



City of Appleton

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

Meeting Agenda - Final Board of Health

Wednesday, March 14, 2018

7:00 AM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[18-0366](#) February BOH Minutes

Attachments: [BOH Meeting Minutes 2-14-18.pdf](#)

4. Public Hearings/Apearances

5. Action Items

[18-0336](#) DPW Noise Variance Request

Attachments: [DPW Noise Variance Request-WIS 441 Project.pdf](#)

[18-0337](#) DPW Noise Variance Request

Attachments: [DPW Noise Variance Request-Bridge Painting.pdf](#)

[18-0166](#) Fox River House Noise Variance Request

Attachments: [Fox River House Noise Variance Request.pdf](#)

[Fox River House Noise Variance Email.pdf](#)

[Fox River House Noise Variance Email \(2\).pdf](#)

Legislative History

2/14/18	Board of Health	recommended for denial
2/21/18	Common Council	referred to the Board of Health

[18-0208](#) Resolution # 2-R-18 Noise Variances

Attachments: [#2-R-18 Noise Variances.pdf](#)

[Memo RE Noise Resolution dated 2018.03.08.pdf](#)

[Appleton Municipal Code-Noise.pdf](#)

Legislative History

2/14/18	Board of Health	presented
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6. Information Items[18-0168](#)

November Monthly Report

Attachments: [November Monthly Report.pdf](#)**Legislative History**

2/14/18 Board of Health held

[18-0164](#)

Fourth Quarter 2017 Report

Attachments: [Fourth Quarter 2017 Executive Summary .pdf](#)[Fourth Quarter 2017 Report.pdf](#)**Legislative History**

2/14/18 Board of Health held

[18-0165](#)

Fourth Quarter 2017 Budget Performance Review

Attachments: [Department Budget Review 4th Quarter 2017.pdf](#)[Summary Budget Review 4th Quarter 2017.pdf](#)**Legislative History**

2/14/18 Board of Health held

[18-0340](#)

January Monthly Report

Attachments: [January 2018 Monthly Report.pdf](#)[18-0182](#)

Prenatal Care Coordination Medicaid Provider Update

Attachments: [PNCC Medicaid Provider Update.pdf](#)**Legislative History**

2/14/18 Board of Health held

[18-0167](#)

Wisconsin Active Together Recognition Program

Attachments: [Wisconsin Active Together Recognition Letter of Support.pdf](#)**Legislative History**

2/14/18 Board of Health held

[18-0170](#)

Noise Variance Approvals

Attachments: [Noise Variance Requests 2.14.18.pdf](#)**Legislative History**

2/14/18 Board of Health held

[18-0341](#)

Noise Variance Approvals/Denial

Attachments: [Noise Variance Requests 3.14.18.pdf](#)

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

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Meeting Minutes Board of Health

Wednesday, February 14, 2018

7:00 AM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership

Cathy Spears arrived at 7:01am

Present: 5 - Nelson, Spears, Vogel, Mielke and Meltzer

Excused: 1 - Hanna

3. Approval of minutes from previous meeting

A motion was made by Sally Mielke, seconded by Vered Meltzer, to approve the December minutes. The motion carried by the following vote:

Aye: 5 - Nelson, Spears, Vogel, Mielke and Meltzer

Excused: 1 - Hanna

[18-0169](#)

December BOH Meeting Minutes

Attachments: [BOH Minutes 12-13-17.pdf](#)

4. Public Hearings/Appealances

5. Action Items

[18-0163](#)

Department of Public Works Noise Variance Request

Attachments: [DPW Noise Variance Request.pdf](#)

A motion was made by Dr. Nelson, seconded by Cathy Spears to approve this item. The motion carried by the following vote:

Aye: 5 - Nelson, Spears, Vogel, Mielke and Meltzer

Excused: 1 - Hanna

[18-0166](#)

Fox River House Noise Variance Request

Attachments: [Fox River House Noise Variance Request.pdf](#)
 [Fox River House Noise Variance Email.pdf](#)
 [Fox River House Noise Variance Email \(2\).pdf](#)

A motion was made by Dr. Vogel, seconded by Cathy Spears, to recommend for denial. The motion carried by the following vote:

Aye: 3 - Nelson, Vogel and Mielke

Nay: 2 - Spears and Meltzer

Excused: 1 - Hanna

6. Information Items

[18-0208](#) Resolution # 2-R-18 Noise Variances

Attachments: [#2-R-18 Noise Variances.pdf](#)

This item was presented and discussed.

[18-0168](#) November Monthly Report

Attachments: [November Monthly Report.pdf](#)

This item was held.

[18-0164](#) Fourth Quarter 2017 Report

Attachments: [Fourth Quarter 2017 Executive Summary .pdf](#)
 [Fourth Quarter 2017 Report.pdf](#)

This item was held.

[18-0165](#) Fourth Quarter 2017 Budget Performance Review

Attachments: [Department Budget Review 4th Quarter 2017.pdf](#)
 [Summary Budget Review 4th Quarter 2017.pdf](#)

This item was held.

[18-0182](#) Prenatal Care Coordination Medicaid Provider Update

Attachments: [PNCC Medicaid Provider Update.pdf](#)

This item was held.

[18-0167](#) Wisconsin Active Together Recognition Program

Attachments: [Wisconsin Active Together Recognition Letter of Support.pdf](#)

This item was held.

[18-0170](#)

Noise Variance Approvals

Attachments: [Noise Variance Requests 2.14.18.pdf](#)

This item was held.

[18-0162](#)

Other Business

7. Adjournment

A motion was made by Dr. Nelson, seconded by Cathy Spears, that the meeting be adjourned. The motion carried by the following vote:

Aye: 5 - Nelson, Spears, Vogel, Mielke and Meltzer

Excused: 1 - Hanna



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

DEPARTMENT OF PUBLIC WORKS

Engineering Division

100 North Appleton Street

Appleton, WI 54911

TEL (920) 832-6474

FAX (920) 832-6489

February 22, 2018

Health Officer
City of Appleton Health Department
100 N. Appleton Street
Appleton, WI 54911

RE: Request for Noise Variance
WisDOT for WIS 441 Project

Dear Mr. Eggebrecht:

This letter is to request a noise variance for an upcoming Wisconsin Department of Transportation project on WIS 441 in and near the City of Appleton. The project will consist of paving, earthwork, base, storm sewer, noise wall construction, and hauling materials in and out of the worksite. No pile driving will be allowed at night.

The attached overview plan sheets show the location of work that will impact residents of the City of Appleton. The noise variance request is for night work from April 1, 2018 through November 1, 2018.

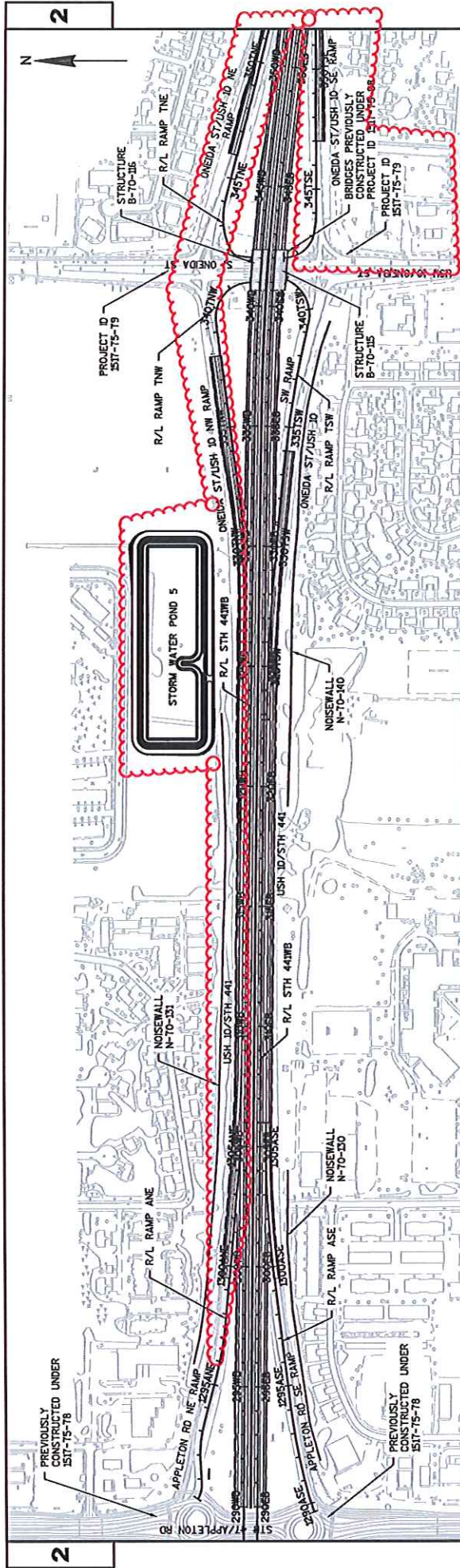
Thank you and please do not hesitate to call me at 920-832-6482 if you have any questions.

Sincerely,

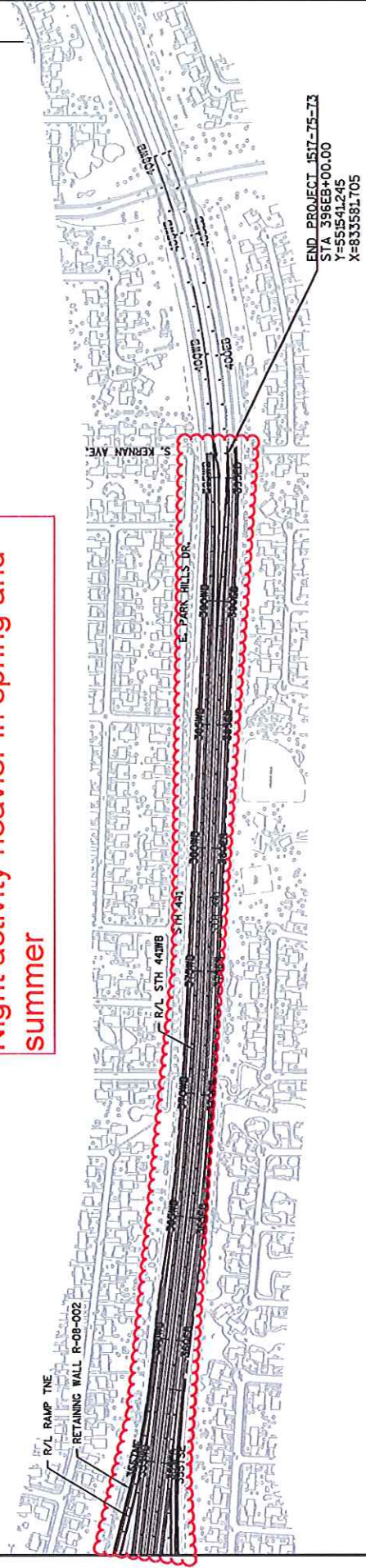
Paula Vandehey, P.E.
Director of Public Works

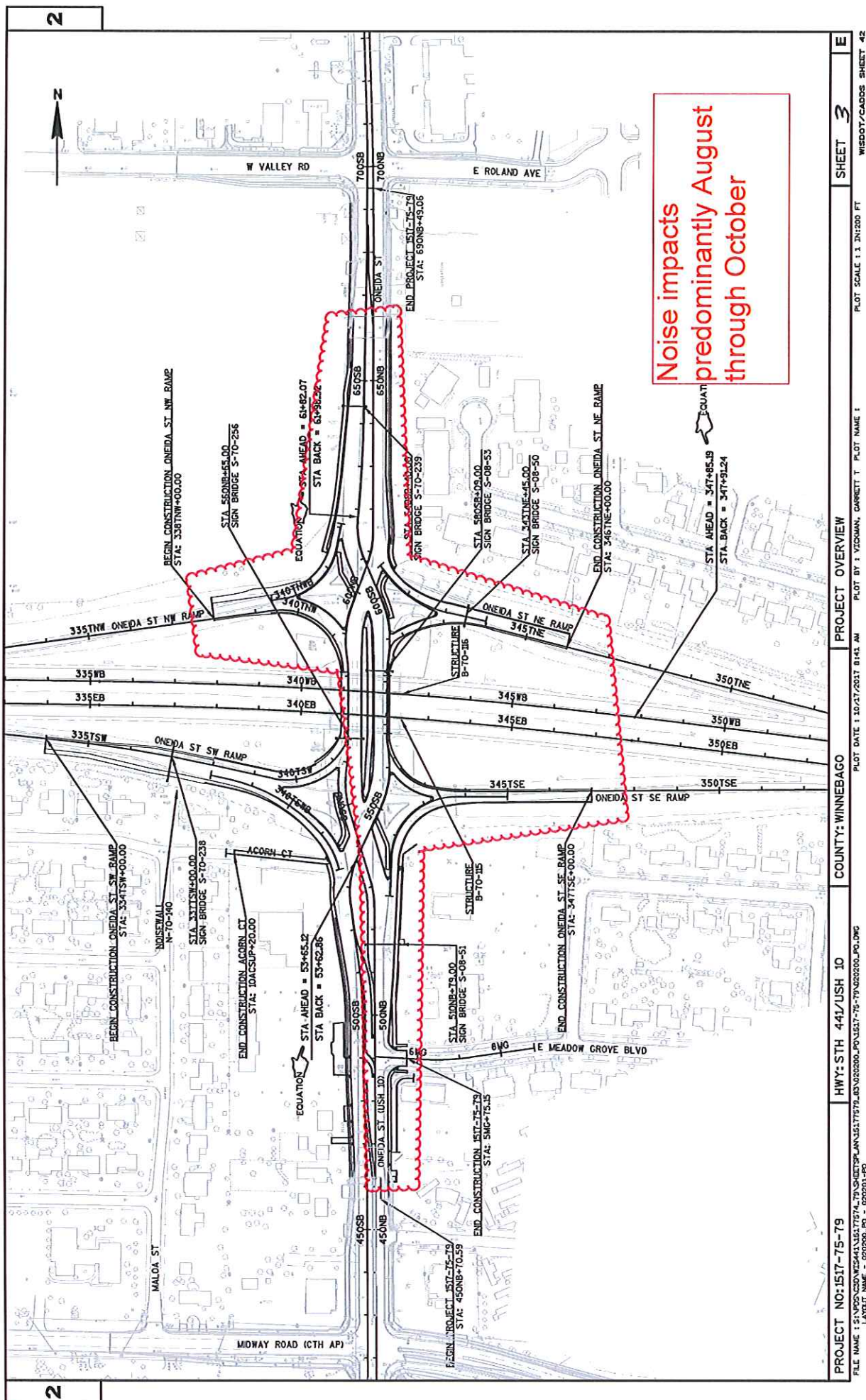
Attachment

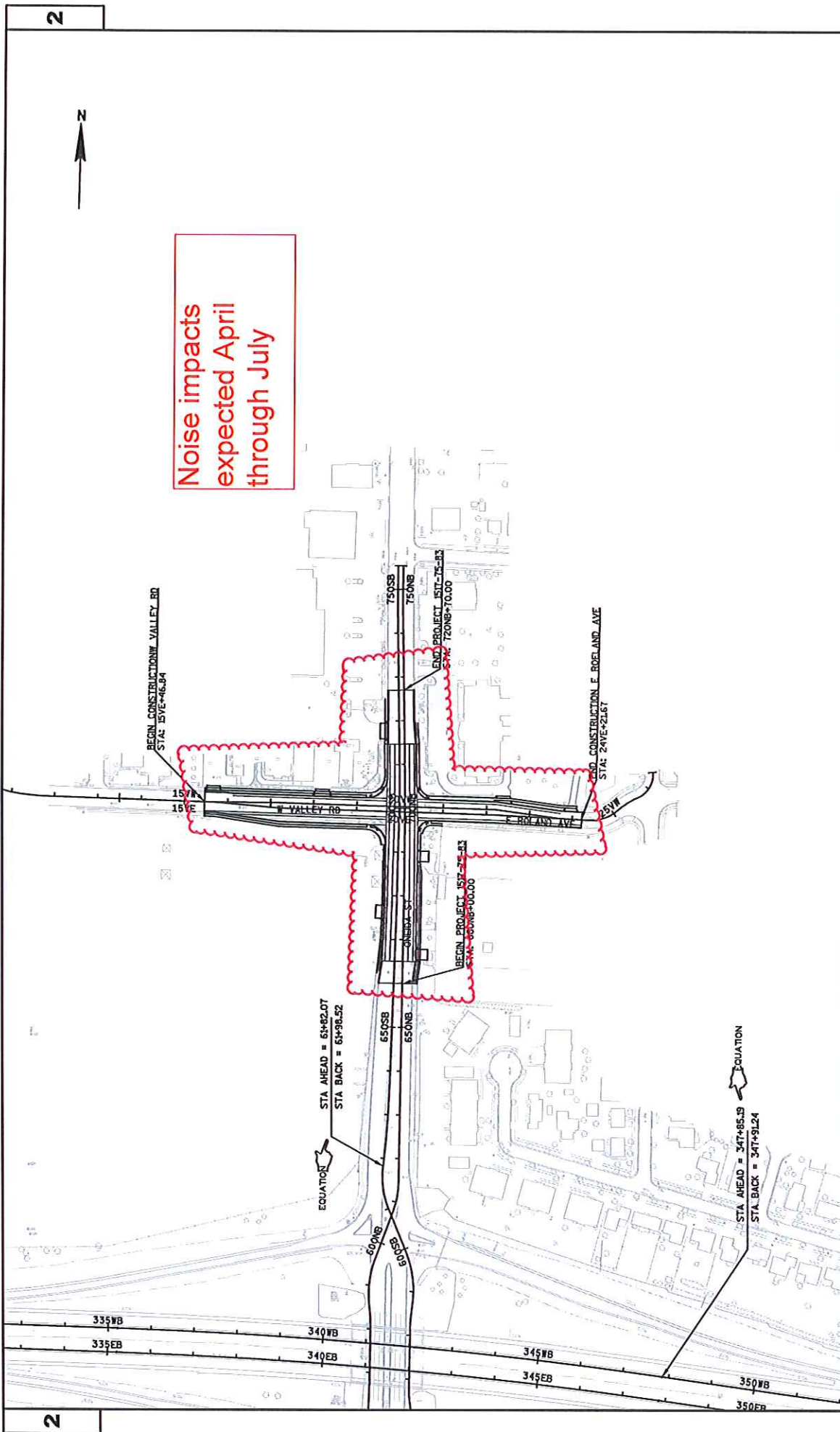
C: Scott Ebel, WIS 441 Design Project Manager



Noise impacts throughout 2018.
Night activity heavier in spring and summer







Noise impacts
expected April
through July



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

DEPARTMENT OF PUBLIC WORKS

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

March 2, 2018

Health Officer
City of Appleton Health Department
100 N. Appleton Street
Appleton, WI 54911

RE: Request for Noise Variance
WisDOT STH 441 Bridge Painting Project over the Fox River

Dear Mr. Eggebrecht:

This letter is to request a noise variance for an upcoming Wisconsin Department of Transportation project on WIS 441 Bridge over the Fox River. The project will consist of bridge painting work. The typical work day will be from 7:00 am – 7:00 pm Monday through Sunday. However, it is anticipated that they may need to work past 10:00 pm an estimated 5 days per month. The noise variance request is for night work from March 23, 2018 through October 31, 2018.

Thank you and please do not hesitate to call me at 920-832-6482 if you have any questions.

Sincerely,

Paula Vandehey, P.E.
Director of Public Works

C: Hyon Jin Kwak, Civil Coatings and Construction, Inc.

TO: Kurt Eggebrecht, Health Officer City of Appleton
FROM: Patti Coenen, Owner, Fox River House
RE: Noise Variance

January 23, 2018

Dear Kurt,

I am requesting the following weekend dates for a noise variance for the Fox River House beer garden. Times are from 7pm-11pm unless otherwise noted.

May 25, 26

June 1, 2, 8, 9, 15, 16, 22, 23, 29, 30

July 6, 7, 13, 14, 20, 21, 27, 28

Mile of Music: August 2, 3, 4 11am-11pm, August 5th 11am-9pm

August 10, 11, 17, 18, 24, 25, 31

September 1, 7, 8, 14, 15, 21, 22, 28, 29

Last year as promised, I monitored sound levels with an app on my iPhone and iPad as recommended by the city's Health Officer, Kurt Eggebrecht. As suggested by Kurt I kept records of the average levels of each band, taken from the same spot. We had one band that we had to ask to turn down the volume because the reading was higher than the rest. Of the 42 days approved by the Board of Health and Council, we had music on 30 days with 12 rain days.

There has been an amazing amount of research done to prove the benefits of music on the human brain. Listening to music can create peak emotions, which increase the amount of dopamine, a specific neurotransmitter that is produced in the brain and helps control the brain's reward and pleasure centers.

Tufts University professor and author, Ani Patel says "the great emotional power of music may be because it doesn't just activate one emotion system in the brain, it seems to activate almost every single emotion system at the same time in ways that very few other things can."

Appleton's central business district is a vibrant and growing area, the most recent addition, Fox Cities Exhibition Center and a recently announced new U.S. Venture headquarters. Attracting an educated and talented workforce also means offering a large variety of activities and amenities to also retain that workforce. Broadway shows, wonderful restaurants, shopping, art, museums, farmer's market, festivals and live music.

Thank you again for your consideration in this matter, as always, I greatly appreciate it.

Regards,

Patti

From: Kurt Eggebrecht
Sent: Tuesday, February 06, 2018 8:33 AM
To: B Schaff
Cc: lauxie3@tds.net; Patti Coenen; rattray.kirk@yahoo.com; Melissa L. Suttner
Subject: RE: Fox River House's Request for Noise Variance

Thank you for your e-mail. This noise variance request for Fox River House is scheduled for the February Board of Health meeting. We will meet February 14th at 7am in room 6A of the City center located at 100 North Appleton Street.

I will include your email in the Board's packet of materials.

Thanks,
Kurt

Kurt Eggebrecht
Health Officer
Appleton Health Department
920-832-6429
www.appleton.org



Find us on
Facebook

Watch us on



From: B Schaff [mailto:betschaff@yahoo.com]
Sent: Monday, February 05, 2018 4:31 PM
To: Kurt Eggebrecht <Kurt.Eggebrecht@Appleton.org>
Cc: lauxie3@tds.net; Patti Coenen <District11@Appleton.org>; rattray.kirk@yahoo.com
Subject: Fox River House's Request for Noise Variance

Good Afternoon Kurt,

Our neighbors recently shared a copy of Fox River House's request for a noise variance. We are writing to ask that you let the Board of Health know we are opposed to a "Conditional Variance" being issued to the Fox River House for the dates specified, as we have learned (see our previous e-mail exchange below on the topic) that this type of variance gives the bar the ability to play music as loud as they wish, making our requests to turn down the music irrelevant. Although Ms. Coenen's correspondence does not indicate the type of variance being sought, in reviewing the Appleton Municipal Code, Sec. 12-83 Variances - we would respectfully request the Board of Health consider issuing a "Special Variance." This would require the Fox River House to keep the noise level to the lowest practical level and include in the application the *steps to be taken to minimize noise and name of responsible person who will be present*. That way when the noise gets too loud that we cannot watch TV, despite making several calls to no avail, we would have the option to call the police to get the volume turned down. Per your advice, we contacted the Fox River House on several occasions this past summer, trying to be good neighbors; but unfortunately, that relationship has not been reciprocated.

Additionally, I would ask the Board to review sub (b) of the Municipal Code on Conditional Variances, to verify whether this request meets the requirements. According to (1) under this section

It may not be technically or economically feasible for certain commercial or industrial sources of sound to comply with the standard set forth herein. Therefore, the Board of Health may grant variances from this section if it finds that strict compliance is unreasonable because:

- a. Conditions are beyond the control of the person requesting such variance.*
- b. Special circumstances exist which would render strict compliance impractical.*
- c. Strict compliance would result in substantial curtailment or closing down of a business, plant, operation or the like*
- d. Control technology is unavailable or available only at a prohibitive cost.*
- e. No other alternative facility or method is available.*

Based on last year's discussion at the Board of Health meeting on this topic, Ms. Coenen has control over the bands she decides to contract with to play, as well as the ability to monitor sound levels through an app, which she mentioned in her request. Additionally, Fox River House is a year-round business, so its survival is not solely dependent on bands playing on the requested dates. With that said, we are not opposed to the bands, we just need to figure out a balance and unfortunately this past summer we were frustrated by the bar's unwillingness to respond to requests to turn down the music. We did not call every night there was a band, only the nights the music was so loud our kids could not sleep and we could not hear the TV. Therefore, we respectfully ask that regardless of the Board's decision, it include some conditions this year so Ms. Coenen has some incentive to work with us/listen to our concerns.

I would like to thank you and the Board of Health for your time and consideration of this request. Please notify us once a date has been set to review this topic as we would like to attend.

Sincerely,

Elizabeth Schaff and Kirk Rattray
523 West 8th Street
Appleton, WI

E-mails Referenced Above Over Issue This Summer:

B Schaff <betschaff@yahoo.com>

To

B Schaff

05/17/17 at 9:39 AM

Good Morning Kurt,

I just wanted to follow-up with you on the meeting from last week. I noticed in the Common Council agenda that the Board of Health minutes state the variance was recommended for approval and that the "Board provided suggestions on how the owner can minimize neighborhood disputes in regards to loud music". So does that mean she needs to follow the suggestions and get a decibel reader to monitor the bands and have them turn down the volume if it gets too loud? Also to clarify, the variance that was approved only allows the establishment to operate at the daytime noise levels outlined in the ordinance - correct? Finally, could we get the contact information for the individual that will be on sight when the bands are playing?

Sorry for all of the questions, I just want to make sure I am clear on things.
Thank you!

Elizabeth

Reply Reply to All Forward More
B Schaff <betschaff@yahoo.com>

To
Kurt Eggebrecht
06/28/17 at 8:54 AM
Hi Kurt,

I just wanted to follow-up with you on Fox River House's approved noise variance. As mentioned in my earlier e-mail, I had some additional questions on expectations based on the committee's discussion and clarification of the minutes. Since the variance has been approved, we have had to call the establishment on a couple of occasions, the most recent being this past weekend. On Saturday the band started around 8pm and was very loud. I called and asked if they could check the decibel reading and have the band turn down the volume. I was told they would. There was no noticeable change in volume, so I called back 20 minutes later. The person I spoke to said that they checked the levels and the band had turned it down several decibels – so they said they would see what they could do – which nothing changed. Our neighbor/my brother called the non-emergency number because he knew we tried twice and was frustrated with the noise. He spoke to Katelyn at the Appleton Police Department. She said Officer Wallace went over to the bar and was told that it had a noise variance and the band could play as loud as they wanted until 11pm. Because of the noise variance, the Police Department said they could not do anything about the noise unless we had documentation that said otherwise. I guess at this point, I am very confused – I thought the variance that was discussed at the meeting was to extend the band playing time at daytime noise levels until 11pm. Does the variance really give the bar permission to have the band play as loud as they want until 11pm? If that is the case, did the board realize that when they approved the noise variance? Also, besides the e-mail request, is there any other documentation on the variance?

Any clarity you can provide would be appreciated. Thank you for your time.

Sincerely,
Elizabeth

Reply Reply to All Forward More
Kurt Eggebrecht <Kurt.Eggebrecht@Appleton.org>

To
B Schaff
CC
Patti Coenen
06/28/17 at 1:36 PM
Elizabeth,

Thanks for reaching out and sharing your experience this past Saturday night. The noise variance that the Board of Health approved is just that, a variance to the current levels of noise that are permitted in the City of Appleton, meaning that they can exceed the level in this case the night time level based on the hours requested.

I am certain the Board of Health knew what they were voting on as they have approved many such requests over their years of service.

There was/is no other documentation than what was shared with the Board of Health.

I encourage you to continue to inform the establishment when certain bands are loud as this way they are made aware as well. I will cc the establishment owner Patty Coenen as well so she becomes aware of your frustration last Saturday.

Thank you-
Kurt

Kurt Eggebrecht
Health Officer
Appleton Health Department

920-832-6429

www.appleton.org

Reply Reply to All Forward More
B Schaff <betschaff@yahoo.com>

To

Kurt Eggebrecht

CC

Patti Coenen

06/28/17 at 4:09 PM

Good Afternoon Kurt,

Thanks for the clarification on that piece. I guess in looking at the city code (Sec 12-83) I was unclear what type of variance was granted - it sounds like it must have been the conditional variance. In terms of the board's discussion on monitoring the decimal level and having a point of contact for neighbors to call so steps can be taken to reduce the noise - does the bar still need to comply with this or is that a moot point because the variance was approved?

Thanks, again, for your time.

Elizabeth

From: Kurt Eggebrecht
Sent: Friday, February 09, 2018 10:01 AM
To: Melissa L. Suttner
Subject: FW: Fox River House Special Community Event Variance

From: E Laux [mailto:lauxie3@tds.net]
Sent: Thursday, February 08, 2018 10:43 PM
To: Kurt Eggebrecht <Kurt.Eggebrecht@Appleton.org>; B Schaff <betschaff@yahoo.com>; rattray kirk <rattray.kirk@yahoo.com>; Linda muldoon <coventryglass@usa.net>
Cc: William Siebers <District1@Appleton.org>; Vered Meltzer <District2@Appleton.org>; Curt Konetzke <District3@Appleton.org>; Joe Martin <District4@Appleton.org>; Ed Baranowski <District5@Appleton.org>; Greg Dannecker <District6@Appleton.org>; Matthew Reed <District8@Appleton.org>; Bob Baker <District9@Appleton.org>; Kathleen Plank <District7@Appleton.org>; Christine Williams <District10@Appleton.org>; Patti Coenen <District11@Appleton.org>; Cathy Spears <District12@Appleton.org>; Kyle Lobner <District13@Appleton.org>; Christopher Croatt <District14@Appleton.org>; Keir Dvorachek <District15@Appleton.org>; Mayor <Mayor@Appleton.org>
Subject: Fox River House Special Community Event Variance

To: Kurt Eggebrecht, Health Officer - City of Appleton

CC: Members of the Appleton Health and Safety Board
Members of the Appleton City Council
Mayor Timothy Hanna – Appleton

From: Elizabeth Laux – 303 S. Walnut Street, Appleton, WI 54914

RE: Noise Variance – 2018 Music Season for the Fox River House Bar

February 1, 2018

Dear Kurt,

This letter is in response to the request issued by Patti Coenen, Proprietor of the Fox River House at 211 S. Walnut Street, Appleton, WI 54911 January 23, 2018 for an Appleton Municipal Code Sec 12-83 (2) Special Community Event variance. On June 2, 2017 you told me this is the type of variance Ms. Coenen applied for in 2017; I am assuming it will be the same for the 2018 season.

I am pleased Ms. Coenen's is making improvements to her business. She said she has spent over \$20,000 in updating the apartment above the Fox River House. When you are a property owner, this type of maintenance is considered upkeep and, in Ms. Coenen's case, an investment to make money from a rental at a property that is already utilized as a business. My mother has made upgrades and updates to 303 S. Walnut and has paid out

easily over \$100,000.00 in money and sweat equity over the years. My mother doesn't have an additional income from the property to make improvements; I am helping because this is my home, too. However, we go into debt when we need to update our property; for example, updating the electrical or to put on a new roof cost about \$14,000 and \$15,000 respectively.

Ms. Coenen stated there are many neglected rental units in the Historic Third Ward neighborhood. I only know of one house in the neighborhood that is unoccupied because it's unsuitable to live in. The house is at 403 S. Walnut Street. It's not occupied because the current owner is in the midst of renovations. I have often walked the streets of my neighborhood, to exercise or walk the dog, and even the half-way houses and other government buildings don't appear to be in blight.

I am disappointed that Ms. Coenen is casting general aspersions about our neighborhood as part of her appeal. She does, after all, live in the same neighborhood her business is in; though she lives 3 1/2 blocks from the music venue. The apartment above the Fox River House bar was rented to a gentleman before he decided to move. If she didn't consider the apartment inhabitable, why did Ms. Coenen wait for him to move to do these renovations? She took over the building in 2009. Or, why not make that second floor into a music venue when he did move? The area of the second floor is essentially the same size as the yard where the music currently takes place. By using the second floor, she could have live music all year round and not worry about having the bands in winter in a cramped space in the bar area.

My ability to live peacefully in my home is hindered by the music played by bands Ms. Coenen hires to perform in her outdoor venue. This is not because of the music itself, but because of the volume of the bands. It is very stressful. I will not speak to all we've gone through since 2011—except for the suggestion of tearing down the house at 303 S. Walnut Street or worse by one of her patrons. Also, my mother, myself and our neighbor, who has since moved away, all had flat tires on the same day for some reason. In fact, I had two flat tires that day; both driver-side tires on my car had nails pushed through the sidewalls. My mother's and my cars were in our garage. The neighbor's car sat outside in her driveway. I still fear repercussions of objecting to the noise at Fox River House and wonder if our home will be vandalized or destroyed; even accidentally.

When attending the Health Board meeting on May 10, 2017, Doctor Douglas Nelson asked Ms. Coenen if she was agreeable to signing contracts with the bands she hires and informing the musicians if they go over a certain decibel level they would be asked to leave, never to be asked back again, and not be paid. Ms. Coenen immediately agreed. She also agreed to purchase a decibel reader so bands could be monitored. She stated she would contact the Appleton Police Department to see what brand of decibel reader they use. When my mother mentioned this during a future discussion, it was insisted that none of said agreements were discussed.

I went to the Appleton.org page and looked for the recorded version of that day's meeting. I found none, and no meeting minutes posted on the page. It seems all the momentum

during that May 10, 2017 meeting was simply to placate people in the neighborhood temporarily and for the activity at the Fox River House to continue as in years' past. Instead of purchasing a decibel reader, Ms. Coenen, instead, used an app on her iPhone and iPad to monitor the music; even after she had objected to my using a decibel app on my Android phone in the past as proof of how loud the music was. None of the conditions promised by Ms. Coenen were met.

My mother ordered the open records from the Appleton Police Department (APD), asking for all the noise complaints that came in from people during summer of 2017 regarding Fox River House. There was only one complaint listed about noise at the bar. It was a formal complaint, and it was made by my mother. I know I made several calls last summer to the APD to make a statement about the noise. I know other neighbors called. Even a lady outside of our neighborhood, to the north, called. We had no idea we needed to directly express that our calls were formal complaints to be officially recognized. The list we received also included formal complaints about public urination, a couple disturbances, a few dealings with theft, and a suspicious situation. We have also found vomit and discarded underwear on the sidewalk in front of the building on occasion. In mid-July of 2017, I spoke with an Appleton alderman regarding this matter, and he called the Appleton Police Department to check about noise complaints for the Fox River House. As an official, he was informed there were several calls made about the noise at the Fox River House; both formal and non-formal.

Other factors that will affect the neighborhood are the demolition of the veterans' service building, and the expansion at the Justice Center and Outagamie Court House. With the razing of the veterans' service building at 227 S. Walnut Street, there will be no more buffer at all between the beer garden bands and the neighborhood; especially for 303 S. Walnut Street. The outcropping of the new addition to the court house campus will amplify the noise played by hired bands, more than in past years, bouncing it back to the neighborhood. I say noise because that's what it is by the time it reaches the neighborhood.

Residents in this neighborhood shouldn't have to be concerned about the months of May through September while it's still February. I shouldn't have to be taking time to write this letter. I should be working on things I need to do for the non-profits I volunteer for. But, for the past several years, neighborhood voices have been disregarded, and May is only 3 months away. Even writing this letter has been stressful. Each year it gets worse.

Ms. Coenen's requests for a "special noise variance" are not for special occasions; not a once-per-year event like the Mile of Music. She's requesting nineteen (19) weekends in a row. And as for the Mile of Music, she's requesting 12 and 13 hours of music for Thursday, Friday, Saturday and 10 hours on Sunday. That's 48 hours of music and a great deal of stress. If it was just Mile of Music, I could understand her request being a "special occasion", but she's requesting 40 separate days. Technically, perhaps legally, her request doesn't fall under Appleton Municipal Code Sec 12-83 (2) *Special Community Event*

variance because, by definition, a "*Special Community Event*" would be an event put on by the community; not a private business.

Since 2011, Ms. Coenen has proven she won't control the noise level of the bands she hires. If she is granted a variance for 2018, I expect her to invest in a proper sound barrier to protect the well-being of those in the neighborhood--not just a tarp as she has attempted in the past. So far, in this distressing situation, all has been one-sided; one-person benefiting at the expenses of others living in the neighborhood. And the city has allowed this to go on for years, preventing the APD from taking suitable action. The Third Ward is one of Appleton's oldest neighborhoods, it has been interesting watching it change a lot over the years. And, it is a part of the downtown area, coexisting peacefully up until 2011.

If Ms. Coenen feels placing a sound barrier is not acceptable, I request the Health and Safety Board and the Appleton City Council deny all dates she is requesting for a variance except when Appleton community events are taking place (e.g. Mile of Music and Octoberfest). The fact that her actions are bringing harm to even one person in the neighborhood should prevent the variance from being granted by the Health and Safety Board and the Appleton City Council. Stress is harmful and the residents of the Historic Third Ward are not represented faithfully by their alderperson, Patty Coenen.

At this point, I have three choices: (1) I can move. I don't want to move. I love my home. (2) I can hire a lawyer. I believe I have a case. Or, (3) I can run for City Council. I shouldn't have to run for office to have my voice heard, however, I am willing to become more involved in my city's political processes in-depth.

Sincerely,

Elizabeth Laux

--
Live Love Laugh

Resolution #2-R-18

Submitted by: Edward S Baranowski

Date: February 7, 2018

Referred to: Attorney, Board of Health

Whereas, the City of Appleton's Municipal Code identifies noise as a serious hazard to the public health, welfare, safety and quality of life and,

Whereas, the people have a right to an environment free from excessive sound that may jeopardize their health, welfare, or safety, or degrade the quality of life and,

Whereas the Municipal Code states that no person shall operate, play or permit the operation or playing of any radio, television, phonograph, musical instrument, sound amplifier or similar device in such a manner as to create a noise disturbance and,

Whereas as special variance permit may be issued upon request provided that the work producing such noise is necessary to promote the public health or welfare and reasonable steps are taken to keep such noise at the lowest practical level and,

Whereas a variance may be issued for special events and similar gatherings, festivals, presentations and the like, which are limited in duration and are generally acceptable to the people of the community provided that precautions are taken to maintain the noises produced at the lowest practical level and,

Whereas, Section 12-76 of the Municipal Code does not have a

definition of Special Community Events, or what constitutes a Special Community Event along with it's make up in terms of, but not limited to, its frequency and its benefit to the community vs. an organization or business and,

Whereas the Health Officer or designee, is authorized to issue a variance permit pursuant to the applicable section of the Municipal Code upon receiving a completed application therefore,

Be it resolved, prior to authorizing any further noise variances under the Municipal Code, the City Attorney's Office along with the Board of Health review and define what constitutes a Special Community Event along with it's make up in terms of, but not limited to, its frequency, its necessity to promote the public health and welfare, and its benefit to the community vs. an organization or business.



March 8, 2018

TO: Board of Health

FROM: Kurt Eggebrecht, Health Officer
Amanda K. Abshire, Assistant City Attorney

RE: Resolution #2-R-18

This memo is written in response to a resolution submitted by Alderperson Ed Baranowski which attempts to clarify the City of Appleton's Municipal Code Chapter 12, Noise. This memo also addresses concerns raised by the Board of Health related to the resolution.

Resolution #2-R-18 accurately states that the Appleton Municipal Code does not define a "Special Community Event" nor does it specify the makeup of a Special Community Event. Similarly, it does not define the maximum frequency nor duration of a Special Community Event. It also does not specifically detail how the City should weigh the benefit to the community versus the benefit to an organization or business.

It is our belief that these omissions of definitions were intentional when written. These omissions seem to allow for discretion of both the Board of Health and Common Council so that each application can be considered on a case-by-case basis.

Further it is our belief that defining each of the aforementioned considerations, as requested by the resolution, has the potential to create unintended consequences contrary to the intent of the ordinance. For example, placing a maximum frequency on the number of events at a location may impose restrictions which could preclude establishments from hosting weddings, retirements, confirmations, and similar life celebrations— even though these events are generally well received by the community and surrounding neighborhoods. Similarly, by attempting to define what is necessary to promote public health or strictly defining a benefit to the community (versus an organization or business), there could be similar unintended consequences restricting events like the 4th of July fireworks, parades, backyard parties (and the like) from occurring.

When the Board of Health met on February 14, 2018, Resolution #2-R-18 was discussed as an information item. Board members were informed that the City Attorney's Office and Health Department would work together and bring back thoughts based on the Board's questions and comments. The following questions (in italics) were provided at the meeting. The Health Department together with the Attorney's Office seek to provide answers to each of the concerns below:

1. *Should the location of the event be a consideration for the Board and Council to consider prior to approving a variance (for example: should an event within the Central Business District be treated differently than an event outside of that area)?*

The City has already defined the Central Business District (CBD) and the noise ordinance has delineated maximum permissible sound pressure levels in three categories: commercial into residential, industrial into residential and industrial into commercial. The CBD would fall under the category of "commercial into residential" and would be regulated pursuant to AC Sec. 12-81. As such, locations of events are already considered by the City – so the Board and Council are well within their authority in continuing to consider the location of the event prior to granting or denying a variance.

2. *Does the municipal code distinguish between a public event versus private event when a variance is requested?*

The noise ordinance does not currently differentiate between requests from public or private sector requests or locations.

3. *When should an event be considered a "special community event"? Is there a maximum number of events and/ or duration that should be allowed?*

As discussed above, designating a maximum number of events or specifically defining the duration may have unintended consequences. While not set forth within the ordinance, the number of events can be considered on a case-by-case basis by the Board and Council, and as such, discretion can be used in determining whether or not to grant a variance. If a variance is granted, the Board and Council have the authority to set all necessary conditions (including time limits) on the permitted activity pursuant to AC Sec. 12-83(a)(4) .

4. *Does the ordinance address the potential number of homes affected by noise?*

We were unclear regarding the intent of this question but our belief is that a better measure of those affected by the noise would be the number of complaints received. We would not be in a position to determine how many homes will hear a sound prior to that sound being made as there are a number of factors that could impact how sound is disseminated.

5. *Can we adopt a system to notify potential neighbors/neighborhoods of noise variance requests?*

A neighborhood notification is already encouraged at the time of request and granting of a variance. To identify and then require all neighbors be notified and seek their advance approval would likely lead to denials of requests. Further, as indicated above, it may be difficult to accurately predict all of the persons that could be affected by the noise.

6. *Can you better define how loud an event can be?*

It is assumed that anyone requesting a variance will exceed the city noise ordinance levels. It would place a burden on city staff to respond to each variance request by monitoring the sound levels of these events to ensure compliance. Levels can fluctuate with different types of instruments and sounds played. It is our belief that previous citizen complaints would be a better predictor of excessive and offensive noise going forward.

7. *Can we establish a standard time for conducting events?*

The Municipal Code already regulates noise based on when the noise occurs. Daytime hours (between 7:00 a.m. and 10:00 p.m.) have a higher threshold for noise. It is our belief that further defining this would place unwarranted restrictions on and take away discretion from Board of Health and Common Council members who already have the ability to set necessary conditions on the applicant pursuant to AC Sec. 12-83(a)(4).

8. *Can we detail a way in which noise measurements can be standardized?*

Acceptable noise measurement methods are already set forth within AC Sec. 12-79.

9. *Are there best practices for regulating outdoor noise (i.e., an approach that is consistent with evidence-based decision making)?*

While we were unable to find any best practices, we did look at a number of noise/ sound-related ordinances throughout Wisconsin specific to the regulation of outdoor music—as an example of one type of sound. There were quite a variety of methods used to regulate sound (ranging from allowing music at licensed premises during all normal operating hours to banning music from being played outside of a building). This wide range seems to suggest that each community has created rules and regulations specific to the needs, values, and general location of their community. A very brief summary of some of the ordinances that we reviewed is found below. We note that this listed summary is used only to illustrate a far-reaching range in the regulation of sounds (often to include music) throughout Wisconsin:

- *Seymour*: Prohibits loud and unnecessary noise. Provides an exception for licensed premises – and allows loud speakers or amplifying devices during the same hours in which a licensed premise is allowed to operate. (Sec. 50-37).
- *De Pere*: Prohibits excessive noise. Exempts outdoor gatherings, shows, and other similar outdoor events from regulation provided that a permit has been obtained from the appropriate permitting authority.

(Sec. 146-6).

- *La Crosse*: Prohibits noise in excess of the established noise levels. Exempts Oktoberfest and Riverside Park from provision as well as provides an exception for special event outdoor cabaret license holders. (Sec. 32-134).
- *Neenah*: Prohibits unreasonably loud and raucous noise from the premises of a commercial establishment including any outdoor area which is under the control of the establishment, between the hours of 10:00 p.m. and 6:00 a.m. which is plainly audible at a distance of 5 feet from any residential property. (Sec 11-146(13)).
- *Antigo*: Has a separate provision for outdoor beer gardens that prohibits amplified sound or music from being played outside of the enclosed (building) premises. As such, amplified sound or music is not permitted in the beer garden. (Sec. 18-100).

Recommendation from the Health Department and the City Attorney's office moving forward:

The City Attorney's office, during the previous Board of Health meeting, requested that members of the Council and/or the Board reach out to advise how they would like to further define a Special Community Event (as they are the body tasked with creating legislation). As of today, March 8, 2018, neither the Attorney's office nor the Health Department has received any recommendations on solutions moving forward.

Further, after examining numerous other municipal ordinances, it is our joint recommendation to leave the Appleton Noise ordinance as-is. It is our joint opinion that our ordinance sufficiently allows the Board of Health and the Common Council to examine each request for a special community event variance permit individually and decide whether the request meets the current standards set forth in the ordinance, to include the following considerations:

- whether the work producing such noise is necessary to promote the public health or welfare (AC Sec. 12-83(a)(1))
- whether reasonable steps are taken to keep such noise at the lowest practical level (AC Sec. 12-83(a)(1))
- whether the work producing such noise is being conducted during a special event or similar gatherings, festivals, presentations and the like (AC Sec. 12-83(a)(2))
- whether the event is limited in duration (AC Sec. 12-83(a)(2))
- whether the event is generally acceptable to the people of the community (AC Sec. 12-83(a)(2))
- whether precautions are taken to maintain the noises produced at the lowest practical level (AC Sec. 12-83(a)(2))

If, after consideration of all of the above factors, the Common Council grants the final approval of the special variance permit, the Council still has the discretion and authority to impose "all necessary conditions, including a time limit on the permitted activity" pursuant to AC Sec. 12-83(a)(4).

As always, if you have any questions or concerns, please do not hesitate to get in touch with either office.

ARTICLE IV. NOISE*

Sec. 12-76. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ANSI means American National Standards Institute or its successor bodies.

A-weighted sound level means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.

Ambient noise means the all encompassing noise associated with a given environment, being usually a composite of sounds from many sources, near and far.

Background noise level means the sound from all sources, with a single source in question removed.

Commercial area means any area of the city designated on the Official Zoning Map C-O, C-1, C-2 or CBD.

Construction means any site preparation, assembly, erection, substantial repair, alteration or similar action, for or of public or private rights-of-way, structures, utilities or similar property.

Day means the hours between 7:00 a.m. and 10:00 p.m. central standard or daylight savings time when in effect.

Decibel or dB means a unit for measuring the volume of a sound, equal to twenty (20) times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micronewtons per square meter.

Demolition means any dismantling, intentional destruction, or removal of structures, utilities, public or private right-of-way surfaces, or similar property.

Emergency means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

Emergency work means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Fluctuating sound means a sound whose sound pressure level varies significantly but does not equal the ambient

environmental level more than once during the period of observation.

Frequency means the reciprocal of the primitive period of a function periodic in time. The unit is the cycle per unit time and must be specified; typically this unit will be hertz (hz), i.e., cycles per second.

Gross vehicle weight rating or GVWR means the value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle. In cases where trailers and tractors are separable, the gross combination weight rating (GCWR), which is the value specified by the manufacturer as the recommended maximum loaded weight of the combination vehicle, shall be used.

Industrial area means any area of the city designated on the Official Zoning Map M-1 or M-2.

Light motor vehicle means any automobile, van, motorcycle, motor-driven cycle, motor scooter or light truck with a gross vehicular weight of less than eight thousand (8,000) pounds.

Motor vehicle means a vehicle which is self-propelled, including, but not limited to, cars, trucks, motorcycles, motorbuses, motorhomes, snowmobiles, truck trailers, and motor bicycles.

Muffler or sound dissipative device means a device for abating the sound of escaping gases of an internal combustion engine.

Night means the hours between 10:00 p.m. and 7:00 a.m., standard time or daylight savings time when in effect.

Noise means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

Noise disturbance means any sound which:

- (1) Endangers or injures the safety or health of humans or animals;
- (2) Annoys or disturbs a reasonable person of normal sensitivities; or
- (3) Endangers or injures personal or real property.

Public right-of-way means any street, avenue, boulevard, highway, sidewalk or alley or similar place which is owned or controlled by a government entity.

Public property means any real property or structures

thereon which are owned or controlled by a governmental entity, including, but not limited to, parks, streets and alleys.

Real property boundary means an imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person.

Residential area means any area of the city designated on the Official Zoning Map AG, R-1A, R-1B, R-1C, R-2, R-3, P-I and NC.

Sound means an oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristics of sound, including duration, intensity and frequency.

Sound level means the weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B, or C as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4 - 1971 or the latest approved revision thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.

Sound level meter means an instrument which includes a microphone, amplifier, output meter, and weighting networks used to measure sound pressure levels.

(Code 1965, §22.09(2); Ord 69-07, §1, 3-27-07)

Cross reference(s) - Definitions and rules of construction generally, §1-2. Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18. State law reference(s) - Boat noises, W.S.A. §30.62; noises generally, automobiles, W.S.A. §347.38; snowmobiles, W.S.A. §350.10

Sec. 12-77. Applicability of article; administration and enforcement.

Noise is a serious hazard to the public health, welfare, safety and quality of life. A substantial body of science and technology exists by which excessive sound may be substantially abated. The people have a right to an environment free from excessive sound that may jeopardize their health, welfare, or safety, or degrade the quality of life. This article shall apply to the control of noise originating within the corporate limits of the city. It is the policy of the city to prevent noise that may jeopardize the health and welfare or safety of its citizens or degrade the quality of life. It shall be the duty of the Health Department or the Police Department to administer and enforce the provisions of this article.

Sec. 12-78. Penalty for violation of article; abatement of noise disturbance.

Any person who shall violate any provisions of this article shall be subject to penalty as provided in §1-16. In addition to forfeiture, this article may be enforced by injunction, nuisance abatement or other appropriate legal or equitable action. Noise as defined in this article, together with specific prohibited acts of noise disturbance, are hereby deemed and declared to be a public nuisance subject to nuisance abatement proceedings.

(Code 1965, §22.09(9))

Sec. 12-79. Noise measurement methods.

(a) Measurement shall be made at or beyond the property line of the property on which such noise is generated or at or within the property line of the property on which such noise is perceived, as appropriate. Measurement shall be done approximately four (4) feet above the ground and at least three (3) feet from large reflecting surfaces such as building walls.

(b) Measurement of sound shall be made either with a sound level meter that meets or exceeds the ANSI requirements of the American Standard Specification for Sound Level Meters, Type I or Type II (ANSI S1.4 - 1971) or with an Octave Band Analyzer that meets or exceeds the requirements of ANSI S1.6-19600 or any subsequent nationally adopted standards superseding the above standards. In both cases, the instruments should be maintained in calibration and good working order.

(c) When a sound level meter is used, it shall be set to the A-weighting scale and in the FAST response mode. A windscreen shall be mounted on the microphone and the noise limitations shall be the A-scale levels set forth in *Tables I and II*. An octave band analyzer may be employed when there is a concentration of sound energy within a limited number of bands, but its use shall not be restricted to such situations. When an octave band analyzer is used, a standard octave band analysis shall be conducted that spans the frequency range set forth in *Tables I and II*.

Sec. 12-80. Disturbing noise generally.

No person shall make or cause to be made any loud, disturbing, fluctuating or unnecessary sounds or noises such as may tend to annoy or disturb a reasonable person.

(Code 1965, §8.02(3); Ord 139-94, §1, 11-16-94)

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

Sec. 12-81. Prohibited acts.

(a) No person shall operate or cause to be operated on private or public property any source of sound in such a

manner as to create a sound level which exceeds the limits set for the zone categories in Table I, provided however, that when sound is emitted from an industrial zone into a residential zone or commercial zone, or from a commercial zone into a residential zone, the limits set forth in Table II shall apply.

(b) No person shall operate, play, or permit the operation or playing of any radio, television, phonograph, musical instrument, sound amplifier or similar device in such a manner as to create a noise disturbance.

(c) No person shall own, possess or harbor any animal or bird which frequently or for continued duration makes sound which creates a noise disturbance.

(d) No person shall operate or permit the operation of any mechanical power saw, drill, sander, grinder, lawn or garden tool, lawnmower, snow removal equipment or any similar device, necessary for the maintenance of property, in a manner which creates a noise disturbance. Such devices that are kept in good repair and, when new, would not comply with the standards set forth in this article, shall be exempt provided they are reasonably used for property maintenance. No such equipment, except snow removal equipment, shall be operated at night.

(e) No person shall sound or permit the outdoor sounding of any fire alarm, burglar alarm, civil defense alarm, siren, horn, whistle or similar emergency signaling device, except for emergency purposes or for testing. Any testing shall be performed during the day.

(f) No person shall operate any motor vehicle unless such motor vehicle is equipped with an adequate muffler in constant operation and property maintained to prevent excessive or unusual noise. The provisions of W.S.A. §347.39 are hereby adopted by reference and made a part of this section.

(g) No operator shall accelerate a motor vehicle so as to emit an unnecessary noise as a result of the friction caused between the tire and the surface on which the vehicle travels or to cause the tires to throw stones or gravel when in the process of accelerating.
(Code 1965, §8.03(3)(a); §22.09(5))

(h) It shall be unlawful for any vehicle equipped with a compression braking device (jake brakes) to use this device to contain the engine's compression, thus rapidly slowing the engine's revolutions per minute and the vehicle's speed, except in cases of extreme emergency.

(i) *Exemptions.* The following activities shall be exempt from the regulations of this section:

- (1) The daytime criteria, as set forth in Tables I and II, shall not apply to construction sites, demolition sites, public utilities, and public works projects and operations during daytime hours Monday through Saturday, inclusive; however, the noise production shall be minimized through proper equipment operations and maintenance. Stationary equipment on construction projects lasting more than ten (10) days within residential districts shall be shielded or located to prevent unnecessary noise.
- (2) Emergency short term operations which are necessary to protect the public health, safety and welfare of the citizens, including emergency utility and public works operations.
- (3) Essential operations and noises required by law relating to the public health, safety and welfare, including, but not limited to, law enforcement, firefighting and rescue and sanitation activities.
- (4) When the background noise level is above a noise limitation, a source may add no more than 2 dB to the background level.

(Code 1965, §22.09(3), (7); Ord 171-01, §1, 10-8-01)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18; traffic and vehicles, ch. 19

TABLE I
Maximum Permissible Sound Pressure
(Levels in Decibels re .0002 Microbars)

7:00 A.M. to 10:00 P.M.

Octave Band Center Frequency (Hz)	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>
31.5	70	80	86
63	69	79	85
125	64	73	80
250	58	65	75
500	52	59	69
1000	47	53	63
2000	42	47	58
4000	38	42	54
8000	35	40	51
A-scale levels	57 dB (A)	63 dB (A)	72 dB (A)

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10:00 P.M. to 7:00 A.M.			
Octave Band Center Frequency (Hz)	Residential	Commercial	Industrial
31.5	69	72	81
63	68	71	80
125	62	66	75
250	54	60	70
500	48	54	64
1000	42	49	58
2000	36	44	53
4000	31	40	49
8000	29	37	46
A-scale levels	52 dB (A)	58 dB (A)	67 dB (A)

TABLE II

Maximum Permissible Sound Pressure
(Levels in decibels re .0002 Microbars)

7:00 A.M. to 10:00 P.M.

Octave Band Center Frequency (Hz)	Ind. Into Commercial	Ind. Into Residential	Commercial Into Residential
31.5	80	79	75
63	79	78	74
125	74	73	69
250	69	67	64
500	63	61	58
1000	57	55	52
2000	52	50	47
4000	48	46	43
8000	45	43	40
A-scale levels	66 dB (A)	64 dB (A)	61 dB (A)

10:00 P.M. to 7:00 A.M.

Octave Band Center Frequency (Hz)	Ind. Into Commercial	Ind. Into Residential	Commercial Into Residential
31.5	75	74	72
63	74	73	71
125	69	68	65
250	64	63	57
500	58	57	51
1000	52	51	45
2000	47	46	39
4000	43	42	34

8000	40	39	32
A-scale levels	61 dB(A)	60 dB (A)	55 dB (A)

Sec. 12-82. Light motor vehicle noise.

No person shall cause noise levels from the operation of a light motor vehicle and motorcycles in excess of the sound levels set forth in tables III and IV below.

TABLE III

Passby Vehicle Sound Limits

Weighted and sound level limits for operation on roadways specified at fifty (50) feet from the centerline of the vehicle travel lane:

	Automobiles, Vans Light Trucks GVWR	On-Highway Motorcycles
Posted Speed Zone		
Greater than 45 mph	78 dB	82 dB
45 mph or less	72 dB	78 dB
35 mph or less, level roadways, constant speed cruise, 200 feet or more from intersection	70 dB	74 dB

TABLE IV

Stationary Vehicle Sound Limits

Weighted sound level limits for stationary vehicles. Vehicle exhaust noise tests measurements at twenty (20) inches from exhaust outlet:

Automobile, Vans, Light Trucks, GVWR 8,000 lbs.	95 dB
On-highway motorcycles	99 dB

Add 2 dB for rear and mid-engine vehicles.
Tests shall be conducted at an engine test speed of 3,000 RPM or one-half the indicated engine red line.
(Code 1965, §22.09(6))

Sec. 12-83. Variances.

The City of Appleton Board of Health, upon final approval by the Common Council, shall have the authority, consistent with this section, to grant variances in accordance with the following provisions.

(a) Special Variance Permits.

- (1) **General.** A special variance permit may be issued upon request provided that the work producing such noise is necessary to promote the public health or welfare and reasonable

steps are taken to keep such noise at the lowest practical level.

- (2) *Special Community Events.* A variance may be issued for special events and similar gatherings, festivals, presentations and the like, which are limited in duration and are generally acceptable to the people of the community provided that precautions are taken to maintain the noises produced at the lowest practical level. The Health Officer, or designee, is authorized to issue a variance pursuant to this section upon receiving a complete application for an event meeting this section's criteria. Applications that are not approved shall, upon timely request of the applicant, be reviewed by the Board of Health at their next regularly scheduled meeting.

- (3) *Procedures.* Any person seeking a special variance permit pursuant to this section shall file an application with the Health Officer, to be submitted to the Board of Health, forty-five (45) days prior to commencement of the event or activity for which the variance permit is requested. The Board of Health, however, may waive the time limit when compliance therewith is impractical. The application must be made in writing and shall contain all the following pertinent information:

- a. Dates required.
- b. Time and place of operation.
- c. Equipment operation involved.
- d. Necessity for such permit.
- e. Steps to be taken to minimize noise.
- f. Name of responsible person who will be present at the operation site while the noise is produced.

- (4) *Issuance.* Upon final approval by the Common Council, a special variance permit shall be granted by notice to the applicant containing all necessary conditions, including a time limit on the permitted activity. The special variance permit shall not become effective until all conditions are agreed to by applicant. Noncompliance with any condition of these special variance permits shall terminate the permit and subject the person holding it to compliance with this article.

- (5) *Extension or modification.* Application or extension of time limits specified in special variance permits or for modification of other substantial conditions shall be treated like applications for initial special variances.

(b) *Conditional Variances.*

- (1) It may not be technically or economically feasible for certain commercial or industrial sources of sound to comply with the standards set forth herein. Therefore, the Board of Health may grant variances from this section if it finds that strict compliance is unreasonable because:

- a. Conditions are beyond the control of the person requesting such variance.
- b. Special circumstances exist which would render strict compliance impractical.
- c. Strict compliance would result in substantial curtailment or closing down of a business, plant, operation or the like.
- d. Control technology is unavailable or available only at a prohibitive cost.
- e. No other alternative facility or method is available.

- (2) *Application.* Application for a variance permit under this subsection shall be made in writing to the Health Officer for submittal to the Board of Health. Such application shall specify the grounds upon which the variance permit is sought and the date by which the source of any excess noise for which the variance is sought shall be brought into compliance with this section. An application for a variance permit shall be considered timely made if filed within thirty (30) days following due notification that it is in violation of this section. The proper filing of an application within such time shall toll all penalties provided in this section for any such violation until a final decision has been issued on the merits of such application. The Board of Health, within a reasonable amount of time, shall give public notice of the receipt of an application for a variance permit.

- (3) *Permit.* Within a reasonable time following receipt of an application for a variance permit and after public notice thereof has been given, the Board shall grant such

permit to an applicant if the Board finds that immediate compliance with the noise limitations as set forth in this section would result in unnecessary hardship to the applicant. In making the determination, the Board of Health shall balance the hardship to the applicant, the community, and other persons of not granting the variance, against the adverse impact on health, safety, and welfare of persons affected, the adverse effect on property affected and any other adverse impacts of granting the variance. Any person who claims to be adversely affected by the allowance of the variance permit may file a statement with the Board of Health containing information to support the claim. The Board of Health may require the applicant to submit information not contained in the application which may be necessary for making a determination under this subsection. Within five (5) days following the determination, the Board of Health shall place on file with the City Clerk a copy of the decision which shall specify the reasons for denying or granting the variance permit.

- (4) *Conditions.* Upon final approval by the Common Council, the Health Officer shall issue a variance permit under such conditions as are necessary to protect the public health, safety, and welfare, including a schedule for achieving compliance with noise limitations. Variances exceeding two (2) years may be granted only in exceptional cases, including those for which, in the opinion of the Board of Health, control technology is unavailable or available only at a prohibitive cost. Non-compliance with any conditions imposed on the variance shall terminate the variance and subject the person holding it to those provisions of this section for which the variance permit was granted.

- (5) *Extension and Modification.* Application for extension of time limits or modification of other conditions specified in the variance permit shall be treated like applications for an initial variance, except that the Board of Health must find that the need for such extension or modification clearly outweighs any adverse impacts of granting the extension or modification.

- (6) *Appeals.* Any applicant or other person aggrieved by the decision of the Board of Health or Common Council may seek such other legal relief as may be available.

(Ord 173-08, §1, 11-25-08)

Cross reference(s) -- Board of Health, §2-76, et seq.

Sec. 12-84. Sounding locomotive whistle.

No railroad company or any of its agents, servants or employees shall blow any whistle on any engine within the limits of the city, except in those cases prescribed and designated by the laws of Wisconsin. This section does not prohibit the blowing of any whistle as a signal warning in cases of peril, fire or collision or other imminent danger. (Code 1965, §8.02(3); Ord 137-92, §1, 12-16-92, Ord 84-00, §1, 10-7-00)

Sec. 12-85. Adoption of state law regarding sound-producing devices; impoundment; seizure and forfeiture.

W.S.A. §66.0411 regarding impoundment, seizure and forfeiture of sound-producing devices in violation of this article is hereby adopted by reference and made an offense punishable as a violation of this code. (Ord 89-96, §1, 9-18-96)

Sec. 12-86. Commercial and industrial construction

New or substantially modified structures on land used or zoned as commercial or industrial shall be subject to site plan review to evaluate compliance with the provisions of this code.

Sec. 12-87. Radio or other electric sound amplification device -- prohibited.

No person or business may use a radio or other similar electric sound amplification device so that sound emitting from said radio or amplification device is audible under normal conditions from a distance of seventy-five (75) or more feet. (Ord 84-05, §1, 8-23-05)

Secs. 12-88 -- 12-100. Reserved.



I. Preventing Disease

Immunization Clinics	Current Month	Year to Date	Last Year to Date
Persons Immunized	28	137	152
Immunizations administered	78	372	352

Communicable Disease Cases	Current Month	Year to Date	Last Year to Date
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Gastroenteric

Campylobacter	2	18	12
Cyclosporiasis	1	1	0
Giardiasis	2	12	13
Salmonellosis	1	11	10
Amebiasis	0	0	0
Balantidium Coli	0	0	0
Hook Worm	0	0	0
Shigellosis	0	2	2
Yersinia	1	2	1
Strongyloides	0	0	0
Cryptosporidiosis	0	8	7
E. Coli	0	17	3
Listeriosis	3	3	0

Other Communicable Diseases	Current Month	Year to Date	Last Year to Date
Haemophilus Influenza	0	1	0
Blastomycosis	0	1	1
Hepatitis A	0	0	1
Hepatitis B	0	5	2
Hepatitis C	3	44	56
Streptococcus pneumoniae	1	5	4
Leprosy	0	0	0
Lead Toxicity	0	0	0
Legionellosis	0	1	0
Lyme Disease	0	13	11
Ehrlichiosis / Anaplasmosis	0	6	2
Malaria	0	1	0
Bacterial Meningitis	0	0	0
Viral Meningitis	0	0	0
Invasive Group A Strep	0	1	1
Rheumatic Fever	0	0	0
Tetanus	0	0	0
Toxic Shock	0	0	0
Typhoid	0	0	0
TB: Mycobacterium	0	1	0
TB: Atypical	0	12	10
Viral Encephalitis	0	0	0
Cat Scratch Disease (Bartonella species)	0	0	0
Streptococcus group B invasive disease	1	3	4
Vibrio Cholera	0	0	0
West Nile Virus	0	0	0
Kawasaki	0	0	0
Novel Influenza	0	0	0

Other Communicable Diseases	Current Month	Year to Date	Last Year to Date
Hospitalized Influenza	1	31	16
Babesiosis	0	0	0
Histoplasmosis	0	1	0
VISA	0	2	0
Rocky Mountain Spotted Fever	0	0	0
Jamestown Canyon	0	1	0
Burkholderia Pseudomallei	0	1	0
Invasive Strep. Other	0	2	0

Vaccine Preventable	Current Month	Year to Date	Last Year to Date
Measles	0	0	0
Mumps	0	0	0
Pertussis	3	9	17
Rubella	0	0	0
Varicella	1	7	4

Sexually Transmitted Disease	Current Month		Year to Date		Last Year to Date	
	All Ages	≤18	All Ages	≤18	All Ages	≤18
Chlamydia	28	2	307	26	303	31
Gonorrhea	6	0	51	1	41	3
Partner/Referral Program (Contacts)	0	0	6	0	3	0
HIV	1	0	7	0	1	0
Other STD	0	0	0	0	0	0
Syphilis	0	0	9	0	8	0

Licensed Establishments	Current Month	Year to Date	Last Year to Date
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PE & D, Retail Food, Hotel/Motel, Bed & Breakfast, Manufactured Home
Community, Vending Machines, Swimming Pools, Tattoo & Body Piercing, Rec/Ed

Preinspections	3	39	37
Inspections	24	496	481
Reinspections	1	97	113
Complaints	2	22	28
Complaint Follow-ups	0	6	2
Consultations	34	547	484

Food Borne/Water Borne	Current Month	Year to Date	Last Year to Date
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Number of Outbreaks	0	0	0
Number of Interviews	0	3	4
Number of symptomatic	0	2	4

Laboratory/Field Tests	Current Month	Year to Date	Last Year to Date
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Swimming Pool Water Samples

Total number of pools sampled	20	224	215
Total number of pools resampled	2	3	4
Total positive HPC	0	1	2
Total positive coliform	2	2	2

II. Protecting the Environment

Environmental Investigations	Current Month	Year to Date	Last Year to Date
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Community water supplies, private water supplies, surface water pollution, standing water nuisance, animal nuisances, rabies control, insect control, rodent control, hazardous substance control, indoor/outdoor air pollution, noise, radiation, garbage/rubbish, private residence/housing, other business (non-licensed)

Complaints	5	28	32
Complaint Follow-ups	2	47	17
Consultations	13	211	211

III. Promoting Health

Community Health Visits	Current Month	Year to Date	Last Year to Date
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Includes contact to elderly and adult clients, parents, and children for purposes of assessment, teaching, referrals, and case management

Patient Home/Telephone Visits	126	1291	1259
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IV. Protecting the Consumer

Consumer Complaints	Current Month	Year to Date	Last Year to Date
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Weights and Measures, Product Labeling, and Trade Practices

Total number of consumer complaints	3	36	35
Total number found in violation	0	5	5

Type of Establishments Inspected	Current Month	Year to Date	Last Year to Date
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Food and convenience stores, restaurants, bakery and candy stores, dairy plants and stores, drug stores, hardware stores, variety stores, gas stations, salvage and recyclers, pet shops, and garden centers, industrial manufacturing plants, concrete and asphalt plants

Total number inspected	66	567	652
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Equipment and Devices Examined	Inspected			Number Not in Compliance		
	Current Month	Year to Date	Last Year to Date	Current Month	Year to Date	Last Year to Date
Scales and balances	55	587	556	1	16	25
Measures (includes gas pumps and fuel oil truck meters)	7	1,122	1,097	0	31	32
Weights	33	62	53	0	0	0
Total	95	1,771	1,706	1	47	57

Commodity Report	Current Month	Year to Date	Last Year to Date
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Total units of product investigated	10,366	91,771	86,575
Random sample size	1,869	14,443	12,001
Total products/units found short weight	149	601	3,988
Total products/units found mislabeled	300	1,219	3,037

Price Scanning Inspections	Current Month	Year to Date	Last Year to Date
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Number of inspections	12	116	129
Number of items scanned	350	3,876	4,160
Pricing errors found	4	95	112



APPLETON HEALTH DEPARTMENT QUARTERLY REPORT October-December 2017

Executive Summary

The Health Department's day-to-day activities for the fourth quarter of 2017 are enumerated in the attached report. The Department continues to work toward fulfilling the goals of our Department, keeping in mind the belief statements that support and enhance our mission statement.

“Plays a vital role assessing and assuring the health needs and trade practices in the community”

City Sealer Eric Maggio and Health Officer Kurt Eggebrecht met with all eight contracted Consortium municipalities of Ashwaubenon, Berlin, Kaukauna, Kimberly, Little Chute, New London, Ripon and Waupaca. The yearly meetings provide a chance to have face-to-face discussions about the program and answer any questions about the work completed during the year. The municipalities expressed positive comments regarding this partnership and sharing services.

“Provides services to protect and promote the health and well-being of the citizen and consumer”

Public health nursing staff worked with World Relief Fox Valley and various partners in the Appleton community to welcome five new refugees during the months of October, November and December 2017.

This quarter, health department nursing staff provided 288 doses of influenza vaccine to elected officials, City of Appleton employees, their spouses, partners and children nine years of age and older.

Public health nurses Ann Steele, RN, and Kathleen Sprangers, RN, created a 3D model display to promote Childhood Lead Poisoning Prevention. This educational display was available for the community to view at the Appleton Public Library for the entire month of October.

“Communicates with the public on health and consumer related issues”

Staff continue to provide a variety of education programs:

October 18: Becky Lindberg, RN, presented at the annual Lawrence University Health Fair. 125 people attended, including students and employees.

November 6: Becky Lindberg, RN, presented on the topic of safe sleep to a group of 12 moms and babies at the Mom and Me class held at ThedaCare Appleton Regional Medical Center.

November 9: Becky Lindberg, RN and Jess Moyle, RN, provided Breastfeeding Friendly Childcare training to 3 in-home childcare providers.

November 15: Health Officer, Kurt Eggebrecht, participated in Team Up AASD, where he discussed public health’s role in the community at Einstein Middle School.

This quarter, Public Health Emergency Preparedness Coordinator, Daniel Kane, prepared influenza vaccine posters that encouraged the public to receive their flu shot. These posters were paired with a separate poster related to proper handwashing techniques and were distributed to all of the places of worship in Appleton. Orders for more posters came in following the initial samples that were sent out. Over 75 posters have been sent out throughout Appleton to date.

“Develops and evaluates departmental programs, policies and procedures based on community needs and collaborate with community agencies and providers to assess those needs and ensure high quality services”

October 4: Public Health Emergency Preparedness Coordinator, Daniel Kane, took part in a drill called “Autumn Charge”. This nationwide drill allows public health the opportunity to test their volunteer management capabilities. The drill focuses on alerting, messaging and credentialing of public health volunteers during an emergency. An after-action review was conducted nationally which determined the drill an overall success.

October 19: Congressman Gallagher met with Health Officer Eggebrecht to learn more about local needs and how the federal government’s grants make an impact in our community.

Public Health Emergency Preparedness Coordinator, Daniel Kane, has served on the State Plan Workgroup through much of 2017. It was tasked with creating an emergency plan template for public health departments statewide. Daniel has been working on converting Appleton’s current Public Health Emergency Plan over to this new format. Once all of the changes have been made, Appleton’s new Public Health Emergency Plan will have been redesigned, newly updated and closely aligned with that of the State. These updated plans will be presented to all department staff in 2018.

“Professional staff works together as a cohesive team by cooperating, communicating and supporting each other to achieve departmental and individual goals”

This quarter, staff participated in a variety of training opportunities, including:

October 2-4: Weights & Measures staff attended the annual WWMA fall conference in Stevens Point, WI. The conference was administered by the Wisconsin Weights and Measures Association and the National Conference for Weights and Measures. Inspectors were trained on handling complaints correctly in order to ensure that the highest level of quality service is provided to the customer.

October 9-10: Public Health Emergency Preparedness Coordinator, Daniel Kane, attended a training related to incorporating those with access and functional needs into emergency plans. This training highlighted the importance of having plans in place for those with access and functional needs, which will help to fulfill a contract objective.

October 9: Public health nurses Jess Moyle, RN, and Trish Schuldes, RN, attended the First Breath Regional Sharing Session at Northeast Wisconsin Technical College in Green Bay.

October 10: Public health nurses Ashley Rankin, RN, Jess Moyle, RN, and Trish Schuldes, RN, attended the Northeast Regional Prenatal Care Coordination meeting at the Menasha Library.

October 12: Steve Kihl, RS, and Michelle Roberts, RS, attended the Lead Risk Assessor Refresher meeting at FVTC.

October 16, 23 and 30: Public health nurse Becky Lindberg, RN, attended Milk Mob training at the Oshkosh Wittman Airport.

October 19: Tim Mirkes, RS, attended the Wisconsin Environmental Health Association's annual conference, held in Sheboygan.

October 19: Health Officer, Kurt Eggebrecht, attended the League of Wisconsin Municipalities conference held at the Radisson Paper Valley.

October 27: Public health nurses Ashley Rankin, RN, and Becky Lindberg, RN, attended “Community Mental Health Training for Professionals”, sponsored by NAMI and the Fox Cities Housing Coalition. The training was held at Fox Valley Technical College.

October 3-November 1: Health Officer, Kurt Eggebrecht, participated in the Wisconsin Healthiest State-Agenda Setting Convening, held in Madison.

November 7: Tim Mirkes, RS, Environmental Supervisor, Steve Kihl, RS, and Michelle Roberts, RS, attended the annual DATCP regional meeting in Waupaca.

November 14-15: Public health nurses Jess Moyle and Becky Lindberg attended the annual statewide Maternal Child Health Summit at the Glacier Canyon Conference Center in Wisconsin Dells. The theme this year was “Deepening Partnerships and Community Capacity Using a Health Equity Lens”.

November 21: Public health nurse Ann Steele, RN, attended the Housing Coalition’s Annual Report at the Community at Riverview Gardens in Appleton.

December 8: Public health nurses Becky Lindberg, RN, Sue Larson, RN, and Sonja Jensen, RN, attended the Joint Refugee Resettlement Meeting at Miron Construction’s Wenzler Center in Neenah. The theme of the meeting was “A Year in Review”.

“Encourages the individual to share the responsibility for their health and the health of their family”

During National Preparedness Month, Public Health Emergency Preparedness Coordinator, Daniel Kane, put together a sample emergency preparedness kit along with a printable checklist of important items to consider when building a kit. These items were photographed and shared on the City of Appleton’s main Facebook page with a direct link to the printable checklist for download.

Respectfully submitted,

Kurt Eggebrecht, M.Ed., MCHES
Health Officer



I. Preventing Disease

Community Education Sessions	Quarter	Year to Date	Last Year to Date
Group Education Sessions	4	28	66
Number of Attendees	154	566	1006

Immunization Clinics	Current Month	Quarter	Year to Date	Last Year to Date
Persons Immunized	15	47	152	170
Immunizations administered	35	166	407	381

Vaccine Type/Number of Doses	Current Month	Quarter	Year to Date	Last Year to Date
PCV13 (Prenvar)	0	0	8	11
DTP/HIB (See DTP and HIB)	0	0	0	0
DtaP (Diphtheria, Tetanus, Acellular Pertussis)	0	2	5	7
Td (Tetanus diphtheria)	1	7	15	10
MMR (Measles, Mumps, Rubella)	2	15	28	32
HIB (Haemophilus Influenzae b)	0	2	12	14
IPV (Inactivated Polio Vaccine)	0	4	16	9
HBV (Hepatitis B)	0	3	18	7
Flu (Influenza)	10	30	51	60
VZV (Varicella)	3	17	35	37
Heb B/Hib Comvax	0	0	0	0
Hep A	4	20	33	42
Dtap/IPV/Hep B	0	1	7	10
MCV4 (Meningococcal)	2	9	21	18
Tdap	1	15	31	33
Flu Nasal	0	0	0	13
HPV (Human Papillomavirus)	3	17	37	41
Rotavirus	0	1	4	6
Dtap/IPV	0	5	6	13
H1N1	0	0	0	0
Hep A/Hep B	2	10	11	10
MenB	3	6	12	8
Dtap-IPV / Hib	0	0	0	0

Communicable Disease Cases	Current Month	Quarter	Year to Date	Last Year to Date
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Gastroenteric

Campylobacter	2	9	20	13
Cyclosporiasis	0	1	1	0
Giardiasis	1	4	13	13
Salmonellosis	0	3	11	11
Amebiasis	0	0	0	0
Balantidium Coli	0	0	0	0
Hook Worm	0	0	0	0
Shigellosis	0	0	2	2
Yersinia	0	1	2	1
Strongyloides	0	0	0	0
Cryptosporidiosis	0	1	8	7
E. Coli	3	8	20	4
Listeriosis	0	3	3	0

Other Communicable Diseases	Current Month	Quarter	Year to Date	Last Year to Date
Haemophilis Influenza	0	0	1	0
Blastomycosis	0	0	1	1
Hep A	0	0	0	1
Hep B	0	0	5	2
Hep C	5	16	49	60
Streptococcus pneumoniae	0	1	5	6
Leprosy	0	0	0	0
Adult Lead Toxicity	0	0	0	0
Legionellosis	0	0	1	0
Lyme Disease	0	3	13	11
Ehrlichiosis / Anaplasmosis	0	0	6	3
Malaria	0	0	1	0
Dengue Fever	0	0	0	0
Bacterial Meningitis	0	0	0	0
Viral Meningitis	0	0	0	0
Invasive Group A Strep	0	0	1	1
Rheumatic Fever	0	0	0	0
Tetanus	0	0	0	0
Toxic Shock	0	0	0	0
Typhoid	0	0	0	0
Mycobacterium Tuberculosis	0	0	1	0
Mycobacterium - Atypical	2	2	14	10
Viral Encephalitis	0	2	0	0
Cat Scratch Disease (Bartonella species)	0	0	0	0
Streptococcus group B invasive disease	1	2	4	5
Vibrio Cholera	0	0	0	0
West Nile Virus	0	0	0	0
Kawasaki	0	0	0	1
Novel Influenza	0	0	0	0
Hospitalized Influenza	6	6	37	16
Babesiosis	0	1	0	0
Histoplasmosis	1	1	2	0
VISA	0	0	2	0
Rocky Mountain Spotted Fever	0	0	0	0
Jamestown Canyon	0	0	0	0
Burkholderia Pseudomallei	0	1	1	0
Invasive Strep, Other	0	2	2	0

Vaccine Preventable	Current Month	Quarter	Year to Date	Last Year to Date
Measles	0	0	0	0
Mumps	0	0	0	0
Pertussis	2	5	11	18
Rubella	0	0	0	0
Varicella	0	1	7	5

Tuberculosis Prevention and Control	Quarter	Year to Date	Last Year to Date
Number of TB (Chemoprophylaxis Referrals)	5	26	23
Number of TB Skin Tests	2	71	101
Number of Referrals for TB Blood Test	9	10	0
Number of TB positive tests	0	0	0

Sexually Transmitted Disease	Current Month		Quarter		Year to Date		Last Year to Date	
	All Ages	≤18	All Ages	≤18	All Ages	≤18	All Ages	≤18
Chlamydia	32	3	87	11	339	29	327	31
Gonorrhea	4	0	16	0	55	1	41	3
Partner/Referral Program (Contacts)	0	0	0	0	6	0	3	0
HIV	0	0	1	0	7	0	1	0
Other STD	0	0	0	0	0	0	0	0
Syphilis	0	0	0	0	9	0	8	0

Planned Parenthood Contract	Quarter	Year to Date	Last Year to Date
Individuals served	39	120	126
Number of tests	77	272	295
Individuals treated	10	27	27

Lead	Quarter	Year to Date	Last Year to Date
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Elevations

Initial Venous lead levels >19 ug/dl	0	1	0
Repeat Venous lead levels >19 ug/dl	0	0	2
Initial Venous lead levels 10 - 19 ug/dl	0	4	3
Repeat Venous lead levels 10 - 19 ug/dl	0	3	2
Capillary lead levels >10 ug/dl	0	7	5
Venous lead levels 5 - 9 ug/dl	6	17	18
Home Inspections	0	3	3
Education	5	19	16
Formal Enforcement Action	0	3	3

Licensed Establishments	Plan Reviews			Preinspections		
	Quarter	Year to Date	Last Year to Date	Quarter	Year to Date	Last Year to Date
Public Eating and Drinking	0	1	1	0	17	27
Retail Food	0	0	0	0	4	10
Hotel/Motel and Tourist Rooming House	0	0	0	0	1	0
Bed and Breakfast	0	0	0	0	0	2
Manufactured Home Communities	0	0	0	0	0	0
Vending Machines	0	0	0	0	0	0
Swimming Pools	0	1	0	0	3	0
Tattoo and Body Piercing	0	0	0	0	3	2
Temporary Restaurants	0	0	0	0	0	0
Non-profit	0	0	0	0	0	0
Rec/Ed Campground	0	0	0	0	0	0
Campground	0	0	0	0	0	0
Pigeon Permit	0	0	0	0	0	0
Temporary Retail	0	0	0	0	0	1
Special Organization Serving Meals	0	0	0	0	0	0
Total	0	2	1	0	28	42

Licensed Establishments	Inspections			Reinspections		
	Quarter	Year to Date	Last Year to Date	Quarter	Year to Date	Last Year to Date
Public Eating and Drinking	53	289	272	5	86	92
Retail Food	10	90	78	0	13	20
Hotel/Motel and Tourist Rooming House	0	6	6	0	0	0
Bed and Breakfast	0	3	3	0	0	0
Manufactured Home Communities	0	0	1	0	0	0
Vending Machines	0	0	0	0	0	0
Swimming Pools	3	23	17	0	0	0
Tattoo and Body Piercing	0	6	8	0	0	0
Temporary Restaurants	0	6	21	0	0	0
Non-profit	0	86	89	0	2	2
Rec/Ed Campground	0	1	1	0	0	0
Campground	0	0	0	0	0	0
Pigeon Permit	0	0	0	0	0	0
Temporary Retail	0	0	4	0	0	0
Special Organization Serving Meals	0	0	0	0	0	0
Total	66	510	500	5	101	114

Licensed Establishments	Complaints			Complaint Followups		
	Quarter	Year to Date	Last Year to Date	Quarter	Year to Date	Last Year to Date
Public Eating and Drinking	3	17	23	0	6	2
Retail Food	0	2	4	0	0	0
Hotel/Motel and Tourist Rooming House	0	1	0	0	0	0
Bed and Breakfast	0	0	0	0	0	0
Manufactured Home Communities	0	0	0	0	0	0
Vending Machines	0	0	0	0	0	0
Swimming Pools	1	2	3	0	0	0
Tattoo and Body Piercing	0	0	0	0	0	0
Temporary Restaurants	0	0	0	0	0	0
Non-profit	0	0	0	0	0	0
Rec/Ed Campground	0	0	0	0	0	0
Campground	0	0	0	0	0	0
Pigeon Permit	0	0	0	0	0	0
Temporary Retail	0	0	0	0	0	0
Special Organization Serving Meals	0	0	0	0	0	0
Total	4	22	30	0	6	2

Licensed Establishments	Consultations		
	Quarter	Year to Date	Last Year to Date
Public Eating and Drinking	69	298	231
Retail Food	12	65	71
Hotel/Motel and Tourist Rooming House	0	1	1
Bed and Breakfast	0	5	1
Manufactured Home Communities	0	3	0
Vending Machines	0	0	3
Swimming Pools	3	16	16
Tattoo and Body Piercing	15	68	44
Temporary Restaurants	0	14	36
Non-profit	5	84	94
Rec/Ed Campground	0	3	5
Campground	0	0	0
Pigeon Permit	0	5	0
Temporary Retail	0	2	5
Special Organization Serving Meals	0	0	0
Total	104	564	507

Food Borne-Water Borne Disease	Current Month	Quarter	Year to Date	Last Year to Date
Number of Outbreaks	0	0	0	0
Number of Interviews	1	2	4	4
Number symptomatic	1	2	3	4

Laboratory/Field Tests	Current Month	Quarter	Year to Date	Last Year to Date
WDATCP Random Sampling Program	30	30	90	30

Swimming Pool Water Samples

Total number of pools sampled	18	58	242	235
Total number of pools resampled	0	2	3	4
Total positive HPC	0	0	1	2
Total positive coliform	0	2	2	2

Rabies Specimens

Type of Animal Shipped

Dog	0	0	0	0
Cat	0	0	0	1
Bat	0	0	0	4
Raccoon	0	0	0	0
Ferret	0	0	0	0
Skunk	0	0	0	0
Other	0	0	0	0
Total shipped	0	0	0	5
Total positive results	0	0	0	0

II. Protecting the Environment

Environmental Investigations	Consultations			Complaints		
	Quarter	Year to Date	Last Year to Date	Quarter	Year to Date	Last Year to Date
Community water supplies	0	1	1	0	0	0
School/Day Care	0	5	6	0	0	0
Private water supplies	0	0	0	0	0	0
Surface water pollution	0	1	1	0	0	0
Animal nuisances	3	17	27	0	0	2
Rabies control	11	33	18	0	0	0
Insect control	4	36	50	0	6	10
Rodent control	4	11	3	0	1	2
Hazardous substance control	1	8	13	0	1	1
Air pollution - Indoor	0	10	10	0	0	5
Air pollution - Outdoor	0	4	2	0	0	1
Noise	3	19	26	0	4	5
Radiation	2	6	7	0	2	0
Garbage/rubbish nuisance	2	4	0	0	3	1
Private residence/housing	5	32	16	0	0	5
Lead	3	21	22	0	1	3
Other Programs	1	27	23	0	0	0
Other Business	4	19	39	0	3	1
Mold	8	0	0	0	0	0
Totals	51	254	264	0	21	36

Complaint Followups			
Environmental Investigations	Quarter	Year to Date	Last Year to Date
Community Water Supplies	0	0	0
School/Day Care	0	0	0
Private water supplies	0	0	0
Surface water pollution	0	0	0
Animal nuisances	0	0	2
Rabies control	0	0	0
Insect control	1	8	2
Rodent control	1	5	1
Hazardous substance control	0	0	0
Air pollution - Indoor	2	4	0
Air pollution - Outdoor	0	0	2
Noise	0	4	2
Radiation	0	0	0
Garbage/rubbish nuisance	1	7	1
Private residence/housing	3	16	1
Lead	0	0	3
Other Programs	4	4	0
Other Business	0	0	0
Mold	0	0	0
Totals	12	48	14

III. Promoting Health

Type of Referrals to Public Health Nurse (PHN)	Quarter	Year to Date	Last Year to Date
Family	1	5	4
Maternal/Child	188	861	894
Adult/Elderly	3	7	9
Total	192	873	907

Community Health Visits	Admissions			Revisits		
	Quarter	Year to Date	Last Year to Date	Quarter	Year to Date	Last Year to Date

Includes contact to elderly and adult clients, parents, and children for purposes of assessment, teaching, referrals and case management

MCH	46	184	186	138	352	247
Adult	12	78	88	60	169	223
Elderly	1	14	13	79	219	388
Total	59	276	287	277	740	858

Community Health Visits	Discharges			Phone Calls as Visit		
	Quarter	Year to Date	Last Year to Date	Quarter	Year to Date	Last Year to Date

Includes contact to elderly and adult clients, parents, and children for purposes of assessment, teaching, referrals and case management

MCH	2	7	27	33	86	111
Adult	3	22	61	3	10	6
Elderly	0	2	4	3	3	3
Total	5	31	92	39	99	120

Primary Health Problem	Quarter	Year to Date	Last Year to Date
General Health Promotion	41	147	260
Prenatal	32	121	90
Postpartum	79	257	196
Infant and Child Health	89	314	213
Communicable Disease	118	429	510
Endocrine/Nutritional/Immunity Disorders	1	10	10
Nervous system and sense organs	0	0	1
Circulatory system	13	63	70
Respiratory system	13	24	18
Musculoskeletal system and Connective tissue	1	2	2
Other	15	51	37
Total	402	1418	1407

Adult/Elderly Clients By Referral Source	Quarter	Year to Date	Last Year to Date
Self	1	1	1
Case Finding	1	1	1
Physician (Unhospitalized)	1	4	5
Hospital	0	0	0
Social Service/Counseling	0	3	0
Community Agency	0	0	1
Other Public Health Agency	0	0	0
Licensed Home Health Agency	0	0	0
State Agency	0	0	0
Carried Over From Previous Year	0	20	21
Other	0	0	2
Total	3	29	31

Adult/Elderly Client Interventions	Quarter	Year to Date	Last Year to Date
Case Management	114	334	174
Consultation	7	10	3
Counseling	48	133	101
Delegated Functions	0	1	4
Disease and Health Event Investigation	2	4	6
Health Teaching	143	381	220
Referral and Follow Up	23	66	13
Screening	64	207	91
Total	401	1136	612

Adult/Elderly Non-Client Contacts	Quarter	Year to Date	Last Year to Date
Adult child	0	2	3
Aging & Disability Resource	0	1	0
Citizen	9	22	12
Client	0	0	0
Community Agency	2	4	6
Employer	0	0	0
Faith Community	0	0	0
Friend	0	0	3
Hospital	0	0	0
Human Services	0	0	0
Mental Health Provider	0	0	0
Nurse	0	0	1
Other	0	0	0
Parent/Guardian	0	4	2
Primary Care Provider	0	0	0
Spouse	0	0	0
Total	11	33	27

Adult/Elderly Non-Client Contact Interventions	Quarter	Year to Date	Last Year to Date
Consultation	1	3	4
Counseling	0	0	2
Health Teaching	0	5	6
Referral and Follow Up	10	27	20
Total	11	35	32

IV. Protecting the Consumer

Consumer Complaints	Number Received			Number of Violations Found		
	Quarter	Year to Date	Last Year to Date	Quarter	Year to Date	Last Year to Date
Foods	0	1	1	0	0	0
Liquid foods	0	0	0	0	0	0
Non-food Products	0	0	0	0	0	0
Heating Oil and LP gas	0	0	0	0	0	0
Firewood	0	1	1	0	1	0
Gas station pumps	2	8	8	0	1	1
Gas station service console	0	2	3	0	0	0
Gas station price signage	0	2	2	0	1	0
Gas station gasoline quality	0	8	4	0	0	1
Scales: food	0	0	0	0	0	0
Scales: scrap metal	0	0	1	0	0	0
Scales: other	0	0	0	0	0	0
Scanning	3	6	10	0	0	2
Trade practices	1	4	4	0	1	0
Advertising	1	3	3	0	1	1
Going out of business sales	0	0	0	0	0	0
Temporary sales	0	0	0	0	0	0
Miscellaneous	0	0	0	0	0	0
Totals	7	35	37	0	5	5

Type of Establishments Inspected	Current Month	Quarter	Year to Date	Last Year to Date
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Food and convenience stores, restaurants, bakery and candy stores, dairy plants and stores, drug stores, hardware stores, variety stores, gas stations, salvage and recyclers, pet shops, garden centers, industrial manufacturing plants, concrete and asphalt plants

Total number inspected	37	171	604	693
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Equipment and Device Examined	Inspected				Number Not in Compliance			
	Current Month	Quarter	Year to Date	Last Year to Date	Current Month	Quarter	Year to Date	Last Year to Date
Scales and Balances	16	152	603	577	0	7	16	26
Measures (Includes gas pumps and fuel oil tru	0	95	1,122	1,129	0	1	31	32
Weights	0	33	62	58	0	0	0	0
Total	16	280	1,787	1,764	0	8	47	58

Commodity Report	Current Month	Quarter	Year to Date	Last Year to Date
Total units of product investigated	21,651	38,028	113,422	91,832
Random sample size	3,444	6,273	17,887	12,956
Total products/units found short weight	211	385	812	4,038
Total products/units found mislabeled	329	641	1,548	3,037

Price Scanning Inspections	Current Month	Quarter	Year to Date	Last Year to Date
Number of Inspection	9	24	125	142
Number of items scanned	250	725	4,126	4,510
Pricing errors found	4	12	99	117

License Investigations	Quarter	Year to Date	Last Year to Date
Closeout sales	0	0	2
Secondhand dealers	21	31	34
Commercial solicitation	3	29	38
Taxicab	1	8	10
Pet store	0	3	4
Fire wood	0	20	21

HEALTH DEPARTMENT
Fourth Quarter Review
All Figures Through December 31, 2017

Significant 2017 Events:

See 2017 Quarterly Reports

Performance Data:

Administration 4th Quarter						
Program	Criteria	Actual 2014	Actual 2015	Actual 2016	Actual 2017	Target 2017
ADMIN	Client Benefit					
Train Staff	Benefit #1: Training request/ reviewed/ approved	100%	100%	100%	100%	100%
Safe Work	Benefit #2: # unresolved safety issues	0	0	0	0	0
Level III Health Dept	Outcome #1: # of unresolved issues	0	0	0	0	0
Internal Advancement	Outcome #2: % vacancies filled from within	100%	100%	100%	100%	100%
Training	Output #1: Hours of training/employee	41	36	41	48	40
Staff Assessments	Output #2: % completed on time	100%	100%	100%	100%	100%
Collaboration with Health Care Partners	Output #3: # of meetings	148	137	151	147	140
Prepare Annual Report	Output #4: Complete by 120th day of following year	4/24	4/30	4/21	4/18	4/25

Nursing 4th Quarter

Program	Criteria	Actual 2014	Actual 2015	Actual 2016	Actual 2017	Target 2017
Client Benefits/Impacts						
TB Disease Resolved	Benefit #1: Three negative tests/ complete treatment/ + clinical status	1 resolved and 1 moved out of jurisdiction	(3 Total) 1 - in treatment 1 - in process 1 - moved out of jurisdiction	(2 Total) 1 - resolved 1 - in treatment	(2 Total) 1 - moved out of jurisdiction 1 - in treatment	100%
Occupational Health	Benefit #2: TB testing and training	100%	100%	100%	100%	100%
Strategic Outcomes						
Epi-linked TB Cases	Outcome #1: # of cases	0	0	0	0	0
Increase Vaccine Coverage	Outcome #2: % school age children vaccinated	99.0%	100%	99%	99%	99%
COM Regulations	Outcome #3: % of required participants	100.0%	100.0%	100.0%	100.0%	100.0%
Work Process Outputs						
Case Management of TB	Output #1: # of home visits	270	152	426	207	100
TB Skin Test	Output #2: # of TB skin tests	104	103	101	72	90

Environmental 4th Quarter

Program	Criteria	Actual 2014	Actual 2015	Actual 2016	Actual 2017	Target 2017
Client Benefits/Impacts						
Fair and Consistent Inspection	Benefit #1: Positive triennial survey results	98.5	100%	100%	100%	97%
Health Hazards	Benefit #2: Identified and corrected inspection reports	100%	100%	100%	100%	100%
Strategic Outcomes						
Voluntary Compliance Improved	Outcome #1: # of critical violations	321	396	449	371	375
Human Cases of Rabies	Outcome #2: # of cases	0	0	0	0	0
Foodborne Outbreaks	Outcome #3: # of outbreaks related to special events	0	0	0	0	0
Foodborne Outbreaks	Outcome #4: # of food establishment linked outbreaks	0	0	0	0	0
Work Process Outputs						
Annual Inspection & Follow-ups	Output #1: # of inspections	540	548	501	515	540
Annual Inspection & Follow-ups	Output #2: # of follow up inspections	109	112	114	102	120
Response to Complaints	Output #3: # of complaints/follow ups	145/63	105/43	26/26	78/58	135/75
Response to Complaints	Output #4: % completed within 3 days	99.0%	100%	100%	100%	99%
Animal Bite Complaints	Output #5: % response within 4 hours	100%	100%	100%	100%	100%
Education Sessions for Non-profits	Output #6: # of vendors participating	384	368	84	72	350

Weights & Measures 4th Quarter

Program	Criteria	Actual 2014	Actual 2015	Actual 2016	Actual 2017	Target 2017
Client Benefits/Impacts						
Reduce Price Scanning Errors	Benefit #1: % error trend reporting compliance (over charges)	98.8%	99.1%	98.8%	98.5%	99.0%
Accurate Product Labeling	Benefit #2: Positive triennial consumer survey	100.0%	100.0%	100.0%	88.0%	100.0%
Accurate Measuring Devices	Benefit #3: % of devices that measure accurately	96.7%	94.2%	96.7%	97.4%	95.0%
Strategic Outcomes						
System of Price Control	Outcome #1: % error trend reporting compliance (undercharges)	98.3%	97.9%	98.4%	99.1%	98.0%
Short Weight & Misabeled Measured Sales	Outcome #2: % error trend reporting compliance	90.0%	95.8%	92.2%	97.9%	96.0%
Public Confidence in System Integrity	Outcome #3: Triennial consumer survey response	99.6%	100.0%	100.0%	88.0%	99.0%
Work Process Outputs						
Price Scanning Inspection	Output #1: # of annual inspections	135	145	142	125	125
Commodity Inspections	Output #2: # of inspections	12,903	13,431	12,956	17,887	12,000
Device Inspections	Output #3: # of inspections	1,823	1,794	1,764	1,787	1,750

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TEACHERA
MIDYER HLT

City of Appleton
Health Department
Summary Budget to Actual Report
For the Twelve Months Ending December 31, 2017

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01/22/18
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Description	Year to Date Expense	Full Year Amended Budget	Percent of Amended Budget
Health Department			
Health Administration	148,905	155,153	96.0 %
Public Health Nursing	453,850	468,100	97.0 %
Environmental Health	346,367	350,216	98.9 %
Weights & Measures	199,185	205,761	96.8 %
Total	1,148,307	1,179,230	97.4 %
Health Grants			
2010 Tobacco Control Grant	0	0	.0 %
2011 MCH Grant	40,036	38,677	103.5 %
2012 Primary Care Grant	0	0	.0 %
2013 Prevention Grant	7,902	7,902	100.0 %
2014 Lead Grant	9,890	9,808	100.8 %
2015 Immunization	32,117	32,854	97.8 %
2016 Outrch for Med. Assist.	0	0	.0 %
2017 WWCCP Grant	0	0	.0 %
2018 Bioterrorism Grant	64,351	112,253	57.3 %
2019 TB Lookback Grant	0	0	.0 %
Total	154,296	201,494	76.6 %



I. Preventing Disease

Immunization Clinics	Current Month	Year to Date	Last Year to Date
Persons Immunized	17	17	11
Immunizations administered	49	49	27

Communicable Disease Cases	Current Month	Year to Date	Last Year to Date
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Gastroenteric

Campylobacter	0	0	0
Cyclosporiasis	0	0	0
Giardiasis	1	1	1
Salmonellosis	0	0	0
Amebiasis	0	0	0
Balantidium Coli	0	0	0
Hook Worm	0	0	0
Shigellosis	0	0	0
Yersinia	0	0	0
Strongyloides	0	0	0
Cryptosporidiosis	0	0	0
E. Coli	3	3	1
Listeriosis	0	0	0

Other Communicable Diseases	Current Month	Year to Date	Last Year to Date
Haemophilus Influenza	0	0	0
Blastomycosis	0	0	0
Hepatitis A	0	0	0
Hepatitis B	1	1	1
Hepatitis C	4	4	5
Streptococcus pneumoniae	0	0	0

Leprosy	0	0	0
Adult Lead Toxicity	0	0	0
Legionellosis	0	0	0
Lyme Disease	0	0	1
Ehrlichiosis / Anaplasmosis	0	0	1
Malaria	0	0	1
Bacterial Meningitis	1	1	0
Viral Meningitis	0	0	0
Invasive Group A Strep	0	0	0
Rheumatic Fever	0	0	0
Tetanus	0	0	0
Toxic Shock	0	0	0
Typhoid	0	0	0
TB: Mycobacterium	0	0	0
TB: Atypical	0	0	1
Viral Encephalitis	0	0	0
Cat Scratch Disease (Bartonella species)	0	0	0
Streptococcus group B invasive disease	0	0	0
Vibrio Cholera	0	0	0
West Nile Virus	0	0	0
Kawasaki	0	0	0
Novel Influenza	0	0	0
Hospitalized Influenza	31	31	7
Babesiosis	0	0	0
Histoplasmosis	0	0	0
VISA	0	0	0
Rocky Mountain Spotted Fever	0	0	0
Jamestown Canyon	0	0	0
Burkholderia Pseudomallei	0	0	0
Invasive Strep, Other	2	2	0

Vaccine Preventable	Current Month	Year to Date	Last Year to Date
Measles	0	0	0
Mumps	0	0	0
Pertussis	3	3	0
Rubella	0	0	0
Varicella	1	1	0

Sexually Transmitted Disease	Current Month		Year to Date		Last Year to Date	
	All Ages	≤18	All Ages	≤18	All Ages	≤18
Chlamydia	23	4	23	4	33	3
Gonorrhea	6	0	6	0	4	0
Partner/Referral Program	1	0	1	0	0	0
HIV	0	0	0	0	1	0
Other STD	0	0	0	0	0	0
Syphilis	0	0	0	0	1	0

Licensed Establishments	Current Month	Year to Date	Last Year to Date
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PE & D, Retail Food, Hotel/Motel, Bed & Breakfast, Manufactured Home Community, Vending Machines, Swimming Pools, Tattoo & Body Piercing, Rec/Ed Camps, Temporary Restaurant, Non-profit, Campground

Plan Reviews	0	0	0
Preinspections	4	4	0
Inspections	30	30	34
Reinspections	7	7	11
Complaints	4	4	2
Complaint Follow-ups	0	0	0
Consultations	40	40	19

Food Borne/Water Borne	Current Month	Year to Date	Last Year to Date
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Number of Outbreaks	0	0	0
Number of Interviews	0	0	0
Number of symptomatic	0	0	0

Laboratory/Field Tests	Current Month	Year to Date	Last Year to Date
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Swimming Pool Water Samples

Total number of pools sampled	19	19	20
Total number of pools resampled	0	0	0
Total positive HPC	0	0	0
Total positive coliform	0	0	0

II. Protecting the Environment

Environmental Investigations	Current Month	Year to Date	Last Year to Date
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Community water supplies, private water supplies, surface water pollution, standing water nuisance, animal nuisances, rabies control, insect control, rodent control, hazardous substance control, indoor/outdoor air pollution, noise, radiation, garbage/rubbish, private residence/housing, other business (non-licensed)

Complaints	4	4	3
Complaint Follow-ups	0	0	5
Consultations	12	12	36

III. Promoting Health

Community Health Visits	Current Month	Year to Date	Last Year to Date
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Includes contact to elderly and adult clients, parents, and children for purposes of assessment, teaching, referrals, and case management

Patient Home/Telephone Visits	109	109	143
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IV. Protecting the Consumer

Consumer Complaints	Current Month	Year to Date	Last Year to Date
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Weights and Measures, Product Labeling, and Trade Practices

Total number of consumer complaints	5	5	3
Total number found in violation	1	1	0

Type of Establishments Inspected	Current Month	Year to Date	Last Year to Date
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Food and convenience stores, restaurants, bakery and candy stores, dairy plants and stores, drug stores, hardware stores, variety stores, gas stations, salvage and recyclers, pet shops, and garden centers, industrial manufacturing plants, concrete and asphalt plants

Total number inspected	80	80	56
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Equipment and Devices Examined	Inspected			Number Not in Compliance		
	Current Month	Year to Date	Last Year to Date	Current Month	Year to Date	Last Year to Date
Scales and balances	80	80	75	1	1	0
Measures (includes gas pumps and fuel oil truck meters)	6	6	4	0	0	0
Weights	0	0	0	0	0	0
Total	86	86	79	1	1	0

Commodity Report	Current Month	Year to Date	Last Year to Date
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Total units of product investigated	15,794	15,794	5,384
Random sample size	3,047	3,047	1,277
Total products/units found short weight	98	98	57
Total products/units found mislabeled	239	239	139

Price Scanning Inspections	Current Month	Year to Date	Last Year to Date
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Number of inspections	27	27	21
Number of items scanned	925	925	700
Pricing errors found	32	32	23

Scott Walker
Governor



State of Wisconsin
Department of Health Services

Linda Seemeyer
Secretary

FORWARDHEALTH

PROVIDER SERVICES
313 BLETTERN BLVD
MADISON WI 53784

Telephone: 800-947-9627
TTY: 711
www.forwardhealth.wi.gov

January 10, 2018

CITY OF APPLETON HEALTH DEPT
KURT EGGBRECHT
100 N APPLETON ST
APPLETON, WI 54911-4702

Dear Medicaid Provider Applicant:

Thank you for submitting a Wisconsin Medicaid Prenatal Care Coordination provider application for CITY OF APPLETON HEALTH DEPT. The application cannot be processed for the reason(s) indicated below.

The applicant has not provided a valid reason, per CMS guidelines, for submitting a hardship request for inability to pay the application fee. The applicant has 10 calendar days from the date of return letter to pay the application fee, otherwise the provider will be denied enrollment with Wisconsin Medicaid.

Please send the requested information to ForwardHealth at Provider Enrollment, 313 Blettner Boulevard, Madison, WI 53784.

Processing of this application will be suspended until the requested information is received. Wisconsin Medicaid must receive the requested information within 30 calendar days from the date of this letter to assign the earliest possible certification effective date. Include application tracking number (ATN) 223971 on all correspondence relating to this application.

Please contact Provider Services at (800)947-9627 for information regarding this letter. Thank you for your interest in becoming a Wisconsin Medicaid Provider.

Wisconsin Medicaid
Provider Enrollment Department

ATN: 223971

F-11209 (07/12)





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

Appleton Health Department
100 North Appleton Street
Appleton, WI 54911-4799
(920) 832-6429
www.appleton.org

Wisconsin Active Together Recognition Program
info@WIActiveTogether.org

January 30, 2018

Dear Wisconsin Active Together Recognition Program:

I am writing in support of this application for Wisconsin Active Together. I serve as Chair of the Appleton Board of Health and know first-hand the extensive collaborations that are included in this application.

Most recently, the City passed a Health in All Policies (HiAP) ordinance that takes a special look at health and equity within our community. Community groups and City of Appleton employees work to find ways to directly influence and improve many of the determinants of health. Examples in this application include management of parks and recreational spaces, maintenance of public streets and sidewalks and safe pedestrian walkways. Appleton's Comprehensive Plan and Bike/Pedestrian Plan drive many of these community initiatives.

It is my expectation that with the new HiAP ordinance, this collaborative community work will continue and accelerate policy and systems gains which grow and promote local places to walk, bike and be active.

Sincerely,


Doug Nelson
Chair, Appleton Board of Health

**The following noise variance requests have been approved by
Health Officer, Kurt Eggebrecht:**

*Love is in the Air Event
Houdini Plaza
Feb 10, 10:00am-4:00pm*

*LUaroo Festival
Lawrence University Quad
May 26-27, 12:00pm-11:00pm*

*Apple Creek 50K Event
2851 E Apple Creek Road
May 12, 6:00am-2:30pm*

*Octoberfest/License to Cruise
College Avenue, 5 stages
Sept 28, 6:00pm-9:30pm, Sept 29, 9:00am-5:30pm*

**The following noise variance requests have been approved by
Health Officer, Kurt Eggebrecht:**

*March for Babies Walk
3600 E Evergreen Drive
April 21, 8:30am-1:30pm*

*Sole Burner Walk/Run
City Park
May 12, 7:30am-11:00am*

**The following noise variance request has been approved by
Board of Health:**

*Department of Public Works
CIPP Installment*

- 1. Calumet St. (Lowe St. to Carpenter St.)*
- 2. Easement between Outagamie St. and Highcrest Dr. (Cedar St. to Reid Dr.)*
- 3. Harris St. (Douglas St. to 332' e/o Douglas St.)*
- 4. Memorial Dr. (Riverview Dr. to Calumet St.)*
- 5. Spruce St. (College Ave. to Eighth St.)*

April 2018-September 2018

**The following noise variance request has been denied by
Health Officer, Kurt Eggebrecht:**

*Lawrence University
Band Booking Committee
128 N Union
Friday, March 2, 8:00pm-11:00pm*