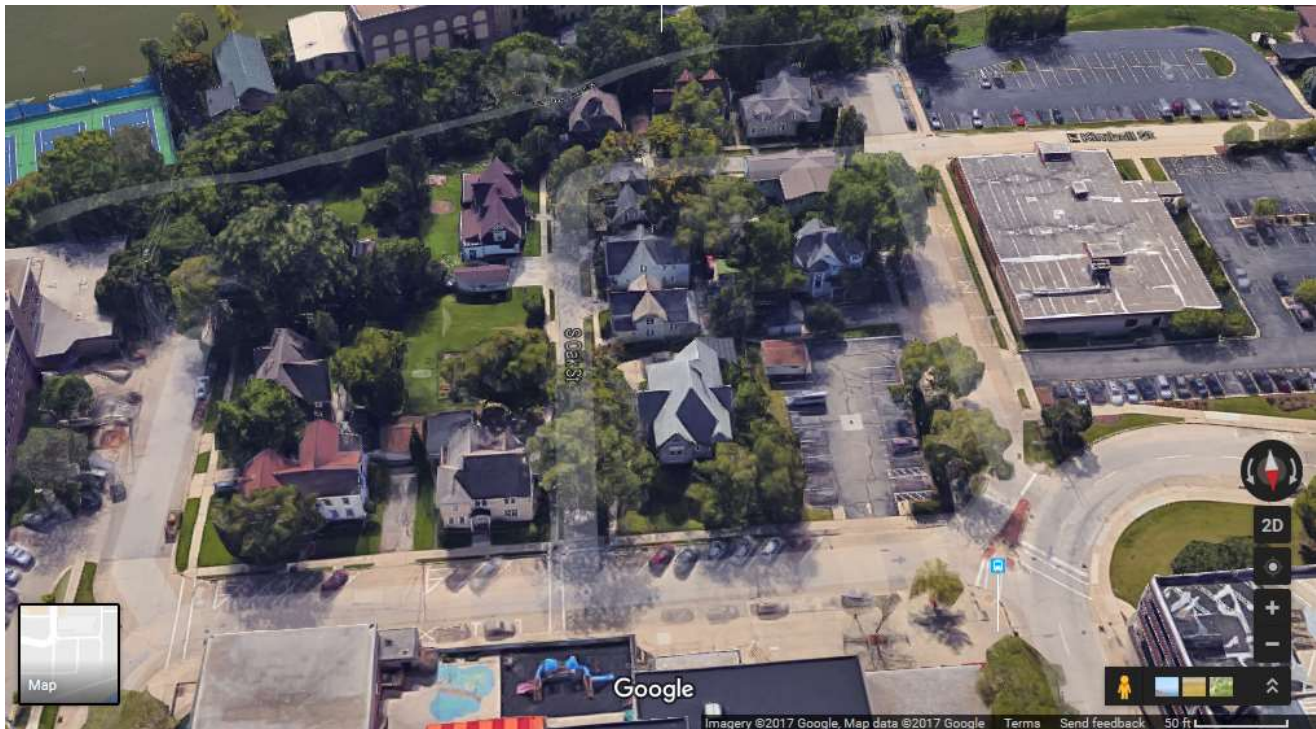
**An aerial view of the bluff site.**



**Development Area #2:** This is the site south of Lawrence Street, north of Water Street, east of S. Morrison Street and west of S. Durkee Street and is commonly referred to as “Bluff Site 2”. This site is comprised of 16 separate parcels with several owners. The YMCA of the Fox Cities owns 7 of the 16 parcels. The 7 parcels are comprised of 1 vacant lot, 2 vacant homes, 3 occupied rentals and 1 surface parking lot. Five (5) of the 7 parcels are on the tax rolls.

Other owners and uses are as follows: Housing Partnership of the Fox Cities owns one duplex which is tax exempt, and they use this property for transitional housing. Gary Trofka, et al owns one parcel which is used as a duplex. CJ Properties of the Fox Cities LLC owns one parcel, and the use is a four-plex. 220 Morrison LLC owns three parcels which are rentals (two single family and one multiple units). The remaining 3 parcels are owner-occupied, single-family residential homes.

This blighted area could benefit from redevelopment, rehabilitation and conservation or be incorporated in part or in whole into a larger site for future redevelopment. This Development Area would benefit from increased commercial activity from Development Area #1 and along College Avenue.



**An aerial view of bluff site 2.**



**Development Area #3:** The Solider Square Ramp located at 120 S. Oneida Street was built in 1966, has 424 stalls, and is a blighted parcel in very poor condition. The YMCA purchased this ramp from the City of Appleton on February 1, 1996 for \$1. The Purchase Agreement contains a reversionary and other use clause. This development area is shown in the recently adopted Comprehensive Plan as mixed use and green space. It is acknowledged that the current use of this site as parking is imperative to the continued success of the YMCA, and the lost parking stalls, due to demolition of this structure, will need to be replaced in close proximity to this site. Development Area #3 has negatively impacted other properties due to being blighted, is not aesthetically pleasing, is structurally challenging, and needs to be redeveloped to enhance the overall area and provide a positive impression.

This blighted area could benefit from redevelopment as a stand-alone project or be incorporated into a larger site for future redevelopment. This Development Area would benefit from increased commercial activity from Development Areas #1 and #2 and along College Avenue.



**SOLDIER'S SQUARE/YMCA PARKING LOT PERSPECTIVE**

**Development Area #4:** The historic Zuelke Building located at 103 W. College Avenue was built in 1931 with 5 additional floors built in 1951. There are approximately 76,540 sq.ft., and the vacancy rate is 41%.

The building has a total of 12 floors with two elevator shafts, one elevator services the original 7 floors and later serviced up to the 10<sup>th</sup> floor. The second elevator services the addition of the 11<sup>th</sup> and 12<sup>th</sup> floors. The inability of the main elevator to access the 11<sup>th</sup> and 12<sup>th</sup> floors is a significant burden and will require extensive engineering and updating to facilitate correction.

The first seven floors in the original 1931 building were largely constructed from marble designed for a church in Milwaukee. Due to the depression, the church was unable to accept delivery of the marble. The quality and uniqueness of the marble provides much character and status to the building. However, preservation of the marble makes it difficult to update the HVAC and plumbing systems, many of which are original to a 1950-1953 renovation of the building.

The building was considered “fireproof” when constructed, however new NFPA 1 rules would require installation of sprinklers throughout the entire building with any substantial renovation. The marble once again makes this endeavor very costly.

This neo-gothic high rise building, named for Irving Zuelke a local businessman and philanthropist, was added to the National Register of Historic Places in 1982 as part of the College Avenue Historic District.

The owners of this building are interested in rehabilitation into mixed use by utilizing TIF and/or Federal and State Historic Tax Credits, but they recognize the challenges of this blighted site. They have a desire to preserve the historic nature of the building, including the marble, but they recognize that the antiquated infrastructure upgrades, parking challenges, and the high cost of construction/rehab will require several layers of funding and support from the City.

Rehabilitation of this development area would further enhance the entire area by increasing commercial activity along College Avenue. Redevelopment of this area would further benefit, and potentially induce, investment in parcels located surrounding and in close proximity to this area. The timing for this redevelopment is undetermined based on proposed changes to the Historic Tax Credits Federally and State wide. The proposed construction costs are estimated at \$6.5 million.



**100 West College Avenue (south side) Zuelke Building to Houdini Plaza**

**Development Area #5:** This area is comprised of City Center Plaza, the Blue Ramp, and the vacant land where Washington Place once stood.

10 College Avenue, City Center Plaza, was constructed in 1986 and is located in the heart of Appleton's Business District. This 3-story, 190,000 sq. ft. multi-use building contains both retail and office spaces. Major tenants include Appleton Area School District, Total Med Staffing, West Corporation, ThedaCare, Air Wisconsin, Joseph's Shoes and Murray Photos. The current vacancy rate is 20%, and the property is for sale. The local owners may use TIF to assist with conservation and renovations for tenants of approximately \$1,000,000 within the next three years.

122 E. College Avenue, City Center East Office Condo, was constructed in 1974 as Gimbals Department Store and was converted to office condo in 2003. This 150,000 sq. ft. building contains office space with major tenants that include: ThedaCare, Appleton Area School District, and Hoffman Planning Design and Construction. The current vacancy rate is 15%. The local owners may use TIF to assist with conservation and renovations for tenants of approximately \$2,000,000 within the next three years.

100 N. Appleton Street, City Center West Office Condo, was constructed in 1960 as HC Prange Company and was converted to office condo units in 1996. The City of Appleton owns the top two floors and space on the first floor. The Pfefferle group owns the balance of the condo units consisting of 62,318 sq. ft. The current vacancy rate is 5%. The local owners may use TIF for renovation and/or remodeling of tenant space of approximately \$1,000,000 within the next three years.

The Blue Ramp, located at 120 N. Appleton Street, was built in 1963, with 7 ½ post-tension decks replacing original reinforced decks in 1986, has 401 stalls, and will be demolished by 2019 as it is blighted, is a substandard and/or deteriorating structure, and an inadequate layout for today's parking needs.

The vacant land located at 103 E. Washington Street was most recently Washington Place. This blighted building was demolished in 2013, and this is a prime site for redevelopment.

This blighted Development Area #5 could benefit from rehabilitation and conservation and/or incorporate portions into a larger site for future redevelopment. Since this entire area is highly visible and an integral part of the Downtown, this Development Area would benefit from increased commercial activity along College Avenue and the other Development Areas. Redevelopment of this area would further benefit, and potentially induce, investment in parcels located surrounding and in close proximity to this area. Potentially, a portion of this would be exempt from property taxes if owned by a not-for-profit or tax exempt entity.



**100 West College Avenue (north side) Hoffman/ThedaCare to The Building for Kids Children's Museum/City Center**

**Development Area #6:** This area includes Chase Bank, a parklet, and the 222 Building.

Chase Bank, located at 200 W. College Avenue, is a 45,000 sq. ft. building currently listed for sale. This is a prime redevelopment opportunity with JP Morgan Chase Bank remaining as the ground floor tenant. Located on College Avenue, the main street leading from the interstate into a vibrant Downtown, this site is in close proximity to Lawrence University, City and County municipal buildings, and many other attractions. The site encompasses half of a city block with access on three of the surrounding streets. Potential uses could be office, residential, and hospitality. The Downtown Mobility Study, adopted by Council in 2016, recommends converting Appleton Street from one-way southbound to two-way, creating improved access and visibility to the property.

The parklet (small parcel currently decorated with lights, tables and chairs) is owned by Pfefferle Management and located between two vibrant businesses. Use as a parklet is via a month-to-month lease with the City of Appleton.

222 Building, located at 222 W. College Avenue, was originally constructed in 1952, and then an addition on the west side was constructed in 1964. Pfefferle Group purchased the building in 2003. The current vacancy rate is 25%. The owners may use TIF for renovating the vacant floors and/or a possible restaurant on the first floor for an estimated cost of \$2,000,000.

This blighted Development Area #6 could benefit from rehabilitation and conservation and/or incorporate portions into a larger site for future redevelopment. Since this entire area is highly visible and an integral part of the Downtown, this Development Area would benefit from increased commercial activity along College Avenue and the other Development Areas. Redevelopment of this area would further benefit, and potentially induce, investment in parcels located surrounding and in close proximity to this area.



**200 West College Avenue (north side) Chase Bank to 222 Building**

**Development Area #7:** This area encompasses Gabriel Furniture and businesses in the 200 E. block of College Avenue.

The Gabriel Furniture building has been on the corner of College Avenue and Morrison Street for over 100 years. Built in 1888 by the Konemic Lodge, International Order of the Odd Fellows, it became the first home for several local organizations including The Knights of Pythius, Elks Lodge 337, Loyal Order of the Moose, and Appleton Eagles. In 1928, Joseph Gabriel opened Gabriel Furniture at 201 E. College Avenue. Over the next 60 years, the business flourished and grew. In the 1960's, a metal covering was put on the façade to make the property “look more modern”. In 1988, the current owners, Joe and Ruby Wells, bought the business and in 1990, they purchased 201 and 207 E. College Avenue. In the early 1990's, the Wells then purchased 209 and 211 E. College Avenue (former Shirley's Children's Shop) combining all the sites with interior connections. Today, the four buildings are used as a retail furniture store utilizing approximately 35,000 sq.ft. for showroom with additional basement space for storage. There currently are no vacancies in this property. The owners have no specific plans at this time but support efforts to make this blighted area more aesthetically pleasing through redevelopment, rehabilitation, and/or conservation.

Additional buildings in this area were built from 1870 thru 1978. Development Area #7 is characterized by small parcels with historic/older buildings and could be redeveloped individually. Rehabilitation of the existing buildings and property would further enhance the entire area. Since this entire area is highly visible and an integral part of the Downtown, this Development Area would benefit from increased commercial activity along College Avenue and the other Development Areas. Redevelopment of this area would further benefit, and potentially induce, investment in parcels located surrounding and in close proximity to this area.



**200 East College Avenue (south side) Lou's Brews to Gabriel Furniture**



**Development Area #8:** Includes the 300 block of E. College Avenue, North of Johnson Street, between N. Durkee Street and N. Drew Street. In the recently updated Comprehensive Plan approved unanimously by the Appleton Common Council on March 15, 2017, the 300 block of E. College Avenue is conceptually identified as a site for new multi-family residential development over a mix of commercial/office space which could serve the needs of existing property owners, including but not limited to, Heid Music and Lawrence University. The goal would be to fill a housing demand, transition to the small scale neighborhoods, and enhance the immediate surroundings with small commercial space to pull foot traffic north of College Avenue.

Narrative taken from Comprehensive Plan 2010-2030.

This blighted area deals with parking challenges, ingress and egress difficulties, deteriorating structures, accessibility and obsolescence. This area is characterized by small parcels with historic/older buildings and could be redeveloped individually or in groups. Rehabilitation of the existing buildings and property would further enhance the entire area. Since this entire area is highly visible and an integral part of the Downtown, this Development Area would benefit from increased commercial activity along College Avenue and the other Development Areas. Redevelopment of this area would further benefit, and potentially induce, investment in parcels located surrounding and in close proximity to this area.



**300 East College Avenue (north side) History Museum at the Castle to Heid Music**



**THE CONCEPTUAL SITE PLAN SHOWS PARKING  
BEHIND THE PROPOSED DEVELOPMENT JUST  
NORTH OF JOHNSON STREET, BETWEEN  
N. DURKEE STREET AND N. DREW STREET**





**PERSPECTIVE OF CONCEPTUAL REDEVELOPMENT OF 300 BLOCK OF E. COLLEGE AVENUE  
VANTAGE POINT IS LOOKING SOUTHWEST TOWARD THE FOX RIVER FROM THE CORNER OF  
N. DREW STREET AND E. WASHINGTON STREET.**

**STATEMENT OF KIND, NUMBER AND LOCATION OF PROPOSED PUBLIC WORKS AND IMPROVEMENT PROJECTS WITHIN THE DISTRICT OR THE 1/2 MILE BUFFER ZONE**

The following is a list of proposed public works and improvement projects the City either directly, or through other entities, may implement in conjunction with this District. Any costs directly or indirectly related to the public works and improvements are considered “project costs” and eligible to be paid with tax increment revenues of the tax incremental district. The map exhibit in Section 14 Proposed Improvements and Public Works Projects by Development Area illustrates the proposed public works and improvement projects locations.

**A. Municipal Infrastructure Improvements**

- Construction and/or reconstruction of the streets, bridges, pedestrian connections and parking to facilitate development and rehabilitation projects within the District. Scope of work may include right-of-way acquisition, land assembly, grading, gravel, curb and gutter, asphalt, streetlights, traffic signals, walkways, concrete paving, lighting, signage, and related appurtenances.
- Construction and/or reconstruction of a sanitary sewer collection system to facilitate development and rehabilitation projects within the District. The scope of work may include sewer mains, manholes, laterals, force main, lift stations, and related appurtenances.
- Construction and/or reconstruction of the water distribution system to facilitate development and rehabilitation projects within the District. Projects may include water mains, valves, hydrants, service connections, laterals and other related appurtenances.
- Construction and/or reconstruction of storm water drainage facilities to support development and rehabilitation projects within the District. Projects may include retention or detention basins, biofilters, conveyance systems, storm sewer mains, manholes, inlets, drains and related appurtenances.
- Installation of electric and/or natural gas service or the relocation of existing services to facilitate blight elimination and redevelopment or rehabilitation in the District and provide better service. Acquisition of equipment to service the District.
- Installation of telephone, fiber, and cable or the relocation of existing services to facilitate blight elimination and redevelopment or rehabilitation in the District and provide better service. Acquisition of equipment to service the District.
- The costs associated with the design, implementation, purchase and maintenance of streetscape amenities to improve the aesthetic appearance of this District, including but not limited to, decorative lighting, banners and/or flags, public art, landscaping and/or planters, benches and other pedestrian elements to encourage the viability of the businesses in the district and attract high quality development.

- B. Administrative Costs:** These include, but not limited to, a portion of the salaries of the City employees, professional fees, and others directly involved in the projects for the District over the implementation of the project plan. Audit expenses, state filing fees, and any expenses associated with dissolving the District are also eligible costs.
- C. Organizational Costs:** These include, but are not limited to, publication and printing costs in connection with this Project Plan as well as the fees for the financial consultants, attorney, engineers, planners, surveyors, and other contracted services.
- D. Professional Services:** These include, but are not limited to, those costs incurred for architectural, planning, engineering and legal advice and services.
- E. Financing Costs:** Interest, finance fees, bond discounts, redemption premiums, legal opinions, credit ratings, capitalized interest, insurance and other expenses related to financing. This would also include interest on advances made by the City of Appleton.
- F. Land Assembly, Clearance, and Real Estate Acquisitions:** In order to eliminate blight and promote rehabilitation and redevelopment, it may be necessary to assist developers or for the City to acquire and demolish blighted or underutilized properties within the District. These may include but are not limited to, the cost of acquisitions, clearance/demolition, titles, easements, appraisals, consultant fees, closing costs, surveying and mapping, and the lease and/or the sale of property at or below market price to encourage or make feasible an economic development project that is consistent with the intent of this District.
- G. Relocation Costs:** In the event any property is acquired for the projects, expenses including the cost of the relocation plan, director, staff, publications, appraisals, land and property acquisition costs and relocation benefits as required by Wisconsin Statutes Section 32 are considered eligible project costs.
- H. Development Incentives (Cash Grants and/or Loans):** As a partner in the future redevelopment and rehabilitation/conservation of this District, the City of Appleton may enter into agreements with property owners, lessees, or developers for the purpose of sharing costs to encourage the desired kind of improvements based on the purpose of this District and assure tax base is generated sufficient to recover project costs. This assistance is regularly needed in rehabilitation and redevelopment projects to offset the additional costs in re-use versus greenfield development. Not every project will demand the same level of funding. These payments would be negotiated on a project basis in order to attract new taxable property or rehabilitate existing property in the District. No cash grants or loans will be provided until the Common Council adopts a development agreement and a copy of such agreement will be retained in the City's official records for the TID.
- I. Environmental Audits and Remediation:** Costs related to all environmental assessments and remediation will be considered eligible project costs.
- J. Promotion and Development:** Promotion and development of the District including professional services or marketing, recruitment, realtor commissions and fees in lieu of commissions, marketing services and materials, advertising costs, administrative costs and support of development organizations.
- K. Project Outside the Tax Increment District:** Pursuant to Wisconsin Statutes Section 66.1105(2)(f)1.n, the city may undertake projects within territory located within one-half (1/2) mile of the boundary of the district provided that (1) the project is located within the City's corporate boundaries, and (2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible Project Costs and may

include any project cost that would otherwise be eligible if undertaken within the District. Specific Public Works projects at the time of the District creation in the ½ mile boundary area of this District are not included at this time. Refer to Section 14 for a map of proposed improvements and Public Works projects by development area.

- L. Payments Made at the Discretion of the Common Council:** These payments may include but are not limited to payments which are found to be necessary or convenient to the creation of the District or the implementation of the Project Plan that support the goals of the District as outlined in Section 1.

The above-identified lists of proposed public works projects are the projected activities at this time that may be required in the District. Future development and rehabilitation of this area as it begins to occur may dictate additions or deletions from the above list. The City of Appleton reserves the right to such additions or deletions to the project list to the full extent allowed by the law.

In the event any of the projects are not reimbursable out of the TIF fund under Wisconsin Statutes Section 66.1105, in the written opinion of nationally recognized bond counsel or a court of record so rules in a final order, then such project or projects shall be deleted herefrom and the remainder of the projects hereunder shall be deemed the entirety of the projects for purposes of the project plan.

The City reserves the right to implement only those projects that remain economically viable as the project period proceeds.

Project costs as outlined in this Project Plan include any eligible expenditure made or estimated to be made or monetary obligations incurred or estimated to be incurred by the City or by the Developer. Project costs incurred by developer must be in accordance with a development agreement as approved by the Common Council. Any income, special assessments, or other revenues, including user fees or charges, will diminish project costs. To the extent the project costs benefit the municipality outside the District, a proportionate share of the cost is not a project cost. Specific Public Works projects identified at the time of the District creation in the ½ mile boundary area of this District are not included in this Project Plan. Costs identified in this plan are preliminary estimates made prior to design considerations and are subject to change after planning is completed. Prorations of costs in this plan are also estimates and subject to change based upon implementation, future assessment policies, and user fee adjustments.

# 3

## QUALIFICATION BASED ON CITY VALUATION

The following calculations demonstrate the City is in compliance with Wisconsin Statute Section 66.1105(4)(gm)4.c, which requires the equalized value of the taxable property in the proposed District, plus the value increment of all existing Tax Increment Districts, does not exceed 12% of the total equalized value of taxable property within the City.

### **STEP 1: Calculation of Maximum Equalized Property Value Allowed within Tax Increment Districts in the City of Appleton**

<b>Equalized Value (as of January 1, 2016)</b>		<b>Maximum Allowable TIF Property Value</b>
\$4,938,725,300	x 12% =	\$592,647,036

### **STEP 2: Calculation of Equalized Property Value Currently Located and Proposed to be Located within Tax Increment Districts**

<b>Tax Incremental Districts</b>	<b>Equalized Value</b>
TIF District #3 Increment	41,515,600
TIF District #6 Increment	92,707,700
TIF District #7 Increment	17,197,100
TIF District #8 Increment	13,802,500
TIF District #9 Increment	1,763,000
TIF District #10 Increment	1,548,000
Proposed Base of TIF District #11 Creation*	78,547,500
Proposed Base of TIF District #12 Creation*	21,717,000
<b>Total Existing Increment Plus Proposed Bases</b>	<b>\$ 268,798,400</b>

*\*Note: 2017 Base Values are final Assessed Values. The final equalized value ratio will be determined in August. The estimated ratio is 95%. 2017 TID 12 base includes two state assessed personal property full values.*

The equalized value of the increment of existing Tax Incremental Districts within the City, plus the base value of the proposed District, totals **\$268,798,400**. This value equals **5.44%** of the City total equalized value and is substantially less than the maximum of **\$592,647,036** in equalized value permitted for the City of Appleton. The City is, therefore, in compliance with the statutory equalized valuation test and may proceed with creation of this district.



# 4

## LIST OF PROJECT COSTS

All costs are based on 2017 prices and are preliminary estimates that are based on best information available. The plan is not meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects understanding the District can be in effect for a twenty-seven year period allowed by Wisconsin Statute. The City of Appleton reserves the right to increase these costs to reflect inflationary increases and other uncontrollable circumstances between 2017 and the time of construction. The City retains the right to delete projects or change the scope and/or timing of projects implemented as the Common Council individually authorizes them, without amending the Plan.

Project/Activity	Total Cost	Estimated Timing
• Municipal Infrastructure Improvements	\$3,234,600	2018-2023
• Municipal Infrastructure within the ½ Mile Boundary	None included at this time	
• Development Incentives & Property Grants	\$14,847,560	2018-2034
• Other Costs - Administrative, Professional, Environmental, and Promotion Services Costs. Filling fees and fees charged by State. Audit Costs.	\$124,750	2017-2039
• Financing Costs* <ul style="list-style-type: none"> <li>○ General Fund Advance Interest Expense \$359,374</li> <li>○ General Obligation \$1,168,909</li> </ul>	\$1,528,283	2017-2035
<b>TOTAL:</b>	<b>\$ 19,735,193</b>	<b>2017-2044</b>

**\*NOTE:** The financing costs do not include potential interest reimbursement to the developers but an allowance is included in the financial forecast (chart 5) in the line Development contractual payments. The financing costs associated with the proposed project costs for this District are incorporated into the financing schedules for the District. See *Section 7: Description of the Methods of Financing and the Time When Such Costs or Monetary Obligations are to be Incurred* for financing details for the District.

# 5

## **LIST OF NON-PROJECT COSTS**

There are no anticipated “non-project costs” associated with this Plan.

# 6

## ECONOMIC FEASIBILITY STUDY

The charts and tables on the following pages show the City of Appleton will be able to obtain the necessary funds to implement the proposed projects and revenue from the District will be sufficient to pay for them. Chart 1 presents the City's equalized value and Chart 2 provides the full faith and credit borrowing capacity of the City. Equalized valuation projections were made using two methods as detailed in Chart 1. The straight-line method was chosen for purposes of this analysis to be conservative. Chart 2 projects the general obligation borrowing capacity of the City taking into account the existing debt of the City, the five-year Capital Improvement Plan, and assuming a 1% increase per year beyond the five-year plan. As shown, the debt balance projected is well below the net borrowing capacity.

Chart 3 projects revenues sufficient to finance all of the projects of the District and Chart 4 presents the allocation of increment by taxing entity assuming similar weighted average components as the 2017 rate. The pro forma is based on the following assumptions:

- The base value of the District is **\$78,547,500**.
- The tax rate is projected at \$24.2833 for 2017 and remaining at this amount for the life of the District.
- Valuations are projected to increase only .5% per year due to inflation.
- The base value of the District is estimated to increase **\$73,712,800** in new construction value based on the following schedule:

Year	Project Increment Added
2017 Base Value Real Estate & Personal Property	\$78,547,500
January 1, 2018	\$ -
January 1, 2019	\$ 73,712,800
January 1, 2020	\$ -
January 1, 2021	\$ -
January 1, 2022	\$ -
January 1, 2023	\$ -
Total Increment (net of base value):	\$ 73,712,800

					<b>Chart 1</b>
<b>CITY OF APPLETON</b>					
<b>EQUALIZED VALUATION PROJECTION</b>					
<b>YEAR</b>		<b>VALUATION</b>		<b>CHANGE</b>	
2011		4,797,103,500			
2012		4,651,408,600		(145,694,900)	
2013		4,622,312,200		(29,096,400)	
2014		4,696,660,500		74,348,300	
2015		4,816,754,800		120,094,300	
2016		4,938,725,300		121,970,500	
				<u>\$141,621,800</u>	
Straight Line Method				<u>\$28,324,360</u>	
(Total change divided by 5)					
Percentage Method				<u>0.59%</u>	
(Total percentage change from 2011					
to 2016 divided by 5)					
<b>Projected Valuations</b>					
		<b>Straight</b>			<b>TIF Project Plan</b>
		<b>Line</b>		<b>Percentage</b>	<b>Increment Only</b>
2016		4,938,725,300		4,938,725,300	4,938,725,300
2017		4,967,049,660		4,967,863,779	4,938,725,300
2018		4,995,374,020		4,997,174,175	4,938,725,300
2019		5,023,698,380		5,026,657,503	5,012,438,100
2020		5,052,022,740		5,056,314,782	5,012,438,100
2021		5,080,347,100		5,086,147,039	5,012,438,100
2022		5,108,671,460		5,116,155,307	5,012,438,100
2023		5,136,995,820		5,146,340,623	5,012,438,100
2024		5,165,320,180		5,176,704,033	5,012,438,100
2025		5,193,644,540		5,207,246,587	5,012,438,100
2026		5,221,968,900		5,237,969,342	5,012,438,100
2027		5,250,293,260		5,268,873,361	5,012,438,100
2028		5,278,617,620		5,299,959,714	5,012,438,100
2029		5,306,941,980		5,331,229,476	5,012,438,100
2030		5,335,266,340		5,362,683,730	5,012,438,100
2031		5,363,590,700		5,394,323,564	5,012,438,100
2032		5,391,915,060		5,426,150,073	5,012,438,100
2033		5,420,239,420		5,458,164,358	5,012,438,100
2034		5,448,563,780		5,490,367,528	5,012,438,100
2035		5,476,888,140		5,522,760,696	5,012,438,100
2036		5,505,212,500		5,555,344,984	5,012,438,100
2037		5,533,536,860		5,588,121,519	5,012,438,100
2038		5,561,861,220		5,621,091,436	5,012,438,100
2039		5,590,185,580		5,654,255,875	5,012,438,100
2040		5,618,509,940		5,687,615,985	5,012,438,100
2041		5,646,834,300		5,721,172,919	5,012,438,100
2042		5,675,158,660		5,754,927,839	5,012,438,100
2043		5,703,483,020		5,788,881,913	5,012,438,100
2044		5,731,807,380		5,823,036,316	5,012,438,100

**Chart 2**

**CITY OF APPLETON  
GENERAL OBLIGATION BORROWING CAPACITY**

Budget Year	Equalized Value	Gross Debt Limit	Debt Balance	Net G.O. Borrowing Capacity	
2016	4,938,725,300	246,936,265	45,374,327	201,561,938	0.1837
2017	4,938,725,300	246,936,265	53,366,582	193,569,683	0.2161
2018	4,938,725,300	246,936,265	64,850,375	182,085,890	0.2626
2019	5,012,438,100	250,621,905	97,694,521	152,927,384	0.3898
2020	5,012,438,100	250,621,905	109,333,929	141,287,976	0.4363
2021	5,012,438,100	250,621,905	111,859,231	138,762,674	0.4463
2022	5,012,438,100	250,621,905	112,978,000	137,643,905	0.4508
2023	5,012,438,100	250,621,905	114,108,000	136,513,905	0.4553
2024	5,012,438,100	250,621,905	115,249,000	135,372,905	0.4599
2025	5,012,438,100	250,621,905	116,401,000	134,220,905	0.4644
2026	5,012,438,100	250,621,905	117,565,000	133,056,905	0.4691
2027	5,012,438,100	250,621,905	118,741,000	131,880,905	0.4738
2028	5,012,438,100	250,621,905	119,928,000	130,693,905	0.4785
2029	5,012,438,100	250,621,905	121,127,000	129,494,905	0.4833
2030	5,012,438,100	250,621,905	122,338,000	128,283,905	0.4881
2031	5,012,438,100	250,621,905	123,561,000	127,060,905	0.4930
2032	5,012,438,100	250,621,905	124,797,000	125,824,905	0.4979
2033	5,012,438,100	250,621,905	126,045,000	124,576,905	0.5029
2034	5,012,438,100	250,621,905	127,305,000	123,316,905	0.5080
2035	5,012,438,100	250,621,905	128,578,000	122,043,905	0.5130
2036	5,012,438,100	250,621,905	129,864,000	120,757,905	0.5182
2037	5,012,438,100	250,621,905	131,163,000	119,458,905	0.5234
2038	5,012,438,100	250,621,905	132,475,000	118,146,905	0.5286
2039	5,012,438,100	250,621,905	133,800,000	116,821,905	0.5339
2040	5,012,438,100	250,621,905	135,138,000	115,483,905	0.5392
2041	5,012,438,100	250,621,905	136,489,000	114,132,905	0.5446
2042	5,012,438,100	250,621,905	137,854,000	112,767,905	0.5500
2043	5,012,438,100	250,621,905	139,233,000	111,388,905	0.5556
2044	5,012,438,100	250,621,905	140,625,000	109,996,905	0.5611



# CITY OF APPLETON

Tax Incremental District # 11

Revenue Forecast

Chart 3

Base Value	78,547,500	Inflation Factor	0.50%
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	Construction Year	Valuation Year	Revenue year	Inflation Increment	Value Added	Valuation Increment	Land Sales	Tax Rate	District Revenue
	2016	2017	2018	0	0	0	0	23.3889	0
1	2017	2018	2019	392,738	0	392,738	0	23.3889	9,186
2	2018	2019	2020	394,701	73,712,800	74,500,239	0	23.3889	1,742,479
3	2019	2020	2021	765,239	0	75,265,478	0	23.3889	1,760,377
4	2020	2021	2022	769,065	0	76,034,543	0	23.3889	1,778,364
5	2021	2022	2023	772,910	0	76,807,453	0	23.3889	1,796,442
6	2022	2023	2024	776,775	0	77,584,228	0	23.3889	1,814,610
7	2023	2024	2025	780,659	0	78,364,887	0	23.3889	1,832,869
8	2024	2025	2026	784,562	0	79,149,449	0	23.3889	1,851,219
9	2025	2026	2027	788,485	0	79,937,934	0	23.3889	1,869,660
10	2026	2027	2028	792,427	0	80,730,361	0	23.3889	1,888,194
11	2027	2028	2029	796,389	0	81,526,750	0	23.3889	1,906,821
12	2028	2029	2030	800,371	0	82,327,121	0	23.3889	1,925,541
13	2029	2030	2031	804,373	0	83,131,494	0	23.3889	1,944,354
14	2030	2031	2032	808,395	0	83,939,889	0	23.3889	1,963,262
15	2031	2032	2033	812,437	0	84,752,326	0	23.3889	1,982,264
16	2032	2033	2034	816,499	0	85,568,825	0	23.3889	2,001,361
17	2033	2034	2035	820,582	0	86,389,407	0	23.3889	2,020,553
18	2034	2035	2036	824,685	0	87,214,092	0	23.3889	2,039,842
19	2035	2036	2037	828,808	0	88,042,900	0	23.3889	2,059,227
20	2036	2037	2038	832,952	0	88,875,852	0	23.3889	2,078,708
21	2037	2038	2039	837,117	0	89,712,969	0	23.3889	2,098,288
22	2038	2039	2040	841,302	0	90,554,271	0	23.3889	2,117,965
23	2039	2040	2041	845,509	0	91,399,780	0	23.3889	2,137,740
24	2040	2041	2042	849,736	0	92,249,516	0	23.3889	2,157,615
25	2041	2042	2043	853,985	0	93,103,501	0	23.3889	2,177,588
26	2042	2043	2044	858,255	0	93,961,756	0	23.3889	2,197,662
27	2043	2044	2045	862,546	0	0	0	23.3889	0
	Totals				73,712,800		0		49,152,191
					Present Value at 5.00%				24,538,607

CITY OF APPLETON					
Tax Incremental District # 11					
Taxing Entity Breakdown					
Year	City	Appleton Schools	FVTC	Outagamie County	Total Tax Increment
2016	0	0	0	0	0
2017	0	0	0	0	0
2018	0	0	0	0	0
2019	3,354	3,560	438	1,834	9,186
2020	636,284	675,280	83,064	347,851	1,742,479
2021	642,819	682,217	83,917	351,424	1,760,377
2022	649,387	689,187	84,775	355,015	1,778,364
2023	655,989	696,193	85,636	358,624	1,796,442
2024	662,623	703,234	86,502	362,251	1,814,610
2025	669,290	710,310	87,373	365,896	1,832,869
2026	675,991	717,421	88,248	369,559	1,851,219
2027	682,725	724,568	89,127	373,240	1,869,660
2028	689,493	731,751	90,010	376,940	1,888,194
2029	696,295	738,969	90,898	380,659	1,906,821
2030	703,131	746,223	91,791	384,396	1,925,541
2031	710,000	753,516	92,687	388,151	1,944,354
2032	716,905	760,842	93,589	391,926	1,963,262
2033	723,844	768,206	94,495	395,719	1,982,264
2034	730,817	775,607	95,405	399,532	2,001,361
2035	737,825	783,045	96,320	403,363	2,020,553
2036	744,869	790,520	97,239	407,214	2,039,842
2037	751,947	798,034	98,163	411,083	2,059,227
2038	759,061	805,583	99,092	414,972	2,078,708
2039	766,211	813,171	100,025	418,881	2,098,288
2040	773,396	820,797	100,963	422,809	2,117,965
2041	780,617	828,460	101,906	426,757	2,137,740
2042	787,875	836,161	102,854	430,725	2,157,615
2043	795,168	843,902	103,806	434,712	2,177,588
2044	802,498	851,682	104,763	438,719	2,197,662
					49,152,191

**DESCRIPTION OF THE METHODS OF FINANCING AND THE TIME WHEN  
SUCH COSTS OR MONETARY OBLIGATIONS ARE TO BE INCURRED**

The City of Appleton expects to finance City project costs primarily from the sale of general obligation notes issued under Wisconsin Statutes 67.12(12). City borrowing will be phased to coincide with need and refinancing schedule as necessary to properly manage the District's affairs. It is anticipated the Developer will attain their own financing; however the City will make developer incentive payments up to 90% of the increment generated to a maximum value agreed upon. The contracted payments will include an allowable interest reimbursement up to 200 basis points above the all-inclusive interest cost on Appleton's general obligation notes. Chart 5 on the subsequent pages presents the detailed financial forecast for the District. Another option for financing is the use of developer-funded or "pay as you go" financing which minimizes the risk of non-performance of the TID to the City, while still assisting development that would not occur without assistance of a tax increment district. The type and method of financing each project in this District shall be made on a project by project basis to support the success of the District.

**Plan Implementation:**

Projects identified will provide the necessary anticipated governmental services to the area. A reasonable and orderly sequence is outlined in this Plan. However, it is anticipated the improvements will be made over a twenty-two year period based on the statutory guidelines for the tax increment district. Public debt and expenditures should be made at the point private development occurs to assure increment is sufficient to cover expenses.

The order in which public improvements are made should be adjusted in accordance with development and execution of development agreements. The City of Appleton reserves the right to alter the implementation of this Plan to accomplish this objective.

If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented.

	CITY OF APPLETON								
	Tax Incremental District #11								
	Financial Forecast								
									Chart 5
	2017	2018	2019	2020	2021	2022	2023	2024	2025
Revenues:									
Tax Increments	0	0	9,186	1,742,479	1,760,377	1,778,364	1,796,442	1,814,610	1,832,869
Investment Earnings	0	1	1	284	745	2,306	3,386	6,739	8,334
Proceeds of G.O. Debt	0	1,030,600	500,000	1,123,000	0	0	581,000	0	0
General Fund Advance	1,000	28,000	57,000	0	0	0	0	0	0
Total Revenues	1,000	1,058,601	566,187	2,865,763	1,761,122	1,780,670	2,380,828	1,821,349	1,841,203
Expenses:									
Development contractual payments	0	0	0	1,551,655	1,559,413	1,567,211	1,575,047	1,582,922	1,590,836
Property Improvement Grants	0	21,000	21,000	21,000	21,000	21,000	0	0	0
Administrative - Filing fees/Audit	1,000	1,650	1,750	1,750	1,900	1,900	2,000	2,000	2,100
Professional, Environmental & Promotion	0	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Construction Costs	0	1,030,600	500,000	1,123,000	0	0	581,000	0	0
2018 G.O. Note Interest	0	0	38,648	30,918	30,918	30,918	30,918	30,918	30,918
2018 G.O. Note Principal	0	0	0	0	0	0	0	0	0
2019 G.O. Note Interest	0	0	0	18,750	15,000	15,000	15,000	15,000	15,000
2019 G.O. Note Principal	0	0	0	0	0	0	0	0	0
2020 G.O. Note Interest	0	0	0	0	56,150	44,920	44,920	44,920	44,920
2020 G.O. Note Principal	0	0	0	0	0	0	0	0	0
2023 G.O. Note Interest	0	0	0	0	0	0	0	36,313	29,050
2023 G.O. Note Principal	0	0	0	0	0	0	0	0	0
General Fund Advance Interest at 5%	25	700	2,911	4,482	4,706	4,941	5,188	5,448	5,720
Allowance for Interest Expense	(25)	(700)	(2,911)	(4,482)	(4,706)	(4,941)	(5,188)	(5,448)	(5,720)
Total Expenses	1,000	1,058,250	566,398	2,752,073	1,689,381	1,685,949	2,253,885	1,717,073	1,717,824
Excess of Revenues over									
Expenditures	0	351	(211)	113,690	71,741	94,721	126,943	104,276	123,379
Beginning Fund Balance	0	0	351	140	113,830	185,570	280,292	407,235	511,511
Ending Fund Balance	0	351	140	113,830	185,570	280,292	407,235	511,511	634,890

CITY OF APPLETON								
Tax Incremental District #11								
Financial Forecast								
								Chart 5
2026	2027	2028	2029	2030	2031	2032	2033	2034
1,851,219	1,869,660	1,888,194	1,906,821	1,925,541	1,944,354	1,963,262	1,982,264	2,001,361
10,174	12,206	8,982	283	460	372	2,951	3,079	281
0	0	0	0	0	0	0	0	0
0	0	0	300,000	850,000	(300,000)	0	0	(530,000)
1,861,393	1,881,866	1,897,176	2,207,104	2,776,001	1,644,726	1,966,213	1,985,343	1,471,642
1,598,791	1,606,785	1,614,818	1,622,893	1,631,007	1,639,162	1,647,358	1,655,595	1,426,863
0	0	0	0	0	0	0	0	0
2,100	2,250	8,250	2,350	2,350	2,450	2,450	2,600	2,600
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
30,918	30,918	15,459	0	0	0	0	0	0
0	0	1,030,600	0	0	0	0	0	0
15,000	15,000	15,000	7,500	0	0	0	0	0
0	0	0	500,000	0	0	0	0	0
44,920	44,920	44,920	44,920	22,460	0	0	0	0
0	0	0	0	1,123,000	0	0	0	0
29,050	29,050	29,050	29,050	29,050	29,050	29,050	14,525	0
0	0	0	0	0	0	0	581,000	0
6,006	6,306	6,622	14,453	43,925	59,872	55,365	58,134	47,790
(6,006)	(6,306)	(6,622)	(14,453)	(43,925)	(59,872)	(55,365)	(58,134)	(47,790)
1,720,779	1,728,923	2,758,097	2,206,713	2,807,867	1,670,662	1,678,858	2,253,720	1,429,463
140,614	152,943	(860,921)	391	(31,866)	(25,936)	287,355	(268,377)	42,179
634,890	775,504	928,448	67,526	67,918	36,052	10,116	297,471	29,094
775,504	928,448	67,526	67,918	36,052	10,116	297,471	29,094	71,274



CITY OF APPLETON										
Tax Incremental District # 11										
Financial Forecast										
										Chart 5
2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	Totals
2,020,553	2,039,842	2,059,227	2,078,708	2,098,288	2,117,965	2,137,740	2,157,615	2,177,588	2,197,662	49,152,191
12,606	45,384	86,318	191,460	254,029	317,094	380,750	445,085	510,051	575,657	2,879,018
0	0	0	0	0	0	0	0	0	0	3,234,600
(406,000)	0	0	0	0	0	0	0	0	0	0
1,627,159	2,085,226	2,145,545	2,270,168	2,352,317	2,435,059	2,518,490	2,602,700	2,687,639	2,773,319	55,265,809
0	0	0	0	0	0	0	0	0	0	23,870,354
0	0	0	0	0	0	0	0	0	0	105,000
2,700	2,700	2,800	2,800	2,950	8,950	3,050	3,050	3,150	9,150	84,750
0	0	0	0	0	0	0	0	0	0	40,000
0	0	0	0	0	0	0	0	0	0	3,234,600
0	0	0	0	0	0	0	0	0	0	301,451
0	0	0	0	0	0	0	0	0	0	1,030,600
0	0	0	0	0	0	0	0	0	0	146,250
0	0	0	0	0	0	0	0	0	0	500,000
0	0	0	0	0	0	0	0	0	0	437,970
0	0	0	0	0	0	0	0	0	0	1,123,000
0	0	0	0	0	0	0	0	0	0	283,238
0	0	0	0	0	0	0	0	0	0	581,000
26,780	0	0	0	0	0	0	0	0	0	359,374
332,594	0	0	0	0	0	0	0	0	0	0
362,074	2,700	2,800	2,800	2,950	8,950	3,050	3,050	3,150	9,150	32,097,587
1,265,085	2,082,526	2,142,745	2,267,368	2,349,367	2,426,109	2,515,440	2,599,650	2,684,489	2,764,169	23,168,222
71,274	1,336,359	3,418,885	5,561,630	7,828,998	10,178,365	12,604,474	15,119,914	17,719,564	20,404,053	0
1,336,359	3,418,885	5,561,630	7,828,998	10,178,365	12,604,474	15,119,914	17,719,564	20,404,053	23,168,222	23,168,222

# 8

## **PROPOSED CHANGES IN ZONING ORDINANCES, MASTER PLAN, BUILDING CODES, MAPS AND CITY ORDINANCES**

There are no changes to building codes or other City ordinances proposed for the implementation of this Project Plan. The City anticipates a portion of the District may require rezoning prior to development that will be consistent with the purpose of the District.

## **ORDERLY DEVELOPMENT OF THE CITY OF APPLETON**

The District contributes to the orderly development of the City by providing for the elimination of blighting influences and the redevelopment of these underutilized properties along this major corridor and providing for continued growth in residential, office, and retail development. By improving and maintaining an attractive area for private investment along the corridor, the City will ensure a healthy tax base, job growth/creation and a more vibrant economy.

The Project Plan is complimentary to the adopted City of Appleton's *Comprehensive Plan 2010-2030* (Comprehensive Plan), specifically Chapter 14 Downtown Plan that identifies this corridor of west College Avenue for reinvestment, rehabilitation and redevelopment. The City's recommendations for this corridor and surrounding downtown sites include the following key strategies as adopted on March 15, 2017 in the updated Comprehensive Plan. These key strategies, and the detailed policies to support these efforts, can be found in the Comprehensive Plan – Chapter 14 Downtown Plan Initiatives Section from pages 335 to 362:

- 1.1 *Continue development of entry features on major routes into the downtown*
- 1.3 *Implement appropriate streetscaping projects throughout the downtown*
- 1.5 *Continue to encourage quality urban design throughout the downtown through voluntary measures*
- 2.2 *Pursue opportunities to attract more artists and arts-related businesses to the downtown*
- 3.1 *Encourage mixed-use and mid-density residential redevelopment on under-utilized or marginal sites on the edge of downtown*
- 3.3 *Promote development of neighborhood serving businesses and amenities to meet the basic shopping and service needs of downtown and nearby residents*
- 3.10 *Promote well-designed transitional areas between higher density development downtown and lower density development in adjacent, largely single family neighborhoods*
- 4.1 *Sustain and grow the retail niches which have formed downtown*
- 4.2 *Identify and aggressively recruit target industries*
- 4.3 *Protect the existing retail blocks on College Avenue*
- 4.5 *Facilitate and pursue entrepreneurial business development in the downtown*
- 4.6 *Create opportunities for smaller offices and business services to locate downtown, including north of College Avenue*
- 4.7 *Maintain an environment favorable to larger employers in the downtown*
- 4.8 *Support private sector efforts to redevelop and invest in downtown*

# 10

## **ESTIMATE OF PROPERTY TO BE DEVOTED TO RETAIL USE**

Pursuant to Section 66.1105(5)(b) of the Wisconsin State Statutes, the City estimates that approximately 10% of the real property within the District will be devoted to retail business at the end of the District's maximum expenditure period.

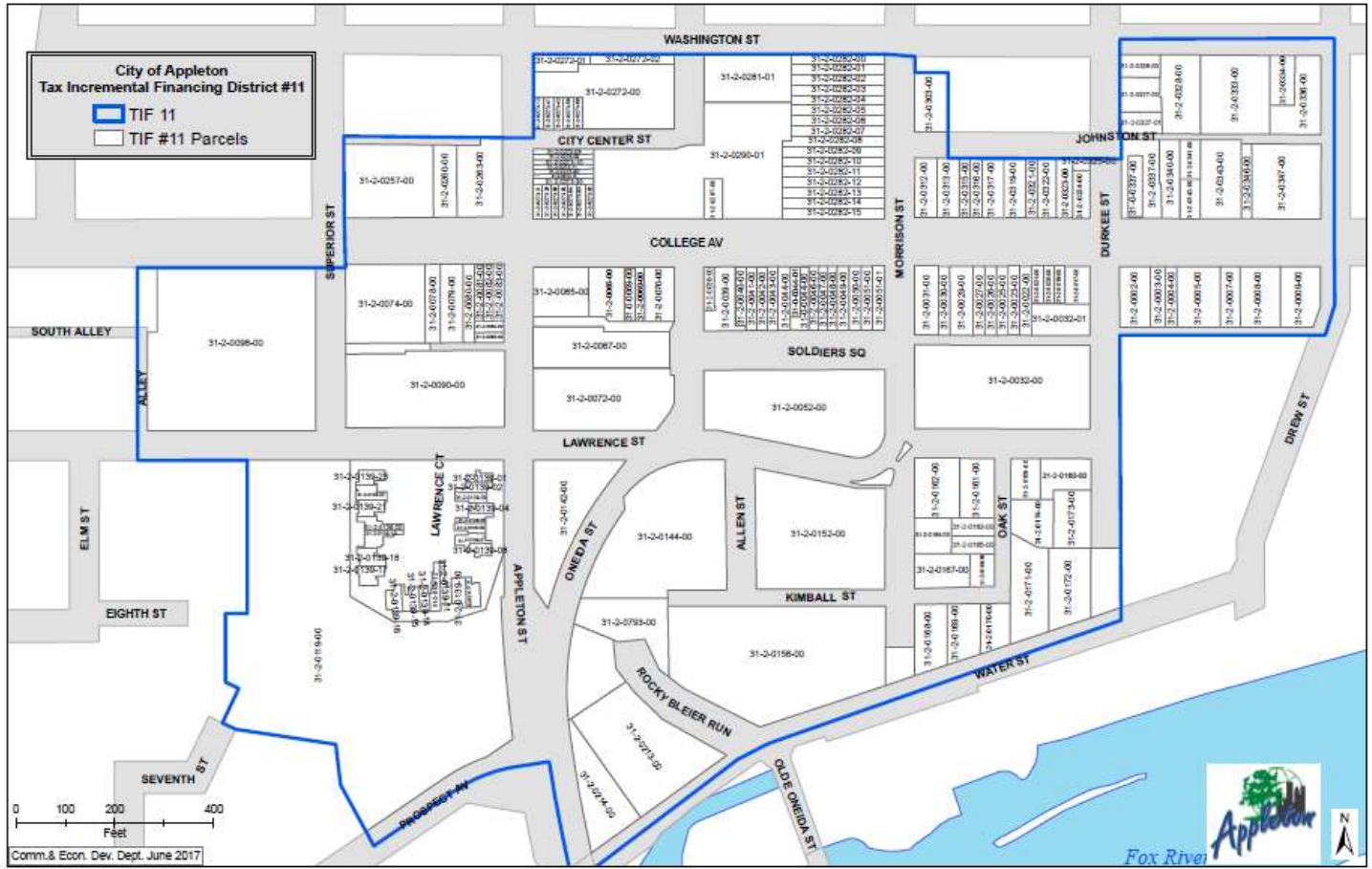
**PROPOSED RELOCATION PLAN FOR DISPLACED PERSONS OR BUSINESSES**

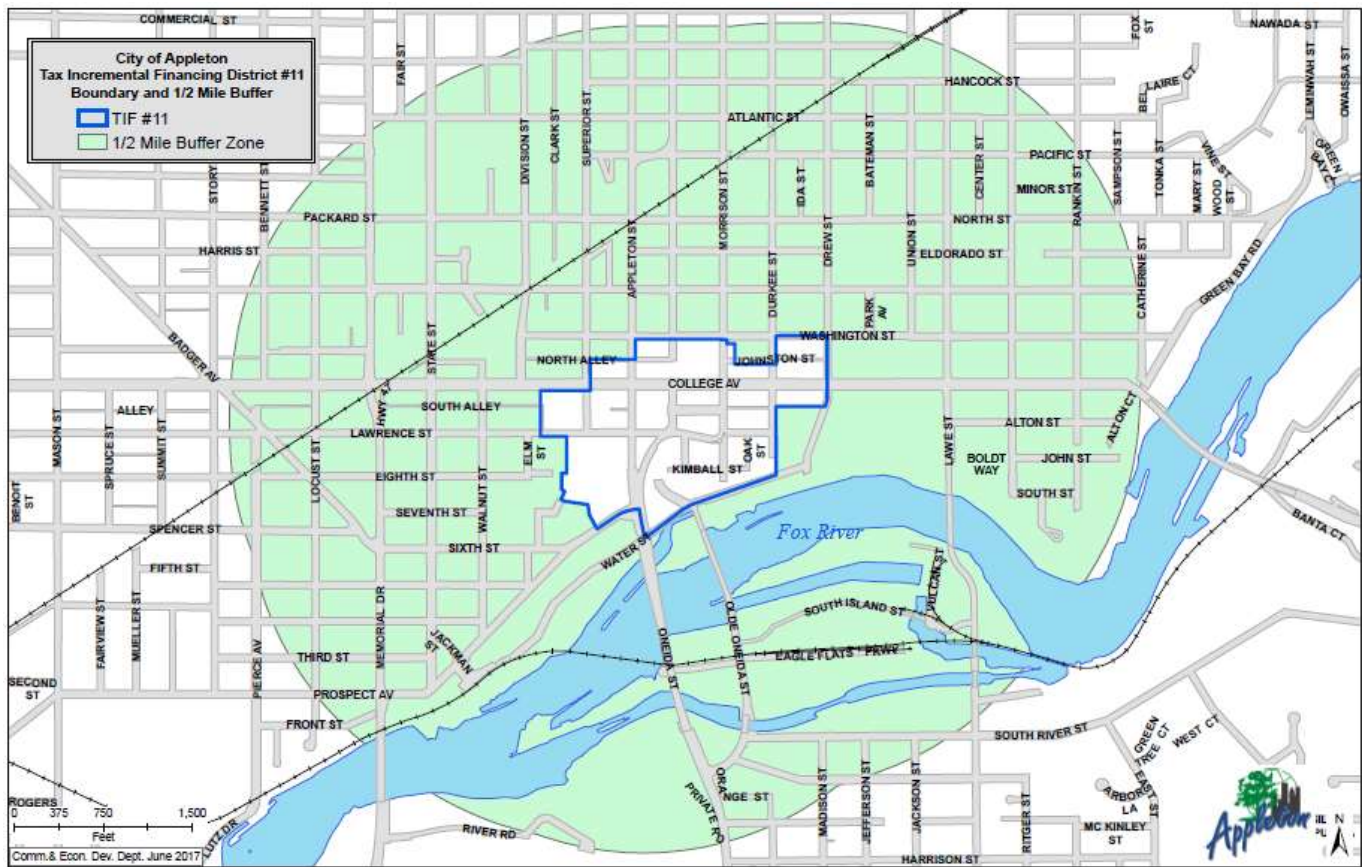
It is not anticipated at the time of the creation of the District there will be a need to relocate persons or businesses in conjunction with this Plan. In the event relocation becomes necessary at some time during the implementation period, the City will take the following steps and actions as required by Wisconsin Statutes Section 32:

- A. Before negotiations begin for the acquisition of property or easements, all property owners will be provided with an informational pamphlet “The Rights of Landowners” prepared by the Wisconsin Department of Administration, and if any person is to be displaced as a result of the acquisition, they will be given a pamphlet on “Relocation Rights” prepared by the Wisconsin Department of Administration.
- B. The City will provide each owner a full narrative appraisal, a map showing the owners of all property affected by the proposed project, and a list of all or at least ten neighboring landowners to whom offers are being made.
- C. The City will file a relocation plan with the Wisconsin Department of Administration and will keep all records as required in Wisconsin Statutes Section 32.

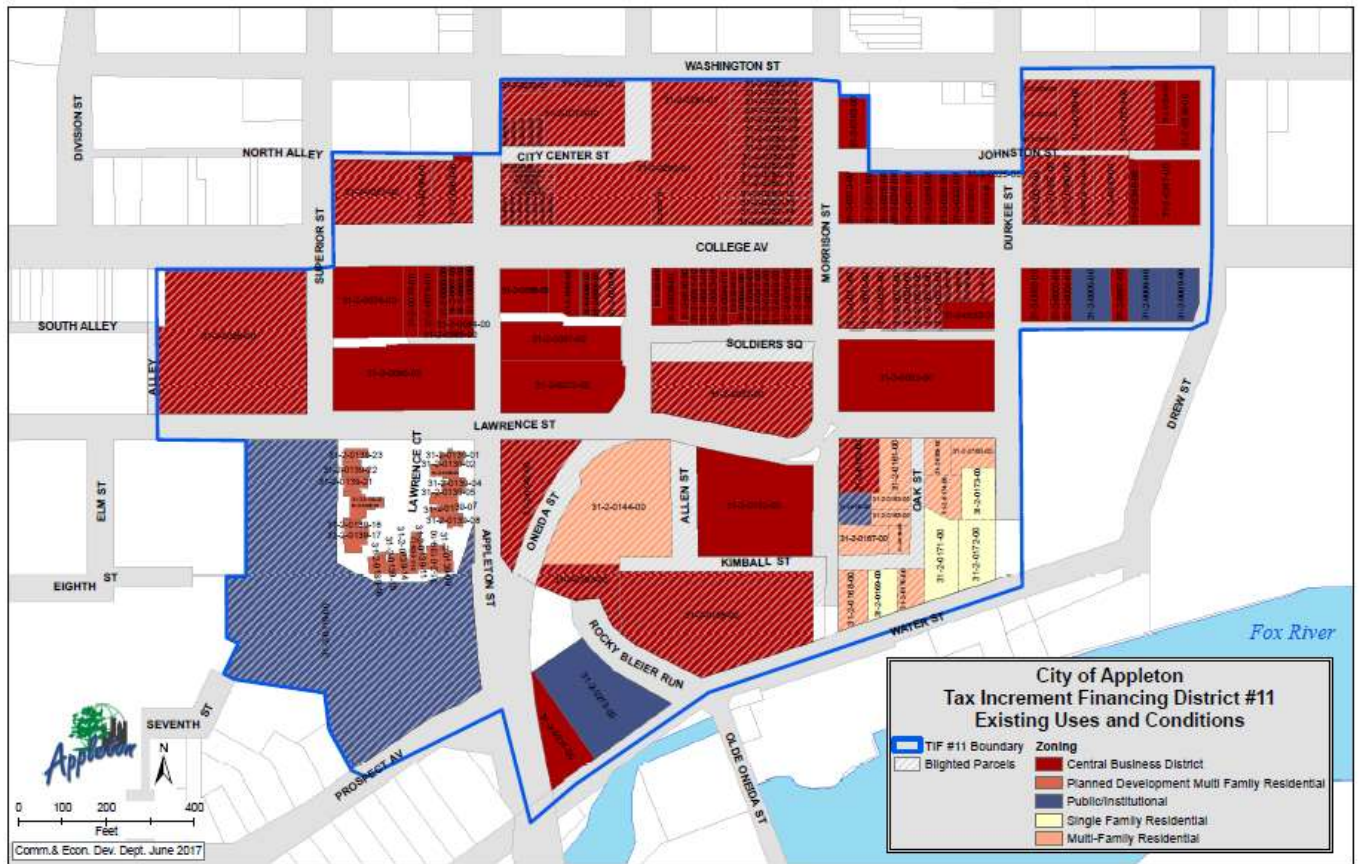


## MAP OF TIF DISTRICT #11 BOUNDARIES AND TIF DISTRICT #11 BOUNDARIES WITH HALF MILE BUFFER ZONE



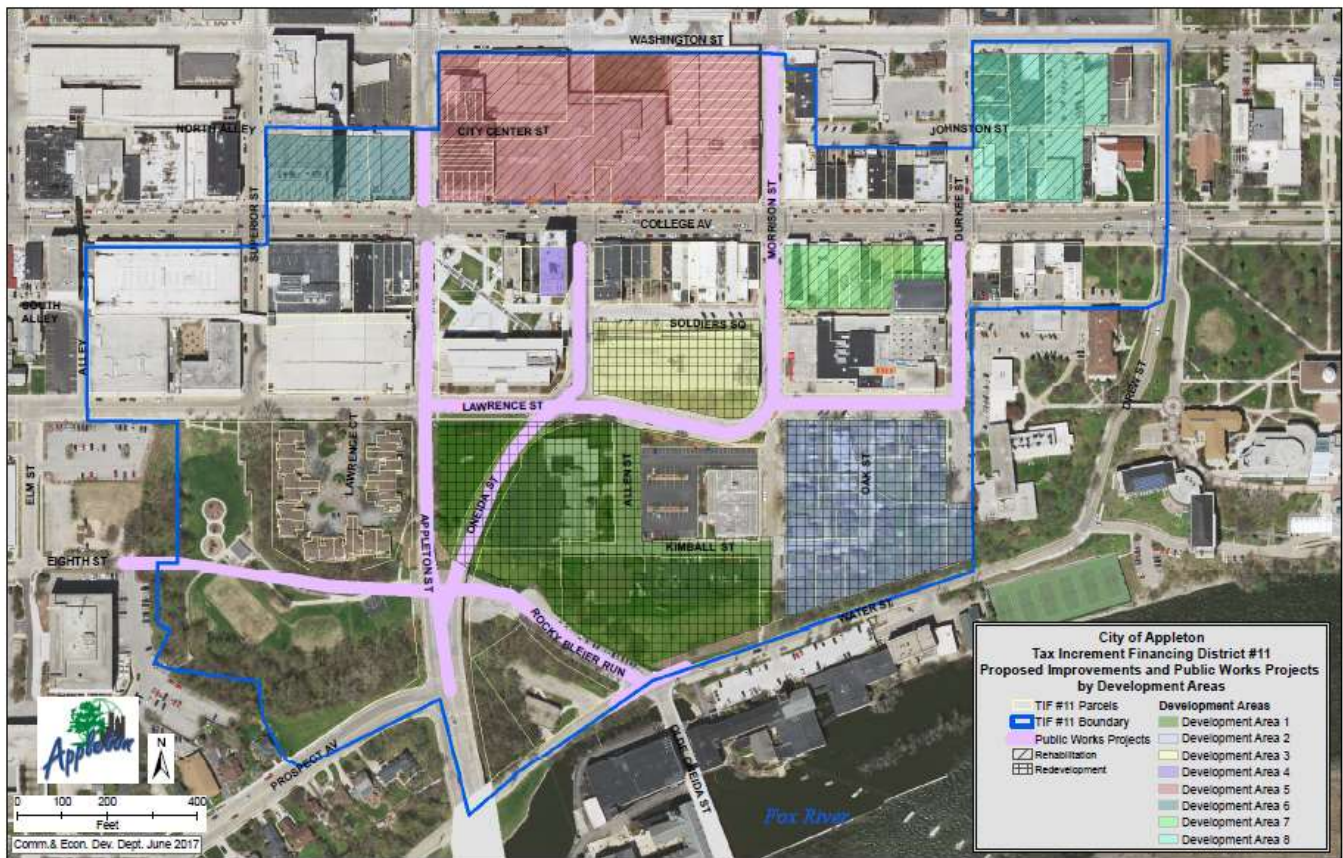


## MAP OF EXISTING USES AND CONDITIONS





## MAP OF PROPOSED IMPROVEMENTS AND PUBLIC WORKS PROJECTS BY DEVELOPMENT AREA



**Note:** The above map highlights the key development areas targeted for redevelopment and rehabilitation/conservation uses within this District. The narrative in Section 1 of the Project Plan is incorporated into this Section by reference and provides additional details on proposed uses. Due to the volume of information being displayed on this map, the summary in Section 1 is intended to support this exhibit.

**PARCEL LIST & LEGAL DESCRIPTION**

The boundaries for the District include only whole parcels or non-taxable property and the District is contiguous. The following pages include a detailed list of parcels included in the District and the legal description.

**Vacant Land:**

Pursuant to Wisconsin State Statute s 66.1105(4)(gm)(1), property standing vacant for an entire 7-year period immediately preceding adoption of the resolution creating a tax incremental district may not comprise more than 25% of the area in the tax incremental district. Vacant property includes property where the fair market value or replacement cost value of structural improvements on the parcel is less than the fair market value of the land. Vacant property does not include property that is contaminated by environmental pollution, as defined in s. 66.1106 (1) (d). **This District does not include 25% or more vacant land.**

**Annexed Land:**

Pursuant to Wisconsin State Statute s 66.1105(4)(gm)(1), the District may not include any annexed territory that was not within the boundaries of the City on January 1, 2004, unless at least 3-years have elapsed since the territory was annexed by the City, unless the City enters into a cooperative plan boundaries agreement with the town from which the territory was annexed, or unless the City and town enter into another kind of agreement relating to the annexation expect that notwithstanding these conditions, the City may include territory that was not within the boundaries of the City on January 1, 2004 if the City pledges to pay the town an amount equal to the property taxes levied on the territory by the town at the time of the annexation for each of the next 5 years. **The District does not include property annexed into the City of Appleton since January 1, 2004.**



SUBJECT	Owner Name	Property Address	Zoning	Area in Acres	Business with Person Property	Portional Property	Land Value	Improvements	Total Land Value	Total Real Estate + Personal Property	Dev Area	Ref: 11	Wgt
31-2-0119-00	CITY OF APPLETON	101 W LAWRENCE ST	FI	0.50			\$0	\$0	\$0	\$0	0		x
31-2-0096-00	APPLETON HOLDINGS LLC	333 W COLLEGE AVE	CB	2.51	ATLAS GROUP	\$5,800	\$1,201,600	\$10,659,000	\$12,466,400	\$12,411,300	0		x
31-2-0096-00	APPLETON HOLDINGS LLC	333 W COLLEGE AVE	CB		HARRISON PAPER VALUE	\$1,041,500				\$1,441,500	0		x
31-2-0096-00	APPLETON HOLDINGS LLC	333 W COLLEGE AVE	CB		THE CORNER STORE	\$1,900				\$1,900	0		x
				8.09		\$1,445,200	\$1,745,800	\$16,856,500	\$12,405,500	\$15,894,700		James Park & Expo total	
31-2-0162-00	CITY OF APPLETON	W LAWRENCE ST	CB	0.63			\$0	\$0	\$0	\$0	1		x
31-2-0294-00	ONE LAWRENCE STREET LLC	5 ONIDA ST	CB	0.38			\$0	\$0	\$0	\$0	1		x
31-2-0156-00	ONE LAWRENCE STREET LLC	111 E KIMBALL ST	CB	2.01			\$809,600	\$345,400	\$809,600	\$809,600	1		x
31-2-0144-00	ONE LAWRENCE STREET LLC	209 S ALLEN ST	R3	1.40			\$6,400	\$800	\$7,200	\$7,200	1		x
				4.42			\$316,000	\$346,200	\$662,200	\$662,200		Redeem 1 Total	
31-2-0164-00	220 MORRISON LLC	220 S MORRISON ST	FI	0.12			\$19,500	\$96,300	\$119,400	\$119,400	2		x
31-2-0170-00	220 MORRISON LLC	219 E KIMBALL ST	R3	0.13			\$20,300	\$105,800	\$126,100	\$126,100	2		x
31-2-0171-00	220 MORRISON LLC	219 S OAK ST	R3	0.54			\$31,400	\$133,100	\$165,500	\$165,500	2		x
31-2-0172-00	OWEN CARR	229 S DURKEE ST	R3	0.31			\$30,200	\$138,200	\$168,400	\$168,400	2		x
31-2-0180-00	CF PROPERTIES OF THE FOX CITIES LLC	212 E LAWRENCE ST	R3	0.16			\$20,900	\$105,700	\$126,600	\$126,600	2		x
31-2-0189-00	JORDAN DAY	209 E KIMBALL ST	R3	0.17			\$23,900	\$117,300	\$141,200	\$141,200	2		x
31-2-0173-00	MATTHEW GRANATIELLA	219 S DURKEE ST	R3	0.20			\$23,500	\$108,500	\$132,000	\$132,000	2		x
31-2-0167-00	HOUSING PARTNERSHIP OF THE FOX CITIES	226 S MORRISON ST	R3	0.18			\$0	\$0	\$0	\$0	2		x
31-2-0188-00	ELARY TROTTA ET AL	196 S MORRISON ST	R3	0.20			\$28,400	\$177,600	\$196,000	\$196,000	2		x
31-2-0182-00	YMCA OF APPLETON	E LAWRENCE ST	CB	0.25			\$0	\$0	\$0	\$0	2		x
31-2-0185-00	YMCA OF FOX CITIES INC	225 S OAK ST	R3	0.07			\$12,300	\$73,700	\$86,000	\$86,000	2		x
31-2-0183-00	YMCA OF FOX CITIES INC	221 S OAK ST	R3	0.07			\$12,300	\$72,700	\$85,000	\$85,000	2		x
31-2-0174-00	YMCA OF FOX CITIES INC	S OAK ST	R3	0.17			\$21,600	\$0	\$21,600	\$21,600	2		x
31-2-0186-00	YMCA OF THE FOX CITIES INC	214 E KIMBALL ST	R3	0.08			\$0	\$0	\$0	\$0	2		x
31-2-0181-00	YMCA OF THE FOX CITIES INC	211 S OAK ST	R3	0.19			\$26,000	\$117,300	\$143,300	\$143,300	2		x
31-2-0159-00	YOUNG MEN'S CHRISTIAN ASSOC INC	221 E LAWRENCE ST	R3	0.11			\$18,700	\$100,100	\$119,200	\$119,200	2		x
				2.77			\$295,000	\$1,245,400	\$1,544,400	\$1,544,400		Redeem 2	
31-2-0052-00	YMCA OF APPLETON	120 S ONIDA ST	CB	1.26			\$0	\$58,100	\$58,100	\$58,100	3		x
				1.26			\$0	\$58,100	\$58,100	\$58,100		Redeem 3	
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB	0.15	ACCOLLEARNING	\$,700	\$133,100	\$1,789,000	\$1,922,100	\$1,922,100			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		A2Z DESIGN LLC	\$1,100				\$7,200			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		BAUER & FARMS LLC	\$1,100				\$8,200			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		COLWELL RONALD E AT	\$1,100				\$1,700			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		EMPOWER YOGA LLC	\$8,100				\$8,200			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		ETHOS LLC	\$1,500				\$1,500			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		FOX RIVER CAPITAL	\$1,000				\$1,800			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		FRANK W LADY ASSOCI	\$1,800				\$1,800			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		GEARTY, TIMOTHY P ATT	\$2,000				\$2,800			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		GYMME SPA	\$5,800				\$5,800			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		HUZZEL, SUSAN C LLC	\$0				\$0			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		IBI WEALTH ADVISORS	\$10,500				\$10,500			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		LE GRAND KANGAROO L	\$2,500				\$2,500			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		LAWRENCE P LAY OFFIC	\$300				\$300			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		LIFE DESIGN THERAPE	\$900				\$500			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		MYNDS INSTITUTE D	\$300				\$300			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		MURPHY, BRENNAN P L	\$900				\$500			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		MARTIN, C J CHRISTOPH	\$31,100				\$14,100			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		MARONET ANDRUEM EDU	\$1,500				\$1,500			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		NEW POSSIBILITIES IN	\$1,200				\$1,200			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		OPTIMAL DIGITAL MARK	\$8,000				\$6,000			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		PROACTIVE CONSULTING	\$300				\$300			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		PSYCHOCOS CONSULT	\$1,300				\$1,300			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		ROGER VOLIN SHOP L	\$1,700				\$1,700			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		SHEAR FRAYS SAGIN &	\$22,100				\$22,100			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		STANLEY AND ASSOCIA	\$200				\$200			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		TERRES FIRM LLC	\$1,700				\$3,700			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		WHITE BAYEN AUDIO	\$44,200				\$44,200			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		WALLACE SCULPTURING	\$4,000				\$4,000			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		WARRA INVESTMENT ANCH	\$900				\$900			x
31-2-0070-00	SAFFORD BUILDING LLC	101 W COLLEGE AVE	CB		CAPTASTIC PROFESSION	\$1,000				\$1,900			x
				9.16		\$846,100	\$533,100	\$1,789,000	\$1,922,100	\$2,087,300		Redeem 4 Total	
31-2-0273-13	CITY OF APPLETON	100 W COLLEGE AVE	CB	0.03			\$0	\$0	\$0	\$0	5		x
31-2-0273-11	CITY OF APPLETON	100 W COLLEGE AVE	CB	0.03			\$0	\$0	\$0	\$0	5		x
31-2-0273-50	CITY OF APPLETON	100 W COLLEGE AVE	CB	0.03			\$20,300	\$0	\$0	\$10,300	5		x
31-2-0273-60	CITY OF APPLETON	100 W COLLEGE AVE	CB	0.03			\$0	\$0	\$0	\$0	5		x
31-2-0272-00	CITY OF APPLETON	120 N APPLETON ST	CB	0.68			\$0	\$0	\$0	\$0	5		x
31-2-0281-01	CITY OF APPLETON	E WASHINGTON ST	CB	0.40			\$0	\$0	\$0	\$0	5		x
31-2-0282-06	APPLETON EDUCATION FOUNDATION INC	122 E COLLEGE AVE	CB	0.09			\$0	\$0	\$0	\$0	5		x
31-2-0287-00	APPLETON HOTEL GROUP LLC	100 E COLLEGE AVE	CB	0.07	EL PATRON & COYRDS	\$6,300	\$40,300	\$227,700	\$288,200	\$284,300	5		x
31-2-0272-01	CDTU LLC	124 N APPLETON ST	CB	0.08	APPLETON ST SFDRTS II	\$21,300	\$57,700	\$239,100	\$288,200	\$284,800	5		x
31-2-0272-02	DAVID HETPAS	113 W WASHINGTON ST	CB	0.08	TC GROUP INC	\$28,700	\$49,800	\$161,300	\$211,700	\$210,400	5		x
31-2-0282-15	HOFFMAN HOLDINGS LLC ET AL	122 E COLLEGE AVE	CB	0.10	HOFFMAN PLANNING INC	\$99,200	\$45,500	\$883,600	\$999,300	\$1,054,500	5		x
31-2-0282-05	HOFFMAN HOLDINGS LLC ET AL	122 E COLLEGE AVE	CB	0.09		\$5,900	\$20,350	\$26,600	\$26,600	\$26,600	5		x
31-2-0273-30	ISLAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB	0.03	WEST BENEVOLE GENRAT	\$127,100	\$67,000	\$880,700	\$995,700	\$1,074,800	5		x
31-2-0273-09	ISLAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB	0.03		\$0	\$0	\$0	\$0	\$0	5		x
31-2-0273-08	ISLAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB	0.03		\$20,100	\$100	\$20,200	\$20,200	\$20,200	5		x
31-2-0273-41	ISLAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB	0.03		\$300	\$100	\$800	\$800	\$800	5		x
31-2-0273-42	ISLAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB	0.03		\$300	\$100	\$800	\$800	\$800	5		x
31-2-0273-06	ISLAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB	0.03		\$2,200	\$100	\$2,300	\$2,300	\$2,300	5		x
31-2-0273-05	ISLAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB	0.03		\$3,800	\$100	\$3,700	\$3,700	\$3,700	5		x
31-2-0273-04	ISLAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB	0.03		\$3,800	\$100	\$3,700	\$3,700	\$3,700	5		x
31-2-0273-03	ISLAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB	0.03		\$5,800	\$100	\$5,800	\$5,800	\$5,800	5		x

SUBKEY	Owner Name	Property Address	Zoning	Area in Acres	Business with Person Property	Personal Property	Land Value	Improve	Total Land Value	Total Rent Excludes + Personal Property		One Acre	Rate	Reg
31-2-0273-40	SEAND MEDICAL LLC ET AL	100 W COLLEGE AVE	CB0	0.03			\$67,400	\$895,500	\$962,900	\$965,900		3	0	0
31-2-0273-02	LEVEL 3 COMMUNICATIONS LLC	100 W COLLEGE AVE	CB0	0.03			50	50	50	50		3	0	0
31-2-0273-32	PEPPERLE FAMILY LTD PARTNERSHIP	116 N APPLETON ST	CB0	0.03			\$5,400	\$85,320	\$90,720	\$88,500		3	0	0
31-2-0282-07	PEPPERLE INVESTMENTS INC ET AL	122 E COLLEGE AVE	CB0	0.09	THEDACARE PHYSICIANS	\$1,600	\$125,100	\$1,648,400	\$1,773,500	\$1,775,100		5	0	0
31-2-0282-32	PEPPERLE INVESTMENTS INC ET AL	122 E COLLEGE AVE	CB0	0.10			\$2,700	\$10,600	\$13,300	\$14,300		5	0	0
31-2-0282-31	PEPPERLE INVESTMENTS INC ET AL	122 E COLLEGE AVE	CB0	0.10			\$2,600	\$10,800	\$13,400	\$14,600		5	0	0
31-2-0282-30	PEPPERLE INVESTMENTS INC ET AL	122 E COLLEGE AVE	CB0	0.10			\$182,700	\$2,188,300	\$2,371,000	\$2,371,000		3	0	0
31-2-0282-09	PEPPERLE INVESTMENTS INC ET AL	122 E COLLEGE AVE	CB0	0.10			50	50	50	50		3	0	0
31-2-0282-08	PEPPERLE INVESTMENTS INC ET AL	122 E COLLEGE AVE	CB0	0.10			\$5,900	\$14,900	\$20,800	\$20,800		3	0	0
31-2-0282-01	PEPPERLE INVESTMENTS INC ET AL	122 E COLLEGE AVE	CB0	0.09			\$2,000	\$7,100	\$9,100	\$9,300		5	0	0
31-2-0282-00	PEPPERLE INVESTMENTS INC ET AL	122 E COLLEGE AVE	CB0	0.09			\$635,300	\$2,040,800	\$2,676,100	\$2,676,100		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0	1.54	ADVANCED WORKBOOKS	\$1,200	\$1,007,800	\$951,200	\$1,959,000	\$1,960,200		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		ANDERSON PONS INC	\$5,300			\$5,300	\$5,300		3	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		BOARDMAN LLC	\$1,000			\$1,000	\$1,000		3	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		CITY CARE - APPLETON	\$5,800			\$5,800	\$5,800		3	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		FACES EYEWEAR INC	\$2,200			\$2,200	\$2,200		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		J HAWKINS CLOTHING	\$3,200			\$3,200	\$3,200		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		INNOVATIVE LEARNING	\$3,200			\$3,200	\$3,200		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		ITEMS OF INTEREST LLC	\$5,600			\$5,600	\$5,600		3	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		JOSEPH'S SHOES	\$2,300			\$2,300	\$2,300		3	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		KALLAAR PARKGUARD, L	\$7,000			\$7,000	\$7,000		3	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		MURRAY PHOTO & VIDEO	\$21,800			\$21,800	\$21,800		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		MYSTICAL EARTH GALLERY	\$2,800			\$2,800	\$2,800		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		ROBBIE STYLERS	\$3,200			\$3,200	\$3,200		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		STARGODNESS LLC	\$1,900			\$1,900	\$1,900		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		STUDIO KITCHENS LLC	\$25,200			\$25,200	\$25,200		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		TAMULEC	\$15,600			\$15,600	\$15,600		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		TOTALMED BY STAFFING	\$85,300			\$85,300	\$85,300		5	0	0
31-2-0290-01	TAMULEC	10 COLLEGE AVE	CB0		TROPICAL SMOOTHIE	\$42,300			\$42,300	\$42,300		5	0	0
31-2-0273-20	THE BUILDING FOR KIDS INC	100 W COLLEGE AVE	CB0	0.03			50	\$42,800	\$42,800	\$44,000		5	0	0
31-2-0273-21	THE BUILDING FOR KIDS INC	100 W COLLEGE AVE	CB0	0.03			50	50	50	50		5	0	0
31-2-0273-20	THE BUILDING FOR KIDS INC	100 W COLLEGE AVE	CB0	0.03			50	50	50	50		5	0	0
31-2-0282-02	WASHINGTON STREET R.E. INVESTMENT	122 E COLLEGE AVE	CB0	0.09	THORNTON FEDERAL CR	\$179,400	\$62,800	\$1,125,600	\$1,188,200	\$1,187,800		5	0	0
31-2-0282-34	WASHINGTON STREET R.E. INVESTMENT	122 E COLLEGE AVE	CB0	0.10			\$43,200	\$969,200	\$1,012,400	\$1,012,400		5	0	0
31-2-0282-33	WASHINGTON STREET R.E. INVESTMENT	122 E COLLEGE AVE	CB0	0.10			\$34,000	\$422,100	\$456,100	\$456,100		5	0	0
31-2-0282-04	WASHINGTON STREET R.E. INVESTMENT	122 E COLLEGE AVE	CB0	0.09			\$9,300	\$74,800	\$84,100	\$84,100		5	0	0
31-2-0282-03	WASHINGTON STREET R.E. INVESTMENT	122 E COLLEGE AVE	CB0	0.09			\$4,800	\$21,700	\$26,500	\$26,500		5	0	0
				<b>4.90</b>			<b>\$669,500</b>	<b>\$2,261,500</b>	<b>\$12,644,400</b>	<b>\$15,105,900</b>	<b>\$15,195,400</b>	<b>Prokors 8 total</b>		
31-2-0257-00	322 BUILDING LLC	222 W COLLEGE AVE	CB0	0.61	AFFINITY HEALTH SYST	\$207,800	\$611,000	\$9,559,000	\$10,670,000	\$10,578,700		6	0	0
31-2-0257-00	322 BUILDING LLC	222 W COLLEGE AVE	CB0		JOHNSON BANK BROS	\$150,000			\$150,000	\$150,000		6	0	0
31-2-0257-00	322 BUILDING LLC	222 W COLLEGE AVE	CB0		JO JOHNSON COMPANY	\$1,900			\$1,900	\$1,900		6	0	0
31-2-0257-00	322 BUILDING LLC	222 W COLLEGE AVE	CB0		NETWORK HEALTH PLAN	\$425,500			\$425,500	\$425,500		6	0	0
31-2-0257-00	322 BUILDING LLC	222 W COLLEGE AVE	CB0		THEDACARE INC	\$2,800			\$2,800	\$2,800		6	0	0
31-2-0257-00	322 BUILDING LLC	222 W COLLEGE AVE	CB0		322 BUILDING LLC	\$8,000			\$8,000	\$8,000		6	0	0
31-2-0263-00	BANK ONE	200 W COLLEGE AVE	CB0	0.32	JP MORGAN CHASE BANK	\$250,000	\$240,400	\$1,833,600	\$2,274,000	\$2,330,200		6	0	0
31-2-0260-00	PATTEN PROPERTIES LLC	210 W COLLEGE AVE	CB0	0.16	COFFEE ROSE COFFEE	\$81,800	\$144,200	\$655,400	\$880,200	\$881,800		6	0	0
31-2-0260-00	PATTEN PROPERTIES LLC	210 W COLLEGE AVE	CB0		ATOMIC HOLDINGS LLC	\$134,900			\$134,900	\$134,900		6	0	0
				<b>1.09</b>			<b>\$1,257,200</b>	<b>\$699,600</b>	<b>\$12,045,100</b>	<b>\$12,944,300</b>	<b>\$14,002,100</b>	<b>Prokors 8 total</b>		
31-2-0001-00	THOMAS GREENE ET AL	225 E COLLEGE AVE	CB0	0.04	WANTS STORE LTD THE	\$2,300	\$32,100	\$40,600	\$110,700	\$113,000		7	0	0
31-2-0000-00	PETER EAKSON	225 E COLLEGE AVE	CB0	0.04	BLUE NICKON EMPORIUM	\$3,000	\$30,200	\$81,100	\$111,800	\$115,200		7	0	0
31-2-0006-00	DOWN ACQUISITIONS R.E. LLC	215 E COLLEGE AVE	CB0	0.08			\$69,200	\$288,900	\$358,100	\$360,600		7	0	0
31-2-0017-00	EDWARDS PROPERTIES LLC	238 E COLLEGE AVE	CB0	0.09	LOU'S BREW GATE & LO	\$75,000	\$68,800	\$281,400	\$350,200	\$425,000		7	0	0
31-2-0025-00	ANTHONY MUELLER	217 E COLLEGE AVE	CB0	0.08	WOODEN NICKEL RESTAU	\$7,500	\$65,400	\$85,900	\$145,300	\$152,800		7	0	0
31-2-0022-00	RAY PARAMAN	213 E COLLEGE AVE	CB0	0.08	RAY'S PLACE	\$10,000	\$69,400	\$111,700	\$171,100	\$181,100		7	0	0
31-2-0023-00	SIOZICKA LLC	219 E COLLEGE AVE	CB0	0.08	CHARLES THE ROBERT	\$18,700	\$69,400	\$40,400	\$99,800	\$118,500		7	0	0
31-2-0027-00	STUDIO 213 LLC	218 E COLLEGE AVE	CB0	0.08	STUDIO 213 LLC	\$500	\$69,700	\$129,400	\$189,100	\$189,600		7	0	0
31-2-0091-00	JOSEPH WILLES	205 E COLLEGE AVE	CB0	0.15	GARRIEL FURNITURE CO	\$6,600	\$125,500	\$203,600	\$329,100	\$335,700		7	0	0
31-2-0099-00	JOSEPH WILLES	208 E COLLEGE AVE	CB0	0.15			\$118,900	\$84,700	\$203,600	\$203,600		7	0	0
31-2-0090-00	JOSEPH WILLES	205 E COLLEGE AVE	CB0	0.08			\$69,400	\$51,700	\$111,100	\$111,100		7	0	0
31-2-0029-00	FMCA OF APPLETON	218 E COLLEGE AVE	CB0	0.04			50	50	50	50		7	0	0
				<b>0.66</b>			<b>\$134,600</b>	<b>\$732,800</b>	<b>\$1,421,400</b>	<b>\$1,154,200</b>	<b>\$2,278,200</b>	<b>Prokors 7 total</b>		
31-2-0326-00	APPLETON HISTORICAL SOCIETY INC	128 N BURKE ST	CB0	0.08			50	50	50	50		8	0	0
31-2-0337-00	BGO LLC	300 E COLLEGE AVE	CB0	0.28	HEID MUSIC COMPANY I	\$62,200	\$193,400	\$194,200	\$387,600	\$449,800		8	0	0
31-2-0340-00	BGO LLC	308 E COLLEGE AVE	CB0	0.14			\$96,300	\$165,600	\$261,900	\$261,900		8	0	0
31-2-0341-00	HEID MUSIC CO INC	8 COLLEGE AVE	CB0	0.08			\$32,600	\$4,000	\$36,600	\$36,600		8	0	0
31-2-0343-00	LAWRENCE UNIV OF WI	323 E WASHINGTON ST	CB0	0.31	JOHN'S COFFEE LLC	\$28,600	\$142,800	\$12,850	\$155,200	\$154,800		8	0	0
31-2-0343-00	LAWRENCE UNIV OF WI	320 E COLLEGE AVE	CB0	0.30			\$154,800	\$115,000	\$269,800	\$269,800		8	0	0
31-2-0328-00	DREW RICKS REVOCALY TRUST	309 E WASHINGTON ST	CB0	0.29	APPLETON ROCK SCHOOL	\$16,300	\$102,400	\$50,800	\$159,000	\$175,300		8	0	0
31-2-0342-00	RONALD TERRY	314 E COLLEGE AVE	CB0	0.08	DR KENT'S LLC	\$17,300	\$45,800	\$136,500	\$199,200	\$199,400		8	0	0
31-2-0327-00	CART TONKA	127 N BURKE ST	CB0	0.13			\$69,400	\$123,400	\$172,800	\$172,800		8	0	0
31-2-0327-01	THOMAS WAGNER ET AL	118 N BURKE ST	CB0	0.09			\$77,400	\$109,600	\$187,000	\$187,000		8	0	0
				<b>1.09</b>			<b>\$124,400</b>	<b>\$693,600</b>	<b>\$1,172,200</b>	<b>\$1,296,400</b>	<b>\$2,096,400</b>	<b>Prokors 8 total</b>		
31-2-0412-00	300 EAST LLC	300 E COLLEGE AVE	CB0	0.12	PETERSON BARK & CROS	\$8,300	\$102,600	\$502,400	\$605,200	\$613,300		8	0	0
31-2-0004-00	311 COLLEGE AVE LLC	311 E COLLEGE AVE	CB0	0.07	NUD AND PRINTS LLC	\$2,500	\$43,000	\$109,000	\$154,000	\$154,200		8	0	0
31-2-0004-00	311 COLLEGE AVE LLC	311 E COLLEGE AVE	CB0		PERLESS DESIGN STUDIO	\$2,500			\$2,500	\$2,500		8	0	0
31-2-0344-00	331 PROPERTIES LLP	331 E WASHINGTON ST	CB0	0.11	GETON REPERT CARES	\$12,900	\$42,500	\$195,500	\$238,000	\$250,900		8	0	0
31-2-0346-00	ALL SAINTS CHURCH	N BURKE ST	CB0	0.26			\$45,100	\$3,100	\$48,200	\$48,200		8	0	0
31-2-0090-00	CITY OF APPLETON	134 S SUPERIOR ST	CB0	0.12			50	50	50	50		8	0	0
31-2-0007-00	CITY OF APPLETON	5 ONEDA ST	CB0	0.50			50	50	50	50		8	0	0
31-2-0065-00	CITY OF APPLETON	123 W COLLEGE AVE	CB0	0.26			50	50	50	50		8	0	0
31-2-0234-00	CITY OF APPLETON	5 ONEDA ST	CB0	0.37			50	50	50	50		8	0	0
31-2-0066-00	APPLETON ART CENTER INC	113 W COLLEGE AVE	CB0	0.17			50	50	50	50		8	0	0
31-2-0012-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CB0	0.79	APPLETON GROUP LLC	\$25,200	\$518,100	\$6,217,400	\$6,236,300	\$6,285,500		8	0	0
31-2-0012-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CB0		A J GALLAGHER BFR, M	\$14,000			\$14,000	\$14,000		8	0	0

TAXKEY	Owner Name	Property Address	Zoning	Area In Acres	Business with Person Property	Personal Property	Land Value	Improvements	Total Land Value	Total Real Estate + Personal Property	One Acre	Rate \$/Acre	Appt
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		FOX CITY MARKETING II	\$20,000			\$20,000				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		COLLAR CAPITAL MANAG	\$1,400			\$1,400				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		COMMERCIAL HOLDINGS	\$5,700			\$5,700				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		ENANA & CO INC	\$20,300			\$20,300				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		EVOLUTION WEALTH MAN	\$1,000			\$1,000				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		GODFREY & BARN SC	\$49,300			\$49,300				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		HAFER, ROBERT INTERN	\$28,500			\$28,500				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		HIVSHAW & OUBERTSON	\$90,100			\$90,100				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		MINUTE MEN PR OF WI	\$17,700			\$17,700				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		KAGEN DERMATOLOGY CL	\$4,300			\$4,300				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		KAGEN ALLERGY CLINIC	\$5,800			\$5,800				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		RA SMITH NATIONAL I	\$5,200			\$5,200				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		NUMBER ONE MARKET INC	\$1,600			\$1,600				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		PRINCIPAL LIFE INSUR	\$200,500			\$200,500				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		PRINCIPAL LIFE INSUR	\$46,100			\$46,100				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		PRIVATE WEALTH MANAG	\$5,000			\$5,000				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		REVOLVE TECHNOLOGIES	\$146,800			\$146,800				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		ONE LAW GROUP SC	\$4,900			\$4,900				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		CATALYS INC	\$206,600			\$206,600				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		TYNN BASE RESOURCE	\$23,500			\$23,500				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		UNIVERSAL INSURANCE	\$32,100			\$32,100				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		UNINVESTMENTS INC	\$20,200			\$20,200				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		VON ERBSEN & ROHLER	\$4,200			\$4,200				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		WEIRHOUSE, ANTHONY W	\$1,200			\$1,200				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		NORTHSHORE LAW SC	\$5,700			\$5,700				
31-2-0002-00	APPLETON CENTER ASSOCIATES	100 W LAWRENCE ST	CRD		Well Fargo Vendor Finland	\$23,500			\$23,500				
31-2-0004-00	RAYMON ASPHEND	107 E COLLEGE AVE	CRD	0.06	BREWED AWARENESS	\$56,000	\$49,400	\$124,400	\$124,400	\$124,400			
31-2-0008-00	BAD BADGER INVESTMENTS LLC	235 W COLLEGE AVE	CRD	0.13	BAD BADGER SPORTS BA	\$47,400	\$98,400	\$207,500	\$207,500	\$207,500			
31-2-0008-00	BENHAGE PROPERTIES LLC	101 E COLLEGE AVE	CRD	0.04	BADGETCIOUS/DO'S D	\$26,300	\$37,900	\$268,400	\$268,400	\$268,400			
31-2-0004-00	BENHAGE PROPERTIES LLC	235 E COLLEGE AVE	CRD	0.09	JOSEF & SONS KASHO	\$9,700	\$152,900	\$204,200	\$204,200	\$204,200			
31-2-0004-00	BENHAGE PROPERTIES LLC	135 E COLLEGE AVE	CRD		LIBRARY OF APPLETON	\$7,200			\$7,200				
31-2-0004-00	BENHAGE PROPERTIES LLC	121 E COLLEGE AVE	CRD		WINTAGE GARDEN LLC	\$3,500			\$3,500				
31-2-0004-00	BENHAGE PROPERTIES LLC	121 E COLLEGE AVE	CRD	0.06	HEY DAIRY INC	\$2,000	\$46,400	\$113,200	\$113,200	\$113,200			
31-2-0004-00	BENHAGE PROPERTIES LLC	127 E COLLEGE AVE	CRD	0.07	RUS COMPANY THE	\$2,800	\$98,700	\$126,100	\$126,100	\$126,100			
31-2-0004-00	BENHAGE PROPERTIES LLC	127 E COLLEGE AVE	CRD	0.07	GREEN 3	\$600	\$98,700	\$173,200	\$173,200	\$173,200			
31-2-0004-00	BENHAGE PROPERTIES LLC	129 E COLLEGE AVE	CRD		AUST ACT NATURAL LLC	\$5,500			\$5,500				
31-2-0004-00	BENHAGE PROPERTIES LLC	129 E COLLEGE AVE	CRD		ROBERTSON AGENCY LTD	\$6,100			\$6,100				
31-2-0008-00	BENHAGE PROPERTIES LLC	100 W COLLEGE AVE	CRD	0.05	RAZE'S PUB & PROVS	\$56,700	\$80,100	\$120,700	\$120,700	\$120,700			
31-2-0008-00	BENHAGE PROPERTIES LLC	100 W COLLEGE AVE	CRD		NO HEN A BAR	\$42,400			\$42,400				
31-2-0008-00	BENHAGE PROPERTIES LLC	100 W COLLEGE AVE	CRD		LODE TOWNE TAVERN	\$22,200			\$22,200				
31-2-0008-00	BENHAGE PROPERTIES LLC	100 W COLLEGE AVE	CRD	0.05			\$0	\$29,300	\$29,300	\$29,300			
31-2-0004-01	BENHAGE PROPERTIES LLC	127 E COLLEGE AVE	CRD	0.05			\$0	\$0	\$0	\$0			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			
31-2-0004-00	BENHAGE PROPERTIES LLC	139 E COLLEGE AVE	CRD	0.08			\$0	\$269,000	\$269,000	\$269,000			</





## **TIF DISTRICT #11 LEGAL DESCRIPTION**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW ¼ OF SECTION 26, PART OF THE SE ¼ OF SECTION 26 AND PART OF THE NW ¼ OF SECTION 35, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE OF WASHINGTON STREET AND THE CENTERLINE OF DREW STREET AND BEING THE POINT OF BEGINNING;

THENCE SOUTH AND THEN SOUTHWESTERLY ALONG THE CENTERLINE OF SAID DREW STREET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF AN ALLEY IN BLOCK 2 OF THE **APPLETON PLAT**;

THENCE WEST ALONG THE SOUTH LINE OF SAID EXTENSION AND THEN THE SOUTH LINE OF SAID ALLEY AND ALSO BEING CONTIGUOUS WITH THE NORTH OF LOT 1 OF CERTIFIED SURVEY MAP NO.6362 TO THE EAST LINE OF DURKEE STREET;

THENCE SOUTH ALONG THE EAST LINE OF SAID DURKEE STREET TO THE CENTERLINE OF WATER STREET;

THENCE SOUTHWESTERLY ALONG THE CENTERLINE OF SAID WATER STREET TO A POINT 50 FEET WEST OF THE EAST LINE ONEIDA STREET AND BEING COINCIDENT WITH A REFERENCE LINE FOR SAID ONEIDA STREET PER WDOT RIGHT OF WAY PLAT NO.4657-2-21;

THENCE NORTHWESTERLY 252.91 FEET ALONG SAID REFERENCE LINE FOR ONEIDA STREET TO A REFERENCE LINE FOR PROSPECT AVENUE PER SAID WDOT RIGHT OF WAY PLAT NO.4657-2-21;

THENCE SOUTHWESTERLY 399.57 FEET M/L ALONG SAID REFERENCE LINE FOR PROSPECT AVENUE TO THE SOUTHEASTERLY EXTENSION OF A WESTERLY LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO.6714;

THENCE NORTHWESTERLY 140.05 FEET M/L ALONG SAID EXTENSION AND THEN THE WESTERLY LINE OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO AN ANGLE POINT IN LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714;

THENCE ALONG THE SUBSEQUENT 8 COURSES OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO THE SOUTH LINE OF LAWRENCE STREET;



THENCE WEST 222 FEET M/L ALONG THE SOUTH LINE OF LAWRENCE STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF A 20 FOOT WIDE ALLEY LOCATED IN BLOCK 7 OF THE APPLETON PLAT;

THENCE NORTH 389.44 FEET M/L ALONG SAID EXTENSION AND THEN THE WEST LINE OF SAID ALLEY AND THEN THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID ALLEY TO THE SOUTH LINE OF COLLEGE AVENUE;

THENCE EAST 419.93 FEET M/L ALONG THE SOUTH LINE OF COLLEGE AVENUE TO THE EAST LINE OF SUPERIOR STREET;

THENCE NORTH ALONG THE EAST LINE OF SUPERIOR STREET TO A POINT 166.17 FEET SOUTH OF THE SOUTH LINE OF WASHINGTON STREET;

THENCE EAST AND PARALLEL TO THE SOUTH LINE OF WASHINGTON STREET 380.2 FEET M/L TO THE EAST LINE OF APPLETON STREET;

THENCE NORTH 166.17 FEET ALONG THE EAST LINE OF APPLETON STREET TO THE SOUTH LINE OF WASHINGTON STREET;

THENCE EAST 770.57 FEET M/L ALONG THE SOUTH LINE OF WASHINGTON STREET TO THE EAST LINE OF MORRISON STREET;

THENCE SOUTH ALONG THE EAST LINE OF MORRISON STREET TO A POINT 180 FEET NORTH OF THE SOUTH LINE OF JOHNSTON STREET;

THENCE EAST 63.24 FEET;

THENCE SOUTH 180 FEET TO THE SOUTH LINE OF JOHNSTON STREET;

THENCE EAST ALONG THE SOUTH LINE OF JOHNSTON STREET AND THEN THE EASTERLY EXTENSION OF SAID JOHNSTON STREET TO THE EAST LINE OF DURKEE STREET;

THENCE NORTH 242.34 FEET M/L ALONG THE EAST LINE OF DURKEE STREET TO THE CENTERLINE OF WASHINGTON STREET;

THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET TO THE POINT OF BEGINNING.

**OPINION OF THE CITY ATTORNEY ON THE COMPLIANCE OF THE  
PROJECT PLAN WITH WISCONSIN STATUTE**



**LEGAL SERVICES DEPARTMENT**

**Office of the City Attorney**

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

June 22, 2017

Mayor Timothy M. Hanna  
City of Appleton  
100 North Appleton Street  
Appleton, WI 54911-4799

Re: Tax Increment Finance Program Plan, City of Appleton  
Tax Incremental District #11

Dear Mayor Hanna:

You have asked me for a legal opinion as to the legal sufficiency and statutory compliance of the proposed Tax Incremental Finance Plan for the City of Appleton Tax Incremental District #11. I have reviewed the Project Plan for said District as well as the appendices attached thereto, specifically as to their compliance with the provision of Section 66.1105(4), Wisconsin Statutes. It is my opinion that the Project Plan is in compliance with all of the provisions of Section 66.1105(4) of the Wisconsin Statutes dealing with the creation of Tax Incremental Financing Districts.

If you have any questions concerning this matter, please contact me at your earliest convenience.

Sincerely,

James P. Walsh  
City Attorney

JPW:jljg

J:\Attorney\WORD\jpw\LETTERS\TIF 11 Atty Opinion Letter 06-22-2017.doc

James P. Walsh  
*City Attorney*

Christopher R. Behrens  
*Deputy City Attorney*

Amanda Abshire  
*Assistant City Attorney*

## **COMMON COUNCIL RESOLUTION**

### **A RESOLUTION CREATING, DESCRIBING, AND MAKING CERTAIN FINDINGS AND APPROVING A PROJECT PLAN FOR TAX INCREMENTAL DISTRICT #11 CITY OF APPLETON, WISCONSIN**

WHEREAS, the overall development of the City of Appleton is recognized as a major need of the City; and

WHEREAS, the City of Appleton desires to create a tax incremental district, in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes (the “Tax Increment Law”), in order to provide a viable method of financing the costs of needed public works and improvement projects within said district and thereby create incentives and opportunities for appropriate private development, which will contribute to the overall development of the City; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission on July 11, 2017 held a public hearing concerning the proposed creation of a tax incremental district and proposed project plan thereof in the City of Appleton, wherein interested parties were afforded a reasonable opportunity to express their views; and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the chief executive officers of Outagamie County and the Fox Valley Technical College District (the other entities having the power to levy taxes on property located within the proposed District) and the Board of Education of the Appleton Area School District (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the proposed tax incremental district and recommended to the Common Council that it create such tax incremental district within the area enclosed by said boundaries, as specified in the boundary description attached to this Resolution as Exhibit A and entitled “Boundary Description of Tax Incremental District #11, City of Appleton”; and

WHEREAS, the City of Appleton Plan Commission has prepared and adopted a Project Plan for Tax Incremental District #11, which includes:

1. Intent and purpose of Tax Increment Financing District #11;
2. A statement of the kind, number, and location of all proposed public works and improvements projects within the district and the ½ mile buffer zone;
3. Qualification of the proposed TIF District based on City valuation;
4. A list of estimated project costs;
5. A statement on non-project costs;
6. An economic feasibility study;
7. A description of the methods of financing and the time when such costs or monetary obligations are to be incurred;
8. Proposed changes of zoning ordinances, master plan, map, building codes, maps, and City ordinances;

9. A statement indicating how the creation of the district promotes orderly development of the City;
10. Estimate of property to be devoted to retail use;
11. A statement of a proposed method for the relocation of any persons or businesses to be displaced;
12. A map showing the district boundaries and a map of the ½ mile buffer zone;
13. A map showing existing uses and conditions of real property in such district;
14. A map showing proposed improvements and public works projects by development areas;
15. A listing of the parcels and legal description of the district; and
16. An opinion of the City Attorney on the compliance of the project plan with Wisconsin Statutes, Section 66.1105(4); and

WHEREAS, the Plan Commission has submitted such Project Plan to the Common Council and recommended approval thereof; and

WHEREAS, the Common Council hereby approves such Project Plan and finds the Plan feasible and in conformity with the master plan:

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

1. Pursuant to the Tax Increment Law, there is hereby created in the City of Appleton, a tax incremental district to be known as “Tax Incremental District #11, City of Appleton” the boundaries of which shall be those recommended to the Common Council by the Plan Commission, as specified in the attached Exhibit A.
2. The Common Council hereby finds and declares that:
  - a. Not less than 50 percent by area of real property within such district is blighted within the meaning of Wisconsin Statute Section 66.1105 and 66.1333; and therefore the district is created as a “Blighted District”.
  - b. The improvement of such area is likely to enhance significantly the value of substantially all the other real property in the said tax incremental district; and
  - c. The project costs directly serve to redevelop the area consistent with the purpose for which the district is created; and
  - d. The equalized value of taxable property of the district plus the value increment of all existing districts within the city does not exceed 12 percent of the total equalized value of the taxable property within the City of Appleton; and
  - e. Finds, pursuant to Section 66.1105(5)(b) that approximately 10 percent of the real property within the district will be devoted to retail business at the end of the district’s maximum expenditure period;
  - f. The boundaries for Tax Incremental District #11 does not include any annexed territory not within the boundaries of the City of Appleton on January 1, 2004; and

- g. Less than 25% of the area of Tax Incremental District #11 has been vacant for a period of 7 years or more; and
- h. The Project Plan is economically feasible and is in conformity with the City of Appleton Comprehensive Plan 2010-2030; and

The District is hereby created as of January 1, 2017. The City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue in such form as may be prescribed, for a “Determination of Tax Incremental Base”, as of January 1, 2017, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

The City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property that are within Tax Incremental District #11, specifying thereon the name of the said tax incremental district, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

Adopted \_\_\_\_ day of August, 2017.

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Timothy M. Hanna, Mayor

Attest:

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Kami L. Lynch, City Clerk



**EXHIBIT A**  
**BOUNDARY DESCRIPTION OF TAX INCREMENTAL DISTRICT #11**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW  $\frac{1}{4}$  OF SECTION 26, PART OF THE SE  $\frac{1}{4}$  OF SECTION 26 AND PART OF THE NW  $\frac{1}{4}$  OF SECTION 35, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:  
COMMENCING AT THE CENTERLINE OF WASHINGTON STREET AND THE CENTERLINE OF DREW STREET AND BEING THE POINT OF BEGINNING;  
THENCE SOUTH AND THEN SOUTHWESTERLY ALONG THE CENTERLINE OF SAID DREW STREET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF AN ALLEY IN BLOCK 2 OF THE **APPLETON PLAT**;  
THENCE WEST ALONG THE SOUTH LINE OF SAID EXTENSION AND THEN THE SOUTH LINE OF SAID ALLEY AND ALSO BEING CONTIGUOUS WITH THE NORTH OF LOT 1 OF CERTIFIED SURVEY MAP NO.6362 TO THE EAST LINE OF DURKEE STREET;  
THENCE SOUTH ALONG THE EAST LINE OF SAID DURKEE STREET TO THE CENTERLINE OF WATER STREET;  
THENCE SOUTHWESTERLY ALONG THE CENTERLINE OF SAID WATER STREET TO A POINT 50 FEET WEST OF THE EAST LINE ONEIDA STREET AND BEING COINCIDENT WITH A REFERENCE LINE FOR SAID ONEIDA STREET PER WDOT RIGHT OF WAY PLAT NO.4657-2-21;  
THENCE NORTHWESTERLY 252.91 FEET ALONG SAID REFERENCE LINE FOR ONEIDA STREET TO A REFERENCE LINE FOR PROSPECT AVENUE PER SAID WDOT RIGHT OF WAY PLAT NO.4657-2-21;  
THENCE SOUTHWESTERLY 399.57 FEET M/L ALONG SAID REFERENCE LINE FOR PROSPECT AVENUE TO THE SOUTHEASTERLY EXTENSION OF A WESTERLY LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO.6714;  
THENCE NORTHWESTERLY 140.05 FEET M/L ALONG SAID EXTENSION AND THEN THE WESTERLY LINE OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO AN ANGLE POINT IN LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714;  
THENCE ALONG THE SUBSEQUENT 8 COURSES OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO THE SOUTH LINE OF LAWRENCE STREET;  
THENCE WEST 222 FEET M/L ALONG THE SOUTH LINE OF LAWRENCE STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF A 20 FOOT WIDE ALLEY LOCATED IN BLOCK 7 OF THE APPLETON PLAT;  
THENCE NORTH 389.44 FEET M/L ALONG SAID EXTENSION AND THEN THE WEST LINE OF SAID ALLEY AND THEN THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID ALLEY TO THE SOUTH LINE OF COLLEGE AVENUE;  
THENCE EAST 419.93 FEET M/L ALONG THE SOUTH LINE OF COLLEGE AVENUE TO THE EAST LINE OF SUPERIOR STREET;  
THENCE NORTH ALONG THE EAST LINE OF SUPERIOR STREET TO A POINT 166.17 FEET SOUTH OF THE SOUTH LINE OF WASHINGTON STREET;  
THENCE EAST AND PARALLEL TO THE SOUTH LINE OF WASHINGTON STREET 380.2 FEET M/L TO THE EAST LINE OF APPLETON STREET;  
THENCE NORTH 166.17 FEET ALONG THE EAST LINE OF APPLETON STREET TO THE SOUTH LINE OF WASHINGTON STREET;  
THENCE EAST 770.57 FEET M/L ALONG THE SOUTH LINE OF WASHINGTON STREET TO THE EAST LINE OF MORRISON STREET;  
THENCE SOUTH ALONG THE EAST LINE OF MORRISON STREET TO A POINT 180 FEET NORTH OF THE SOUTH LINE OF JOHNSTON STREET;  
THENCE EAST 63.24 FEET;  
THENCE SOUTH 180 FEET TO THE SOUTH LINE OF JOHNSTON STREET;  
THENCE EAST ALONG THE SOUTH LINE OF JOHNSTON STREET AND THEN THE EASTERLY EXTENSION OF SAID JOHNSTON STREET TO THE EAST LINE OF DURKEE STREET;

THENCE NORTH 242.34 FEET M/L ALONG THE EAST LINE OF DURKEE STREET TO THE CENTERLINE OF WASHINGTON STREET;  
THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET TO THE POINT OF BEGINNING.

## **PLAN COMMISSION RESOLUTION**

### **A RESOLUTION DESIGNATING THE PROPOSED BOUNDARIES AND APPROVING A PROJECT PLAN FOR TAX INCREMENTAL DISTRICT #12 CITY OF APPLETON, WISCONSIN**

WHEREAS, Section 66.1105 of the Wisconsin Statutes (the Tax Increment Law) provides the authority and establishes procedures for creating tax incremental districts and approving the project plans; and

WHEREAS, the Plan Commission, after completing preliminary planning work, scheduled, gave public notice of, and on July 11, 2017 held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of a tax incremental district and the proposed boundaries thereof, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the chief executive officers of Outagamie County and the Fox Valley Technical College District (the other entities having the power to levy taxes on property located within the proposed District) and the Board of Education of the Appleton Area School District (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Plan Commission, after due consideration following the said public hearing, determined the creation of a tax incremental district within the area described by the boundary description attached to this resolution as Exhibit A hereof will provide the City of Appleton with a viable method of financing the cost of needed public works and improvement projects within said area, thereby creating incentives and opportunities for appropriate private development, including new development and rehabilitation of existing development, which will contribute to the overall development of the City of Appleton; and

WHEREAS, it finds that not less than 50 percent by area of real property within such district is in need of rehabilitation or conservation work within the meaning of Wisconsin Statute Section 66.1337(2m)(a); and

WHEREAS, it finds the improvement of the area in Tax Incremental District #12 is likely to enhance significantly the value of substantially all the other real property in the district; and

WHEREAS, the City of Appleton Plan Commission has prepared a Project Plan for Tax Incremental District #12, attached as Exhibit B, which includes:

1. Intent and purpose of Tax Increment Financing District #12;
2. A statement of the kind, number, and location of all proposed public works and improvements projects within the district and the ½ mile buffer zone;
3. Qualification of the proposed TIF District based on City valuation;
4. A list of estimated project costs;
5. A statement on non-project costs;
6. An economic feasibility study;

7. A description of the methods of financing and the time when such costs or monetary obligations are to be incurred;
8. Proposed changes of zoning ordinances, master plan, map, building codes, maps, and City ordinances;
9. A statement indicating how the creation of the district promotes orderly development of the City;
10. Estimate of property to be devoted to retail use;
11. A statement of a proposed method for the relocation of any persons or businesses to be displaced;
12. A map showing the district boundaries and a map of the ½ mile buffer zone;
13. A map showing existing uses and conditions of real property in such district;
14. A map showing proposed improvements and public works projects by development areas;
15. A listing of the parcels and legal description of the district; and
16. An opinion of the City Attorney on the compliance of the project plan with Wisconsin Statutes, Section 66.1105(4); and

WHEREAS the project costs directly serve to rehabilitate and conserve the properties as well as eliminate blighted conditions in the area, consistent with the purpose for which the tax incremental district is created; and

WHEREAS the equalized value of taxable property in the district, plus the value increment of all other existing districts does not exceed 12% of the total value of equalized taxable property within the City; and

WHEREAS the percentage of territory within the Tax Incremental District #12 that is estimated will be devoted to retail business at the end of the maximum expenditure period is approximately 44%; and

WHEREAS the boundaries for Tax Incremental District #12 does not include any annexed territory not within the boundaries of the City of Appleton on January 1, 2004; and

WHEREAS less than 25% of the area of Tax Incremental District #12 has been vacant for a period of 7 years or more; and

WHEREAS the Project Plan is economically feasible and is in conformity with the City of Appleton Comprehensive Plan 2010-2030; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, before the Common Council may create any tax incremental district, the Plan Commission must designate the boundaries of such district and submit its recommendation concerning the creation of such district to the Common Council;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Appleton as follows:

1. That the Plan Commission hereby designates the boundaries specified in the boundary description attached to this resolution as Exhibit A hereof and entitled "Boundary Description of Tax Incremental District #12, City of Appleton", as the boundaries of said Tax Incremental District #12, and recommends that the said district be created by the Common Council of the City of Appleton within the area enclosed by the said boundaries.

2. That the Plan Commission hereby adopts such Project Plan for Tax Incremental District #12, attached to this Resolution as Exhibit B, and recommends to the Common Council the approval of such Project Plan as its creation promotes the orderly development of the City.
3. That the Plan Commission hereby recommends that the Common Council adopt the Resolution attached to this Resolution as Exhibit C hereof and entitled “A Resolution Creating, Describing, and Making Certain Findings and Approving a Project Plan for Tax Incremental District #12, City of Appleton, Wisconsin”, and thereby formally create the said district as of January 1, 2017 and approve its Project Plan in accordance with the provisions of the Tax Increment Law.

Adopted this 11<sup>th</sup> day of July, 2017

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Timothy M. Hanna, Mayor

Attest:

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Kami L. Lynch, City Clerk



**EXHIBIT A**  
**BOUNDARY DESCRIPTION OF TAX INCREMENTAL DISTRICT #12**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW ¼ OF SECTION 26 AND A PART OF THE SE ¼ OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE OF FRANKLIN STREET AND THE WEST LINE OF RICHMOND STREET AND BEING THE POINT OF BEGINNING;

THENCE SOUTH ALONG THE WEST LINE OF RICHMOND STREET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 5425;

THENCE EASTERLY ALONG SAID EXTENSION AND THEN THE SOUTH LINE OF SAID LOT 1 AND THEN THE EASTERLY EXTENSION OF SOUTH LINE OF SAID LOT 1 TO THE SOUTHEASTERLY LINE OF THE WISCONSIN CENTRAL RAILROAD RIGHT OF WAY;

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID WISCONSIN CENTRAL RAILROAD RIGHT OF WAY TO THE WEST LINE OF STATE STREET;

THENCE SOUTH ALONG THE WEST LINE OF STATE STREET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF JOHNSTON STREET;

THENCE EAST ALONG SAID WESTERLY EXTENSION OF JOHNSTON STREET AND THEN THE SOUTH LINE OF JOHNSTON STREET TO THE CENTERLINE OF WALNUT STREET;

THENCE SOUTH ALONG THE CENTERLINE OF WALNUT STREET TO THE NORTH LINE OF COLLEGE AVENUE; THENCE SOUTHWESTERLY TO THE SOUTHWEST CORNER OF WALNUT STREET AND COLLEGE AVENUE;

THENCE SOUTH ALONG THE WEST LINE OF WALNUT STREET TO THE NORTH LINE OF LAWRENCE STREET;

THENCE WEST ALONG THE NORTH LINE OF LAWRENCE STREET TO THE WEST LINE OF STATE STREET;

THENCE SOUTH ALONG THE WEST LINE OF STATE STREET TO THE CENTERLINE OF LAWRENCE STREET;

THENCE WEST ALONG THE CENTERLINE OF LAWRENCE STREET TO THE CENTERLINE OF STORY STREET;

THENCE NORTH ALONG THE CENTERLINE OF STORY STREET TO THE CENTERLINE OF WASHINGTON STREET;

THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET, LYING BETWEEN BLOCK 34 AND BLOCK 35 OF THE **FIFTH WARD PLAT**, TO THE CENTERLINE OF BENNETT STREET;

THENCE NORTH ALONG THE CENTERLINE OF BENNETT STREET TO A POINT 30 FEET NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF WASHINGTON STREET AND SAID SOUTH LINE BEING CONTIGUOUS WITH THE NORTH LINE OF LOTS 4, 5, 15, 14 AND 13 OF BLOCK 32 OF THE **FIFTH WARD PLAT**;

THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID WASHINGTON STREET TO THE CENTERLINE OF LOCUST STREET;

THENCE NORTH ALONG THE CENTERLINE OF LOCUST STREET TO THE CENTERLINE OF FRANKLIN STREET;

THENCE EAST ALONG THE CENTERLINE OF FRANKLIN STREET TO THE POINT OF BEGINNING.

**FINAL DRAFT**



**PROJECT PLAN  
FOR THE CREATION OF  
TAX INCREMENTAL FINANCING DISTRICT #12  
DOWNTOWN WEST  
CITY OF APPLETON, WISCONSIN**

DATE ADOPTED BY COMMON COUNCIL:

SEPTEMBER 2017

DATE ADOPTED BY JOINT REVIEW BOARD:

SEPTEMBER 2017

EXPENDITURE DEADLINE:

SEPTEMBER 2039 (22 YEARS)

TID EXPIRATION DATE:

SEPTEMBER 2044 (27 YEARS)

## **TAX INCREMENT DISTRICT #12 PROJECT PLAN**

### **CITY OF APPLETON OFFICIALS & STAFF**

Timothy M. Hanna	Mayor
William Siebers	Aldersperson District 1
Vered Meltzer	Aldersperson District 2
Curt J. Konetzke	Aldersperson District 3
Joe A. Martin	Aldersperson District 4
Edward Baranowski	Aldersperson District 5
Greg E. Dannecker	Aldersperson District 6
Kathleen S. Plank	Aldersperson District 7
Matthew Reed	Aldersperson District 8
Bob Baker	Aldersperson District 9
Christine Williams	Aldersperson District 10
Patti S. Coenen	Aldersperson District 11
Cathy M. Spears	Aldersperson District 12
Kyle Lobner	Aldersperson District 13
Christopher W. Croatt	Aldersperson District 14
Keir Dvorachek	Aldersperson District 15
James P. Walsh	City Attorney
Kami L. Lynch	City Clerk
Tony Saucerman	Finance Director
Karen E. Harkness	Community & Economic Development Director

### **PLANNING COMMISSION**

Mayor Timothy M. Hanna	Chair
Tanya Rabec	Member
Adrienne Palm	Member
Steve Uslabar	Member
Joe Martin	Aldersperson/Member
Ross Buetow	Member/Deputy Director of Public Works

### **JOINT REVIEW BOARD**

City Representative  
Outagamie County  
Fox Valley Technical College  
Appleton Area School District  
Public Member

# **TAX INCREMENT DISTRICT #12 PROJECT PLAN**

## **TABLE OF CONTENTS**

1. Intent and Purpose of Tax Increment Financing District #12 .....	4
2. Statement of Kind, Number and Location of Proposed Public Works and Improvement Projects Within the District or the ½ Mile Buffer Zone .....	9
3. Qualification Based on City Valuation .....	12
4. List of Project Costs .....	13
5. List of Non-Project Costs .....	14
6. Economic Feasibility Study .....	15
7. Description of the Methods of Financing and the Time When Such Costs or Monetary Obligations are to be Incurred.....	20
8. Proposed Changes in Zoning Ordinances, Master Plan, Building Codes, Maps and City Ordinances.....	24
9. Orderly Development of the City of Appleton .....	25
10. Estimate of Property to be Devoted to Retail Use .....	26
11. Proposed Relocation Plan for Displaced Persons or Businesses .....	27
12. Map of TIF District #12 Boundaries and TIF District #12 Boundaries with Half Mile Buffer Zone .....	28
13. Map of Existing Uses and Conditions.....	30
14. Map of Proposed Improvements and Public Works Projects by Development Area .....	31
15. Parcel List & Legal Description.....	32
16. Opinion of the City Attorney on the Compliance of the Project Plan with Wisconsin Statute.....	37

**INTENT AND PURPOSE OF TAX INCREMENT FINANCING DISTRICT #12**

Tax Increment Financing District Number 12 (the “District”) is being created by the City of Appleton under the authority provided by Wisconsin Statute Section 66.1105 “Tax Increment Law” to eliminate blight and stimulate the rehabilitation and conservation of this urban corridor located along W. College Avenue from approximately the Badger Avenue/Story Street intersection to Walnut Street. A map of the proposed District boundaries is found in Section 12.

This area is primarily characterized by a large vacant community center, a large vacant commercial building, and a mixture of small and medium retail, office, service and hospitality businesses, which have the potential to, and in some cases already have, created a blighting influence on the surrounding area. While a couple property owners have made significant investments in the area, there are still numerous blighted properties that hamper further investment. The District consists of approximately 23 acres of land that is predominately zoned for central business district use.

The District is being created as a “Rehabilitation District” based upon the finding that at least 50%, by area of the real property within the District, is blighted and/or is in need of rehabilitation and/or conservation work within the meaning of Wisconsin Statute Section 66.1337 “Urban Renewal” described below. The map exhibit on page 29 illustrates existing uses and conditions of the District.

Rehabilitation or conservation work includes any of the following:

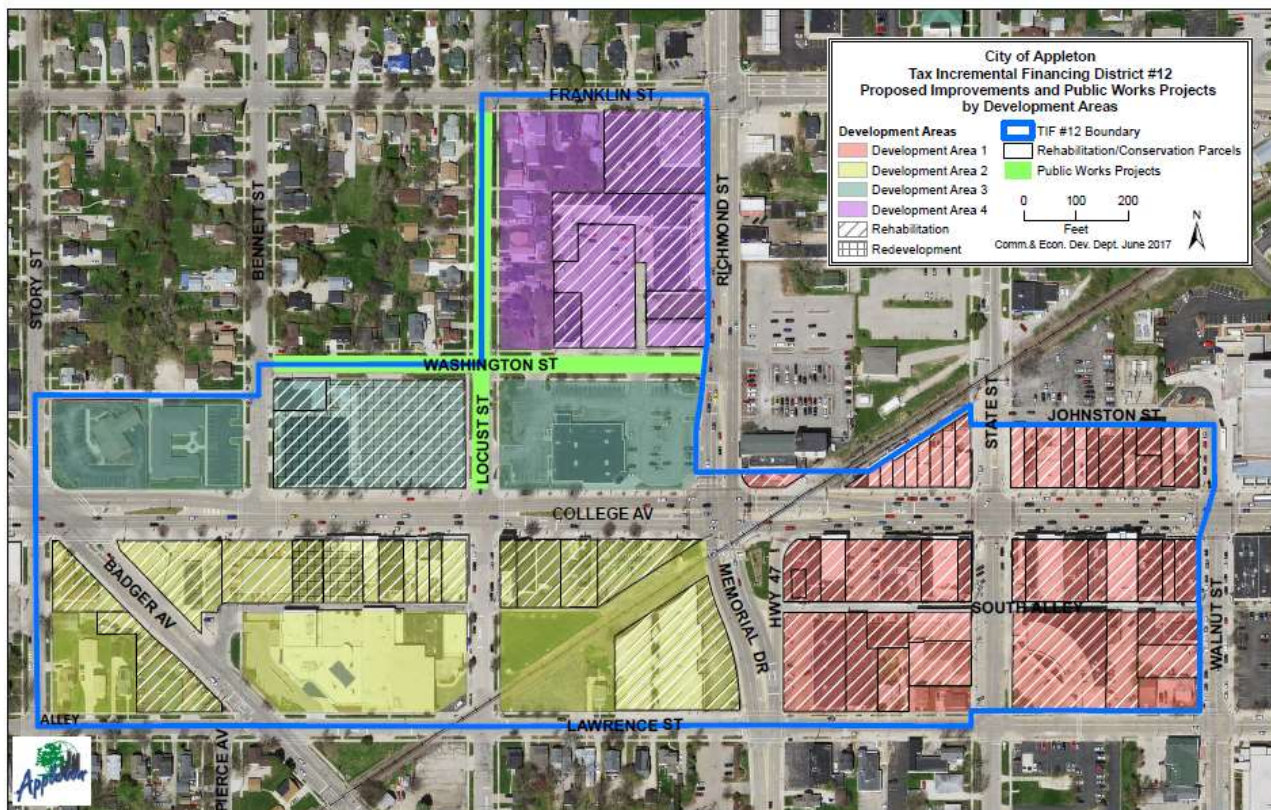
1. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements.
2. Acquisition of real property and demolition, removal or rehabilitation of buildings and improvements on the property where necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public welfare, to otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities.
3. Installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the objectives of the urban renewal project.
4. The disposition, for uses in accordance with the objectives of the urban renewal project, of any property acquired in the area of the project. The disposition shall be in the manner prescribed in this section for the disposition of property in a redevelopment project area.



This Project Plan outlines the City of Appleton's role in assisting with the rehabilitation and conservation of existing properties and business as well as redevelopment of vacant, blighted, and underutilized properties as needed to support the urban renewal of this area. The investment in this District will:

- eliminate blight and foster urban renewal through public and private investment
- enhance the development potential of private property within and adjacent to the District
- stabilize property values in the area
- promote retention, expansion, attraction and reuse through the development of an improved area thereby facilitating the creation of new jobs and increased tax base
- improve the overall appearance of public and private spaces
- strengthen the economic well-being and economic diversity of the area
- provide appropriate financial incentives to encourage business expansion
- maximize the Districts strategic location in Appleton's Downtown and easy access to U.S. Interstate 41.

There are four identified development areas within the District that include a combination of redevelopment and rehabilitation sites. The following map and narrative highlight the key development areas targeted for rehabilitation/conservation as well as redevelopment in this District that would not happen otherwise but for the creation of this District.



**Development Area #1:** This Development Area comprises approximately 6.5 acres of the approximately 23 acre TIF District and is predominately home to independent businesses in the retail, personal and professional services, hospitality and financial industries. Buildings dating back to 1870 through the 1980s provide a mixture of architectural styles and aesthetic characteristics. See pictures below of the College Avenue portion of this Development Area. There are also about 65 housing units located in this Development Area.

While several businesses have committed significant time and financial investment into improving and maintaining their properties in Development Area #1, there are also a substantial number of properties that are for sale or lease, vacant, or in need of property maintenance. Conservation of the existing businesses is also critical to the economic vitality of this corridor. Taken as a whole, Development Area #1 has 52 of the 56 properties identified as in need of rehabilitation or conservation to ensure the vitality of this business district. Many of these properties would benefit from Property Improvement Grants to mitigate the deteriorated conditions and improve the overall economic vitality and appearance of the corridor.

- **500 WEST College Avenue (North) Block**



- **500 WEST College Avenue (South) Block**



- **600 WEST College Avenue (North) Block**



- **600 WEST College Avenue (South) Block**





**Development Area #2:** This Development Area comprises approximately 7.5 acres of the approximately 23 acre TIF District and is home to a variety of independent businesses, several houses, public services and a youth community center. The businesses include retail, personal and professional services, hospitality and automotive sales and repair. The buildings date back to 1894 and include a variety of architectural styles and aesthetic characteristics. See below for pictures of the College Avenue properties in this Development Area. The most recent construction was the expansion of the Boys & Girls Club in 2010.

Several large properties remain vacant in this area, including 127 S. Memorial Drive, 741 W. College Avenue and 823-827 W. College Avenue. The vacant building at 741 W. College Avenue also recently sold at Sheriff Sale. Rehabilitation of the existing buildings and properties would further enhance the entire area. Since this entire area is also highly visible and an integral part of the Downtown, this Development Area would benefit from increased commercial activity. Redevelopment of the blighted and vacant properties in this Development Area would further benefit, and potentially induce, investment in parcels located surrounding and in close proximity to this area. Conservation of the existing businesses is also critical to the economic vitality of this corridor. Many of these properties would benefit from Property Improvement Grants to mitigate the deteriorated conditions and improve the overall appearance of the corridor with 18 of the 25 properties identified as in need of rehabilitation, conservation or redevelopment work.

- **700 WEST College Avenue (South) Block**



- **800 WEST College Avenue (South) Block**



- **900 WEST College Avenue (South) Block**



**Development Area #3:** This Development Area comprises about 5 acres of the approximately 23 acre TIF District and includes several large buildings. Most of the buildings are relatively recent in their construction, from the Capital Credit Union's building in 1989 to Walgreens in 2000. The now vacant Thompson Center was built in 1972 and includes the largest building in this Development Area at over 23,500 square feet. This site is negatively impacting other properties, has deteriorating property conditions, is not aesthetically pleasing, and needs to be rehabilitated or redeveloped to enhance the overall economic vitality of the area and provide a positive impression for those travelling this corridor. Conservation of the existing businesses is also critical to the economic vitality of this corridor.

- **800 WEST College Avenue (North) Block**



- **900 WEST College Avenue (North) Block**



**Development Area #4:** This Development Area comprises just over 4 acres of the approximately 23 acre TIF District and includes a commercial center with storage units and office building among a couple vacant parcels and single-family homes. The commercial center was built in 1961, and the blue office building at the corner of Richmond and Franklin Streets was built in 1969. Access to the commercial center site can be challenging with the high volume of traffic on Richmond Street, and parking is a challenge as there are a limited number of stalls in the front of the building despite the substantial parking lot behind. The unit on the north end of the center has remained vacant for years. The vacant and underutilized parcels at the corner of Washington Street and Richmond Street present a deteriorated condition in this area. This corridor is a high visibility route into Downtown Appleton. Rehabilitation of the existing buildings and conservation of the businesses along with redevelopment of this blighted site would further enhance the entire area.

- **100 – 200 NORTH Richmond Street (West) Block**



**STATEMENT OF KIND, NUMBER AND LOCATION OF PROPOSED PUBLIC WORKS AND IMPROVEMENT PROJECTS WITHIN THE DISTRICT OR THE 1/2 MILE BUFFER ZONE**

The following is a list of proposed public works and improvement projects the City either directly, or through other entities, may implement in conjunction with this District. Any costs directly or indirectly related to the public works and improvements are considered “project costs” and eligible to be paid with tax increment revenues of the tax incremental district. The map exhibit in Section 14 Proposed Improvements and Public Works Projects by Development Area illustrates the proposed public works and improvement projects locations.

**A. Municipal Infrastructure Improvements**

- Construction and/or reconstruction of the streets to facilitate development and rehabilitation projects within the District. Scope of work may include right-of-way acquisition, land assembly, grading, gravel, curb and gutter, asphalt, streetlights, traffic signals, walkways, concrete paving, lighting, signage, and related appurtenances.
- Construction and/or reconstruction of a sanitary sewer collection system to facilitate development and rehabilitation projects within the District. The scope of work may include sewer mains, manholes, laterals, force main, lift stations, and related appurtenances.
- Construction and/or reconstruction of the water distribution system to facilitate development and rehabilitation projects within the District. Projects may include water mains, valves, hydrants, service connections, laterals and other related appurtenances.
- Construction and/or reconstruction of storm water drainage facilities to support development and rehabilitation projects within the District. Projects may include retention or detention basins, biofilters, conveyance systems, storm sewer mains, manholes, inlets, drains and related appurtenances.
- Installation of electric and/or natural gas service or the relocation of existing services to facilitate blight elimination and redevelopment or rehabilitation in the District and provide better service. Acquisition of equipment to service the District.
- Installation of telephone, fiber, and cable or the relocation of existing services to facilitate blight elimination and redevelopment or rehabilitation in the District and provide better service. Acquisition of equipment to service the District.
- The costs associated with the design, implementation, purchase and maintenance of streetscape amenities to improve the aesthetic appearance of this District, including but not limited to, decorative lighting, banners and/or flags, public art, landscaping and/or planters, benches and other pedestrian elements to encourage the viability of the businesses in the district and attract high quality development.



- B. Administrative Costs:** These include, but not limited to, a portion of the salaries of the City employees, professional fees, and others directly involved in the projects for the District over the implementation of the project plan. Audit expenses, state filing fees, and any expenses associated with dissolving the District are also eligible costs.
- C. Organizational Costs:** These include, but are not limited to, publication and printing costs in connection with this Project Plan as well as the fees for the financial consultants, attorney, engineers, planners, surveyors, and other contracted services.
- D. Professional Services:** These include, but are not limited to, those costs incurred for architectural, planning, engineering and legal advice and services.
- E. Financing Costs:** Interest, finance fees, bond discounts, redemption premiums, legal opinions, credit ratings, capitalized interest, insurance and other expenses related to financing. This would also include interest on advances made by the City of Appleton.
- F. Land Assembly, Clearance, and Real Estate Acquisitions:** In order to eliminate blight and promote rehabilitation and redevelopment, it may be necessary to assist developers or for the City to acquire and demolish blighted or underutilized properties within the District. These may include but are not limited to, the cost of acquisitions, clearance/demolition, titles, easements, appraisals, consultant fees, closing costs, surveying and mapping, and the lease and/or the sale of property at or below market price to encourage or make feasible an economic development project that is consistent with the intent of this District.
- G. Relocation Costs:** In the event any property is acquired for the projects, expenses including the cost of the relocation plan, director, staff, publications, appraisals, land and property acquisition costs and relocation benefits as required by Wisconsin Statutes Section 32 are considered eligible project costs.
- H. Development Incentives (Cash Grants and/or Loans) & Property Improvement Grants:** As a partner in the future redevelopment and rehabilitation/conservation of this District, the City of Appleton may enter into agreements with property owners, lessees, or developers for the purpose of sharing costs to encourage the desired kind of improvements based on the purpose of this District and assure tax base is generated sufficient to recover project costs. This assistance is regularly needed in rehabilitation and redevelopment projects to offset the additional costs in re-use versus greenfield development. Not every project will demand the same level of funding. These payments would be negotiated on a project basis in order to attract new taxable property or rehabilitate existing property in the District. No cash grants or loans will be provided until the Common Council adopts a development agreement and a copy of such agreement will be retained in the City's official records for the TID.
- I. Environmental Audits and Remediation:** Costs related to all environmental assessments and remediation will be considered eligible project costs.
- J. Promotion and Development:** Promotion and development of the District including professional services or marketing, recruitment, realtor commissions and fees in lieu of commissions, marketing services and materials, advertising costs, administrative costs and support of development organizations.
- K. Project Outside the Tax Increment District:** Pursuant to Wisconsin Statutes Section 66.1105(2)(f)1.n, the city may undertake projects within territory located within one-half (1/2) mile of the boundary of the district provided that (1) the project is located within the City's corporate boundaries, and (2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible Project Costs and may

include any project cost that would otherwise be eligible if undertaken within the District. Specific Public Works projects at the time of the District creation in the ½ mile boundary area of this District are not included at this time. Refer to Section 14 for a map of proposed improvements and Public Works projects by development area.

- L. Payments Made at the Discretion of the Common Council:** These payments may include but are not limited to payments which are found to be necessary or convenient to the creation of the District or the implementation of the Project Plan that support the goals of the District as outlined in Section 1.

The above-identified lists of proposed public works projects are the projected activities at this time that may be required in the District. Future development and rehabilitation of this area as it begins to occur may dictate additions or deletions from the above list. The City of Appleton reserves the right to such additions or deletions to the project list to the full extent allowed by the law.

In the event any of the projects are not reimbursable out of the TIF fund under Wisconsin Statutes Section 66.1105, in the written opinion of nationally recognized bond counsel or a court of record so rules in a final order, then such project or projects shall be deleted herefrom and the remainder of the projects hereunder shall be deemed the entirety of the projects for purposes of the project plan.

The City reserves the right to implement only those projects that remain economically viable as the project period proceeds.

Project costs as outlined in this Project Plan include any eligible expenditure made or estimated to be made or monetary obligations incurred or estimated to be incurred by the City or by the Developer. Project costs incurred by developer must be in accordance with a development agreement as approved by the Common Council. Any income, special assessments, or other revenues, including user fees or charges, will diminish project costs. To the extent the project costs benefit the municipality outside the District, a proportionate share of the cost is not a project cost. Specific Public Works projects identified at the time of the District creation in the ½ mile boundary area of this District are not included in this Project Plan. Costs identified in this plan are preliminary estimates made prior to design considerations and are subject to change after planning is completed. Prorations of costs in this plan are also estimates and subject to change based upon implementation, future assessment policies, and user fee adjustments.

# 3

## QUALIFICATION BASED ON CITY VALUATION

The following calculations demonstrate the City is in compliance with Wisconsin Statute Section 66.1105(4)(gm)4.c, which requires the equalized value of the taxable property in the proposed District, plus the value increment of all existing Tax Increment Districts, does not exceed 12% of the total equalized value of taxable property within the City.

### **STEP 1: Calculation of Maximum Equalized Property Value Allowed within Tax Increment Districts in the City of Appleton**

<b>Equalized Value (as of January 1, 2016)</b>		<b>Maximum Allowable TIF Property Value</b>
\$4,938,725,300	x 12% =	\$592,647,036

### **STEP 2: Calculation of Equalized Property Value Currently Located and Proposed to be Located within Tax Increment Districts**

<b>Tax Incremental Districts</b>	<b>Equalized Value</b>
TIF District #3 Increment	41,515,600
TIF District #6 Increment	92,707,700
TIF District #7 Increment	17,197,100
TIF District #8 Increment	13,802,500
TIF District #9 Increment	1,763,000
TIF District #10 Increment	1,548,000
Proposed Base of TIF District #11 Creation*	78,547,500
Proposed Base of TIF District #12 Creation*	21,717,000
<b>Total Existing Increment Plus Proposed Bases</b>	<b>\$ 268,798,400</b>

*\*Note: 2017 Base Values are final Assessed Values. The final equalized value ratio will be determined in August. The estimated ratio is 95%. 2017 TID 12 base includes two state assessed personal property full values.*

The equalized value of the increment of existing Tax Incremental Districts within the City, plus the base value of the proposed District, totals **\$268,798,400**. This value equals **5.44%** of the City total equalized value and is substantially less than the maximum of **\$592,647,036** in equalized value permitted for the City of Appleton. The City is, therefore, in compliance with the statutory equalized valuation test and may proceed with creation of this district.

# 4

## LIST OF PROJECT COSTS

All costs are based on 2017 prices and are preliminary estimates that are based on best information available. The plan is not meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects understanding the District can be in effect for a twenty-seven year period allowed by Wisconsin Statute. The City of Appleton reserves the right to increase these costs to reflect inflationary increases and other uncontrollable circumstances between 2017 and the time of construction. The City retains the right to delete projects or change the scope and/or timing of projects implemented as the Common Council individually authorizes them, without amending the Plan.

Project/Activity	Total Cost	Estimated Timing
• Municipal Infrastructure Improvements	\$1,107,300	2018-2024
• Municipal Infrastructure within the ½ Mile Boundary	None included at this time	
• Development Incentives & Property Improvement Grants	\$1,679,176	2017-2040
• Other Costs - Administrative, Professional, Environmental, and Promotion Services Costs. Filling fees and fees charged by State. Audit Costs.	\$124,750	2017-2043
• Financing Costs* <ul style="list-style-type: none"> <li>○ General Fund Advance Interest Expense \$544,663</li> <li>○ General Obligation \$539,809</li> </ul>	\$1,084,472	2017-2043
<b>TOTAL:</b>	<b>\$3,995,698</b>	<b>2014-2040</b>

**\*NOTE:** The financing costs do not include potential interest reimbursement to the developers but an allowance is included in the financial forecast (chart 5) in the line Development contractual payments. The financing costs associated with the proposed project costs for this District are incorporated into the financing schedules for the District. See *Section 7: Description of the Methods of Financing and the Time When Such Costs or Monetary Obligations are to be Incurred* for financing details for the District.

# 5

## **LIST OF NON-PROJECT COSTS**

There are no anticipated “non-project costs” associated with this Plan.



# 6

## ECONOMIC FEASIBILITY STUDY

The charts and tables on the following pages show the City of Appleton will be able to obtain the necessary funds to implement the proposed projects and revenue from the District will be sufficient to pay for them. Chart 1 presents the City's equalized value and Chart 2 provides the full faith and credit borrowing capacity of the City. Equalized valuation projections were made using two methods as detailed in Chart 1. The straight-line method was chosen for purposes of this analysis to be conservative. Chart 2 projects the general obligation borrowing capacity of the City taking into account the existing debt of the City, the five-year Capital Improvement Plan, and assuming a 1% increase per year beyond the five-year plan. As shown, the debt balance projected is well below the net borrowing capacity.

Chart 3 projects revenues sufficient to finance all of the projects of the District and Chart 4 presents the allocation of increment by taxing entity assuming similar weighted average components as the 2017 rate. The pro forma is based on the following assumptions:

- The base value of the District is **\$21,717,000**
- The tax rate is projected at \$23.3889 for 2017 and remaining at this amount for the life of the District.
- Valuations are projected to increase only .5% per year due to inflation.
- The base value of the District is estimated to increase **\$7,747,380** in new construction value based on the following schedule:

Year	Project Increment Added
<b>2017 Base Value Real Estate &amp; Personal Property</b>	<b>\$ 21,717,000</b>
January 1, 2018	\$ 700,000
January 1, 2019	\$ 4,085,300
January 1, 2020	\$ -
January 1, 2021	\$ 1,647,600
January 1, 2022	\$ 1,314,480
January 1, 2023	\$ -
<b>Total Increment (net of base value):</b>	<b>\$ 7,747,380</b>

					<b>Chart 1</b>
<b>CITY OF APPLETON</b>					
<b>EQUALIZED VALUATION PROJECTION</b>					
<b>YEAR</b>		<b>VALUATION</b>		<b>CHANGE</b>	
2011		4,797,103,500			
2012		4,651,408,600		(145,694,900)	
2013		4,622,312,200		(29,096,400)	
2014		4,696,660,500		74,348,300	
2015		4,816,754,800		120,094,300	
2016		4,938,725,300		121,970,500	
				<u>\$141,621,800</u>	
Straight Line Method				<u>\$28,324,360</u>	
(Total change divided by 5)					
Percentage Method				<u>0.59%</u>	
(Total percentage change from 2011 to 2016 divided by 5)					
<b>Projected Valuations</b>					
		<b>Straight Line</b>			<b>TIF Project Plan</b>
				<b>Percentage</b>	<b>Increment Only</b>
2016		4,938,725,300		4,938,725,300	4,938,725,300
2017		4,967,049,660		4,967,863,779	4,938,725,300
2018		4,995,374,020		4,997,174,175	4,939,425,300
2019		5,023,698,380		5,026,657,503	4,943,510,600
2020		5,052,022,740		5,056,314,782	4,943,510,600
2021		5,080,347,100		5,086,147,039	4,945,158,200
2022		5,108,671,460		5,116,155,307	4,946,472,680
2023		5,136,995,820		5,146,340,623	4,946,472,680
2024		5,165,320,180		5,176,704,033	4,946,472,680
2025		5,193,644,540		5,207,246,587	4,946,472,680
2026		5,221,968,900		5,237,969,342	4,946,472,680
2027		5,250,293,260		5,268,873,361	4,946,472,680
2028		5,278,617,620		5,299,959,714	4,946,472,680
2029		5,306,941,980		5,331,229,476	4,946,472,680
2030		5,335,266,340		5,362,683,730	4,946,472,680
2031		5,363,590,700		5,394,323,564	4,946,472,680
2032		5,391,915,060		5,426,150,073	4,946,472,680
2033		5,420,239,420		5,458,164,358	4,946,472,680
2034		5,448,563,780		5,490,367,528	4,946,472,680
2035		5,476,888,140		5,522,760,696	4,946,472,680
2036		5,505,212,500		5,555,344,984	4,946,472,680
2037		5,533,536,860		5,588,121,519	4,946,472,680
2038		5,561,861,220		5,621,091,436	4,946,472,680
2039		5,590,185,580		5,654,255,875	4,946,472,680
2040		5,618,509,940		5,687,615,985	4,946,472,680
2041		5,646,834,300		5,721,172,919	4,946,472,680
2042		5,675,158,660		5,754,927,839	4,946,472,680
2043		5,703,483,020		5,788,881,913	4,946,472,680
2044		5,731,807,380		5,823,036,316	4,946,472,680

Chart 2

**CITY OF APPLETON**  
**GENERAL OBLIGATION BORROWING CAPACITY**

Budget Year	Equalized Value	Gross Debt Limit	Debt Balance	Net G.O. Borrowing Capacity	
2016	4,938,725,300	246,936,265	45,374,327	201,561,938	0.1837
2017	4,938,725,300	246,936,265	53,366,582	193,569,683	0.2161
2018	4,939,425,300	246,971,265	64,850,375	182,120,890	0.2626
2019	4,943,510,600	247,175,530	97,694,521	149,481,009	0.3952
2020	4,943,510,600	247,175,530	109,333,929	137,841,601	0.4423
2021	4,945,158,200	247,257,910	111,859,231	135,398,679	0.4524
2022	4,946,472,680	247,323,634	112,978,000	134,345,634	0.4568
2023	4,946,472,680	247,323,634	114,108,000	133,215,634	0.4614
2024	4,946,472,680	247,323,634	115,249,000	132,074,634	0.4660
2025	4,946,472,680	247,323,634	116,401,000	130,922,634	0.4706
2026	4,946,472,680	247,323,634	117,565,000	129,758,634	0.4753
2027	4,946,472,680	247,323,634	118,741,000	128,582,634	0.4801
2028	4,946,472,680	247,323,634	119,928,000	127,395,634	0.4849
2029	4,946,472,680	247,323,634	121,127,000	126,196,634	0.4898
2030	4,946,472,680	247,323,634	122,338,000	124,985,634	0.4946
2031	4,946,472,680	247,323,634	123,561,000	123,762,634	0.4996
2032	4,946,472,680	247,323,634	124,797,000	122,526,634	0.5046
2033	4,946,472,680	247,323,634	126,045,000	121,278,634	0.5096
2034	4,946,472,680	247,323,634	127,305,000	120,018,634	0.5147
2035	4,946,472,680	247,323,634	128,578,000	118,745,634	0.5199
2036	4,946,472,680	247,323,634	129,864,000	117,459,634	0.5251
2037	4,946,472,680	247,323,634	131,163,000	116,160,634	0.5303
2038	4,946,472,680	247,323,634	132,475,000	114,848,634	0.5356
2039	4,946,472,680	247,323,634	133,800,000	113,523,634	0.5410
2040	4,946,472,680	247,323,634	135,138,000	112,185,634	0.5464
2041	4,946,472,680	247,323,634	136,489,000	110,834,634	0.5519
2042	4,946,472,680	247,323,634	137,854,000	109,469,634	0.5574
2043	4,946,472,680	247,323,634	139,233,000	108,090,634	0.5630
2044	4,946,472,680	247,323,634	140,625,000	106,698,634	0.5686

# CITY OF APPLETON

Tax Incremental District # 12

Chart 3

Revenue Forecast

Base Value	21,717,000	Inflation Factor	0.50%
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	Construction Year	Valuation Year	Revenue year	Inflation Increment	Value Added	Valuation Increment	Land Sales	Tax Rate	District Revenue
	2016	2017	2018	0	0	0	0	23.3889	0
1	2017	2018	2019	108,585	700,000	808,585	0	23.3889	18,912
2	2018	2019	2020	112,628	4,085,300	5,006,513	0	23.3889	117,097
3	2019	2020	2021	133,618	0	5,140,131	0	23.3889	120,222
4	2020	2021	2022	134,286	1,647,600	6,922,017	0	23.3889	161,898
5	2021	2022	2023	143,195	1,314,480	8,379,692	0	23.3889	195,992
6	2022	2023	2024	150,483	0	8,530,175	0	23.3889	199,511
7	2023	2024	2025	151,236	0	8,681,411	0	23.3889	203,049
8	2024	2025	2026	151,992	0	8,833,403	0	23.3889	206,604
9	2025	2026	2027	152,752	0	8,986,155	0	23.3889	210,176
10	2026	2027	2028	153,516	0	9,139,671	0	23.3889	213,767
11	2027	2028	2029	154,283	0	9,293,954	0	23.3889	217,375
12	2028	2029	2030	155,055	0	9,449,009	0	23.3889	221,002
13	2029	2030	2031	155,830	0	9,604,839	0	23.3889	224,647
14	2030	2031	2032	156,609	0	9,761,448	0	23.3889	228,310
15	2031	2032	2033	157,392	0	9,918,840	0	23.3889	231,991
16	2032	2033	2034	158,179	0	10,077,019	0	23.3889	235,690
17	2033	2034	2035	158,970	0	10,235,989	0	23.3889	239,409
18	2034	2035	2036	159,765	0	10,395,754	0	23.3889	243,145
19	2035	2036	2037	160,564	0	10,556,318	0	23.3889	246,901
20	2036	2037	2038	161,367	0	10,717,685	0	23.3889	250,675
21	2037	2038	2039	162,173	0	10,879,858	0	23.3889	254,468
22	2038	2039	2040	162,984	0	11,042,842	0	23.3889	258,280
23	2039	2040	2041	163,799	0	11,206,641	0	23.3889	262,111
24	2040	2041	2042	164,618	0	11,371,259	0	23.3889	265,961
25	2041	2042	2043	165,441	0	11,536,700	0	23.3889	269,831
26	2042	2043	2044	166,269	0	11,702,969	0	23.3889	273,720
27	2043	2044	2045	167,100	0	0	0	23.3889	0

Totals					7,747,380		0		5,570,744
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Present Value at 5.00%									2,686,192
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Chart 4

CITY OF APPLETON					
Tax Incremental District # 12					
Taxing Entity Breakdown					
Year	City	Appleton Schools	FVTC	Outagamie County	Total Tax Increment
2016	0	0	0	0	0
2017	0	0	0	0	0
2018	0	0	0	0	0
2019	6,906	7,329	902	3,775	18,912
2020	42,759	45,380	5,582	23,376	117,097
2021	43,900	46,591	5,731	24,000	120,222
2022	59,119	62,741	7,718	32,320	161,898
2023	71,568	75,955	9,343	39,126	195,992
2024	72,853	77,319	9,511	39,828	199,511
2025	74,145	78,690	9,679	40,535	203,049
2026	75,444	80,067	9,849	41,244	206,604
2027	76,748	81,452	10,019	41,957	210,176
2028	78,059	82,844	10,190	42,674	213,767
2029	79,377	84,241	10,362	43,395	217,375
2030	80,701	85,647	10,535	44,119	221,002
2031	82,032	87,060	10,709	44,846	224,647
2032	83,370	88,478	10,884	45,578	228,310
2033	84,714	89,906	11,059	46,312	231,991
2034	86,065	91,339	11,235	47,051	235,690
2035	87,423	92,780	11,413	47,793	239,409
2036	88,787	94,228	11,591	48,539	243,145
2037	90,158	95,684	11,770	49,289	246,901
2038	91,536	97,146	11,951	50,042	250,675
2039	92,922	98,617	12,130	50,799	254,468
2040	94,314	100,094	12,312	51,560	258,280
2041	95,712	101,579	12,495	52,325	262,111
2042	97,118	103,071	12,678	53,094	265,961
2043	98,531	104,571	12,863	53,866	269,831
2044	99,952	106,077	13,048	54,643	273,720
					5,570,744



**DESCRIPTION OF THE METHODS OF FINANCING AND THE TIME WHEN SUCH COSTS OR MONETARY OBLIGATIONS ARE TO BE INCURRED**

The City of Appleton expects to finance City project costs primarily from the sale of general obligation notes issued under Wisconsin Statutes 67.12(12). City borrowing will be phased to coincide with need and refinancing schedule as necessary to properly manage the District's affairs. It is anticipated the Developer will attain their own financing; however the City will make developer incentive payments up to 90% of the increment generated to a maximum value agreed upon. The contracted payments will include an allowable interest reimbursement up to 200 basis points above the all-inclusive interest cost on Appleton's general obligation notes. Chart 5 on the subsequent pages presents the detailed financial forecast for the District. Another option for financing is the use of developer-funded or "pay as you go" financing which minimizes the risk of non-performance of the TID to the City, while still assisting development that would not occur without assistance of a tax increment district. The type and method of financing each project in this District shall be made on a project by project basis to support the success of the District.

**Plan Implementation:**

Projects identified will provide the necessary anticipated governmental services to the area. A reasonable and orderly sequence is outlined in this Plan. However, it is anticipated the improvements will be made over a twenty-two year period based on the statutory guidelines for the tax increment district. Public debt and expenditures should be made at the point private development occurs to assure increment is sufficient to cover expenses.

The order in which public improvements are made should be adjusted in accordance with development and execution of development agreements. The City of Appleton reserves the right to alter the implementation of this Plan to accomplish this objective.

If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented.

			CITY OF APPLETON						
			Tax Incremental District #12						
			Financial Forecast						
									Chart 5
	2017	2018	2019	2020	2021	2022	2023	2024	2025
Revenues:									
Tax Increments	0	0	18,912	117,097	120,222	161,898	195,992	199,511	203,049
Investment Earnings	0	1	3	5	9	16	100	219	96
Proceeds of G.O. Debt	0	0	0	0	0	0	576,400	530,900	0
General Fund Advance	1,000	28,000	24,000	12,000	10,000	1,000	0	0	25,000
Total Revenues	1,000	28,001	42,915	129,102	130,231	162,914	772,492	730,630	228,145
Expenses:									
Development contractual payments	0	0	14,735	100,804	101,308	136,497	164,849	165,673	166,502
Property Improvement Grants	0	21,000	21,000	21,000	21,000	21,000	0	0	0
Administrative - Filing fees/Audit	1,000	1,650	1,750	1,750	1,900	1,900	8,000	2,000	2,100
Professional, Environmental & Promotion	0	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Construction Costs	0	0	0	0	0	0	576,400	530,900	0
2023 G.O. Note Interest	0	0	0	0	0	0	0	36,025	28,820
2023 G.O. Note Principal	0	0	0	0	0	0	0	0	0
2024 G.O. Note Interest	0	0	0	0	0	0	0	0	33,181
2024 G.O. Note Principal	0	0	0	0	0	0	0	0	0
General Fund Advance Interest at 5%	25	700	2,086	3,091	3,795	4,260	4,498	4,723	5,584
Allowance for Interest Expense	(25)	(700)	(2,086)	(3,091)	(3,795)	(4,260)	(4,498)	(4,723)	(5,584)
Total Expenses	1,000	27,650	42,485	128,554	129,208	164,397	754,249	739,598	235,603
Excess of Revenues over Expenditures	0	351	430	548	1,023	(1,483)	18,243	(8,968)	(7,458)
Beginning Fund Balance	0	0	351	781	1,329	2,351	869	19,111	10,143
Ending Fund Balance	0	351	781	1,329	2,351	869	19,111	10,143	2,685

CITY OF APPLETON									
Tax Incremental District #12									
Financial Forecast									
								Chart 5	
2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
206,604	210,176	213,767	217,375	221,002	224,647	228,310	231,991	235,690	239,409
38	33	89	138	134	129	130	132	138	169
0	0	0	0	0	0	0	0	0	0
18,000	15,000	18,000	10,000	7,000	4,000	2,000	561,000	470,000	(140,000)
224,642	225,209	231,856	227,513	228,136	228,776	230,440	793,123	705,828	99,578
167,334	168,171	169,012	169,857	170,706	171,560	172,417	173,280	158,266	94,398
0	0	0	0	0	0	0	0	0	0
2,100	2,250	2,250	2,350	2,350	2,450	2,450	2,600	2,600	2,700
0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0
28,820	28,820	28,820	28,820	28,820	28,820	28,820	14,410	0	0
0	0	0	0	0	0	0	576,400	0	0
26,545	26,545	26,545	26,545	26,545	26,545	26,545	26,545	13,273	0
0	0	0	0	0	0	0	0	530,900	0
6,938	8,110	9,340	10,507	11,458	12,306	13,071	27,800	54,965	65,963
(6,938)	(8,110)	(9,340)	(10,507)	(11,458)	(12,306)	(13,071)	(27,800)	(54,965)	(65,963)
224,799	225,786	226,627	227,572	228,421	229,375	230,232	793,235	705,039	97,098
(157)	(577)	5,229	(59)	(285)	(599)	208	(112)	789	2,480
2,685	2,528	1,951	7,180	7,121	6,836	6,238	6,445	6,334	7,122
2,528	1,951	7,180	7,121	6,836	6,238	6,445	6,334	7,122	9,602

CITY OF APPLETON									
Tax Incremental District # 12									
Financial Forecast									
							Chart 5		
2036	2037	2038	2039	2040	2041	2042	2043	2044	Totals
243,145	246,901	250,675	254,468	258,280	262,111	265,961	269,831	273,720	5,570,744
181	191	329	366	384	321	256	2,587	9,045	15,239
0	0	0	0	0	0	0	0	0	1,107,300
(175,000)	(175,000)	(180,000)	(220,000)	(220,000)	(96,000)	0	0	0	0
68,326	72,092	71,004	34,834	38,664	166,432	266,217	272,418	282,765	6,693,283
66,714	67,047	67,382	29,968	30,118	0	0	0	0	2,726,599
0	0	0	0	0	0	0	0	0	105,000
2,700	2,800	2,800	2,950	8,950	3,050	3,050	3,150	9,150	84,750
0	0	0	0	0	0	0	0	0	40,000
0	0	0	0	0	0	0	0	0	1,107,300
0	0	0	0	0	0	0	0	0	280,995
0	0	0	0	0	0	0	0	0	576,400
0	0	0	0	0	0	0	0	0	258,814
0	0	0	0	0	0	0	0	0	530,900
61,386	55,705	49,615	42,096	33,201	26,961	18,909	7,570	0	544,663
(61,386)	(55,705)	(49,615)	(42,096)	(33,201)	140,000	245,000	106,223	0	0
69,414	69,847	70,182	32,918	39,068	170,011	266,959	116,943	9,150	6,255,421
(1,088)	2,245	822	1,916	(404)	(3,579)	(742)	155,475	273,615	437,862
9,602	8,515	10,760	11,581	13,497	13,093	9,514	8,771	164,247	0
8,515	10,760	11,581	13,497	13,093	9,514	8,771	164,247	437,862	437,862

**PROPOSED CHANGES IN ZONING ORDINANCES, MASTER PLAN, BUILDING CODES, MAPS AND CITY ORDINANCES**

There are no changes to building codes or other City ordinances proposed for the implementation of this Project Plan. The City anticipates a portion of the District may require rezoning prior to development that will be consistent with the purpose of the District.



## **ORDERLY DEVELOPMENT OF THE CITY OF APPLETON**

The District contributes to the orderly development of the City by providing for the elimination of blighting influences, the rehabilitation and redevelopment of these underutilized properties along this major corridor and providing for continued growth in residential, office, and retail development. By improving and maintaining an attractive area for private investment along this corridor, the City will ensure a healthy tax base, job growth/creation and a more vibrant economy.

The Project Plan is complimentary to the adopted City of Appleton's *Comprehensive Plan 2010-2030* (Comprehensive Plan), specifically Chapter 14 Downtown Plan that identifies this corridor of West College Avenue for reinvestment, rehabilitation and redevelopment. The City's recommendations for this corridor and surrounding downtown sites include the following key strategies (below) as adopted on March 15, 2017 in the updated Comprehensive Plan. These key strategies, and the detailed policies to support these efforts, can be found in the Comprehensive Plan – Chapter 14 Downtown Plan Initiatives Section from pages 335 to 362:

- 1.1 Continue development of entry features on major routes into the downtown*
- 1.3 Implement appropriate streetscaping projects throughout the downtown*
- 1.5 Continue to encourage quality urban design throughout the downtown through voluntary measures*
- 2.2 Pursue opportunities to attract more artists and arts-related businesses to the downtown*
- 3.1 Encourage mixed-use and mid-density residential redevelopment on under-utilized or marginal sites on the edge of downtown*
- 3.3 Promote development of neighborhood serving businesses and amenities to meet the basic shopping and service needs of downtown and nearby residents*
- 3.10 Promote well-designed transitional areas between higher density development downtown and lower density development in adjacent, largely single family neighborhoods*
- 4.1 Sustain and grow the retail niches which have formed downtown*
- 4.2 Identify and aggressively recruit target industries*
- 4.3 Protect the existing retail blocks on College Avenue*
- 4.5 Facilitate and pursue entrepreneurial business development in the downtown*
- 4.6 Create opportunities for smaller offices and business services to locate downtown, including north of College Avenue*
- 4.7 Maintain an environment favorable to larger employers in the downtown*
- 4.8 Support private sector efforts to redevelop and invest in downtown*

# 10

## **ESTIMATE OF PROPERTY TO BE DEVOTED TO RETAIL USE**

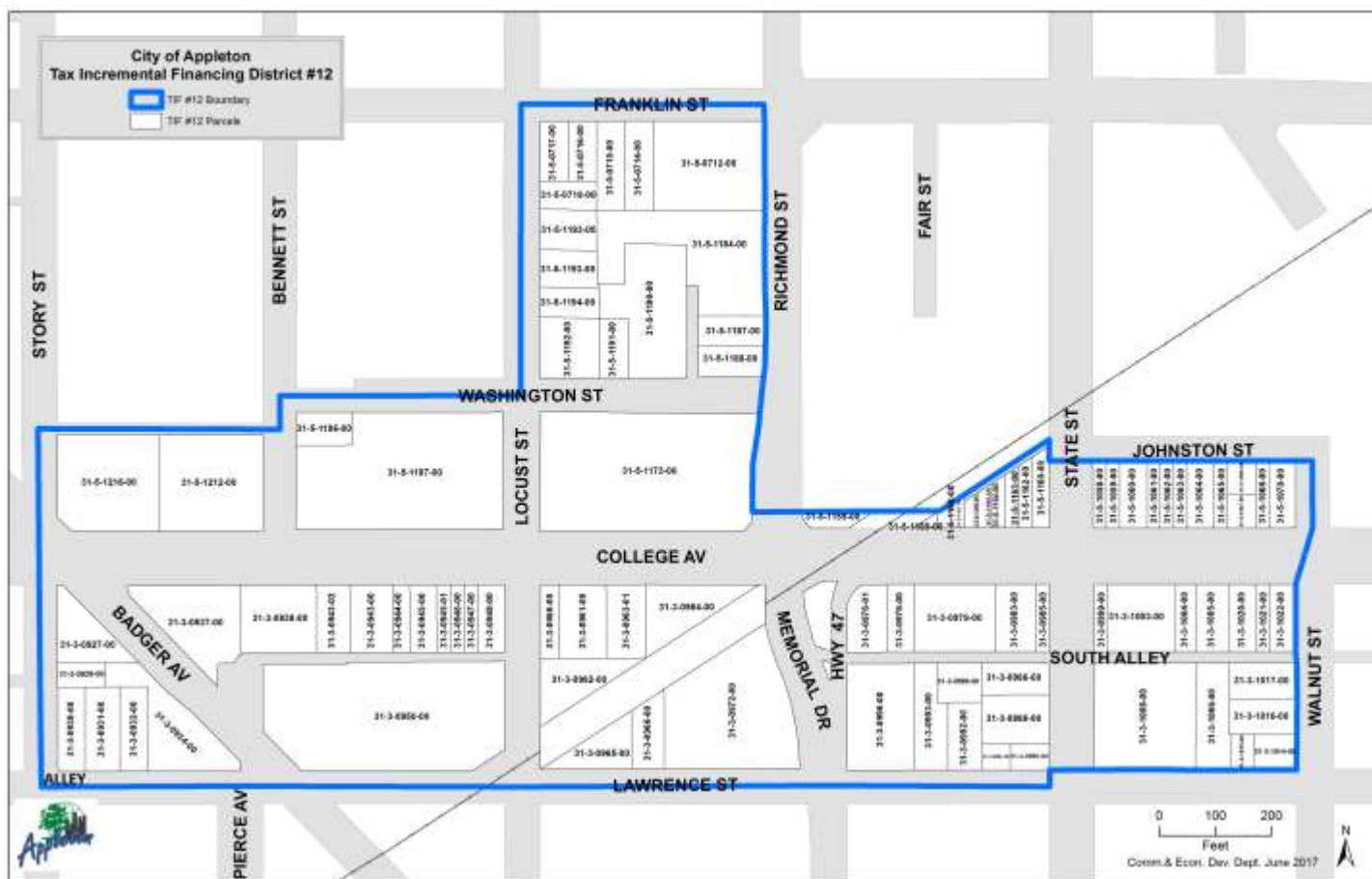
Pursuant to Section 66.1105(5)(b) of the Wisconsin State Statutes, the City estimates that approximately 44% of the real property within the District will be devoted to retail business at the end of the District's maximum expenditure period.

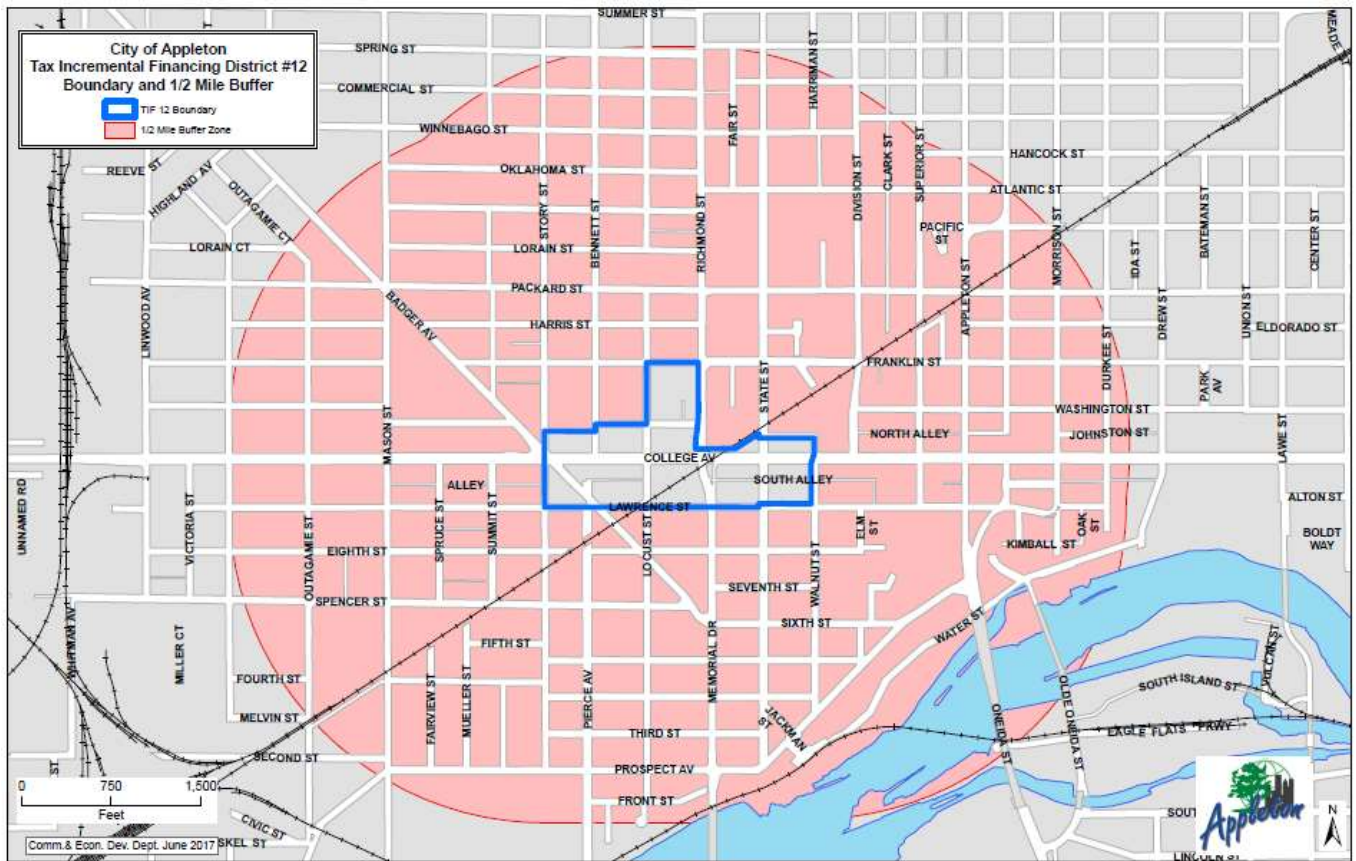
**PROPOSED RELOCATION PLAN FOR DISPLACED PERSONS OR BUSINESSES**

It is not anticipated at the time of the creation of the District there will be a need to relocate persons or businesses in conjunction with this Plan. In the event relocation becomes necessary at some time during the implementation period, the City will take the following steps and actions as required by Wisconsin Statutes Section 32:

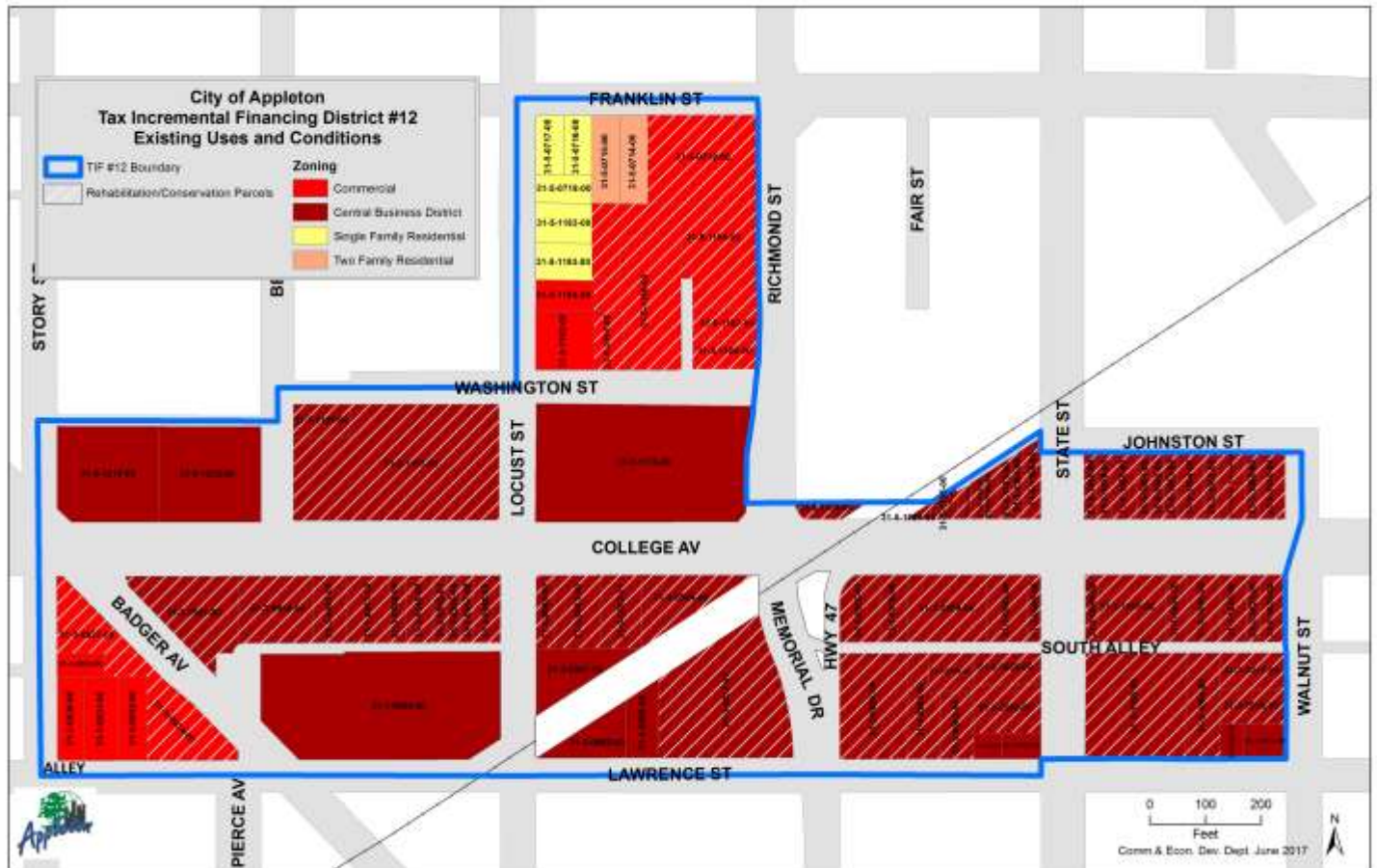
- A. Before negotiations begin for the acquisition of property or easements, all property owners will be provided with an informational pamphlet “The Rights of Landowners” prepared by the Wisconsin Department of Administration, and if any person is to be displaced as a result of the acquisition, they will be given a pamphlet on “Relocation Rights” prepared by the Wisconsin Department of Administration.
- B. The City will provide each owner a full narrative appraisal, a map showing the owners of all property affected by the proposed project, and a list of all or at least ten neighboring landowners to whom offers are being made.
- C. The City will file a relocation plan with the Wisconsin Department of Administration and will keep all records as required in Wisconsin Statutes Section 32.

## **MAP OF TIF DISTRICT #12 BOUNDARIES AND TIF DISTRICT #12 BOUNDARIES WITH HALF MILE BUFFER ZONE**



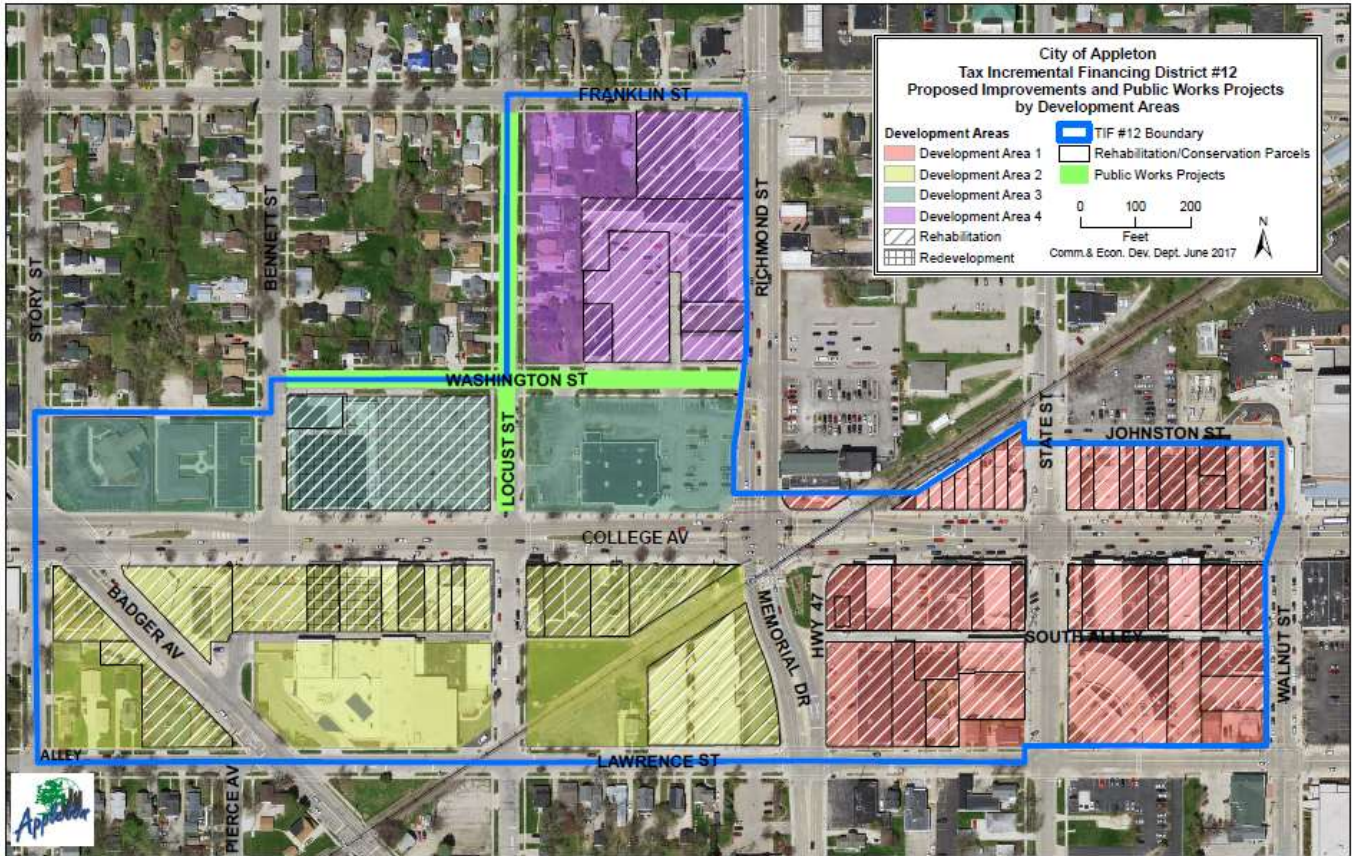


## MAP OF EXISTING USES AND CONDITIONS





## MAP OF PROPOSED IMPROVEMENTS AND PUBLIC WORKS PROJECTS BY DEVELOPMENT AREA



**Note:** The above map highlights the key development areas targeted for redevelopment and rehabilitation/conservation uses within this District. The narrative starting on Page 6 of the Project Plan is incorporated into this Section by reference and provides additional details on proposed uses. Due to the volume of information being displayed on this map, the summary starting on Page 6 is intended to support this exhibit.

**PARCEL LIST & LEGAL DESCRIPTION**

The boundaries for the District include only whole parcels or non-taxable property and the District is contiguous. The following pages include a detailed list of parcels included in the District and the legal description.

**Vacant Land:**

Pursuant to Wisconsin State Statute s 66.1105(4)(gm)(1), property standing vacant for an entire 7-year period immediately preceding adoption of the resolution creating a tax incremental district may not comprise more than 25% of the area in the tax incremental district. Vacant property includes property where the fair market value or replacement cost value of structural improvements on the parcel is less than the fair market value of the land. Vacant property does not include property that is contaminated by environmental pollution, as defined in s. 661106 (1) (d). **This District does not include 25% or more vacant land.**

**Annexed Land:**

Pursuant to Wisconsin State Statute s 66.1105(4)(gm)(1), the District may not include any annexed territory that was not within the boundaries of the City on January 1, 2004, unless at least 3-years have elapsed since the territory was annexed by the City, unless the City enters into a cooperative plan boundaries agreement with the town from which the territory was annexed, or unless the City and town enter into another kind of agreement relating to the annexation expect that notwithstanding these conditions, the City may include territory that was not within the boundaries of the City on January 1, 2004 if the City pledges to pay the town an amount equal to the property taxes levied on the territory by the town at the time of the annexation for each of the next 5 years. **The District does not include property annexed into the City of Appleton since January 1, 2004.**



06-5-1184-00	CHRISTENSEN LAND CO	1277 N RICHMOND ST	54704	C-2		COMPUTER CONNOR LLC	\$4,300					\$4,300.00	0	Yes	Yes
06-5-1184-00	CHRISTENSEN LAND CO	1277 N RICHMOND ST	54704	C-2		H&R BLOCK TAX SERVICE	\$5,300					\$5,300.00	0	Yes	Yes
06-5-1189-00	CHRISTENSEN LAND CO	W WASHINGTON ST	54704	C-2	28,116.95			\$114,000	\$10,300	\$114,300	\$119,300.00	0	Yes	Yes	
06-5-1187-00	GERALD ENGEL TRUST ET AL	9 N RICHMOND ST	54704	C-2	6,498.47			\$25,000	0	\$25,000	\$25,000.00	0	Yes	Yes	
06-5-0717-00	ILL W. INVESTMENTS LLC	737 W FRANKLIN ST	54704	B-1C	5,327.13			\$14,000	\$66,300	\$80,300	\$80,300.00	0	Yes	Yes	
06-5-0718-00	MERLIN HORN	214 N LOCUST ST	54704	B-1C	5,044.29			\$14,000	\$70,100	\$84,100	\$84,300.00	0	No	Yes	
06-5-1191-00	JAMES HANDELOCH	174 N WASHINGTON ST	54704	C-2	5,048.03			\$20,000	\$45,100	\$75,100	\$75,100.00	0	Yes	Yes	
06-5-0725-00	BRANDON LUCOTTE	725 W FRANKLIN ST	54704	B-2	7,398.22			\$1,700	\$35,000	\$73,000	\$73,000.00	0	No	Yes	
06-5-1192-00	WILSONA MURPHY	132 N LOCUST ST	54704	C-2	11,187.00			\$75,300	\$46,400	\$60,000	\$60,000.00	0	No	Yes	
06-5-1184-00	ANTY NGUYEN	138 N LOCUST ST	54704	C-2	5,600.04			\$14,000	\$84,400	\$98,000	\$98,000.00	0	No	Yes	
06-5-0714-00	OFFICE PARTNERS	711 W FRANKLIN ST	54704	B-2	7,382.28			\$10,000	\$61,800	\$71,800	\$71,800.00	0	No	Yes	
06-5-0716-00	KEVIN THAO	701 W FRANKLIN ST	54704	B-1C	5,375.71			\$15,200	\$84,800	\$100,000	\$100,000.00	0	No	Yes	
Vendors															
					1,007,296.52			Grassroots Leasing	\$4,300						
							21.1 Acres	\$1,582,300	\$6,488,380	\$12,089,680	\$18,138,960	\$25,717,800	Total area: 105-6-010 440,018		
											% of District	65.18%	43.67%		

## **TIF DISTRICT #12 LEGAL DESCRIPTION**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW ¼ OF SECTION 26 AND A PART OF THE SE ¼ OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE OF FRANKLIN STREET AND THE WEST LINE OF RICHMOND STREET AND BEING THE POINT OF BEGINNING;

THENCE SOUTH ALONG THE WEST LINE OF RICHMOND STREET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 5425;

THENCE EASTERLY ALONG SAID EXTENSION AND THEN THE SOUTH LINE OF SAID LOT 1 AND THEN THE EASTERLY EXTENSION OF SOUTH LINE OF SAID LOT 1 TO THE SOUTHEASTERLY LINE OF THE WISCONSIN CENTRAL RAILROAD RIGHT OF WAY;

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID WISCONSIN CENTRAL RAILROAD RIGHT OF WAY TO THE WEST LINE OF STATE STREET;

THENCE SOUTH ALONG THE WEST LINE OF STATE STREET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF JOHNSTON STREET;

THENCE EAST ALONG SAID WESTERLY EXTENSION OF JOHNSTON STREET AND THEN THE SOUTH LINE OF JOHNSTON STREET TO THE CENTERLINE OF WALNUT STREET;

THENCE SOUTH ALONG THE CENTERLINE OF WALNUT STREET TO THE NORTH LINE OF COLLEGE AVENUE;

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THENCE WEST ALONG THE CENTERLINE OF LAWRENCE STREET TO THE CENTERLINE OF STORY STREET;

THENCE NORTH ALONG THE CENTERLINE OF STORY STREET TO THE CENTERLINE OF WASHINGTON STREET;

THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET, LYING BETWEEN BLOCK 34 AND BLOCK 35 OF THE **FIFTH WARD PLAT**, TO THE CENTERLINE OF BENNETT STREET;

THENCE NORTH ALONG THE CENTERLINE OF BENNETT STREET TO A POINT 30 FEET NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF WASHINGTON STREET AND SAID SOUTH LINE BEING CONTIGUOUS WITH THE NORTH LINE OF LOTS 4, 5, 15, 14 AND 13 OF BLOCK 32 OF THE **FIFTH WARD PLAT**;

THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID WASHINGTON STREET TO THE CENTERLINE OF LOCUST STREET;

THENCE NORTH ALONG THE CENTERLINE OF LOCUST STREET TO THE CENTERLINE OF FRANKLIN STREET;

THENCE EAST ALONG THE CENTERLINE OF FRANKLIN STREET TO THE POINT OF BEGINNING.



**OPINION OF THE CITY ATTORNEY ON THE COMPLIANCE OF THE  
PROJECT PLAN WITH WISCONSIN STATUTE**



**LEGAL SERVICES DEPARTMENT**

**Office of the City Attorney**

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

June 22, 2017

Mayor Timothy M. Hanna  
City of Appleton  
100 North Appleton Street  
Appleton, WI 54911-4799

Re: Tax Increment Finance Program Plan, City of Appleton  
Tax Incremental District #12

Dear Mayor Hanna:

You have asked me for a legal opinion as to the legal sufficiency and statutory compliance of the proposed Tax Incremental Finance Plan for the City of Appleton Tax Incremental District #12. I have reviewed the Project Plan for said District as well as the appendices attached thereto, specifically as to their compliance with the provision of Section 66.1105(4), Wisconsin Statutes. It is my opinion that the Project Plan is in compliance with all of the provisions of Section 66.1105(4) of the Wisconsin Statutes dealing with the creation of Tax Incremental Financing Districts.

If you have any questions concerning this matter, please contact me at your earliest convenience.

Sincerely,

James P. Walsh  
City Attorney

JPW:jlq

J:\Attorney\WORD\jpw\LETTERS\TIF 12 Atty Opinion Letter 06-22-2017.doc

James P. Walsh  
*City Attorney*

Christopher R. Behrens  
*Deputy City Attorney*

Amanda Abshire  
*Assistant City Attorney*

## **COMMON COUNCIL RESOLUTION**

### **A RESOLUTION CREATING, DESCRIBING, AND MAKING CERTAIN FINDINGS AND APPROVING PROJECT PLAN FOR TAX INCREMENTAL DISTRICT #12 CITY OF APPLETON, WISCONSIN**

WHEREAS, the overall development of the City of Appleton is recognized as a major need of the City; and

WHEREAS, the City of Appleton desires to create a tax incremental district, in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes (the “Tax Increment Law”), in order to provide a viable method of financing the costs of needed public improvements within said district and thereby create incentives and opportunities for appropriate private development, which will contribute to the overall development of the City; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission on July 11, 2017 held a public hearing concerning the proposed creation of a tax incremental district and proposed project plan thereof in the City of Appleton, wherein interested parties were afforded a reasonable opportunity to express their views; and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the chief executive officers of Outagamie County and the Fox Valley Technical College District (the other entities having the power to levy taxes on property located within the proposed District) and the Board of Education of the Appleton Area School District (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the proposed tax incremental district and recommended to the Common Council that it create such tax incremental district within the area enclosed by said boundaries, as specified in the boundary description attached to this Resolution as Exhibit A and entitled “Boundary Description of Tax Incremental District #12, City of Appleton”; and

WHEREAS, the City of Appleton Plan Commission has prepared and adopted a project plan for Tax Incremental District #12, which includes:

1. Intent and purpose of Tax Increment Financing District #12;
2. A statement of the kind, number, and location of all proposed public works or improvements within the district;
3. Qualification of the proposed TIF District based on City valuation;
4. A list of estimated project costs;
5. A statement on non-project costs;
6. An economic feasibility study;
7. A description of the methods of financing and the time when such costs or monetary obligations are to be incurred;
8. Proposed changes of zoning ordinances, master plan, map, building codes, maps, and City ordinances;

9. A statement indicating how the creation of the district promotes orderly development of the City;
10. Estimate of property to be devoted to retail use;
11. A statement of a proposed method for the relocation of any persons or businesses to be displaced;
12. A map showing the district boundaries;
13. A map showing existing uses and conditions of real property in such district;
14. A map showing proposed improvements and uses therein;
15. A listing of the parcels and legal description of the district; and
16. An opinion of the City Attorney on the compliance of the project plan with Wisconsin Statutes, Section 66.1105(4); and

WHEREAS, the Plan Commission has submitted such Plan to the Common Council and recommended approval thereof; and

WHEREAS, the Common Council hereby approves such Project Plan and finds the Plan feasible and in conformity with the master plan:

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

1. Pursuant to the Tax Increment Law, there is hereby created in the City of Appleton, a tax incremental district to be known as "Tax Incremental District #12, City of Appleton" the boundaries of which shall be those recommended to the Common Council by the Plan Commission, as specified in the attached Exhibit A.
2. The Common Council hereby finds and declares that:
  - a. Not less than 50 percent by area of real property within such district is in need of "rehabilitation and conservation work" within the meaning of Section 66.1337(2m)(b); and therefore the district is created as a "Rehabilitation and Conservation District".
  - b. The improvement of such area is likely to enhance significantly the value of substantially all the other real property in the said tax incremental district; and
  - c. The project costs directly serve to rehabilitate or conserve the area consistent with the purpose for which the district is created; and
  - d. The equalized value of taxable property of the district plus the value increment of all existing districts within the city does not exceed 12 percent of the total equalized value of the taxable property within the City of Appleton; and
  - e. Finds, pursuant to Section 66.1105(5)(b) that approximately 44 percent of the real property within the district will be devoted to retail business at the end of the district's maximum expenditure period;
  - f. The boundaries for Tax Incremental District #12 does not include any annexed territory not within the boundaries of the City of Appleton on January 1, 2004; and

- g. Less than 25% of the area of Tax Incremental District #12 has been vacant for a period of 7 years or more; and
- h. The Project Plan is economically feasible and is in conformity with the City of Appleton Comprehensive Plan 2010-2030; and

The District is hereby created as of January 1, 2017. The City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2017, pursuant to the provisions of Section 66.1105(5)(b) of the Wisconsin Statutes.

The City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Section 70.45 of the Wisconsin Statutes, those parcels of property that are within Tax Incremental District No. 12, specifying thereon the name of the said tax incremental district, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes, pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes.

Adopted \_\_\_\_ day of August, 2017.

---

Timothy M. Hanna, Mayor

Attest:

---

Kami L. Lynch, City Clerk

**EXHIBIT A**  
**BOUNDARY DESCRIPTION OF TAX INCREMENTAL DISTRICT #12**

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW ¼ OF SECTION 26 AND A PART OF THE SE ¼ OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

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THENCE NORTH ALONG THE CENTERLINE OF LOCUST STREET TO THE CENTERLINE OF FRANKLIN STREET;

THENCE EAST ALONG THE CENTERLINE OF FRANKLIN STREET TO THE POINT OF BEGINNING.

<b>CITY OF APPLETON POLICY</b>		<b>TITLE: LEGAL BUSINESS OF THE CITY</b>	
ISSUE DATE:	LAST UPDATE:	SECTION: Finance	FILE NAME:
POLICY SOURCE: Legal Services Department – City Attorney’s Office			TOTAL PAGES:
Reviewed by Attorney’s Office Date:	Finance Committee Approval Date:		Council Approval Date:

## **I. PURPOSE**

This policy is designed to outline the responsibilities of the City Attorney in conducting the legal business of the City of Appleton.

## **II. POLICY**

The City Attorney shall be involved at all stages of any process which could result in a legal relationship between the City of Appleton and any other entity or entities.

## **III. DISCUSSION**

Wisconsin Statutes Section 62.09(12)(a) provides, “The attorney shall conduct all the law business in which the city is interested.” Legal matters in which the City of Appleton engages shall be guided by the requirements of §62.09(12), Wis. Stats.

The City of Appleton is a municipal corporation which routinely engages in legally binding transactions with other municipalities, corporations and individuals. It is critical that the legal interests of the City of Appleton are foremost in discussions and negotiations with outside parties. Inclusion of the City Attorney at the outset is an essential component of keeping the legal interests of the City at the forefront of such discussions and negotiations.

This policy is intended to outline the areas of responsibility for the City Attorney regarding the legal business of the City. Whenever in this policy there is a reference to City Attorney, that term shall be defined as the City Attorney’s Office including any Assistant City Attorneys.

The City Attorney shall be responsible for, inter alia,

- Drafting ordinances as approved by the Common Council
- Drafting bonds and other instruments as may be requested by City officers
- Drafting legal opinions when requested by City officers
- Drafting construction contracts on behalf of the City for City projects



- Coordination with and monitoring of all efforts by, special counsel including hired or appointed outside counsel
- Preparation of all real estate documents necessary for all real estate transactions
- Representation of the City in all traffic, ordinance civil matters and appear in court on behalf of the City when required
- Preparation of labor contracts between the City and its employees
- Negotiation and drafting of terms for development agreements
- Providing legal advice, guidance and representation in other matters, issues and the like considered law business in which the City has an interest

This policy shall be liberally construed to achieve its purpose of involving the City Attorney, to the fullest extent practical, in all legal matters of the City to ensure the City has proper legal representation in all law matters while also allowing for City business to be conducted in an efficient manner. This policy shall supersede any previous action of the Common Council to the extent the previous actions are inconsistent with this policy.

J:\Attorney\WORD\jpw\Agreement Development Policy\Agreement Development Policy - Revised 06-06-17.doc  
City Law: A17-0392



## MEMO

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**TO:** Finance Committee

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

**DATE:** July 13, 2017

**SUBJECT:** The following 2017 Budget adjustment be approved to provide funding for additional permanent patch locations associated with water main breaks and lead service and curb box replacements:

Water Utility Fund Balance	- \$55,000
Distribution Operations & Maintenance	+\$55,000

---

The Department of Public Works is attempting to catch up on all restoration work associated with water main breaks from years prior to 2017, as well as lead service and curb box restoration work. However, the \$40,000 in the 2017 Adopted Budget will not be sufficient to complete all of the outstanding street, curb and sidewalk patches.

In 2016 we had 92 water main breaks, and so far in 2017 we have already had 37 breaks. If we do not complete all of the outstanding patches, we will continue to fall further behind based on the number of breaks we have already had in 2017 (see attached Water Main Break History chart). The Water Division has replaced over 40 lead services and numerous curb boxes in the last two years. These replacements require permanent street patches and sidewalk and curb replacement.

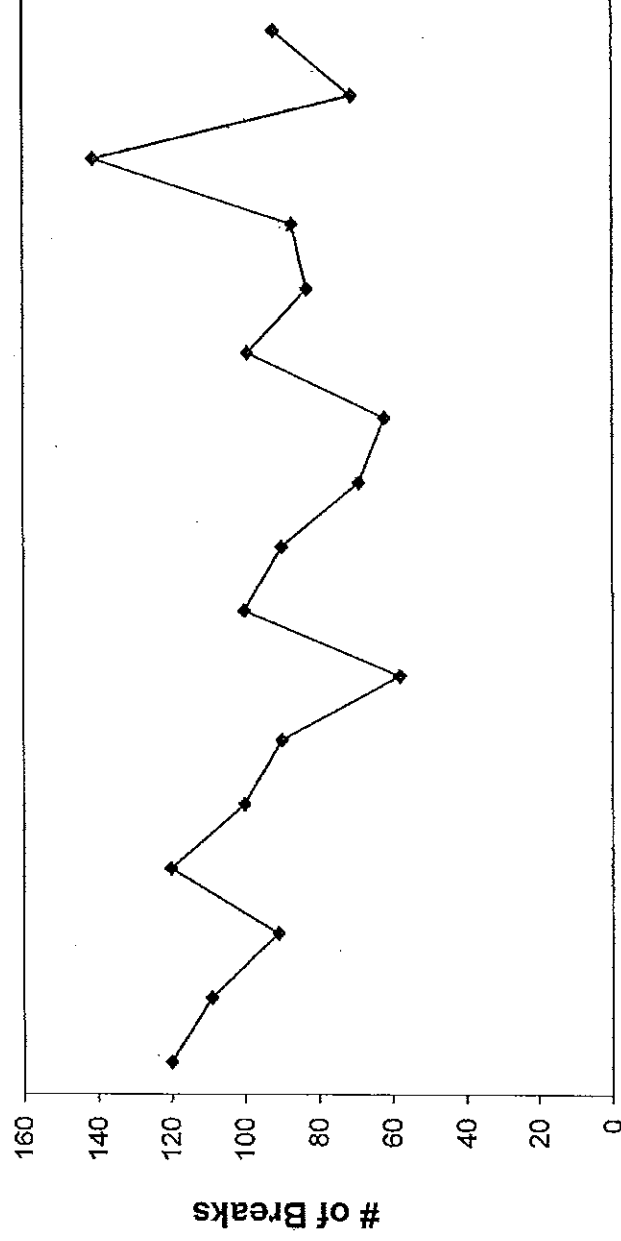
Therefore, we request a budget adjustment to use existing Water Utility Fund Balance to fund permanent street, curb and sidewalk patches at an additional 50 locations in 2017.

<u>YEAR</u>	<u>BREAKS</u>
2000	120
2001	109
2002	91
2003	120
2004	100
2005	90
2006	58
2007	100
2008	90
2009	69
2010	62
2011	99
2012	83
2013	87
2014	141
2015	71
2016	92
2017	37 (Thru May)

TOTAL = 1619

Average : 95.2

## Water Main Break History



Years 2000- 2016

**CONTRACT AMENDMENT & CHANGE ORDER**Change Order No. 1Date 07/19/17Contract No. 39-17 for the following public work : Unit E-17 Miscellaneous Concrete and Street Excavation Repairsbetween Fischer Ulman Construction, Inc., 915 S. Midpark Dr., Appleton, WI 54915  
(Contractor Name) (Contractor Address)and the City of Appleton dated: 6/7/2017 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>5222.6408</u>	<u>\$10,000.00</u>	<u>\$5,000.00</u>			<u>\$10,000.00</u>	<u>\$5,000.00</u>
2	<u>5230.6809.4</u>	<u>\$30,000.00</u>	<u>\$3,000.00</u>			<u>\$30,000.00</u>	<u>\$3,000.00</u>
3	<u>5357.6408</u>	<u>\$40,000.00</u>	<u>\$0.00</u>	<u>\$55,000.00</u>	<u>\$0.00</u>	<u>\$95,000.00</u>	<u>\$0.00</u>
4	<u>5371.6809.5</u>	<u>\$100,000.00</u>	<u>\$2,800.00</u>			<u>\$100,000.00</u>	<u>\$2,800.00</u>
5	<u>5427.6408</u>	<u>\$20,000.00</u>	<u>\$3,000.00</u>			<u>\$20,000.00</u>	<u>\$3,000.00</u>
6	<u>5431.6809.3</u>	<u>\$7,306.25</u>	<u>\$3,970.00</u>			<u>\$7,306.25</u>	<u>\$3,970.00</u>
7	<u>4210.6803.1906</u>	<u>\$198,600.00</u>	<u>\$0.00</u>			<u>\$198,600.00</u>	<u>\$0.00</u>
8	<u>5830.6809.1800</u>	<u>\$17,000.00</u>	<u>\$0.00</u>			<u>\$17,000.00</u>	<u>\$0.00</u>
9	<u>17015.6809.2</u>	<u>\$20,000.00</u>	<u>\$5,000.00</u>			<u>\$20,000.00</u>	<u>\$5,000.00</u>
10	<u>17032.6408</u>	<u>\$62,500.00</u>	<u>\$2,500.00</u>			<u>\$62,500.00</u>	<u>\$2,500.00</u>
	<b>Total</b>	<b>\$505,406.25</b>	<b>\$25,270.00</b>	<b>\$55,000.00</b>	<b>\$0.00</b>	<b>\$560,406.25</b>	<b>\$25,270.00</b>

Reason for Change: In an effort to address a backlog of unrestored temporary street patches from previous years' water main breaks, lead service line replacements, curb box repairs, and valve repairs, we are requesting to utilize \$55,000 of unallocated water fund balance to complete the permanent restoration of these areas.**NOTE:** This amendment is contingent upon Common Council approval of the \$55,000 budget Adjustment which is a separate action item on this Committee agendaThe Contract Time will be (increased / decreased / **unchanged**) by this Change Order: \_\_\_\_\_ DaysThe Date of Completion as of the date of this Change Order therefore is: 70 DaysFinance Committee Agenda Date: 07/24/17

Date approved by Council: \_\_\_\_\_

**CONTRACT CHANGE ORDER & CONTRACT AMENDMENT**Change Order No. THREEDate 07/17/17Contract No. 9-17 for the following public work : Unit U-17 Sewer & Water Reconstruction #2between 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>\$785,997.75</u>	<u>\$0.00</u>	<u>\$27,500.00</u>	<u>\$0.00</u>	<u>\$813,497.75</u>	<u>\$0.00</u>
2	<u>5431.6809.3</u>	<u>\$463,530.92</u>	<u>\$13,151.92</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$463,530.92</u>	<u>\$13,151.92</u>
3	<u>5230.6809.4</u>	<u>\$1,163,109.33</u>	<u>\$55,195.00</u>	<u>\$0.00</u>	<u>\$0.00</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>\$2,412,638.00</u>	<u>\$68,346.92</u>	<u>\$27,500.00</u>	<u>\$0.00</u>	<u>\$2,440,138.00</u>	<u>\$68,346.92</u>

Reason for Change: #5371 - Funds for additional 25 lin ft. of 42" water main. This additional quantity is required based upon field discovery of different existing pipe layout compared to historical infrastructure records. The additional pipe is necessary to complete the 42" water main relocation.The Contract Time will be (increased / decreased / unchanged) by this Change Order: 0 DaysThe Date of Completion as of the date of this Change Order therefore is: 125Finance Committee Agenda Date: 07/24/17Date approved by Council:



## MEMO

---

**TO:** Finance Committee

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

**DATE:** July 13, 2017

**SUBJECT:** Request to deed City owned land between Ballard Road and Smoketree Pass (Tax Key 1-8303-11) to the two abutting property owners at 6433 and 6505 N. Smoketree Pass.

---

The emergency access which was platted and constructed as part of the Apple Hill Farms Development is no longer needed according to Fire Chief VanderWyst. This piece of property (as shown on the attached Map #1) is therefore no longer of any benefit to the City of Appleton. With the newly installed sidewalk, additional maintenance will be required if the City continues to own this 20-foot wide piece of property.

I have discussed the situation with the two abutting property owners and they have agreed to accept this property if the City wishes to deed it to them. They propose to split the land as shown on the attached Map #2.

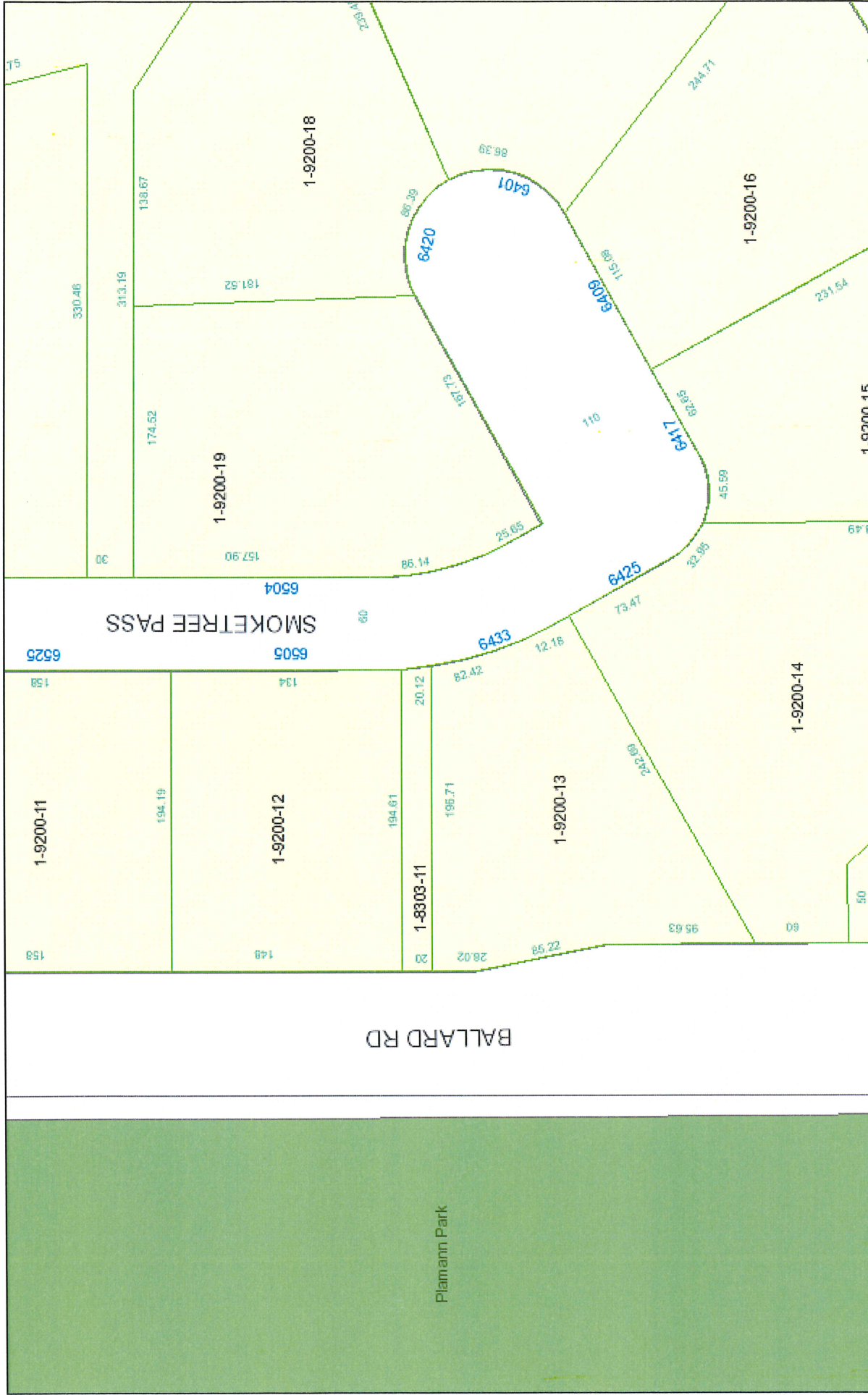
Therefore, we request permission to deed City owned land between Ballard Road and Smoketree Pass (Tax Key 1-8303-11) to the abutting property owners at 6433 and 6505 N. Smoketree Pass.

Attachments



1 N

ArcGIS Web Map

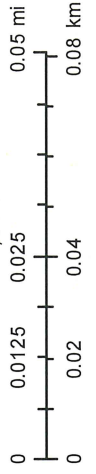


June 8, 2017

City Parcels

Map # 1

1:1,500





# City of Appleton Property Viewer

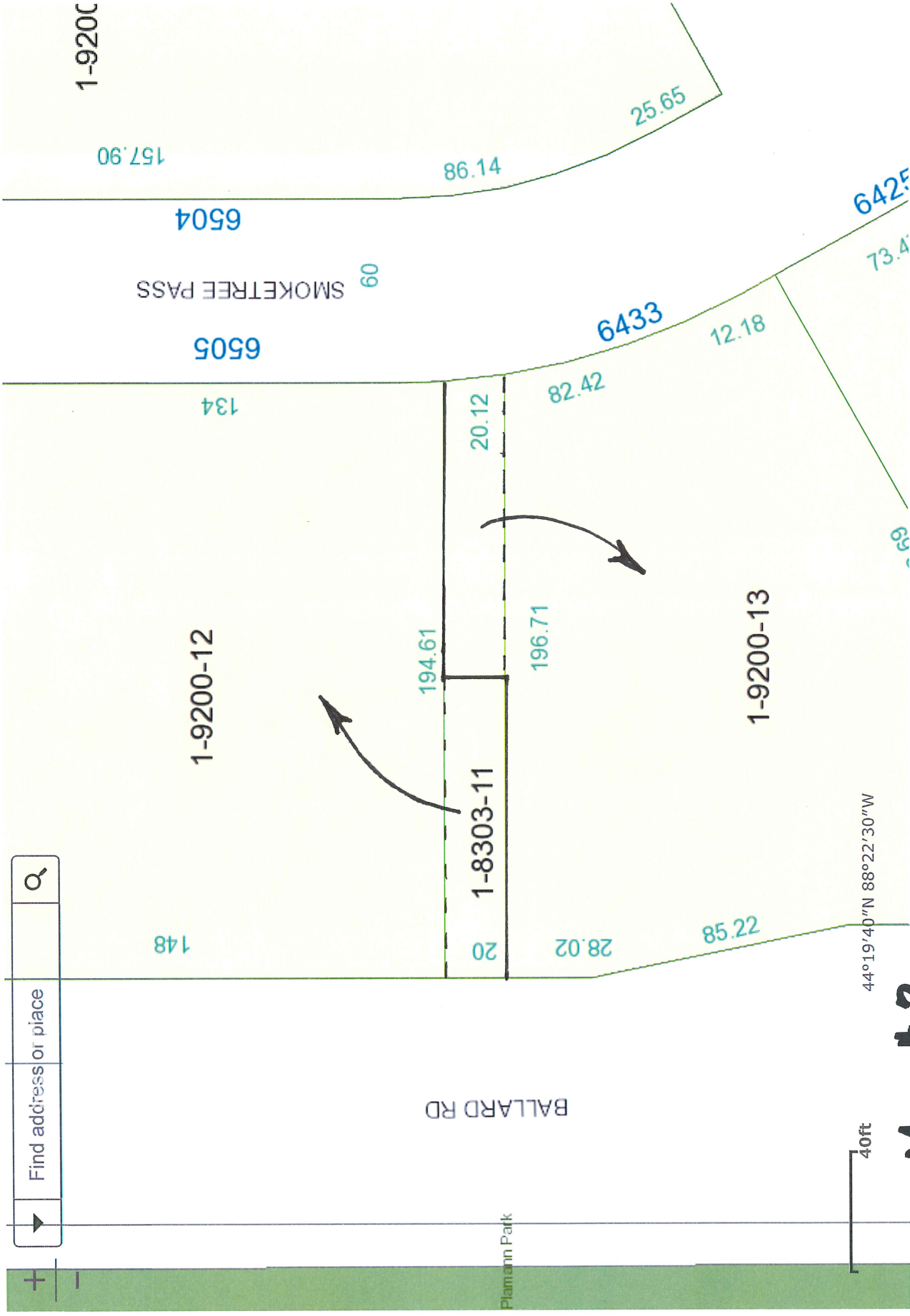
City of Appleton Website Appleton GIS Website

+

-

Find address or place

Q



Map # 2



DEPARTMENT OF PUBLIC WORKS

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

June 12, 2017

Mr. and Mrs. Brett Griffin  
6505 N. Smoketree Pass  
Appleton, WI 54914

RE: City owned property between 6433 and 6505 N. Smoketree Pass.

Dear Mr. and Mrs. Brett Griffin:

The City has determined that it is no longer necessary to have the emergency access which was platted and constructed as part of the Apple Hill Farms Development. Therefore, the City of Appleton is asking the two adjacent property owners if both/either are interested in having this land dedicated to them. If both properties are interested, the plan would be to split the 20-foot lot in half dedicating 10 feet to each property owner. If only one of the property owners is interested, then the plan would be to dedicate the entire property to that property owner.

Please consider this offer and contact me at your earliest convenience to discuss further at 920-832-6482 or [paula.vandehey@appleton.org](mailto:paula.vandehey@appleton.org).

Sincerely,

Paula Vandehey, P.E.  
Director of Public Works

Attachment

C: Tom Purdy

**Parcel Info for 31-1-9200-12**

Parcel Information	
<b>ADDRESS:</b>	6505 N SMOKETREE PASS
<b>CLASS:</b>	RESIDENTIAL
<b>FLOOD PLAIN:</b>	No

Owner	
<b>NAME:</b>	GRIFFIN, BRETT B
<b>SPOUSE:</b>	AMY S
<b>ADDRESS:</b>	810 N PERKINS ST
<b>CITY/STATE:</b>	APPLETON WI
<b>ZIP CODE:</b>	54914

Legal Description	
APPLE HILL FARMS LOT 12	

Land Size	
<b>FRONTAGE/SQ. FT./ACRES:</b>	27907.00
<b>EFFECTIVE DEPTH:</b>	0

## Ross Buetow

---

**From:** Amy Griffin <amy@griffinbuildersinc.com>  
**Sent:** Monday, July 17, 2017 9:21 AM  
**To:** Ross Buetow; Tracey T  
**Cc:** Brett Griffin  
**Subject:** Outlot 1-8303-11 Division Agreement

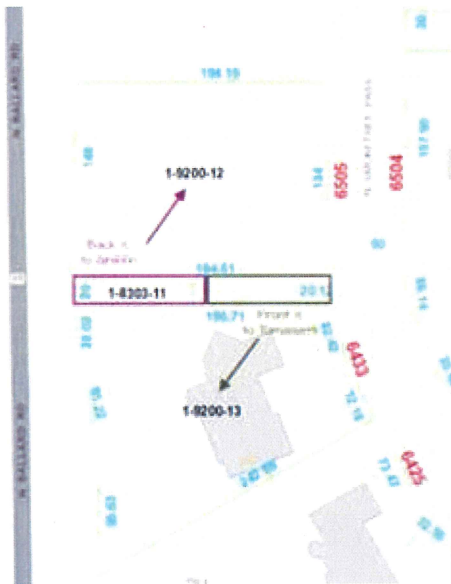
Hi, Ross,

I am attaching a map view of the proposed outlot division we discussed. This email then is formal notice that the Griffin family is in agreement with this plan.

Tracey,

Can you please REPLY ALL and indicate to Ross that the Tomassetti family is also in agreement? Ross will need this by end of day tomorrow, Tuesday, to make sure this item is on the agenda as proposed.

Thanks everyone!



amy griffin  
920.213.6386 cell  
[amy@griffinbuildersinc.com](mailto:amy@griffinbuildersinc.com)





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

---

**DEPARTMENT OF PUBLIC WORKS**

**Engineering Division  
100 North Appleton Street  
Appleton, WI 54911  
Phone (920) 832-6474**

June 12, 2017

Mr. and Mrs. James Tomassetti  
6433 N. Smoketree Pass  
Appleton, WI 54914

RE: City owned property between 6433 and 6505 N. Smoketree Pass.

Dear Mr. and Mrs. James Tomassetti:

The City has determined that it is no longer necessary to have the emergency access which was platted and constructed as part of the Apple Hill Farms Development. Therefore, the City of Appleton is asking the two adjacent property owners if both/either are interested in having this land dedicated to them. If both properties are interested, the plan would be to split the 20-foot lot in half dedicating 10 feet to each property owner. If only one of the property owners is interested, then the plan would be to dedicate the entire property to that property owner.

Please consider this offer and contact me at your earliest convenience to discuss further at 920-832-6482 or [paula.vandehey@appleton.org](mailto:paula.vandehey@appleton.org).

Sincerely,

Paula Vandehey, P.E.  
Director of Public Works

Attachment

C: Tom Purdy



**Parcel Info for 31-1-9200-13**

Parcel Information	
<b>ADDRESS:</b>	6433 N SMOKETREE PASS
<b>CLASS:</b>	RESIDENTIAL
<b>FLOOD PLAIN:</b>	No

Owner	
<b>NAME:</b>	TOMASSETTI, JAMES J
<b>SPOUSE:</b>	TRACEY A
<b>ADDRESS:</b>	6433 N SMOKETREE PASS
<b>CITY/STATE:</b>	APPLETON WI
<b>ZIP CODE:</b>	54913

Legal Description	
APPLE HILL FARMS LOT 13	

Land Size	
<b>FRONTAGE/SQ. FT./ACRES:</b>	30525.00
<b>EFFECTIVE DEPTH:</b>	0

## Ross Buetow

---

**From:** Tracey Tomassetti <6tomassetti@gmail.com>  
**Sent:** Monday, July 17, 2017 9:40 AM  
**To:** Amy Griffin  
**Cc:** Ross Buetow; Brett Griffin  
**Subject:** Re: Outlot 1-8303-11 Division Agreement

Hi Ross, The Tomassetti family is in full agreement with this division of the property. If you have any questions please feel free to contact me or my husband. (Jim Tomassetti [JJT@apoketcreekortho.con](mailto:JJT@apoketcreekortho.con))

Thank you, Tracey Tomassetti

Sent from my iPhone

On Jul 17, 2017, at 9:21 AM, Amy Griffin <[amy@griffinbuildersinc.com](mailto:amy@griffinbuildersinc.com)> wrote:

Hi, Ross,

I am attaching a map view of the proposed outlot division we discussed. This email then is formal notice that the Griffin family is in agreement with this plan.

Tracey,

Can you please REPLY ALL and indicate to Ross that the Tomassetti family is also in agreement? Ross will need this by end of day tomorrow, Tuesday, to make sure this item is on the agenda as proposed.

Thanks everyone!

<Outlot 1-8303-11 Division.png>

**amy griffin**  
920.213.6386 cell  
[amy@griffinbuildersinc.com](mailto:amy@griffinbuildersinc.com)



*"...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](mailto:dean.gazza@appleton.org)

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 7/24/2017

RE: Action: Award the "2017 Wastewater Lighting Upgrades Project" to VOE Power and Systems, LLC. in the amount of \$41,740 with a contingency of \$10,000 for a project total not to exceed \$51,740

The 2017 Capital Improvement Plan includes \$75,000 to install a new lighting fixtures at the Wastewater Treatment Plant. Of that amount, \$6,750 has been utilized for professional services, leaving a balance of \$68,250 for construction. This project includes replacing existing light fixtures that are at the end of their useful life.

The bids were received as follows:

<b>VOE Power and Systems, LLC.</b>	<b>\$41,740</b>
Elmstar Electric Corporation	\$42,242
Van Ert Electric, Inc.	\$48,700

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to VOE Power and Systems, LLC. 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 VOE Power and Systems, LLC. in the amount of \$41,740 plus a contingency of \$10,000 only to be utilized as needed.

Please contact me at 832-5572 or at [dean.gazza@appleton.org](mailto: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](mailto:dean.gazza@appleton.org)

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 7/24/2017

RE: Action: Award the "2017 MSB Fire Alarm Project" to VOE Power and Systems, LLC. in the amount of \$68,177 with a contingency of \$10,000 for a project total not to exceed \$78,177

The 2017 Capital Improvement Plan includes \$125,000 to install a new fire protection system at the Municipal Services Building. Of that amount, \$4,800 has been utilized for professional services, leaving a balance of \$120,200 for construction. The existing system is at the end of its useful life. The project includes replacing existing fire protection system with a new system meets the current city standards.

The bids were received as follows:

<b>VOE Power and Systems, LLC</b>	<b>\$68,177</b>
Elmstar Electric Corporation	\$92,444

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to VOE Power and Systems, LLC. 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 VOE Power and Systems, LLC. in the amount of \$68,177 plus a contingency of \$10,000 only to be utilized as needed.

Please contact me at 832-5572 or at [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org) with any questions.



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## MEMO

---

**TO:** Municipal Services Committee  
Human Resources Committee

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

**DATE:** July 11, 2017

**SUBJECT:** **Proposed Modification to the Department of Public Works Table of Organization – Engineering Division.**

---

The Department of Public Works continues to evolve with our ever changing workforce. We have been implementing our Succession Plan to prepare for retirements, create career development opportunities, and meet the challenges of the ever changing workforce.

The Department of Public Works Managerial Accounting Coordinator is planning to retire within the next three years. This position is overloaded with staff supervision and backfilling at the 5<sup>th</sup> Floor Customer Service Desk. The front desk staff is comprised of 2 full-time and 2 part-time employees tasked with serving the Inspections, Engineering and Parking Divisions of Public Works as well as phone calls and walk-in customers for the Health Department, Community and Economic Development Department, and Assessors Office. The 5th Floor Customer Service staff serve a high volume of customers and require a wide breadth of knowledge to do so successfully.

We recently hired a new Assessment Technician that has a lot of potential and desire for career growth. This new hire, along with a modification to our Table of Organization, provides us an opportunity to address the following challenges:

1. Improved day-to-day oversight of the 5th Floor Customer Service staff.
2. Additional coverage of the 5th Floor Customer Service area by staff at a more appropriate pay grade (currently additional coverage is provided by Engineers, Supervisors, Engineering Technicians, and the Managerial Accounting Coordinator).
3. Frees up time for the Managerial Accounting Coordinator to assist with the implementation of the Tyler Munis System, which the Finance Department is hoping can continue through project completion.
4. Career Development opportunity for the Special Assessment Technician.

The proposed creation of a Lead Clerical position will have an estimated \$2,000 financial impact to the Department of Public Work's budget. The Department would cover these costs by reducing seasonal hires and/or using vacant salary dollars.

**Therefore, I request approval of the proposed modification to the Department of Public Works Table of Organization – creating a Lead Clerical Position and moving clerical staff under the supervision of the Assistant City Engineer Position.**

Attachment

C: Tony Saucerman, Finance Director  
Sandy Behnke, Human Resources Director  
Bev Matheys, Managerial Accountant Coordinator  
Mark Lahay, Assistant City Engineer



1.0 - DIRECTOR OF  
PUBLIC WORKS

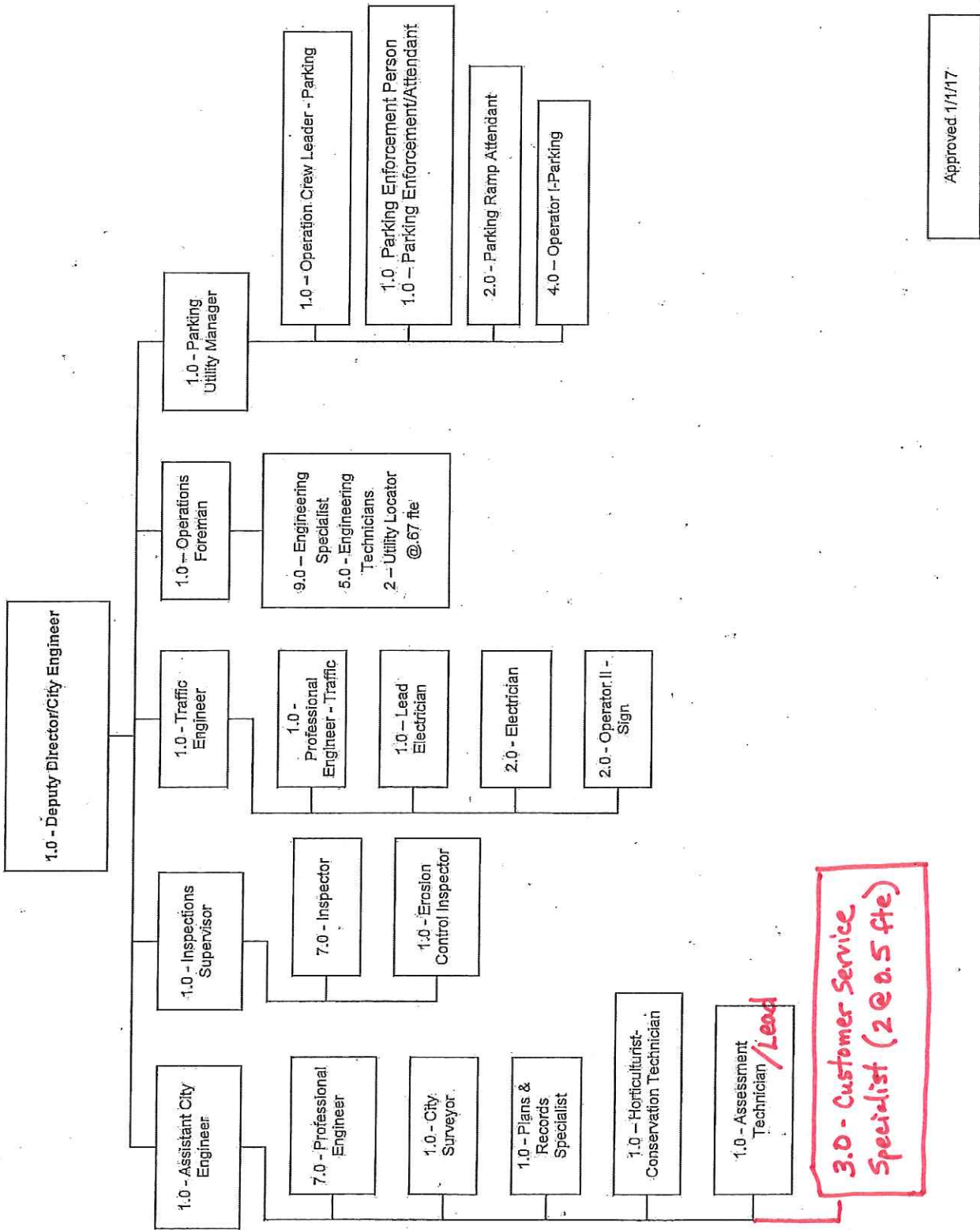
1.0 - Deputy Director/  
City Engineer

1.0 - Deputy  
Director  
Operations

1.0 - Managerial  
Accounting Coordinator

~~3.0 - Customer Service  
Specialist (2 @ .5 fte)~~

Approved 1-1-15



<b>CITY OF APPLETON POLICY</b>	<b>TITLE: Bone Marrow and Organ Donation Leave Policy</b>	
ISSUE DATE: (Day after Council)	LAST UPDATE: November 2016	SECTION: HR
POLICY SOURCE: Human Resources Department	AUDIENCE: All City Employees	TOTAL PAGES: 5
Reviewed by Legal Services Date:	Committee Approval Date:	Council Approval Date:

## I. PURPOSE

To outline the policies, procedures and obligations of the City of Appleton and the rights and obligations of employees under the Wisconsin Bone Marrow and Organ Donation Leave law.

## II. POLICY

It is the policy of the City of Appleton to comply with the Bone Marrow and Organ Donation Leave law (Section 103.11 Wis. Stats.)

Employees are entitled to bone marrow and organ donation leave benefits if they have been employed by the City for at least 52 consecutive weeks and for at least 1000 hours during that 52-week period.

An employee may take bone marrow or organ donation leave for up to 6 weeks in a 12-month period.

## III. DISCUSSION

This policy provides an introduction to the rights and provisions of the Bone Marrow and Organ Donation Leave law. Specific questions an employee may have about this law should be directed to the City Human Resources Department.

## IV. PROCEDURE

If an employee intends to take leave for the purpose of serving as a bone marrow or organ donor, the employee shall do the all of the following:

- A. **Employee's Request:** Employees requesting leave must submit a completed health care provider certification (Exhibit 1) and submit to the employee's supervisor or Human Resources at least 30 days before the need. If the 30-day notice is not possible, the employee will notify his/her supervisor as soon as reasonable and practical. This should be interpreted to mean within one to two working days of the employee learning of the need for leave.

Employees who take medical leave should make reasonable efforts to schedule planned medical treatments so as not to unduly disrupt business operations.

- B. **Status while on Leave:** During the leave the employee must update their supervisor at least every 30 days of his/her status with health care provider certification and the intention to return

to work.

- C. **Return to Work:** The employee will be required to provide a “return to work” certification (Exhibit II) before they return to work indicating that the essential functions of the job can be performed. This must be obtained from the health care provider.
- D. **Approval:** Human Resources must approve or deny all requests.
- E. **Group Health Coverage:** Group health care coverage will continue for employees on leave as if they were still working. If applicable, employees who are granted a leave under this policy are advised to arrange to pay their share of premiums during the absence. If the leave is paid, premiums will continue to be paid through payroll deductions. If the leave is unpaid, employees are responsible for making sure the City receives premium payments by the normal payroll dates. If payments are not received within 30 days of the due date, coverage may be discontinued. This includes other benefits such as life, dental, flexible spending accounts, etc.
- F. **No Return to Work from Leave:** If an employee chooses not to return to work (i.e. return to work for 30 calendar days) after an approved leave, the City may recover from the employee the cost of any premiums made to maintain the employee’s health insurance, unless the failure to return is because of a serious health condition or reasons beyond the employee’s control. Benefit entitlements based on length of service will be calculated as of the last paid workday before the start of the unpaid absence. If the employee substitutes leave, the length of service will be calculated as of the last paid workday substituted.

## V. FALSIFICATION OF FORMS

An employee will be subject to disciplinary action up to and including discharge for falsifying any information required or requested as part of the application process, or receiving leave or benefits under this policy.

Exhibit I Note to provider: Job descriptions are available at [www.appleton.org](http://www.appleton.org) (City Employment, job descriptions)

## MEDICAL LEAVE (for Bone Marrow & Organ Donation Leave)

### HEALTH CARE PROVIDER CERTIFICATION

Employee requesting leave: \_\_\_\_\_ Date: \_\_\_\_\_

I, \_\_\_\_\_, confirm that \_\_\_\_\_  
(Name of Health Care Provider or Christian Science Practitioner) (Patient's name)

is under my care for \_\_\_\_\_ Bone Marrow Donation \_\_\_\_\_ Organ Donation treatment.

Accordingly, I confirm that:

My area of medical practice is: \_\_\_\_\_

1. The health condition commenced on \_\_\_\_\_ and has the probable duration through \_\_\_\_\_.
2. The patient was/is being treated on an \_\_\_\_\_ inpatient \_\_\_\_\_ outpatient basis.
3. Was the procedure/treatment scheduled in advance or on an emergency basis? If scheduled in advance, please indicate how many days in advance the treatment was scheduled.  
 Scheduled in advance \_\_\_\_\_ Emergency basis \_\_\_\_\_  
 Date scheduled: \_\_\_\_\_
- Is the employee unable to work to work at this time \_\_\_\_\_ yes \_\_\_\_\_ no
- If the employee is able to work please describe limitations here: \_\_\_\_\_  
 \_\_\_\_\_
- Is the employee limited in the number of hours per day he/she may work? \_\_\_\_\_ yes \_\_\_\_\_ no  
 If yes, please describe the limitation \_\_\_\_\_.
- Is an intermittent or reduced leave schedule needed? If yes, please describe: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- Was medication, other than over-the-counter medication, prescribed? \_\_\_\_\_ No \_\_\_\_\_ Yes

*Notice: The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibit employers and other entities covered by GINA Title II from requesting or requiring genetic information from an individual or family member of the individual, except as specifically allowed by law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic Information" as defined by GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic service and genetic information of a fetus carried by an individual or individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 Signature of Health Care Provider

\_\_\_\_\_  
 Telephone & Fax Number

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City/State

### **Medical Authorization Release**

I, \_\_\_\_\_, hereby authorize the above-reference health care provider, or others to which I am directed to for care relative to the health condition set forth above, to confer with medical representatives of the City of Appleton to clarify or supplement any information set forth herein without liability. I also authorize the use or disclosure of my health information (which may also be referenced as protected health information “PHI”) as described in this authorization. I also agree to provide such further authorizations as the Company may request to process and classify my requested time off for FMLA purposes.

### **HIPAA Authorization**

I understand that I have the right to revoke this authorization at any time by notifying my supervisor or the Human Resources Department. I also understand that the revocation will only become effective after it is received and recorded by the City of Appleton. I understand that any use or disclosure made prior to the time that such revocation becomes effective will not be affected by that revocation. If I do not revoke this authorization, it will expire at the end of my FMLA leave or shortly thereafter if additional time is needed to process documentation related to my leave (for example, verification of fitness for duty). If the City of Appleton’s representatives require additional information related to my health condition after my leave request and all related documentation is completed, they must request that new authorization be signed by me.

I understand that I am entitled to receive a copy of this authorization form and acknowledge receipt of one.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Signature  
(print name):\_\_\_\_\_



**RETURN TO WORK - EMPLOYEE WORK RESTRICTION/AUTHORIZATION***Must be completed and submitted to HR prior to return to work.*

Patient Name: \_\_\_\_\_

Current Job: \_\_\_\_\_

Physician Name (please print): \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Date you saw patient: \_\_\_\_-\_\_\_\_-\_\_\_\_ Time In: \_\_\_\_\_ Injury Date: \_\_\_\_-\_\_\_\_-\_\_\_\_

Full Time ☐ 2nd shift ☐ Mon ☐ Fri ☐  
 Part Time ☐ 1st shift ☐ Sun ☐ Thurs ☐  
 Seasonal ☐ 3rd shift ☐ Tues ☐ Sat ☐  
 Temporary ☐ Swing ☐ Wed ☐  
 Next scheduled work day \_\_\_\_ Shift \_\_\_\_  
 Shift Supervisor: \_\_\_\_\_

Patient Description of Injury: \_\_\_\_\_

Diagnosis: \_\_\_\_\_

Treatment: \_\_\_\_\_

Prescription strength meds orders ☐ Yes ☐ No

Meds: \_\_\_\_\_

Plan: \_\_\_\_\_

- DISPOSITION:
1. ☐ Patient is unable to work at this time.
  2. ☐ Recommend his/her return to work with no limitations on (DATE): \_\_\_\_\_
  3. ☐ He/She may return (DATE) \_\_\_\_\_ with a daily time limitation of \_\_\_\_\_ and/or with the following limitations until \_\_\_\_\_ or until re-evaluation on \_\_\_\_\_.

*Notice: The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information from an individual or family member of the individual, except as specifically allowed by law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic Information" as defined by GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic service and genetic information of a fetus carried by an individual or individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.*

**CHECK ONLY AS RELATES TO ABOVE CONDITION**

- ☐ **SEDENTARY WORK.** Lifting 10 pounds maximum and occasionally lifting and/or carrying such articles as dockets, ledgers, and small tools. Although a sedentary job is defined as one which involves sitting, a certain amount of walking and standing is often necessary in carrying out job duties. Jobs are sedentary if walking and standing are required only occasionally and other sedentary criteria are met.
- ☐ **LIGHT WORK.** Lifting 20 pounds maximum with frequent lifting and/or carrying of objects weighing up to 10 pounds. Even though the weight lifted may be only a negligible amount, a job is in this category when it requires walking or standing to a significant degree or when it involves sitting most of the time with a degree of pushing and pulling of arms and/or leg controls.
- ☐ **LIGHT MEDIUM WORK.** Lifting 30 pounds maximum with frequent lifting and/or carrying of objects weighing up to 20 pounds.
- ☐ **MEDIUM WORK.** Lifting 50 pounds maximum with frequent lifting and/or carrying of objects weighing up to 25 pounds.
- ☐ **LIGHT HEAVY WORK.** Lifting 75 pounds maximum with frequent lifting and/or carrying of objects weighing up to 40 pounds.
- ☐ **HEAVY WORK.** Lifting 100 pounds maximum with frequent lifting and/or carrying of objects weighing up to 50 pounds.

N=Never/Not Able				F=Frequent up to 30x/hr.			
O=Occasional up to 4 times/hr.				C=Constant over 30x/hr.			
Specify Restrictions for 24 day							
	N	O	F	C			
Sitting/Driving					Lab Work	Yes ___	No ___
Standing/Walking							
Climbing					X - Rays	Yes ___	No ___
Bending							
Kneeling/Squatting/Crawling							
					R	L	BIL
Reaching-Horiz./push-pull							
Reaching-Vert./above shoulder							
Gross Handling							
Finger Manipulation							
Single Grasping							
Repetitive Foot Movement							

**OTHER INSTRUCTIONS AND/OR LIMITATIONS:****SCHEDULED APPOINTMENTS:**
☐ Referral ☐ Clinic \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Time: \_\_\_\_\_

Time Out: \_\_\_\_\_ ☐ Called Employer Date \_\_\_\_\_ Signature \_\_\_\_\_**SCHEDULED APPOINTMENTS:**
☐ Referral ☐ Clinic \_\_\_\_\_ Date: \_\_\_\_\_

I hereby authorize my attending physician and/or hospital to release any information or copies thereof acquired in the course of my examination or treatment for the injury identified on this form to my employer or his representative.

PATIENT'S SIGNATURE

Date

PHYSICIAN'S SIGNATURE

Date



## MEMO

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**TO:** Municipal Services Committee  
City Plan Commission

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

**DATE:** June 6, 2017

**SUBJECT:** Discontinuance of Locust Street at the CN Railroad Crossing Number 179 919F.

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On May 3, 2017 the City Council approved the Wisconsin Central Ltd. Railroad Donation Agreement for the trestles. This agreement included the following language:

*"Donee and Donor mutually agree to undertake all measures necessary for the closing of Locust Street crossing in the City of Appleton, Outagamie County, identified as crossing number 179 919F / NWF 213 78, by the Office of Commissioner of Railroads for the State of Wisconsin. The parties agree to jointly petition for the closure of said crossing with the Office of Commissioner of Railroads (OCR) for the State of Wisconsin no later than July 1, 2017."*

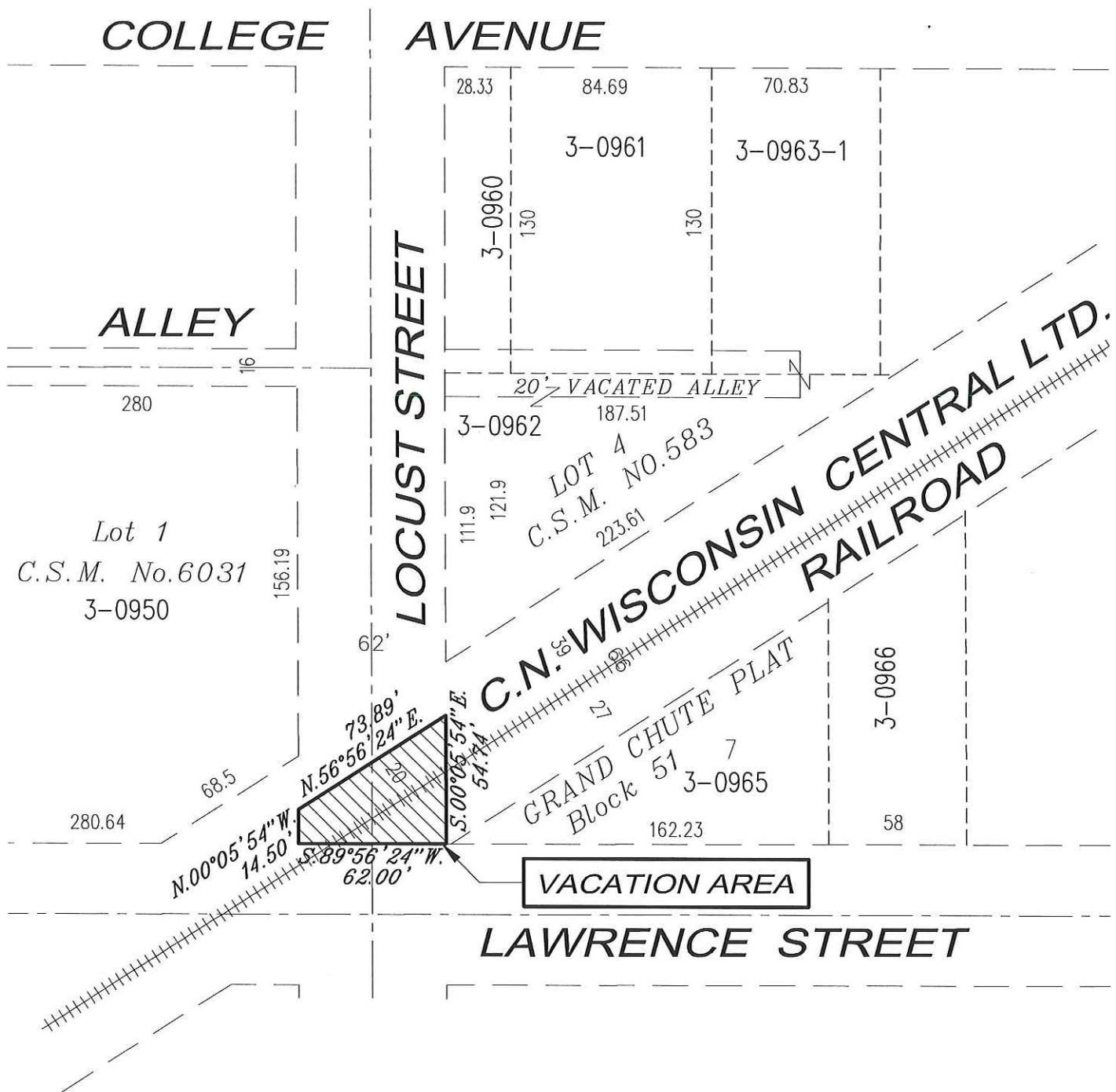
In addition, the City Council approved the Railroad Quiet Zone Implementation Plan on September 7, 2016. The approved plan (Scenario #4) included closing the Locust Street crossing of the railroad tracks as one of twenty three (23) improvements needed to create the proposed Quiet Zone.

Therefore, we recommend approval of the discontinuance of Locust Street at the CN Railroad Crossing Number 179 919F as shown on the attached drawing and legal description.

Attachments

# EXHIBIT

## LOCUST STREET VACATION



**CITY OF APPLETON**

DEPT. OF PUBLIC WORKS

ENGINEERING DIVISION

APPLETON, WISCONSIN. DWN. BY:TMK

H:\Acad\Vac and Ded\Railroad at Locust Superior Eighth 042111

**SOUTH LOCUST STREET  
AT  
C.N. WISCONSIN CENTRAL LTD. RAILROAD CROSSING**

**LEGAL DESCRIPTION**

A strip of land 62 feet in width and 34.6 feet in length along its centerline:

Bounded on the East and West by the C.N. Railway-Wisconsin Central Limited;

Bounded on the North by South Locust Street;

Bounded on the South by the North line of West Lawrence Street, being located in the Southeast Quarter(SE ¼) of the Southeast Quarter(SE ¼), of Section Twenty-Seven(27), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 2,146 square feet of land m/l and being further described by:

Commencing at the Southeast corner of said Section 27;

Thence N.00°17'14"W. 862.40 feet, along the East line of the SE ¼ of said Section 27;

Thence S.89°56'24"W. 435.86 feet, to the Northeast corner of South Locust Street and West Lawrence Street and being the point of beginning;

Thence continue S.89°56'24"W. 62.00 feet, along the North line of West Lawrence Street to the West line of South Locust Street;

Thence N.00°05'54"W. 14.50 feet, along the West line of South Locust Street, to a point 20 feet Northerly of the center of the main track of the C.N. Railway-Wisconsin Central Limited, as measured at a right angle to said track;

Thence N.56°56'24"E. 73.89 feet, parallel to the main track of the C.N. Railway-Wisconsin Central Limited to the East line of South Locust Street;

Thence S.00°05'54"E. 54.74 feet, along the East line of South Locust Street to the Northeast corner of West Lawrence Street and South Locust Street and the point of beginning.



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Public Hearing Date:** July 11, 2017

**Common Council Public Hearing Meeting Date:** September 6, 2017

**Item:** Street Discontinuance of Public Right-of-Way for Locust Street at CN Railroad Crossing

**Case Manager:** Don Harp

### GENERAL INFORMATION

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**Owner/Applicant:** City of Appleton c/o Paula Vandehey, Director of Public Works

**Location:** Generally located in the 100 block of South Locust Street at the CN Railroad Crossing Number 179 919F

**Petitioner's Request:** The applicant is requesting a street discontinuance of public right-of-way for Locust Street at the CN Railroad Crossing Number 179 919F.

### BACKGROUND

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On May 3, 2017, the Common Council approved the Wisconsin Central Ltd. Railroad Real Estate Donation Contract for vacant land and railroad trestles. This agreement included the following language:

*"Donee (City of Appleton) and Donor (Wisconsin Central Ltd., a Delaware corporation) mutually agree all measures necessary for the closing of Locust Street crossing in the City of Appleton, Outagamie County, identify as crossing number 179 919 F / NWF 213 78, by the Office of the Commissioner of Railroads for the State of Wisconsin. The parties agree jointly petition for the closer of said crossing with the Office of Commissioner of Railroads (OCR) for the State of Wisconsin no later than July 1, 2017"*

Contract details can found per link below.

- <https://cityofappleton.legistar.com/LegislationDetail.aspx?ID=3027263&GUID=146857AC-0A33-433E-B8AF-5E4AD061190F&Options=&Search=>

On September 7, 2016, the Common Council approved the Railroad Quiet Zone Implementation Plan. The approved plan (Scenario #4) included closing Locust Street crossing as one of twenty three (23) improvements needed to create the proposed Quiet Zone.

Scenario #4 details can found per link below.

- <https://cityofappleton.legistar.com/LegislationDetail.aspx?ID=2814770&GUID=6275BDAA-92BD-4876-BA80-F5FA46E20954&Options=&Search=>

## **STAFF ANALYSIS**

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**Title to Discontinued Street:** Title to the portion of this street being discontinued will belong to the City.

**Street Classification:** The City's Arterial/Collector Plan Map identifies this portion of Locust Street as a local street.

**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 a mix of residential and commercial in nature.

North: CBD Central Business District – Existing Locust Street right-of-way is immediately north of the subject area.

South: CBD Central Business District – Existing Lawrence Street right-of-way is immediately south of the subject area.

East: CBD Central Business District – Existing C.N. Wisconsin Central Ltd. Railroad right-of-way is immediately east of the subject area.

West: CBD Central Business District – Existing C.N. Wisconsin Central Ltd. Railroad right-of-way is immediately west of the subject area.

**Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future one and two-family residential uses. The proposed street right-of-way discontinuance is consistent with the following goal of the *Comprehensive Plan 2010-2030*.

*Goal 4 – Transportation*

*Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.*

**Technical Review Group (TRG) Report:** This item was discussed at the June 20, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

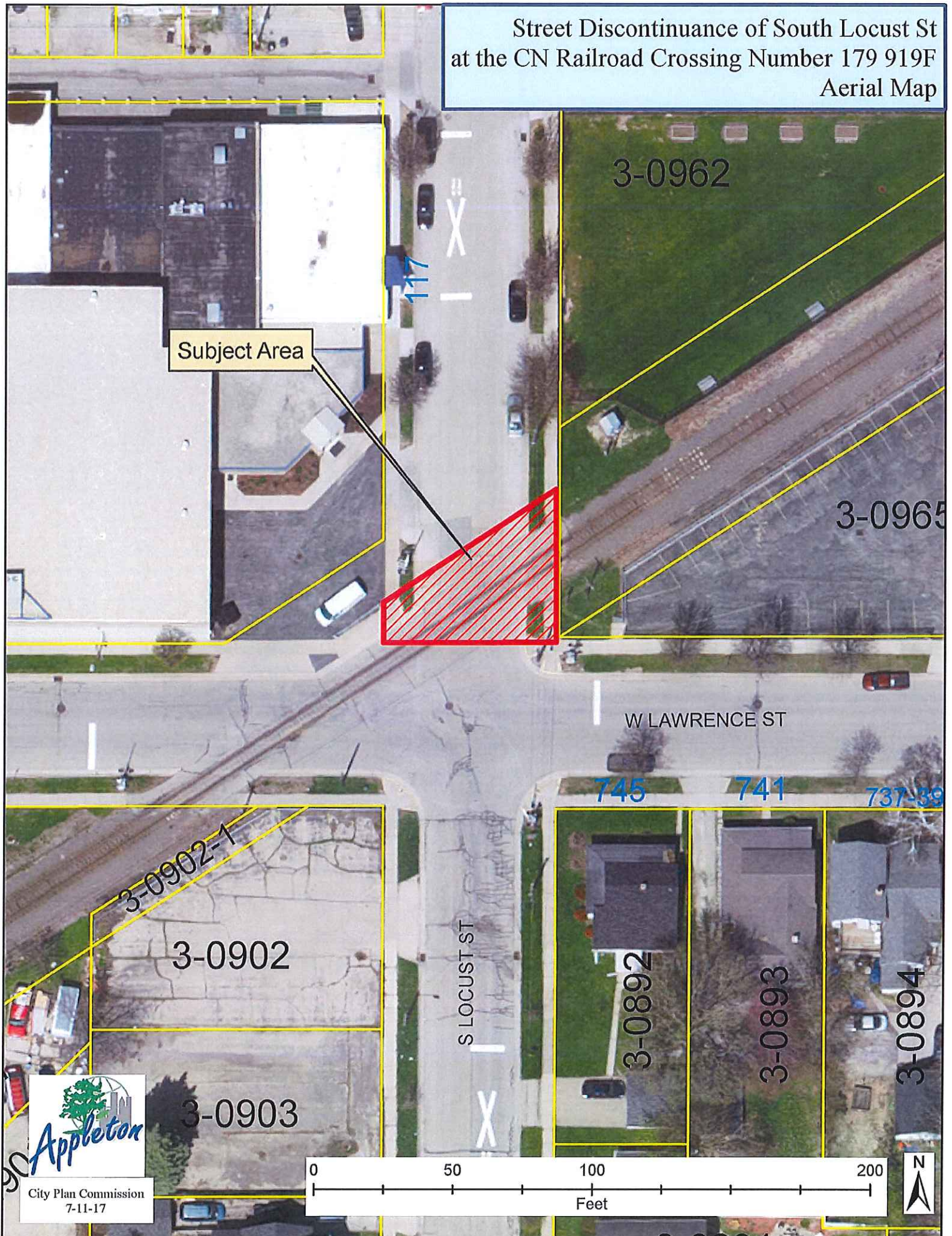
## **RECOMMENDATION**

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Staff recommends the discontinuance of South Locust Street public right-of-way at the CN Railroad Crossing Number 179 919F, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and the adoption of the Initial Resolution, **BE APPROVED**.



Street Discontinuance of South Locust St  
at the CN Railroad Crossing Number 179 919F  
Aerial Map





C C-2





## MEMO

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**TO:** Municipal Services Committee  
City Plan Commission

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

**DATE:** June 6, 2017

**SUBJECT:** **Discontinuance of Locust Street at the CN Railroad Crossing Number 179 919F.**

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On May 3, 2017 the City Council approved the Wisconsin Central Ltd. Railroad Donation Agreement for the trestles. This agreement included the following language:

*"Donee and Donor mutually agree to undertake all measures necessary for the closing of Locust Street crossing in the City of Appleton, Outagamie County, identified as crossing number 179 919F / NWF 213 78, by the Office of Commissioner of Railroads for the State of Wisconsin. The parties agree to jointly petition for the closure of said crossing with the Office of Commissioner of Railroads (OCR) for the State of Wisconsin no later than July 1, 2017."*

In addition, the City Council approved the Railroad Quiet Zone Implementation Plan on September 7, 2016. The approved plan (Scenario #4) included closing the Locust Street crossing of the railroad tracks as one of twenty three (23) improvements needed to create the proposed Quiet Zone.

Therefore, we recommend approval of the discontinuance of Locust Street at the CN Railroad Crossing Number 179 919F as shown on the attached drawing and legal description.

## ***INITIAL RESOLUTION***

***WHEREAS***, the public interest requires that a portion of South Locust Street, that has not previously been vacated, be vacated and discontinued,

***BE IT RESOLVED***, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of South Locust Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

### **LEGAL DESCRIPTION:**

#### **SOUTH LOCUST STREET AT C.N. WISCONSIN CENTRAL LTD. RAILROAD CROSSING**

A strip of land 62 feet in width and 34.6 feet in length along its centerline:  
Bounded on the East and West by the C.N. Railway-Wisconsin Central Limited;  
Bounded on the North by South Locust Street;  
Bounded on the South by the North line of West Lawrence Street, being located in the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼), of Section Twenty-Seven (27), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 2,146 square feet of land m/l and being further described by:

Commencing at the Southeast corner of said Section 27;  
Thence N.00°17'14"W. 862.40 feet, along the East line of the SE ¼ of said Section 27;  
Thence S.89°56'24"W. 435.86 feet, to the Northeast corner of South Locust Street and West Lawrence Street and being the point of beginning;  
Thence continue S.89°56'24"W. 62.00 feet, along the North line of West Lawrence Street to the West line of South Locust Street;  
Thence N.00°05'54"W. 14.50 feet, along the West line of South Locust Street, to a point 20 feet Northerly of the center of the main track of the C.N. Railway-Wisconsin Central Limited, as measured at a right angle to said track;  
Thence N.56°56'24"E. 73.89 feet, parallel to the main track of the C.N. Railway-Wisconsin Central Limited to the East line of South Locust Street;  
Thence S.00°05'54"E. 54.74 feet, along the East line of South Locust Street to the Northeast corner of West Lawrence Street and South Locust Street and the point of beginning.

### **COMMON DESCRIPTION:**

Railroad crossing in the 100 block of South Locust Street

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

***FURTHER RESOLVED***, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said portion of South Locust Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

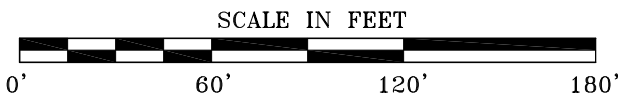
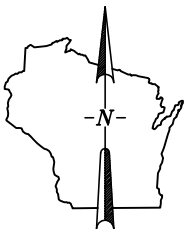
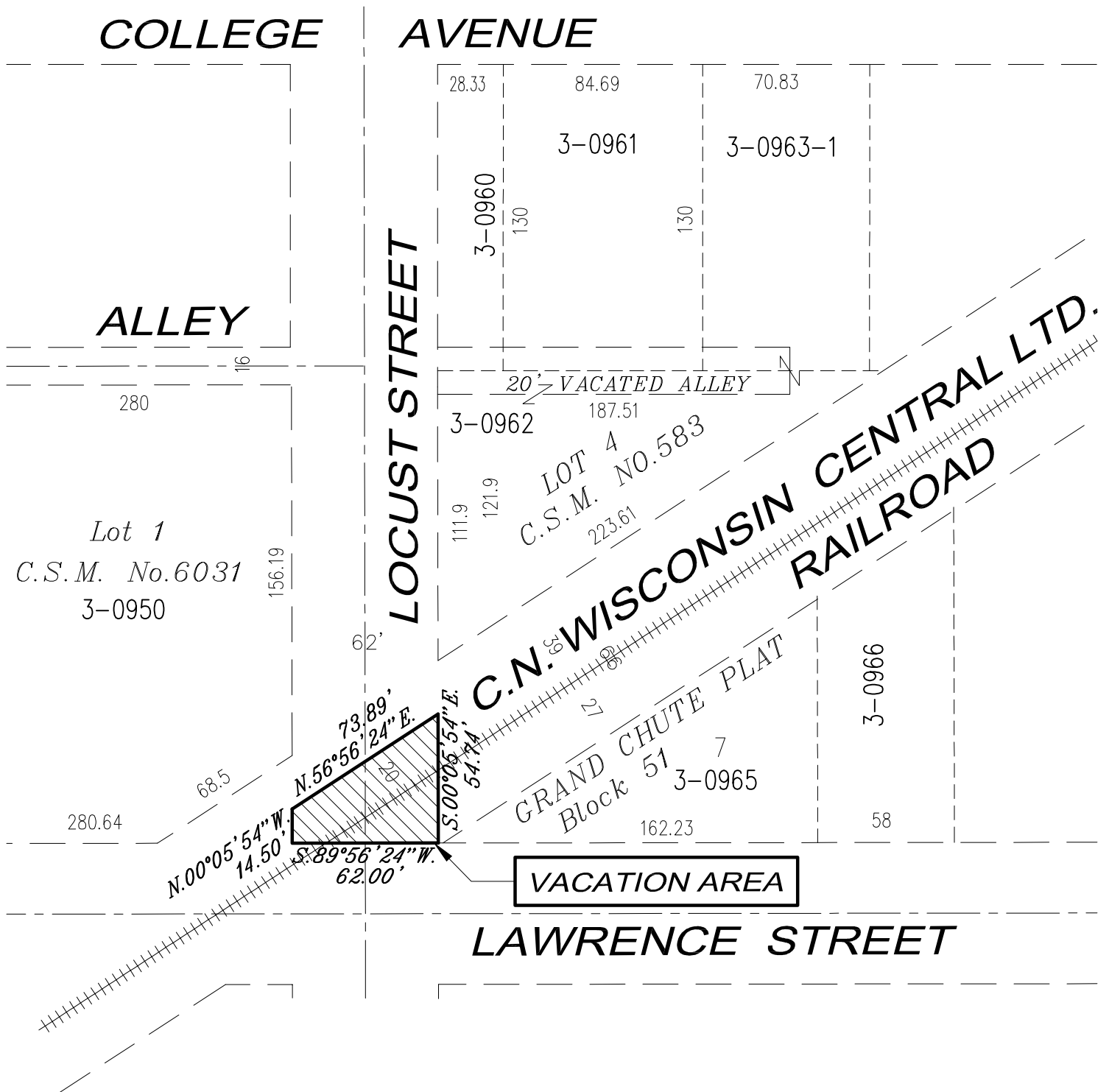
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Date

J:\Attorney\WORD\VACATION\Locust (RR Xing 2017)\  
Locust Street RR Xing - Initial Resolution.doc  
City Law: A17-0405

# EXHIBIT

## LOCUST STREET VACATION



**CITY OF APPLETON**

DEPT. OF PUBLIC WORKS

ENGINEERING DIVISION

APPLETON, WISCONSIN. DWN. BY:TMK

H:Acad/Vac and Ded/Railroad at Locust Superior Eighth 042111



## ***INITIAL RESOLUTION***

***WHEREAS***, the public interest requires that a portion of South Locust Street, that has not previously been vacated, be vacated and discontinued,

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---

Date

J:\Attorney\WORD\VACATION\Locust (RR Xing 2017)\  
Locust Street RR Xing - Initial Resolution.doc  
City Law: A17-0405

**AN ORDINANCE AMENDING SECTION 2-167 OF CHAPTER 2 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO [TRANSIT COMMISSION] MEMBERSHIP; TERMS OF MEMBERS.**

(Fox Cities Transit Commission – 7-19-2017)

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

**Section 1:** That Section 2-167 of Chapter 2 of the Municipal Code of the City of Appleton, relating to [Transit Commission] membership; terms of members, is hereby amended to read as follows:

**Sec. 2-167. Membership; terms of members.**

(a) The Fox Cities Transit Commission shall consist of thirteen (13) members as follows:

- (1) Four (4) members from the City of Appleton consisting of two (2) citizens and two (2) alderpersons, to be appointed by the Mayor subject to confirmation by the Common Council. The Common Council members shall be appointed annually for one- (1-) year terms and the other Appleton representatives shall serve three (3) year terms which shall expire on April 30.
- (2) The other nine (9) members shall be made up of representatives of municipalities that provide local funding for Valley Transit. These shall include the following:
  - a. City of Neenah – two (2);
  - b. Town of Grand Chute – two (2);
  - c. City of Menasha – one (1);
  - d. Village of Fox Crossing – one (1);
  - e. City of Kaukauna – one (1);
  - f. Village of Kimberly – one (1); and
  - g. Town of Buchanan – one (1).
- (3) The members listed in (2) shall serve three (3) year terms which shall expire on April 30 of the third year.

(b) The Commission shall report to the Common Council and be part of the City of Appleton's organizational structure.

(c) Any vacancies occurring during office shall be filled in the same manner for the

balance of the unexpired term.

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

**53-17**

**AN ORDINANCE AMENDING SECTION 19-41 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL THROUGH STREET MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES.**

(Municipal Services Committee – 7-19-2017)

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

**Section 1:** That Section 19-41 of Chapter 19 of the Municipal Code of the City of Appleton and the Official Through Street Map, which is a part thereof, is amended by making the following additions:

Capitol Drive from Roemer Road to Conkey Street

Conkey Street from Northland Avenue (CTH “OO”) to Capitol Drive

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the traffic engineer is authorized and directed to make the necessary changes to the Official Through Street Map in accordance with this Ordinance.

**54-17**

**AN ORDINANCE AMENDING SECTION 9-262(a)(2) OF CHAPTER 9 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO [SIDEWALK CAFES] CONDUCT OF BUSINESS GENERALLY.**

(Municipal Services Committee – 7-19-2017)

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

**Section 1:** That Section 9-262(a)(2) of Chapter 9 of the Municipal Code of the City of Appleton, relating to [sidewalk cafes] conduct of business generally, is hereby amended to read as follows:

**Sec. 9-262. Conduct of business generally.**

(a) A permit holder under this division shall be subject to the following:

- (2) Sidewalk cafés may neither obstruct the defined pedestrian right-of-way adjacent to the amenity strip, nor have any items in excess of five (5) feet in height, with the exception of table umbrellas.

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

## **55-17**

**AN ORDINANCE AMENDING SECTION 23-206(b)(1) OF CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO FLOODPLAIN ZONING; STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS; GENERAL PROVISIONS; OFFICIAL MAPS AND REVISIONS; OFFICIAL MAPS BASED ON THE FIS.**

(City Plan Commission – 8-2-2017)

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

**Section 1:** That Section 23-206(b)(1) of Chapter 23 of the Municipal Code of the City of Appleton, relating to floodplain zoning; statutory authorization, finding of fact, statement of purpose, title and general provisions; general provisions; official maps and revisions; official maps based on the FIS, is hereby amended to read as follows:

### **Sec. 23-206. General provisions.**

- (b) ***Official maps and revisions.*** The boundaries of all floodplain districts are designated as floodplains or A-Zones on the maps listed below and the revisions in the City of Appleton Floodplain Appendix. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Division of Inspections of the Department of Public Works for the City of Appleton. If more than one map or revision is referenced, the most restrictive information shall apply.

#### **(1) *Official maps based on the FIS:***

- a. Calumet County Flood Insurance Rate Map (FIRM), panel numbers 55015C0007E, 55015C0026E and 55015C0027E dated February 4, 2009; with corresponding profiles that are based on the Calumet County Flood Insurance Study (FIS), dated February 2009, volume number 55015CV000A.

- b. Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0304E, and 55087C0308E dated January 20, 2016; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated January 20, 2016, volume number 55087CV000B.
- c. Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0309D, 55087C0314D, 55087C0316D, 55087C0317D, 55087C0318D, 55087C0319D, 55087C0330, 55087C0338D, 55087C0427D, 55087C0431D and 55087C451D dated July 22, 2010; with corresponding profiles that are based on the Outagamie County Flood Insurance Study (FIS) dated July 22, 2010 volume number 55087CV000A.
- d. Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0328D, 55087C0329D, 55087C0336D, 55087C0337D dated July 22, 2010 and revised August 23, 2013 with corresponding profiles that are based on the Outagamie County Flood Insurance Study (FIS) dated July 22, 2010 volume number 55087CV000A, all revised and annotated pursuant to FEMA Letter of Map Revision Determination Document Case No: 12-05-6032P, Issue Date April 10, 2013, Effective Date August 23, 2013.
- e. LOMR – Case #11-05-7670P, Floodway and Floodplain revisions between Flood Insurance Study (FIS) Cross Section AW to BA, Outagamie County Flood Insurance Rate Map (FIRM) panels 55087C0318D and 55087C0319D, dated July 22, 2010. This reflects changes on the Fox River from just downstream of the Private Middle Dam to approximately 250 feet upstream of the Appleton Upper Dam.
- f. LOMR – Case #13-05-7920P, Floodplain revisions between Flood Insurance Study (FIS) Cross Section AN to AM, Outagamie County Flood Insurance Rate panels 55087C0319D, dated July 22, 2010. This reflects changes along the south side of the Fox River from the College Avenue Bridge to approximately 850 feet downstream.
- g. City of Appleton Kensington Pond Dam Break Analysis Hydraulic Shadow, Per Figure F-9 of Dam Failure Analysis and Assignment of the Hazard Rating for Kensington Pond Dam, by Earth Tech, dated January 2008, on file with City of Appleton Department of Public Works.
- h. LOMR – Case #17-05-1963P. Floodplain revisions on Outagamie County Flood Insurance Study (FIS) AAL Tributary Cross Section C, Outagamie County Flood Insurance Rate Map (FIRM) panel 55087C0336D, effective September 29, 2017. This reflects changes along the AAL Tributary from just downstream of Lightning Drive to approximately 200 feet upstream of East Glenhurst Lane.



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

**56-17**

**AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.**

(City Plan Commission 8-2-2017)

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

**Section 1:** That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone lands located at 525 South Memorial Drive from C-2 General Commercial District to R-3 Multi-Family District. (Rezoning #4-17 – Harbor House Domestic Abuse Programs Inc.)

**LEGAL DESCRIPTION:**

The South 50 feet of Lot 7, Block 27, Grand Chute Plat 3<sup>rd</sup> Ward, City of Appleton, Outagamie County, Wisconsin, according to the recorded Assessor's Map of said City. EXCEPT Parcel 24 of Transportation Project Plat 6240-13130624006-21-4.02, recorded in Plat Cabinet L, Page 174 as Document Number 1821753, on February 6, 2009 in the Outagamie County Office of the Register of Deeds, being part of Lot 7, Block 27, of Grand Chute Plat, located in the NW ¼ of the NW ¼, Section 35, T21N, R17E, City of Appleton, Outagamie County, Wisconsin. Including all of the adjacent one-half (1/2) right of way of West Fifth Street and Memorial Drive (aka S.T.H. 47).

Tax Key No. 31-3-0624-00

**COMMON DESCRIPTION:**

525 South Memorial Drive

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.

**AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.**

(City Plan Commission 7-19-2017)

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

**Section 1:** That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone lands located along Amethyst Drive between Aquamarine Avenue and Bluetopaz Drive/part of Parcel #31-1-7600-00 from AG Agricultural District to R-1B Single-family District. (Rezoning #3-17 – 4<sup>th</sup> Addition to Emerald Valley Estates)

**LEGAL DESCRIPTION:**

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4 AND 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 EAST CORNER OF SAID SECTION 6; THENCE SOUTH 00 DEGREES 02 MINUTES 25 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1131.30 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 35 SECONDS WEST, A DISTANCE OF 676.42 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, ALONG THE NORTH LINE OF THE SECOND ADDITION TO EMERALD VALLEY, A DISTANCE OF 321.00 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, A DISTANCE 800.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, A DISTANCE OF 131.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE WEST RIGHT OF WAY LINE OF AMETHYST DRIVE, A DISTANCE OF 110.00 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, ALONG THE SOUTH LINE OF THE FIRST ADDITION TO EMERALD VALLEY, A DISTANCE OF 190.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE WEST LINE OF EMERALD VALLEY A DISTANCE OF 690.00 FEET TO THE POINT OF BEGINNING. CONTAINING 235,900 SQUARE FEET [5.416 ACRES]

**COMMON DESCRIPTION:**

Along Amethyst Drive between Aquamarine Avenue and Bluetopaz Drive

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.