



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, May 16, 2018

7:00 PM

Council Chambers

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. PUBLIC PARTICIPATION
- G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[18-0730](#) Common Council Meeting Minutes of May 2, 2018

Attachments: [CC Minutes 5-2-18.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[18-0726](#) National Public Works Week Proclamation

[18-0727](#) A Week to Celebrate Policing Proclamation

[18-0728](#) Creative Economy Week Proclamation

[18-0729](#) Fox Cities Sports Facility Presentation

Attachments: [SportsFacilityUpdate_LettertoMunis.pdf](#)
[FoxCitiesChampionCenter_SiteRenderings \(002\).pdf](#)

- I. PUBLIC HEARINGS

[18-0711](#) Public Hearing - Rezoning #4-18, Leona Pond Annexation - E. Richard Street

Attachments: [RZ #4-18 Public Hearing Notice Leona Pond.pdf](#)

[18-0712](#) Public Hearing - Comprehensive Plan Amendment #1-18

Attachments: [Class I PH Notice_ Leona Pond_ Comp Plan Amend.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[18-0606](#) R/B-Approve parking changes associated with the railroad quiet zone project.

Attachments: [Parking restrictions-Railroad Quiet Zone.pdf](#)
[Railroad quiet zone \(revised\).pdf](#)

Legislative History

4/23/18	Municipal Services Committee	recommended for approval
5/2/18	Common Council	referred to the Municipal Services Committee
5/7/18	Municipal Services Committee	recommended for approval

[18-0680](#) Request from Appleton Downtown Inc. to install a second Pet Waste Station (first one located adjacent to Houdini Plaza) in the flower planter by C.U. Saloon at 409 W. College Avenue.

Attachments: [Pet Waste Station.pdf](#)

Legislative History

5/7/18	Municipal Services Committee	recommended for approval
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[18-0684](#) Approve intersection control change at Marshall Heights Avenue/Crossing Meadows Lane (follow up to a 6-month trial)

Attachments: [Marshall Heights Ave-Crossing Meadows Ln.pdf](#)

Legislative History

5/7/18	Municipal Services Committee	recommended for approval
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[18-0685](#) Approve parking changes on Commercial Street and Spring Street by Lincoln Elementary School (follow-up to a 6-month trial).

Attachments: [Commercial & Spring St -Lincoln Elementary.pdf](#)

Legislative History

5/7/18 Municipal Services recommended for approval
 Committee

[18-0687](#)

Approve parking changes on Winnebago Street east of Gillett Street by Appleton West High School (follow-up to a 6-month trial).

Attachments: [Winnebago St-Appleton West High School.pdf](#)

Legislative History

5/7/18 Municipal Services recommended for approval
 Committee

[18-0688](#)

Award P-18 Pavement contract to Brickline, Inc. in an amount not to exceed \$139,000.

Attachments: [Unit P-18 Pavement Marking Maintenance.pdf](#)

Legislative History

5/7/18 Municipal Services recommended for approval
 Committee

[18-0690](#)

Resolution #5-R-18 Bike Corral College Ave & Appleton St

Submitted by: Joe Martin, District 4

Date: May 2, 2018

Referred to: Municipal Services Committee

Whereas, Appleton has been recognized as a Silver Award recipient from The League of American Bicyclists, And

Whereas, Appleton has made a commitment, building biking and pedestrian infrastructure throughout our downtown, And

Whereas, Appleton has currently, 17.6 centerline-miles of bike lanes and are planning to add an additional 8.5 miles over the next five years. And

Whereas, Appleton St. design plans add bike lanes in both direction with no parking, And

Whereas, we are planning to add in the next 1-3 years: The Trolley Trestle Trail from Atlas Mill to Pullmans and the Lawe Street Trestle.

Now, Therefore, Be It Resolved that Appleton Municipal Services review location and consider relocating the bike corral to the first red meter stall, NW corner of College and Appleton. The added security feature is a traffic camera will capture this location regularly.

Legislative History

5/7/18 Municipal Services recommended for approval
 Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[18-0529](#) Class "B" Beer & "Class C" Wine License Premise Amendment of Vers Venture LLC d/b/a Mr Brews Taphouse, Tammy L. Verhagen, Agent, 201 S. Riverheath Way, Ste 1100, June 23, July 21 and August 18, 2018, contingent upon approval from all departments.

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

Legislative History

4/25/18	Safety and Licensing Committee	held
5/9/18	Safety and Licensing Committee	recommended for approval

[18-0678](#) Operator's Licenses

Attachments: [Operator's Licenses for 05-09-18.pdf](#)

Legislative History

5/9/18	Safety and Licensing Committee	recommended for approval
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[18-0613](#) Farm Market Renewal application for Festival Foods, Kyle Nelson, 1200 W. Northland Avenue, contingent upon approval from all departments.

Legislative History

5/9/18	Safety and Licensing Committee	recommended for approval
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[18-0624](#) Taxi Cab Company Renewal License application of First Hitch Draft Company, Neal Bredesen, 1356 Wild Rose Lane, Neenah, contingent upon approval from all departments.

Legislative History

5/9/18	Safety and Licensing Committee	recommended for approval
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[18-0640](#) "Class A" Beer/Liquor License - Change of Agent application for Walgreens #12019, Laura C. Lanser, Agent, 2803 N. Meade St., contingent upon approval from the Police Department.

Legislative History

5/9/18	Safety and Licensing Committee	recommended for approval
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- [18-0644](#) Salvage Dealer's License Renewal application of Green Meadow Recycling, Inc., Neil Novak, Applicant, 2220 W. Everett St., contingent upon approval from all departments.

Legislative History

5/9/18 Safety and Licensing recommended for approval
 Committee

- [18-0662](#) Class "B" Beer and "Class C" Wine License application of MJ Author's Kitchen d/b/a Author's Kitchen & Bar, Joshua D. Sickler, Agent, 201 N. Appleton St., contingent upon approval from all departments.

Attachments: [MJ Author's Kitchen application.pdf](#)

Legislative History

5/9/18 Safety and Licensing recommended for approval
 Committee

- [18-0679](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 05-09-18.pdf](#)

Legislative History

5/9/18 Safety and Licensing recommended for approval
 Committee

3. MINUTES OF THE CITY PLAN COMMISSION

- [18-0483](#) Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-18 for the Leona Pond Annexation, formerly part of Town of Grand Chute, located at E. Richard Street (Tax Id #31-1-5244-00) from future Business/Industrial and One and Two-Family Residential land use designation to Public/Institutional land use designation as shown on the attached map and approve the attached Resolution

Attachments: [StaffReport_Leona Pond_Rezoning+Comp Plan_4-10-18.pdf](#)

Legislative History

4/10/18 City Plan Commission recommended for approval
 Proceeds to Council on May 16, 2018.

- [18-0485](#) Request to approve Rezoning #4-18 for the Leona Pond Annexation, formerly part of Town of Grand Chute, located at E. Richard Street (Tax Id #31-1-5244-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to P-I Public Institutional District

Attachments: [StaffReport_Leona Pond_Rezoning+Comp Plan_4-10-18.pdf](#)

Legislative History

4/10/18 City Plan Commission recommended for approval
Proceeds to Council on May 16, 2018.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[18-0682](#) Request to approve funding to expand healthcare services at the Connecting Care Clinic for Health Coaching and Physical Therapy services.

Attachments: [Healthcare Services Mome.pdf](#)
[Page 2 CCC.pdf](#)

Legislative History

5/7/18 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[18-0670](#) The City of Appleton exercise its right to repurchase Lots 1, 2 and 3 of Plat 4 in the Northeast Industrial Park per the Declaration of Covenants and Restrictions, Section 11 and increase the purchase price by the cost of the wetland delineation

Attachments: [Farrell Investments Repurchase Memo 5-1-18.pdf](#)
[Farrell Letter Offer to Repurchase 4-26-18.pdf](#)
[Farrell Covenants-Deed Restrictions.pdf](#)
[NEBP Map 5-3-2018.pdf](#)

Legislative History

5/9/18 Community & Economic recommended for approval
Development Committee

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[18-0631](#) Request to approve the Valley Transit Teamster union contract for 2018-2020 with a wage progression of:
2018: 1/1-1.5% and 7/1-1%
2019: 1/1-1% and 7/1-1%
2020: 1/1-1% and 7/1-1%

Attachments: [VT Tentative Agreements April 9 2018.pdf](#)
[Teamster MEMORANDUM OF UNDERSTANDING Vacation and Salary Sched](#)

Legislative History

5/9/18

Human Resources &
Information Technology
Committee

recommended for approval

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

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[18-0713](#)

Ordinances 41-18 to 44-18

Attachments: [Ordinances going to Council 5-16-18.pdf](#)P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO
COMMITTEES OF JURISDICTIONQ. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES
OF JURISDICTION

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Kami Lynch, City Clerk

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



City of Appleton

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Meeting Minutes - Final Common Council

Wednesday, May 2, 2018

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:14 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Lobner.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 16 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Mayor Timothy Hanna, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community & Economic Development Harkness, Diversity Coordinator Nelson, Director of Finance Saucerman, Deputy Fire Chief Baker, Director of Human Resources Matz, Health Officer Eggebrecht, Parks, Recreation & Facilities Director Gazza, Police Chief Thomas, Deputy Public Works Director Buetow, Valley Transit General Manager Mc Donald.

The following were excused:

Library

Information Technology

Utilities

F. PUBLIC PARTICIPATION

Sig Strautmanis, 6938 N Santa Monica, Fox Point spoke regarding Item 18-0481 relating to Special Use Permit #1-18

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[18-0635](#)

Common Council Meeting Minutes of:
April 17, 2018 Informal Organizational Meeting
April 18, 2018 Organizational Meeting
April 18, 2018 Common Council Meeting

Attachments: [CC Minutes 4-17-18 Informal Organizational.pdf](#)
 [CC Minutes 4-18-18 Org. Mtg..pdf](#)
 [CC Minutes 4-18-18.pdf](#)

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

Aye: 15 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Keir Dvorachek, Alderson Bob Baker, Alderson Rachel Raasch, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Matt Reed, Alderson Christine Williams, Alderson Cathy Spears and Alderson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[18-0538](#)

National Historic Preservation Month Proclamation

The Proclamation was presented

[18-0636](#)

Presentation of Municipal Clerks Week Proclamation

The Proclamation was presented

[18-0641](#)

Historic Preservation Commission Appointment

Attachments: [APPT TO HISTORIC PRES COMM 050218.pdf](#)

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

Aye: 15 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Keir Dvorachek, Alderson Bob Baker, Alderson Rachel Raasch, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Matt Reed, Alderson Christine Williams, Alderson Cathy Spears and Alderson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[18-0642](#)

Bicycle and Advisory Committee Appointment

Attachments: [APPT TO BICYCLE PED COMM 050218.pdf](#)

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

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Absent: 1 - Mayor Timothy Hanna

[18-0643](#)

2018 Board & Committee Reappointments

Attachments: [COMMITTEE REAPPTS 050218-REV.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Lobner, that the 2018 Committee Reappointments be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[18-0634](#)

Resolution Changing the Aldermanic District 7 Polling Place

Attachments: [2018 Resolution Changing District 7 Polling Place.pdf](#)

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

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[18-0606](#)

Approve parking change associated with the railroad quiet zone project.

Attachments: [Parking restrictions-Railroad Quiet Zone.pdf](#)

This Item was referred back to the Municipal Services Committee due back on 5/7/2018 by Alderperson Croatt.

[18-0481](#)

Request to approve Special Use Permit #1-18 for a personal storage facility located at 2400 W. College Avenue (Tax Id #31-7-0026-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote required)

Attachments: [StaffReport_PrimeStorageGroup_SUP_For04-10-18.pdf](#)

Alderperson Lobner moved, seconded by Alderperson Baker, that the Special Use Permit be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed and Alderperson Chris Croatt

Nay: 4 - Alderperson Kathleen Plank, Alderperson Patti Coenen, Alderperson Christine Williams and Alderperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Croatt moved, Alderperson Baker seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[18-0600](#)

Recommendation to remove the pedestrian ramp and east stairway from the from the Oneida Street Bridge Project and approve amendment No. 3 to Patrick Engineering in an amount of \$222,060.

Attachments: [Oneida Street Bridge Project.pdf](#)

This Report Action Item was approved.

[18-0603](#)

Preliminary Resolution 3-P-18 for Concrete Pavement, Driveway Aprons and Sidewalk Construction be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Preliminary Resolution 3-P-18.pdf](#)

This Report Action Item was approved.

[18-0604](#)

Approve parking changes on the 1500 Block of W. Washington Street (follow-up to 6-month trial).

Attachments: [Parking restriction-1500 W. Washington St.pdf](#)

This Report Action Item was approved.

[18-0607](#)

Approve Amendment No. 2 to the Railroad Quiet zone consulting contract in the amount of \$1,000 for a total revised not to exceed contract \$32,856.

Attachments: [Railroad Quiet Zone contract.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[18-0410](#)

Operator's Licenses

Attachments: [Operator's Licenses for 04-11-2018 S&L.pdf](#)

This Report Action Item was approved.

[18-0449](#)

Operator License application of Darrin S. McElhatton, 1824 E. Pauline Street.

Attachments: [Darrin S. McElhatton.pdf](#)
 [SL Denial- 4-11-18.pdf](#)

The recommendation to deny the license was approved.

[18-0536](#) Taxi Cab Company and Limousine Service application of Cavanaugh's Carriages, Rodger Cavanaugh, 3910 Fairview Road, Neenah, contingent upon approvals from all departments.

This Report Action Item was approved.

[18-0542](#) Class "B" Beer License - Change of Agent application of Fronteras Restaurant, Eric Mosqueda Lopez, Agent, 2311 W. College Ave., contingent upon approval from the Police Department.

This Report Action Item was approved.

[18-0543](#) Taxi Cab Driver's License application of Lydia R. Sievers, 1003 1/2 W. 8th Street.

Attachments: [SL Denial- Sievers 4-25-18.pdf](#)
 [Lydia R. Sievers.pdf](#)

The recommendation to deny the license was approved.

[18-0544](#) "Class A" Beer/Liquor license - Change of Agent application of Target Store T-1248, Roberto Corona, Agent, 1800 S. Kensington Dr., contingent upon approval from the Police Department.

This Report Action Item was approved.

[18-0559](#) Operator's Licenses

Attachments: [Operator's Licenses for 04-25-2018 S&L.pdf](#)

This Report Action Item was approved.

[18-0560](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 04-25-2018 S&L.pdf](#)

This Report Action Item was approved.

[18-0611](#) "Class B" Beer/Liquor License Change of Agent application for MIP LLC d/b/a McGuinness Irish Pub, Matthew F. Miller, Agent, 201 S. Walnut Street, contingent upon approval from the Police Department.

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION[18-0547](#)

Request to approve Certified Survey Map #2-18, which crosses a plat boundary, to combine two adjacent lots located at 23 Crestview Court (Tax Id #31-4-4372-00 and Tax Id #31-4-5092-00), subject to the conditions in the attached staff report and as shown on the attached maps

Attachments: [StaffReport_CrestviewCt_CrossingPlatBoundary_For04-24-18.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**5. MINUTES OF THE FINANCE COMMITTEE**[18-0580](#)

Request to accept awards from the Fox River Greenway Fund partnership grant program

Attachments: [2018 Fox River Greenway Fund \(3\).pdf](#)

This Report Action Item was approved.

[18-0586](#)

Request to award Unit D-18 Sidewalk Construction to Al Dix Concrete, Inc in an amount not to exceed \$290,000.

Attachments: [Award of Contract Unit D-18.pdf](#)

This Report Action Item was approved.

[18-0587](#)

Request to approve Finance Committee Report 3-P-18 for Concrete Pavement, Sidewalk Construction and Driveway Aprons.

Attachments: [Report 3-P-18.pdf](#)

This Report Action Item was approved.

[18-0591](#)

Request to award the 2018 Scheig Center Redevelopment project to Vinton Construction Company in the amount of \$91,120 with a contingency of \$4,556 for a project total not to exceed \$95,976 and approve the following 2018 Budget Adjustment:

Parks, Recreation & Facilities Management Fund

2017 Lutz Park Trail & Riverbank Project	- \$8,226
2018 Scheig Center Redevelopment Project	+\$8,226

to record transfer of the positive balance from the Lutz Park Trail & Riverbank project to the Scheig Center Redevelopment project.

Attachments: [Scheig Center Redevelopment and Budget adjustment.pdf](#)

This Report Action Item was approved.

[18-0637](#)

Request to approve acceptance of a \$350,506 Federal Transit Administration capital grant and approval of the following 2018 Budget adjustment:

Valley Transit

Federal Grant Revenue	+\$350,506
Depreciation Fund Balance	+ \$87,627
Vehicles	+\$438,133

to record receipt of FTA capital grant (2/3 vote required)

Attachments: [FCTC Grant acceptance memo 5339 - 2018.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[18-0476](#)

Award Unit F-18, Sewer Cleaning & Televising to Green Bay Pipe & TV, LLC in an amount not to exceed \$247,500.

Attachments: [Unit F-18.pdf](#)

This Report Action Item was approved.

[18-0495](#)

Request to sole source contract to Patrick Engineering for a contract fee of \$130,000 and a contingency of 10% for professional services needed to complete the Wastewater Electrical Distribution Upgrades Phase 2 for a contract not to exceed \$143,000.

Attachments: [2018 Electrical Distribution System Upgrades Design PH 2.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[18-0605](#)

Request to approve the addition of up to a Full-time Health Coach and up to a Full-time Physical Therapist to the Connecting Care Clinic Staffing with staffing levels being determined based upon customer demand.

Attachments: [CCC additional staff memo 4-20-18.pdf](#)
[CCC Health Coach proposal.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[18-0565](#)

Accept Federal Transit Administration Section 5339 Discretionary Grant funds of \$350,506

Attachments: [FCTC Grant acceptance memo 5339 - 2018.pdf](#)

This Report Action Item was approved.

[18-0566](#)

Resolution FCTC 18-01 Authorization of Grant Application for Volkswagen Mitigation Plan Grant

Attachments: [Memo to support Resolution FCTC 18-01.pdf](#)
[Resolution FCTC 18-01 for Authorization of Grant Application.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

Resolution #4-R-18 Chicken Ordinance

Submitted by: Vered Meltzer, District 2

Date: May 2, 2018

Referred to: Board of Health

WHEREAS the City of Appleton passed a resolution a year ago allowing the keeping of chickens, and the past year has given us a chance to see that some improvements are called for,

THEREFORE BE IT RESOLVED that the ordinance be updated in the following 4 ways:

- 1. Reduce the minimum square feet per bird in the coop to 1.5 feet to make it easier for birds to stay warm, and increase the maximum run space from 24 square feet to 100 square feet to provide for healthy exercise.*
- 2. Increase maximum number of birds allowed from 4 to 6.*
- 3. Remove neighbour veto power.*
- 4. Adjust fee schedule to be more in line with surrounding communities.*

Resolution #5-R-18 Bike Corral College Ave & Appleton St

Submitted by: Joe Martin, District 4

Date: May 2, 2018

Referred to: Municipal Services Committee

Whereas, Appleton has been recognized as a Silver Award recipient from The League of American Bicyclists, And

Whereas, Appleton has made a commitment, building biking and pedestrian infrastructure throughout our downtown, And

Whereas, Appleton has currently, 17.6 centerline-miles of bike lanes and are planning to add an additional 8.5 miles over the next five years. And

Whereas, Appleton St. design plans add bike lanes in both direction with no parking, And

Whereas, we are planning to add in the next 1-3 years: The Trolley Trestle Trail from Atlas Mill to Pullmans and the Lawe Street Trestle.

Now, Therefore, Be It Resolved that Appleton Municipal Services review location and consider relocating the bike corral to the first red meter stall, NW corner of College and Appleton. The added security feature is a traffic camera will capture this location regularly.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderson Baranowski moved, seconded by Alderson Croatt, that the meeting be adjourned at 8:05 p.m. Roll Call. Motion carried by the following vote:

Aye: 16 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Mayor Timothy Hanna, Alderson Keir Dvorachek, Alderson Bob Baker, Alderson Rachel Raasch, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Matt Reed, Alderson Christine Williams, Alderson Cathy Spears and Alderson Chris Croatt

Kami Lynch, City Clerk



TO: Fox Cities Municipal Leaders
FROM: Pam Seidl
RE: Sports Facility Update
DATE: 5-2-18

Following up on my letter of December 11, 2017 that announced a gift of land for the Fox Cities Sports Facility. In that letter, I promised further details on design, financing and cost estimates when we had all of the information. I have requested meetings with the leadership of each municipality that has enacted the Tourism Facilities Room Tax. At those meetings, I will provide an update on the construction, ownership, financing and branding of the proposed facility. I hope to schedule all the meetings by the first full week of May. Below is a summary of the subjects to be covered at these meetings:

The Building

As previously stated, the facility will include indoor hard court and ice surfaces. Having BOTH of these surface types in one facility provides the flexibility for multiple sport event utilization, allow us to change the surface to the season, in an attempt to reduce seasonal "downtime" as much as possible. There will be two ice surfaces. One will be convertible to additional court space. Ice facilities are one of the most expensive to build and operate, and this convertible space helps make the facility more stable operationally.

Design has been completed to a state from which construction estimates can be generated. While the project has not been put out for public bids yet, initial estimates indicate a construction cost of \$29.2 million. The proposed facility will be approximately 164,000 square feet.

Financing & Ownership

Initially, the facility was to be owned by Fox Cities Sports Development, Inc. a 501 c(3) subsidiary of the Fox Cities Convention & Visitors Bureau and the Town of Grand Chute was to provide a conduit to municipal financing.

Once we began exploring financing details with Baird and Foley & Lardner (the same underwriting team that worked on the Exhibition Center financing), it became apparent that our ownership model needed to change in order to take advantage of the best financing rates available (municipal lease revenue bonds).

In order to maintain momentum and ensure completion of the project by the fall of 2019, I'm pleased to share that the Town of Grand Chute has agreed to step into the role of financing and owning the Sports Facility. Under this modified project team structure, a newly formed Grand Chute Community Development Authority (CDA) will issue the debt and own the facility. The facility will be leased to the Town of Grand Chute, who will be responsible for making lease payments equal to debt service on the bonds. The Tourism Facilities Room Tax will provide the revenue for repayment of the bonds. However, the Town of Grand Chute would be responsible for covering any shortfall between debt service and actual room tax revenues.

The Town of Grand Chute will enter into an agreement with Fox Cities Sports Development, or another entity of the CVB if necessary, to operate the facility. In turn, the CVB entity will contract with a professional sports management firm to conduct the day-to-day operations.

In addition to engaging Baird and Foley & Lardner in issuing bonds for the project, the Grand Chute CDA will also receive financial advisory services from Ehlers, Inc. As is typical in public bond issuance, fees of the underwriter, underwriter's counsel, bond counsel, financial advisor, and rating agency will be included in the final bond financing package for the facility. Ehlers' role as financial advisor is critical in representing the interests of all municipalities in the Fox Cities Tourism Zone by negotiating the best possible financing scenario.

Steps Going Forward

1. Grand Chute CDA organizational meeting – May 9
2. Grand Chute CDA application for Tourism Development Funds
3. Initial bond document distributed
4. Municipalities adopt resolution approving pledge and security agreement
5. First construction bid packets released
6. Final bond rating and bond documents released
7. Ground breaking
8. Bond pricing
9. CDA execution of Bond Purchase Agreement
10. Bond closing – Target date of June 27, 2018
11. Building complete and open – October 2019

We are very excited to be a part of moving this facility forward. Estimates for economic impact of this facility are \$6.5 million annually, and up to \$8 million annually when the facility is fully operational and booked. While this facility will focus on tourism, we look forward to collaborating with many partners and user groups in our region to enhance the overall sports experience.

Thank you for your support of the CVB and tourism in the Fox Cities.

Design Guidelines

Development within the **Primary Focus Area** should follow the design guidelines listed below:

- Minimize setbacks, bringing commercial and residential buildings close to the street.
- Locate parking lots to the sides or rear of buildings. Promote shared parking and internal traffic circulation.
- Building height adds character and definition to the street. Non-residential buildings should be between 1.5 and 3 stories.
- Human-Scaled Architecture: All buildings should be designed and proportioned to provide interest and avoid blank walls and large uninteresting areas.
- Connect entrances to public sidewalks or trails.
- Implement appropriately scaled site lighting that complements street lighting.

In addition to the architectural requirements prescribed in the Town of Grand Chute Zoning Code, buildings in the Sports Facility District should follow the requirements below:

- The primary material for building facades visible from a public street or residential property will be brick, block, fieldstone, architectural metal panels, cast stone or concrete, or other masonry product.
- Acceptable secondary building materials are stucco, ornamental metals, glass panels, cement board siding, and wood/pre-engineered wood siding.

Commercial Development

Particularly within the **Primary Focus Area**, development should focus on service based commercial activity that will complement the Sports Facility. More traditional commercial uses, are best suited on the periphery of the District. New industrial and warehouse type uses are not allowed in the **Primary Focus Area**.



Pedestrian & Bicycle Accommodations

An emphasis will be placed on establishing pedestrian and bicycle access throughout the District. A series of multi-use trails will merge at the Sports Facility, providing access for those walking or bicycling. As future development occurs, sidewalk and/or other facilities will be incorporated in each project to provide connectivity. Additionally, a combination of proposed multi-use trails and sidewalk segments on surrounding collector and arterial streets will provide safe connections to nearby destinations and other areas of the community.

Residential Development

Residential development adjacent to established single-family residential neighborhoods should focus on providing additional single family detached homes or owner-occupied condos or townhomes.

Lower Density - Single-Family Detached Homes, Attached/ Detached Condominiums, or Townhomes/Row Houses



Higher Density - Multi-Family Apartments



Sports Facility District Master Plan

Purpose and Objectives

The Town of Grand Chute and the Fox Cities Convention & Visitors Bureau are partnering in the development of a premier indoor sports facility on land the Town currently owns near the intersection of McCarthy Road and Greenville Drive. The Town will gift the land for this high-impact project and Fox Cities Sports Development, Inc., a subsidiary of the Convention & Visitors Bureau, will own and operate the Fox Cities Sports Facility. Scheduled to open in Fall 2019, this will be exclusively an indoor facility with a combination of ice and hard-court surfaces. It will focus on attracting sports teams from outside the Fox Cities to tournaments and events, drawing tourists to hotels, restaurants and retail establishments.

The Sports Facility will create substantial economic impact to benefit local businesses, residents and the broader community. It will make the Fox Cities the premier location for indoor sports of all kinds, with an emphasis on attracting hockey, basketball, and volleyball tournaments for all ages. It will also provide a state-of-the-art venue for community use during non-tourism periods. Additionally, adjacent property values should be preserved or enhanced as a result of the Sports Facility providing a strong anchor around which other new development can be carefully placed and where existing residential areas can be effectively buffered and stabilized.

A Sports Facility District Master Plan has been prepared to: (1) provide guidance when siting this new project; (2) identify opportunities for future development that could complement the sports venue; and, (3) prescribe protections for residential areas nearby.

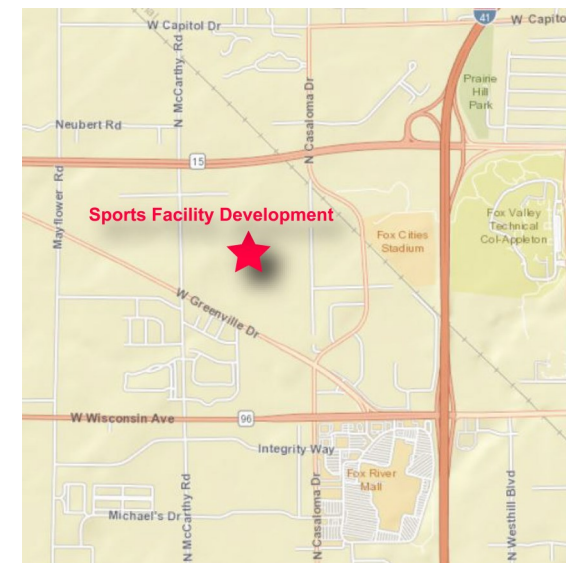
District Profile

The land in or surrounding the Sports Facility District consists of some commercial use along Greenville Drive, large tracts of vacant agricultural land on both sides of McCarthy Road (north of Greenville Drive), and a mix of residential properties on Olde Casaloma Drive and in areas south of Greenville Drive.

The Master Plan



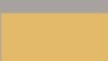

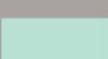




This Sports Facility District Master Plan includes a map, which provides guidance on the preferred future land use of the District. It also provides use and design guidelines for future development in the District to ensure land use compatibility and thoughtful site design and building architecture.

Location Map



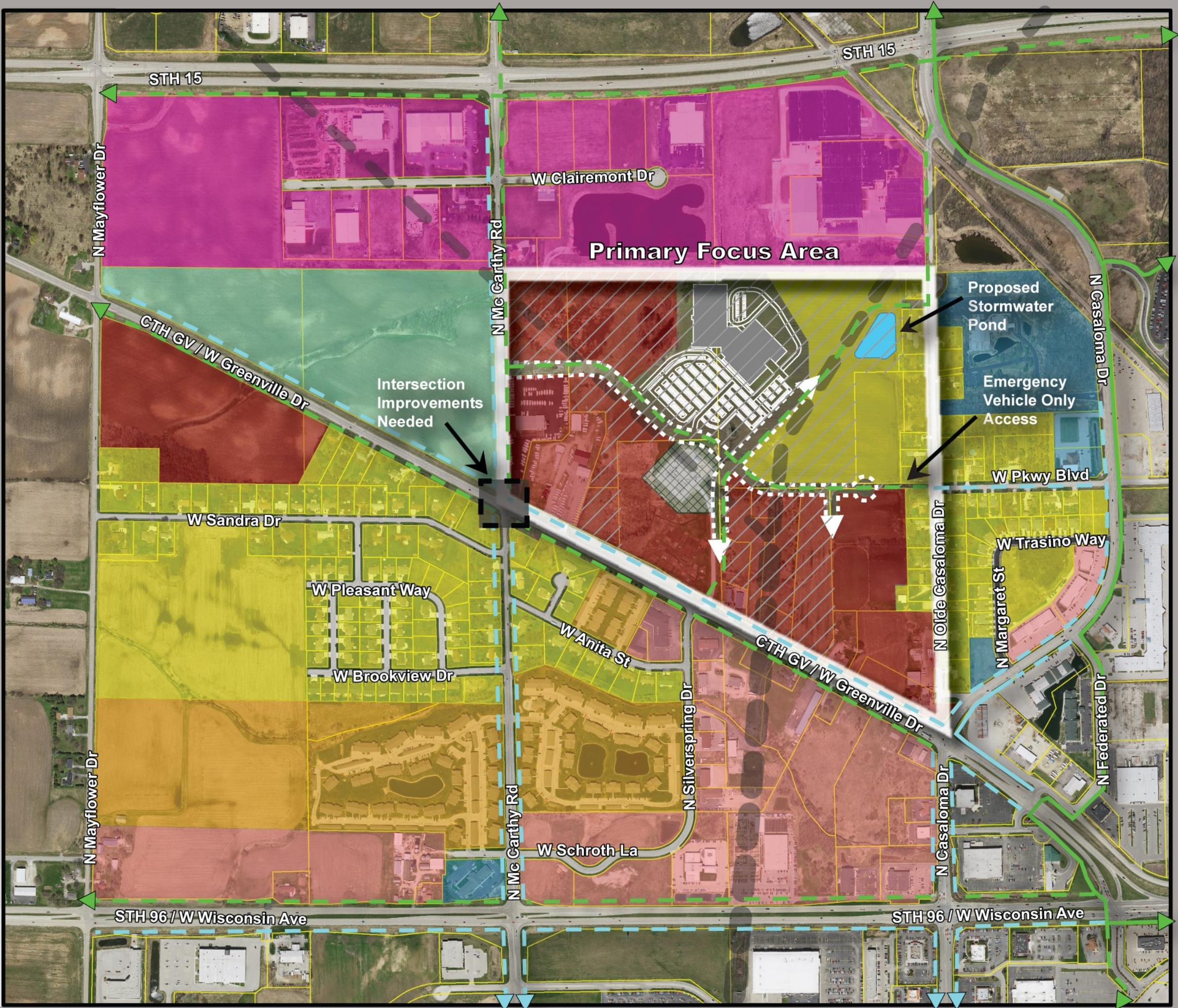
Sports Facility District Master Plan

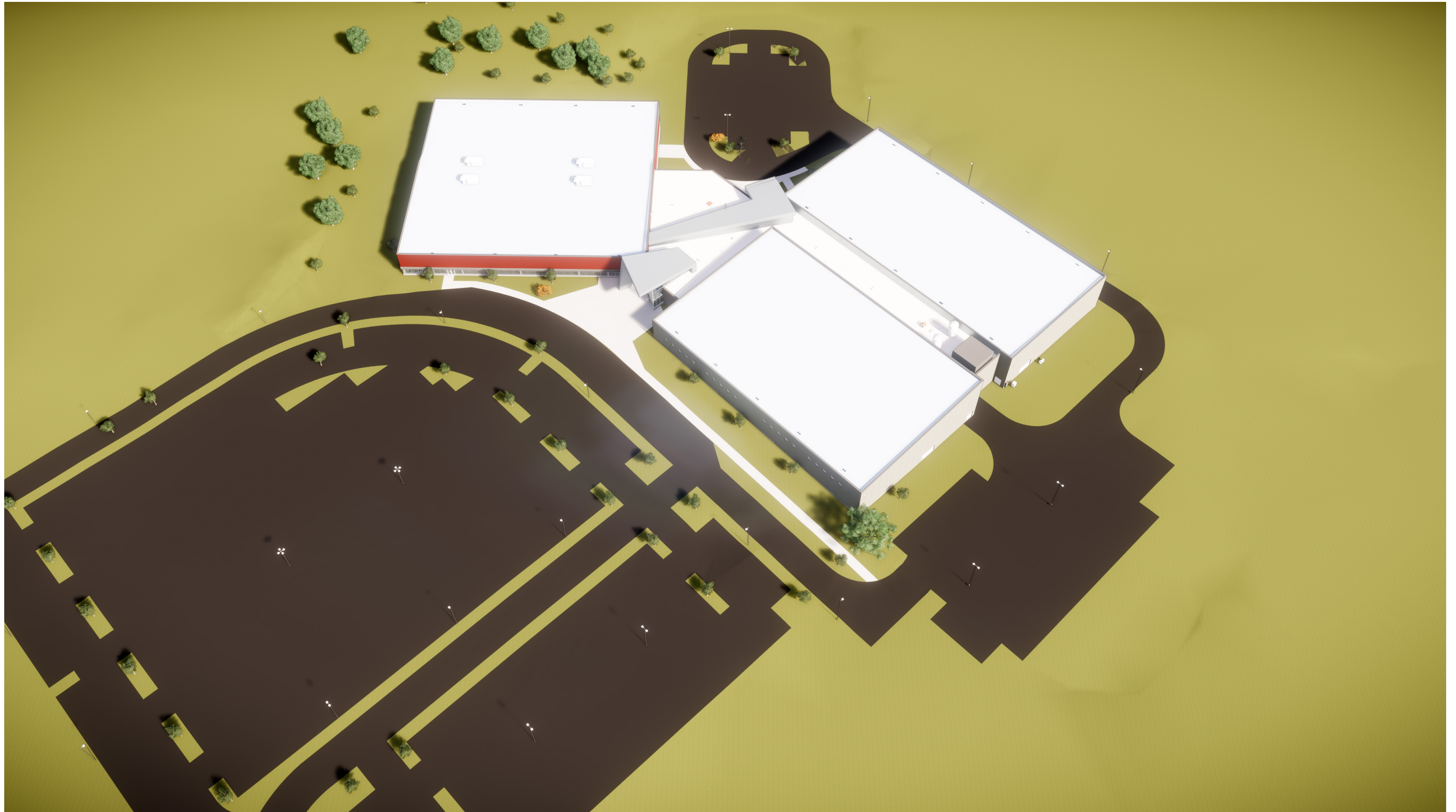
Future Development

-  Phase 1 Planned Development
-  District Boundary
-  Sports Facility Complex Footprint
-  Public Right-of-Way
-  Lower Density Residential
-  Higher Density Residential
-  Mixed-Use Commercial/Residential
-  Commercial or Higher Density Residential
-  Commercial
-  Office Commercial
-  Commercial/Light Industrial
-  Electrical Substation
-  Electrical Transmission Lines (Easement Area Displayed)

Pedestrian & Bicycle Facilities

-  Existing Sidewalk
-  Existing Trail
-  Future Sidewalk
-  Future Trail













NOTICE OF PUBLIC HEARING**#4-18****RE: Proposed Zone Change**

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on May 16, 2018, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zone change:

Rezoning #4-18 has been initiated by the owner/applicant, City of Appleton, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the following described real estate. The owner requests to rezone this recently annexed property:

Purpose of the Rezoning: The recently annexed Leona Pond Annexation located on E. Richard Street (Tax Id #31-1-5244-00), formerly a portion of the parcel located at 2136 E. Wisconsin Avenue (Tax Id #102009900) in the Town of Grand Chute, as legally described above, from Temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to a permanent zoning classification of P-I Public Institutional District.

Legal Description:

Part of Lot Nine (9), Lot Ten (10) and Lot Eleven (11) of **ROWE'S SUBDIVISION**, and part of Lot One (1) of **CERTIFIED SURVEY MAP NUMBER 6101** filed in Volume 36 of Certified Survey Maps on Page 6101 as Document Number 1866751 in the Outagamie County Register of Deeds Office, located in the Fractional Southwest Quarter (SW ¼) of Section 19, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 11.3366 Acres of land m/l and being described by: Commencing at the Southwest corner of said Section 19;

Thence North 00° 22' 42" East 1353.51 feet along the West line of the SW ¼ of said Section 19;

Thence North 76° 51' 35" East 33.94 feet to the Northwest corner of Lot 1 of said Certified Survey Map No.6101 and being coincident with the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being the Point of Beginning;

Thence continue North 76° 51' 35" East 1321.82 feet along the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being coincident with the Northerly line of Lot 1 of said Certified Survey Map No.6101;

Thence South 00° 44' 00" West 503.74 feet;

Thence South 66° 58' 00" West 829.60 feet;

Thence South 00° 47' 05" West 550.34 feet to the Northwesterly line of Wisconsin Avenue (a.k.a. S.T.H. 96);

Thence South 65° 57' 11" West 27.55 feet and being coincident to the Northwesterly line of Wisconsin Avenue to the East line of Bell Air Subdivision;

Thence North 00° 47' 05" East 1154.90 feet and being coincident to the East line of said Bell Air Subdivision to the Northerly line of Richard Street;

Thence South 76° 51' 35" West 514.22 feet and being coincident with the Northerly line of Richard Street to the East line of Ballard Road;

Thence North 00° 22' 42" East 51.42 feet and being coincident with the East line of Ballard Road to the Point of Beginning.

Including all of the adjacent one-half (1/2) right of way of North Ballard Road and East Richard Street.

April 19, 2018

RUN: April 24, 2018
May 1, 2018

KAMI LYNCH
City Clerk

CITY OF APPLETON

NOTICE OF PUBLIC HEARING

PROPOSED COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

NOTICE IS HEREBY GIVEN a Comprehensive Plan Future Land Use Map amendment request has been initiated by the owner/applicant, City of Appleton, pursuant to Wisconsin State Statute 66.1001 and the City of Appleton Comprehensive Plan 2010-2030, that will be presented to the Common Council on Wednesday, May 16, 2018, at 7:00 P.M., in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering an amendment to the Comprehensive Plan Future Land Use Map for the following described recently annexed property:

The recently annexed Leona Pond Annexation located on E. Richard Street (Tax Id #31-1-5244-00), formerly a portion of the parcel located at 2136 E. Wisconsin Avenue (Tax Id #102009900) in the Town of Grand Chute, from future Business/Industrial and One and Two-Family Residential land use to Public/Institutional land use.

A copy of the proposed amendment to the Comprehensive Plan Future Land Use Map is available in the Appleton Community and Economic Development Department or the Office of the City Clerk from 8:00 a.m. until 4:30 p.m., Monday through Friday.

All interested persons are invited to attend this meeting and will be given an opportunity to be heard. Any questions regarding this matter should be directed to David Kress in the Community and Economic Development Department at 920-832-6428.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL – 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

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

RUN: April 13, 2018



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

To: Municipal Services Committee
From: Eric Lom, City Traffic Engineer
Date: April 18, 2018
Re: Proposed parking restrictions related to railroad quiet zone implementation

Implementation of the railroad quiet zone on the main rail line in Appleton will be taking place during the 2018 construction season. This memo addresses the parking restrictions that are necessary at various crossings to implement the Council-approved railroad quiet zone design.

The following ordinance action is required:

1. **Create:** "Parking be prohibited on Perkins Street from a point 340 feet south of Leonard Street to a point 445 feet south of Leonard Street."
2. **Create:** "Parking be prohibited on Story Street from a point 33 feet south of Eighth Street to a point 235 feet south of Eighth Street."
3. **Create:** "Parking be prohibited on State Street from Johnston Street to a point 135 feet north of Johnston Street."
4. **Create:** "Parking be prohibited on the east side of Morrison Street from Pacific Street to a point 160 feet south of Pacific Street."
5. **Repeal Ord. 65-B-91:** "Parking be restricted to two hours from 9:00 a.m. to 5:00 p.m. excluding Saturdays, Sundays and Holidays on the north side of Lawrence from a point 222' east of the east property line of Badger Avenue to Locust Street."
6. **Repeal Ord. 112-01:** "Parking be prohibited on the north side of Lawrence Street from a point 185' east of Badger Avenue, extending 37' east."
7. **Repeal Ord. 111-01:** "Parking be restricted to two hours from 9:00 a.m. to 5:00 p.m., except Saturday, Sundays and Holidays, on the north side of Lawrence Street from Badger Avenue to a point 185' east of Badger Avenue."
8. **Create:** Parking be prohibited on the north side of Lawrence Street from Badger Avenue to a point 87 feet east of Badger Avenue."
9. **Create:** Parking be prohibited on the south side of Lawrence Street from Badger Avenue to Locust Street."



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

To: Municipal Services Committee
From: Eric Lom, City Traffic Engineer
Date: May 1, 2018
Re: Proposed parking restrictions related to railroad quiet zone implementation (Revised)

Implementation of the railroad quiet zone on the main rail line in Appleton will be taking place during the 2018 construction season. This memo addresses the parking restrictions that are necessary at various crossings to implement the Council-approved railroad quiet zone design. It has been revised to reflect changes that were requested by the Boy's and Girl's Club.

The following ordinance action is required:

1. **Create:** "Parking be prohibited on Perkins Street from a point 340 feet south of Leonard Street to a point 445 feet south of Leonard Street."
2. **Create:** "Parking be prohibited on Story Street from a point 33 feet south of Eighth Street to a point 235 feet south of Eighth Street."
3. **Create:** "Parking be prohibited on State Street from Johnston Street to a point 135 feet north of Johnston Street."
4. **Create:** "Parking be prohibited on the east side of Morrison Street from Pacific Street to a point 160 feet south of Pacific Street."
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7. **Repeal Ord. 111-01:** "Parking be restricted to two hours from 9:00 a.m. to 5:00 p.m., except Saturday, Sundays and Holidays, on the north side of Lawrence Street from Badger Avenue to a point 185' east of Badger Avenue."
8. **Create:** "Parking be prohibited on the north side of Lawrence Street from Badger Avenue to a point 87 feet east of Badger Avenue."
9. **Create:** "Parking be restricted to two hours from 9:00 a.m. to 5:00 p.m., except Saturday, Sundays and Holidays, on the north side of Lawrence Street from a point 87 feet east of Badger Avenue to a point 280 feet east of Badger Avenue."
10. **Create:** "Parking be prohibited on the south side of Lawrence Street from Badger Avenue to Locust Street."

Memorandum of Understanding

Between

City of Appleton Public Works Department and Creative Downtown Appleton Inc. (CDA)

This Memorandum of Understanding (MOU) sets for the terms and understanding between the City of Appleton and Creative Downtown Appleton Inc. to install and maintain a pet friendly waste station on the west end of Downtown Appleton.

Background

A Pet Friendly Downtown will better serve the needs of residents, boost visitor traffic to our central business district, and ensure that pet-loving people throughout the Fox Cities know their entire family is welcome in Downtown Appleton. As we see more and more dogs within Downtown Appleton, the waste station on the west end will provide the bags and smell proof container needed to keep downtown pet friendly across the entire district.

Purpose

This MOU will outline the responsibilities of the partnership between the City of Appleton Public Works Department, Creative Downtown Appleton Inc. (CDA) to install, and George Schroeder of C.U. Saloon to maintain the waste station.

CDA will provide the commercial grade aluminum, roll bag waste station as shown in the included graphic. Any repairs needed to the waste station will be the responsibility of CDA.

George Schroeder of C.U. Saloon will agree to empty the waste station's locked compartment four days of each week throughout the year. Monday, Wednesday, Friday and Saturday.

The City of Appleton Public Works will install the waste station in the flower planter by C.U. Saloon (409 W. College Ave).

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials. This MOU shall become effective upon signature by the authorized officials and will remain in effect until modified or terminated by any one of the partners by mutual consent.

If at some time the MOU is terminated it is understood that the waste station would be removed.

Contact Information

City of Appleton
Paula Vandehey
Director of Public Works

Creative Downtown Appleton Inc.
Jennifer Stephany
Executive Director



_____ Date

_____ Date



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

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

To: Municipal Services Committee
From: Eric S. Lom, City Traffic Engineer
Date: April 26, 2018
Re: Intersection traffic control at the Marshall Heights Av / Crossing Meadows Ln intersection
Follow-up to a 6-Month Trial

As a follow-up to a citizen concern, the Traffic Section recently initiated a six-month trial period to test the installation of stop signs for northbound/southbound traffic at the intersection of Marshall Heights Avenue and Crossing Meadows Lane (it was previously uncontrolled). This is a four-legged intersection that is located west of Meade Street and north of Evergreen Drive. The land use in this general area is residential.

In our typical intersection control study, we consider traffic volumes, crash history, safe approach speeds, etc. However, the *Manual on Uniform Traffic Control Devices* also states, for the sake of consistency, that intersection control should be installed at uncontrolled intersections which are located in predominantly controlled areas (stops, yields, signals). We have interpreted this to mean that if more than 75% of the four-legged intersections in a particular area (whose boundaries are typically defined by collector or arterial roadways) are controlled, the remaining uncontrolled four-legged intersections should have an appropriate form of control added. Currently, the subject intersection was the only four-legged intersection in this area that had been uncontrolled (prior to the 6-month trial).

The critical approach speed at this intersection (northbound) is relatively low due to the presence of two large pine trees, neither of which are located in the designated vision corners. Based on policy, the measured critical approach speed indicates that stop control is appropriate for northbound/southbound traffic.

The stop control that was implemented during the trial period created a safer environment for drivers. Additionally, we received no feedback from the neighborhood. Based on this, we recommend making the change permanent.

To accomplish this, the following ordinance action is required:

1. **Create:** "Install stop signs on Marshall Heights Avenue at Crossing Meadows Lane"



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

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

To: Municipal Services Committee
From: Mike Hardy, Assistant City Traffic Engineer
Date: April 27, 2018
Re: Proposed changes to parking restrictions on Commercial St and Spring St near Lincoln Elementary
Follow-Up to Six-Month Trial Period

In September of 2017, my office was contacted by the Principal and Police Liaison at Lincoln Elementary. They requested a change to the parking restrictions on Commercial Street and Spring Street along school property to better address their morning drop-offs and afternoon pick-ups. Concerns were expressed that the current situation does not provide enough curb space for this activity due to school faculty parking on the street.

In response, we implemented a six month trial of parking restriction changes that lasted from October 1st 2017 through April 1st 2018.

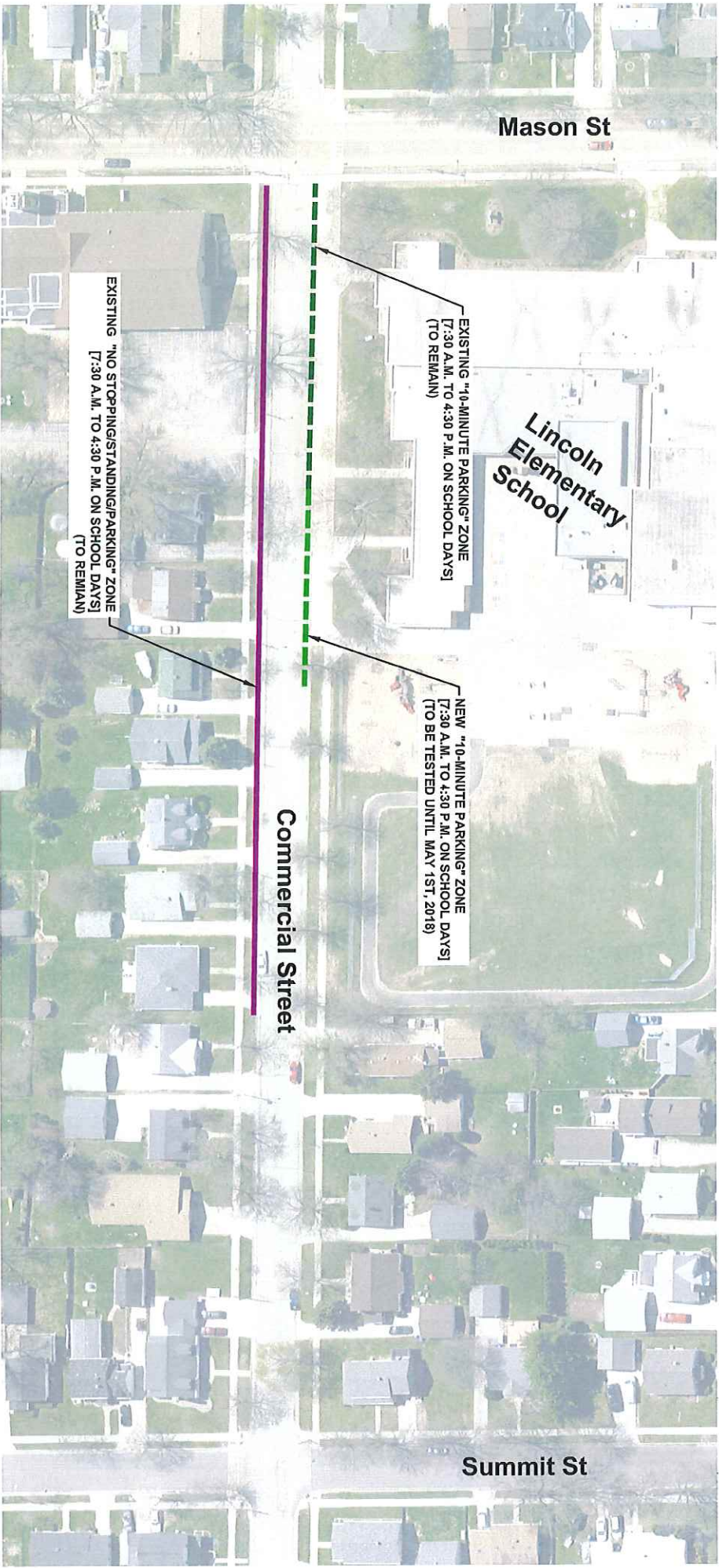
- On Commercial Street, we extended the existing *10-minute parking zone* (from 7:30 a.m. to 4:30 p.m. on school days) on the school side of the street further to the east by about 130 feet. See the Commercial Street illustration for addition detail.
- On Spring Street, we removed the existing *10-minute loading zone* (from 7:30 a.m. to 4:30 p.m. on school days) on the school side of the street, east of the existing Handicapped Parking, and replaced it with a *10-minute parking zone* (from 7:30 a.m. to 4:30 p.m. on school days). This new zone was also extended east an additional 85 feet, stopping 10 feet short of the existing fire hydrant. See the Spring Street illustration for addition detail.

The adjacent property owners and residents were mailed a notice letter about these trial changes in September of 2017. They were encouraged to provide feedback throughout the trial period. The Principal of Lincoln Elementary also went door to door at the beginning of the trial to discuss the school parking needs and requested changes.

After the trial period ended, a review of conditions was conducted with the Principal. Lincoln Elementary is happy with the changes, and supports making them permanent. We believe the trial has improved the morning drop-offs and afternoon pick-ups without any significant impacts to nearby residents with faculty parking forced a bit further to the east down the respective streets. No other feedback was received from the residents or property owners. As such we recommend making these changes permanent.

To accomplish this, the following ordinance action is required:

1. **Repeal Ord. 40-05:** "Ten minute parking on school days from 7:30 a.m. to 4:30 p.m. on the north side of Commercial Street from Mason Street to a point 208 feet east of Mason Street."
2. **Create:** "Parking be restricted to ten minutes on school days from 7:30 a.m. to 4:30 p.m., on the north side of Commercial Street from Mason Street to a point 340 feet east of Mason Street."
3. **Repeal Ord. 54-05:** "Ten-minute loading zone, from 7:30 a.m. to 4:30 p.m. on school days, on the south side of Spring Street, from a point 80 feet east of Mason Street to a point 300 feet east of Mason Street."
4. **Create:** "Parking be restricted to ten minutes on school days from 7:30 a.m. to 4:30 p.m., on the south side of Spring Street, from a point 80 feet east of Mason Street to a point 385 feet east of Mason Street."



Mason St

Lincoln
Elementary
School

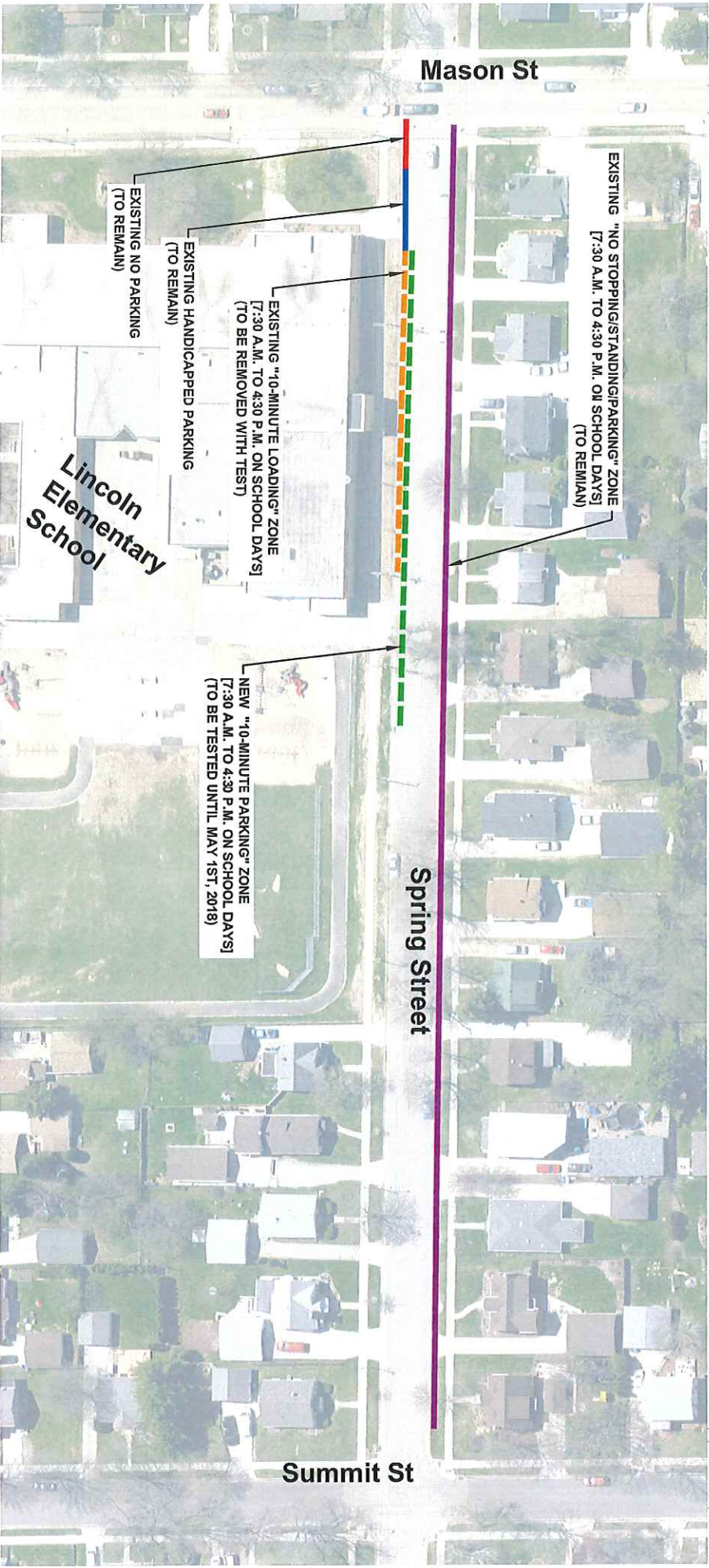
EXISTING "10-MINUTE PARKING" ZONE
[7:30 A.M. TO 4:30 P.M. ON SCHOOL DAYS]
(TO REMAIN)

NEW "10-MINUTE PARKING" ZONE
[7:30 A.M. TO 4:30 P.M. ON SCHOOL DAYS]
(TO BE TESTED UNTIL MAY 1ST, 2018)

EXISTING "NO STOPPING/STANDING/PARKING" ZONE
[7:30 A.M. TO 4:30 P.M. ON SCHOOL DAYS]
(TO REMAIN)

Commercial Street

Summit St



Mason St

EXISTING "NO STOPPING/STANDING/PARKING" ZONE
[7:30 A.M. TO 4:30 P.M. ON SCHOOL DAYS]
(TO REMAIN)

EXISTING NO PARKING
(TO REMAIN)

EXISTING HANDICAPPED PARKING
(TO REMAIN)

EXISTING "10-MINUTE LOADING" ZONE
[7:30 A.M. TO 4:30 P.M. ON SCHOOL DAYS]
(TO BE REMOVED WITH TEST)

Lincoln
Elementary
School

NEW "10-MINUTE PARKING" ZONE
[7:30 A.M. TO 4:30 P.M. ON SCHOOL DAYS]
(TO BE TESTED UNTIL MAY 1ST, 2018)

Spring Street

Summit St



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

To: Municipal Services Committee
From: Eric Lom, City Traffic Engineer
Date: April 27, 2018
Re: Parking restriction change on Winnebago Street by Appleton West High School
Follow-Up to Six-Month Trial Period

The Traffic Section was contacted by a representative from Appleton West High school regarding a parking issue on the south side of Winnebago Street, just east of Gillette Street. They were having trouble accommodating all of the school buses that need to load and unload students in this area, which is immediately adjacent to their facility. In an effort to address this issue, they requested that a small area of “No Parking on School Days” be converted to “No Stopping/Standing/Parking except Buses, on School Days.”

Based on our review of the situation, we felt that this change would adequately address their concerns without any substantial downside. As such, we instituted a 6-month trial to test the changes.

Upon review at the end of the trial period, AASD was pleased with the effectiveness of the change. Additionally, we have received no negative feedback from the neighborhood regarding this change. As such we recommend making the change permanent.

To accomplish this, the following ordinance action is required:

1. **Repeal Ord. 98-109:** “Stopping, standing and parking be prohibited from 7:00 a.m. to 4:30 p.m. except for school bus loading, on the south side of Winnebago Street from the east right-of-way line of Badger Avenue to a point 510' east.”
2. **Create:** “Stopping, standing and parking be prohibited from 7:30 a.m. to 4:30 p.m. except for school bus loading, on the south side of Winnebago Street from Badger Avenue to a point 460 feet east of Badger Avenue.”



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

To: Municipal Services Committee
From: Eric Lom, City Traffic Engineer
Date: May 3, 2018
Re: Recommended award of the *Unit P-18* Pavement Marking Maintenance Contract (Epoxy)

Quotes were opened for the *Unit P-18* Pavement Marking Maintenance Contract on May 3, 2018, as a means of establishing unit prices for this annual maintenance contract, which generally involves the installation/replacement of durable epoxy-type longitudinal and transverse pavement markings throughout the City.

While three quotes were solicited, only two quotes were received. Brickline, Inc., of Madison, Wisconsin, submitted the low quote in the total amount of \$99,537.10.~~35~~, which is ~10% lower than our engineer's estimate of \$110,000. Brickline, Inc., has worked with the City on this annual contract in past years with excellent results.

Based on this, we recommend award of the contract to Brickline, Inc., in an amount not to exceed \$139,000. This dollar amount is based on the combination of available budgeted funds for pavement marking maintenance (17022) and pavement markings that will be completed for other city projects (17014, 4240, etc.).



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

REQUEST for Beer/Liquor License Premise Amendment

FEES ARE NON-REFUNDABLE

Date Recv'd 4/11/18

License Fee \$ 10.00

Acct. 11030.4306

Receipt 483 4364

SECTION 1 - LICENSE INFORMATION

Name of Establishment Mr Brews Taphouse

tammyv@mrbrewstaphouse.com

Address of Establishment 201 S. Riverheath Way Ste 1100

Name of Agent Tammy Verhagen

Phone Number 920-819-7177

SECTION 2 - PREMISE AMENDMENT

Please describe the change in premises:

A drawing/diagram of the proposed area must also be submitted with this application

See attached

Is this change Permanent?

☐ YES

☒ NO

If this is temporary please specify the reason for the amendment:

Music events

Please list the date(s) and time(s) that this temporary premise amendment will be utilized:

June 23rd, July 21st, August 18th

SECTION 4 - PENALTY NOTICE

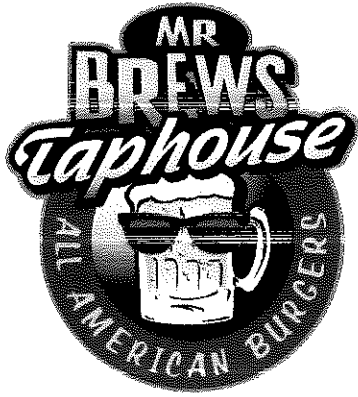
I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.

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

Signature of Applicant: Tammy Verhagen

FOR OFFICE USE ONLY

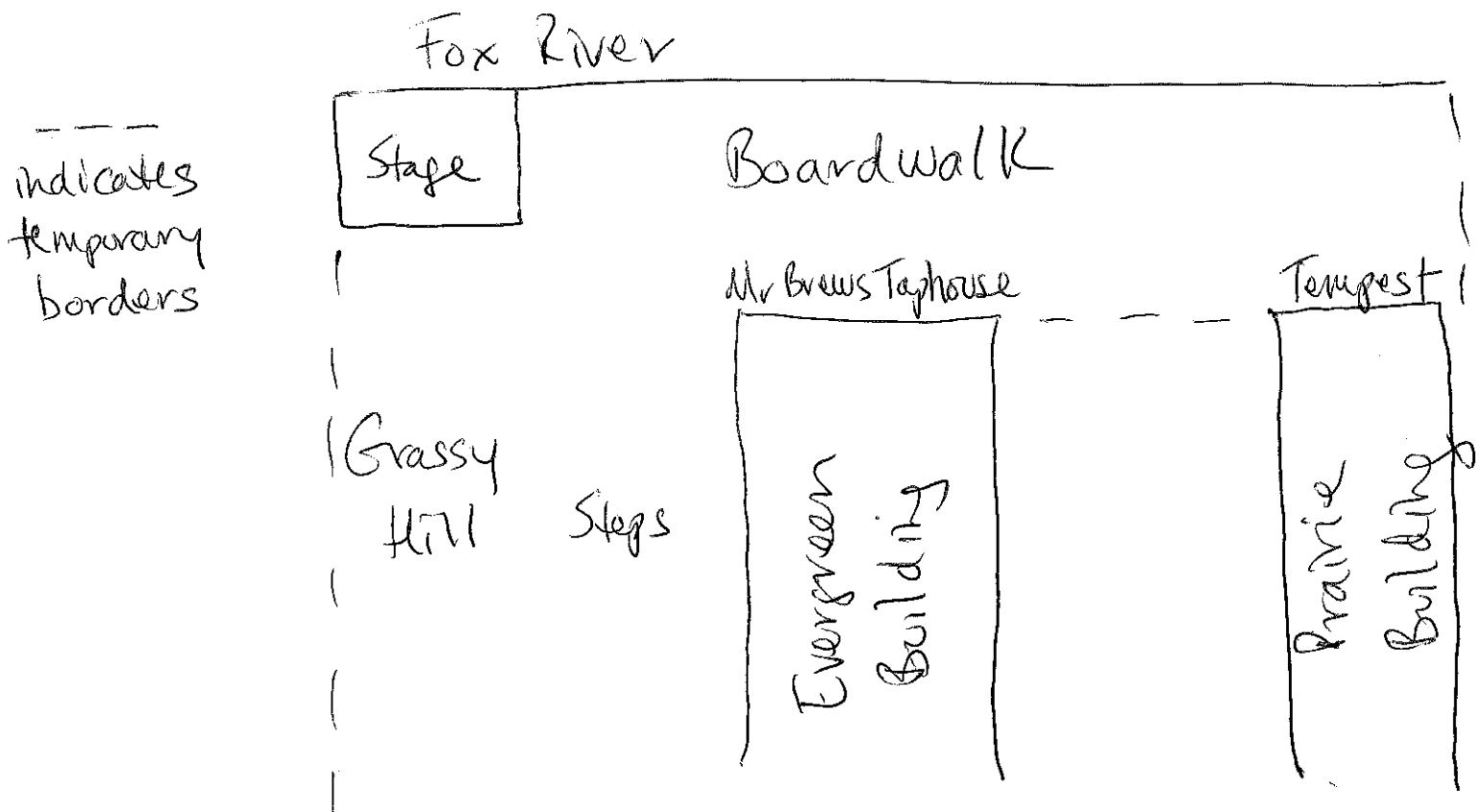
Department	Approve	Deny	By	Reason
Comm. Dev.				
Finance				
Fire				
Health				
Inspections				
Police				
S&L	Council		Date Issued	Exp. Date
				License Number



Vers Venture, LLC would like to amend the description of their premises at 201 S. Riverheath Way, Suite 1100 to include the following:

- approx. 10,000 square feet of additional outdoor space
- entire boardwalk area outside of existing fenced patio
- stage
- grassy hill next to steps leading down to the boardwalk

This additional space will be used for specific events on the following dates: June 23rd, July 21st, and August 18th.



Operator's Licenses for 5/9/18 S & L

Approved

Alexandra D. Beck	2960 W. Spencer Street, #N2
Kylie M. Beecher	4712 N. Tanglewood Drive
Dustin V. Benecke	901 E. Pershing Street
Roberta A. Benzschawel	4001 Towne Lakes Circle #5108
Adam M. Bordeaux	P.O. Box 813
Kenton O. Craddock	105 Valcrie Drive
Ginger L. Denton	219 E. 14 th Street, Kaukauna
Emily M. DuBois	804 E. Maple Street
Ryan J. Dunsirn	3309 Blueberry Lane
Keri Dvorachek	219 E. Murray Avenue
Stephanie A. Giron	1165 Manitowoc Road, Menasha
Dennis G. Gonzales	1501 S. Chickadee Lane
Bryanna L. Gullickson	202 N. Union Street
Michael B. Hetzel	2130 Elmview Drive, #D, Tomahawk
Jamie M. Hostettler	1038 W. Spring Street
Kimberly L. Huddleston	516 N. Morrison Street
Melissa A. Ingraham	1306 S. Oneida Street
Ray L. Johnson	2601 N. Chestwood Court
Kara N. King	4600 N. Providence Ave., #2
Ashlyn R. Lonsway	1725 N. Mason Street
Michael D. Marvin	710 E. Franklin Street
Christopher J. Montour	904 N. Bay Ridge Road
Trista K. Nickerson	614 ½ W. Winnebago Street
Sherry A. Peters	4506 N. Snowy Owl Court
Tayler M. Peters	4506 N. Snowy Owl Court
Rebekah L. Sokel	212 Lake Shore Drive, Hortonville
Jacob J. Steeno	505 Grand Avenue, #C, Little Chute
Ashley N. Stevens	931 S. Arlington Street
Isaac A. Stitt	1626 Schaefer Circle, #7
Jessica L. Tassoul	137 S. Railroad Street, Kimberly
Mireya Vera	325 E. Taft Avenue
Sonia E. Verrett	1825 Harrison Street, #15, Neenah
Jennifer Vue	201 Elm Street, Combined Locks
Kellie J. Waddle	1609 W. Spencer Street
Ashleigh Wolff	2355 W. Pershing Street

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning June 20 18 ;
ending June 30 20 18

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

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

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

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

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): MJ Author's Kitchen 629 12th St Menasha WI 54952

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

	Title	Name	Home Address	Post Office & Zip Code
President/Member		<u>Joshua D. Sickler</u>		
Vice President/Member		<u>Matias Whittingslow</u>		
Secretary/Member				
Treasurer/Member				
Agent		<u>Joshua D. Sickler</u>		
Directors/Managers				

3. Trade Name Author's Kitchen & Bar Business Phone Number _____
4. Address of Premises 201 N Appleton St Post Office & Zip Code Appleton 54911

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) Corporate/limited liability company applicants only: Insert state Wisconsin and date April 2018 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 3000 sq-ft. first floor and basement

10. Legal description (omit if street address is given above): _____
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No
(b) If yes, under what name was license issued? 11 Angelo
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5d) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

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

SUBSCRIBED AND SWORN TO BEFORE ME

this 1 day of May, 20 18

Cathy Bolwick
(Clerk/Notary Public)

My commission expires _____

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

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

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

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>5-1-18</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Renewal Operator's Licenses for 5/9/18 S & L

Approved

Cindy L. Baemmert	1416 S. Jefferson Street
Samantha K. Gooding	2323 S. Fountain Street
Andrew S. Hoersch	W6748 County Road P, Black Creek
Maria Lopez-Garcia	1009 E. Kramer Lane
Charlene D. Wilson	1225 E. Gunn Street, #1
Katherine A. Heller	1622 N. Ullman Street
Tiffany G. Yang	220 Olde Pulley Lane, #S, Menasha
Conor M. O'Hagan	W6656 Elmview Drive
Candace D. Dyer	319 S. Lee Street
Mary A. Wisniewski	301 W. 12 th Street, Kaukauna
Allexander J. Stichman	N11037 State Road 22, Clintonville
Brandon J. Koepke	3502 S. Telulah Avenue
Anthony L. Greco	807 N. Richmond Street
Melissa L. Kincannon	1525 Hillcrest Drive, Kaukauna



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: April 10, 2018

Common Council Public Hearing Meeting Date: May 16, 2018 (Public Hearing on Comprehensive Plan Amendment and Rezoning)

Items: City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #1-18 and Rezoning #4-18

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner: City of Appleton

Applicant: Appleton City Plan Commission

Address/Parcel: East Richard Street - Leona Pond (Tax Id #31-1-5244-00, formerly part of Town of Grand Chute Tax Id #102009900)

Petitioner's Request: To assign a permanent zoning classification to newly annexed property, pursuant to Section 23-65(e) of the Municipal Code, from temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to a permanent zoning classification of P-I Public/Institutional District. A portion of the adjacent Ballard Road and Richard Street right-of-way, currently zoned C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District, is also included in this request. The request is being made to facilitate construction of a City-owned stormwater management facility.

In conjunction with this request, the applicant is also requesting to amend the City's *Comprehensive Plan 2010-2030* Future Land Use Map from Business/Industrial and One and Two-Family Residential designation to Public/Institutional designation for the subject parcel.

BACKGROUND

On April 4, 2018, Common Council adopted Ordinance 37-18, to annex the subject area from the Town of Grand Chute to the City of Appleton. The property was officially annexed to the City on April 10, 2018 at 12:01 a.m. During review of the Leona Pond Annexation, the Plan Commission initiated a rezoning for the subject property from Temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to a permanent zoning classification of P-I Public/Institutional District.

The Plan Commission also initiated an amendment to the City's *Comprehensive Plan 2010-2030* Future Land Use Map from Business/Industrial and One and Two-Family Residential designation to Public/Institutional designation for the subject parcel.

STAFF ANALYSIS

Procedural Findings: When a *Comprehensive Plan 2010-2030* Future Land Use Map Amendment and Rezoning application are required for the same development project, the respective staff reports are consolidated together as one.

Existing Site Conditions: The subject parcel is approximately 11.3366 acres in size and located east of North Leona Street and north of East Wisconsin Avenue. East Richard Street dead ends at the subject parcel. Currently, the parcel is undeveloped.

Surrounding Zoning Classification and Land Uses:

North: M-2 General Industrial District. The adjacent land uses to the north are currently industrial.

South: Town of Grand Chute. The adjacent land use to the south are currently undeveloped and single-family residential.

East: Town of Grand Chute. The adjacent land uses to the east are currently undeveloped.

West: R-1A Single-Family District and R-2 Two-Family District. The adjacent land uses to the west are single-family residential.

Proposed Future Land Use Designation: Amendments to the Comprehensive Plan are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing circumstances in the City. In this case, a specific City construction project for a stormwater management facility on this parcel is necessitating the change to Public/Institutional designation. The proposed use of the property is consistent with the Public/Institutional Future Land Use designation.

The *Comprehensive Plan 2010-2030* does not identify specific locations for future public/institutional uses. However, Chapter 10 states that while public or institutional uses may be located on land designated for any use, certain criteria should guide site selection. At a minimum, the City should consider:

- Compatibility with existing or planned land uses in the area. *The proposed use of the property as a City-owned stormwater facility is consistent with the Public/Institutional Future Land Use designation.*
- Traffic or other impacts and the need for utilities. *The subject area is served by existing infrastructure, and the proposed Public/Institutional designation should not have a significant impact on traffic.*
- Scale of the proposed use (buildings, etc.) in comparison to existing or planned neighboring uses. *The Future Land Use Map Amendment request is being made to accommodate a stormwater management facility. No buildings or structures are proposed at this time.*
- Whether the proposed location may be better suited to other uses (such as commercial or employment-related) that may be needed to serve the neighborhood or provide a proportionally greater benefit to the community as a whole. *The Future Land Use Map Amendment request is being made to serve a stormwater management need for this area.*

Comprehensive Plan 2010-2030 Goals and Objectives: The *Comprehensive Plan 2010-2030* and Future Land Use Map are intended to guide City growth and development in an organized, efficient manner. The Plan addresses a range of topics related to land use, housing and neighborhoods, economic development, transportation, utilities and community facilities, and more. Evaluating the proposed amendment for consistency with relevant goals, objectives, and policies is necessary in determining if changes to the Future Land Use Map are appropriate. The proposed amendment appears to be consistent with the following excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 5 – Utilities and Community Services

Appleton will provide excellent public utility and community services at a reasonable cost, and will work with private utility companies to ensure quality service delivery.

OBJECTIVE 7.5: Implement effective stormwater management practices.

Policy 7.5.1 Continue to implement the City's Surface Water Management Plan and its WPDES Municipal Separate Storm Sewer System (MS-4) permit from the Wisconsin Department of Natural Resources.

OBJECTIVE 10.1 Land Use:

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

Policy 10.1.1 Adopt, and as necessary, amend the Future Land Use Map in the Comprehensive Plan.

Proposed Zoning Classification: The P-I Public/Institutional District is intended to provide for public and institutional uses and buildings, utilized by the community, and to provide open space standards where necessary for the protection of adjacent residential properties. The development standards for the P-I District are listed below:

- 1) **Minimum lot area.** None.
- 2) **Maximum lot coverage.** Seventy percent (70%).
- 3) **Minimum lot width.** None.
- 4) **Minimum front yard.** Twenty (20) feet plus an additional one (1) foot for each two (2) feet that the building or structure exceeds thirty-five (35) feet in height.
- 5) **Minimum rear yard.** Twenty (20) feet plus an additional one (1) foot for each two (2) feet that the building or structure exceeds thirty-five (35) feet in height.
- 6) **Minimum side yard.** Twenty (20) feet plus an additional one (1) foot for each two (2) feet that the building or structure exceeds thirty-five (35) feet in height.
- 7) **Maximum building height.** Sixty (60) feet.

Zoning Ordinance Review Criteria: Per Section 23-65(e) of the Municipal Code, a temporary zoning classification is assigned to newly annexed territory, with permanent zoning taking place following the annexation process. All territory annexed to the City is assigned a zoning classification as recommended by Plan Commission. The Plan Commission shall consider the following criteria in selection of an appropriate zoning district for the annexed land:

- The existing land uses within the territory to be annexed;
- The surrounding land uses that exist on adjacent properties regardless of municipal boundary lines;
- The Comprehensive Plan of the City.

In this case, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to a permanent zoning classification of P-I Public/Institutional District. A portion of the adjacent Ballard Road and Richard Street right-of-way, currently zoned C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District, is also included this request. A rezoning initiated directly by Plan Commission is processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council. If approved, any future development would need to conform to the P-I District zoning regulations listed above and other sections of the Zoning Ordinance.

The Plan Commission also initiated an amendment to the City's *Comprehensive Plan 2010-2030* Future Land Use Map from Business/Industrial and One and Two-Family Residential designation to Public/Institutional designation for the subject parcel. This Future Land Use designation is consistent with the proposed P-I Zoning District.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *If Future Land Use Map Amendment #1-18 is approved, to identify this area for future public/institutional uses, the rezoning request will be in conformance with the Comprehensive Plan 2010-2030.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map, is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).

4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
 1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning. The land is being proposed to be used as a stormwater management facility.*
 2. The effect of the proposed rezoning on surrounding uses. *Single-family residential uses are located to the west of the subject site and business/industrial uses are located north of the site. Properties to the east and south of the subject area consist of vacant, undeveloped land. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

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

Technical Review Group (TRG) Report: This item was discussed at the January 23, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #1-18 from Business/Industrial and One and Two-Family Residential designation to Public/Institutional designation and attached resolution, **BE APPROVED**; and

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #4-18 to rezone the subject parcel located at East Richard Street (Tax Id # 31-1-5244-00, formerly part of Town of Grand Chute Tax Id #102009900) from Temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to a permanent zoning classification of P-I Public/Institutional District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

NOTE: If approved, Rezoning #4-18 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #1-18 to accurately reflect the change in future land use from Business/Industrial and One and Two-Family Residential designation to Public/Institutional designation.

**RESOLUTION
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

WHEREAS, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

WHEREAS, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

WHEREAS, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

WHEREAS, members of the public were invited to make comments at a meeting held on April 10, 2018, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #1-18) herein adopted were reviewed and commented upon by members of the public; and

WHEREAS, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on April 10, 2018; and

WHEREAS, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution:

1. Having been filed with the City Clerk by the City of Appleton Community and Economic Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property on the Future Land Use Map from (Business/Industrial and One and Two-Family Residential Use) to (Public/Institutional Use).

WHEREAS, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

WHEREAS, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

WHEREAS, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

Adopted this _____ day of _____, 2018.

Timothy M. Hanna, Mayor

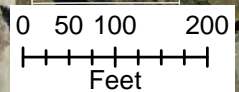
ATTEST:

Kami Lynch, City Clerk

Leona Pond Annexation
Rezoning
Temporary AG Agricultural District, C-2 General Commercial District,
R-1A Single Family District and R-2 Two-Family District
to P-I Public Institutional District




City Plan Commission
4-10-18



Subject Parcel

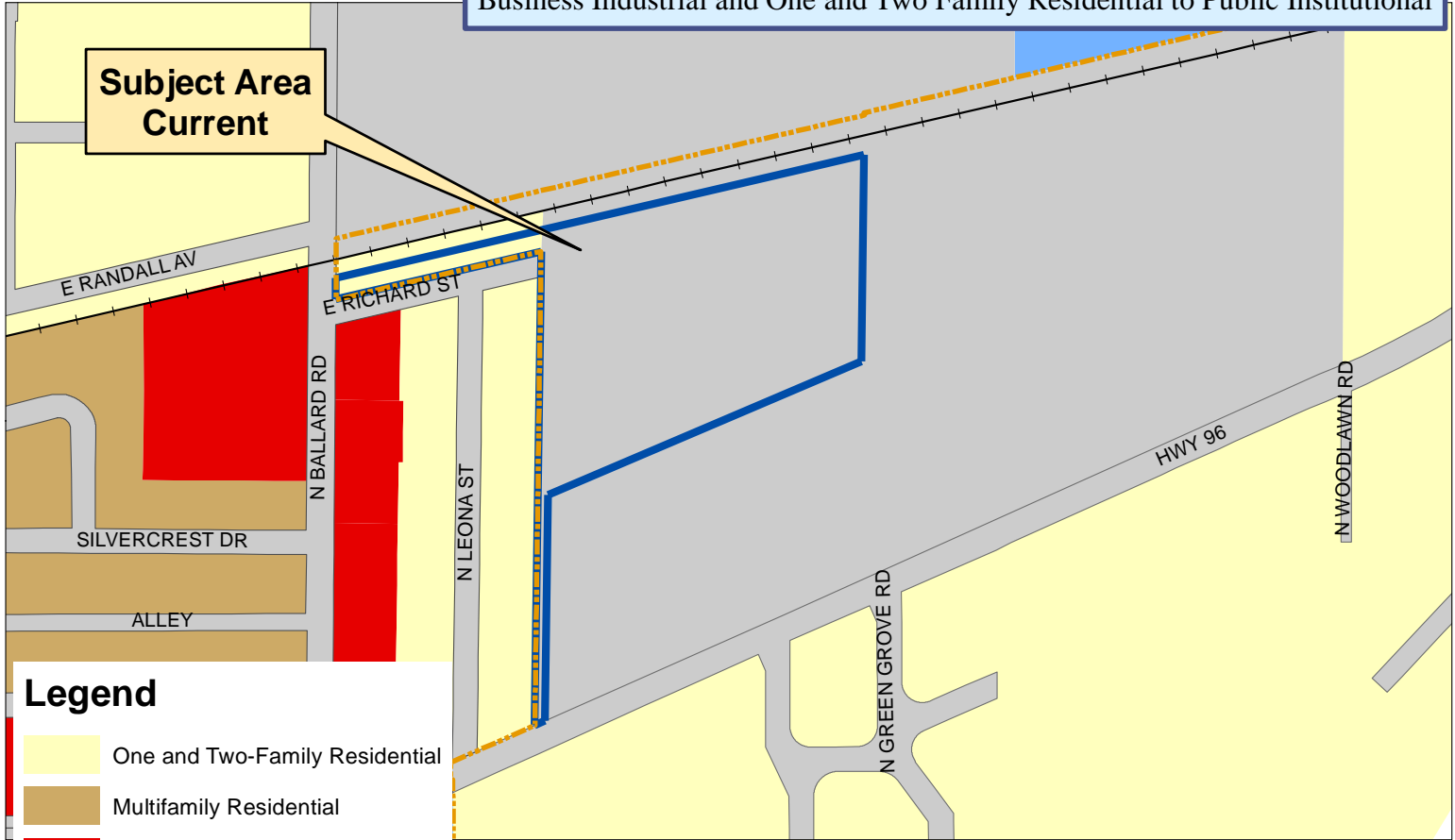
City Plan Commission
4-10-18

0 50 100 200 Feet



Future Land Use Map Amendment
Leona Pond
Tax ID102009900
Business Industrial and One and Two Family Residential to Public Institutional

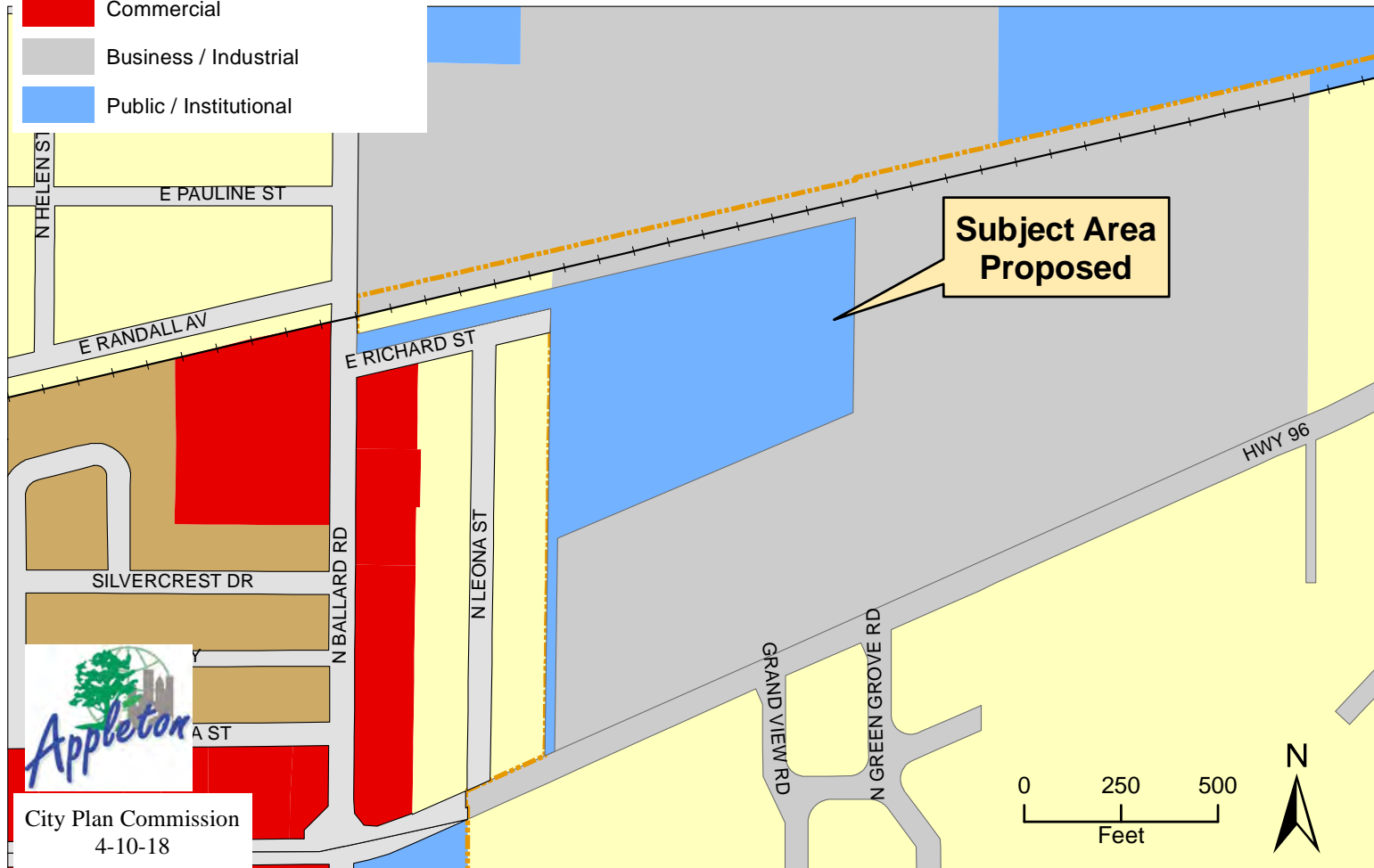
Subject Area
Current



Legend

- One and Two-Family Residential
- Multifamily Residential
- Commercial
- Business / Industrial
- Public / Institutional

Subject Area
Proposed





REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Meeting Date: April 10, 2018

Common Council Public Hearing Meeting Date: May 16, 2018 (Public Hearing on Comprehensive Plan Amendment and Rezoning)

Items: City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #1-18 and Rezoning #4-18

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner: City of Appleton

Applicant: Appleton City Plan Commission

Address/Parcel: East Richard Street - Leona Pond (Tax Id #31-1-5244-00, formerly part of Town of Grand Chute Tax Id #102009900)

Petitioner's Request: To assign a permanent zoning classification to newly annexed property, pursuant to Section 23-65(e) of the Municipal Code, from temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to a permanent zoning classification of P-I Public/Institutional District. A portion of the adjacent Ballard Road and Richard Street right-of-way, currently zoned C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District, is also included in this request. The request is being made to facilitate construction of a City-owned stormwater management facility.

In conjunction with this request, the applicant is also requesting to amend the City's *Comprehensive Plan 2010-2030* Future Land Use Map from Business/Industrial and One and Two-Family Residential designation to Public/Institutional designation for the subject parcel.

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STAFF ANALYSIS

Procedural Findings: When a *Comprehensive Plan 2010-2030* Future Land Use Map Amendment and Rezoning application are required for the same development project, the respective staff reports are consolidated together as one.

Existing Site Conditions: The subject parcel is approximately 11.3366 acres in size and located east of North Leona Street and north of East Wisconsin Avenue. East Richard Street dead ends at the subject parcel. Currently, the parcel is undeveloped.

Surrounding Zoning Classification and Land Uses:

North: M-2 General Industrial District. The adjacent land uses to the north are currently industrial.

South: Town of Grand Chute. The adjacent land use to the south are currently undeveloped and single-family residential.

East: Town of Grand Chute. The adjacent land uses to the east are currently undeveloped.

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Proposed Future Land Use Designation: Amendments to the Comprehensive Plan are sometimes triggered by technical corrections to omissions or errors, specific development proposals, or changing circumstances in the City. In this case, a specific City construction project for a stormwater management facility on this parcel is necessitating the change to Public/Institutional designation. The proposed use of the property is consistent with the Public/Institutional Future Land Use designation.

The *Comprehensive Plan 2010-2030* does not identify specific locations for future public/institutional uses. However, Chapter 10 states that while public or institutional uses may be located on land designated for any use, certain criteria should guide site selection. At a minimum, the City should consider:

- Compatibility with existing or planned land uses in the area. *The proposed use of the property as a City-owned stormwater facility is consistent with the Public/Institutional Future Land Use designation.*
- Traffic or other impacts and the need for utilities. *The subject area is served by existing infrastructure, and the proposed Public/Institutional designation should not have a significant impact on traffic.*
- Scale of the proposed use (buildings, etc.) in comparison to existing or planned neighboring uses. *The Future Land Use Map Amendment request is being made to accommodate a stormwater management facility. No buildings or structures are proposed at this time.*
- Whether the proposed location may be better suited to other uses (such as commercial or employment-related) that may be needed to serve the neighborhood or provide a proportionally greater benefit to the community as a whole. *The Future Land Use Map Amendment request is being made to serve a stormwater management need for this area.*

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Goal 5 – Utilities and Community Services

Appleton will provide excellent public utility and community services at a reasonable cost, and will work with private utility companies to ensure quality service delivery.

OBJECTIVE 7.5: Implement effective stormwater management practices.

Policy 7.5.1 Continue to implement the City's Surface Water Management Plan and its WPDES Municipal Separate Storm Sewer System (MS-4) permit from the Wisconsin Department of Natural Resources.

OBJECTIVE 10.1 Land Use:

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

Policy 10.1.1 Adopt, and as necessary, amend the Future Land Use Map in the Comprehensive Plan.

Proposed Zoning Classification: The P-I Public/Institutional District is intended to provide for public and institutional uses and buildings, utilized by the community, and to provide open space standards where necessary for the protection of adjacent residential properties. The development standards for the P-I District are listed below:

- 1) **Minimum lot area.** None.
- 2) **Maximum lot coverage.** Seventy percent (70%).
- 3) **Minimum lot width.** None.
- 4) **Minimum front yard.** Twenty (20) feet plus an additional one (1) foot for each two (2) feet that the building or structure exceeds thirty-five (35) feet in height.
- 5) **Minimum rear yard.** Twenty (20) feet plus an additional one (1) foot for each two (2) feet that the building or structure exceeds thirty-five (35) feet in height.
- 6) **Minimum side yard.** Twenty (20) feet plus an additional one (1) foot for each two (2) feet that the building or structure exceeds thirty-five (35) feet in height.
- 7) **Maximum building height.** Sixty (60) feet.

Zoning Ordinance Review Criteria: Per Section 23-65(e) of the Municipal Code, a temporary zoning classification is assigned to newly annexed territory, with permanent zoning taking place following the annexation process. All territory annexed to the City is assigned a zoning classification as recommended by Plan Commission. The Plan Commission shall consider the following criteria in selection of an appropriate zoning district for the annexed land:

- The existing land uses within the territory to be annexed;
- The surrounding land uses that exist on adjacent properties regardless of municipal boundary lines;
- The Comprehensive Plan of the City.

In this case, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to a permanent zoning classification of P-I Public/Institutional District. A portion of the adjacent Ballard Road and Richard Street right-of-way, currently zoned C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District, is also included this request. A rezoning initiated directly by Plan Commission is processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council. If approved, any future development would need to conform to the P-I District zoning regulations listed above and other sections of the Zoning Ordinance.

The Plan Commission also initiated an amendment to the City's *Comprehensive Plan 2010-2030* Future Land Use Map from Business/Industrial and One and Two-Family Residential designation to Public/Institutional designation for the subject parcel. This Future Land Use designation is consistent with the proposed P-I Zoning District.

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. Related excerpts are listed below.

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *If Future Land Use Map Amendment #1-18 is approved, to identify this area for future public/institutional uses, the rezoning request will be in conformance with the Comprehensive Plan 2010-2030.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map, is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).

Future Land Use Map Amendment #1-18 & Rezoning #4-18

April 10, 2018

Page 5

4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
 1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning. The land is being proposed to be used as a stormwater management facility.*
 2. The effect of the proposed rezoning on surrounding uses. *Single-family residential uses are located to the west of the subject site and business/industrial uses are located north of the site. Properties to the east and south of the subject area consist of vacant, undeveloped land. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

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

Technical Review Group (TRG) Report: This item was discussed at the January 23, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Based upon the above analysis, staff recommends the proposed City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map Amendment #1-18 from Business/Industrial and One and Two-Family Residential designation to Public/Institutional designation and attached resolution, **BE APPROVED**; and

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #4-18 to rezone the subject parcel located at East Richard Street (Tax Id # 31-1-5244-00, formerly part of Town of Grand Chute Tax Id #102009900) from Temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to a permanent zoning classification of P-I Public/Institutional District, including to the centerline of the adjacent right-of-way and as shown on the attached map, **BE APPROVED**.

NOTE: If approved, Rezoning #4-18 will be reported out at the same Common Council meeting as the proposed Comprehensive Plan Amendment #1-18 to accurately reflect the change in future land use from Business/Industrial and One and Two-Family Residential designation to Public/Institutional designation.

**RESOLUTION
CITY OF APPLETON**

**ADOPTION OF THE RECOMMENDED AMENDMENT TO THE COMPREHENSIVE
PLAN AS PREPARED BY THE CITY OF APPLETON PLAN COMMISSION**

WHEREAS, the Common Council of the City of Appleton pursuant to Section 62.23 of the Wisconsin Statutes, has established a City Plan Commission; and

WHEREAS, on March 3, 2010, the Common Council adopted the City of Appleton Comprehensive Plan to promote public health, safety and welfare of the City by effectively guiding long-range growth and development within the city and its statutory extraterritorial planning jurisdiction; and

WHEREAS, Chapter 12: Implementation, Comprehensive Plan Update Procedures, of the Comprehensive Plan was created in the City of Appleton Code of Ordinances to provide procedures and criteria for amending and updating the City of Appleton Comprehensive Plan; and

WHEREAS, members of the public were invited to make comments at a meeting held on April 10, 2018, by the City Plan Commission, wherein the following Comprehensive Plan amendment (Amendment #1-18) herein adopted were reviewed and commented upon by members of the public; and

WHEREAS, the City of Appleton Plan Commission has reviewed the recommended amendment to the Comprehensive Plan Future Land Use Map at a meeting held on April 10, 2018; and

WHEREAS, the City of Appleton Plan Commission reviewed the following Comprehensive Plan Amendments, found these amendments to meet the criteria outlined in Chapter 12: Implementation, Comprehensive Plan Update Procedures, warranting inclusion in this resolution:

1. Having been filed with the City Clerk by the City of Appleton Community and Economic Development Department requesting a Comprehensive Plan Future Land Use Map Amendment to change future land use designations for specified property on the Future Land Use Map from (Business/Industrial and One and Two-Family Residential Use) to (Public/Institutional Use).

WHEREAS, members of the public, adjacent and nearby local governmental units will be given a 30-day review and comment period prior to the public hearing, which will be conducted by the Common Council for the Comprehensive Plan proposed amendment; and

WHEREAS, after said public hearing, the Common Council will decide whether to adopt by ordinance the proposed amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance, accomplishing extra-territorial zoning and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Appleton; and

WHEREAS, this Comprehensive Plan may from time to time be amended, extended, or added to in greater detail; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Appleton Plan Commission that the recommended Comprehensive Plan amendments are hereby adopted as a part of the City of Appleton Comprehensive Plan 2010-2030 pursuant to §66.1001(4), Wis. Stats. and that the Plan Commission recommends said Comprehensive Plan amendments to the City of Appleton Common Council for adoption by ordinance, after a 30-day public review and comment period and public hearing.

Adopted this _____ day of _____, 2018.

Timothy M. Hanna, Mayor

ATTEST:

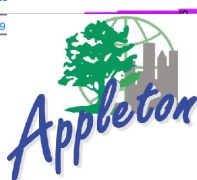
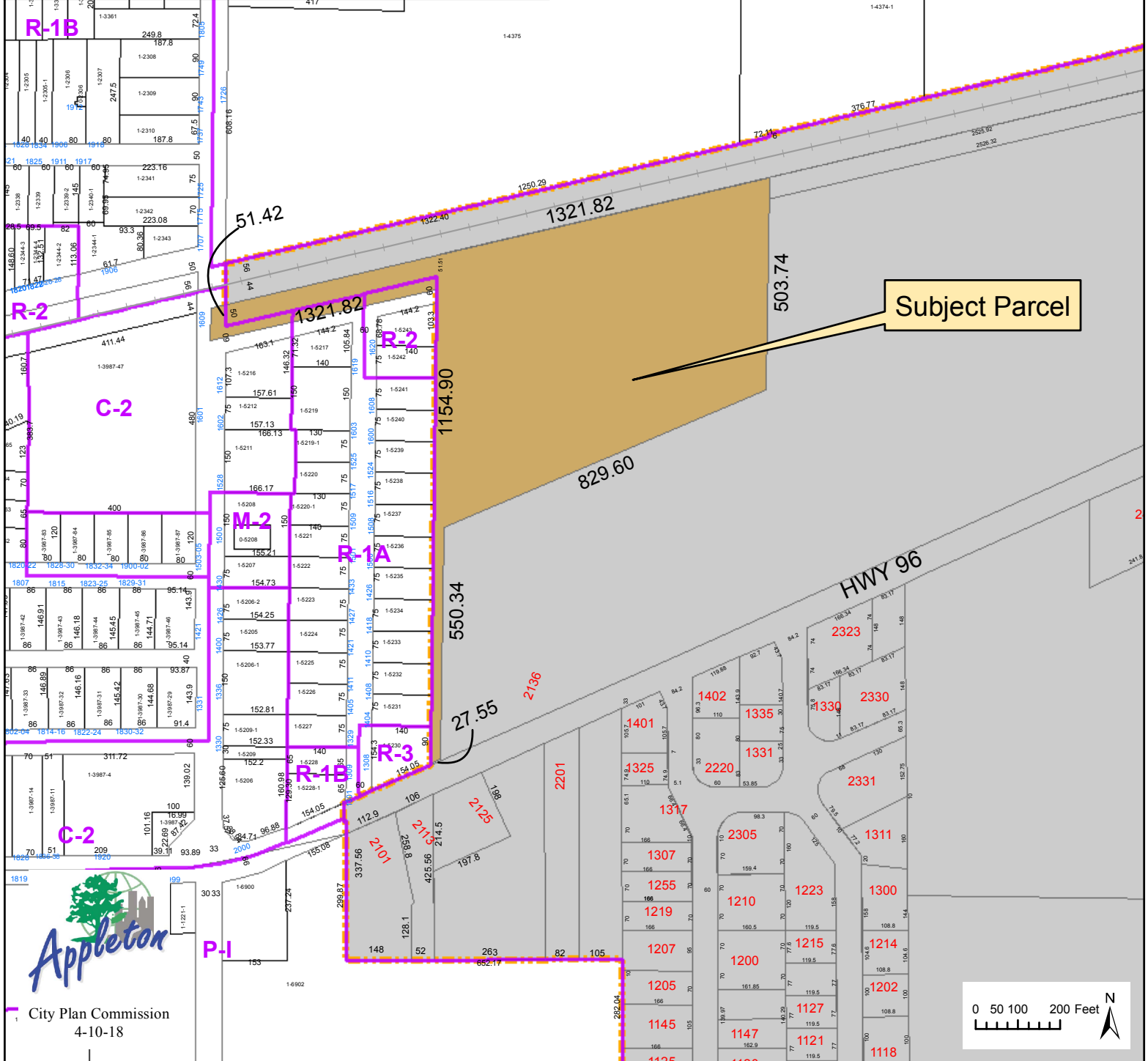
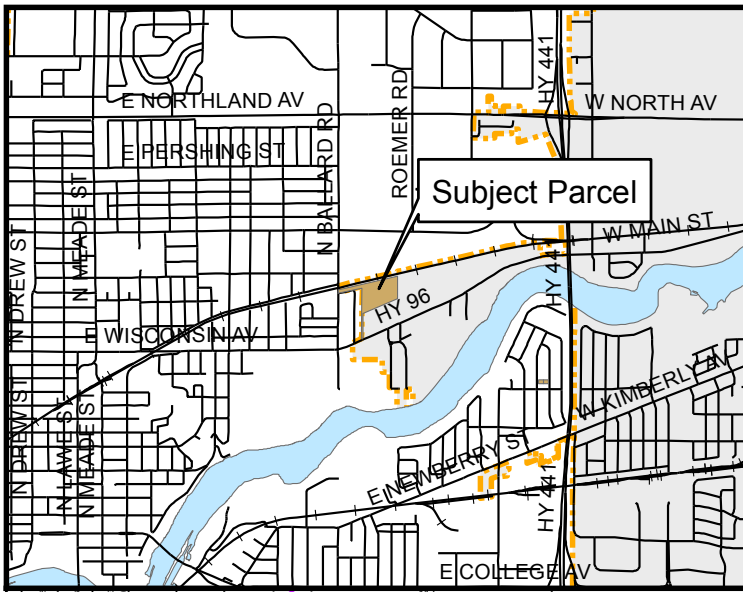
Kami Lynch, City Clerk

Leona Pond Annexation
Rezoning
Temporary AG Agricultural District, C-2 General Commercial District,
R-1A Single Family District and R-2 Two-Family District
to P-I Public Institutional District



City Plan Commission
4-10-18

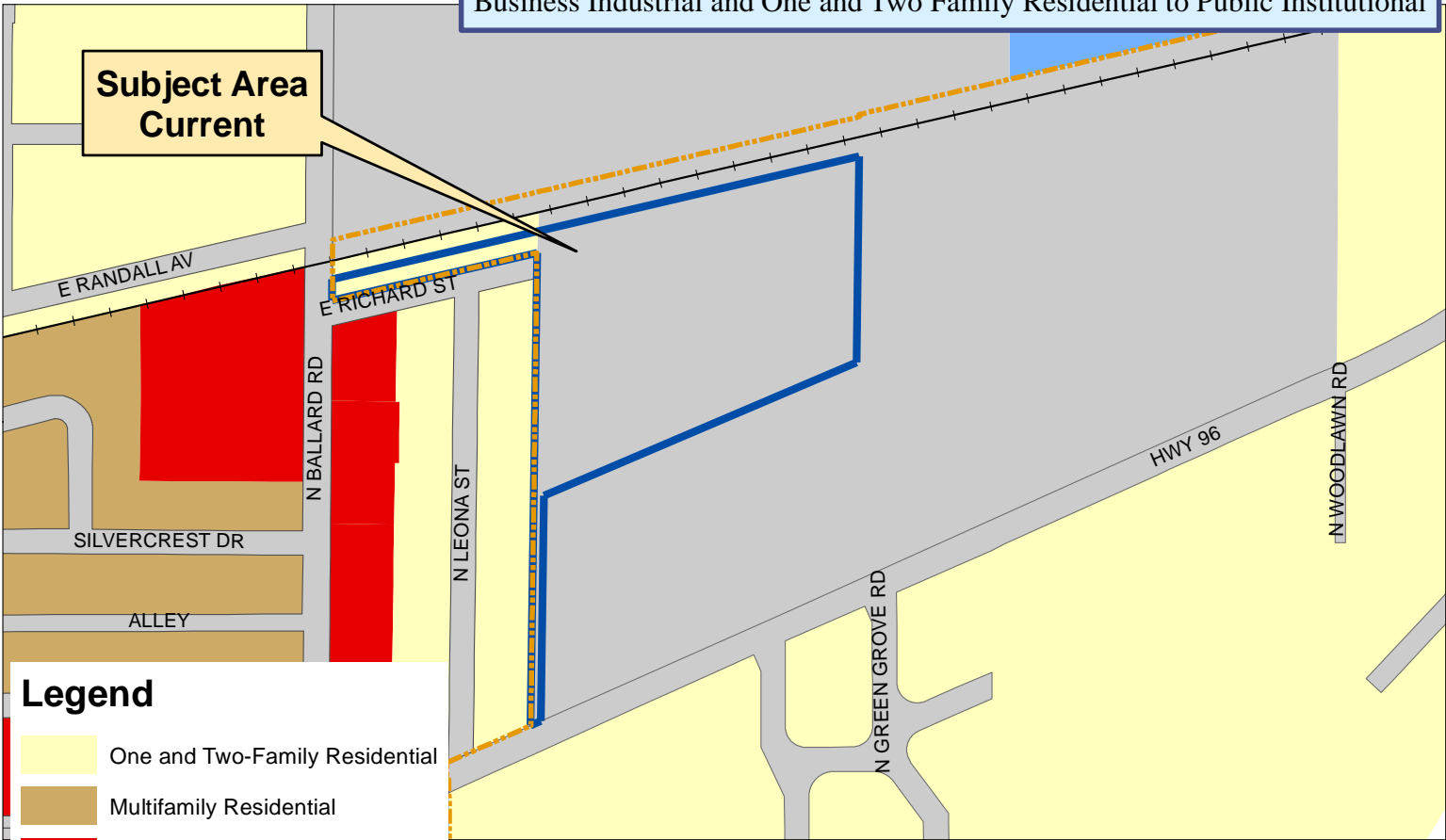
Leona Pond Annexation
Rezoning
Temporary AG Agricultural District,
C-2 General Commercial District,
R-1A Single Family District and
R-2 Two-Family District
to P-I Public Institutional District



City Plan Commission
4-10-18

Future Land Use Map Amendment
Leona Pond
Tax ID102009900
Business Industrial and One and Two Family Residential to Public Institutional

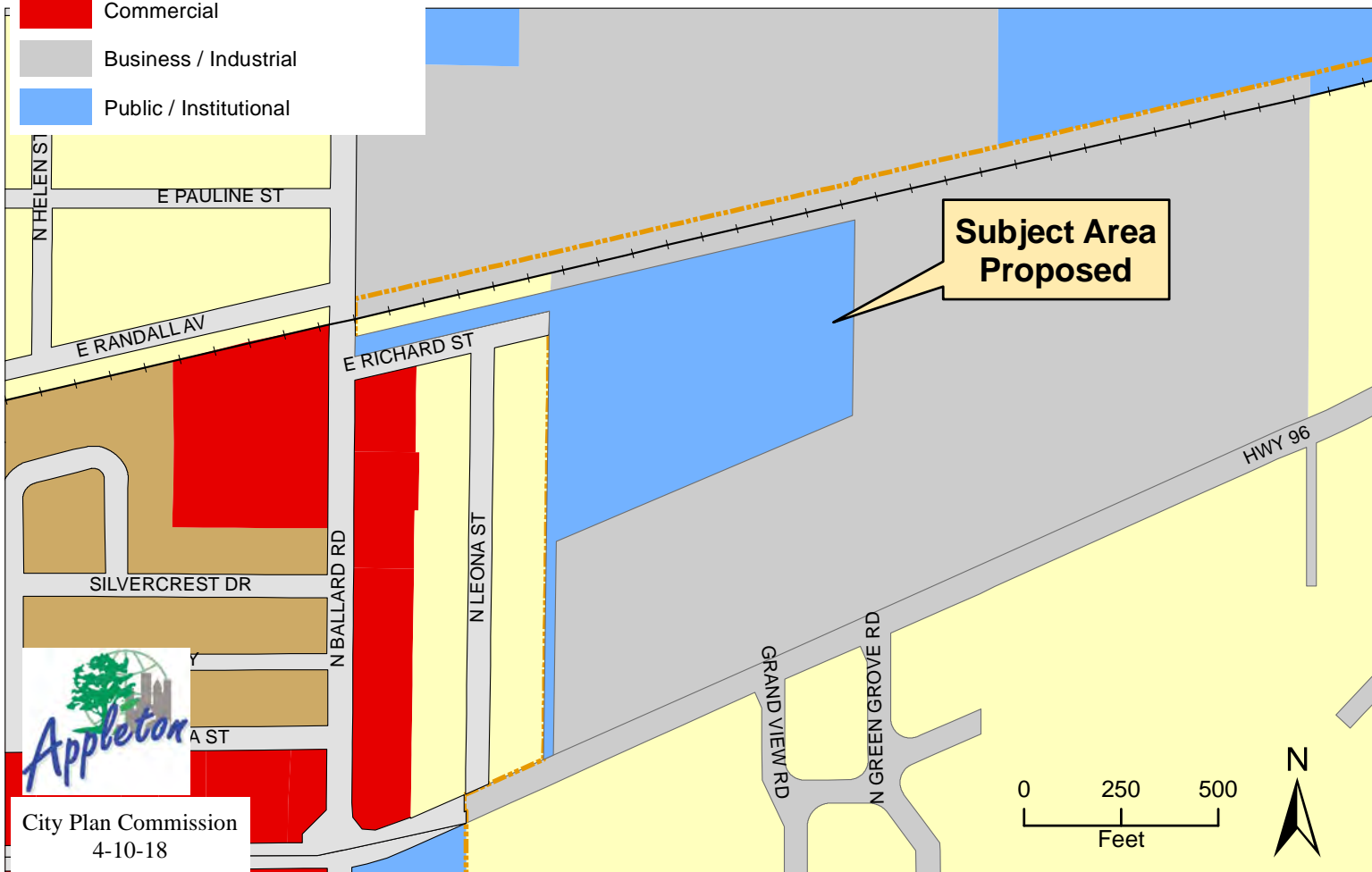
Subject Area
Current



Legend

- One and Two-Family Residential
- Multifamily Residential
- Commercial
- Business / Industrial
- Public / Institutional

Subject Area
Proposed





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

HUMAN RESOURCES DEPARTMENT

100 N. Appleton Street
Appleton, WI 54911
Phone: 920-832-6455
Fax: 920-832-5895

MEMO

To: Alderperson Plank and Members of the Finance Committee
From: Sandy Matz Human Resources Director
Date: May 3, 2018

Re: Request to approve funding to expand healthcare services at the Connecting Care Clinic for Health Coaching and Physical Therapy services.

The Human Resources Committee has approved the concept of expanding the healthcare services at the Connecting Care Clinic to include a Health Coach and a Physical Therapist. The recommendation is to start both positions at half time and as demand increases, to expand hours up to and including full-time for each position. The estimated costs for the addition of these services is as follows:

City's share of a half time Health Coach	\$1,525 per month
City's share for the half time Physical Therapist	\$2,219 per month
City's share for both staff	\$3,744 per month
City's share of set-up equipment/furniture costs	\$7,000 total

We anticipate having both positions filled by the beginning of September, 2018. The anticipated City total investment in 2018 is \$21,976 (\$3,744/month x 4 months (\$14,976) + \$7,000 equipment).

The investment to add these services would be paid from the health insurance cost pool by reallocating the costs of these services from providers under the medical plan to the Connecting Care Clinic. It is expected that the cost savings generated from this reallocation of services will outweigh the additional costs of the new positions, thus no 2018 budget adjustment is necessary.

The billable hourly rate that will be used for Physical Therapy services at the Connecting Care Clinic is \$80/hour. Physical Therapy visits under our current medical plan can range in cost from \$180 to over \$200 for therapy and anywhere from over \$200 to \$400 for an initial evaluation.

We will continue to provide quarterly Return on Investment Reports (ROI Reports) to the Human Resources Committee on clinic services and will provide additional reporting for the Health Coach and Physical Therapy services.

If you have any questions related to this item, please contact me directly.



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

HUMAN RESOURCES DEPARTMENT

100 N. Appleton Street

Appleton, WI 54911

Phone: 920-832-6455

Fax: 920-832-5895

MEMO

To: Alderperson Konetzke and Member of the Human Resources Committee

From: Sandy Matz, Human Resources Director

Date: April 20, 2018

Re: Request to approve the addition of a Health Coach Position and a Physical Therapist Position to the Connecting Care Clinic. The Request is for authorization up to full-time for each position with the initial staffing at half time.

The Connecting Care Clinic oversight team which includes District employees, City employees, ThedaCare employees and Associated Benefits & Risk Consulting employees, is proposing to increase staffing at the Connecting Care Clinic. The proposal is to add a half time Health Coach and a half time Physical Therapist. We anticipate demand to grow rather quickly for both services and are asking for authorization to add hours to meet demand up to full-time for each position.

Health Coach: Both the District and the City offer Personal Health Assessments for employees and their spouses. The purpose of the Health Coach will be to assist participants in improving their overall health and wellness education. Currently, the RN at the clinic is providing outreach for these participants as her schedule allows. For city employees, in just a few short months, she has helped a nicotine user quit and has engaged four participants with elevated glucose levels in a Diabetes Prevention Program. Participants in the Diabetes Prevention Program are averaging a 12 lb. weight loss after 3.5 months in the program! Our goal is to have a staff person focus on these areas and continue to help our employees improve their health.

Physical Therapist: As many of us know, physical therapy can be quite expensive and can be a large time drain on your schedule. We can offer physical therapy to our employees at a fraction of the cost through the traditional health insurance model. Additionally, we can help employees get in and out quicker and back to their normal schedule. Musculoskeletal claims under our medical plan have continued to be a cost driver and we see this as an opportunity to impact those claim costs by adding this service to the clinic.

Attached is the proposal from ThedaCare on the costs of staffing and initial setup costs for furniture and equipment for the two staff positions.

We are excited about the opportunity to expand our partnership with the Appleton School District and ThedaCare and to be able to expand this benefit for City employees.

If any of you have any questions regarding the proposal, please contact me.



April 19, 2018

Sandy Matz
City of Appleton
100 N. Appleton Street
Appleton, Wisconsin 54911

Dear Sandy:

Based on our discussions with members of the Joint Operating Committee for the Connecting Care Clinic, a proposal was requested to add a Physical Therapist and Health Coach to the Connecting Care Clinic. Please consider this letter our proposal for these services.

Background

- The City of Appleton is looking for ways to improve the health of their population as well as reduce health care spend.
- The claims for the City over the last several years are musculoskeletal related claims. Many of these services could be provided by a Physical Therapist.
- In order to meet the goal of the clinic to improve health, health coaching is needed to address the following opportunities identified in the Personal Health Assessment.
 - 34 participants ready to quit using tobacco
 - 61 participants with an elevated glucose
 - 607 participants indicated a readiness to change in at least one lifestyle related area.
 - 380 participants indicated they were thinking about a change in at least one lifestyle related area.
 - 126 participants at high risk for blood pressure

Services

Health Coach

- Individual Health Coaching
 - Assists in setting short and long term goals
 - Addresses barriers to change
 - Documents plans
 - Assess readiness to change
 - Practices motivational interviewing techniques
 - Moves individuals through the change process
- Health coach resources
 - Presentations
 - Handouts
 - Programs
 - Incentive Challenges
 - Monthly Wellness Newsletter
 - Monthly Wellness Plan
 - Healthy Huddles & demonstrations



ThedaCare™

- Cultural Change Resources
- Recipes
- Fitness classes
- Web resources and tools
- Group classes and programs for support and accountability
- Detailed data analysis
- Targeted outreach based on health risks and readiness to change
- Onsite support, education, resources and tools to help employees achieve lasting health improvement
- Moves individuals through the change process
- Risk stratification to identify and provide outreach
- Tailored programming based on health risks, employee interests, and readiness to change
- Participation on company's wellness committee
- Ongoing biometric measurements (blood pressure, weight, etc.)
- Proactive chronic condition care
- Integration of PHA data
- Facilitate compliance in management of condition
- Assist individuals in modifying lifestyle to improve or eliminate condition
- Face to face
- Group programs
- E-mail
- Texting

Physical Therapy

- Individual visits
- Alleviate muscle or joint discomfort
- Migraines and back pain treatment
- Provide advice on fitness
- Early intervention and prevention
- Initial evaluations
- Follow-up treatments

Economics/Investment

Health Coach

- 46 weeks (schedule to be determined)
- Confidentiality as a third party
- Team member in a cohesive health team
- Provide and review company specific reporting packages on an on-going basis
- Medical tracking in EPIC (ThedaCare and its partners medical record)
- Medical liability coverage
- Access to multiple resources throughout ThedaCare and medical partners

	<u>Hourly Rate</u>	<u>Monthly Fee</u>	<u>City Portion (32%)</u>
20 hours / week	\$55	\$4,767	\$1,525
40 hours / week	\$55	\$9,534	\$3,050



Physical Therapist

- 46 weeks (schedule to be determined)
- Confidentiality as a third party
- Team member in a cohesive health team
- Provide and review company specific reporting packages on an on-going basis
- Medical tracking in EPIC (ThedaCare and its partners medical record)
- Medical liability coverage
- Access to multiple resources throughout ThedaCare and medical partners

	<u>Hourly Rate</u>	<u>Monthly Fee</u>	<u>City Portion (32%)</u>
20 hours / week	\$80	\$6,934	\$2,219
40 hours / week	\$80	\$13,867	\$4,438

Estimated Costs of Equipment (50%)

- Equipment and Furniture
- Construction to add doors

\$6,150

\$ 850

*For
Provider*

This Investment Proposal is valid for 60 days from the date of this proposal.

Timeline

The goal is to begin with a Health Coach 20 hours per week and a Physical Therapist 20 hours per week in September of 2018.

Closing

Thank you for reviewing this Investment Proposal. ThedaCare At Work is eager to continue to build our partnership with the City of Appleton.

Sincerely,

Pam Berth
ThedaCare At Work
920-380-4970
Pam.berth@thedacare.org



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

MEMORANDUM

TO: Community and Economic Development Committee

FROM: Matt Rehbein, Economic Development Specialist

DATE: May 1, 2018

RE: Farrell Investments Offer to the City of Appleton to Repurchase Vacant Property (Lots 1, 2 & 3 of Plat 4 in the Northeast Industrial Park)

Farrell Investments purchased 4.32 acres of land from the City of Appleton, comprised of parcels 1-5359 and 1-5360 on April 30, 2015 and Parcel 1-5361 on June 29, 2016 (Lots 1, 2 & 3 in Plat 4, Northeast Industrial Park) with the intent to build a new Appleton store location. Subsequently, Farrell Investments has found an existing building that will meet their needs, which they are in the process of purchasing.

On April 26, 2018, staff received a letter from Farrell Investments indicating their interest in the sale of the above-referenced vacant parcels in the Northeast Business Park (attached). Per the Deed Restrictions and Covenants (attached), the property must be offered to the City of Appleton prior to sale to another party.

The City no longer controls any land in the Northeast Industrial Park for development, and the repurchase of this land would provide inventory to actively market to new/existing businesses.

Following the repurchase price calculations outlined in the Deed Restrictions and Covenants, the estimated cost of the land is approximately \$171,738.00, subject to tax pro-rations and outstanding liens. Farrell Investments has also completed a wetland delineation at a cost of \$2,682.57. While not spelled out in the Deed Restrictions and Covenant calculation of value, this report would be beneficial information to have for future marketing. If added to the estimated purchase price, the total would be approximately \$174,420.57 (subject to pro-rations). There is \$200,000 in the Industrial Park Land Fund Budget identified for repurchase of vacant land.

Staff Recommendation:

The City exercise its right to repurchase per the Declaration of Covenants and Restrictions, Section 11 for Lots 1, 2 & 3 of Plat 4 in the Northeast Industrial Park and increase the purchase price by the cost of the wetland delineation **BE APPROVED**.

Farrell Investments

1510 N Hastings Way
Eau Claire, WI 54703

April 26, 2018

City of Appleton
100 North Appleton Street
Appleton, WI 54911

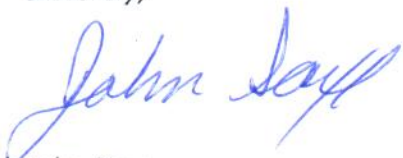
To Whom it may Concern:

I am writing to inform you that we will not be building on the land we had purchased in 2014. The property is located at the Northeast Business Park, lots 1-5360, 1-5359 and 1-5361. When we purchased the land, we had the intent to build, but now have gone in a different direction.

Per the Declaration of Covenants and Restrictions, section 13, we are giving you the first option to purchase the land back.

We look forward to hearing from you.

Sincerely,



John Saxe
Farrell Investments

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1215803
Document Number

DECLARATION OF COVENANTS
AND RESTRICTIONS
(Document Title)

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

JAN 22 1987

AT 2 O'CLOCK PM
GRACE HERB
REGISTER OF DEEDS

Recording Area

Home and Return Address
David M. Sanders, Esq.
Reinhart, Boerner, et al.
P.O. Box 92900
Milwaukee, WI 53202-0900

Parcel Identification Number (PIN)

J 19086 1 35

DECLARATION OF COVENANTS AND RESTRICTIONS

THIS DECLARATION is dated as of July 19, 1996 by the City of Appleton, a municipal corporation.

RECITALS

A. The City of Appleton (the "City") conveyed the real estate described on Exhibit A attached hereto (the "Guardian Parcel") to the Guardian Life Insurance Company of America ("Guardian").

B. In connection with the conveyance of the Guardian Parcel, the City granted Guardian an option to purchase two additional parcels of real estate described on Exhibit B (the "Option Parcel") and Exhibit C (the "Restricted Parcel") attached hereto.

C. Guardian has agreed to terminate its option to purchase the Restricted Parcel and in consideration of such termination, the City has agreed to subject the Restricted Parcel to the covenants and restrictions set forth below.

NOW, THEREFORE, the City, pursuant to Resolution of the Common Council of the City of Appleton, duly adopted on February 7, 1996, hereby declares that the real property described on Exhibit C attached hereto and defined above as the "Restricted Parcel" is and shall be held, used, transferred, sold and conveyed subject to the following conditions, restrictions and covenants (the "Restrictions"):

1. Restrictions on Use. The Restricted Parcel shall be developed and used solely for commercial office and/or warehouse distribution purposes and for no other purposes.

2. Restrictions on Construction. Any and all improvements constructed on the Restricted Parcel shall be constructed in accordance with City zoning ordinances which permit commercial office and/or warehouse distribution uses, without any variance from the building standards contained in such zoning ordinances.

3. Successors and Assigns; Runs with the Land. The Restrictions shall inure to the benefit of the owner of the Guardian Parcel and the Option Parcel and the holder of an option to purchase any portion of the Option Parcel (collectively the "Benefited Owners") and shall be binding upon the City and its successors in title

J 19086 1 36

to the Restricted Parcel, it being the intent of the City that the Restrictions shall be "covenants running with the land."

4. Amendment. This Declaration and the Restrictions shall not be modified or amended except in a writing signed by all of the Benefited Owners and the City.

5. No Waiver. No waiver or acquiescence in or consent to any breach of the Restrictions shall be construed as, or constitute a waiver of, acquiescence in or consent to any further or succeeding breach of the Restrictions.

6. Cost of Enforcement. If any Benefited Owner prevails in any action to enforce the Restrictions, such Benefited Owner shall be entitled to recover, as part of its costs, reasonable attorney's fees.

7. Severability. If any of the terms of this Declaration shall, to any extent, be invalid or unenforceable under applicable law, the remaining terms shall not be affected and shall be enforceable to the fullest extent permitted by applicable law.

THE CITY OF APPLETON, a municipal corporation

BY

Richard D. Brown
Its MAYOR

Attest

Cindi Thase
Its CITY CLERK

APR 25 '96 14:17 FR RBUDHP MILW HG

414 288 8887 TO 8688912126774740 P.86

J 19086 I 37.

State of Wisconsin)
Outagamie) SS
Milwaukee County)

This instrument was acknowledged before me on July 25, 1996
by Richard DeBroek and Cindi Heese, as
Mayor and City Clerk
respectively of the City of Appleton.



Mary Wendell
(
Notary Public, State of Wisconsin
My commission MARY WENDELL
Notary Public, State of Wisconsin
My commission Expires Sept. 7, 1997

This instrument was drafted by, and after recording should be returned
to:

David M. Sanders, Esq.
Reinhart, Boerner, Van Deuren,
Norris & Rieseibach, s.c.
P.O. Box 92900
Milwaukee, WI 53202-0900

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Exhibit A

Legal Description of the Guardian Parcel

Part of Lot 1, Block 1, of the Northeast Industrial Park Plat No. 1 and Part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, and the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 18, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, more fully described as follows:

Commencing at the West $\frac{1}{4}$ corner of said Section 18; thence South 88 degrees 20 minutes 30 seconds East, along the east-west $\frac{1}{4}$ line, 40.02 feet to the point of beginning; thence North 06°48'34" East, along the easterly line of Ballard Road (C.T.R. "E"), 303.40 feet; thence South 88 degrees 53 minutes 59 seconds East, along said easterly line, 10.00 feet; thence North 02 degrees 50 minutes 18 seconds East, along said easterly line, 534.03 feet; thence North 38 degrees 49 minutes 31 seconds East, along the easterly line of said Ballard Road and the southerly line of U.S.H. "41", a distance of 114.63 feet; thence North 70 degrees 31 minutes 35 seconds East, along the southerly line of said U.S.H. "41", a distance of 438.44 feet; thence North 79 degrees 34 minutes 57 seconds East, along said southerly line, 203.59 feet; thence North 88 degrees 55 minutes 59 seconds East, along said southerly line, 870.74 feet; thence South 01 degree 07 minutes 42 seconds East, 1393.62 feet to a point on the northerly line of Capitol Drive and the southerly line of Lot 1, Block 1 of the Northeast Industrial Park Plat No. 1; thence North 55 degrees 08 minutes 30 seconds West, along the northerly line of Capitol Drive, 83.27 feet; thence along the arc of a curve to the left, in said northerly line, 627.54 feet, which has a radius of 1083.00 feet, a central angle of 33 degrees 12 minutes 00 seconds, a chord of 618.80 feet that bears North 71 degrees 44 minutes 30 seconds West to a point of tangency on the east-west $\frac{1}{4}$ line; thence North 88 degrees 20 minutes 30 seconds West, along said east-west $\frac{1}{4}$ line, 1000.29 feet to the point of beginning.

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EXHIBIT B

Legal Description of the Option Parcel

Lots 3 and 4 according to CERTIFIED SURVEY MAP NO. 514 filed in Volume 3 of Certified Survey Maps on Page 514 as Document No. 952763, being a part of Blocks 1, 2, 3 and 4 and vacated street in the Northeast

Industrial Park Plat No. 1 and part of the North West 1/4 of the South West 1/4 and also lands in part of the South 1/2 of the North West 1/4 of Section 18, T21N, R18E, City of Appleton, Outagamie County, Wisconsin, excepting therefrom that portion of said lot 1 heretofore conveyed to the State of Wisconsin, Department of Transportation by Deed recorded in Jacket 16927 Images 1-2.

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EXHIBIT C

Legal Description of the Restricted Parcel

Part of the North West 1/4 and the North East 1/4 of the SOUTH EAST 1/4 of Section 18, T21N, R18E, City of Appleton, Outagamie County, Wisconsin, more fully described as follows: Commencing at the East 1/4 corner of said Section; thence North 89 degrees 56 minutes 44 seconds west, along the East-West 1/4 line, 908.90 feet; thence South 01 degree 54 minutes 31 seconds east, along the West line of the Tri-County Expressway, 603.75 feet; thence north 89 degrees 59 minutes 50 seconds west, 324.05 feet to the point of beginning; thence continuing north 89 degrees 59 minutes 50 seconds west, 1444.17 feet to the East line of the Northeast Industrial Park Plat; thence north 00 degrees 00 minutes 10 seconds east, 904.81 feet to the Northeast corner of said plat and the center of Section 18; thence south 89 degrees 56 minutes 44 seconds east, along the East-West 1/4 line, 1138.49 feet; thence south 29 degrees 57 minutes 19 seconds east, 369.55 feet; thence south 11 degrees 43 minutes 28 seconds east, 596.06 feet to the point of beginning.

1283748

Document Number

**DECLARATION OF
DEED RESTRICTIONS****APPLICABLE TO ALL PROPERTIES SOLD IN
THE NORTHEAST INDUSTRIAL PARK PLAT #4**

As recorded on July 16, 1998 in the office of the Register of Deeds, Outagamie County, WI, as Document #1280941, Cabinet H, Page II.

This conveyance is made subject to the following conditions, covenants, and understandings which shall be binding upon the vendee and his/her heirs, successors, and assigns:

I. Setbacks:

- A. *Front Yard:* No building shall be constructed on the site nearer than forty (40) feet of the right-of-way of any public street or highway. In the case of corner lots, both forty (40) foot setbacks will apply.
- B. *Side and Rear Yards:* Minimum side and rear yards shall be twenty-five (25) feet.
- C. *State Highways:* A fifty (50) foot building setback shall be observed along U.S.H. 41 and U.S.H 441.

II. Land Use:

- A. Permitted Uses
1. Manufacturing except for Block 14;
 2. Research, development and testing laboratories except for Block 14;
 3. Wholesaling, warehousing and distribution;
 4. Office operations only if they are an integral part of and a necessary adjunct to a permitted use;
 5. Retail sales of products manufactured on site and clearly an accessory use to the primary use of the site except for Block 14;
 6. Other land uses may be considered for approval by the Community Development Committee if a determination is made that the project fits the development objectives of the City.

III. Building Standards

- A. Any building erected shall be at least 5,000 square feet in area and occupy at least 10 percent of the land area.
- B. Buildings shall be designed by an Architect or Engineer. No side, elevation or facade of a building or structure shall be unexposed to public view; consequently, all sides, elevations, or facades of all buildings and structures shall be visually pleasing and architecturally and aesthetically comparable with the surrounding environment.
- C. The majority of exterior and externally visible opaque surfaces shall be constructed of not more than three of the following types of materials (provided, however, that such list shall not be deemed to exclude the use of other accent or exterior trim materials, glass and glazing, and earth berms):
1. Brick;

**OUTAGAMIE COUNTY
RECEIVED FOR RECORD****AUG - 5 1998****AT 10 O'CLOCK A.M. P.M.
GRACE HERB
REGISTER OF DEEDS**

Record and return to:

City of Appleton
City Attorney's Office
100 N. Appleton Street
Appleton, WI 54911-4799

ENVELOPE
8-1800

Parcel Identification Number (PIN)

2. Architectural precast concrete panels (surface finish to be painted, stained or exposed aggregate);
 3. Decorative concrete block (for no more than 50% of the exterior building wall area);
 4. Cut stone;
 5. Exterior insulation and finish systems such as Drivit or Sunlar;
 6. Wood;
 7. Metal panels (permitted only for building expansion walls);
 8. Other building materials being developed and to be developed by the construction industry. The use of such materials will be reviewed by the Community Development Committee on a case-by-case basis. The Community Development Committee may assign this review of plans to the Economic Development Department.
- D. Building materials will be selected for their ability to present a visual statement of a building or structure's strength, attractiveness, and permanence. The building materials used shall be harmonious with the natural environment and with the general character of other buildings and structures in the Park.
- E. Metal trim materials may be used when in keeping with the architectural and aesthetic character of the building or structure.
- F. No loading dock shall face the street unless the site configuration is such that it is unavoidable. In that event, the Community Development Committee shall review and approve the location of the loading dock.
- G. Ancillary structures will be approved by the Community Development Committee. Approval may be granted only if such structures are necessary to the principal use of the building site, are in architectural and aesthetic conformance with other buildings or structures on the site, are properly screened, meet all requirements of these covenants and are otherwise satisfactory to the Community Development Committee at its sole discretion.

IV. *Landscaping:*

- A. *Landscape Plan:* The landscaping upon any building site or lot shall be carried out in accordance with a detailed landscaping plan which has been reviewed and approved in writing by the City's site plan review committee. The landscape plan shall include, but not be limited to, plant location, common and botanical names of plant material, planting size, root condition, and quantity of all plant material. The plan shall show all ground cover and mulch areas, landscape and construction materials, and construction details.
- B. *Landscaping Methods:* Landscaping may include grading, earth berms, seeding, sodding, raised planters, architectural decorative walls or fencing, trees and shrubs, ground cover and other landscape materials including permanent sprinkler systems, fountains, storm run-off retention ponds, reflective ponds, and landscape lighting.
- C. *Plant Material:* Selected plant material should provide for a variety of shade trees, evergreen trees, and shrubs, ornamental trees and shrubs and ground covers. Plant material selection shall take into consideration the following:
1. Disease and insect resistance;
 2. Hardiness to the area;
 3. The ability to provide seasonal interest;
 4. Future maintenance considerations;
 5. Ability of plant material to accomplish its intended purpose in each placement.

D. *Time for Completion:* All landscaping shall be completed within ninety (90) days following occupancy, or as soon thereafter as weather will allow if such period occurs within winter months.

E. *Maintenance:* The owner shall be responsible for maintaining all landscaping as approved on the original plan for his site and adjacent unpaved street rights-of-way. Any variation or changes to the landscape plan must be reviewed and approved in writing by the Department of Planning. Landscaped areas, materials, fixtures, and improvements shall be maintained by the owner of the building site, or by such owner's long-term lessee(s) in good condition at all times. Such maintenance shall include watering, mowing, trimming, pruning, spraying, fertilizing, repairing, replacement of dead plantings, planting, transplanting, dusting, treating, and other common landscape maintenance activities necessary to keep the building site landscaping in a healthy state of growth and visually attractive in appearance.

If the owner or the owner's assigns fail to maintain the landscaping and site per the approved landscaping plan in this section, the City of Appleton or its Agent has the right to enter the site and conduct such maintenance and to seek full reimbursement.

V. *Parking, Loading*

Off-street parking and loading areas shall be provided on each building site and shall be of sufficient size to accommodate all planned or anticipated parking and loading needs of all site occupants and visitors and comply with the City's Zoning Ordinance regarding parking standards. All parking and loading areas shall be paved. Parking shall be permitted within the minimum front yard setback area, however, it shall be located no closer than fifteen (15) feet to the public right-of-way line. An 80 percent screen with a minimum height of 2½' shall be provided for all parking areas adjacent to the street right-of-way.

VI. *Outdoor Storage:*

No outside storage of any kind shall be permitted unless such stored materials are visually screened from all streets with a suitable fence, vegetation, berm, or combination thereof. Screening shall be attractive in appearance and in keeping with the architectural quality of the main structure. Said storage shall be limited to behind the front line of the building on the property, and within the building setback lines. No waste material or refuse may be dumped or permitted to remain on any part of the property outside of the buildings. Storage of fuel oil or other bulk fluids must be underground. All storage areas shall be paved.

VII. *Signs:*

Identification signs shall be permitted to promote only the name and/or trademark of the owner or tenant of the parcel on which the sign is placed. Signs, lighting, etc., are to be indicated on the final site plan submitted to the Community Development Committee for review. Ground signs must be set back 10 feet from the right-of-way line and must be of a low profile design subject to approval by the Committee. Building signs must comply with the City Sign Code.

VIII. *Maintenance Responsibilities:*

A. Each owner shall keep its property, all contiguous street right-of-way to the edge of the pavement, and all drainage and easement areas in a well-maintained, safe, clean, and attractive condition at all times. Such maintenance includes, but is not limited to the following:

1. The removal of all litter, trash, refuse, and wastes;
2. Compliance with the City's noxious weed control ordinance, including the mowing of all grass areas;
3. The maintenance of exterior lighting, signs, and mechanical facilities;
4. The keeping of all exterior building surfaces in a cleaned, well-maintained condition;
5. The maintenance of all drainage ways including the removal of all debris, weeds, and silt.

B. The owner of any undeveloped lands shall maintain said lands free of rubbish, noxious weeds, and mosquito breeding pond conditions.

IX. *Site Plan Review:*

Prior to the construction or alteration of any buildings, additions, enclosures, fences, loading docks, parking facilities, storage yards, or any other structures or permanent improvements on or to the real estate conveyed hereby, the plans for such building or improvements shall be submitted to the Site Plan Review Committee in accordance with Section 23-171 of the City Zoning Code. The plans shall be reviewed within thirty days (30) days after they have been submitted and approval or disapproval given in writing.

X. *Approval of Plans:*

Before commencing the construction or alterations of any buildings, additions, enclosures, fences, loading docks, parking facilities, storage yards, or any other structures or permanent improvements on or to the real estate conveyed hereby, the owner shall first submit its building plans, specifications, site and landscape plans, and an elevation sketch of all improvements to be placed thereon to the Community Development Committee for its written approval. In the event the Committee or its designee shall fail to approve or disapprove in writing such building plans, specifications, site and landscape plans, and elevation sketch within thirty (30) days after they have been submitted to them, such approval will not be required and these covenants and restrictions will be deemed to have been complied with. The Community Development Committee may delegate this review of plans to the Economic Development Department.

XI. *Repurchase Rights:*

Failure to Build: In the event the owner of land purchased from the City of Appleton does not commence construction of a building within one (1) year after the date of purchase, ownership shall revert to the City. The City shall pay the following repurchase price: the sum of the original purchase price and all special assessments which may have been paid by the buyer or levied against the property after the date of purchase minus the sum of any unpaid property taxes, proration of the current years property taxes to date of closing, title insurance policy premium or cost of warranty abstract, and any liens and encumbrances on the property of a definite or ascertainable amount. Further, repurchase price shall be adjusted by the amount equal to the amount of an option fee for that year had the property been under option between the City and the Buyer. Conveyance shall be by warranty deed.

Resale of Vacant Land: In the event the owner of land purchased from the City of Appleton elects to sell any portion thereof which is vacant, the property shall first be offered, in writing, to the City of Appleton. The City of Appleton shall have sixty (60) days from date of receipt of such offer to accept or reject repurchase of the property unless an extension of time may be mutually agreed upon and set forth in writing. In the event the City does not elect to repurchase the property, the owner may sell the land, but these Declarations of Covenants and Restrictions shall run with the land and be binding on the subsequent owner. The purchase price shall be computed as in Article XII above. Conveyance shall be by warranty deed. The seller shall furnish a title insurance policy at the seller's expense.

XII. *Subdivision of Lots:*

After a lot has been purchased, such lot shall not be further subdivided without the written consent of the Community Development Committee. No owner may sell, lease or rent less than all of the lot without the written consent of the Community Development Committee. The Community Development Committee may, in granting its consent, attach any conditions it deems appropriate. The foregoing prohibition shall not apply to occupancy leases of space in a building made in the ordinary course of business.

XIII. *Waiver of Notice:*

All land sold before major assessable improvements are completed in the business park site shall be subject to the purchaser's waiving notice of assessments and hearings, and such waiver shall be part of the negotiations.

XIV. *Variances:*

Notwithstanding anything contained herein to the contrary, the City of Appleton expressly reserves the right at any time to authorize in writing variances from the strict applications of these covenants and restrictions, or any one or more of them, where the circumstances, in its sole and exclusive judgement, justifies the granting of same.

XV. Right to Enter

The Community Development Committee shall have the right to enter upon any building site or other lot within the park for the purpose of ascertaining whether the owner of said site or lot is complying with these covenants and restrictions.

XVI. Enforcement:

In the event that the owner fails to perform in accordance with these covenants and restrictions, the Common Council, upon recommendation of the Community Development Committee, may take whatever corrective measures it deems appropriate and assess the cost thereof against the property in the same manner as a special assessment or special charge. The Common Council shall give at least thirty (30) days notice to the vendee of any violation and the steps required to correct it prior to taking any action to cure such violation.

XVII. Invalidation:

The invalidation of any one of the covenants or restrictions herein set forth or the failure to enforce any of said covenants and restrictions at the time of its violation shall in no way affect any of the other covenants or restrictions nor be deemed a waiver of the right to enforce the same thereafter.

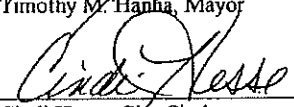
XVIII. Term:

Each lot shall be conveyed subject to the covenants and restrictions set forth herein, all of which are to run with the land and shall be binding on all parties and all persons claiming them for a period of thirty (30) years from the date of this Declaration of Covenants and Restrictions is recorded, after which time said covenants and restrictions as are then in force and effect shall be automatically renewed for successive periods of ten (10) years each, unless an instrument terminating such covenants and restrictions is recorded with the Outagamie County Register of Deeds by the Common Council as evidenced by a resolution duly adopted by a majority of all members of the Common Council.

IN WITNESS WHEREOF, the said City of Appleton has caused these presents to be signed at Appleton, Wisconsin, this 3rd day of August, 1998.

CITY OF APPLETON:


Timothy M. Hanna, Mayor

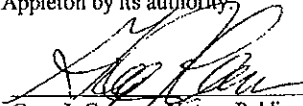

Cindi Hesse, City Clerk

STATE OF WISCONSIN)

)ss

OUTAGAMIE COUNTY)

Personally came before me this 3rd day of August, 1998, the above named Timothy M. Hanna, Mayor, and Cindi Hesse, City Clerk, of the City of Appleton, to me known to be the persons who executed the foregoing instrument as such officials of the City of Appleton by its authority.


Greg J. Carman, Notary Public
State of Wisconsin

My commission is permanent.

This instrument was drafted by Greg J. Carman, City Attorney.

1373472

Document Number

State of Wisconsin

**APPLICABLE TO ALL PROPERTIES SOLD IN THE
NORTHEAST INDUSTRIAL PARK PLAT #4**

As recorded on August 5, 1998 in the office of the Register of Deeds, Outagamie County, WI, as Document #1283748.

This conveyance is made subject to the following conditions, covenants, and understandings which shall be binding upon the vendee and his/her heirs, successors, and assigns:

1. **Setbacks:**

- A. **Front Yard:** No building shall be constructed on the site nearer than forty (40) feet of the right-of-way of any public street or highway. In the case of corner lots, both forty (40) foot setbacks will apply.
- B. **Side and Rear Yards:** Minimum side and rear yards shall be twenty-five (25) feet.
- C. **State Highways:** A fifty (50) foot building setback shall be observed along U.S.H. 41 and U.S.H. 441.

2. **Land Use:**A. **Permitted Uses**

1. Manufacturing except for Block 14;
2. Research, development and testing laboratories except for Block 14;
3. Wholesaling, warehousing and distribution;
4. Office operations only if they are an integral part of and a necessary adjunct to a permitted use;
5. Retail sales of products manufactured on site and clearly an accessory use to the primary use of the site except for Block 14;
6. Other land uses may be considered for approval by the Community Development Committee if a determination is made that the project fits the development objectives of the City.

3. **Building Standards**

- A. Any building erected shall be at least 5,000 square feet in area and occupy at least 10 percent of the land area.
- B. Buildings shall be designed by an Architect or Engineer. No side, elevation or facade of a building or structure shall be unexposed to public view; consequently, all sides, elevations, or facades of all buildings and structures shall be visually pleasing and architecturally and aesthetically comparable with the surrounding environment.
- C. The majority of exterior and externally visible opaque surfaces shall be constructed of not more than three of the following types of materials (provided, however, that such list shall not be deemed to exclude the use of other accent or exterior trim materials, glass and glazing, and earth berms):
 1. Brick;
 2. Architectural precast concrete panels (surface finish to be painted, stained or exposed aggregate);
 3. Decorative concrete block (for no more than 50% of the exterior building wall area);

**AMENDED
DECLARATION OF
DEED RESTRICTIONS**OUTAGAMIE COUNTY
RECEIVED FOR RECORD

JUL 18 2000

AT 11 O'CLOCK A.M. P.M.
JANICE FLENZ
REGISTER OF DEEDS

Record and Return to:
City Attorney's Office
City of Appleton
100 North Appleton Street
Appleton, WI 54911-4799

3/18/00

4. Cut stone;
 5. Exterior insulation and finish systems such as Drivit or Sunlar;
 6. Wood;
 7. Metal panels (permitted only for building expansion walls);
 8. Other building materials being developed and to be developed by the construction industry. The use of such materials will be reviewed by the Community Development Committee on a case-by-case basis. The Community Development Committee may assign this review of plans to the Economic Development Department.
- D. Building materials will be selected for their ability to present a visual statement of a building or structure's strength, attractiveness, and permanence. The building materials used shall be harmonious with the natural environment and with the general character of other buildings and structures in the Park.
- E. Metal trim materials may be used when in keeping with the architectural and aesthetic character of the building or structure.
- F. No loading dock shall face the street unless the site configuration is such that it is unavoidable. In that event, the Community Development Committee shall review and approve the location of the loading dock.
- G. Ancillary structures will be approved by the Community Development Committee. Approval may be granted only if such structures are necessary to the principal use of the building site, are in architectural and aesthetic conformance with other buildings or structures on the site, are properly screened, meet all requirements of these covenants and are otherwise satisfactory to the Community Development Committee at its sole discretion.
4. *Landscaping:*
- A. *Landscape Plan:* The landscaping upon any building site or lot shall be carried out in accordance with a detailed landscaping plan which has been reviewed and approved in writing by the City's site plan review committee. The landscape plan shall include, but not be limited to, plant location, common and botanical names of plant material, planting size, root condition, and quantity of all plant material. The plan shall show all ground cover and mulch areas, landscape and construction materials, and construction details.
- B. *Landscaping Methods:* Landscaping may include grading, earth berms, seeding, sodding, raised planters, architectural decorative walls or fencing, trees and shrubs, ground cover and other landscape materials including permanent sprinkler systems, fountains, storm run-off retention ponds, reflective ponds, and landscape lighting.
- C. *Plant Material:* Selected plant material should provide for a variety of shade trees, evergreen trees, and shrubs, ornamental trees and shrubs and ground covers. Plant material selection shall take into consideration the following:
1. Disease and insect resistance;
 2. Hardiness to the area;
 3. The ability to provide seasonal interest;
 4. Future maintenance considerations;
 5. Ability of plant material to accomplish its intended purpose in each placement.
- D. *Time for Completion:* All landscaping shall be completed within ninety (90) days following occupancy, or as soon thereafter as weather will allow if such period occurs within winter months.
- E. *Maintenance:* The owner shall be responsible for maintaining all landscaping as approved on the original plan for his site and adjacent unpaved street rights-of-way. Any variation or changes to the landscape plan must be reviewed and approved in writing by the Department of Planning. Landscaped areas, materials, fixtures, and improvements shall be maintained by the owner of the building site, or by such owner's long-term lessee(s) in good condition at all times. Such maintenance shall include watering, mowing, trimming, pruning, spraying, fertilizing, repairing, replacement of dead plantings, planting, transplanting, dusting, treating, and other common landscape maintenance activities necessary to keep the building site landscaping in a healthy state of growth and visually attractive in appearance.

If the owner or the owner's assigns fail to maintain the landscaping and site per the approved landscaping plan in this section, the City of Appleton or its Agent has the right to enter the site and conduct such maintenance and to seek full reimbursement.

5. ***Parking, Loading***

Off-street parking and loading areas shall be provided on each building site and shall be of sufficient size to accommodate all planned or anticipated parking and loading needs of all site occupants and visitors and comply with the City's Zoning Ordinance regarding parking standards. All parking and loading areas shall be paved. Parking shall be permitted within the minimum front yard setback area, however, it shall be located no closer than fifteen (15) feet to the public right-of-way line. An 80 percent screen with a minimum height of 2-1/2' shall be provided for all parking areas adjacent to the street right-of-way.

6. ***Outdoor Storage:***

No outside storage of any kind shall be permitted unless such stored materials are visually screened from all streets with a suitable fence, vegetation, berm, or combination thereof. Screening shall be attractive in appearance and in keeping with the architectural quality of the main structure. Said storage shall be limited to behind the front line of the building on the property, and within the building setback lines. No waste material or refuse may be dumped or permitted to remain on any part of the property outside of the buildings. Storage of fuel oil or other bulk fluids must be underground. All storage areas shall be paved.

7. ***Signs:***

Identification signs shall be permitted to promote only the name and/or trademark of the owner or tenant of the parcel on which the sign is placed. Signs, lighting, etc., are to be indicated on the final site plan submitted to the Community Development Committee for review. Ground signs must be set back 10 feet from the right-of-way line and must be of a low profile design subject to approval by the Committee. Building signs must comply with the City Sign Code.

8. ***Maintenance Responsibilities:***

A. Each owner shall keep its property, all contiguous street right-of-way to the edge of the pavement, and all drainage and easement areas in a well-maintained, safe, clean, and attractive condition at all times. Such maintenance includes, but is not limited to the following:

1. The removal of all litter, trash, refuse, and wastes;
2. Compliance with the City's noxious weed control ordinance, including the mowing of all grass areas;
3. The maintenance of exterior lighting, signs, and mechanical facilities;
4. The keeping of all exterior building surfaces in a cleaned, well-maintained condition;
5. The maintenance of all drainage ways including the removal of all debris, weeds, and silt.

B. The owner of any undeveloped lands shall maintain said lands free of rubbish, noxious weeds, and mosquito breeding pond conditions.

9. ***Site Plan Review:***

Prior to the construction or alteration of any buildings, additions, enclosures, fences, loading docks, parking facilities, storage yards, or any other structures or permanent improvements on or to the real estate conveyed hereby, the plans for such building or improvements shall be submitted to the Site Plan Review Committee in accordance with Section 23-171 of the City Zoning Code. The plans shall be reviewed within thirty (30) days after they have been submitted and approval or disapproval given in writing.

10. ***Approval of Plans:***

Before commencing the construction or alterations of any buildings, additions, enclosures, fences, loading docks, parking facilities, storage yards, or any other structures or permanent improvements on or to the real estate conveyed hereby, the owner shall first submit its building plans, specifications, site and landscape plans, and an elevation sketch of all improvements to be placed thereon to the Community Development Committee for its written approval. In the event the Committee or its designee shall fail to approve or disapprove in writing such building plans, specifications, site and landscape plans, and elevation sketch within thirty (30) days after they have been submitted to them, such approval will not be required and these covenants and restrictions will be deemed to have been complied with. The Community Development Committee may delegate this review of plans to the Economic Development Department.

11. Repurchase Rights:

Failure to Build: In the event the owner of land purchased from the City of Appleton does not commence construction of a building within one (1) year after the date of purchase, ownership shall revert to the City. The City shall pay the following repurchase price: the sum of the original purchase price and all special assessments which may have been paid by the buyer or levied against the property after the date of purchase minus the sum of any unpaid property taxes, pro-ration of the current years property taxes to date of closing, title insurance policy premium or cost of warranty abstract, and any liens and encumbrances on the property of a definite or ascertainable amount. Further, repurchase price shall be adjusted by the amount equal to the amount of an option fee for that year had the property been under option between the City and the Buyer. Conveyance shall be by warranty deed.

Resale of Vacant Land: In the event the owner of land purchased from the City of Appleton elects to sell any portion thereof which is vacant, the property shall first be offered, in writing, to the City of Appleton. The City of Appleton shall have sixty (60) days from date of receipt of such offer to accept or reject repurchase of the property unless an extension of time may be mutually agreed upon and set forth in writing. In the event the City does not elect to repurchase the property, the owner may sell the land, but these Declarations of Covenants and Restrictions shall run with the land and be binding on the subsequent owner. The purchase price shall be computed as in Article 11 above. Conveyance shall be by warranty deed. The seller shall furnish a title insurance policy at the seller's expense.

12. Subdivision of Lots:

After a lot has been purchased, such lot shall not be further subdivided without the written consent of the Community Development Committee. No owner may sell, lease or rent less than all of the lot without the written consent of the Community Development Committee. The Community Development Committee may, in granting its consent, attach any conditions it deems appropriate. The foregoing prohibition shall not apply to occupancy leases of space in a building made in the ordinary course of business.

13. Waiver of Notice:

All land sold before major assessable improvements are completed in the business park site shall be subject to the purchaser's waiving notice of assessments and hearings, and such waiver shall be part of the negotiations.

14. Variances:

Notwithstanding anything contained herein to the contrary, the City of Appleton expressly reserves the right at any time to authorize in writing variances from the strict applications of these covenants and restrictions, or any one or more of them, where the circumstances, in its sole and exclusive judgement, justifies the granting of same.

15. Right to Enter

The Community Development Committee shall have the right to enter upon any building site or other lot within the park for the purpose of ascertaining whether the owner of said site or lot is complying with these covenants and restrictions.

16. Enforcement:

In the event that the owner fails to perform in accordance with these covenants and restrictions, the Common Council, upon recommendation of the Community Development Committee, may take whatever corrective measures it deems appropriate and assess the cost thereof against the property in the same manner as a special assessment or special charge. The Common Council shall give at least thirty (30) days notice to the vendee of any violation and the steps required to correct it prior to taking any action to cure such violation.

17. Invalidation:


The invalidation of any one of the covenants or restrictions herein set forth or the failure to enforce any of said covenants and restrictions at the time of its violation shall in no way affect any of the other covenants or restrictions nor be deemed a waiver of the right to enforce the same thereafter.

18. **Term:**

Each lot shall be conveyed subject to the covenants and restrictions set forth herein, all of which are to run with the land and shall be binding on all parties and all persons claiming them for a period of thirty (30) years from the date of this Declaration of Covenants and Restrictions is recorded, after which time said covenants and restrictions as are then in force and effect shall be automatically renewed for successive periods of ten (10) years each, unless an instrument terminating such covenants and restrictions is recorded with the Outagamie County Register of Deeds by the Common Council as evidenced by a resolution duly adopted by a majority of all members of the Common Council.

IN WITNESS WHEREOF, the said City of Appleton has caused these presents to be signed at Appleton, Wisconsin, this 10th day of July, 2000.


CITY OF APPLETON


Timothy M. Hanna, Mayor


Cynthia I. Hesse, City Clerk

STATE OF WISCONSIN)
OUTAGAMIE COUNTY) ss

Personally came before me this 10th day of July, 2000, the above named Timothy M. Hanna, Mayor, and Cynthia I. Hesse, City Clerk, of the City of Appleton, to me known to be the persons who executed the foregoing instrument as such officials of the City of Appleton by its authority.


James P. Walsh, Notary Public
State of Wisconsin

My commission is permanent.

This instrument was drafted by James P. Walsh, City Attorney.

**Available Sites
Northeast Business Park
Appleton, Wisconsin**



Laminations (GNC)

C3
Corporation

VENTURE DRIVE

JP Graphics

Quantum
Healthcare
LLC

Product
Handling
Concepts

Airgas

3000

GOODLAND DRIVE

3021

3101

FCX Performance

Farrell Investment

JF Ahearn

RP5 LLC

Nexgen
Building Supply

CAPITOL DRIVE

3100

Airgas
Badger Mailing
Systems

Standard Electric

Vision Control
& Automation
SE Automation

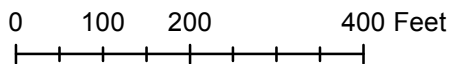
PROGRESS DRIVE

IPS

Engman-
Taylor Co.

Wisconsin
Distributors

Able
Distribution



Comm. & Econ.
Dev. Dept. 05/18

VALLEY TRANSIT

2018 Tentative Agreements

April 9, 2018

1. **Article 1. Term of Agreement:** 3 years 2018-2020

2. **Article 4.2 Union Business: Delete C.-** A Steward shall be permitted to attend hearings or meetings involving other City of Appleton units represented by the Union provided that such attendance shall be at no cost to the City and that the Steward gives at least forty-eight (48) hours notice to his supervisor, and further provided that such attendance does not impair the operating efficiency of the respective employee's Division.

3. **Article 6.5 Job Posting H: Delete-** The Employer agrees to post notices of job vacancies in other City bargaining units represented by the Union on departmental bulletin boards. Such postings shall be informational only and the Employer shall not be required to give preference to present employees in filling such vacancies.

4. **Article 6.8 Recall Procedure: Delete-** Employees on layoff shall have the further right to apply for any vacancy which may occur in any other Teamster represented bargaining unit. Such applicants shall be subject to the same hiring criteria as applies to any other applicant. If a laid off employee is found to possess qualifications at least equal to those of the best qualified acceptable applicant who is not employed by the employer, such employee shall be given preference based on length of service with the Employer. The determination of relative qualifications shall not be subject to the grievance procedure.

5. 10.2 Discipline B. 1.

1. Concentration equal to or above ~~.04~~ the State Legal Limit (as set forth in Wis. Stats 340.01 (46m) (a)) of alcohol in 210 liters of breath-discharge.

2. Concentration equal to or above ~~.04~~ grams but less than the State Legal Limit (as set forth in Wis. Stats. 340.01 (46m) (a)) of alcohol in 210 liters of breath ~~one week suspension without pay.~~

C. In addition to the above, any employee who has a breath alcohol concentration of less than the State Legal Limit (as set for in Wis. Stats. 340.01 (46m) (a)) ~~.04~~ in 210 liters of breath shall be required, as a condition of continued employment, to submit to an assessment under the Employee Assistance Program and to comply fully with any recommendations made under that program.

F. Add: The parties agree that the results of an Evidential Breathalyzer Machine administered by an Occupational Health Provider shall be presumed accurate, cannot be challenged and are not subject to the grievance procedure.

6. **Article 14.2 Reimbursement of Telephone Calls:** Delete All toll calls made by drivers to the offices of Valley Transit concerning emergency situations shall be reimbursed on a bi-weekly basis.

7. **Article 17.2 A. Temporary Full-time Employees** Typo change accorded to ~~afforded to~~

8. **Article 18.1 Legal Holidays:**

	2018	2019	2020
New Year's Day	January 1	January 1	January 1
Memorial Day	May 28	May 27	May 25
Independence Day	July 4	July 4	July 4
Labor Day	September 3	September 2	September 7
Thanksgiving	November 22	November 28	November 26
Christmas Day	December 25	December 25	December 25

9. **Article 19.3 C. 2. Drivers- Vacation Bidding-Days** All requests must be submitted by **10:00 a.m. 12:00 noon** on the designated day. Change throughout the contract.

10. **Article 19.4 A.** Attached Memorandum of Understanding

11. **Article 20. Sick Leave/New Article Paid Time Off (PTO)**

Effective 1/1/2019

9 sick days

Sick leave will accrue at 6 hours per month

Employees keep existing accumulated bank of sick leave.

Sick leave cannot be used until all Paid Time Off (PTO) days have been exhausted unless otherwise qualified under the Family Medical Leave Act.

Paid Time Off: (PTO) Full-time Employees shall receive three (3) PTO days January 1 of each year to be used as paid time off. For newly hired employees, PTO days shall be pro-rated based on the month hired. Any PTO days not used as of December 31st will be paid out on the second paycheck in January at their prior year's rate. Any request made for PTO days shall follow the normal procedure for the type of leave being requested. (e.g.vacation, floating holidays and sick leave must follow the normal guidelines used for requesting that type of benefit)

PTO days shall be pro-rated in the year of hire/termination/resignation/retirement as follows:

	Hired	Leaving
January-April	2	0
May-August	1	1
September-December	0	2

Employees who use more PTO than they are entitled to in the year they leave employment shall owe the City the time back, unless the employee leaves employment as a result of physician certified disability.

For Mechanics and Communication Technicians, PTO days shall be charged in a minimum of two hour increments and for Driver a full shift pursuant to Article 35.3 Paid Leave.

12. **Article 20.3 Ineligible Uses:** Sick leave may not be used for absences resulting from injuries received while employed for money by another employer. **This provision shall not apply to Family Medical Leave Act (FMLA) qualifying absences.**

13. **Article 20.5 A. 1.** First **two (2)** ~~four (4)~~ occurrences in **6 months** ~~a calendar year~~ – no waiting period.

14. **Article 23. Military Leave:** Last word of paragraph should be pay not leave.

15. Article 32.5 Full-time and Part-time Stand-by

Full-time Stand-by

Weekly maximum hours: Greater than ~~38~~ 32 less than or equal to 40.

Hours of Work: ~~5:00~~ **5:25** a.m. ~~11:00~~ **10:55** p.m. Monday through Saturday.

Time Off Medical Appts: 2. Time off will be allowed between the hours of ~~9:00~~ **8:55** a.m. and ~~2:00~~ **1:55** p.m.

Availability: ~~4:30~~ **5:00** a.m. to 7:30 a.m. and 12:30 p.m. to 3:30 p.m. Monday through Friday and ~~6:30~~ **7:00** a.m. to 9:30 a.m. and 12:30 p.m. to 3:30 p.m. on Saturday.

Part-time Stand-by

Weekly maximum hours Greater than ~~28~~ **25** less than 30.

Hours of Work: The A shift will be 5 a.m. – ~~7:00~~ **6:55** p.m. Monday through Friday and all day Saturday. The B shift will be ~~9:00~~ **8:55** a.m. – ~~11:00~~ **10:55** p.m. Monday through Friday and all day Saturday.

Effect of daily leave on Hours of Work: Part-time stand-by drivers on daily vacation will be charged based on the number of hours they would have been scheduled. ~~They may choose five (5) hours of vacation pay, but the difference between the hours they would have been scheduled and the five (5) hours vacation, will be deducted from their guarantee.~~

Availability: A Shift ~~4:30~~ **5:00** a.m. to 7:30 a.m. Monday through Friday and ~~6:30~~ **7:00** a.m. to 9:30 a.m. and 12:30 p.m. to 3:30 p.m. B shift 12:30 p.m. to 3:30 p.m. Monday through Friday and ~~6:30~~ **7:00** a.m. to 9:30 a.m. and 12:30 p.m. to 3:30 p.m. on Saturday.

16. Legal Holiday Memorandum of Understanding-Delete

17. **Sick Leave Bank-** Delete: Carol Hartlaub, Michael Guyette, Gerald Fischer and Jeff Pellegrini

18. **Part Time MOU** Add: Part-time Drivers will be inversed before Full-time Drivers when possible within their identified availability, within other contract requirements (ie; 2 hr. minimum) and within any external provisions.(ie; SS, WRS etc.)

19. **Schedule Agreement** Add 4. And re-number: An operator who is scheduled off on vacation, holiday, or any other pre-known absence cannot be a party to a daily or weekly schedule change. Continue as side letter with an expiration date of December 30, 2020.

20. Add to 2018 contract-The General Manager, with approval of the HR Director will have the ability to hire new employees at any step of the pay scale as deemed appropriate to recognize the experience level of the applicant.

21. Bus Driver Salary schedule condensed to: Training Rate-80%, 2080 hours-85%, 4160 hours-90%, 6240 hours-95%, 8320 hours-100% or 7280 – 100% based on attached MOU.

22. Wages:

2018: 1/1-1.5% and 7/1-1%

2019: 1/1-1% and 7/1-1%

2020: 1/1-1% and 7/1-1%

23. Notification that if the Recorded Line referenced in the contract changes, the City shall notify the Union.

MEMORANDUM OF UNDERSTANDING

Vacation Scheduling and Salary Schedule

This letter of Understanding outlines an agreement reached between the City of Appleton and the Teamster Local #662 Valley Transit during negotiations for a 2018-2020 Collective Bargaining Agreement. The Letter applies to the number of drivers off on vacation as well as a condensed salary schedule.

Effective January 1, 2019:

19.4 A. Vacation Scheduling

Five (5) drivers will be allowed off all weeks during the year Monday through Friday.

Seven (7) drivers will be allowed off on Saturdays during the summer bid period with the exception of Mile of Music and the Flag Day Parade where Five (5) drivers will be allowed off.

Salary Schedule

Training Rate - 80%
2080 Hours - 85%
4160 – 90%
6240 – 95%
7280 – 100%

Union and Management agree to meet prior to the 2020 bid selection to determine the number of drivers off on Saturdays for the year 2020 and to identify any additional large events occurring in 2020. If no agreement is reached between Union and Management, the vacation scheduling for 2020 will be pursuant to ARTICLE 19.4 A. in the 2018-2020 Collective Bargaining Agreement and all employees (existing and new) shall be placed on the following salary schedule based on their total hours worked as of December 31, 2019:

Training Rate - 80%
2080 Hours - 85%
4160 – 90%
6240 – 95%
8320 – 100%

For the City

For the Union

41-18

AN ORDINANCE AMENDING SECTION 19-86 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PARKING RESTRICTIONS.

(Municipal Services Committee 05-02-2018)

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

Section 1: That Section 19-86 of Chapter 19 of the Municipal Code of the City of Appleton, relating to parking restrictions, is hereby repealed:

124-3-87: “Parking be restricted to two hours from 7:00 a.m. to 5:00 p.m., excluding Saturdays, Sundays and Holidays on both sides of Washington Street from the east right-of-way line of Douglas Street to 300' east.”

Section 2: This ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication, the Traffic Engineer is authorized and directed to make the necessary changes in the Parking District Map in accordance with this Ordinance.

42-18

AN ORDINANCE AMENDING SECTION 19-86 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PARKING RESTRICTIONS.

(Municipal Services Committee 05-02-2018)

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

Section 1: That Section 19-86 of Chapter 19 of the Municipal Code of the City of Appleton, relating to parking restrictions, is hereby created as follows. This ordinance supersedes and repeals any conflicting ordinance regarding parking in the designated area.

Parking be restricted to two hours from 7:00 a.m. to 5:00 p.m., except Saturdays, Sundays and Holidays, on both sides of Washington Street from Douglas Street to a point 55' east of Douglas Street.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication, the Traffic Engineer is authorized and directed to make the necessary changes in the Parking District Map in accordance with this Ordinance.

43-18

**AN ORDINANCE AMENDING THE
COMPREHENSIVE PLAN FOR THE
CITY OF APPLETON.**

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

Section 1: The Comprehensive Plan 2010-2030 Comprehensive Land Use Map

Amendment for the following area of the city be amended as follows:

#1-18: For land located on East Richard Street (Tax Id #31-1-5244-00), City of Appleton, Outagamie County, Wisconsin, formerly a portion of the parcel located at 2136 East Wisconsin Avenue (Tax Id # 102009900) in the Town of Grand Chute, to amend the Comprehensive Plan Future Land Use Map from future Business/Industrial and One and Two-Family Residential land use to Public/Institutional land use and the Future Land Use Map be revised accordingly.

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

44-18

**AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE
CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART
THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW
PROVIDED.**

(City Plan Commission 05-16-2018)

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

Section 1: That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton

and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone lands located on East Richard Street (Tax Id #31-1-5244-00), formerly a portion of the parcel located at 2136 East Wisconsin Avenue (Tax Id #102009900) in the Town of Grand Chute from Temporary AG Agricultural District, C-2 General Commercial District, R-1A Single-Family District and R-2 Two-Family District to P-I Public Institutional District. (Rezoning #4-18 – City of Appleton Leona Pond Annexation)

LEGAL DESCRIPTION:

TAX KEY NUMBER: 31-1-5244-00

*Part of Lot Nine (9), Lot Ten (10) and Lot Eleven (11) of **ROWE'S SUBDIVISION**, and part of Lot One (1) of **CERTIFIED SURVEY MAP NUMBER 6101** filed in Volume 36 of Certified Survey Maps on Page 6101 as Document Number 1866751 in the Outagamie County Register of Deeds Office, located in the Fractional Southwest Quarter (SW ¼) of Section 19, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 11.3366 Acres of land m/l and being described by:*

Commencing at the Southwest corner of said Section 19;

Thence North 00° 22' 42" East 1353.51 feet along the West line of the SW ¼ of said Section 19;

Thence North 76° 51' 35" East 33.94 feet to the Northwest corner of Lot 1 of said Certified Survey Map No.6101 and being coincident with the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being the Point of Beginning;

Thence continue North 76° 51' 35" East 1321.82 feet along the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being coincident with the Northerly line of Lot 1 of said Certified Survey Map No.6101;

Thence South 00° 44' 00" West 503.74 feet;

Thence South 66° 58' 00" West 829.60 feet;

Thence South 00° 47' 05" West 550.34 feet to the Northwesterly line of Wisconsin Avenue (a.k.a. S.T.H. 96);

Thence South 65° 57' 11" West 27.55 feet and being coincident to the Northwesterly line of Wisconsin Avenue to the East line of Bell Air Subdivision;

Thence North 00° 47' 05" East 1154.90 feet and being coincident to the East line of said Bell Air Subdivision to the Northerly line of Richard Street;

Thence South 76° 51' 35" West 514.22 feet and being coincident with the Northerly line of Richard Street to the East line of Ballard Road;

Thence North 00° 22' 42" East 51.42 feet and being coincident with the East line of Ballard Road to the Point of Beginning.

Including all of the adjacent one-half (1/2) right of way of North Ballard Road and East Richard Street.

COMMON DESCRIPTION:

Recently annexed Leona Pond area located on East Richard Street (formerly a portion of 2136 East Wisconsin Avenue, Town of Grand Chute)

Section 2: This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.