



# City of Appleton

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

## Meeting Agenda - Final-revised Common Council

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Wednesday, November 1, 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

[17-1698](#) Common Council Meeting Minutes of October 18, 2017

Attachments: [CC Minutes 10-18-17.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[17-1699](#) Presentation of Wisconsin Department of Health Services Level III Certificate of Designation to the City of Appleton Health Department

- I. PUBLIC HEARINGS

- J. SPECIAL RESOLUTIONS

- K. ESTABLISH ORDER OF THE DAY

- L. COMMITTEE REPORTS

- 1. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[17-1606](#)

**Summit Street**, from Spencer Street to College Avenue, be reconstructed with asphalt pavement and concrete curb and gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. A new splitter island will be reconstructed at the south end of Summit Street, located at the intersection with Spencer Street and the railroad crossing. The proposed splitter island will restrict left turns from Summit Street on to Spencer Street in an effort to improve the safety at the railroad crossing, and is a part of the city-wide quiet zone implementation for all railroad crossings. Existing on-street parking provisions within the project limits will remain unchanged.

**Legislative History**

|          |                              |                          |
|----------|------------------------------|--------------------------|
| 10/23/17 | Municipal Services Committee | recommended for approval |
|----------|------------------------------|--------------------------|

[17-1607](#)

Request from Raymond and Claudine Green, 1400 E. Capitol Drive, for a variance to Municipal Code 19-91(f)(5) to extend his driveway 16 feet into the front yard.

**Attachments:** [Driveway variance-Raymond & Claudine Green.pdf](#)  
[Sketch of 1400 E Capitol Dr.pdf](#)

**Legislative History**

|          |                              |                          |
|----------|------------------------------|--------------------------|
| 10/23/17 | Municipal Services Committee | recommended for approval |
|----------|------------------------------|--------------------------|

*Amend item 17-1607 to allow the variance under the current ownership. When the property is sold, the new owner needs MSC approval to continue the variance. Amendment passed 4-0.*

[17-1608](#)

Approve revised State/Municipal Agreement for the US 10/Oneida Street Interchange Project to include intelligent transportation system installations for a revised total Municipal Fund share of \$34,463.

**Attachments:** [Revised State-Municipal Agreement for the US10-Oneida St. Interchange Project](#)

**Legislative History**

|          |                              |                          |
|----------|------------------------------|--------------------------|
| 10/23/17 | Municipal Services Committee | recommended for approval |
|----------|------------------------------|--------------------------|

[17-1609](#)

Request from John Houlihan and Nancy Miles, 17 Riverfront Court, to appeal the denial for a second driveway to Pierce Court.

**Attachments:** [17 Riverfront Ct second driveway to Pierce Ct.pdf](#)

**Legislative History**

|          |                              |                          |
|----------|------------------------------|--------------------------|
| 10/23/17 | Municipal Services Committee | recommended for approval |
|----------|------------------------------|--------------------------|

[17-1610](#)

Request from the Radisson Paper Valley Hotel to convert the 4 metered stalls in the 300 W Lawrence Street block (planned to be installed as part of the Lawrence Street reconstruction project) to a 10-minute loading zone.

**Attachments:** [Radisson Paper Valley Hotel-metered stalls to a 10 minute loading zone.pdf](#)

**Legislative History**

|          |                                 |                          |
|----------|---------------------------------|--------------------------|
| 10/23/17 | Municipal Services<br>Committee | recommended for approval |
|----------|---------------------------------|--------------------------|

[17-1611](#)

Request by staff to have two properties (tax key 1-9300-53 and tax key 1-9300-38) officially precluded from access to Canyon Lane.

**Attachments:** [Two properties precluded from access to Canyon Lane.pdf](#)

**Legislative History**

|          |                                 |                          |
|----------|---------------------------------|--------------------------|
| 10/23/17 | Municipal Services<br>Committee | recommended for approval |
|----------|---------------------------------|--------------------------|

[17-1669](#)

Award 5-Year (2018-2022) Neglected Sidewalk Snow Shoveling Services to Special Forces Building and Grounds, LLC.

**Attachments:** [Special Forces Building and Grounds, LLC.pdf](#)

**Legislative History**

|          |                                 |                          |
|----------|---------------------------------|--------------------------|
| 10/23/17 | Municipal Services<br>Committee | recommended for approval |
|----------|---------------------------------|--------------------------|

[17-1674](#)

**Durkee Street**, from Atlantic Street to Summer Street, be reconstructed with asphalt pavement and concrete curb and gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing on-street parking provisions within the project limits will remain unchanged.

**Legislative History**

|          |                                 |                          |
|----------|---------------------------------|--------------------------|
| 10/23/17 | Municipal Services<br>Committee | recommended for approval |
|----------|---------------------------------|--------------------------|

[17-1678](#)

**Hall Avenue**, from Woodland Avenue to Grant Street, be reconstructed with asphalt pavement and concrete curb and gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. New concrete sidewalk would be constructed along the east side of Hall Avenue within the project limits. Existing on-street parking provisions within the project limits will remain unchanged.

**Attachments:** [Alderson Croatt letter regarding sidewalk on Hall St.pdf](#)  
[Memo-Why Sidewalks on Hall St.pdf](#)  
[Picture-Woodland & Grant Intersection.pdf](#)

**Legislative History**

|          |                              |                          |
|----------|------------------------------|--------------------------|
| 10/23/17 | Municipal Services Committee | recommended for approval |
|----------|------------------------------|--------------------------|

[17-1681](#)

Approve Contract Amendment/Change Order No. 1 to contract 64-17 for Red Ramp Structural Repairs to increase for the repair of an additional 95 square feet of deteriorated structural concrete beam, identified at time of adjacent column repairs in the amount of \$22,705.00 resulting in a decrease to contingency from \$5,292.00 to \$0.00. Overall contract increased from \$40,572.00 to \$57,985.00.

**Attachments:** [Red Parking Ramp Structural Column Repairs.pdf](#)

**Legislative History**

|          |                              |                          |
|----------|------------------------------|--------------------------|
| 10/23/17 | Municipal Services Committee | recommended for approval |
|----------|------------------------------|--------------------------|

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[17-1548](#)

Resolution #20-R-17; Resolution regarding Special Events by Appleton Downtown Inc.

**Attachments:** [#20-R-17.pdf](#)

**Legislative History**

|          |                                |          |
|----------|--------------------------------|----------|
| 10/11/17 | Safety and Licensing Committee | approved |
|          | <i>For debate</i>              |          |

|          |                                |      |
|----------|--------------------------------|------|
| 10/11/17 | Safety and Licensing Committee | held |
|----------|--------------------------------|------|

*Croatt moved, seconded by Williams, that the Resolution be recommended for denial. Roll Call. Due to only 3 members present and 1 abstention there was not a quorum for action on the Resolution. It will appear on the next scheduled Safety & Licensing agenda.*

*Will appear on October 25, 2017 Safety & Licensing Committee Meeting.*



10/25/17      Safety and Licensing      recommended for denial  
Committee

[17-1590](#)      Taxicab Company and Limousine Service application of First Hitch Draft Company, Neal Bredesen, 1356 Wild Rose Lane, contingent upon approvals from all departments.

**Legislative History**

10/25/17      Safety and Licensing      recommended for approval  
Committee

[17-1595](#)      Operator's Licenses

**Attachments:** [Operator's Licenses for 10-25-17 S & L.pdf](#)

[17-1690](#)      Operator License application of Robert Budrick, 621 N. Center Street.

**Attachments:** [Robert Budrick.pdf](#)

[SL Denial 10-25-17.pdf](#)

**Legislative History**

10/25/17      Safety and Licensing      recommended for denial  
Committee  
*Mr. Budrick was in attendance and addressed the Committee to cite why he felt his license should be approved.*

[17-1693](#)      Request to approve stipulated liquor license agreement between the City and Dieters Place

**Attachments:** [MemoRE Dieters Liquor License Agerement.pdf](#)

[Signed License Agreement.pdf](#)

**Legislative History**

10/25/17      Safety and Licensing      recommended for approval  
Committee

[17-1695](#)      Secondhand Jewelry License application of Studio 247 Fine Jewelry, Milada Rice Henke, applicant, 3545 E. Calumet Street, contingent upon approval from all departments.

**Attachments:** [Secondhand Jewelry application - Studio 247 Fine Jewelry.pdf](#)

**Legislative History**

10/25/17      Safety and Licensing      recommended for approval  
Committee

### 3.      MINUTES OF THE CITY PLAN COMMISSION

[17-1673](#)

Request to approve Special Use Permit #11-17 for a wine bar located at 220 W. College Avenue (Tax Id #31-2-0257-00), including a sidewalk café directly in front of the establishment within the College Avenue amenity strip with alcohol sales and service, 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\\_SpecialUsePermit #11-17\\_220 W College Ave.pdf](#)

**Legislative History**

10/24/17      City Plan Commission      recommended for approval

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

**5. MINUTES OF THE FINANCE COMMITTEE**

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

[17-1679](#)

Application for use of City logo received from Alissa Williams dated October 3, 2017

**Attachments:** [Application for Use of City Logo\\_Alissa Williams\\_10-3-17.pdf](#)

**Legislative History**

10/25/17      Community & Economic      recommended for approval  
Development Committee

**7. MINUTES OF THE UTILITIES COMMITTEE**

[17-1625](#)

Award contract to Patrick Engineering for design and engineering services for the Wastewater Plant Electrical Distribution Feasibility Study and Master Plan project for a contract of \$114,540.

**Attachments:** [2017 Wastewater Electrical Distribution Phase one design.pdf](#)

**Legislative History**

10/24/17      Utilities Committee      recommended for approval

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

[17-1691](#)

Request to approve changes to the Employee Status policy to update the definition of a Community Service Officer.

**Attachments:** [Employee Status policy.pdf](#)

**Legislative History**

10/25/17      Human Resources &      recommended for approval  
Information Technology  
Committee

[17-1692](#)

Request to approve changes to the Salary Administration Policy from file #17-1532 which had Section H Overtime approved but remaining policy held until 10/25/17 committee meeting.

**Attachments:** [Salary Administration Policy 2017.pdf](#)

[Salary Policy Examples.pdf](#)

**Legislative History**

|          |   |         |
|----------|---|---------|
| 10/25/17 | Human Resources &<br>Information Technology<br>Committee  | amended |
|          | <i>Section V. Procedures, D. - G. were separated out of the Policy. These sections were recommended for approval.</i> |         |
| 10/25/17 | Human Resources &<br>Information Technology<br>Committee  | held    |
|          | <i>The remainder of the Policy is held until the December 13th Human Resources Committee meeting.</i>                 |         |

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

[17-1497](#)

Authorization to Lease Bus from Outagamie County

**Attachments:** [Lease Contract memo.pdf](#)

**Legislative History**

|          |                                  |                          |
|----------|----------------------------------|--------------------------|
| 10/25/17 | Fox Cities Transit<br>Commission | recommended for approval |
|----------|----------------------------------|--------------------------|

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

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[17-1696](#)

Ordinances 79-17 to 83-17

**Attachments:** [Ordinance going to Council 11-1-17.pdf](#)

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[17-1706](#)

The Common Council may convene in closed session pursuant to State Statute §19.85(1)(e) for the purpose of deliberating the purchasing of public properties and/or the investing of public funds in certain property located in downtown Appleton and then will reconvene in open session.

T. ADJOURN

Kami Lynch, City Clerk

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



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, October 18, 2017

7:00 PM

Council Chambers

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### A. CALL TO ORDER

*The meeting was called to order by Mayor Hanna at 7:05 p.m.*

### B. INVOCATION

*The Invocation was offered by Alderperson Spears.*

### C. PLEDGE OF ALLEGIANCE TO THE FLAG

### D. ROLL CALL OF ALDERPERSONS

**Present:** 15 - 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 Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt, Mayor Timothy Hanna and Alderperson Bob Baker

**Excused:** 1 - Alderperson Keir Dvorachek

### E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Finance Saucerman, Health Officer Eggebrecht, Director of Human Resources Matz, Police Chief Thomas, Director of Public Works Vandehey, Deputy Director of Utilities Stempa, Diversity Coordinator Nelson.*

*The following departments were excused:*

*Information Technology*

*Community & Economic Development*

*Library*

*Valley Transit*

*Parks Recreation & Facilities*

*Fire*

### F. PUBLIC PARTICIPATION

*The following individual spoke during Public Participation:*

*Barbara Hines, 1911 N. Morrison St. Re: Item 17-1546 Sustainability Resolution*

## G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[17-1683](#)

Common Council Meeting Minutes of October 4, 2017

**Attachments:** [CC Minutes 10-4-17.pdf](#)**Aldersperson Baranowski moved, seconded by Aldersperson Baker, that the Minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - 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 Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt and Aldersperson Bob Baker

**Excused:** 1 - Aldersperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

## H. BUSINESS PRESENTED BY THE MAYOR

[17-1588](#)

Presentation of Neighborhood Bike Challenge Award to Erb Park Neighborhood

**The award was presented**[17-1589](#)

Appointment of Jake Woodford to the Appleton Redevelopment Authority

**Attachments:** [Appt. to ARA - Jake Woodford; 10-18-17CC.pdf](#)**Aldersperson Baranowski moved, seconded by Aldersperson Croatt, that the Appointment be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - 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 Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt and Aldersperson Bob Baker

**Excused:** 1 - Aldersperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

## I. PUBLIC HEARINGS

## J. SPECIAL RESOLUTIONS

[17-1560](#)

Resolution Approving a Change of Polling Place for Aldermanic District 8

**Attachments:**     [2017 Resolution Changing District 8 Polling Place.pdf](#)

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

**Aye:** 14 - 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 Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt and Aldersperson Bob Baker

**Excused:** 1 - Aldersperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

[17-1561](#)

Resolution Approving a Change of Polling Place for Aldermanic District 11

**Attachments:**     [2017 Resolution Changing District 11 Polling Place.pdf](#)

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

**Aye:** 14 - 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 Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt and Aldersperson Bob Baker

**Excused:** 1 - Aldersperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[17-1546](#)

**Sustainability Resolution #21-R-17**

**Submitted by Aldersperson Croatt - District 14  
October 4, 2017**

**Attachments:**     [Resolution #21-R-17.doc](#)

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

**Aye:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Alderperson Bob Baker

**Excused:** 1 - Alderperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

[17-1545](#)

Request to approve Aldermanic salary for the 2019 election year

**Attachments:** [Elected Alderperson Salaries.pdf](#)

**Alderperson Lobner moved, seconded by Alderperson Baker, that the Aldermanic Salary be amended to reflect a 50% increase. Roll Call. Motion failed by the following vote:**

**Aye:** 3 - Alderperson Kyle Lobner, Alderperson Vered Meltzer and Alderperson Bob Baker

**Nay:** 11 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Matt Reed, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

**Excused:** 1 - Alderperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Lobner moved, seconded by Alderperson Baker, that the Aldermanic Salary be amended to reflect a 10% increase. Roll Call. Motion failed by the following vote:**

**Aye:** 4 - Alderperson Kyle Lobner, Alderperson Vered Meltzer, Alderperson Joe Martin and Alderperson Bob Baker

**Nay:** 10 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Matt Reed, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

**Excused:** 1 - Alderperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Baranowski moved, seconded by Alderperson Croatt, that the Aldermanic Salary be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 9 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Matt Reed, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt



**Nay:** 5 - Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Vered Meltzer, Alderperson Joe Martin and Alderperson Bob Baker

**Excused:** 1 - Alderperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

17-1498

Operator's Licenses

**Attachments:** [Operator's Licenses for 10-11-17 S & L.pdf](#)

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

**Aye:** 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Alderperson Bob Baker

**Excused:** 1 - Alderperson Keir Dvorachek

**Abstained:** 2 - Alderperson Curt Konetzke and Mayor Timothy Hanna

L. COMMITTEE REPORTS

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

**Alderperson Croatt moved, Alderperson Konetzke seconded, to approve the balance of the agenda. The 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 Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Alderperson Bob Baker

**Excused:** 1 - Alderperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

17-1553

Award Downtown Appleton Parking Study Update to Walker Parking Consultants in an amount not to exceed \$30,000.

**Attachments:** [Update to Walker Parking Consultants.pdf](#)

**This Report Action Item was approved.**

[17-1554](#)

Award of contract for 2018-2022 Snow Plowing & Snow Removal Services in City of Appleton Parking Facilities.

**Attachments:** [2018-2022 Snow Plowing & Snow Removal Services.pdf](#)

This Report Action Item was approved.

[17-1555](#)

Approve Intergovernmental Agreement with Outagamie County for the Ballard Road Box Culvert Maintenance Project south of Northland Avenue.

**Attachments:** [Intergovernmental Agreement for Ballard Rd Box Culvert Project..pdf](#)

This Report Action Item was approved.

[17-1556](#)

Approve modifications to Municipal Code, Sections 4-206 through 4-212 regarding moving of buildings and structures.

**Attachments:** [Modifications to Municipal Code 4-206 through 4-212.pdf](#)

This Report Action Item was approved.

[17-1557](#)

Approve waiving of electrical permit fee associated with adjusting the existing electrical meter service from overhead to underground ahead of the S. Oneida Street Reconstruction at Houdini's Escape.

This Report Action Item was approved.

## **2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[17-1499](#)

"Class B" Beer/Liquor License application of Mango Tree Inc. d/b/a Koreana Restaurant, Kou Lee, Agent, 201 W. Northland Ave., contingent upon approval from all departments.

**Attachments:** [Koreana Restaurant application.pdf](#)

This Report Action Item was approved.

## **3. MINUTES OF THE CITY PLAN COMMISSION**

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

## **5. MINUTES OF THE FINANCE COMMITTEE**

[17-1521](#)

Request to approve authorization request to sell water plant membrane cartridges and decommissioned ultrafiltration equipment through a consignment agreement(s) (item also appears as an informational item on the Utilities Committee agenda).

**Attachments:** [Membrane Consignment Request 08-04-17.pdf](#)

This Report Action Item was approved.

[17-1522](#)

Request to reject bid from Miron Construction, Inc for \$1,847,815 for the Jones Park Renovation Phase I project.

**Attachments:** [2017 Jones Park Renovation Phase I \(Reject Bids\).pdf](#)

This Report Action Item was approved.

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

**7. MINUTES OF THE UTILITIES COMMITTEE**

[17-1510](#)

Award Unit N-17 CIPP Liner, Spot Repairs, Protruding Tap & Mineral Deposit Removal to Great Lakes TV & Seal, Inc in an amount not to exceed \$171,000.

**Attachments:** [N-17 attachment.pdf](#)

This Report Action Item was approved.

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

[17-1532](#)

Request to approve changes to the Salary Administration Policy

**Attachments:** [Salary Administration Policy 2017.pdf](#)

*Common Council approved only Section H - Overtime on 10/18/2017*

*The remainder of the Policy is held until the HR & IT Committee meeting on 10/25/2017*

**Aldersperson Croatt moved, seconded by Aldersperson Konetzke, that Section H. be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Alderperson Bob Baker

**Excused:** 1 - Alderperson Keir Dvorachek

**Abstained:** 1 - Mayor Timothy Hanna

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

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

**M. CONSOLIDATED ACTION ITEMS**

**N. ITEMS HELD**

**O. ORDINANCES**

[17-1587](#)

Ordinance 78-17

**Attachments:** [Ordinance going to Council 10-18-17.pdf](#)

**This Ordinance 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 #22-R-17*

*October 18, 2017*

*Submitted by: Alderperson Martin – District 4*

*Referred to: Safety & Licensing Committee*

*Whereas, The Social Station intends to be the premier attraction in Northeast Wisconsin and the Fox Cities, eventually become the preferred activity for sight-seeing and entertainment and group activities.*

*Whereas, the tour is a great entertainment service for craft beer tours, narrated history tours, singles-mingle events, birthday parties, bachelorette/bachelor parties, fitness expeditions, mystery tours or scavenger hunts, at the coolest places in Downtown Appleton and the riverfront in Appleton, Wisconsin.*

*Whereas, The Social Station mission is to create unique, memorable and enjoyable group cycle experience.*

*Whereas, The Social Station promotes active living in a healthy and socially responsible manner while adhering to the highest safety standards and regulations*

*Whereas, The Social Station has laid out a great road map of up to 2 routes.*

*1. South on State Street to Lawrence Street crossing North at College Avenue, West on Washing Street, Division Street jog onto College Avenue West to Walnut Street, Right on Walnut Street, Left on Johnston Street, back on State Street, south on State Street crossing over College Avenue.*

*2. South on State Street to Jackman Street along the riverfront on Water Street, RIGHT on Olde Oneida Street, cross Oneida Street up into Riverview Gardens. Return on Olde Oneida Street, East on Water Street, cross College Ave, West on Washing Street, Division Street jog onto College Avenue West to Walnut Street, Right onto to Walnut Street, and Left on Johnston Street back to State Street, south on State Street crossing over College Ave..*

*NOW THEREFORE BE IT RESOLVED, The Social Station be permitted to have up to three beverages of malt beverages, wine in individual servings, hard sodas, hard seltzer's and similar canned beverages and or craft beers per person. Served only to twenty-one years of age and served only till 11:00 PM daily.*

## R. OTHER COUNCIL BUSINESS

## S. ADJOURN

**Alderperson Baranowski moved, seconded by Alderperson Croatt, that the meeting be adjourned at 7:48 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 15 - 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 Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt, Mayor Timothy Hanna and Alderperson Bob Baker

**Excused:** 1 - Alderperson Keir Dvorachek

Kami Lynch, City Clerk

**Raymond B and Claudine A. GREEN**

1400 E. Capitol Drive  
Appleton, Wisconsin, 54911-8477  
**920.939.2111**

Appleton, WI. Dept. of Public Works  
100 N Appleton, Street  
Appleton, WI. 54911-4799

06 OCT 2017

REF. FILE NO: 2017.0911

Dear Mr. Craanen:

I am writing to request a variance to Appleton Code 19-91 (f) (5), in relation to a small concrete pad that I recently had installed off of the driveway in my front yard. As I will explain in more detail below, the purpose of the pad is not to park vehicles, but instead to serve as a small area that allows my wife and I to turn our garage-parked vehicles around in order to exit our driveway in the safest manner possible.

My wife and I recently moved to Appleton from Illinois in early May 2017, in order to be closer to our only daughter, son-in-law and grandchildren, who moved here in August 2016. At the time we were looking for a home to purchase, the real estate inventory in Appleton was, as I am sure you are aware, very tight. Homes were selling within hours of going on the market. When we found the home we ultimately purchased at 1400 E. Capitol Drive, we loved many features it offered. However, we had significant concerns about the fact that the driveway opened directly onto Capitol, requiring us to back out into oncoming traffic. First, my wife and I will both turn 73 this year – we are not quite as nimble as we once were, which can make backing onto a busy street difficult. Second, my wife suffers from Cervical Dystonia, which restricts how far she can turn her head to the right – this necessarily impacts her ability to get a full view of the road behind her when backing up. Third, Capitol is a busy, heavily traveled thoroughfare, with Ferber Elementary to the west, Memorial Park's entrance almost directly across the street from our house, and the busy Ballard Rd./41 interchange just to the east. Fourth, although the speed limit in front of our house is 25 mph, traffic frequently moves along much faster than that – sometimes at speeds approaching 35-40 mph. Fifth, the sidewalk in front of our house is also heavily used by pedestrians in the neighborhood – people walking dogs, children riding bikes and families pushing baby strollers.

After considering the issue and discussing it with our real estate agent in light of the lack of available homes to purchase, we thought a reasonable solution to our safety concerns would be to add a small concrete pad off the side of the driveway, which would allow us to safely turn our vehicles around on our property and exit our driveway onto Capitol in a forward-facing direction.



Because the driveway also needed some repair, I was referred to Tony Boe for a quote to perform the necessary repairs and to add the small "turn around pad." Tony provided an estimate of \$2,750.00 to do the work, without any mention of a permit requirement. When I asked him if a permit would be necessary, he responded that permits were not required for driveway repairs. I hired Tony to do the work, which he completed promptly and professionally. The site was kept clean and orderly, with all debris being removed quickly. From start to finish, the job took 3 days.

On the final day of work (August 25, 2017), after the pad had already been poured, John Peters (Erosion Control Inspector, Public Works Department) stopped by to ask about the project. He informed me that Public Works had received a complaint about the project, although he was not at liberty to reveal who had lodged the complaint. After I explained the scope of the work and the reasons we were having it done, he explained that where we had poured the pad (to the west of our driveway/garage, in front of our house) required a permit. He further explained that had we poured the pad on the opposite side of the driveway (to the east of our driveway/garage, and thus abutting directly up to our next door neighbor's property line) no permit would have been required.

Before the project was begun, I had looked on the Appleton website to determine whether any permits would be required. I was not able to find any information there suggesting I should obtain a permit. Indeed, what I read on the website expressly stated no permit was required to redo a driveway. Mr. Peters told me there was, indeed, a code applicable to our project, but he was not able to give me the exact citation. Before leaving, Mr. Peters took a few photographs and stated that he would be in touch with respect to how we might seek a variance for the project. He returned on September 29, 2017, gave us his and your business cards and suggested we write this letter to your attention.

Between Mr. Peters' visits, I spent several hours reading through the majority of the Appleton Code, page by page, to find the code section Mr. Peters had briefly referenced. I finally found the section on page 1244-1246. After carefully reading the entire section of code, I understood that the intent behind the relevant section was to prevent residents from parking boats, trailers, snowmobiles, RVs or other large vehicles directly in front of homes. My wife and I own no such vehicles. I can assure you, with our advancing age, neither of us have any intention of purchasing any such vehicles. The sole purpose for the small concrete pad is to allow us to turn our vehicles around safely before exiting onto Capitol in a forward-facing direction. This allows us and those pedestrians and vehicles using Capitol to proceed in the safest manner possible.

I would also like to add, in response to Mr. Peters' suggestion that we could have installed the pad on the opposite side of our driveway, we felt that option would have been less appealing for a couple of reasons. Not only would we have had to remove a mature, healthy tree that provides lovely shade and aesthetics, but the pad would end right at our neighbor's property line, which we felt would impinge his enjoyment of his property.



It is our intention to install low-lying plants around the west and south sides of the pad in the spring, in order to beautify the area and provide some visual cover of it. And, I would like to reiterate one last time – we have no intention of ever parking a vehicle on the concrete pad.

For the reasons set forth in this letter, we respectfully ask that you consider and grant a variance, allowing the pad to remain where poured. Requiring us to dig it up and re-pour it on the other side of the driveway would be needlessly expensive, and would more negatively impact the overall visual aesthetics. We will, of course, pay any permit fees or fines required. We thank you, in advance, for your kind consideration of this matter.

Respectfully submitted:

A handwritten signature in cursive script that reads "Raymond B. Green". The signature is written in dark ink and is positioned to the left of the printed name.

Raymond B. and Claudine A. GREEN

A handwritten signature in cursive script that reads "C A Green". The signature is written in dark ink and is positioned to the right of the first signature.

CITY OF APPLETON  
INSPECTION DEPARTMENT  
NOTICE OF NONCOMPLIANCE

TAX KEY: 31-1-5402-00 1400 E CAPITOL DR PAGE: 1  
FILE NO: 2017.0911 BUILDING INSPECTION DATE: 9/29/17  
COMPLIANCE DATE BY: October 19, 2017 INSPECTOR: JOHN PETERS

SENT TO: RAYMOND GREEN ET AL  
1400 E CAPITOL DR  
APPLETON WI 54911

COPIES TO:

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ORDER#      CODE SECTION

|     |                               |  |
|-----|-------------------------------|--|
| 1.0 | Municipal Code<br>19-91(f)(5) | CORRECTION: Driveway extensions may only extend into the front yard a maximum of 4 feet and require a permit. The driveway turn around you installed exceeds that distance. Either initiate the process to obtain approval from the City of Appleton Municipal Services Committee or remove the portion of concrete exceeding 4 feet, and obtain a permit. For information on obtaining Municipal Services Committee approval for the turn around, Contact Kurt Craanen, Inspections Supervisor at 920-832-6413, |
|-----|-------------------------------|--|

COPY

For a full description of the code sections specified, see the Municipal Code at [www.appleton.org](http://www.appleton.org) or State codes at <http://nxt.legis.state.wi.us>

CITY OF APPLETON  
INSPECTION DEPARTMENT  
NOTICE OF NONCOMPLIANCE

TAX KEY: 31-1-5402-00 1400 E CAPITOL DR PAGE: 2  
FILE NO: 2017.0911 BUILDING INSPECTION DATE: 9/29/17  
COMPLIANCE DATE BY: October 19, 2017 INSPECTOR: JOHN PETERS

SENT TO: RAYMOND GREEN ET AL  
1400 E CAPITOL DR  
APPLETON WI 54911

COPIES TO:

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All cited violations shall be corrected by October 19, 2017 unless an extension of time is granted in writing by the Inspector. Each day that the violation continues after the date for compliance shall constitute a separate offense subject to remedies and penalties by the authority having jurisdiction.

AVOID DELAY.

REPORT CORRECTIONS TO THE INSPECTION DIVISION AS SOON AS COMPLETED.

Inspector:

*John Peters* CK  
JOHN PETERS  
Inspection Department  
100 N. Appleton St.  
Appleton, WI 54911-4799  
Telephone: (920) 832-6411

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OFFICE USE ONLY

Date of Distribution: 10/02/17

Date of Completion: \_\_\_\_\_

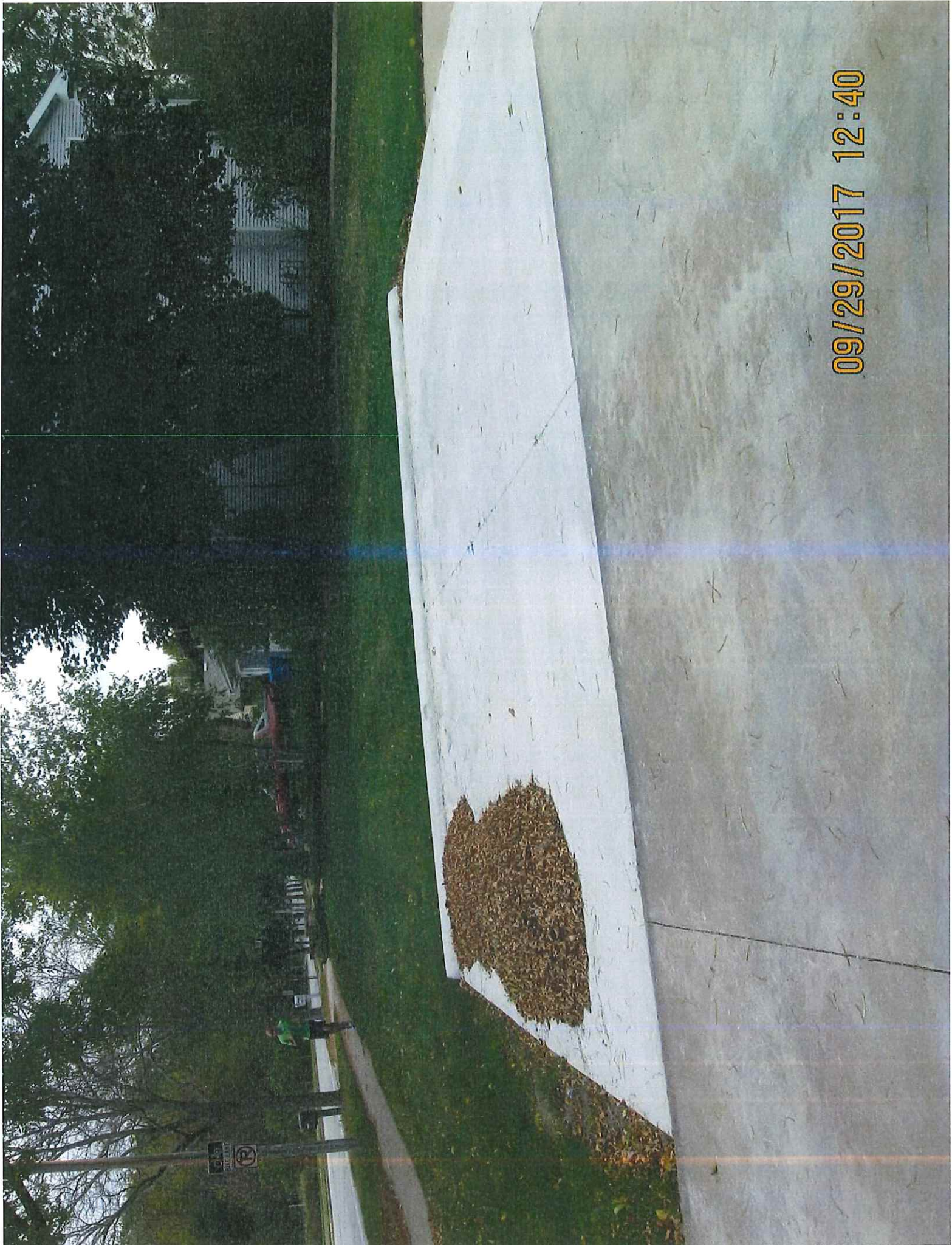
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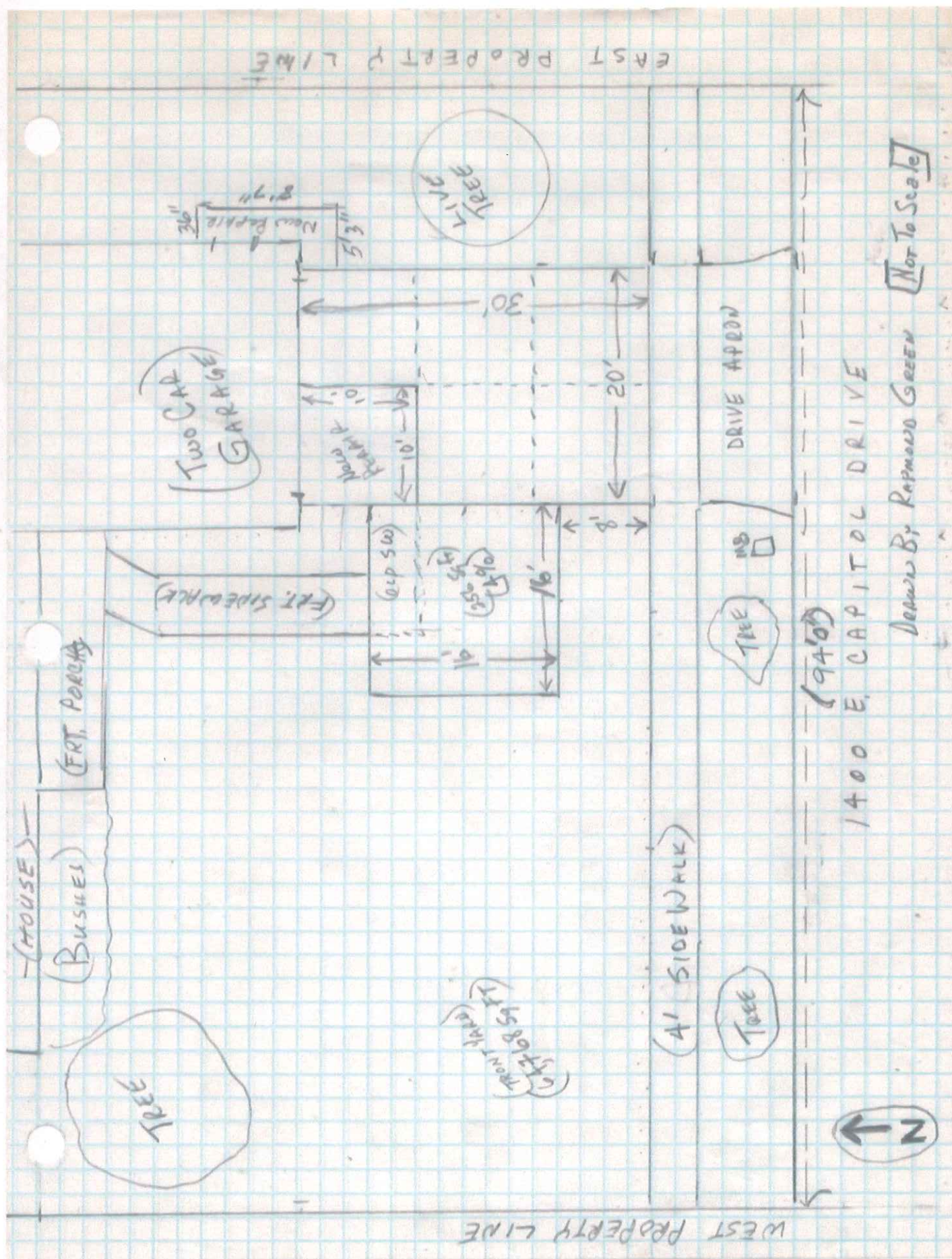
09/29/2017 12:03





09/29/2017 12:40









**[#1] REVISION**  
**STATE/MUNICIPAL AGREEMENT**  
**FOR A STATE- LET HIGHWAY**  
**PROJECT**

*[This agreement supersedes the agreement signed by the Municipality on April 8, 2015 and signed by DOT on April 27, 2015.]*

Revised Date:

Date: October 3, 2017

I.D.: 1517-75-79

Road Name: US 10/Oneida Street Interchange

Limits: Midway Road to Valley Road

County: Winnebago

Roadway Length: 0.62 Miles

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

**NEEDS AND ESTIMATE SUMMARY:**

**Existing Facility - Describe and give reason for request:** USH 10/Oneida Street is a four lane, variable width median, Urban Principal Collector with 12' lanes, concrete pavement, and curb and gutter. The existing interchange ramp terminals are controlled by traffic signals. There are also traffic signals at the Midway Road and Valley Road intersections. The 441 corridor expansion project influences the major side roads and interchanges. Oneida Street and the adjacent intersections will be reconstructed to accommodate the corridor improvements.

**Proposed Improvement - Nature of work:** Construct a four lane urban section from Midway Road north to 125 feet north of Valley Road. The proposed roadway is divided and, in each direction, consists of two 12' lanes with integral curb and gutter. Work includes construction of a diverging diamond interchange at WIS 441, and new traffic signals at intersections of Midway Road and Valley Road. Sign structure supports will be constructed for lane designation. Bicycle and pedestrian accommodations are incorporated into the design. Lighting will be installed along USH 10 and at the interchange.

**Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:** The Municipality is responsible for costs and labor associated with the adjustment of sanitary manholes and water valves. If any of this work is completed by the State, the Municipality will be responsible for 10% of the costs of these items.

| PHASE<br><br>Construction (Participating):   | Total<br>Estimated<br>Cost | ESTIMATED COST           |     |                    |    |
|--|----------------------------|--------------------------|-----|--------------------|----|
|  |                            | Federal / State<br>Funds | %   | Municipal<br>Funds | %  |
| <b>Project ID 1517-75-79</b>   |                            |                          |     |                    |    |
| Category 1000 – Roadway Items  | \$4,169,103                | \$4,169,103              | 100 | \$0                | 0  |
| Category 1100 – Lighting   | \$78,826                   | \$78,826                 | 100 | \$0                | 0  |
| Category 1200 – ITS  | \$108,743                  | \$108,743                | 100 | \$0                | 0  |
| Category 1210 – ITS  | \$29,147                   | \$0                      | 0   | \$29,147           | 0  |
| Category 1300 – Traffic Signals  | \$241,887                  | \$241,887                | 100 | \$0                | 0  |
| Category 1400 - Community<br>Sensitive Solutions – Landscaping<br>Priority 1 capped at \$350,000 | \$250,000                  | \$250,000                | 100 | \$0                | 0  |
| Priority 2   | \$0                        | \$0                      | 0   | \$0                | 50 |
| 50% city of Appleton   |                            |                          |     |                    | 50 |
| 50% town of Menasha  |                            |                          |     |                    |    |
| Category 1700 – Sanitary & Water<br>Valve Adjustments – city of Appleton                         | \$19,125                   | \$17,212                 | 90  | \$1,913            | 10 |
| Category 1800 – Sanitary & Water<br>Valve Adjustments– Village of Fox<br>Crossing                | \$2,700                    | \$2,430                  | 90  | \$270              | 10 |
| Category 6000 – S-08-50  | \$30,000                   | \$30,000                 | 100 | \$0                | 0  |
| Category 6010 – S-08-51  | \$30,000                   | \$30,000                 | 100 | \$0                | 0  |
| Category 6020 – S-08-53  | \$30,000                   | \$30,000                 | 100 | \$0                | 0  |
| Category 6030 – S-70-238   | \$30,000                   | \$30,000                 | 100 | \$0                | 0  |
| Category 6040 – S-70-239   | \$30,000                   | \$30,000                 | 100 | \$0                | 0  |
| Category 6050 – S-70-256   | \$30,000                   | \$30,000                 | 100 | \$0                | 0  |
| <b>TOTAL COST DISTRIBUTION<br/>(without Delivery)</b>  | <b>\$5,079,531</b>         | <b>\$5,048,201</b>       |     | <b>\$31,330</b>    |    |
| <b>Construction Delivery<br/>(10% of Total)</b>  | <b>\$507,953</b>           | <b>\$504,820</b>         |     | <b>\$3,133</b>     |    |
| <b>TOTAL COST DISTRIBUTION<br/>(includes Delivery)</b>   | <b>\$5,587,484</b>         | <b>\$5,553,021</b>       |     | <b>\$34,463</b>    |    |



This request is subject to the terms and conditions that follow (pages 3 – 7) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

|   |       |      |
|---|-------|------|
| Signed for and in behalf of the <b>City of Appleton</b> (please sign in blue ink) |       |      |
| Name  | Title | Date |
| Signed for and in behalf of the State (please sign in blue ink)                   |       |      |
| Name  | Title | Date |

#### TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement that exceed Federal/State financing commitments or are ineligible for Federal/State financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.
3. Funding of each project Phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
  - (a) Design engineering and state review services.
  - (b) Real Estate necessitated for the improvement.
  - (c) Compensable utility adjustment and railroad force work necessitated for the project.
  - (d) The grading, base, pavement, curb and gutter, and bridge costs to State standards, excluding the cost of parking areas.
  - (e) Storm sewer mains (not including additional upsizing of storm sewer main requested by Municipality or needed to carry additional municipal storm water), culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
  - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.
  - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.
  - (h) Conditioning, if required, and maintenance of detour routes.
  - (i) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk within the project limits at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.

- (j) Replacement of existing driveways, in kind, necessitated by the project.
  - (k) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or Facility Owner includes the following items:
- (a) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.
  - (b) Roadway and bridge width in excess of standards.
  - (c) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.
  - (d) Parking lane costs.
  - (e) Coordinate, clean up, and fund any hazardous materials encountered for city utility construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.
  - (f) Coordinate, clean up, and fund any hazardous materials encountered outside of State right of way.
5. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
6. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
7. The work will be administered by the State and may include items not eligible for federal/state participation.
8. The Municipality shall at its own cost and expense:
- (a) Prohibit angle parking.
  - (b) Regulate parking along the highway. The Municipality will file a parking declaration with the State.
  - (c) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
  - (d) Use the WisDOT Utility Accommodation Policy unless the Municipality adopts a policy which has equal or more restrictive controls.
  - (e) Coordinate with the responsible party regarding remediation, including locating a suitable local site for storage of contaminated soils from the sanitary sewer and water main excavation which cannot be replaced in the project trenches or roadway excavations and coordinate with the responsible party regarding the disposal of such soils.
  - (f) Coordinate with the Wisconsin Department of Natural Resources regarding the discharge into sanitary sewers of contaminated groundwater originating from dewatering of trench excavations for sanitary sewer and water main.
  - (g) Coordinate with the State on changes to highway access within the project limits.
  - (h) In cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.



9. The Municipality agrees to waive any noise ordinances/restrictions pertaining to the construction of the WIS 441 Project, for the duration of the WIS 441 Project.
10. All costs contained in this agreement are estimated costs and include 10% for delivery. Actual construction costs will be based upon as-let bid prices and the final contract quantities required to complete the work.
11. Once the maintenance responsibility of the project has been transferred to the Municipality, the State is released from any and all costs associated with the future maintenance and/or removals of improvements included in the project on right-of-way under local jurisdiction.

### **Project Specific Terms and Conditions**

The Municipality shall at its own cost and expense:

#### **1. General**

- a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and shall make ample provision for such maintenance each year. This agreement does not remove the current municipal maintenance responsibility.
- b) Maintain all features outside or under the traveled way within the project limits, to include but not limited to parking lanes, curb and gutter, drainage facilities (including all storm sewers, inlets, related manholes and structures, local lighting, sidewalks, multi-use paths, retaining walls, pedestrian refuge islands, medians, and landscaping features and amenities funded by Community Sensitive Solutions (CSS).
- c) Maintain all sidewalks and multi-use paths constructed with the project. Maintenance includes, but is not limited to, sidewalk repair, snow removal, ice control, repainting/staining of the colored portions and future replacement (other than future highway projects) of the sidewalk, mowing of the grass in the terrace between any roadway and the sidewalk, and between the sidewalk and right-of-way. Maintenance will include all sidewalks around the intersections and on the approaches. Snow removal and ice control will be completed based on municipal policies.
- d) The Municipality will be responsible for all non-structural repairs at the modular block wall and 42-inch railing resulting from graffiti, surface deformation, and/or other cosmetic imperfections. The Department will be responsible for all structural repairs.

#### **2. Signing and Pavement Marking**

- a) Maintain the pavement markings associated with the crosswalks within the project limits, which includes, but is not limited to, any necessary repainting or replacement except those caused by future highway projects. If the crosswalks are to be delineated, the Municipality is responsible for obtaining any required pedestrian crosswalk marking permits for each crosswalk.
- b) Maintain signs and pavement markings not necessary for the safe and efficient movement of traffic (no parking signs, crosswalk pavement markings not at signalized intersections, etc).
- c) Maintain all local road designation (local road name) signs.
- d) Overhead sign structures at ramp terminals will be maintained by the Department.
- e) Maintain all pavement markings associated with the bicycle lanes within the project limits, which includes, but is not limited to, any necessary repainting or replacement except those caused by future highway projects.

#### **4. Municipal Utilities**

- a) Work necessary to complete improvements required by freeway reconstruction to be financed by 90% Federal/State, 10% Municipality cost share per State Statute 84.295 include the following items:

- i. New installations of, or alteration of, municipal facilities including sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
- b) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.
  - i. Municipality has sanitary and water facilities within the project limits and have requested that WisDOT's contractor make sanitary manhole and water valve adjustments.

#### 5. Community Sensitive Solutions

- a) Maintain all Community Sensitive Solutions and/or enhancement funded items within your jurisdictional area of authority including but not limited to:
  - i. Landscaping within the project limits, including trees along the sidewalk, as well as median plantings.
  - ii. Bus Shelters, supporting concrete pads, and other locally-owned facilities such as lighting for the bus shelters.
  - iii. Trash receptacles at bus shelters
  - iv. Bike racks at bus shelters
- b) The Municipality will be responsible for all non-structural repairs resulting from graffiti, surface deformation, and/or other cosmetic imperfections. The Department will be responsible for all structural repairs. The Department will provide five (5) gallons of each color of stain and two (2) formliner panels for each architectural pattern to the Municipality to facilitate participation in maintaining aesthetic treatments for any repairs on decorative facades within project limits. Decorative facades include bridge abutments, piers, retaining walls, noisewalls, and other structures with aesthetic treatments.

#### 6. ITS

- a) Maintain all intelligent transportation system installations associated with city camera and signal interconnect that was paid for by the City, which includes, but is not limited to, repairs or replacement of conduit, wiring, bases, or vaults.

#### 7. Work outside project limits

- a) None requested



## Public Convenience and Safety

While performing any maintenance activities associated with this agreement, the Municipality shall comply with the following conditions.

- (a) Maintain the safety of the traveling public and control traffic using warnings signs, cones, drums and flaggers consistent with the Manual on Uniform Traffic Control Devices.
- (b) Materials and equipment cannot be stored on the right-of-way.
- (c) The Department shall be notified 7 days prior to erecting any lane closures or lane restrictions.
- (d) Avoid maintenance or lane closures during the peak hours of 6:00-9:00am or 3:00-6:00pm.

## Basis for local participation

### City of Appleton (ITS)

- Place Conduit (Rigid Nonmetallic Schedule 40 2-Inch): 4,474 LF @ \$5.30/LF = \$23,712
  - Place Type 2 Concrete Base: 1 Base @ \$675.00/Each = \$675
  - Place Lighting Electrical Wire (10 AWG): 2,267 LF @ \$0.60/LF = \$1,360
  - Place Type 1 Communication Vaults: 2 Vaults @ \$1,700.00/Each = \$3,400
- Total ITS Cost = \$29,147 \* 1.0 (City of Appleton Cost share 100%) = \$29,147

### City of Appleton (Utilities)

- Adjust 15 Sanitary Manholes: 15 Sanitary MH Adjustments @ \$325/Each = \$4,875
  - Replace 15 Sanitary Manhole Seals: 15 Sanitary MH Seals @ \$350/Each = \$5,250
  - Adjust 20 Water Valves: 20 Water Valve Adjustments @ \$300/Each = \$6,000
  - Adjust 20 Water Curb Stops: 20 Water Curb Stop Adjustments @ \$150/Each = \$3,000
- Total utility Cost = \$19,125 \* 0.10 (City of Appleton Cost Share 90/10) = \$1,913

**City of Appleton total cost share = (\$29,147 + \$1,913) \* 1.10 = \$34,166**

### Village of Fox Crossing

- Adjust 2 Sanitary Manholes: 2 Sanitary MH Adjustments @ \$325/Each = \$650
  - Replace 2 Sanitary Manhole Seals: 2 Sanitary MH Seals @ \$350/Each = \$700
  - Adjust 3 Water Valves: 3 Water Valve Adjustments @ \$300/Each = \$900
  - Adjust 3 Water Curb Stops: 3 Water Curb Stop Adjustments @ \$150/Each = \$450
- Total Cost = \$2,700 \* 0.10 (Village of Fox Crossing Cost Share 90/10) = \$270

**Village of Fox Crossing total cost share = \$270 \* 1.10 = \$297**

[END]

**From:** [Ross Buetow](#)  
**To:** [chrisbloy@new.rr.com](mailto:chrisbloy@new.rr.com)  
**Cc:** [Renee Padgett](#); [Paula Vandehey](#); [Chris Jensen](#); [Scott Hart](#)  
**Subject:** RE: curb permit #3 Pierce Court  
**Date:** Friday, October 06, 2017 1:23:06 PM  
**Attachments:** [image001.png](#)

---

Hi Chris:

As Renee mentioned in her e-mail below, letters were mailed on 9/29/17 to the neighboring property owners.

Since that time we have received opposition from several of the neighbors regarding the proposed installation of the second driveway to this property.

By policy, the request for the second driveway is therefore denied.

If the property owner wishes to appeal this denial, they will need to submit a written request to the Department of Public Works. The appeals are processed through the City's Municipal Services Committee and Common Council.

Please let me know how the home owner/builder would like to proceed.

Thank you,

Ross Buetow

Deputy Director / City Engineer  
City of Appleton  
Department of Public Works  
Phone: 920-832-6485  
e-mail: [ross.buetow@appleton.org](mailto:ross.buetow@appleton.org)

---

**From:** Renee Padgett  
**Sent:** Monday, October 02, 2017 12:31 PM  
**To:** 'chrisbloy@new.rr.com' <[chrisbloy@new.rr.com](mailto:chrisbloy@new.rr.com)>  
**Subject:** RE: curb permit #3 Pierce Court

Good Afternoon Chris:

Your request for a street permit regarding the property adjacent to 3 Pierce Ct was the first communication we had of the intentions for a second driveway to 17 River Front Ct.

The process for the second driveway on the Pierce Court frontage of 17 River Front Court property is underway. The City policy requires that 4 property owners affected by this request be notified. The

letters to the neighboring home owners, the Forestry Division and the Inspections Division was mailed on Friday 9/29/17. They have until end of business day on Friday 10/06/17 to voice concerns with the Engineering Division before we can proceed.

*Renee Padgett*

920-832-5592

[City of Appleton](#) | [Public Works](#) | [Engineering](#) | [Traffic](#)

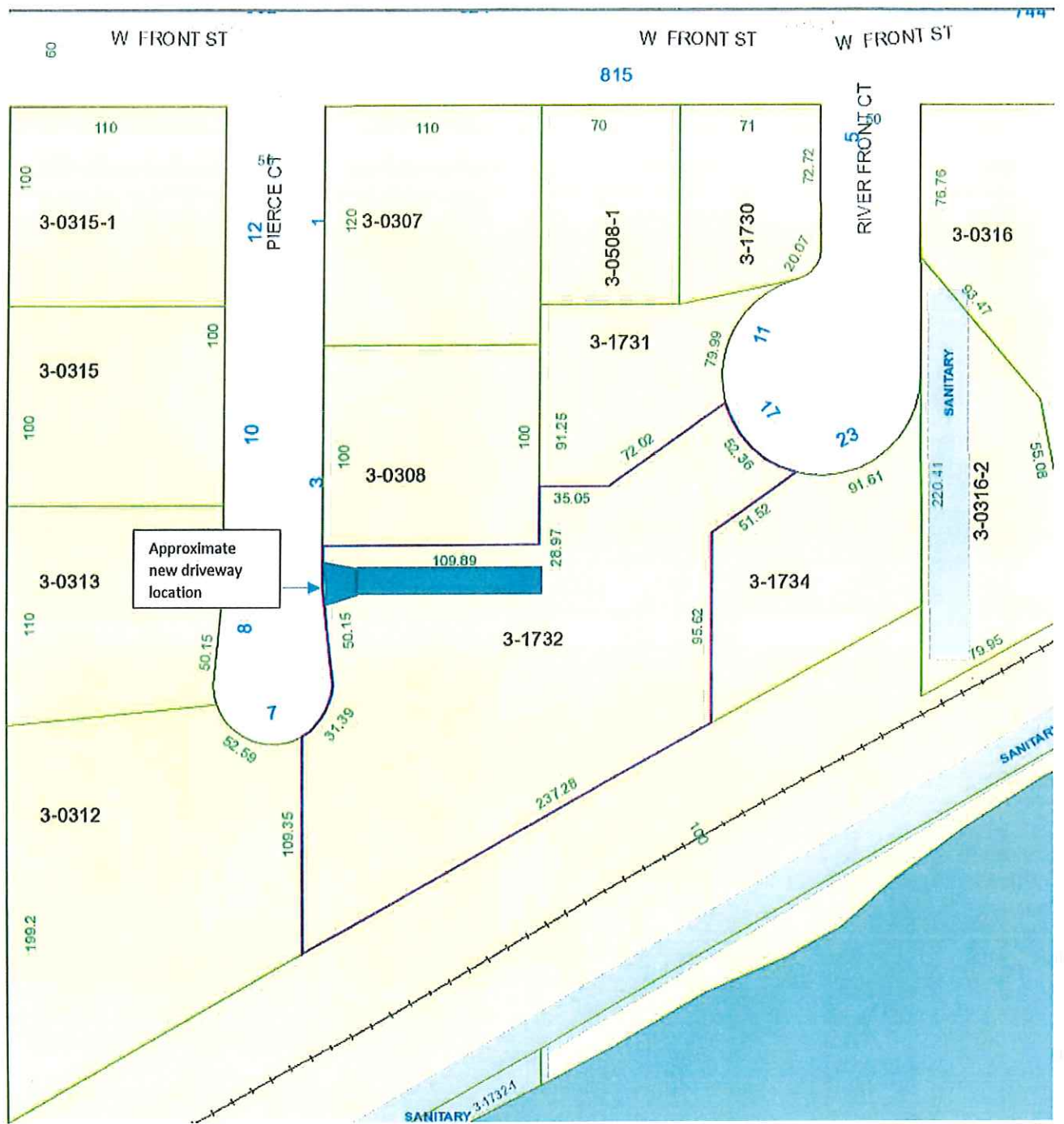


Good morning Renee,

Just wanted to check to see if you will be issuing a permit today for the curb project at #3 Pierce Court (David already called me x3 to check-no patience)? If there is anything further needed to complete permit, just let me know. Thanks for your help with this project-it is appreciated!

Chris Bloy

Bloy Concrete Contractors LLC









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

---

**DEPARTMENT OF PUBLIC WORKS**

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

Adopted October 28, 2014

## **CITY OF APPLETON DRIVEWAY OPENING POLICY**

### **Permit Required**

A Street Excavation Permit from the Department of Public Works is required to construct, repair, replace, or remove any sidewalk, driveway approach, carriage walk, curb and gutter, or surfacing within any public right-of-way.

### **Location and Dimensions**

The location and dimensions of any driveway opening shall be approved by the Engineering Division prior to any building permit being issued by the Inspection Division. For developments subject to site plan review per section 23-171(b) of the Municipal Code, an approved site plan shall be considered a driveway opening approval by the Engineering Division. A Street Excavation Permit is still required prior to constructing the portion of driveway within the public right-of-way.

Anyone denied a driveway opening request administratively may appeal the decision to the Common Council through the Municipal Services Committee.

All driveways must be a minimum of 25 feet from any residential street intersection point of curvature, 100 feet from any collector or arterial street intersection, or 200 feet from any signalized intersection as defined by the property line extended to the curb, perpendicular to the road centerline.

**A property owner may be granted a second curb cut if the following conditions are met:**

1. A sketch showing proposed location of second driveway is submitted to the Engineering Division of the Department of Public Works.
2. The Engineering Division does not object to the request.
3. The Forestry Division does not object to the request.
4. The Inspections Division does not object to the request.



5. The two neighboring properties to each side of the requesting property do not object to the request. (Municipal Services Report, June 18, 1997)

All abandoned or partially abandoned driveways shall be closed when new driveways are constructed. Terrace areas shall be restored to provide uniformity on the street. All construction costs incurred shall be borne by the property owner, except as noted for paving projects below.

### **Driveways on Paving Projects**

Driveways shall be subject to the requirements of the Policy for Special Assessments for the current year. (See section I.A.6)

### **Residential Driveways**

Residential driveway aprons may not exceed 40% of the total width of the side of the property where the driveway is located, or a maximum of 40 feet, whichever is less. In addition, all residential driveways shall conform to Section 19-91 of the City's Municipal Code.

### **Commercial Driveways**

Driveway aprons designed to accommodate truck traffic shall be 7" thick concrete and constructed using a minimum of 15' radii on the flares. (See Exhibit A)

Commercial driveways on streets with average traffic volumes greater than 10,000 vehicles per day shall be constructed with street-type entrances using a minimum of 15' radii on the flares. (See Exhibit A)

### **College Avenue Driveways**

(Street & Sanitation Committee – August 8, 1990)

Resolution 87-R-90-Alderman Rosecky. "Be it resolved, that no curb cuts shall be allowed on College Avenue between Badger Avenue and Linwood Avenue unless approved by the Municipal Services Committee and the Common Council.

### **Driveways in Non-City of Appleton Streets**

If a proposed driveway is located in a right-of-way that does not have City of Appleton jurisdiction (e.g., a County Highway or Town Road), the property owner must submit a copy of the driveway permit (and culvert permit, if applicable) issued by the agency having jurisdiction prior to the issuance of a driveway permit by the City.

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# Radisson Paper Valley Hotel

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## Memorandum

To: Ms. Paula VandeHey, Director of Public Works, City of Appleton  
From: Jay J Schumerth, Sr. General Manager, Radisson Paper Valley Hotel

Ms. VandeHey:

Thank you for providing me with the parking plan for the 300W block of Lawrence St after its reconstruction. Before the construction of the Fox Cities Exhibition Center (FCEC), events that were utilizing the hotel for loading and unloading could access the hotel's courtyard area and gain access to the hotel ballroom via the entry into the hotel's conference foyer. With the new connection on the hotel side that contains the stairs, elevator, and escalators, access to the hotel's courtyard will need to be limited to pedestrian and emergency vehicles only. Therefore, I would like to strongly recommend that the four metered stalls remaining on Lawrence St. be changed to a 10 minute loading/unloading zone and inquire about utilizing a designated space east of the connection (perhaps the equivalent of 2 parking spaces) for the same purpose. I noted this area on the parking plan. There will be a high demand for loading/unloading of exhibits, equipment for DJ's and bands, materials for wedding planners, groups conference materials, etc. This loading/unloading zone would not only be beneficial for the Radisson but also for the FCEC and will alleviate a lot of congestion and improper loading and unloading in this area.

I would respectfully request that the proper committee and the common council review this for approval.

Thank you.

BEFORE CONSTRUCTION THE CONTRACTOR SHALL HAVE THE UTILITIES AND LATERALS LOCATED BY THE UTILITY COMPANIES.



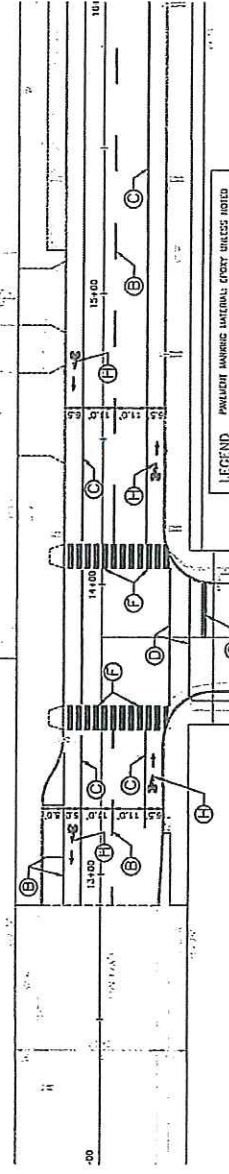
LAWRENCE ST

STA 13+81.75 C/L DUL STREET

NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LAYOUT OF THE IMPROVED PAVEMENT MARKINGS AS SHOWN ON THE PLANS. THE PROPOSED TYPICAL PAVEMENT MARKING SHALL BE CONFORMANT WITH THE STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION.

COLLECT, INC.  
PAPER VALLEY HOTEL



LEGEND PAVEMENT MARKING MATERIALS (EXCEPT UNLESS NOTED)

|   |  |
|---|--|
| PAV MARKING, CENTERLINE, 4-IN DOUBLE (YELLOW) | PAV MARKING, CHANGELINE, 5-IN (WHITE)        |
| PAV MARKING, 4-IN (WHITE)                     | PAV MARKING, CROSSWALK, 4-IN (YELLOW, WHITE) |
| PAV MARKING, 4-IN (WHITE)                     | PAV MARKING, STOP BAR, 18-IN (WHITE)         |
| PAV MARKING, CROSSWALK, 5-IN (WHITE)          | PAV MARKING, STOP BAR, 18-IN (WHITE)         |
| PAV MARKING, CROSSWALK, 5-IN (WHITE)          | PAV MARKING, STOP BAR, 18-IN (WHITE)         |

APPLETON POLICE DEPT.  
WARRANT ST.

FOX CHIES EXPO CENTER

ESTIMATE OF QUANTITIES

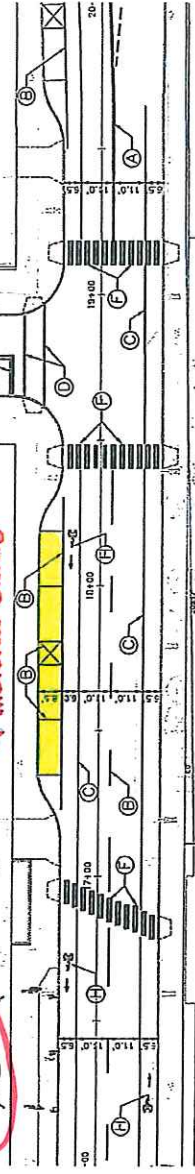
|                                |
|--------------------------------|
| 825 LF - PAV MARKING, EXPOSED  |
| 1225 LF - PAV MARKING, EXPOSED |
| 160 LF - PAV MARKING, EXPOSED  |
| 20 LF - PAV MARKING, EXPOSED   |
| 495 LF - PAV MARKING, EXPOSED  |
| 7 DL - PAV MARKING, EXPOSED    |
| SYMBOLS                        |

LAWRENCE ST  
COLLECT, INC.  
PAPER VALLEY HOTEL

Alley

Hotel  
LOADING ZONE  
AS SHOWN

SUPERIOR ST



CITY OF APPLETON  
JAMES PARK

FOX CHIES EXPO CENTER

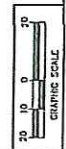
CITY OF APPLETON,  
ENGINEERING DIVISION

PAVEMENT MAR  
IN  
LAWRENCE S

100' W/3' EUL ST TO 100' E/O DU

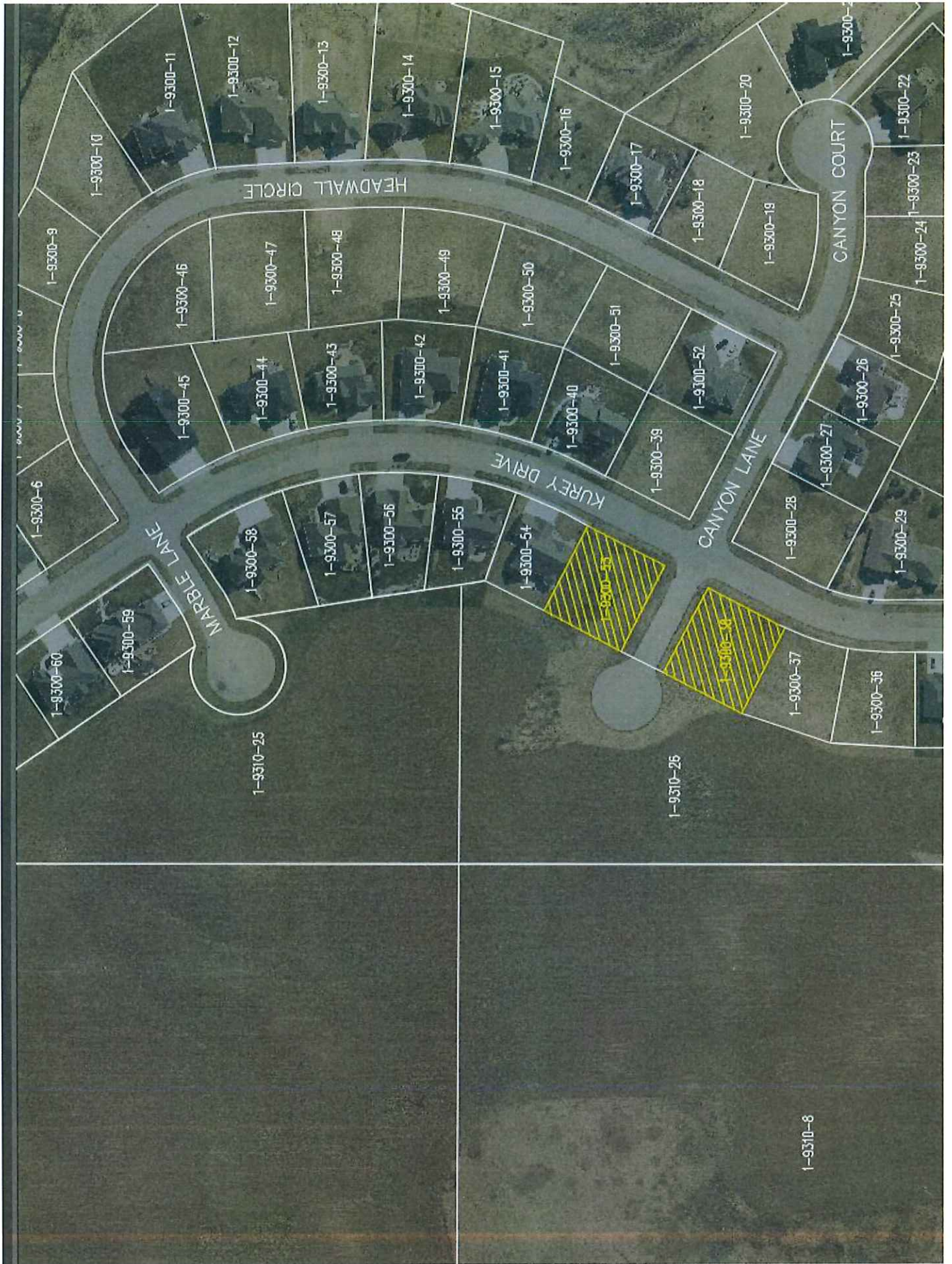
DATE: 01/20/17  
CDE:  
APPV:

SCALE: 1"=40' Q32



Per approved plan.  
It is sidewalk  
loading zone as  
cannot be a





**CITY OF APPLETON**  
**Department of Public Works**  
**MEMORANDUM**

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

**SUBJECT:** Award of Contract

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

5-Year (2018-2022) Neglected Sidewalk Snow Shoveling Services

**Be awarded to:**

Name: Special Forces Building and Grounds, LLC  
Address: P.O. Box 11417, Green Bay, WI 54307-1417  
           1617 Cass Street, Green Bay, WI 54302

**In the amount of :** \_\_\_\_\_ (Per attached 5-Year Fee Schedule)

**With a** \_\_\_\_\_ **% contingency of :** \_\_\_\_\_

**For a project total not to exceed :** \_\_\_\_\_

**\*\* OR \*\***

**In an amount Not To Exceed :** \_\_\_\_\_

Budget: \_\_\_\_\_ \$5,000.00  
Estimate: \_\_\_\_\_  
Committee Date: \_\_\_\_\_ 10/23/17  
Council Date: \_\_\_\_\_ 11/01/17



10/16/17

## PROPOSAL

### NEGLECTED SIDEWALK SNOW REMOVAL SERVICES

| <u>Description</u>  | <u>Unit</u>          | <u>Winter<br/>2017-2018</u> | <u>Winter<br/>2018-2019</u> | <u>Winter<br/>2019-2020</u> | <u>Winter<br/>2020-2021</u> | <u>Winter<br/>2021-202</u> |
|---|----------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|----------------------------|
| Remove snow/ice from<br>public sidewalks (initial<br>100 feet - per location)                     | Lump<br>Sum          | <u>\$ 34.00</u>             | <u>\$ 35.00</u>             | <u>\$ 36.75</u>             | <u>\$ 36.75</u>             | <u>\$ 38.50</u>            |
| Remove snow/ice from<br>public sidewalks (per<br>foot beyond initial 100<br>feet - per location)  | \$ /<br>Lin.<br>Foot | <u>\$ .35 /ft.</u>          | <u>\$ .35 /ft.</u>          | <u>\$ .37 /ft.</u>          | <u>\$ .37 /ft.</u>          | <u>\$ .39 /ft.</u>         |
| Trip Charge – where<br>sidewalks have already<br>been cleared by Property<br>Owner (per location) | \$ /<br>Lin.<br>Foot | <u>\$25.00/ea.</u>          | <u>\$25.00/ea.</u>          | <u>\$25.00/ea.</u>          | <u>\$25.00/ea.</u>          | <u>\$25.00/ea.</u>         |

BIDDER:

SPECIAL FORCES BUILDING AND GROUNDS LLC

MAILING ADDRESS:

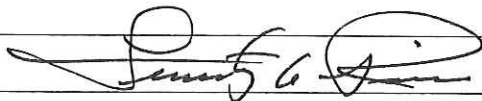
P.O. BOX 11417, GREEN BAY, WI 54307-1417

PHYSICAL ADDRESS:

1617 CASS STREET, GREEN BAY, WI 54302

CITY, STATE, ZIP:

BY:



PRINT:

TIMOTHY A. RINN

TITLE:

MANAGING MEMBER

TELEPHONE:

920-360-9978

FAX:

DATE:

10-15-2017



10/16/17

## PROPOSAL

### NEGLECTED SIDEWALK SNOW REMOVAL SERVICES

| Description   | Unit                 | Winter<br>2017-2018 | Winter<br>2018-2019 | Winter<br>2019-2020 | Winter<br>2020-2021 | Winter<br>2021-202  |
|---|----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Remove snow/ice from<br>public sidewalks (initial<br>100 feet - per location)                     | Lump<br>Sum          | <u>\$ 90.00</u>     | <u>\$ 95.00</u>     | <u>\$ 100.00</u>    | <u>\$ 105.00</u>    | <u>\$ 110.00</u>    |
| Remove snow/ice from<br>public sidewalks (per<br>foot beyond initial 100<br>feet - per location)  | \$ /<br>Lin.<br>Foot | <u>\$ .90 /ft.</u>  | <u>\$ .95 /ft.</u>  | <u>\$ 1.00 /ft.</u> | <u>\$ 1.05 /ft.</u> | <u>\$ 1.10 /ft.</u> |
| Trip Charge – where<br>sidewalks have already<br>been cleared by Property<br>Owner (per location) | \$ /<br>Lin.<br>Foot | <u>\$25.00/ea.</u>  | <u>\$25.00/ea.</u>  | <u>\$25.00/ea.</u>  | <u>\$25.00/ea.</u>  | <u>\$25.00/ea.</u>  |

BIDDER:

Lake Shore Cleaners, Inc.

MAILING ADDRESS:

4623 N. Richmond St.

PHYSICAL ADDRESS:

4623 N. Richmond St.

CITY, STATE, ZIP:

Appleton, WI 54913

BY:

Ronald G. Two (FR, Jr.)

PRINT:

Ronald G. Two (FR, Jr.)

TITLE:

President

TELEPHONE:

920-734-0757

FAX:

920-830-2822

DATE:

10-16-17

## Muni Services Action Item 17-1678

Christopher Croatt

Fri 10/20/2017 5:53 PM

To: Curt Konetzke &lt;District3@Appleton.org&gt;;

Cc: Paula Vandehey &lt;Paula.Vandehey@Appleton.org&gt;; Christopher Croatt &lt;District14@Appleton.org&gt;; Jason Brown &lt;Jason.Brown@Appleton.org&gt;;

Hi Curt,

Please read the following into the record when you get to this particular action item.

*"I'm sorry for not being able to attend this meeting due to business travel. I'd like to express my comments in person but I felt compelled to provide a written statement regarding the proposal for Hall Avenue from Woodland Avenue to Grant Street. This project is in my Aldermanic district and I represent these property owners. I visited the neighborhood on Friday afternoon and conversed with several residents. While I generally support the project and changes as described at the design hearing, we heard from a majority of the neighborhood that they prefer not to have the sidewalk installed. A variety of reasons were provided by the property owners. As you know, these are very difficult situations we get presented with. On one side, we have a sidewalk policy, safe routes to schools program, mobility study, and many other initiatives to promote more pedestrian and bicycle options. In my opinion, one of the major attributes of a sidewalk is the added level of safety it provides pedestrians vs. walking on the street...in this case a street being narrowed by 2'. On the other side, we have a scenario where a nice established neighborhood has grown accustomed to the current arrangement and would prefer it remain the way it is. This is a quiet and peaceful neighborhood with very low vehicle traffic. I'd ask the committee to carefully consider all the input from the neighborhood and weigh it against the costs and benefits of installing the sidewalk. Sidewalks are not free so there is a cost-savings if we choose not to install it. If you feel removal of the sidewalk is justified in this case, then please make an amendment to remove just installing the sidewalk. If I was present, I'd put forth that amendment. As the representative for the district, I feel compelled to support the preferences of the established neighborhood property owners and would ask you to consider an amendment based on substantial citizen input regarding this project. From what I was able to gather, no one is in favor of having the sidewalk installed. All on the east side of the street are opposed and some others on the other west side are neutral to it. I didn't hear any support for putting it in. Please consider removing the sidewalk from the project plan and maintain the current arrangement."*

Thanks!  
ChrisChristopher W. Croatt  
City of Appleton  
District 14 Alderperson  
Common Council President  
920-735-9532  
[district14@appleton.org](mailto:district14@appleton.org)

Please note: Wisconsin has a very broad public records law. Most written communications to or from government employees and officials regarding city/county business are public records available to the public and media upon request. Your e-mail communication may be subject to public disclosure.



# Why Sidewalks on Hall Street?

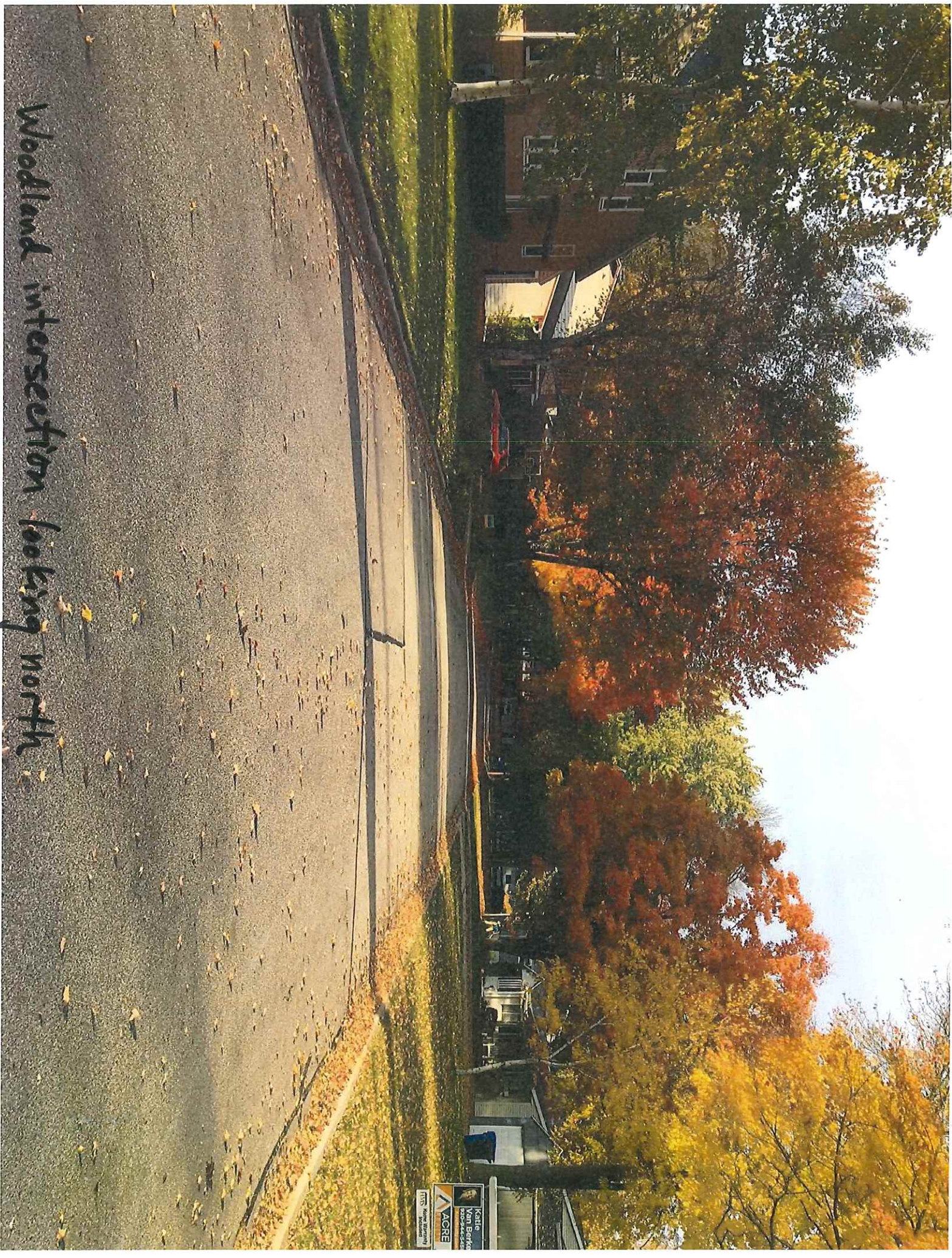
## GENERAL

- Sidewalk Installation Policy
  - First adopted in 1992: *"To provide pedestrian safety and convenience throughout the City of Appleton. Providing a walkable city also promotes a sense of community, provides for safe recreation and exercise, reduces traffic congestion, pollution and noise."*
  - For neighborhoods established prior to 1992: *"Sidewalk shall be considered for installation, where they currently don't exist when streets are reconstructed."*
- Complete Streets Policy
  - First adopted in 2016: *"Appleton streets are designed and maintained to be safe, accessible, convenient and comfortable for all transportation modes, ages and abilities at all times."*
  - Projects Section states: *"The City of Appleton shall approach all transportation projects as an opportunity to create safer, more accessible streets for all users."*
  - Network Section states: *"Under this policy, the City of Appleton will gradually create a network of streets to serve all users."*
- Comprehensive Plan - Transportation Chapter
  - Walking Section states: *"Both on a national and local scale, there is an increasing interest in making walking a viable form of transportation within a community... Appleton has developed a pedestrian friendly network of sidewalks and paths through most of its neighborhoods. This system is expanding through new sidewalks in developing parts of the community and through the efforts to expand the path systems."*
- Creating a Sustainable City Plan
  - Implementing the On-Street Bike Lane Plan, expanding the sidewalk network and trail system are mentioned throughout the Sustainability Master Plan.
- Health in All Policies
  - First adopted in 2017: *"Health in All Policies is a collaborative approach to improving the health of all people by incorporating health consideration into decision-making across sectors and policy areas."*
  - Social Determinates of Health Section states: *"Accessible built environments that promote health and safety, including improved pedestrian, bicycle, and automobile safety, parks and green space, and health school siting."*

## SPECIFIC

- Within 2 blocks of St. Thomas More, within 4 blocks of AMC and within  $\frac{1}{2}$  mile of Huntley Elementary School
- Sidewalks exist on many of the other neighborhood streets (see attached map)





Woodland intersection looking north





Grant intersection looking south



# CONTRACT AMENDMENT & CHANGE ORDER

Change Order No. 1

Date 10/18/17

Contract No. 64-17 for the following public work : Red Parking Ramp Structural Column Repairs

between Merit Construction Services, Inc. , 5441 212th Street West, Farmington, MN 55024  
(Contractor Name) (Contractor Address)

and the City of Appleton dated: 10/3/2017 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        | 5123.6416   | \$35,280.00             | \$5,292.00          | \$22,705.00       | -\$5,292.00       | \$57,985.00        | \$0.00                |
| 2        |             |                         |                     |                   |                   |                    |                       |
| 3        |             |                         |                     |                   |                   |                    |                       |
| 4        |             |                         |                     |                   |                   |                    |                       |
| 5        |             |                         |                     |                   |                   |                    |                       |
| 6        |             |                         |                     |                   |                   |                    |                       |
| 7        |             |                         |                     |                   |                   |                    |                       |
| 8        |             |                         |                     |                   |                   |                    |                       |
| 9        |             |                         |                     |                   |                   |                    |                       |
| 10       |             |                         |                     |                   |                   |                    |                       |
| Total    |             | \$35,280.00             | \$5,292.00          | \$22,705.00       | -\$5,292.00       | \$57,985.00        | \$0.00                |

Reason for Change: Repair of an additional 95 square feet of deteriorated structural concrete beam, identified at time of adjacent column repairs.

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

The Date of Completion as of the date of this Change Order therefore is: 11/17/2017

Municipal Services Committee Agenda Date 10/23/17

Date approved by Council: 11/01/17



***"EXCELLENCE IN CONCRETE RESTORATION"***

**Date: October 18, 2017**

**Proposal - 17-D109**

**Job Name:** Appleton WI. Parking ramp beam repairs

**To:** Paul DeBraal  
Parking Utility Manager  
100 North Appleton Street  
Appleton WI. 54911-4799

**We offer the following:**

| DISCRIPTION                         | UNITS | TYPE  | UNIT COST   | TOTAL        |
|-------------------------------------|-------|-------|-------------|--------------|
| Additional Beam repairs             | 95    | SF    | \$ 239.00   | \$ 22,705.00 |
| Additional Mobilization (if needed) | 1     | LS    | \$ 1,000.00 | \$ 1,000.00  |
|                                     |       | Total |             | 23,705.00    |

**COMMENTS:**

We would welcome an opportunity to discuss this project with you.

**Note:**

THIS PROPOSAL IS CONTINGENT UPON A MUTUALLY AGREEABLE CONTRACT. THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 30 DAYS.

---

**5441 - 212<sup>th</sup> Street West, Farmington, MN 55024**

**P: 952.500.0850 | F: 952.223.6145 | [www.meritcs.net](http://www.meritcs.net)**



**EXCLUSIONS:**

- Bonds
- Liquidated damages
- Moving any underground utilities
- Removal or handling of hazardous substances
- Temporary heat as needed
- Relocating of any utilities as needed to perform the work. (Plumbing, electrical, etc....)
- Painting

**OWNER TO PROVIDE;**

- 110V Power
- Potable water
- Parking

WE PROPOSE hereby to furnish materials and labor to complete in accordance with the above specifications, for the sum of: \$ TBD

Authorized Signature: \_\_\_\_\_

Doug Bruns - President  
Merit Construction Services

Authorized Signature: \_\_\_\_\_

City of Appleton – **Resolution #20-R-17**

October 4, 2017

*Submitted by: Alderperson Coenen – District 11, Alderperson Martin – District 4*

*Referred to: Safety & Licensing Committee*

WHERE AS Appleton Downtown Inc.'s mission is to make downtown Appleton a vibrant and accessible destination for doing business, learning, living and leisure

WHERE AS Appleton Downtown Inc.'s sole purpose is to promote the City of Appleton's downtown

WHERE AS A strong and vibrant downtown fosters growth city wide

WHERE AS Appleton Downtown Inc. works closely with the department of Public Works and the Appleton Police Department to keep the central business district safe and clean, making it an attractive place to work and play

WHERE AS More than 500,000 visitors attend events each year in Appleton that are organized and sponsored by Appleton Downtown Inc.

And WHERE AS Appleton Downtown Inc. is a not for profit community coalition

BE IT RESOLVED THAT the City of Appleton wave the special event license fee for all special event applications that are submitted in a timely manner for Appleton Downtown Inc.

Operator's Licenses for 10/25/17 S & L

Approved

Zachary J. Bresler

Josiah M. Brown

Kim M. Carow

Scott Clamarichello

Ashley M. DeFazio

Andy R. Geurden

Janice L. Immekus

Stuart W. Lund

Mallory M. Mauthe

Natasha N. McCarthy

Christine A. McKay

Bailey N. Miller

Tony Moua

Carly R. Newhouse

Thomas A. Olson

Jason L. Rathje

Amy M. Redeker

Jacob R. Theimer

Meghan R. VanDeLoo

Julie M. VanDynHoven

Ashley M. Webster

Alexandria J. Wilber

1185 Christopher Drive, #11, Neenah

1428 N. Appleton Street

97 Valerie Drive

1001 W. Spring Street

1920 W. Russet Court, #6

1440 Holland Road, #2

2200 N. Drew Street

3007 Chain Drive, #10, Menasha

2609 E. Newberry Street

1812 W. Commercial Street

127 N. Wilson Street, Kimberly

4725 N. Sagebrook Lane, #D

814 E. Sylvan Avenue

541 Frostfield Drive, Kaukauna

1038 W. Taylor Street

11 S. Sunnyslope Court

1841 Lakeshore Drive, Menasha

3020A Spencer Street, #G102

2401 E. Ashbury Drive, #15

3530 N. Spruce Street

N7904 State Park Road, Sherwood

N1239 Wilber Road, Bonduel



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

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

FEES ARE NON-REFUNDABLE

Date Recv'd 8/31/17

☐ Operator License \$60.00 Acct. 11030.4307  
☒ Operator License \$75.00 Acct. 11030.4307  
plus a provisional  
☒ Investigation fee \$7.00 Acct. 100.2359  
Total fee paid \$ 82 Receipt 4732657

☒ Original Application

☐ Renewal -- License # \_\_\_\_\_

SECTION 1 - APPLICANT INFORMATION

Applicant Name (Last, First, MI)

Maiden

Street Address

City

State

Zip

Driver's License Number/State Identification Number

State License Issued In:

Date of Birth

Sex

Home Phone Number

Cell phone Number

Name and Address of Establishment you will be selling alcohol

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

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

If Yes; where? \_\_\_\_\_

Have you EVER been convicted of a felony? YES NO

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

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

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

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

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

If Yes; where? \_\_\_\_\_

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

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

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

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

SECTION 3 - PENALTY NOTICE

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

Signature: [Signature]

FOR OFFICE USE ONLY

Department

Approve

Deny

By

Reason

POLICE

Date sent to APD

Scheduled FVTC Class

Class Completion Date

Current other license:

Muni \_\_\_\_\_ # \_\_\_\_\_

Safety and Licensing

Common Council

Date Issued

Expiration Date

License Number

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

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

**Appleton Police A1:F23- Consideration for Denial  
(electronic copy sent to LT Miller and Kami Lynch)**

| Applicant                | License Type | Offense  | Type        | Offense Date | Conviction Date |
|--------------------------|--------------|--|-------------|--------------|-----------------|
| Robert Budrick04/01/1980 | Bartender    | Criminal Trespass to Dwelling                            | Misdemeanor | 12/21/97     | 3/25/98         |
|                          |              | Disorderly Conduct                                       | Misdemeanor | 06/08/98     | 11/24/98        |
|                          |              | Criminal Damage to Property                              | Misdemeanor | 09/19/98     | 11/24/98        |
|                          |              | Disorderly Conduct                                       | Misdemeanor | 09/19/98     | 11/24/98        |
|                          |              | Possession of THC  | Misdemeanor | 09/19/98     | 11/24/98        |
|                          |              | Possession of THC  | Misdemeanor | 06/22/99     | 12/13/99        |
|                          |              | Possession of Drug Paraphernalia                         | Misdemeanor | 06/22/99     | 12/13/99        |
|                          |              | Possession of Drug Paraphernalia                         | Misdemeanor | 07/18/03     | 05/25/04        |
|                          |              | Possession of Cocaine                                    | Misdemeanor | 04/22/05     | 02/28/07        |
|                          |              | Possession of Drug Paraphernalia                         | Misdemeanor | 04/22/05     | 02/28/07        |
|                          |              | OAR (due to OWI/PAC)                                     | Misdemeanor | 06/12/09     | 10/30/09        |
|                          |              | Operating While Revoked (due to alc/contr subst/refusal) | Misdemeanor | 05/06/10     | 08/04/10        |
|                          |              | Operating While Revoked (due to alc/contr)               | Misdemeanor | 12/18/10     | 01/24/11        |
|                          |              | OWI  | Misdemeanor | 01/11/11     | 05/03/11        |
|                          |              | Operating While Revoked (due to alc/contr)               | Misdemeanor | 01/11/11     | 05/03/11        |
|                          |              | Operating While Revoked (due to alc/contr)               | Misdemeanor | 07/16/11     | 11/29/11        |
|                          |              | Fail/Stop for unloading school bus                       | Ordinance   | 10/14/13     | 12/20/13        |
|                          |              | Operate w/o Proof of Insurance                           | Ordinance   | 03/16/16     | 05/18/16        |
|                          |              | Theft-Business Setting                                   | Misdemeanor | 04/29/16     | 08/14/17        |
|                          |              | Theft-Business Setting                                   | Misdemeanor | 04/30/16     | 08/14/17        |

**\*\*On Probation\*\***

# LEGAL SERVICES DEPARTMENT

## Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

**TO:** Kyle Lobner, Chair of the Safety and Licensing Committee  
Members of the Safety and Licensing Committee

**FROM:** Amanda Abshire, Assistant City Attorney *AA*

**DATE:** October 20, 2017

**RE:** Dieter's Place (also d/b/a Dieter's Ale Haus) Liquor License Agreement

Dieter's, located at 830 East Northland Avenue within the city of Appleton, holds a "Class B" liquor license. Within a twelve month period, the licensed establishment received two separate citations for violations of the liquor law. The two violations are detailed below:

| Date of Violation | Violation Description                               | Court Disposition                | Demerit Points |
|-------------------|---|----------------------------------|----------------|
| 7/13/16           | Sale of Alcohol<br>to an Intoxicated Person         | Entered a plea.<br>Found guilty. | 80             |
| 11/3/16           | Sale of Alcohol to Minor<br>("CAT Check" Violation) | Entered a plea.<br>Found guilty. | 80             |

Based on the above-referenced convictions, Dieter's is now eligible to have 160 demerit points assessed against its "Class B" liquor license, pursuant to the City's Demerit Point System set forth in AC Sec. 9-54. Our office has met with members of the Appleton Police Department to discuss an appropriate disposition of Dieter's liquor license. Thereafter, our office also met with the manager of Dieter's and worked with their legal counsel to continue to discuss whether we could come to a mutually-agreeable disposition.

The City Attorney's Office and the Appleton Police Department are jointly recommending the approval of the attached Stipulation. The City has prepared and signed the Stipulation attached to this memorandum to detail our recommendation. As set forth in the attached agreement, we are recommending that the license shall be suspended for a period of ten (10) days, to commence within 13 days of Council action.

### Recommended Action:

The City Attorney's Office, together with the Appleton Police Department, is recommending the adoption and approval of the attached stipulation between the City of Appleton and Dieter's Place.



**CITY OF APPLETON  
COMMON COUNCIL  
SAFETY AND LICENSING COMMITTEE**

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**CITY OF APPLETON**  
a Wisconsin Municipal Corporation,

vs.

**Dieters Place LLC  
Jonathon Kuehn, Agent  
830 E. Northland Avenue  
Appleton, WI 54911**

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**STIPULATION**

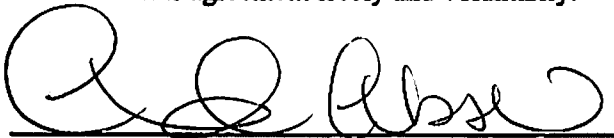
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The City of Appleton, by Assistant City Attorney, Amanda Abshire and Dieters Place also d/b/a Dieters Ale Haus by its agent Jonathon Kuehn, hereby stipulate and agree as follows:

1. That Dieters Place also d/b/a Dieters Ale Haus and Jonathon Kuehn as agent therefore, are the license holders of a "Class B" license issued pursuant to Chapter 125, Wisconsin Statutes, and City of Appleton Municipal Code in conformity therewith, for Dieters Place LLC located at 830 E. Northland Avenue, in the City of Appleton, Outagamie County, Wisconsin (also referred to as "licensed premise").
2. That the following violations of the City of Appleton Municipal Code have been committed at Dieters Place also d/b/a Dieters Ale Haus within the last twelve (12) months:
  - a. Sale of an Alcoholic Beverage to an Underage Person, violation on November 3, 2016, conviction on April 7, 2017 (80 points); and
  - b. Sale to an Intoxicated Person, violation on July 13, 2016, conviction on September 14, 2016 (80 points).
3. That Jonathon Kuehn understands and acknowledges that he has the right to a hearing prior to the City of Appleton suspending the "Class B" license issued to Dieters Place also d/b/a Dieters Ale Haus and freely and voluntarily waives that right to a hearing as consideration for this agreement.

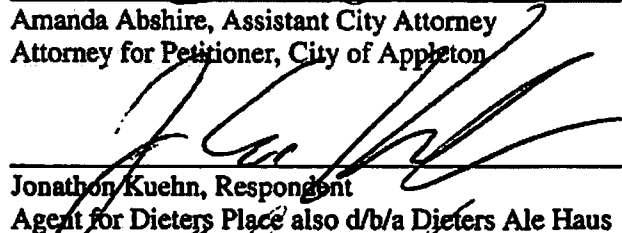
**NOW THEREFORE, based upon the foregoing it is AGREED by the parties:**

4. That Jonathon Kuehn does not contest that Dieters Place also d/b/a Dieters Ale Haus has accrued 160 points within a 12-month period.
5. That the parties hereby stipulate that the license of Dieters Place also d/b/a Dieters Ale Haus shall be suspended for a period of ten (10) days.
6. That the parties, after thoroughly reviewing and discussing all of the circumstances relevant to this matter with each other, believe the resolution herein is just and equitable under the circumstances and jointly recommend approval and adoption of this stipulation by the Safety and Licensing Committee and Common Council but understand that neither are necessarily bound by the stipulation recommended herein.
7. That the period of suspension shall be approved by the Safety and Licensing Committee and Common Council. The suspension shall begin within a 13-day period of Council action.
8. That Dieters Place also d/b/a Dieters Ale Haus and Jonathon Kuehn as agent therefor have had the opportunity to review and discuss this agreement with counsel or have decided to forego that opportunity and, in either case, enter this agreement freely and voluntarily.



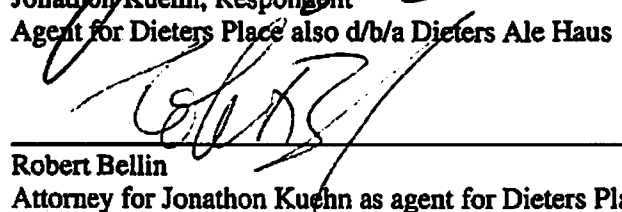
Amanda Abshire, Assistant City Attorney  
Attorney for Petitioner, City of Appleton

Date: 10-20-17



Jonathon Kuehn, Respondent  
Agent for Dieters Place also d/b/a Dieters Ale Haus

Date: 9-26-17



Robert Bellin  
Attorney for Jonathon Kuehn as agent for Dieters Place also d/b/a Dieters Ale Haus

Date: 9/26/17

**APPROVED BY APPLETON COMMON COUNCIL ON: \_\_\_\_\_**

\\Coastal\cycom\WPD\Doc\1026\F001\Stipulation to accept points .docx



## LICENSE APPLICATION

for

PAWNBROKER

SECONDHAND ARTICLE DEALER

SECONDHAND JEWELRY DEALER

SECONDHAND ARTICLE DEALER MALL/FLEA MARKET

### FEES ARE NON-REFUNDABLE

Date Recv'd 10/23/17

|                                     |                      |                          |                  |
|-------------------------------------|----------------------|--------------------------|------------------|
| <input type="checkbox"/>            | Pawnbroker           | \$210.00                 | Acct. 11030.4316 |
| <input type="checkbox"/>            | Secondhand Article   | \$90.00 /\$75.00         | Acct. 11030.4316 |
| <input checked="" type="checkbox"/> | Secondhand Jewelry   | \$90.00 /\$75.00         | Acct. 11030.4316 |
| <input type="checkbox"/>            | Secondhand Mall/Flea | \$165.00                 | Acct. 11030.4316 |
| <input checked="" type="checkbox"/> | Investigation fee    | \$ 7.00                  | Acct. 100.2359   |
| Total fee paid \$ <u>97.00</u>      |                      | Receipt # <u>4750300</u> |                  |



Original Application



Renewal

Instructions: Individual license – Complete Sections 1, 2, 3 and 6

Partnership license – Complete Sections 1, 2, 3, 4, and 6

Corporate license – Complete Sections 1, 2, 3, 5, and 6

Return application and required fees to:

OFFICE OF THE CITY CLERK, 100 N. APPLETON STREET  
APPLETON, WI 54911

### SECTION 1 – APPLICANT INFORMATION

|                                   |         |       |       |                       |                               |
|-----------------------------------|---------|-------|-------|-----------------------|-------------------------------|
| Applicant Name ( Last, First, MI) |         | Sex   | Race  | Date of Birth         | Place of Birth (City & State) |
| Rice Henke, Milada C              |         | F     | WH    | 7/7/1976              | Madison, WI                   |
| Street Address                    | City    | State | Zip   | Home Telephone Number |                               |
| W3532 Center Valley Rd            | Freedom | WI    | 54913 | 920-749-8838          |                               |

### SECTION 2 – CONVICTION RECORD

Have you, or any other person listed on this application, been convicted of any of the following:

A felony within the last ten (10) years? ☐ YES ☒ NO

Within the last ten (10) years of:

A misdemeanor?

☐ YES ☒ NO

A statutory violation punishable by forfeiture?

☐ YES ☒ NO

A county or municipal ordinance violation?

☐ YES ☒ NO

For each "YES" response provide the date of arrest, the nature of the offense and conviction information: \_\_\_\_\_

### SECTION 3 – BUSINESS INFORMATION

|                              |                      |          |       |       |                  |
|------------------------------|----------------------|----------|-------|-------|------------------|
| Business Name                | Street Address       | City     | State | Zip   | Telephone Number |
| Studio 247 Fine Jewelry      | 3545 E Calumet St    | Appleton | WI    | 54915 | 920-903-8716     |
| Owner's Name                 | Street Address       | City     | State | Zip   | Telephone Number |
| Studio 247 Fine Jewelry, LLC | 3545 E Calumet St    | Appleton | WI    | 54915 | 920-903-8716     |
| Business Manager's name      | Street Address       | City     | State | Zip   | Telephone Number |
| Craig Slavens                | 4810 W. Amberwood Ln | Appleton | WI    | 54914 | 920-903-8716     |
| Building Owner's Name        | Street Address       | City     | State | Zip   | Telephone Number |
| Studio 247 Real Estate, LLC  | 1726 N. Ballard Rd   | Appleton | WI    | 54911 | 920-202-3354     |

**SECTION 4 – PARTNERSHIP INFORMATION**

Partnership Name:

**Studio 247 Fine Jewelry, LLC**

List name, address, sex, race and date of birth of all partners. Attach additional sheets, if necessary

| Name (Last, First, MI) | Sex | Race | DOB     | Street Address         | City     | State | Zip   |
|------------------------|-----|------|---------|------------------------|----------|-------|-------|
| Rice, Larry L          | M   | W    | 7/27/48 | W3534 Center Valley Rd | Freedom  | WI    | 54913 |
| Rice, Rubhen A         | M   | W    | 1/13/72 | W3536 Center Valley Rd | Freedom  | WI    | 54913 |
| Rice Henke, Milada C   | F   | W    | 7/7/76  | W3532 Center Valley Rd | Freedom  | WI    | 54913 |
| Slavens, Craig M       | M   | W    | 8/19/68 | 4810 W. Amberwood Ln   | Appleton | WI    | 54913 |

**SECTION 5 – CORPORATE INFORMATION**

Corporation Name:

State of Incorp.

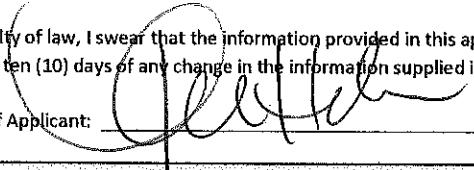
List name, address, sex, race and date of birth of all partners. Attach additional sheets, if necessary

| Name (Last, First, MI) | Sex | Race | DOB | Street Address | City | State | Zip |
|------------------------|-----|------|-----|----------------|------|-------|-----|
|                        |     |      |     |                |      |       |     |
|                        |     |      |     |                |      |       |     |
|                        |     |      |     |                |      |       |     |
|                        |     |      |     |                |      |       |     |
|                        |     |      |     |                |      |       |     |

**SECTION 6 – PENALTY NOTICE**

I understand that this license may be denied or revoked for fraud, misrepresentation or false statements contained in the application or for any violation of Wis. Stats. §§ 134.71, 943.34, 948.62 or 948.63.

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge. I agree to inform the clerk within ten (10) days of any change in the information supplied in this application.

Signature of Applicant: Date 10/21/17**FOR OFFICE USE ONLY**

| Dept            | Approve | Deny | By | Reason |
|-----------------|---------|------|----|--------|
| POLICE          |         |      |    |        |
| FIRE            |         |      |    |        |
| COM DEVELOPMENT |         |      |    |        |
| CITY SEALER     |         |      |    |        |

|  |                                  |                               |                                   |                |
|--|----------------------------------|-------------------------------|-----------------------------------|----------------|
| Safety and Licensing<br>____/____/____ | Common Council<br>____/____/____ | Date Issued<br>____/____/____ | Expiration Date<br>____/____/____ | License Number |
|--|----------------------------------|-------------------------------|-----------------------------------|----------------|

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





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Public Hearing Date:** October 24, 2017

**Common Council Meeting Date:** November 1, 2017

**Item:** Special Use Permit #11-17 for a wine bar including a sidewalk café with alcohol sales and service

**Case Manager:** Don Harp

### GENERAL INFORMATION

**Owner:** 222 Building, LLC c/o John Pfefferle

**Applicant:** Mondo Wine Bar & Retail c/o David Oliver

**Address/Parcel #:** 220 West College Avenue (Tax Id #31-2-0257-00)

**Petitioner's Request:** The applicant is requesting a Special Use Permit for alcohol sales and service in conjunction with a wine bar and a sidewalk café.

### BACKGROUND

On October 4, 2017, the Common Council approved the Reserve Beer/Liquor License application for Mondo Wine Bar and Retail, contingent upon approval from all departments.

### STAFF ANALYSIS

**Project Summary:** The applicant proposes to establish a wine bar with alcohol sales and service on the subject site. Mondo Wine Bar and Retail will occupy approximately 2,076 square feet of tenant space located on the first floor of the 222 Building. The applicant also proposes a sidewalk café, with alcohol sales and service, in the College Avenue amenity strip located directly in front of their tenant space.

**Existing Site Conditions:** The existing commercial building totals approximately 242,902 square feet. No off-street parking is provided on the subject site, which is allowable in the CBD Central Business District.

**Zoning Ordinance Requirements:** The subject property has a zoning designation of CBD Central Business District. Per Section 23-114(e) of the Municipal Code, wine bars and sidewalk cafés with alcohol sales and service require a Special Use Permit in the CBD District. In order to permit alcohol sales and service in conjunction with the proposed wine bar and sidewalk café, the Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds (2/3) vote of the Common Council is required for approval.

**Operational Information:** A plan of operation is attached to the Staff Report.

**Proposed Outdoor Seating Area:** The proposed sidewalk café area is shown on the development plan and described in the plan of operation. The actual location, size, and hours of operation for the sidewalk café shall follow the regulations identified in Chapter 9, Article VI, Division 4, Sidewalk Cafes, of the Municipal Code. Staff provided the applicable sidewalk café provisions to the applicant. Prior to establishing the sidewalk café, the applicant must also obtain a Street Occupancy Permit from the Department of Public Works.

**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 commercial in nature.

North: CBD Central Business District. The adjacent land uses to the north are currently a mix of commercial uses.

South: CBD Central Business District. The adjacent land uses to the south are currently a mix of commercial uses.

East: CBD Central Business District. The adjacent land uses to the east are currently a mix of commercial uses.

West: CBD Central Business District. The adjacent land uses to the west are currently a mix of commercial uses.

**Appleton Comprehensive Plan 2010-2030:** Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Central Business District designation shown on the City's *Comprehensive Plan 2010-2030* 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.*

*Goal 8 – Economic Development*

*Appleton will pursue economic development that retains and attracts talented people, brings good jobs to the area, and supports the vitality of its industrial areas, downtown, and neighborhood business districts.*

**OBJECTIVE 9.4 Economic Development:**

*Ensure the continued vitality of downtown and the City's neighborhood commercial districts.*

**OBJECTIVE 9.5 Economic Development:**

*Encourage new development and redevelopment activities that create vital and attractive neighborhoods and business districts.*

**Finding of Fact:** Prior to the granting of any Special Use Permit, the City Plan Commission may recommend and the Common Council place such conditions and restrictions upon the establishment, location, construction, maintenance and method or hours of operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards specified in Section 23-66 (e) (1-6). This request was reviewed in accordance with the standards for granting a Special Use Permit under Section 23-66 (e) (1-6), which were found in the affirmative.

The applicant's proposed plan of operation does not appear to be incompatible with the neighborhood character, purpose and intent of the Zoning Ordinance and Central Business District or the *Comprehensive Plan 2010-2030*. Conditions are drafted for this request to offset any potential impacts to the public interest (welfare or well-being of the general public).

**Technical Review Group (TRG) Report:** This item was discussed at the October 3, 2017 Technical Review Group meeting. No negative comments were received from participating departments.

**Written Public Comments:** No questions, concerns, or comments have been received from the surrounding neighborhood.

## **RECOMMENDATION**

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Staff recommends, based on the above, that Special Use Permit #11-17 for a wine bar located at 220 West College Avenue, including a sidewalk café directly in front of the establishment within the College Avenue amenity strip with alcohol sales and service, as shown on the attached maps and per attached plan of operation along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving or consuming alcohol on the premise.
3. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.
4. Prior to establishing the sidewalk café, the applicant must apply for and receive approval of a Permanent Street Occupancy Permit from the Common Council. All aspects of the sidewalk café, including its location, size, and hours of operation for serving alcoholic beverages, shall comply with the regulations identified in Chapter 9, Article VI, Division 4, Sidewalk Cafes, of the Municipal Code.

**Special Use Permit #11-17**  
**October 24, 2017**  
**Page 4**

5. Compliance with the plan of operation is required at all times. Changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
6. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.



## **RESOLUTION**

### **CITY OF APPLETON RESOLUTION APPROVING SPECIAL USE PERMIT #11-17**

**WHEREAS**, David Oliver has applied for a Special Use Permit for a wine bar located at 220 West College Avenue, including a sidewalk café directly in front of the establishment within the College Avenue amenity strip with alcohol sales and service and also identified as Parcel Number 31-2-0257-00; and

**WHEREAS**, the location for the proposed wine bar and sidewalk café with alcohol sales and service is located in the CBD Central Business District and the proposed use is permitted by special use within this zoning district; and

**WHEREAS**, the City of Appleton Plan Commission held a public hearing on October 24, 2017, on Special Use Permit #11-17 at which all those wishing to be heard were allowed to speak or present written comments, and other materials presented at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission has considered the application, the staff reports, oral and written, the Comprehensive Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing; and

**WHEREAS**, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-6) and 23-66(h)(6) of the Municipal Code, and forwarded Special Use Permit #11-17 to the City of Appleton Common Council with a \_\_\_\_\_ favorable \_\_\_\_\_ or \_\_\_\_\_ not favorable \_\_\_\_\_ (CIRCLE ONE) recommendation; and

**WHEREAS**, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on \_\_\_\_\_, 2017 and found it to be acceptable.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Appleton Common Council approves Special Use Permit #11-17 for a wine bar located at 220 West College Avenue, including a sidewalk café directly in front of the establishment within the College Avenue amenity strip with alcohol sales and service also identified as Parcel Number 31-2-0257-00 and orders as follows:

#### **CONDITIONS OF SPECIAL USE PERMIT #11-17**

1. All applicable codes, ordinances, and regulations, including but not limited to Fire, Building, and Health Codes and the Noise Ordinance, shall be complied with.
2. The applicant shall receive approval of a Liquor License from the City Clerk prior to serving or consuming alcohol on the premise.
3. Any future expansions for the serving and/or consumption of alcohol may require a major or minor amendment request to this Special Use Permit, pursuant to Section 23-66(g) of the Municipal Code.

4. Prior to establishing the sidewalk cafe, the applicant must apply for and receive approval of a Permanent Street Occupancy Permit from the Common Council. All aspects of the sidewalk cafe, including its location, size, and hours of operation for serving alcoholic beverages, shall comply with the regulations identified in Chapter 9, Article VI, Division 4, Sidewalk Cafes, of the Municipal Code.
5. Compliance with the plan of operation is required at all times. Changes to the plan of operation shall be submitted to the Community and Economic Development Department for review and approval.
6. The use shall conform to the standards established in Chapter 9, Article III, Alcoholic Beverages, of the Municipal Code.

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

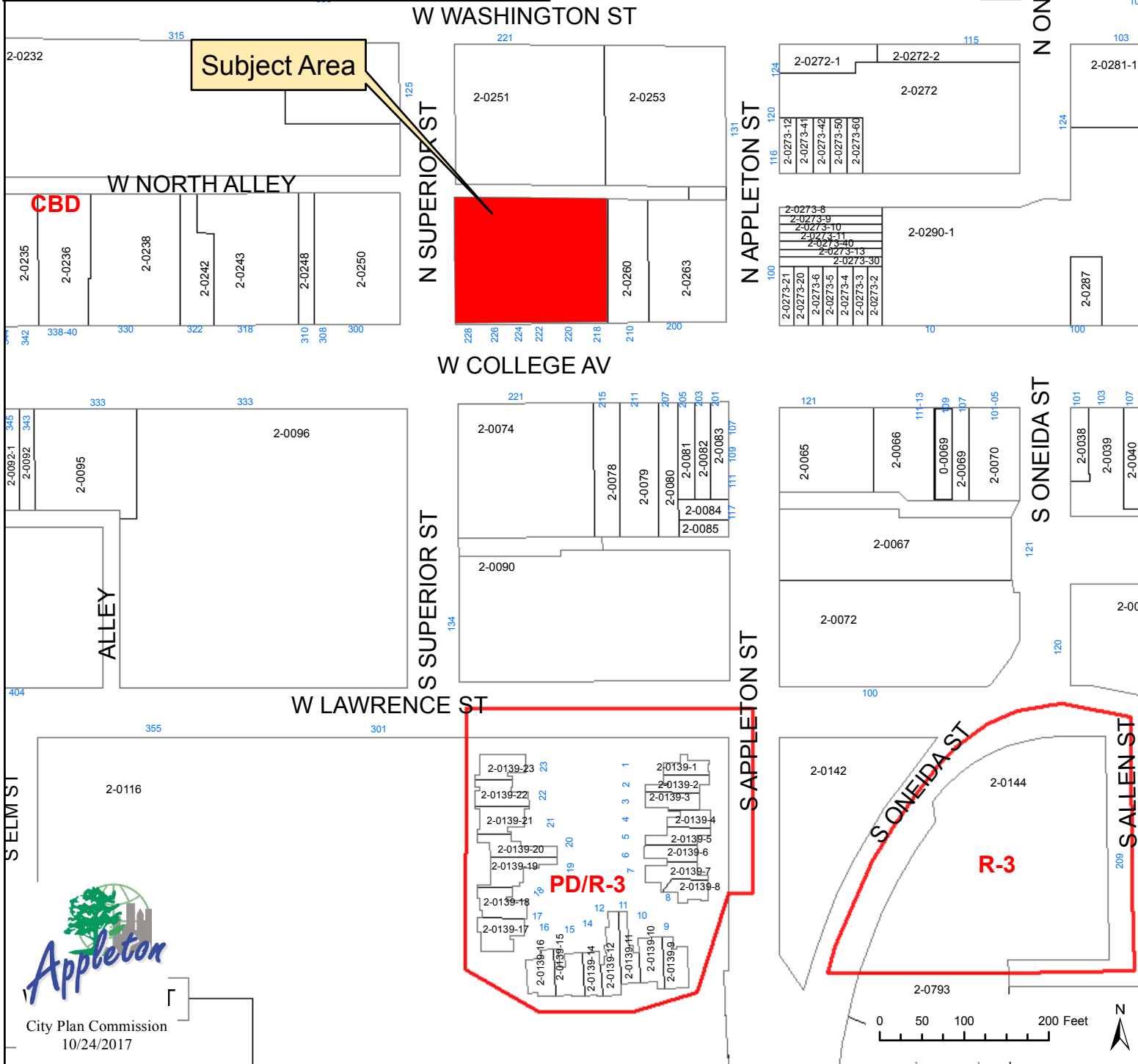
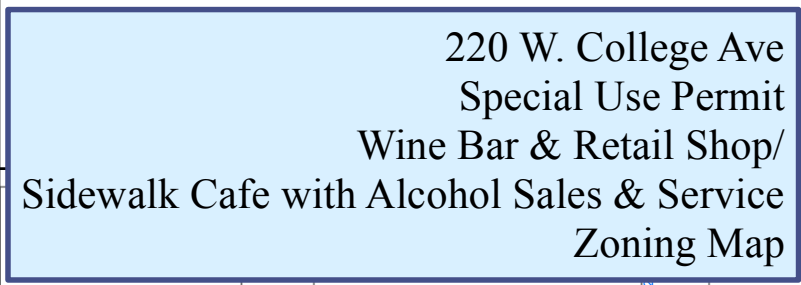
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Timothy M. Hanna, Mayor

ATTEST:

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Kami Lynch, City Clerk





220 W. College Ave  
Special Use Permit  
Wine Bar & Retail Shop/  
Sidewalk Cafe with Alcohol Sales & Service  
Zoning Map

2-0251

Subject Area

2-0257

2-0260

2-0263

Sidewalk Cafe Area  
8' x 18'

2-0074

2-0078

2-0079

2-0080

2-0081

2-0082

2-0083

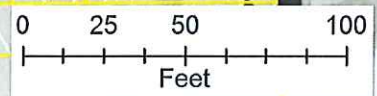
2-0084

2-0085

2-0090



City Plan Commission  
10/24/2017

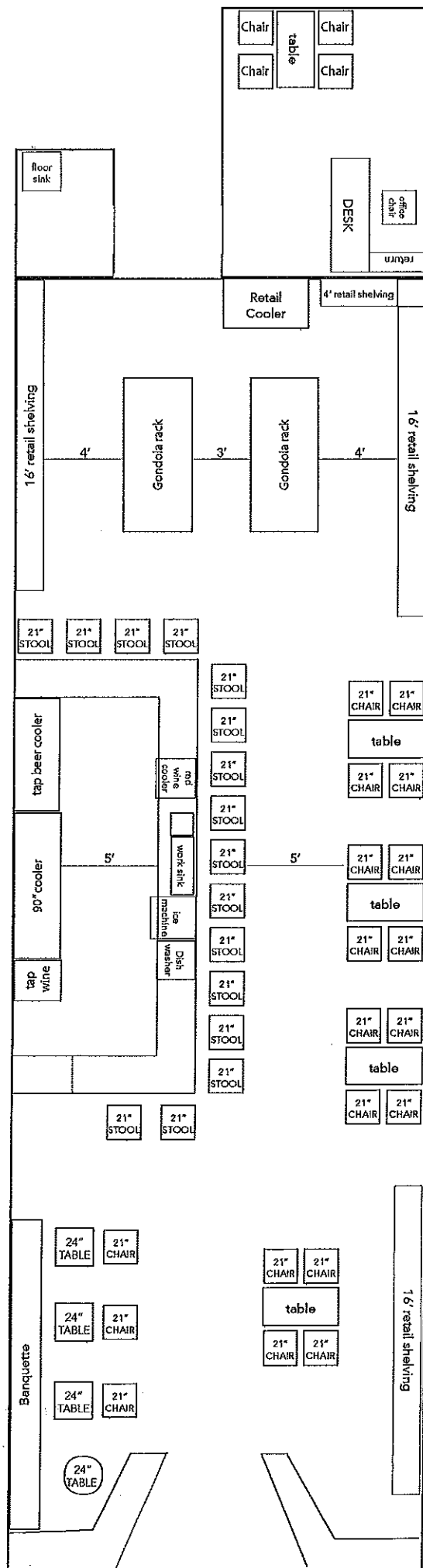






.125" = 1'

Prepared September 21, 2017



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

**Business Information:**

Name of business: Mondo Wine Bar & Retail

Years in operation: Zero

Percentage of business derived from restaurant service: 0 %

Type of proposed establishment (detailed explanation of business):

Mondo will be a combination of wine bar and retail wine shop. The expected breakdown will be approximately 70% wine bar, 30% retail wine, though there will be a constant push to expand retail to get to a mix closer to 60/40.

**Proposed Hours of Operation for Indoor Uses:**

| Day      | From    | To      |
|----------|---------|---------|
| Week Day | 3:00pm  | 10:00pm |
| Friday   | 3:00pm  | 10:00pm |
| Saturday | 12:00pm | 10:00pm |
| Sunday   | closed  |         |

**Building Capacity and Area:**

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

Gross floor area of the existing building(s): 2,076 square feet

Gross floor area of the proposed building(s): \_\_\_\_\_

**Describe Any Potential Noise Emanating From the Proposed Use:**

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

None expected.

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

Inside the building there will be acoustic panels to absorb sound.

There are no anticipated issues with crowd noise outside the building.

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

**Outdoor Uses:**

Location, type, size and design of outdoor facilities:

4 tables accommodating 4 people each in the approved sidewalk area.

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

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

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

If yes, describe how the noise will be controlled:

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

**Proposed Hours of Operation for Outdoor Uses:**

| Day      | From    | To     |
|----------|---------|--------|
| Week Day | 4:00pm  | 9:30pm |
| Friday   | 4:00pm  | 9:30pm |
| Saturday | 12:00pm | 9:30pm |
| Sunday   | closed  |        |

**Outdoor Lighting:**

Type: None

Location: \_\_\_\_\_

**Off-Street Parking:**

Number of spaces existing: N.A.

Number of spaces proposed: \_\_\_\_\_

**Other Licensed Premises:**

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

List nearby licensed premises:

Bad Badger Sports Bar, Gibson Music Hall, Home Burger Bar,

Cleo's Brown Beam Tavern

**Number of Employees:**

Number of existing employees: 0

Number of proposed employees: 5

Number of employees scheduled to work on the largest shift: 3



## APPLICATION FOR USE OF CITY LOGO

This application is for non-City use of all or part of the City of Appleton logo. A \$25.00 non-refundable application fee is to be submitted at time of application. No applications will be considered until the fee has been collected. Incomplete applications will not be accepted.

The undersigned understands that this application for use of all or part of the City logo will be presented to the Community and Economic Development Committee, a standing committee of the Common Council, and then to the Common Council for approval.

The undersigned understands that approval for use of the logo is subjective and at the sole discretion of the Committee and Council. The City reserves the right to deny any application on the basis of negative portrayal of the City, inappropriate use, unattractive color or design, etc.

Name of Applicant: Alissa Williams 10/3/17  
Vendor/Company: Independent This is a passion project of mine - to support the City of Appleton's local businesses as well as teach kids about the history of the city they live in & about current/local businesses. I also hope it gets families out into their local community - promoting healthy & active fun (Of course the ABC's :))  
Address: 224 E Park Hills Dr.  
Appleton, WI 54915  
Phone: 715-281-4212

Proposed Logo Use (i.e. "500 T-Shirts"): Because the children's picture ABC book is all about local places & businesses in Appleton I hope to use the City Logo on the cover of the book. The title of the book is "A is for Appleton"

Do you intend to use the entire logo or only part of it? Explain.

I intend to use the entire logo. The logo would be centered on the cover w/ a black background. There would also be, in white lettering, "A is for"  
\*please see sketch - I did my best!\*

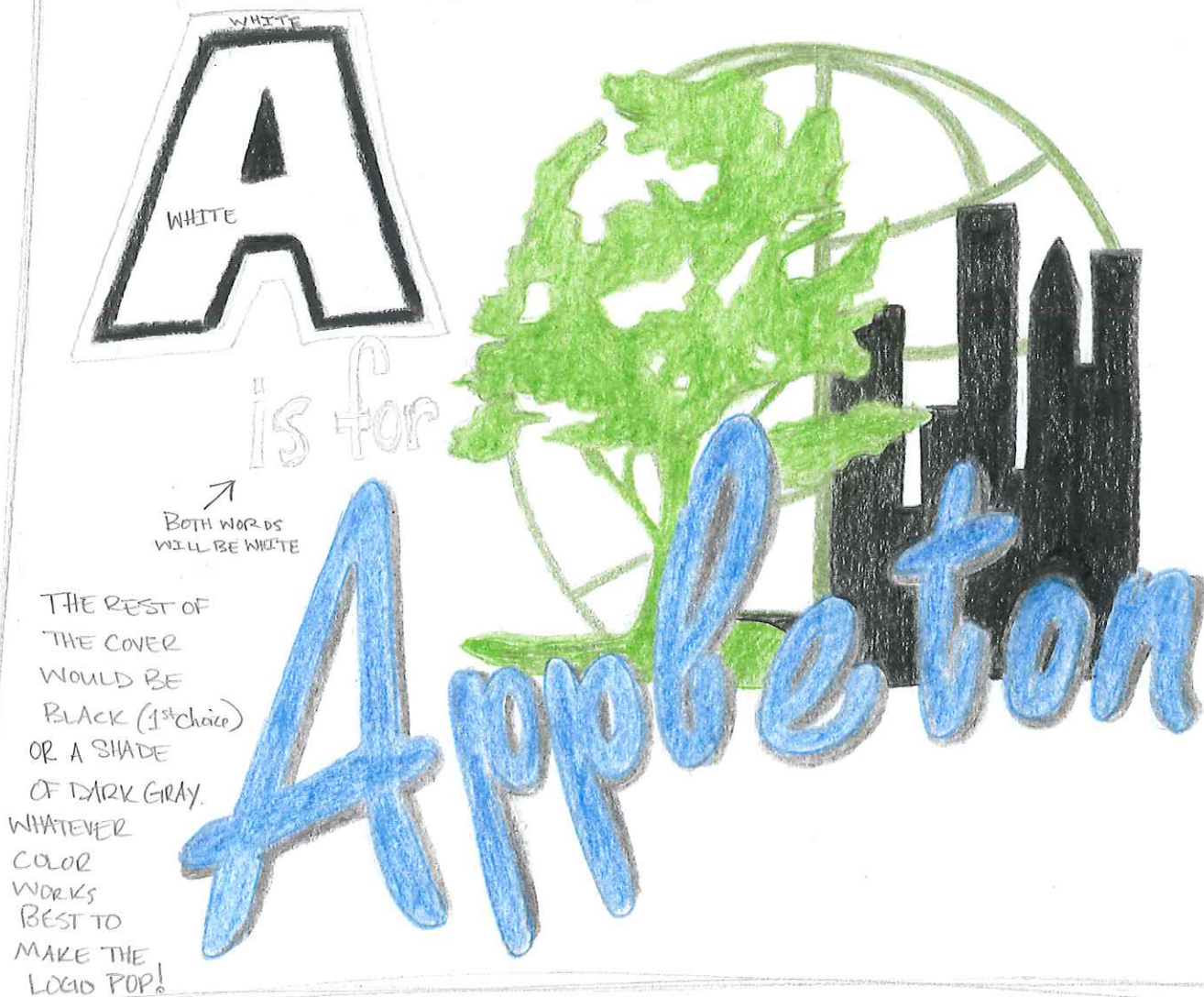
Where and how do you intend to distribute this merchandise?

I plan to distribute this book by posting a booth at the Farmer's Market. Depending on feedback - I may reach out to local stores/businesses and ask if they would be willing to have the book on their shelves. I would also like to ask local libraries if it could be on their shelves.  
(OVER)

I have begun to contact the businesses/places I hope to represent in this book and the feedback has inspired me even more. Most have already agreed and have been very pleased with the potential of this book. Some places represented are:

A - Appleton International Airport C - College Avenue V - VanderValley's Z - Zucke Building.

Below please sketch the proposed final design of your product, indicating or illustrating colors and particular components of the logo to be used:



I submit this application with a clear understanding of the terms. I will be notified within 48 hours when and if my application is approved. If approved, I will be asked to sign a Trademark Agreement with the City and will then be provided with disk copies of the City's logo. I understand that the \$25.00 application fee is non-refundable.

Your Review & Consideration  
is greatly appreciated.  
Thank You.

If there are any concerns  
or questions please feel free  
to ask - I would love to meet,  
if needed/helpful.

Alissa Williams  
Applicant's Name (please print)

Alissa Williams  
Applicant's Signature

10/3/17





*"...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: Utilities Committee

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

DATE: 10/24/2017

RE: Action Item: Award contract to Patrick Engineering for design and engineering services for the Wastewater Plant Electrical Distribution Feasibility Study and Master Plan project for a contract of \$114,540.

The 2017 Capital Improvement budget allocated monies to perform engineering services for the Wastewater Plant Electrical Distribution Phase I Engineering. This will be the first construction phase of a multi-phase project to upgrade the aging electrical distribution equipment. Most of the equipment is over 40 years old and is at the end of its estimated and useful life.

Two firms responded to Request for Proposals. They were evaluated for relevant experience, project success, project team members, project understanding, project schedule, and cost. It was important that the firms clearly demonstrated experience in electrical distribution design and planning along with experience in working on municipal wastewater treatment facilities. The project team for evaluating the firms consisted of: the Facilities Project Manager, Facilities Manager, Facilities Lead Electrician, Parks Recreation and Facilities Management Director, and the Utilities Director.

|                        |           |
|------------------------|-----------|
| Patrick Engineering    | \$114,540 |
| Donahue and Associates | \$159,140 |

After careful review our team recommends awarding a contract to Patrick Engineering for \$114,540. The project team unanimously chose Patrick Engineering based upon experience, cost, and their proposal. We believe that our choice of Patrick Engineering will ensure that the investment is fully maximized.

Please feel free to contact me at 832-5572 with any questions, or by email at [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org).

| CITY OF APPLETON<br>PERSONNEL POLICY  |   | TITLE:<br>EMPLOYEE STATUS  |  |
|---|---|--|--|
| ISSUE DATE:<br>March 16, 2000   | LAST UPDATE:<br>May 9, 2005<br>February 2009<br>January 2010<br>April 2014  | SECTION:<br>Human Resources  |  |
| POLICY SOURCE: Human Resources<br>Department                                | AUDIENCE:<br>All City Employees   | TOTAL PAGES: 3   |  |
| Reviewed by Legal Services Date:<br>February 2000<br>June 2009<br>June 2014 | Human Resources Committee<br>Approval Date:<br>March 9, 2000<br>September 23, 2009<br>July 21, 2014<br>November 24, 2014<br><b>October 23, 2017</b> | Council Approval Date:<br>March 15, 2000<br>October 21, 2009<br>August 6, 2014<br>December 3, 2014 |  |

#### I. PURPOSE

The purpose of this policy is to define employee status categories for non-represented employees.

#### II. POLICY

All City of Appleton non-represented employees must fall under one of the defined categories of employee status.

#### III. DISCUSSION

The City of Appleton may hire full-time, part-time, temporary, seasonal, grant funded, student intern, co-op, limited term or temporary employees pursuant to the budgetary approval by the City Council.

#### IV. DEFINITIONS

A. **Regular Full-Time (exempt):** Employee who works a minimum of 2080 hours per year or 80 hours bi-weekly and not eligible for overtime or compensatory time for any hours worked beyond 40 hours per week. A full-time exempt employee is expected to work whatever hours necessary to complete the job they have been hired for. Employees who are classified as exempt are paid on a “salaried basis” meaning that the person will be paid the same full salary for any week in which work is performed without regard to the number of hours worked.

**Regular Full-Time (non-exempt):** Employees who work 2080 hours per year and are eligible for overtime after working 40 hours per week.



**Regular Part-Time (exempt):** Employees who are normally scheduled to work a minimum of 1040 hours per year but less than 2080 hours per year and are not eligible for overtime or compensatory time for any hours worked beyond their standard bi-weekly hours.

- B. **Regular Part-Time (non-exempt):** Employees who are normally scheduled to work up to a minimum of 1040 hours per year but less than 2080 hours per year and are eligible for straight time pay for hours worked beyond their standard biweekly hours and for overtime after working 40 hours per week.

Regular part-time employees shall be eligible to receive pro-rated City fringe benefits, based on the approved budgeted position and pursuant to the Fringe Benefit Policy.

- C. **Part-Time:** Employees who normally work less than 1040 hours per year. Part-time employees are not eligible for benefits.
- D. **Temporary:** Employees hired to fill in on a limited basis with a specific start and end date. Temporary employees are not eligible for benefits.
- E. **Seasonal:** Employees hired to perform seasonal work for a specific time period. Seasonal employees shall not exceed 1200 hours in any 12 month period and are not eligible for benefits. Employment terminates at the end of the season.
- F. **Grant Funded:** Employees hired to perform work covered by a specific grant. Grant-funded employees may receive limited benefits dependent solely upon grant funding and based on regular status as defined above.
- G. **Student Intern:** Employees currently enrolled in college/technical college on a full or part-time basis; may continue as an intern for summer following graduation or semester whichever applies. Student interns are not eligible for benefits regardless of the number of hours they work.
- ~~H. **Community Service Officers:** Students who are part time limited term employees who shall not exceed 1500 hours per calendar year. Students must be enrolled and maintain a minimum of nine credits hours course work, in a post high school institution. Graduate students shall be required to maintain three-fourths of a full-time course load.~~
- H. **Community Service Officers (CSO):** The purpose of the CSO program is to give students or those considering a law enforcement career an opportunity explore and learn about the profession. Employees hired to perform CSO work are employed on a limited term basis, generally no longer than 3 years. The granting of an extension shall be the sole discretion and approval of the Chief of Police and the Human Resources Director, or designee. Eligibility requirements include either having obtained a minimum of 60 college credits (to be earned by the time the application is submitted), or must be a student who is actively enrolled in a post high school institution.
- I. **Co-op:** Employees enrolled in high school as part of the work experience program. Co-op students can remain a co-op for the summer following graduation. Co-op students are not eligible for benefits.

**J. Limited Term Appointments:**

- a) Emergency Appointments: Whenever there is a need to fill a vacancy and the Human Resources Director is unable to provide names of eligible candidates to the Department hiring, the Human Resources Director may authorize filling the vacancy by emergency appointment until proper recruitment can take place.
- b) Temporary Appointments: The Human Resources Director may authorize the appointment of a qualified individual on a temporary basis when the need exists. Such appointments generally shall not exceed one year in duration , unless authorized by the Human Resources Director.
- c) Temporary Agency needs: All departments shall coordinate their temporary employee needs through the Human Resources Department. The following guidelines shall be followed by departments who need temporary help:
  - 1) It will be the responsibility of the department in need of the temporary help to have sufficient money budgeted, pursuant to City budget guidelines, to cover the cost of the temporary employee over the anticipated period of need.
  - 2) Notice for assistance shall be made to the Human Resources Department as soon as possible but no later than 48 hours prior to the date needed.
  - 3) All screening and coordination of temporary employees shall be done by the Human Resources Department unless such employees are hired through a temporary agency. If a temporary agency is used all City position requirements must still be fulfilled (i.e. background, medical, etc.). If a temporary replacement is not working out, the department should contact Human Resources immediately.
  - 4) Departments must notify Human Resources and all proper paperwork must be forwarded and coordinated by Human Resources prior to employment.

- J. Departments must notify Human Resources before utilizing volunteers in a timely fashion to enable all paperwork and appropriate backgrounds to be completed.

**V. PROCEDURE**

The Department Director will inform Human Resources of the status of employee requested based on the department budget. Upon hire, employees will be notified through an offer letter as to what their employment status is with the City of Appleton. A copy of the offer letter will be signed by the employee & placed in the personnel file.

| <b>CITY OF APPLETON<br/>PERSONNEL POLICIES</b>   | <b>TITLE:<br/>SALARY ADMINISTRATION</b>  |   |
|--|--|---|
| <b>ISSUE DATE:</b><br>February 18, 2005  | <b>LAST UPDATE:</b><br>September 4, 2001      February 2006<br>September 10, 2003    October 2006<br>February 18, 2004      July 2008<br>February 17, 2005      August 2009<br>December 2011          September 2012<br>September 2013        July 2014                    | <b>SECTION:</b><br>Human Resources  |
| <b>POLICY SOURCE:</b><br>Human Resources Department  | <b>AUDIENCE:</b><br>All regular full and part-time benefited employees covered by the Non-represented compensation plan. Excludes represented employees.   | <b>TOTAL PAGES:</b> 7   |
| Reviewed by Legal Services<br>Date: December 2000<br>September 12, 2003<br>February 2006<br>September 2009<br>August 2013<br>July 2014 | <b>Committee Approval Date:</b><br>March 9, 2000<br>September 24, 2003<br>May 12, 2004<br>February 9, 2005<br>February 22, 2006<br>July 23, 2008<br>October 28, 2009<br>December 12, 2011<br>September 24, 2012<br>September 9, 2013<br>August 11, 2014<br>October 6, 2014 | <b>Council Approval Date:</b><br>March 15, 2000<br>October 1, 2003<br>May 19, 2004<br>February 16, 2005<br>March 1, 2006<br>August 6, 2008<br>November 4, 2009<br>December 21, 2011<br>October 3, 2012<br>September 18, 2013<br>August 20, 2014<br>October 15, 2014 |

#### **I. PURPOSE**

To outline the guidelines utilized for administration of the compensation plan.

#### **II. POLICY**

It is the policy of the City of Appleton to provide competitive compensation to attract and retain competent staff and to encourage and reward superior performance within the financial resources available.

#### **III. DISCUSSION**

This policy provides the current salary administration guidelines. This policy is subject to change with approval of the Common Council. The Human Resources Director shall be responsible for the administration of the compensation policy.

#### **IV. DEFINITIONS**

- A. Fair Labor Standards Act (FLSA): A federal act that sets minimum wage, overtime pay, equal pay, record keeping and child labor standards for employees who are covered by the act and who are not exempt from specific provisions. An employee classified in the compensation plan as “Exempt” is

not eligible for the overtime compensation provisions of FLSA.

B. Base Pay: An employee's initial rate of compensation, excluding extra lump sum compensation, shift differential etc. An employee's base pay can be expressed as a base hourly rate of pay or as an annual salary.

C. Compensation Plan: A schedule of pay ranges listing the job classifications Minimum, Maximum and Control Points. All regular positions shall be placed in one of these ranges based on a job questionnaire and point factor job evaluation.

~~C.D.~~ Emergency: For purposes of this policy, an emergency shall be defined as an unplanned, significant event that affects the operation, or service level of the department (as determined by the Department Director and/or the Mayor) or impacts the staffing level for a 24/7 department.

~~D.E.~~ Interim Assignment: When an employee is assigned to a different position on a temporary basis, because of a vacancy.

~~E.F.~~ Job-Questionnaire (JQ): A job analysis that outlines the responsibilities and the requirements necessary to perform the functions of the position. The JQ is utilized to evaluate the position responsibilities using the City's point factor job evaluation system for allocation to the appropriate pay grade. A JQ also functions as the key document for pay plan maintenance.

~~F.G.~~ Non-base pay adjustment: Pay adjustments generally in the form of a lump sum or other forms that do not increase the employee's base pay.

~~G.H.~~ Red-circled: The maintenance of an employee's pay rate above the established range maximum. An employee whose pay rate is at or above the range maximum ~~shall not be eligible for general pay adjustments but may be eligible for a non-base performance adjustment. Exception: Employees who are above the maximum of the assigned pay grade as a result of implementation of the 2013 pay plan shall be eligible for a general pay adjustment and for a non-base performance adjustment until the employee changes positions or leaves City employment.~~

## V. PROCEDURES

### A. DETERMINATION OF PAY RANGES

The compensation plan shall be based on the principle of equal pay for equal work. Pay ranges within the compensation plan shall be determined with regard to factors including, but not limited to: uniformity of pay for each class; relative difficulty, complexity, and responsibility of work; competitive recruiting, education and experience requirements; and prevailing rates of pay for similar jobs in public and private employment as determined by the City.

### B. ENTRANCE PAY RATE

The entrance pay rate shall be within the Minimum and the Control Point of the pay range. All appointments (including department heads) above the Control Point must be authorized, in advance, by a majority of the Mayor, Human Resources Committee Chair and Human Resources Director.

### C. RECLASSIFICATION



The Position Classification Review Process is the method for determining pay range assignment of new positions or reclassification actions involving substantial changes in the duties and responsibilities of an existing position.

(a) Classification or Reclassification Consideration

A request for reclassification of a current position or the classification of a new position may be initiated by a staff member seeking reclassification, by the staff member's department director, or by the Human Resource Director. Requests for reclassifications may occur throughout the year as positions are created or become vacant.

Reclassification consideration for existing positions requires that the employee and the department director document substantial changes in existing duties since the most recent review. Duty changes may be from substantial, immediate reassignment of duties due to reorganization, or may be the result of a logical and gradual change of responsibilities over a period of time.

To be considered for reclassification, changes should be stable and typically should have been in effect for at least six months preceding the reclassification request so that it is clear that the changes that exist are likely to remain for some period of time. Reclassification will not be considered for temporary changes in duties.

A request for classification or reclassification consideration must be in writing and include a new JQ with notes indicating duties that have changed since the last review. The Questionnaire must be completed and signed by the employee, then reviewed and signed by the supervisor and department director. The supervisor and department director must verify or comment on the accuracy of the responses.

(b) Review of Requests

Following internal review by the Human Resource Director, the Human Resource Director may submit the Questionnaire and any supporting documentation to the consultant for evaluation if the criteria for reclassification is met. If the reclassification is appropriate, the consultant will recommend a grade assignment for the position. The consultant may request further information from the Human Resource Director and may request that other positions affected by the reclassification changes be reviewed as well.

(c) The Employer's Response to the Consultant's Recommendations

The employee and the department director will be informed of the final decision in writing, ~~and the consultants recommendation will be reported out informationally to the Human Resources Committee. Classification decisions for existing positions will normally take place on the first pay period following approval by the employer.~~ The effective date of any compensation changes will be based on the specific circumstance of the reclassification.

D. COMPENSATION PLAN COMPONENTS

(a) ~~General~~ Pay Range Adjustment

~~General~~ pPay Range adjustments are typically made on an annual basis. The Human Resources

Director shall recommend such adjustments to the Mayor and Finance Director ~~Common Council~~ based on the general level of pay adjustments in the job markets where the City competes for its staff, as well as internal adjustments (e.g. collective bargaining settlements). These adjustments are also made in consideration of general changes in cost-of-living indices.

The adjustment takes the form of an adjustment to pay ranges ~~and will generally be made to the employee's base pay.~~ With the goal of maintaining market competitiveness of the pay plan.

**No increase will be made to an employee's pay as a result of a pay range adjustment.**

~~Employees must be rated at least "on target" in each of the goals and competencies to be eligible for a General Pay Adjustment.~~

~~General Pay Adjustments for those employees, who are eligible, will be effective January 1 each year~~

~~An employee, who falls below target in any of the goal and competencies, will be required to have a development plan and will not be eligible for a General Pay Adjustment until after 90 days of sustained "on target" performance. If an employee's performance reaches the "on target" level, (after 90 days) the employee may be eligible for a general pay adjustment at that time. Such General Pay Adjustments shall not be retroactive.~~

~~New Hires after July 1 of the current year may be eligible for a General Pay Adjustment if proper documentation (memo, e-mail etc. to indicate the GPA is warranted) is submitted by the supervisor and approved by the department director and Human Resources.~~

(b) Pay for Performance Adjustments

The amount allocated for performance pay adjustments shall be established each year by the Mayor and included in the annual budget, subject to approval by the Common Council. Upon approval of the budget the amount will be divided and allocated to each individual department based on total base wages of eligible employees within the plan. Upon conclusion of the annual employee performance review process, individual department directors will then divide the allocated amount to individual employees within their department based on the employee's annual performance evaluation score. Employees shall be eligible for pay for performance adjustments as follows:

- ◆ ~~Employees who have a pay rate at or below the Control Point shall be eligible for the following:~~

| <del>Performance Rating</del> | <del>Adjustment</del>                      |
|-------------------------------|--|
| <del>90-100%</del>            | <del>1.5 of a performance adjustment</del> |
| <del>75- below 90%</del>      | <del>1 performance adjustment</del>        |
| <del>60- below 75%</del>      | <del>.5 of a performance adjustment</del>  |
| <del>Below 60% of</del>       | <del>Not eligible</del>                    |

- ◆ ~~Employees who have a pay rate above the Control Point shall be eligible for the following:~~

|                          |   |
|--------------------------|---|
| <del>90 to 100%</del>    | <del>1 performance adjustment</del>       |
| <del>75- below 90%</del> | <del>.5 of a performance adjustment</del> |
| <del>60- below 75%</del> | <del>Not eligible</del>                   |
| <del>Below 60%</del>     | <del>Not eligible</del>                   |

Lump sum ~~Non-base~~ adjustments will be used for employees who are at the maximum of their pay range. Lump sum ~~Non-base~~ adjustments may also be used in unique circumstances, to recognize a one-time adjustment or a circumstance that would deviate from our general policy guidelines.

Employees who fall below target in any of the goals or competencies, will be required to have a development plan and will not be eligible for a performance adjustment for that year (regardless of their % score).

An employee, who meets the required percentage for a particular level of performance, will be eligible for a base performance adjustment. If a Department Director recommends the employee receive the higher level performance adjustment, the Department Director must submit justification in writing to Human Resources. If the additional level of adjustment is approved by Human Resources, it shall be in a lump sum. (Example: an employee above the Control Point is rated 89% will receive .5 of a performance adjustment applied to their base and .5 performance adjustment in a lump sum).

All pay for performance adjustment requests will require supporting documentation through the performance evaluation process (goals & competencies) as outlined in the Performance Management Policy. All supporting documentation will be reviewed and verified by the Human Resources Department.

#### ~~E. ADMINISTRATION OF PERFORMANCE ADJUSTMENTS~~

##### ~~(a) Existing Employees~~

Pay for Performance Adjustments for those employees who are eligible, will be effective on January 1 each year.

Employees promoted throughout the year generally will not be eligible for pay for performance for that year.

##### ~~(b) New Employees~~

A new employee who is hired before July 1 will be eligible to receive a pro-rated performance adjustment on January 1 of the next year based on the number of months they worked in that previous year.

#### F. PAY RATE ADJUSTMENTS

The Human Resources Director and the applicable Department Director shall determine the pay status of an employee based on the following:

- (a) Transfers - When an employee is transferred from one class to another with a common pay range, he/she shall continue to receive the same pay rate unless a different rate is deemed appropriate.
- (b) Promotion - When an employee is promoted from one class to another having a higher pay range, he/she shall receive an increase as deemed appropriate but not to exceed the Control Point of the range unless approved by the Committee as outlined in the above Entrance Pay Rate section. If the employee's pay rate is higher than the control point of the new position prior to promotion, no authorization is needed from the Committee. For consideration of placement into the new salary range, such factors as the average value of overtime lost, average value of extra hours

worked in a non-exempt capacity as well as other internal and external factors shall be considered.

- (c) Demotion - When an employee accepts a position in a lower pay grade for any reason, a rate of pay shall be determined. For consideration of placement into the new salary range, such factors as experience, qualification, length of service, average value of overtime lost and the level of pay similar to employees in the pay range shall be considered.
- (d) Upward Re-Classification - When an employee's position is reclassified into a higher pay grade, the reclassification shall be treated the same as a promotion under (b) above.
- (e) Downward Re-Classification - When an employee's position is reclassified into a lower pay grade, the reclassification shall be treated the same as (c.) above.

~~(f) Career development - Employees covered under a Council approved Career Development Plan shall be treated the same as an upward reclassification under (d) above.~~

#### (f) Equity Adjustments

Equity adjustments are salary changes outside of the normal salary programs (as listed above) to remedy salary issues such as external pressure in high demand areas, internal salary compression, and/or retention considerations.

### G. MINIMUM AND MAXIMUM RATES

Generally, an employee shall be paid within the pay range of his/her position.

An employee may be paid below the minimum of his/her pay range as the result of not receiving a ~~general~~ pay adjustment due to their performance ~~not meeting expectations~~.

An employee who receives a base pay adjustment cannot exceed the maximum of their pay range.

In the event of a reclassification, or re-evaluation of a pay range that results in an employee's pay falling outside the maximum of the newly assigned pay range, such employee's pay rate may be red-circled.

### H. OVERTIME

- (a) Employees in the Compensation Plan who meet the exemption under the Fair Labor Standards Act shall be exempt from all premium pay provisions except as otherwise outlined in this policy.
- (b) Employees who are required to work Sunday, not part of their regular schedule, shall receive double time pay. Utility Department employees who work Sunday, as part of their regular schedule, shall receive double time pay.
- (c.) All non-represented non-exempt employees in the Compensation Plan shall be paid no less than the minimum compensation required pursuant to the FLSA, including ~~eligible for~~ overtime compensation on a time and one half basis, for all hours worked in excess of 40 hours per week subject to the following: ~~(For purposes of determining overtime pay under this policy, all authorized paid leaves with the exception of PTO Sick and Sick leave shall be considered as time worked for the purpose of computing overtime.) Double time may be paid for all hours worked on Sundays and holidays, only if indicated in departmental policy.~~

1. Compensatory Time, Sick leave and PTO Sick hours shall not be counted as hours



worked for purposes of computing overtime compensation; and,

2. Scheduled City holiday hours, vacation and PTO (except PTO Sick, see #1 above) may be counted as hours worked for purposes of computing overtime compensation (except when employee is called to work, then see #3 below); and,
3. Hours worked and paid at a Sunday or Holiday double time rate\*, where the employee is also paid an additional call pay premium, shall not be counted as hours worked for purposes of computing overtime compensation.

\*Holiday double time rate refer to Fringe Benefit Policy.

- (c) Battalion Chiefs and Deputy Fire Chiefs who fill in for other Chief Officers, when overtime would otherwise be required, shall receive straight time pay for all such hours worked in addition to his/her regular bi-weekly rate. Operations Battalion Chiefs who are required by the Chief to attend extended (generally more than four (4) hours) training on his/her off-duty time may be eligible for straight time pay for attendance at such training at the discretion of the Fire Chief.
- (d) Police Lieutenants and Captains will receive compensation at time and one half of the top senior sergeant rate ~~(effective 10/30/2014)~~ when working beyond their normal schedule for Grants, Off-Duty Police Services, ~~and~~ Avenue Detail and special events.
- (e) Overtime shall be approved in advance by the Department Director or supervisor and reviewed periodically by the Department Director. Overtime shall be kept to a minimum and shall be utilized to relieve specific occasional peak workloads or emergencies.
- ~~(f) Overtime shall be scheduled based on an employee's qualifications to perform the job pursuant to departmental policies or guidelines.~~

## I. SHIFT DIFFERENTIAL

Non-exempt employees ~~designated by departmental policy may~~ shall receive a shift differential of \$.30 per hour between the hours of 5:00 PM and 5:00 AM. This shall not include Library employees, an extension of the workday or employees working a modified schedule.

## J. HIGHER RATE OF PAY

Employees of the Public Works Department assigned for one week or longer shall be paid a higher rate differential of \$1.00 per hour for all actual hours worked performing the approved eligible tasks as-listed below ~~of the Public Works Department shall be eligible for higher rate of pay per departmental policy.~~

Mason work (dig, form and pour)

Water construction work (dig, pipe installation or repair)

Forestry work (tree removal while climbing or in aerial)

Asphalt paver operation

Laborer plowing snow (off-site)

Loader operation (off-site)

Grader operation (off-site)

Backhoe operation (off-site)

Sewer truck operation (Leader)

Parking Operator I temporarily assigned to Supervisory duties

Parking Ramp Attendant temporarily assigned to Parking Enforcement

Wood Hog Chipper

## K. CERTIFICATION PAY

### 1. Public Works Department

Assessor Certification – any Inspection employee who obtains this certification will be paid a \$100.00 lump sum payment at the initial certification and any subsequent required re-certifications.

### 2. Lead Community Service Officer

Animal Control Certification – the Lead Community Service Officer shall be paid an additional \$.25 per hour to obtain and maintain the Animal Control Certification. The employee must receive approval by their supervisor prior to obtaining the certification.

~~2. Competent Person Trenching/Shoring Certification – any employee who is required to obtain this certification will be paid a \$100.00 lump sum payment at the initial certification and any subsequent required re-certifications. The City shall determine how many employees will get this certification.~~

~~3. Pesticide Application Certification – any employee who is required to obtain this certification will be paid a \$100.00 lump sum payment at the initial certification and any subsequent required re-certifications.~~

### 2. Utilities Department

Advanced Wastewater Certifications - A \$1.00 certification premium will be applied to the base wage of any Wastewater operations employee who successfully passes and maintains the Advanced General Wastewater exam and the advanced subclass exams for:

- Advanced General Testing
- A1 - Biological Treatment – Suspended Growth
- B – Solids Separation
- C - Biological Solids/Sludge Handling and Processing
- D - Disinfection
- L - Laboratory
- P - Phosphorus
- SS - Sanitary Sewer Collection System\*

\*Currently not available, will be required after re-issuance of WPDES permit, requiring the subclass SS (i.e., > year 2020). As in the past, it is the employee's responsibility to manage their own certification requirements.

## K.L. TELEPHONE CALL

Non-exempt employees who are called by a supervisor on the telephone, outside of his/her regularly scheduled hours, to provide information related to the operation of the department shall be paid for the time actually spent on the telephone, but not less than one hour's straight time pay in either pay or time off to be determined by his/her supervisor. This does not apply to employees receiving the Stand-by Duty pay.

#### L.M. EMERGENCY CALL-IN/EMERGENCY SHIFT CHANGE

Non-exempt employees who have left the worksite or are in a paid leave status, and who are called to return to work outside of their regularly scheduled hours to handle emergency situations that could not be anticipated, will be eligible for (3) three hours call-in pay. ~~in or whose shift is changed may be eligible for call time or shift change allowance as designated by departmental policy.~~

#### N. EMERGENCY SHIFT CHANGE

When a non-exempt employee is scheduled for required to work outside their assigned shift as a result of an emergency, of his/her range of typical hours, he/she will be paid a call-time allowance of two (2) hours at straight time in addition to the applicable pay for the time actually worked. The employee shall be eligible for a two (2) hour call time each day that the employee is assigned to work outside their normal shift as a result of the emergency. This will not include extensions to a shift. Notice of the scheduled work will be provided prior to the end of their shift.

#### O. SCHEDULE CHANGE

When a non-exempt employee is scheduled for work outside his/her range of typical hours, for more than (1) work week, this will be considered a schedule change. Therefore, he/she will be paid a call time allowance of two (2) hours at straight time on the first day of the new schedule. and again when returning from the schedule change. This will not include snow and ice operations.

#### ~~M.~~ P. STAND-BY DUTY

~~Emergency locators and utility maintenance staff,~~ Non-exempt employees who are required by his/her department director to be on stand-by duty (required to remain within a one (1) hour response area, accessible by phone or pager, etc.) shall receive one hour's pay for each day of stand-by and (2) two hours if on the actual holiday (does not include the observed holiday).

All employees required to be on stand-by must remain physically fit and ready for duty and must continue to abide by City policies (i.e., Drug-Free Workplace).

#### N.Q. CALL DUTY - EMERGENCY RESPONSE (Excludes Directors ~~and~~ Deputy Directors and Assistant Police Chief)

Any exempt employee, who is required to report to duty for emergency operations (e.g. snowplowing, water main breaks, facilities and grounds and technology issues, storms & other disasters, police investigations, SWAT calls etc.) may be eligible for additional compensation in the form of a bonus as outlined below:

- ◆ If the employee reports for work and works more than one (1) hour but less than four (4) hours, the employee shall be entitled to \$50.00 for each report.

- ◆ If the employee reports for work and works four (4) hours or more, shall be entitled to \$100.00 \$200.00 for each report.
- ◆ ~~Police Captains and Lieutenants, who report for work and work four (4) hours or more, shall be entitled to \$200.00 for each report.~~

#### ~~O. SPECIAL CONDITIONS~~

~~It is recognized that external forces such as unique market conditions and compression of wage differentials between employees in the compensation plan and those they supervise can jeopardize the integrity of the plan. The Human Resources Director shall develop appropriate means to address such situations on a case-by-case basis, subject to the approval of the Common Council.~~



|                                    |           | Existing  | Proposed                                      |
|------------------------------------|-----------|---|---|
| GPA                                |           | Budgeted  | N/A   |
| P4P                                |           | Carry-over  | Budgeted                                      |
| Effective Dates:                   |           |   |   |
| GPA                                |           | 1-Jan   | N/A   |
| P4P                                |           | 1-May Retro to 1/1  | 1-Jan   |
|                                    |           | Below      Above  |   |
| P4P Adj                            | Below 60% | 0   | 0   |
|                                    | 60-75%    | 0.5   | 0   |
|                                    | 75-90     | 1   | 0.5   |
|                                    | 90-100    | 1.5   | 1   |
| PE Scale                           |           | 4 point   | 3 point (approved)                            |
| PE Score                           |           | Paid the same within a wide range<br>Paid differently based on being above or below control point | Paid differently based on score level         |
| Ratings                            |           | Below Target<br>On-Target<br>Above Target<br>Exemplary  | Inconsistent<br>Consistent<br><br>Exceptional |
| New hires or<br>mid year transfers |           | Not Eligible  | Eligible                                      |
| Department Flexibility             |           | No flexibility  | Flexibility for bonus                         |

# Example-P4P

| Grade I | Minimum | Control Point | Maximum |
|---------|---------|---------------|---------|
| GPA=2%  | \$21.87 | \$27.34       | \$32.81 |
|         | \$22.31 | \$27.89       | \$33.47 |

| Base | GPA | P4P | Total |
|------|-----|-----|-------|
|      | 2%  | 2%  | 4%    |

Employee Rate of \$25/hour \$25.00 \$25.50 \$26.01

PE Score = 80%

| Base | 2% | 1% | 3% |
|------|----|----|----|
|------|----|----|----|

Employee Rate of \$28/hour \$28.00 \$28.56 \$28.85

PE Score = 80%

| P4P = 2% | Under | 2% P4P | Over | 2% P4P |
|----------|-------|--------|------|--------|
| 90-100%  | 1.5   | 3%     | 1    | 2%     |
| 75-89%   | 1     | 2%     | 0.5  | 1%     |
| 60-74%   | 0.5   | 1%     | 0    | 0      |
| <60%     | 0     | 0      | 0    | 0      |

## **Class & Compensation Exercise - 2017**

**Employee** – Employee Name.

**Base Hourly Rate** – Hourly rate of pay.

**Control Point** – Control Point within the employee's pay range for their position.

**Status of Control Point** – Indicates above or below control point. Provided for your information only.

**% Above/Under CIP** - % above or under control point. Allows you to track if a person has hit the maximum within their pay range of 120%. At this point base increases to wages are not allowed and must be paid out in a lump sum.

**PE Score** – The score you rate the employee on their Neo Gov Performance Evaluation. Department Directors enter this information annually.

**Rating Spread** – Based on the employee's PE score, this column auto populates per the chart below. This is utilized to create spread in pay increases. Without this there is minimal separation between a high PE score and a low PE score.

**PE Factor** – Base Hourly Rate (X) PE Score (X) Rating Spread.

**PE % Available from Total Available** – PE Factor / the Total PE Factor (Used to determine % of allocated funds employee to receive based on funding available).

**Employee Annual Increase** – Employee Annual Salary adjustment.

**Employee Annual Current** – Employee's Current Annual Salary.

**Employee Annual New** – Employee's New Annual Salary.

**% Increase** – Percentage increase to Annual Salary.

**Hourly PE Increase** – Hourly increase to Annual Salary.

**New Base Hourly Rate** – New Hourly Rate of Pay.

# Example Class & Compensation Exercise - 2017

| Employee    | Base Hourly Rate | Control Point | Status to Control Point | % Above/Under CP | PE Score | Rating Spread | PE Factor | PE % Available from Total Available | Employee (Annual) Increase | Employee (Annual) Current | Employee (Annual) New | % Increase | 2017 P&P Increase | Hourly P&P Increase | New Base Hourly Rate |
|-------------|------------------|---------------|-------------------------|------------------|----------|---------------|-----------|-------------------------------------|----------------------------|---------------------------|-----------------------|------------|-------------------|---------------------|----------------------|
| EMPLOYEE 1  | 28.53            | 31.70         | Under                   | -11.11%          | 65.00%   | 0.5           | 9.27      | 0.53%                               | \$294.53                   | \$59,342.40               | \$59,936.93           | 0.50%      | 2.00%             | \$0.14              | \$28,837             |
| EMPLOYEE 2  | 28.50            | 25.14         | Under                   | -5.98%           | 60.00%   | 0.5           | 7.64      | 0.52%                               | \$242.60                   | \$48,380.00               | \$49,122.60           | 0.50%      | 2.00%             | \$0.47              | \$28,837             |
| EMPLOYEE 3  | 25.14            | 25.14         | Under                   | 0.00%            | 60.00%   | 0.5           | 8.17      | 0.55%                               | \$259.54                   | \$52,291.20               | \$52,550.74           | 0.50%      | 2.00%             | \$0.12              | \$28,837             |
| EMPLOYEE 4  | 23.50            | 27.34         | Over                    | -15.95%          | 63.98%   | 0.5           | 8.18      | 0.56%                               | \$259.53                   | \$49,046.40               | \$49,305.23           | 0.50%      | 2.00%             | \$0.59              | \$28,837             |
| EMPLOYEE 5  | 24.03            | 22.98         | Over                    | 4.55%            | 70.00%   | 1.0           | 18.82     | 1.14%                               | \$594.32                   | \$49,892.40               | \$50,486.72           | 1.07%      | 2.00%             | \$0.48              | \$28,837             |
| EMPLOYEE 6  | 22.44            | 22.98         | Under                   | -2.32%           | 70.00%   | 1.0           | 18.82     | 1.14%                               | \$594.32                   | \$49,892.40               | \$50,486.72           | 1.07%      | 2.00%             | \$0.59              | \$28,837             |
| EMPLOYEE 7  | 24.03            | 22.98         | Over                    | 4.55%            | 70.00%   | 1.0           | 18.82     | 1.14%                               | \$594.32                   | \$49,892.40               | \$50,486.72           | 1.07%      | 2.00%             | \$0.48              | \$28,837             |
| EMPLOYEE 8  | 25.60            | 25.14         | Over                    | 1.95%            | 70.00%   | 1.0           | 17.95     | 1.21%                               | \$567.45                   | \$53,894.60               | \$55,649.05           | 1.07%      | 2.00%             | \$0.51              | \$28,837             |
| EMPLOYEE 9  | 25.32            | 25.14         | Over                    | 1.09%            | 70.00%   | 1.0           | 17.95     | 1.21%                               | \$567.45                   | \$53,894.60               | \$55,649.05           | 1.07%      | 2.00%             | \$0.51              | \$28,837             |
| EMPLOYEE 10 | 24.03            | 22.98         | Over                    | 4.55%            | 70.00%   | 1.0           | 17.95     | 1.21%                               | \$567.45                   | \$53,894.60               | \$55,649.05           | 1.07%      | 2.00%             | \$0.51              | \$28,837             |
| EMPLOYEE 11 | 22.44            | 22.98         | Under                   | -2.32%           | 70.00%   | 1.0           | 17.95     | 1.21%                               | \$567.45                   | \$53,894.60               | \$55,649.05           | 1.07%      | 2.00%             | \$0.51              | \$28,837             |
| EMPLOYEE 12 | 24.14            | 22.98         | Over                    | 4.99%            | 75.00%   | 1.5           | 25.25     | 1.71%                               | \$601.91                   | \$46,615.20               | \$47,477.11           | 1.72%      | 2.50%             | \$0.60              | \$28,837             |
| EMPLOYEE 13 | 27.73            | 31.70         | Under                   | -12.82%          | 77.50%   | 1.5           | 32.24     | 2.18%                               | \$1,023.98                 | \$57,678.40               | \$59,702.38           | 1.78%      | 3.00%             | \$0.83              | \$28,837             |
| EMPLOYEE 14 | 28.53            | 31.70         | Under                   | -11.11%          | 77.50%   | 1.5           | 33.17     | 2.24%                               | \$1,053.52                 | \$59,342.40               | \$60,385.92           | 1.78%      | 3.00%             | \$0.86              | \$28,837             |
| EMPLOYEE 15 | 33.24            | 31.70         | Over                    | 4.63%            | 77.50%   | 1.5           | 38.64     | 2.62%                               | \$1,227.45                 | \$69,139.20               | \$70,368.65           | 1.78%      | 3.00%             | \$0.59              | \$28,837             |
| EMPLOYEE 16 | 19.77            | 20.78         | Under                   | -5.11%           | 77.50%   | 1.5           | 22.88     | 1.56%                               | \$730.04                   | \$41,121.60               | \$41,851.64           | 1.78%      | 3.00%             | \$0.35              | \$28,837             |
| EMPLOYEE 17 | 37.85            | 40.45         | Under                   | -6.97%           | 77.50%   | 1.5           | 44.00     | 2.98%                               | \$1,397.88                 | \$78,728.00               | \$80,255.88           | 1.78%      | 3.00%             | \$0.67              | \$28,837             |
| EMPLOYEE 18 | 38.88            | 40.45         | Under                   | -4.94%           | 80.00%   | 2.0           | 59.60     | 3.97%                               | \$1,893.20                 | \$76,252.80               | \$78,116.00           | 2.44%      | 3.00%             | \$0.80              | \$28,837             |
| EMPLOYEE 19 | 28.32            | 27.34         | Over                    | 3.46%            | 80.00%   | 2.0           | 45.31     | 3.07%                               | \$1,439.33                 | \$58,905.60               | \$60,344.93           | 2.44%      | 3.00%             | \$0.71              | \$28,837             |
| EMPLOYEE 20 | 26.10            | 26.52         | Under                   | -13.10%          | 87.50%   | 2.5           | 57.09     | 3.86%                               | \$1,813.58                 | \$54,288.00               | \$56,101.58           | 3.34%      | 3.00%             | \$0.78              | \$28,837             |
| EMPLOYEE 21 | 43.26            | 42.65         | Over                    | 1.58%            | 90.00%   | 3.0           | 118.78    | 7.90%                               | \$3,709.35                 | \$89,660.00               | \$93,368.98           | 4.12%      | 3.00%             | \$1.78              | \$28,837             |
| EMPLOYEE 22 | 36.68            | 40.45         | Under                   | -10.24%          | 90.00%   | 3.0           | 98.59     | 6.70%                               | \$3,144.18                 | \$76,252.80               | \$79,398.98           | 4.12%      | 3.00%             | \$1.51              | \$28,837             |
| EMPLOYEE 23 | 35.23            | 40.45         | Under                   | -14.72%          | 90.00%   | 3.0           | 85.80     | 6.44%                               | \$3,092.09                 | \$73,340.80               | \$76,432.89           | 4.12%      | 3.00%             | \$1.23              | \$28,837             |
| EMPLOYEE 24 | 38.43            | 36.07         | Over                    | 6.98%            | 90.00%   | 3.0           | 86.38     | 6.66%                               | \$3,124.43                 | \$75,774.40               | \$78,898.83           | 4.12%      | 3.00%             | \$1.09              | \$28,837             |
| EMPLOYEE 25 | 25.64            | 25.14         | Over                    | -1.95%           | 90.00%   | 3.0           | 69.23     | 4.69%                               | \$2,195.02                 | \$53,331.20               | \$55,530.22           | 4.12%      | 3.00%             | \$0.77              | \$28,837             |
| EMPLOYEE 26 | 27.34            | 31.70         | Under                   | -15.95%          | 92.50%   | 3.0           | 75.87     | 5.13%                               | \$2,409.98                 | \$58,987.20               | \$59,277.16           | 4.26%      | 3.50%             | \$0.96              | \$28,837             |
| EMPLOYEE 27 | 27.88            | 27.34         | Over                    | 2.28%            | 92.50%   | 3.0           | 77.84     | 5.26%                               | \$2,468.37                 | \$58,198.40               | \$59,664.77           | 4.26%      | 3.00%             | \$0.84              | \$28,837             |
| EMPLOYEE 28 | 30.24            | 27.34         | Over                    | 9.56%            | 95.00%   | 3.5           | 100.55    | 6.81%                               | \$3,193.90                 | \$62,889.20               | \$66,083.10           | 5.08%      | 3.00%             | \$0.81              | \$28,837             |
| EMPLOYEE 29 | 32.95            | 31.70         | Over                    | 3.92%            | 95.00%   | 3.5           | 109.58    | 7.42%                               | \$3,481.18                 | \$68,558.80               | \$72,037.98           | 5.08%      | 3.00%             | \$0.88              | \$28,837             |
| EMPLOYEE 30 | 33.72            | 34.65         | Under                   | -2.74%           | 97.50%   | 3.5           | 115.08    | 7.79%                               | \$3,855.33                 | \$70,144.36               | \$73,998.89           | 5.21%      | 3.50%             | \$1.18              | \$28,837             |
| AVERAGE     | 850.59           | 889.49        |                         |                  |          |               | 1,477.53  | 100.00%                             | \$48,933.75                | \$1,790,013.16            | \$1,835,946.91        | 2.45%      |                   | \$48,547.29         | \$28,837             |

Instructions:  
 1) Fill in Employees PE Score  
 2) Enter Mayor Allocation  
 3) Enter Bonus Allocations if applicable

| Rating Spread | Rating Factor |
|---------------|---------------|
| Less than 70% | 0.0050        |
| 70.0-74.9     | 0.0100        |
| 75.0-79.9     | 0.0150        |
| 80.0-84.9     | 0.0200        |
| 85.0-89.9     | 0.0250        |
| 90.0-94.9     | 0.0300        |
| 95.0-100      | 0.0350        |

|                     |    |           |
|---------------------|----|-----------|
| Mayor Allocation    | \$ | 48,933.75 |
| PE Bonus Allocation | \$ | 49,003.76 |
| Employee            |    |           |
| 2                   |    |           |
| Bonus Total         | \$ | -         |



# Example Class & Compensation Exercise - 2017

| Employee    | Base Hourly Rate | Control Point | Status to Control point | % Above/Under CP | PE Score | Rating Spread | PE Factor | PE % Available from Total Available | Employee (Annual) Increase | Employee (Annual) Current | Employee (Annual) New | % Increase | 2017 P&P Increase | Hourly P&P Increase | New Base Hourly Rate |
|-------------|------------------|---------------|-------------------------|------------------|----------|---------------|-----------|-------------------------------------|----------------------------|---------------------------|-----------------------|------------|-------------------|---------------------|----------------------|
| EMPLOYEE 1  | 28.53            | 31.70         | Under                   | -11.1%           | 80.00%   | 2.0           | 45.85     | 3.32%                               | \$1,555.94                 | \$59,342.40               | \$60,889.34           | 2.62%      | 2.00%             | \$0.75              | \$28.28              |
| EMPLOYEE 2  | 23.50            | 25.14         | Under                   | -6.98%           | 80.00%   | 2.0           | 37.60     | 2.73%                               | \$1,281.82                 | \$48,680.00               | \$50,161.92           | 2.62%      | 2.00%             | \$0.47              | \$24.12              |
| EMPLOYEE 3  | 25.14            | 27.24         | Under                   | -8.00%           | 80.00%   | 2.0           | 40.22     | 2.92%                               | \$1,371.06                 | \$52,291.20               | \$53,662.26           | 2.62%      | 2.00%             | \$0.50              | \$25.62              |
| EMPLOYEE 4  | 23.59            | 27.24         | Under                   | -15.95%          | 80.00%   | 2.0           | 37.73     | 2.74%                               | \$1,285.99                 | \$49,048.40               | \$50,332.39           | 2.62%      | 2.00%             | \$0.59              | \$23.80              |
| EMPLOYEE 5  | 24.03            | 22.98         | Over                    | 4.45%            | 80.00%   | 2.0           | 38.45     | 2.78%                               | \$1,310.53                 | \$49,982.40               | \$51,292.83           | 2.62%      | 2.00%             | \$0.63              | \$24.66              |
| EMPLOYEE 6  | 22.44            | 22.98         | Over                    | -2.32%           | 80.00%   | 2.0           | 35.90     | 2.61%                               | \$1,223.81                 | \$43,575.20               | \$44,799.01           | 2.62%      | 2.00%             | \$0.56              | \$22.93              |
| EMPLOYEE 7  | 24.03            | 22.98         | Over                    | 4.45%            | 80.00%   | 2.0           | 38.45     | 2.78%                               | \$1,310.53                 | \$49,982.40               | \$51,292.83           | 2.62%      | 2.00%             | \$0.63              | \$24.66              |
| EMPLOYEE 8  | 23.52            | 25.14         | Over                    | -1.49%           | 80.00%   | 2.0           | 40.83     | 2.97%                               | \$1,381.79                 | \$53,031.60               | \$54,473.39           | 2.62%      | 2.00%             | \$0.51              | \$23.52              |
| EMPLOYEE 9  | 25.52            | 25.14         | Over                    | -1.49%           | 80.00%   | 2.0           | 40.83     | 2.97%                               | \$1,381.79                 | \$53,031.60               | \$54,473.39           | 2.62%      | 2.00%             | \$0.51              | \$25.52              |
| EMPLOYEE 10 | 24.03            | 22.98         | Over                    | -4.45%           | 80.00%   | 2.0           | 35.90     | 2.61%                               | \$1,223.81                 | \$43,575.20               | \$44,799.01           | 2.62%      | 2.00%             | \$0.63              | \$24.03              |
| EMPLOYEE 11 | 22.44            | 22.98         | Over                    | -2.32%           | 80.00%   | 2.0           | 35.90     | 2.61%                               | \$1,223.81                 | \$43,575.20               | \$44,799.01           | 2.62%      | 2.00%             | \$0.56              | \$22.44              |
| EMPLOYEE 12 | 24.14            | 22.98         | Over                    | -4.99%           | 80.00%   | 2.0           | 38.82     | 2.81%                               | \$1,376.53                 | \$50,211.20               | \$51,572.73           | 2.62%      | 2.00%             | \$0.63              | \$24.14              |
| EMPLOYEE 13 | 27.73            | 31.70         | Under                   | -14.32%          | 80.00%   | 2.0           | 44.37     | 3.22%                               | \$1,512.31                 | \$57,678.40               | \$59,190.71           | 2.62%      | 2.00%             | \$0.83              | \$27.73              |
| EMPLOYEE 14 | 28.53            | 31.70         | Under                   | -11.1%           | 80.00%   | 2.0           | 45.85     | 3.32%                               | \$1,555.94                 | \$59,342.40               | \$60,889.34           | 2.62%      | 2.00%             | \$0.75              | \$28.53              |
| EMPLOYEE 15 | 33.24            | 31.70         | Over                    | 4.83%            | 80.00%   | 2.0           | 53.18     | 3.86%                               | \$1,812.81                 | \$69,139.20               | \$70,952.01           | 2.62%      | 2.00%             | \$0.87              | \$33.24              |
| EMPLOYEE 16 | 33.24            | 31.70         | Over                    | -5.11%           | 80.00%   | 2.0           | 53.18     | 3.86%                               | \$1,812.81                 | \$69,139.20               | \$70,952.01           | 2.62%      | 2.00%             | \$0.87              | \$33.24              |
| EMPLOYEE 17 | 37.65            | 40.45         | Under                   | -8.97%           | 80.00%   | 2.0           | 60.55     | 4.00%                               | \$2,084.23                 | \$78,728.00               | \$80,792.23           | 2.62%      | 2.00%             | \$1.14              | \$37.65              |
| EMPLOYEE 18 | 36.66            | 40.45         | Under                   | -10.94%          | 80.00%   | 2.0           | 58.65     | 4.26%                               | \$1,966.33                 | \$76,552.80               | \$78,519.13           | 2.62%      | 2.00%             | \$1.10              | \$36.66              |
| EMPLOYEE 19 | 28.32            | 27.34         | Over                    | 3.45%            | 80.00%   | 2.0           | 45.31     | 3.25%                               | \$1,544.48                 | \$58,005.60               | \$59,550.09           | 2.62%      | 2.00%             | \$0.71              | \$28.32              |
| EMPLOYEE 20 | 28.10            | 28.52         | Under                   | -13.10%          | 80.00%   | 2.0           | 41.78     | 3.03%                               | \$1,428.42                 | \$54,288.00               | \$55,711.42           | 2.62%      | 2.00%             | \$0.68              | \$28.10              |
| EMPLOYEE 21 | 43.26            | 42.65         | Over                    | 1.39%            | 80.00%   | 2.0           | 69.20     | 5.03%                               | \$2,359.75                 | \$93,288.00               | \$95,641.75           | 2.62%      | 2.00%             | \$1.13              | \$43.26              |
| EMPLOYEE 22 | 38.68            | 40.45         | Under                   | -10.34%          | 80.00%   | 2.0           | 59.68     | 4.26%                               | \$1,866.33                 | \$73,252.80               | \$75,119.13           | 2.62%      | 2.00%             | \$0.86              | \$38.68              |
| EMPLOYEE 23 | 33.23            | 40.45         | Under                   | -14.72%          | 80.00%   | 2.0           | 58.42     | 4.10%                               | \$1,822.98                 | \$73,540.80               | \$75,363.78           | 2.62%      | 2.00%             | \$1.23              | \$33.23              |
| EMPLOYEE 24 | 36.43            | 35.07         | Over                    | 0.99%            | 80.00%   | 2.0           | 58.29     | 4.23%                               | \$1,866.79                 | \$75,774.40               | \$77,641.19           | 2.62%      | 2.00%             | \$0.99              | \$36.43              |
| EMPLOYEE 25 | 25.64            | 25.14         | Over                    | -1.95%           | 80.00%   | 2.0           | 41.02     | 2.99%                               | \$1,368.33                 | \$53,231.20               | \$54,599.53           | 2.62%      | 2.00%             | \$0.77              | \$25.64              |
| EMPLOYEE 26 | 27.34            | 31.70         | Under                   | -15.95%          | 80.00%   | 2.0           | 43.74     | 3.19%                               | \$1,461.05                 | \$56,887.20               | \$58,348.25           | 2.62%      | 2.00%             | \$0.72              | \$27.34              |
| EMPLOYEE 27 | 27.88            | 27.34         | Over                    | 2.59%            | 80.00%   | 2.0           | 44.77     | 3.25%                               | \$1,525.95                 | \$58,198.40               | \$59,724.35           | 2.62%      | 2.00%             | \$0.84              | \$27.88              |
| EMPLOYEE 28 | 30.24            | 27.34         | Over                    | 6.59%            | 80.00%   | 2.0           | 40.38     | 3.51%                               | \$1,648.20                 | \$62,898.20               | \$64,546.40           | 2.62%      | 2.00%             | \$0.81              | \$30.24              |
| EMPLOYEE 29 | 32.86            | 31.70         | Over                    | 3.62%            | 80.00%   | 2.0           | 52.74     | 3.83%                               | \$1,787.54                 | \$68,556.80               | \$70,344.34           | 2.62%      | 2.00%             | \$0.88              | \$32.86              |
| EMPLOYEE 30 | 33.72            | 34.65         | Under                   | -2.74%           | 80.00%   | 2.0           | 53.86     | 3.82%                               | \$1,838.17                 | \$70,144.36               | \$71,982.53           | 2.62%      | 2.00%             | \$1.18              | \$33.72              |
| TOTAL       | 860.58           | 888.49        |                         |                  |          |               | 1,376.83  | 100.00%                             | \$48,933.75                | \$1,780,013.18            | \$1,838,948.91        |            |                   | \$49,933.75         | \$860.58             |
| AVERAGE     | 28.69            | 57.32         |                         |                  | 80.00%   |               |           | 3.33%                               | \$1,584.46                 | \$59,887.11               | \$61,231.56           | 2.62%      |                   | \$0.75              | 28.69                |

Instructions:  
 1) Fill in Employee PE Score  
 2) Enter Major Allocation  
 3) Enter Bonus Allocation if applicable


| Rating Spread | Rating Factor |
|---------------|---------------|
| Loss then 70% | 0.0050        |
| 70.0-74.9     | 0.0100        |
| 75-79.9       | 0.0150        |
| 80-84.9       | 0.0200        |
| 85-89.9       | 0.0250        |
| 90-94.9       | 0.0300        |
| 95-100        | 0.0350        |

| Major Allocation | Bonus Allocation |
|------------------|------------------|
| 1                | 2                |
| 3                | 3                |
| 4                | 4                |
| 5                | 5                |
| 6                | 6                |
| 7                | 7                |
| 8                | 8                |
| 9                | 9                |
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| 96               | 96               |
| 97               | 97               |
| 98               | 98               |
| 99               | 99               |
| 100              | 100              |



October 5, 2017

To: City of Appleton  
Fox Cities Transit Commission

From: Ron McDonald 

Re: Lease contract with Outagamie County for a bus

Outagamie County has purchased a bus for operation by Valley Transit on the 9-Link bus route. It is Outagamie County's intent to lease the bus to the City of Appleton-Valley Transit for a period of five (5) years at a cost of \$1.00. At the end of the five (5) year term, Outagamie County intends to transfer title to the City of Appleton-Valley Transit.

Valley Transit will be responsible for all expenses related operation and maintenance of this bus. Expenses include, but not limited to, fuel, maintenance, insurance, and labor.

I hereby request authorization to lease a bus from Outagamie County for a period of five (5) years for a cost of \$1.00 and to accept subsequent title transfer at the end of the term.

**Recommended motion:**

Motion to authorize the City of Appleton-Valley Transit to enter into a five (5) year lease contract with Outagamie County for a bus at a cost of \$1.00 and to accept subsequent title transfer at the end of the lease term.



**AN ORDINANCE AMENDING SECTION 4-207 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO ISSUANCE OF PERMIT; PERMIT FEE.**

(Municipal Services Committee – 10-18-2017)

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

**Section 1:** That Section 4-207 of Chapter 4 of the Municipal Code of the City of Appleton, relating to issuance of permit; permit fee, is hereby amended to read as follows:

**Sec. 4-207. Issuance of permit; permit fee.**

No permit shall be granted by the Common Council for the moving of buildings over the streets of the City without the following conditions being met:

- (1) The axle load shall be such that there will be no damage to the road surface as determined by the Director of Public Works.
- (2) The building shall be of such length, height and width that, in the opinion of the Director of Public Works, it will not unreasonably interfere with power lines, trees and other structures along the route to be traveled.
- (3) No building shall be moved over a bridge in the City unless it can be shown to the satisfaction of the Director of Public Works that such move will not result in undue stress on or physical damage to the bridge.
- (4) The applicant shall file with the City Clerk proof of workers compensation, automobile and general liability insurance equal to or greater than that required by the City and approved by the City's Risk Manager, which shall be kept in full force and effect for one (1) year after the building has been moved.
- (5) The applicant shall file with the Department of Public Works a permit bond in the penal sum of five thousand dollars (\$5,000) executed by the applicant as principal and a surety company authorized to do business in the State of Wisconsin, running in favor of the City so that in the event the City should suffer any loss or damage by any negligence, malfeasance or misfeasance in the conduct of the work of this section shall have the right to institute an action for recovery against the applicant and the surety upon such bond. The bond must further state that the applicant shall fully comply with all provisions of State law and City ordinances and that the applicant will save and indemnify the City against any costs, expenses or damages which may in any way accrue against the City due to the work of this section, and will keep the City harmless against all liabilities, judgments, costs and expenses as a consequence of the work.
- (6) The applicant shall pay to the Director of Finance a fee as provided in §4-161(7).

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

**80-17**

**AN ORDINANCE AMENDING SECTION 4-208 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO APPROVAL OF RELOCATION IN CITY; OLD BUILDINGS.**

(Municipal Services Committee – 10-18-2017)

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

**Section 1:** That Section 4-208 of Chapter 4 of the Municipal Code of the City of Appleton, relating to approval of relocation in city; old buildings, is hereby amended to read as follows:

**Sec. 4-208. Approval of relocation in city; old buildings.**

(a) No building shall be moved from one location to another location within the City without the conditions provided in this division being met.

(b) The Inspection Supervisor shall issue a building permit for the relocation of the building in compliance with all building and zoning regulations, provided that the permit has been approved by the Municipal Services Committee and the Common Council.

(c) The Inspection Supervisor shall notify the alderperson of the ward and all property owners within 100 feet of the proposed relocation of the date and time of the Municipal Services meeting where the proposed relocation will be heard.

(d) No existing building shall be moved from outside the corporate limits of the City to within the corporate limits of the City. Newly constructed factory-built homes and parts thereof may be moved from outside the City to within the City in compliance with all other provisions of this division. The permit fee for the move to the first permanent location shall be as provided in §4-161(7).

(e) No existing building shall be moved to a new location within the City unless it fully complies with or is remodeled to fully comply with all minimum requirements of the plumbing, heating and ventilating, building and housing and electrical codes for new construction.

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

**81-17**

**AN ORDINANCE AMENDING SECTION 4-209 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO ROUTE, TIME LIMITS AND SAFETY REQUIREMENTS.**



(Municipal Services Committee – 10-18-2017)

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

**Section 1:** That Section 4-209 of Chapter 4 of the Municipal Code of the City of Appleton, relating to route, time limits and safety requirements, is hereby amended to read as follows:

**Sec. 4-209. Route, time limits and safety requirements.**

(a) Every permit issued under this division shall state all conditions to be complied with and designate the route to be taken and the limit of time for removal.

(b) The moving of the building shall be continuous during all hours of the day, and day by day, until the moving is completed, to cause the least possible obstruction to streets, unless otherwise ordered by the Director of Public Works.

(c) Red warning lights shall be placed conspicuously at both ends of the building during the night.

(d) The mover of the building shall report daily to the Police and Fire Departments the location of the building on the street.

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

**82-17**

**AN ORDINANCE AMENDING SECTION 4-210 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO SUPERVISION OF OPERATION; TRIMMING OF TREES.**

(Municipal Services Committee – 10-18-2017)

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

**Section 1:** That Section 4-210 of Chapter 4 of the Municipal Code of the City of Appleton, relating to supervision of operation; trimming of trees, is hereby amended to read as follows:

**Sec. 4-210. Supervision of operation; trimming of trees.**

The mover of the building to whom a permit has been granted under this division shall notify the Director of Public Works of the time when moving is to begin. The Director of Public Works may appoint an inspector to be present during the moving operation to supervise such

moving. The appointment of an inspector in no way relieves the mover from any liability for damage that may be done during the moving operation. The Director of Public Works may also instruct the Forestry Division to trim the necessary trees along the route. The costs of the inspector and tree trimmers may be billed at actual cost to the mover.

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

**83-17**

**AN ORDINANCE AMENDING SECTION 4-212 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO POLICE ESCORT.**

(Municipal Services Committee – 10-18-2017)

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

**Section 1:** That Section 4-212 of Chapter 4 of the Municipal Code of the City of Appleton, relating to police escort, is hereby amended to read as follows:

**Sec. 4-212. Police escort.**

Whenever a permit is issued for the moving of a building, a police escort may be required. A fee of twenty dollars (\$20.00) per hour per man assigned to the escort may be charged.

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