



# City of Appleton

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

## Meeting Agenda - Final-revised Common Council

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Wednesday, November 7, 2018

7:00 PM

Council Chambers

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- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. PUBLIC PARTICIPATION
- G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES  
[18-1640](#) Common Council Meeting Minutes of October 17, 2018  
**Attachments:** [CC Minutes 10-17-18.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR  
[18-1641](#) Christmas Stars Week Proclamation
- I. PUBLIC HEARINGS  
[18-1626](#) Public Hearing - Rezoning #10-18, 425 W. Water Street  
**Attachments:** [Public Hearing Notice\\_RZ#10-18.pdf](#)
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**



[18-1543](#) Request from Fox Valley Technical College for a reduced rate of \$2 for Special Event Parking (\$5).

**Attachments:** [Fox Valley Technical College reduced rate.pdf](#)

**Legislative History**

10/22/18 Municipal Services recommended for denial  
Committee

[18-1544](#) Request from Appleton Downtown Inc. for free ramp and meter parking on Small Business Saturday, November 24, 2018.

**Attachments:** [ADI-Small Business Saturday.pdf](#)

**Legislative History**

10/22/18 Municipal Services recommended for approval  
Committee  
*Item 1544 was amended to only include the meters and not the ramp parking.  
Motion by Konezke, 2nd by Coenen. Motion carried 3-0*

[18-1578](#) Request from the City Clerk's Office to purchase one day hang tags at a rate of \$3 per day (for half-day passes). The Council approved rate is \$5 per day.

**Attachments:** [City Clerk's Office reduced hang tags.pdf](#)

**Legislative History**

10/22/18 Municipal Services recommended for approval  
Committee

[18-1579](#) Request to not plant a tree at 1629 W. Reeve St. as part of the 2018 Fall Tree Planting Program.

**Attachments:** [1629 W. Reeve St-tree planting.pdf](#)

**Legislative History**

10/22/18 Municipal Services recommended for denial  
Committee

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[18-1494](#) Taxi Cab Driver's License application of Nicholas A. Berry, 1503 E. Pauline Street.

**Attachments:** [Nicholas A. Berry.pdf](#)  
[SL Denial N. Berry 10-24-18.pdf](#)

**Legislative History**

10/24/18 Safety and Licensing recommended for approval  
Committee

10/24/18 Safety and Licensing Committee recommended for denial  
*Motion to recommend approval of the license failed 2/3.*

[18-1495](#) Request to Increase Service Level to Emergency Medical Technician - Basic

**Attachments:** [Medical Response Capability Upgrade.pdf](#)

**Legislative History**

10/24/18 Safety and Licensing Committee recommended for approval

[18-1526](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 10-24-2018.pdf](#)

**Legislative History**

10/24/18 Safety and Licensing Committee recommended for approval

[18-1535](#) "Class A" Beer/Liquor License Premise Amendment application of Skogen's Foodliner, Inc., d/b/a Festival Foods, Chad D. Meyer, Agent, 1200 Northland Ave., contingent upon approval from all departments.

**Attachments:** [Festival Foods amendment application.pdf](#)

**Legislative History**

10/24/18 Safety and Licensing Committee recommended for approval

### 3. MINUTES OF THE CITY PLAN COMMISSION

[18-1430](#) Request to approve Rezoning #10-18 for a parcel on W. Water Street (Tax Id #31-3-1482-00), including the adjacent Fox River, as shown on the attached maps, from M-2 General Industrial District to C-2 General Commercial District

**Attachments:** [StaffReport AtlasMill Rezoning 10-9-18.pdf](#)

**Legislative History**

10/9/18 City Plan Commission recommended for approval  
*Proceeds to Council on November 7, 2018.*

[18-1503](#) Request to approve the Randal Leeman, Et al Annexation, located at 5500 North Meade Street currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

**Attachments:** [StaffReport Leeman Annexation For10-23-18.pdf](#)

**Legislative History**

10/23/18 City Plan Commission recommended for approval

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

#### 5. MINUTES OF THE FINANCE COMMITTEE

[18-1636](#)

**\*CRITICAL TIMING\*** Request to enter into intergovernmental Agreement with Appleton Area School District to borrow short term cash in an amount not to exceed \$17,500,000 from time to time as needed. The note shall be dated as of date of issuance, shall bear interest at the rate of 2% above the average Federal Funds rate from its dated date until paid; and shall mature no later than June 30, 2019. Interest on the note shall be paid at maturity or redemption .

**Attachments:** [AASD Memo.pdf](#)

[AASD Note.pdf](#)

[18-1520](#)

Request to approve the City's Worker's Compensation third party administrator to continue to be Minute Men HR for 2019 - 2021

**Attachments:** [WC Third Party.pdf](#)

[Worker Comp RFP.pdf](#)

**Legislative History**

10/22/18          Finance Committee                  recommended for approval

[18-1530](#)

Request to award 2017 B-Building Boiler Replacement project contract to Great Lakes Mechanical, Inc in the amount of \$790,587 with a contingency of 9% for a project total not to exceed \$860,000 and approve the following 2018 budget adjustment:

WWTP Improvement Project	- \$110,000
WWTP Hardscapes Project	- \$250,000
WWTP Electrical Distribution Project	- \$150,000
B-Building Boiler Replacement Project	+\$510,000

to reflect transfer of positive balances from WWTP projects to the B-Building Boiler Replacement project

**Attachments:** [2018 WWTP Bio-Gas Boiler Project.pdf](#)

**Legislative History**

10/22/18          Finance Committee                  recommended for approval

[18-1571](#) Request to accept a Federal Transit Administration Bus and Bus Facilities capital grant of \$4,000,000 and approve the following 2018 Budget adjustment:

**Valley Transit**

Capital Outlay	+\$5,000,000
Federal Grant	+\$4,000,000
Fund Balance (Depreciation Reserve)	+\$1,000,000

to accept a federal grant for bus and bus facility capital projects

**Attachments:** [FCTC Grant acceptance memo 5539 - 2018 \(3\).pdf](#)

**Legislative History**

10/22/18 Finance Committee recommended for approval

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

**7. MINUTES OF THE UTILITIES COMMITTEE**

[18-1505](#) Second Amendment to the 2018 Stormwater Management Plan Review contract with raSmith by an increase of \$35,000 for a total contract amount not to exceed \$110,000.

**Attachments:** [2018A SWM Plan Review Second Amendment Memo Util Cmte.pdf](#)

**Legislative History**

10/23/18 Utilities Committee recommended for approval

[18-1506](#) Amend Unit K-18 Native Landscape Management Contract with Applied Ecological Services, Inc. in an amount not to exceed \$10,965.

**Attachments:** [K-18 Amend 1 Util Cmte Memo 10-23-2018 final.pdf](#)

**Legislative History**

10/23/18 Utilities Committee recommended for approval

[18-1644](#) Approval of Agreement to provide waste water service to the Town of Clayton, contingent on the Town receiving all necessary approvals from other Agencies.

**Attachments:** [Clayton Wastewater Agrm - City Clean - 11-02-2018.pdf](#)

[18-1643](#) Approval of Agreement to provide water to the Town of Clayton, contingent on the Town receiving all necessary approvals from other Agencies.

**Attachments:** [Water Service Agrm - City Clean - 11-02-2018.pdf](#)

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

[18-1632](#) Request to approve an overhire for the position of Administrative Support Specialist at the Police Department for approximately 6 weeks.

**Attachments:** [Request to over hire 2018.pdf](#)

[18-1637](#) Request to approve a proposed change to the Department of Public Works table of organization from 2 part time (.5 fte) Customer Service Specialists to 1 full time Customer Service Specialist.

**Attachments:** [Public Works TO change 11-2-18.pdf](#)

[18-1549](#) Request approval of the Department of Public Works table of organization to reflect 8 Professional/Civil Engineers and 14 Engineering Specialist/Technicians

**Attachments:** [DPW Table of Organization change.pdf](#)

**Legislative History**

10/24/18	Human Resources & Information Technology Committee	recommended for approval
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[18-1554](#) Request to approve a 1.5% increase to the Seasonal Pay Plan for 2019

**Legislative History**

10/24/18	Human Resources & Information Technology Committee	recommended for approval
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[18-1555](#) Request to approve the Seasonal Employment Policy

**Attachments:** [Seasonal Employment Policy.pdf](#)

**Legislative History**

10/24/18	Human Resources & Information Technology Committee	recommended for approval
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[18-1558](#) Request to approve Aldermanic Salary for the 2020 Election Year

**Attachments:** [Aldermanic Salary.pdf](#)

**Legislative History**

10/24/18	Human Resources & Information Technology Committee	recommended for approval
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*Motion to approve the 2020 Aldermanic salary schedule with a zero percent increase.*

## 9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[18-1552](#) 2019 Budget

**Attachments:** [2019 Valley Transit Budget.pdf](#)

**Legislative History**

10/23/18 Fox Cities Transit Commission recommended for approval

[18-1556](#) Authorization to Accept Federal Grant of \$4,000,000 to Purchase Buses

**Attachments:** [FCTC Grant acceptance memo 5539 - 2018 \(3\).pdf](#)

**Legislative History**

10/23/18 Fox Cities Transit Commission recommended for approval

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

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[18-1625](#) Ordinances 97-18 to 101-18

**Attachments:** [Ordinances going to Council 11-7-18.pdf](#)

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[18-1660](#) The Common Council may go into closed session pursuant to State Statute sec. 19.85(1)(e) for the purpose of discussing real estate negotiations and the investing of public funds concerning the Bluff Site Development and then reconvene into open session to conduct such business as may be pending.

T. 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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Appleton, WI 54911-4799  
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## Meeting Minutes - Final Common Council

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Wednesday, October 17, 2018

7:00 PM

Council Chambers

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A. CALL TO ORDER

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

B. INVOCATION

*The Invocation was offered by Alderperson Raasch.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

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

**Excused:** 2 - Alderperson Joe Martin and Alderperson Matt Reed

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Attorney Walsh, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Police Captain Olson, Director of Parks, Recreation & Facilities Gazza, Deputy Director of Utilities Stempa.*

*The following were excused:*

*Library*

*Valley Transit*

*Information Technology*

*Human Resources*

F. PUBLIC PARTICIPATION

*No one signed up to speak during public participation.*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[18-1488](#)

Common Council Meeting Minutes of October 3, 2018

**Attachments:** [CC Minutes 10-3-18.pdf](#)

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

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

**Excused:** 2 - Aldersperson Joe Martin and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[18-1491](#)

Appleton Fire Department Citizen Awards

**The Citizen Awards were presented**

[18-1498](#)

Public Arts Committee Appointments

**Attachments:** [APPTS TO PUBLIC ARTS COMM.pdf](#)

**Aldersperson Konezke moved, seconded by Aldersperson Baker, that the Committee Appointments be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

**Excused:** 2 - Aldersperson Joe Martin and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[18-1403](#)

Request to approve \$193,000 for Phase V, Part II payment of outstanding legal fees related to the financing of the Fox Cities Exhibition Center and deny Phase V Out of Scope payment in amount of \$129,143

**Attachments:**     [vonBriesen Final Bills.pdf](#)  
                                 [vonBriesen Bills.pdf](#)

**Aldersperson Baranowski moved, seconded by Aldersperson Raasch, that the payment item and referral of out of scope billings be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

**Excused:** 2 - Aldersperson Joe Martin and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

[18-1453](#)

Request to approve the following 2018 Budget adjustment:

**TIF 11 Capital Projects Fund**

Capital Outlay	+ \$2,354,153
Proceeds of Debt	+ \$2,354,153

to establish a 2018 budget for the construction of a public parking ramp at the U.S. Venture site

**Attachments:**     [Finance Committee - USV Ramp 2018 Budget Request.pdf](#)

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

**Aye:** 12 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

**Nay:** 1 - Aldersperson Curt Konezke

**Excused:** 2 - Aldersperson Joe Martin and Aldersperson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

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

**Alderson Baranowski moved, Alderson Baker seconded, to approve the balance of the agenda. The motion carried by the following vote:**

**Aye:** 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Curt Konezke, Alderson Ed Baranowski, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Bob Baker, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Keir Dvorachek

**Excused:** 2 - Alderson Joe Martin and Alderson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

**1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**[18-1461](#)

**Carpenter Street**, from Taft Avenue to Calumet Street, be reconstructed with concrete pavement and curb and gutter to a width of 37' from back of curb to back of curb, which is the same width as the existing street. Proposed curb bump-outs are to be constructed at the intersections with Murray Avenue and Coolidge Avenue to improve pedestrian safety and calm traffic flow. A dedicated left turn lane will also be incorporated on the south side of the intersection at Carpenter Street and Calumet Street.

**Carpenter Street**, from Calumet Street to Fremont Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 33' from back of curb to back of curb, which is the same width as the existing street. This portion of Carpenter Street is proposed to be shifted 1' to the east in an effort to preserve existing terrace trees along the west side of the street. Existing parking provisions within the project limits will remain unchanged. A dedicated left turn lane will also be incorporated on the north side of the intersection at Carpenter Street and Calumet Street.

**This Report Action Item was approved.**

[18-1462](#)

**Morrison Street**, from Hancock Street to Wisconsin Avenue, be reconstructed with asphalt pavement and concrete curb & gutter. The dimensions of the Morrison Street reconstruction project are as follows:

*Hancock St - Summer St:* New asphalt pavement to be constructed to a width of 28' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

*Summer St - Wisconsin Ave:* New asphalt pavement to be constructed to a width of 37' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

Existing parking provisions within the project limits will remain unchanged.

**This Report Action Item was approved.**

[18-1463](#)

**Opechee Street**, from Pacific Street to Leminwah Street, be reconstructed with concrete pavement. The dimensions of the Opechee Street reconstruction project are as follows:

*Pacific St - 125' east of Pacific St:* New concrete pavement to be constructed to a width of 20', which is the same width as the existing street within this portion of the project.

*100' west of Leminwah St - Leminwah St:* New concrete pavement to be constructed to match the existing widths and configuration.

Existing trail between the 2 segments of Opechee Street to be reconstructed with asphalt pavement to a width of 8 to 10', based on available space.

Existing parking provisions within the project limits will remain unchanged.

**This Report Action Item was approved.**

[18-1464](#)

**Valley Road**, from 250' west of Chain Drive to 165' east of Forestview Court, be reconstructed with concrete pavement and concrete curb & gutter to a width of 48' from back of curb to back of curb., which is 23' wider than the existing street.

Valley Road is proposed to be reconstructed with 1 travel lane in each direction, a two-way left turn lane, bike lanes along both sides of the street, and new 5' sidewalk along both sides of street, within the project limits.

On street parking would be ~~restricted~~ **(prohibited)** along Valley Road.

**This Report Action Item was approved.**

[18-1465](#)

Approve proposed changes to Municipal Code Section 4-392 related to property owners performing their own electrical work.

**Attachments:** [Update to Section 4-392 of the Municipal Code.pdf](#)

**This Report Action Item was approved.**

[18-1466](#)

Approve proposed changes to Municipal Code Sections 4-343 and 4-346 related to enforcement and notification of this Chapter.

**Attachments:** [Update to Sections 4-343 and 4-346 of the Municipal Code.pdf](#)

**This Report Action Item was approved.**

[18-1467](#)

Request from Travis Frischmann for a variance to the driveway paving section of Municipal Code 19-91 for a grass driveway. This request is required by Outagamie County staff and supported by City of Appleton staff.

**Attachments:** [5128 Fugi Ct.pdf](#)

**This Report Action Item was approved.**

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[18-1414](#) "Class A" Liquor License application of Apotheke Wellness, LLC, 3020 E. College Ave., Suite B, Sarah A. Fabry, Agent, contingent upon approval from all departments.

**Attachments:** [Apotheke Wellness application.pdf](#)

This Report Action Item was approved.

[18-1442](#) "Class A" Beer/Liquor License - Change of Agent of Wal-Mart Stores East LP, Randi M. Thom, Agent, 3701 E. Calumet St., contingent upon approval from the Police Department.

This Report Action Item was approved.

[18-1447](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 10-10-18 S & L.pdf](#)

This Report Action Item was approved.

[18-1456](#) "Class B" Beer/Liquor License Premise Amendment application of S C Carrow Corp, d/b/a Rookies, Steven C. Carrow, Agent, 325 N. Appleton Street, contingent upon approval from all departments.

**Attachments:** [Change of Description - Rookies.pdf](#)

This Report Action Item was approved.

### 3. MINUTES OF THE CITY PLAN COMMISSION

[18-1431](#) Request to approve the Apple Ridge Final Plat as shown on the attached maps and subject to the attached conditions

**Attachments:** [StaffReport\\_FinalPlat\\_AppleRidge\\_10-9-18.pdf](#)

This Report Action Item was approved.

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

### 5. MINUTES OF THE FINANCE COMMITTEE

[18-1440](#)

Award the Fire Station #5 2018 Remodeling project contract to Miron Construction Co. Inc in the amount of \$40,669 with a contingency of 7% for a project total not to exceed \$43,516

**Attachments:** [2018 Fire Station #5 Remodeling.pdf](#)

This Report Action Item was approved.

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

**7. MINUTES OF THE UTILITIES COMMITTEE**

[18-1458](#)

Approval of a 1% Rate Increase for Receiving Station Waste Haulers effective January 1, 2019.

**Attachments:** [Receiving Station Rate Changes 10-04-18.pdf](#)

This Report Action Item was approved.

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

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

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

**M. CONSOLIDATED ACTION ITEMS**

[18-1492](#)

Consolidated Action Items:  
[18-1469](#) Community & Economic Development Committee  
[18-1455](#) Finance Committee

This Report Action Item was approved.

[18-1469](#)

Request to approve Apple Ridge Development Agreement

**Attachments:** [Apple Ridge Development Agreement - Clean - 09-28-2018.pdf](#)

This Report Action Item was approved.

[18-1455](#)

Request to approve Apple Ridge Development Agreement

**Attachments:** [Apple Ridge Development Agreement - Clean - 09-28-2018.pdf](#)

This Report Action Item was approved.

N. ITEMS HELD

O. ORDINANCES

[18-1470](#) Ordinances 94-18 to 96-18

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

**This Report Action Item was approved.**

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

R. OTHER COUNCIL BUSINESS

[18-1490](#) Suspension of the Council Rules to cancel the November 21, 2018 Common Council meeting due to the Thanksgiving holiday.

**Alderson Croatt moved, seconded by Alderson Baker, that the meeting cancellation be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Curt Konezke, Alderson Ed Baranowski, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Bob Baker, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Keir Dvorachek

**Excused:** 2 - Alderson Joe Martin and Alderson Matt Reed

**Abstained:** 1 - Mayor Timothy Hanna

S. ADJOURN

**Alderson Baranowski moved, seconded by Alderson Baker, that the meeting be adjourned at 7:13 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Curt Konezke, Alderson Ed Baranowski, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Bob Baker, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt, Alderson Keir Dvorachek and Mayor Timothy Hanna

**Excused:** 2 - Alderson Joe Martin and Alderson Matt Reed

Kami Lynch, City Clerk

**NOTICE OF PUBLIC HEARING**

**#10-18**

**RE: Proposed Zone Change**

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

**Rezoning #10-18** has been initiated by Randy Stadtmueller, Atlas Mill, LLC, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for property tax parcel number 31-3-1482-00, located on W. Water Street, which is currently zoned M-2 General Industrial District. The owner/applicant proposes to rezone this parcel to C-2 General Commercial District. The C-2 District is intended to provide for businesses which serve city and regional markets; provide goods and services to other businesses, as well as consumers, provide services to automobiles and serve the traveling public.

**Purpose of the Rezoning:** The owner proposes to combine subject tax parcel number 31-3-1482-00 with adjacent property located at 425 W. Water Street (tax parcel number 31-3-1481-00) currently zoned C-2 General Commercial District by Certified Survey Map.

**Legal Description:**

PART OF FORMER 14 FOOT CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT-OF-WAY; PART OF LOTS 5, 6 AND 8, BLOCK G, THIRD WARD PLAT, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, ACCORDING TO THE ASSESSORS PLAT OF SAID CITY, BEING LOCATED IN THE NORTHWEST 1/4 OF FRACTIONAL SECTION 35, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 35; THENCE SOUTH 00 DEGREES 05 MINUTES 27 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 35, A DISTANCE OF 1391.81 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 33 SECONDS EAST, 849.98 FEET; THENCE NORTH 49 DEGREES 41 MINUTES 01 SECONDS EAST, ALONG THE NORTHERLY LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4636, A DISTANCE OF 32.02 FEET; THENCE CONTINUING ALONG THE NORTHERLY LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4636, A DISTANCE OF 45.74 FEET ALONG AN ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 83.00 FEET AND A CHORD THAT BEARS NORTH 33 DEGREES 53 MINUTES 44.5 SECONDS EAST, 45.17 FEET; THENCE NORTH 18 DEGREES 06 MINUTES 28 SECONDS EAST, CONTINUING ALONG THE NORTHERLY LINE OF SAID LOT 2 OF CERTIFIED SURVEY MAP NO. 4636, A DISTANCE OF 46.93 FEET; THENCE NORTH 08 DEGREES 26 MINUTES 14 SECONDS WEST, A DISTANCE OF 17.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-

WAY OF THE MAIN TRACK OF THE CANADIAN NATIONAL RAILROAD; THENCE 520.51 FEET ALONG AN ARC OF A CURVE TO THE RIGHT ALONG THE SOUTHERLY RIGHT-OF-WAY OF THE MAIN TRACK OF THE CANADIAN NATIONAL RAILROAD, SAID CURVE HAVING A RADIUS OF 968.28 FEET AND A CHORD THAT BEARS NORTH 62 DEGREES 42 MINUTES 27.0 SECONDS EAST, 514.27 FEET TO THE POINT OF BEGINNING; THENCE 272 FEET MORE OR LESS ALONG AN ARC OF A CURVE TO THE RIGHT, CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY OF THE MAIN TRACK OF THE CANADIAN NATIONAL RAILROAD, SAID CURVE HAVING A RADIUS OF 968.28 FEET AND A CHORD THAT BEARS NORTH 86 DEGREES 09 MINUTES 47.5 SECONDS EAST, 271 FEET MORE OR LESS TO THE ORDINARY HIGH WATER MARK OF THE FOX RIVER; THENCE ALONG THE ORDINARY HIGH WATER MARK OF THE FOX RIVER IN A SOUTHWESTERLY DIRECTION, 461 FEET MORE OR LESS TO A POINT WHERE THE SOUTHERLY LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4363 INTERSECTS WITH THE ORDINARY HIGH WATER MARK OF THE FOX RIVER; THENCE NORTH 49 DEGREES 41 MINUTES 03 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 2, A DISTANCE OF 216 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 40 DEGREES 18 MINUTES 57 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 2 AND ITS NORTHERLY EXTENSION, A DISTANCE OF 85.41 FEET TO THE POINT OF BEGINNING. CONTAINING 15,246 SQUARE FEET MORE OR LESS [0.35 ACRES±, and including to the center line of Fox River.

October 10, 2018

RUN: October 23, 2018  
October 30, 2018

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



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:** October 17, 2018  
**Re:** Parking restriction changes on Lutz Dr related to multi-use trail construction  
\*\**REVISED*\*\*

The construction of the Lutz Drive multi-use trail was completed earlier this year. This trail segment, which extends from Pierce Court, past the Appleton Yacht Club, to the Lutz Park parking lot, is part of a larger planned regional trail network that will eventually extend from Alecia Park to the Newberry trail and beyond.

For safety reasons, the American Association of State Highway and Transportation Officials (AASHTO) recommends that multi-use trails be separated from an adjacent roadway by a terrace with a minimum width of five feet. However, in this case, the combination of Wisconsin DNR requirements and utility conflicts did not allow for this. Instead, the trail was constructed at the back of the roadway curb with *no* terrace (see Figure 1 below). While this configuration is less than desirable based on applicable design standards, it was staff’s belief that it could still function safely for bicyclists if parking were removed adjacent to the trail. The removal of parking would virtually eliminate the possibility of bicyclists being “doored,” which is a type of bicycle crash caused by motorists opening the doors of their parked vehicles into the paths of oncoming cyclists. This type of crash is of particular concern because studies show that about 80% of bicyclists that are involved in a “dooring” crash are injured. While the removal of parking adjacent to the trail was initiated in an effort to provide an acceptable level of safety for trail users, it also raised concerns from the Appleton Yacht Club which were centered around the loss of on-street parking and loading areas, as well as perceived concerns about their members needing to cross Lutz Drive when parking on the west side of the street.



Figure 1 - Lutz Park Multi-Use Trail (as constructed)

## Discussion and Recommendations

Based on the information discussed above, as well as the feedback received from the Appleton Yacht Club (AYC), staff has developed three scenarios for consideration.

### Scenario 1 – Parking Restriction along the Trail Remains (Cost: Minimal)

In this scenario, the parking restriction that is currently in place along the length of trail would remain in place. This scenario would provide a reasonable level of safety for trail users, given the fact there is no terrace between the trail and the roadway. In this scenario, we would propose to cut back the vegetation in the terrace area along the west side of Lutz Drive to allow passengers to more easily exit vehicle parking on that side of the street. We would also propose to extend the existing *No Parking* zone on the west side of Lutz Drive by 50 feet to help ensure adequate sight lines for drivers and pedestrians. In this scenario, a total of approximately 106 on-street parking stalls would be available on Lutz Drive. It is also worth noting that it would be legal for AYC members to load/unload passengers and materials in the *No Parking* zone adjacent to the trail.

*Concerns were raised about how AYC members could safely park and exit their vehicles on the west side of Lutz Drive during winter months, due to the lack of a sidewalk on the west side. Given that no sidewalks existed on either side of Lutz Drive in that area prior to the construction of the trail, AYC members that parked on either side of Lutz Drive, north of the clubhouse, would likely have needed to walk in the roadway to get to the clubhouse driveway. Under Scenario 1, the need to walk in/along the roadway to get to the clubhouse driveway would be eliminated, as people could simply cross the street and walk along the trail to get to the driveway.*

### Scenario 2 – Allow Parking on the East Side & Create Buffer Area Using Pavement Markings (Cost: ~\$5,000)

This scenario was developed in an attempt to maximize trail safety *and* satisfy AYC concerns about on-street parking proximity. It would allow parking on the trail side of Lutz Drive (and prohibit it on the west side) utilizing pavement markings to create a “buffer area” between the parked cars and the trail, thereby theoretically eliminating the issue of “dooring.” (see Figure 2). In this scenario, a total of approximately 110 on-street parking stalls would be available on Lutz Drive. While, on the surface, this scenario would seem to be a “win-win” solution, staff presents it with several important reservations:

- Because the plan would require drivers to park in a very unusual manner - several feet away from the curb - we believe it would be very difficult to get consistent compliance, even with special signage, etc. We believe drivers would simply park at the curb like they normally would. While focused enforcement could help improve this, staff believes this would be an ongoing struggle fraught with public relations issues and disproportionate enforcement efforts.
- The cost to implement this scenario is high, estimated to be about \$5,000 up front. Additionally, the pavement markings would need to be replaced every 5-10 years at a cost of an additional ~\$5000.
- If this scenario were implemented, and subsequently deemed to be unsuccessful, the cost to remove the markings would be \$6,000 to \$7,000, and would leave the roadway scarred due to the removal process.

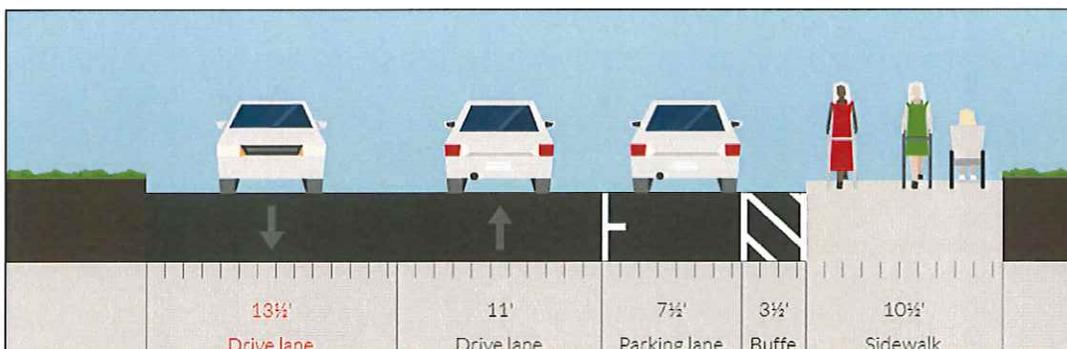


Figure 2- Typical Cross Section for Scenario 2

### Scenario 3 – Allow Parking Adjacent to the Trail at Certain Times

At the Committee's request, the AYC was contacted in an attempt to find a solution that would allow parking along the trail during certain times of the day/week/year in an attempt to balance AYC's desires with the Department's desire to maximize trail safety (our email exchange with AYC leadership is attached for reference). AYC has been clear that they would prefer parking be allowed adjacent to the trail whenever the club is open. This includes 5:00 p.m. to 8:00 p.m. on weeknights (year round), as well as all weekend days and evenings. Unfortunately, the majority of times they are open are the times when the trail would be most heavily used, and the parking would present the largest hazard to bicyclists. We believe a compromise could allow for parking during winter months (say, November 1<sup>st</sup> to April 1<sup>st</sup>), but should not allow for parking during the remainder of the year, when the trail will see its highest usage.

**RECOMMENDATION:** Based on the totality of the information presented above, staff recommends implementation of Scenario 1. We believe Scenario 2 comes with a potential cost-benefit ratio that is too high, especially given our budgetary limitations, and we believe Scenario 3 would unnecessarily compromise safety.

## Supporting Information:

During the last Municipal Services Committee meeting (on September 10<sup>th</sup>), several issues were raised. Below are staff's responses and discussion about those topics:

### Safety concerns about Yacht Club members crossing Lutz Drive

Lutz Drive is a relatively minor street with a speed limit of 25 miles per hour. Our records show it carries about 870 vehicles per day during the summer months. This equates to approximately 70 cars per hour during the peak traffic hour, or just over one car per minute. During off-peak times, traffic volumes are much lower. That said, the topography and roadside vegetation in the area of the Pierce/Lutz intersection severely limits the sight lines that would allow drivers to see and react to pedestrians crossing in that immediate area. For this reason, parking is not allowed on the west side of Lutz Drive in the vicinity of the Pierce/Lutz intersection. While staff does not believe that pedestrian crossings across Lutz Drive are *inherently* dangerous (based on low traffic volumes and speeds), we do recommend extending the existing No Parking zone on the west side of the street a bit further as a means of giving drivers a better opportunity to react to pedestrians that may be crossing (See Figure 4 below).



Figure 3- Additional Parking Restriction on West side

### Possibly stripe the trail (so parking could remain on the east side, adjacent to the trail)

The question was asked as to whether the trail could be striped in a way such that pedestrians use the side of the trail closest to the curb and bicyclists use the portion away from the curb (it was stated that this is done in Minneapolis). In fact, the Minneapolis Parks and Recreation Board has numerous trails that are configured to separate bicyclists and pedestrians (see Figure 3 below). However, their current design guidance requires that when pedestrians are separated from bicyclists on a multi-use trail, two bicycle lanes should be striped (one for each direction), each at a *minimum* width of five feet. In other words, the total width of the trail would need to be 15 feet, rather than the trail's actual width of 10 feet. Staff does not recommend this option.

## Eric Lom

---

**From:** mzelinski@new.rr.com  
**Sent:** Friday, October 12, 2018 8:41 AM  
**To:** Eric Lom; jimk\_1@yahoo.com; smaves@pcitrucks.com  
**Cc:** Paula Vandehey; Tom Flick  
**Subject:** Re: Lutz Dr Parking

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Eric:

I apologize for the delay in our response. There was a bit of confusion regarding who was going to handle this question in our all volunteer organization.  
Here is the info you need.

-----  
Time of Day / Day of Week / Time of Year:

If the Committee were to consider a scenario where parking would be prohibited along the trail only during certain times of the day and/or times of the year, it is important for us to clearly understand when the AYC has events that require more parking stalls than can be accommodated in the AYC lot. Could you please clarify when this typically occurs, and how often?

- Time of day?
- Day of week?
- Time of year?

-----  
The Club is open, generally, from 4PM to Close (10PM-Midnight) during the week. The Club is open on weekends, generally from Noon to Close.

In general, our busiest times year round are from approximately 5:00 PM - 8:00 PM during the week. We are very busy Friday nights, consistently.

We do get very busy on weekend days and evenings when we have events (parties, weddings, events, boating events, etc.) We are busier during boating season, generally (May-September), but we have worked hard to stay busy year round.

We have been successful in cash flowing this business year round ... this has not always been the case.

Also, when boating is busy, any overflow from guests to the Club or the Trail end up in Lutz Park parking, which fills up pretty quickly.

So, in general, we feel we need the parking requested during those hours we are open. It's a bit impractical, and bad for business, for guests that remain after the busy hours (i.e. 5PM-8PM on a Friday night, to have to move their car if parking were restricted in narrow windows ).

We hope you find a solution to parking on the river side of Lutz Drive. It would be helpful to both our Club and visitors to both the Trail and the Park.

Thank you!

Mark Zelinski  
AYC Director

Mark S. Zelinski  
mzelinski@new.rr.com  
920-621-1456

Gentlemen,

As you know, the City's Municipal Services Committee discussed the status of on-street parking on Lutz Dr, in the vicinity of the Appleton Yacht Club, at their last meeting (on 9/24). For reference:

\* A video recording of that meeting can be found here<[http://cityofappleton.granicus.com/MediaPlayer.php?view\\_id=3&clip\\_id=2496&meta\\_id=191462](http://cityofappleton.granicus.com/MediaPlayer.php?view_id=3&clip_id=2496&meta_id=191462)>

\* The meeting agenda can be found here<<https://cityofappleton.legistar.com/View.ashx?M=A&ID=639934&GUID=EC6D63FF-01F4-4635-BEBA-FBCDC0AC6CA7>>

\* The memo that was prepared by staff can be found here<<http://cityofappleton.legistar.com/gateway.aspx?M=F&ID=1241babe-1a84-4bf9-a4f6-ee6508ba7230.pdf>>

During the meeting, the Committee had considerable discussion about the two scenarios that were brought forth by City staff. These scenarios are described in detail in the staff memo linked above. As a byproduct of those discussions, the Committee has asked that staff develop a 3rd option that would be more palatable to all involved. To that end, I have a couple clarifications to offer, and several questions I'm hoping AYC can answer.

#### Loading and Unloading

As I mentioned during the meeting, loading and unloading of people and/or materials is permitted in a No Parking zone by state law (340.01(42m)). As such, it is currently legal for drivers to use the section of Lutz Dr that is located along the trail for loading and unloading, despite the No Parking signs that are in place.

#### Parking during winter months

At the 9/24 meeting, concerns were raised about the ability of AYC members to safely cross Lutz Drive during the winter months if parking would continue to be prohibited along the trail. Additionally, concerns were raised about how AYC members could safely park and exit their vehicles on the west side of Lutz Drive during the winter months, given the lack of a sidewalk on the west side. Given that no sidewalks existed on either side of Lutz Drive in that area prior to the construction of the trail, can you clarify how AYC members traditionally navigated from their parked vehicles to the AYC entrance during the winter months?

Time of Day / Day of Week / Time of Year If the Committee were to consider a scenario where parking would be prohibited along the trail only during certain times of the day and/or times of the year, it is important for us to clearly understand when the AYC has events that require more parking stalls than can be accommodated in the AYC lot. Could you please clarify when this typically occurs, and how often?

\* Time of day?

\* Day of week?

\* Time of year?

I appreciate your thoughts and feedback on this issue. I will plan to share your feedback with the Committee at their October 22nd meeting (4:30 p.m. in the Council Chambers). Feel free to call or email with any questions in the meantime.

Eric

Eric S. Lom, P.E.  
City Traffic Engineer  
City of Appleton | DPW Traffic Section  
920.832.5580

CLIENT:	APPLETON AREA SCHOOL DISTRICT
STREET ADDRESS:	172 E COLLEGE AVE. STE 1A
CITY/STATE:	APPLETON, WI
SCOPE:	11167-1
DATE:	09/10/18
SALES:	ROD FREDRICKSON
DESIGNER:	COURTNEY MILLER
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POWER DRAW:	
SQUARE FOOTAGE:	10 APPROX.
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*X Joseph R. Berglund*

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SCALE: 1/2" = 1' 0"



13.83 ft from sidewalk to underside of canopy  
12.16 ft to bottom of sign. 10' clearance is met.

FABRICATE AND INSTALL QTY ONE (1) D/F LIT BLADE SIGN UNDER CURRENT CANOPY. NOTE: SURVEY REQUIRED TO DETERMINE FINAL MOUNTING METHOD. POWER TO SIGN BY OTHERS.

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OPT. #1



"... 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 Lom, Traffic Engineer  
**Date:** October 16, 2018  
**Re:** Intersection traffic control at the Fourth Street / Pierce Avenue intersection  
*Follow-Up to Six-Month Trial Period*

As a follow-up to a citizen concern, the Traffic Section recently reviewed the traffic control at the intersection of Fourth Street and Pierce Avenue, and subsequently initiated a six-month trial period to change from yield control to two-way stop control. This intersection is located two blocks west of Memorial Drive and two blocks north of Prospect Avenue. The land use in this area is primarily residential.

In a typical intersection control study, we consider traffic volumes, crash history, safe approach speeds, etc. In this case, the estimated entering volume of this intersection is fairly low, at approximately 700 vehicles per day. A review of crash records indicated one crash for the recent five-year period of 2014 through 2018. The critical approach speed for the intersection was found to be approximately 10 mph due to a home, fence and vegetation located in the northwest quadrant of the intersection (but outside the legal vision corner). Both streets are classified as *local*.

While this intersection does not meet the volume or crash thresholds for stop control, the critical approach speed is below standard. As such, we recommend maintaining the two-way stop control that was implemented for the trial period.

**To accomplish this, the following ordinance action is required:**

1. **Create:** "Install Stop signs on Pierce Avenue at Fourth Street."



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**To:** Municipal Services Committee  
**From:** Eric Lom, Traffic Engineer  
**Date:** October 16, 2018  
**Re:** Intersection traffic control at the John Street/Meade Street intersection  
*Follow-Up to Six-Month Trial Period*

In response to ongoing concerns about traffic and pedestrian safety, the Traffic Section recently reviewed the control at the intersection of John Street and Meade Street, and subsequently initiated a six-month trial period to change from three-way stop control to all-way stop control. This intersection is located in the Lawrence University area south of College Avenue and east of Lawe Street.

The Meade/John intersection is a four-legged intersection, with one of the legs being a private street (Boldt Way) that provides access into the heart of the Lawrence University campus area. Historically, three of the legs were stop controlled, with the fourth leg (westbound) being uncontrolled. This configuration was a byproduct of the trucking that used to take place in this area and the slight uphill approach to the intersection in the westbound direction. While this configuration worked well for trucking, it had proven to be confusing for motorists and pedestrians alike.

Since the trucking is no longer taking place, the conversion of this intersection to an all-way stop was tested as a way of clearing up confusion and offering a safer environment for the very large number of pedestrians that traverse the intersection daily.

During the trial period, it was noted the all-way stop control functioned as expected, reducing confusion and increasing safety for drivers and pedestrians. Further, all feedback received by my office was positive. Based on this, we recommend making the changes permanent.

**To accomplish this, the following ordinance action is required:**

1. **Create:** "Install all-way stop control at the John Street / Meade Street intersection."



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Appleton, WI 54911  
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FAX (920) 832-5570

**To:** Municipal Services Committee  
**From:** Michael Hardy, Assistant City Traffic Engineer  
**Date:** October 17, 2018  
**Re:** Parking Change on Meade St by Edison Elementary School  
*Follow-Up to Six-Month Trial Period*

The Traffic Section was contacted by the principal of Edison Elementary School on Meade Street, requesting a small change the existing bus loading zone along the school, just south of North Street. The request was to move the existing bus zone south to better align with the paved terrace at the school entrance.

Based on a review of situation, we believed the change would have little to no negative impact, as the change would only displace two vehicles in a designated passenger loading zone. Based on this information, we instituted a 6-month trial to test the changes.

Edison Elementary is happy with the change, and 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. **Create:** "No stopping, standing or parking on school days from 7:30 a.m. to 4:30 p.m. on the east side of Meade Street from North Street to a point 50 feet south of North Street."
2. **Create:** "No stopping, standing or parking on school days, except for buses, from 7:30 a.m. to 4:30 p.m. on the east side of Meade Street from a point 50 feet south of North Street to a point 145 feet south of North Street."
3. **Create:** "No parking/passenger loading zone, on school days, from 7:30 a.m. to 4:30 p.m. on the east side of Meade Street from a point 145 feet south of North Street to a point 15 feet north of Eldorado Street."
4. **Create:** "No stopping, standing or parking, on the east side of Meade Street from a point 15 feet north of Eldorado Street to a point 15 feet south of Eldorado Street."
5. **Create:** "No parking/passenger loading zone, on school days, from 7:30 a.m. to 4:30 p.m. on the east side of Meade Street from a point 15 feet south of Eldorado Street to Franklin Street."



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FAX (920) 832-5570

**To:** Municipal Services Committee  
**From:** Eric Lom, City Traffic Engineer  
**Date:** October 16, 2018  
**Re:** Parking restriction change on Washington Street, east & west of Park Avenue (N side)  
*Follow-Up to Six-Month Trial Period*

The Traffic Section was recently contacted by a representative from Lawrence University regarding sight line issues for drivers and pedestrians at the intersection of Washington Street and Park Avenue, a "T" intersection located north of College Avenue and east of Drew Street.

Vehicles are generally parked bumper to bumper in this area during the school year. In addition, they often park too close to the crosswalks at Park Avenue (state law prohibits parking within 15 feet of a marked or unmarked crosswalk), making it extremely difficult for southbound drivers to see to the east and west when attempting to turn onto Washington Street. This also makes it difficult for pedestrians and drivers to see each other at the intersection.

Based on the traffic and pedestrian volumes at this intersection, we initiated a 6-month trial to prohibit parking to the east and west of the intersection's north side. We believe this has increased safety and 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. **Create:** "Parking be prohibited on the north side of Washington Street from a point 30 feet west of Park Avenue to a point 40 feet east of Park Avenue."



Dr. Susan A. May, President

1825 N. Bluemound Drive, P.O. Box 2277 • Appleton, WI 54912-2277  
Phone 920-735-5600 • Toll-free 1-800-735-FVTC (3882)  
TTY 920-735-2569 • FAX 920-735-2582 • www.fvtc.edu

October 9, 2018

Paula Vandehey, Director  
Department of Public Works  
City of Appleton  
100 N. Appleton Street  
Appleton, WI 54911

Dear Ms. Vandehey:

Fox Valley Technical College has been holding our winter commencement ceremony at the Fox Cities Performing Arts Center for many years. Prior to the “pay as you exit” parking, FVTC worked out an agreement with the city that resulted in the College paying \$2.00 per car for anyone entering during a specified timeframe. Since the “pay as you exit” parking (\$5 per car) has been in place, parking has been a significantly higher concern for us. The city staff have been great at helping us determine the best parking options and have provided wonderful service in the past.

The biggest hurdle for our students and their families is the cost of parking. Our students are a little different than the typical PAC goers or downtown shoppers – approximately half of them live at or near poverty. Graduating from college is a huge deal for them, yet unfortunately, some of them cannot afford the required cap and gown for the ceremony. Most of our graduates and their families have never been to the PAC and to have such an awesome venue for their commencement is an honor.

I am writing this letter to ask if you would consider a reduced event parking pass for our students and guests. Our Winter Commencement Ceremony is scheduled for Saturday, December 15, 2018, at the Fox Cities Performing Arts Center. The ceremony is approximately 2 hours in length starting at 1:00 pm ending at 3:00 pm. Our guests will begin arriving around 12:00 pm.

Thank you for your consideration.

Sincerely,

Patti Jorgensen  
Vice President of Student and Community Development  
Fox Valley Technical College  
[jorgensp@fvtc.edu](mailto:jorgensp@fvtc.edu)  
(920) 735-5649

October 12, 2018

Dear Municipal Service Committee,

On behalf of the small businesses that remain a vital component of our thriving downtown, we respectfully submit this request for free ramp and meter parking on Small Business Saturday on November 24, 2018. Please consider removing the paid parking requirement throughout the central business district for Saturday, Nov. 24<sup>th</sup> in support of Small Business Saturday.

Small Business Saturday was launched in 2010 by American Express to encourage people to Shop Small and bring more holiday shopping to small businesses. In 2011, the Senate unanimously passed a resolution in support of the day. In 2017, an estimated 108 million consumers reported shopping or dining at local independently-owned businesses on Small Business Saturday – generating roughly \$12 billion in reported spending. Today more than 7200 Neighborhood Champions like Appleton Downtown Inc. want to do our part to support Shopping Small!

We are proud to partner with ANBA and the City of Appleton Community Development Department to cooperatively promote Small Business Saturday in the Fox Cities. Additionally, we are grateful for the support of our corporate partners, the Appleton International Airport, Fox Communities Credit Union, Tundraland, and our media partners.

By including the partnership of the City of Appleton Public Works Department through this demonstration of support we are able to provide a more welcoming environment for the Small Business Saturday shopper. We ask for your assistance in support of small businesses Downtown by providing a "Park Free" shopping experience void of the pressure of monitoring expiring time on this one special day of the year.

ADI will work with the business owners to ensure on street parking be reserved for shoppers and not occupied by employees. We greatly appreciate your consideration. Please let us know when this request will be placed on the agenda.

Sincerely,



Jennifer Stephany  
Executive Director  
Appleton Downtown Inc.



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

## LEGAL SERVICES DEPARTMENT

Office of the City Clerk

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6443

Fax: 920/832-5823

### MEMORANDUM

October 18, 2018

To: Christopher Croatt, Chair of Municipal Services Committee, Municipal Services Committee Members

From: Kami Lynch, City Clerk

Re: Request for \$3 Half-Day Parking Passes for Election Inspectors during In-Person Absentee Voting October 22<sup>nd</sup> – October 26<sup>th</sup> & October 29<sup>th</sup> – November 2<sup>nd</sup>

To best serve and accommodate large numbers of voters during 'early' in-person absentee voting election inspectors assist with absentee voting and related procedures. Adequate staffing for each day of in-person absentee voting consists of the help of 8 election inspectors per 4-hour shift totaling 16 election inspectors per day.

We are very grateful for the willingness of election inspectors to assist with in-person absentee voting and feel it is important to provide parking options for these individuals. Therefore, each person receives a parking pass for the attached blue ramp for each day they work. As day passes for the blue ramp cost \$5 per day, we would end up spending approximately \$600 in parking passes for those working in-person absentee voting.

I am requesting that the clerk's office may provide half-day parking passes at a reduced rate of \$3 per hang tag to these election workers. The attached table provides detail of the number of passes needed for each day based upon the 4-hour shift.

If there are any questions regarding this request, please do not hesitate to contact me for further information.

Thank you for your consideration.  
Respectfully,

Kami Lynch  
City Clerk

### Early In-Person Absentee Voting Parking Passes

DATE	AM 7:45 a.m. – 12:00 p.m. # of Passes	PM 12:00 p.m. – 5:00 p.m. # of Passes	Total Passes Per Day
Monday 10/22/18	6	5	11
Tuesday 10/23/18	8	4	12
Wednesday 10/24/18	7	5	12
Thursday 10/25/18	7	4	11
Friday 10/26/18	6	4	10
Monday 10/29/18	6	7	13
Tuesday 10/30/18	8	7	15
Wednesday 10/31/18	4	5	9
		Nov 1 & 2 12 p.m. – 5:30 p.m.	
Thursday 11/1/18	3	5	8
Friday 11/2/18	6	5	11

## Paula Vandehey

---

**From:** Christine Williams  
**Sent:** Thursday, October 18, 2018 2:33 PM  
**To:** Paula Vandehey  
**Subject:** 1629 w reeve

HI,

Dan Subering received a letter that he would be getting a Japanese lilac tree in front of his house.

He doesn't want, citing how messy the tree is and that he hasn't had a tree in the 40 years he lived there.

Please put on agenda Monday. He said he would make the meeting.

Thanks,

Christine

Sent from my Verizon, Samsung Galaxy smartphone



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**DEPARTMENT OF PUBLIC WORKS**

**Engineering Division**

**100 North Appleton Street**

**Appleton, WI 54911**

**(920) 832-6474**

**FAX (920) 832-6489**

**CITY OF APPLETON  
TREE PLANTING POLICY**

Trees are planted on new street construction and street reconstruction projects during the planting season following the completion of construction. Trees are also planted on request and as replacement for trees that are removed if space allows.

Species selection is based on the site and its limitations. A wide variety of species are available. Planting of new streets and reconstruction is done on a block by block basis with one species on each block.

Spacing Requirements:

1. 40 – 60' lateral spacing
2. 60' from approach side of intersections
3. 30' from exit side of intersection
4. 10' from driveway aprons
5. 10' from water shut off valves
6. 10' from gas line T's
7. 20' minimum from street lights
8. Appropriate spacing from existing landscaping

Guarantee:

All trees carry a full guarantee unless damage or neglected by the homeowner.



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# LICENSE APPLICATION for TAXICAB/LIMOUSINE DRIVER'S LICENSE

<b>FEES ARE NON-REFUNDABLE</b>		Date Recv'd <u>9/27/18</u>
License fee	\$50.00	Acct. 11030.4321
Investigation fee	\$ 7.00	Acct. 100.2359
Total fee paid	\$ <u>57.00</u>	Receipt <u>4890593</u>

Original Application  
 Renewal - License # \_\_\_\_\_

## SECTION 1 - APPLICANT INFORMATION

Applicant Name ( Last, First, MI) <u>Benny Nicholas A</u>		Maiden	
Street Address <u>1503 E Pauline St</u>		City <u>Appleton</u>	State <u>WI</u>
Driver's License Number		State License Issued In <u>WI</u>	Zip <u>54911</u>
Date of Birth		Sex <u>M</u>	Home Phone Number
Cell phone Number		Are you a Citizen of the United States? <input checked="" type="radio"/> YES <input type="radio"/> NO	
Previous address - if less than 2 years at present address: <u>3251 W 4th St Apt 10</u>		City <u>Appleton</u>	State <u>WI</u>
Company Employed by <u>Fox Valley Cab</u>		Date hired <u>9/25/18</u>	Zip <u>54914</u>
		Number of years you held a D/L <u>2009</u>	

all  
near  
ready

## SECTION 2 - CONVICTION RECORD

Has your license EVER been revoked or suspended?	YES	<input checked="" type="radio"/> NO	If Yes, when and for what reason?
Is your present driver's license a restricted occupational license?	YES	<input checked="" type="radio"/> NO	If Yes, please explain:
Within the last 5 years have you been convicted of operating a motor vehicle while intoxicated?	YES	<input checked="" type="radio"/> NO	If Yes, please explain:
Have you been convicted of more than three moving violations in the past year?	YES	<input checked="" type="radio"/> NO	If Yes, please explain:
Have you had more than three traffic accidents in the past year regardless of fault?	YES	<input checked="" type="radio"/> NO	If Yes, please explain:
Have you held a driver's license in another state in the past 5 years?	YES	<input checked="" type="radio"/> NO	If Yes, please explain:
Have you EVER been convicted of a felony or misdemeanor?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	If Yes, please explain in detail: <u>2005 1st Degree Sexual Assault</u>

## SECTION 3 - PENALTY NOTICE

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

Applicant's Signature [Signature]

## FOR OFFICE USE ONLY

Date sent to APD: <u>9-27-18</u>	Approve	Deny	By	Reason
Return application to: City Clerk, 100 North Appleton Street, Appleton, WI 54911	Date issued	Exp. date	License Number	

**Appleton Police - Consideration for Denial**  
**(electronic copy sent to SGT Medina and Kami Lynch)**

Applicant	License Type	Offense	Type	Offense Date	Conviction Date
Nicholas A Berry 01/29/88	Taxi	1st Degree Sexual Assault of a Child	Felony	05/09/05	11/15/05





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**APPLETON FIRE DEPARTMENT  
700 N. DREW STREET  
APPLETON, WI 54911**

## MEMORANDUM

To: Kyle Lobner, Chair - Safety & Licensing Committee, Common Council & Police and Fire Commission

From: Jeremy Hansen, Fire Chief

Date: October 11, 2018

Re: Request to Increase Service Level to Emergency Medical Technician - Basic

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The Appleton Fire Department has been providing emergency medical service at the Emergency Medical Responder level since August 1998. In 2017, the department responded to 3,127 emergency medical calls which is approximately 66% of our emergency incidents. Over the years, the department has worked with our medical director and trained our personnel to provide advanced skills to those we serve. Some of the advanced skills include administering medications such as Albuterol, aspirin, Epinephrine and Narcan. Other advanced skills include utilizing the automatic external defibrillator (AED), spinal immobilization, applying tourniquets, and establishing advanced airways. These advanced skills were added to our skill set as we continue to increase the level of service to the community. The Appleton Fire Department anticipates continued future growth in the area of emergency medical response.

The next step in this effort would be to attain the Emergency Medical Technician – Basic (EMT-B) licensure from the State of Wisconsin for fire department personnel. Currently, 38 of our 91 sworn personnel hold the EMT-B or Paramedic credential from the State of Wisconsin.

Members of our internal EMS Committee developed a training program, in partnership with Fox Valley Technical College, that will provide the necessary knowledge, skills and abilities needed to meet the requirements set forth by the State of Wisconsin. The training program will be offered twice, once in spring 2019 and once in spring 2020. The two-year process can be accommodated within our existing training schedule and budget. The EMT-B licensure will allow our personnel to utilize additional skills during emergency medical incidents. Some of these skills include, more in depth patient assessment and medical emergency diagnosis, initial treatments for breathing difficulties, chest pain and diabetic emergencies. Each of which, require immediate medical intervention to deliver the best patient outcome.

Therefore, I am recommending that the Appleton Fire Department increase our emergency medical service from Emergency Medical Responder to EMT-B with the intent of having an operational plan submitted and approved by the State of Wisconsin by the end of 2020.

If you have any questions or concerns, please do not hesitate to contact me at (920) 832-5810. Thank you!

Operator's Licenses for 10/24/18 S & L

Approved

Jermaine A. Baxter	723 Main Street, #3, Neenah
Brandy J. Beaumont	1528 N. Kenilworth Avenue
Lisa M. Bennett	7088 Jacobson Drive, Winneconne
Brian D. Boom	217 W. 12 <sup>th</sup> Street, #8, Kaukauna
Deborah A. Boyce	4416 N. Providence Avenue
Alexandra C. Brill	500 E. Eagle Flats Pkwy
Kayleigh N. Burzynski	2901 Main Avenue, Kaukauna
David J. Dawiedczyk	1324 N. Division Street
Christina M. Duckworth	2150 Ridgecrest Lane, Menasha
Sharleen A. Gordon	1480 North Street, Neenah
Cady M. Greenslit	1319 ½ N. Clark Street
Hanna E. Johnson	3628 Royal Sierra Trail, Neenah
Marleina C. Johnson	2600 S. Kerry Lane
Jasmeet Kaur	1306 S. Oneida Street
Heather A. Kesler	979 7 <sup>th</sup> Street, #D, Menasha
Heath H. May	704 S. Pierce Avenue
Jodi L. McBride	1108 N. Briarcliff Drive
Lisa L. Meek	7035 N. Palladium Court
Rebecca R. Robbeloth	1641 S. Nicolet, #1
Bethany A. Schultz	737 Woodsvew Lane, Kimberly
Krystal A. Thompson	3603 Crestview Drive
Austin H. Tremble	826 W. Lorain Street
Duston A. Van Belkum	2588-4 Bay Harbor Circle, Green Bay
Karyn E. Veloz de la Rosa	1211 W. France Street
Cory M. Veltus	1009 Forestedge Drive, Kaukauna
Julie A. Wieringa	1521 N. Perkins Street



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# REQUEST for Beer/Liquor License Premise Amendment

<b>FEES ARE NON-REFUNDABLE</b>		Date Recv'd ___/___/___
License Fee	\$ 10.00	Acct. 11030.4306
Receipt	_____	

## SECTION 1 – LICENSE INFORMATION

Name of Establishment	FESTIVAL FOODS		
Address of Establishment	1200 NORTHLAND AVENUE, APPLETON, WI 54901		
Name of Agent	CHAD D MEYER	Phone Number	920-968-2212

## SECTION 2 – PREMISE AMENDMENT

Please describe the change in premises:  
**\*A drawing/diagram of the proposed area must also be submitted with this application\***

**84,054 SQ FEET, ONE STORY BUILDING, SEPARATE WINE & SPIRITS ENTRANCE, LOCKED BACK ROOM STORAGE, DESIGNATED STALLS IN PARKING LOT FOR ONLINE GROCERY PICK-UP**

Is this change Permanent? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	If this is temporary please specify the reason for the amendment:
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Please list the date(s) and time(s) that this temporary premise amendment will be utilized:

**OCTOBER 17, 2018 TO PUBLIC**

## SECTION 4 – PENALTY NOTICE

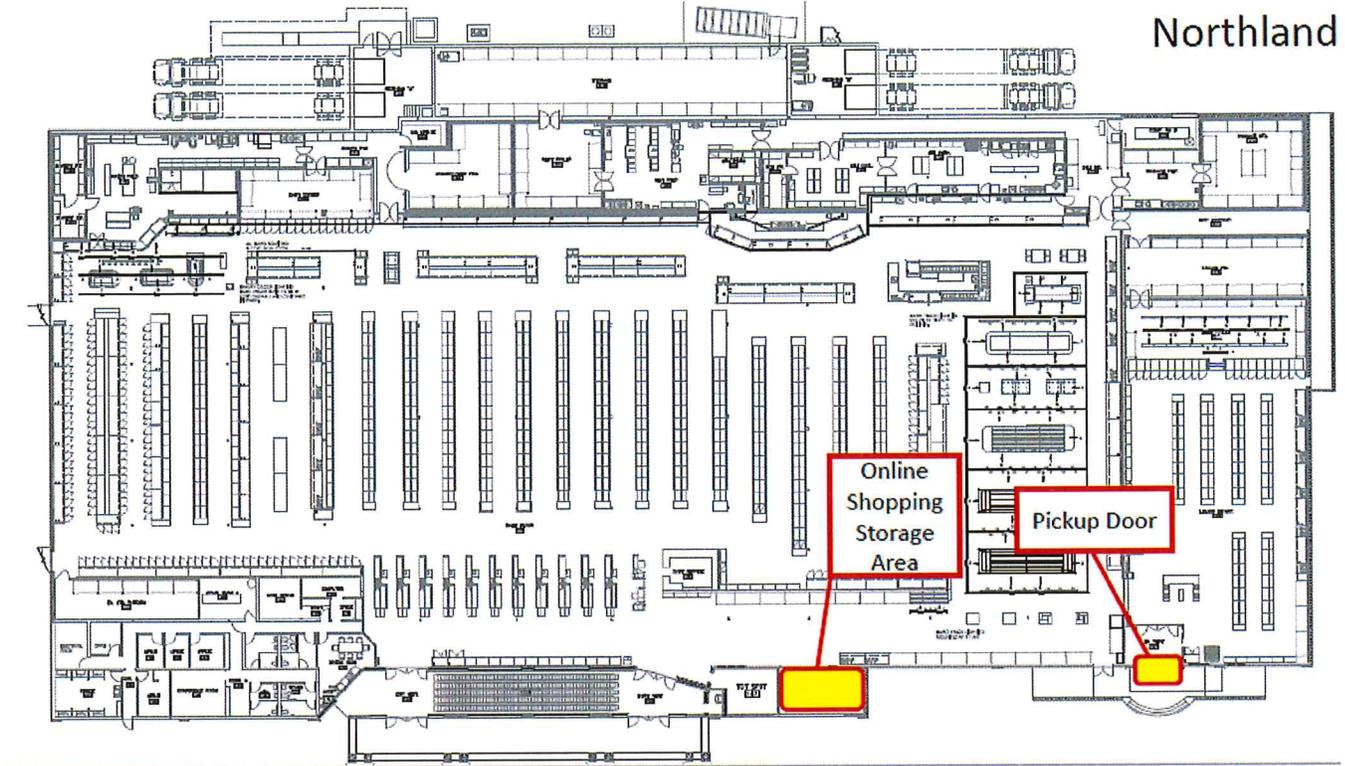
I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.  
 Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.

Signature of Applicant: *Sandra Kone*

## 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

Northland





# Compliance & Ethics

## Online Grocery Pickup (Click N Go)

### Procedure Guide

#### Placing Order

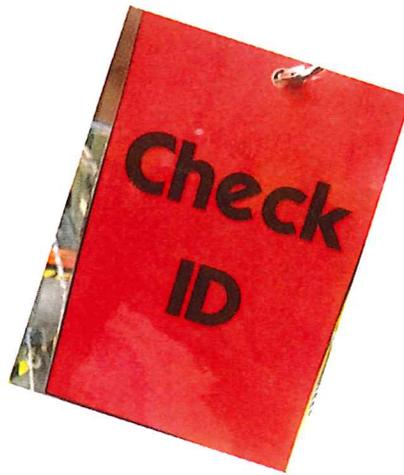
- Customer visits festfoods.com and creates an account by providing applicable information such as phone #, zip code, email address, etc.
- The customer will be able to select the store of their choice from our 31 options currently in Wisconsin. Not all locations are providing this service at this time.
- Customer will be able to shop for goods at their desired location.
- Customer will be able to select a pick up timeframe.
- Customer completes the order by supplying their credit card information.
- Festival Foods authorizes and holds the card information, but funds are not transferred from the card.

The screenshots illustrate the online grocery pickup process. The first screenshot shows the 'Shop' button highlighted in red on the festfoods.com homepage. The second screenshot shows the 'ihop' store selected on the map. The third screenshot shows the shopping cart with items like Corn Sweet, Bananas, Avocado, Raspberries, and Lime. The fourth screenshot shows the checkout process with a 'Place Order' button highlighted in green.

- Credit Card is the only form of Payment for Click N Go.
- There will be a \$5 or 10% of total hold on your credit card until the order is completed.
- After completed select "Place Order"

Item Total:	\$3.88
Pick Up Fee:	\$6.55
Provisional Hold:	\$5.00
10% Fee:	(\$5.55)
<b>*Estimated Total:</b>	<b>\$9.88</b>
*Items not included	





- This sign will enable our online shoppers to clearly identify items that are subject to additional regulatory restrictions.
- All picked orders are kept in a secure backroom staging area, not open to the public, and only where Festival Foods employees are permitted to enter.

#### Customer Pickup: Order Review

- Online Grocery Pickup (Click N Go) is currently offered between 10am-7pm, 7 days a week (except holidays or other store closures).
- When the customer arrives, they notify our online shopper of their arrival by calling or texting their name to our online shopper's cell phone.
- Only online shoppers meeting the age requirements within the regulatory jurisdiction are allowed to handle and/or dispense orders with alcoholic beverage products.
- If alcohol is not allowed to be sold at the time of dispense, the associate will not complete the transaction. The item will be removed from the transaction and the physical product will be removed from their cart.
- Must verify the driver is over 21, photo ID must be verified by a licensed operator.
- Licensed operator must verify that the person placing the order is the same person picking the order up. Sale is only to be made by licensed operator.
- If over 21, the customer's order will be charged accordingly and the item will be placed into the customer's vehicle by our online shopper.
- If the customer is under 21 and/or cannot provide a valid ID, the alcohol beverage products are removed from the customer's order and the customer is not charged for these products.

#### Customer Pickup: Dispensing

- Once the customer and online shopper have:

- Reviewed any substituted items, fragile items, and out of stock items
- Removed any rejected products that the customer no longer wants
- Verified the customer's age and identification if the order contained any age restricted items (and if necessary, removed age restricted items)
- The customer is then charged for the items and the customer's account is charged with the final order amount (after removing the cost of any products removed from the order)
- The online shopper places the final order into the customer's vehicle, and the transaction is considered complete.





## REPORT TO CITY PLAN COMMISSION

**Plan Commission Informal Hearing Meeting Date:** October 9, 2018

**Common Council Public Hearing Meeting Date:** November 7, 2018

**Item:** Rezoning #10-18 - West Water Street

**Case Manager:** Don Harp

### GENERAL INFORMATION

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**Owner:** Atlas Mill, LLC c/o Randy Stadtmueller

**Applicant:** Martenson & Eisele, Inc. c/o Gary Zahringer

**Address/Parcel#:** West Water Street (Tax Id #31-3-1482-00)

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

### BACKGROUND

---

A Certified Survey Map (CSM) was submitted in conjunction with the rezoning request to combine the subject parcel and adjacent parcel (#31-3-1481-00). CSMs are administratively reviewed and approved by City staff. However, per Section 23-40(b) of the Municipal Code, there shall not be more than one zoning district on any parcel of land. Therefore, combining the parcels, which are currently in different zoning districts, also necessitates a rezoning.

### STAFF ANALYSIS

---

**Existing Site Conditions:** The subject parcel is approximately 15,246 square feet in size and is located east of the Atlas Mill building and between the Fox River and railroad tracks. Currently, the parcel consists of outdoor exhibits describing the paper making process, open space and walking paths.

#### **Surrounding Zoning Classification and Land Uses:**

**North:** M-2 General Industrial District. The adjacent land uses to the north are currently Ellen Kort Peace Park and CN Railroad.

**South:** M-2 General Industrial District. The adjacent land use to the south is the Fox River.

**East:** M-2 General Industrial District. The adjacent land uses to the east are currently Ellen Kort Peace Park and CN Railroad.

**West:** C-2 General Commercial District. The adjacent land uses to the west are currently offices, restaurant and the Paper Discovery Center (this site is under same ownership as subject property).

**Rezoning #10-18 – W. Water Street**  
**October 9, 2018**  
**Page 2**

**Proposed Zoning Classification:** The purpose of the C-2 District is intended to provide for businesses that serve city and regional markets, provide goods and services to other businesses as well as consumers, provide services to automobiles and serve the traveling public.

**Zoning Ordinance Review Criteria:** A rezoning is often triggered by development proposals or changing circumstances in the City. In this case, the desire to combine lots (via CSM) prompted the applicant to submit the rezoning request. Based on initial CSM review, the proposed lot combination would meet applicable lot area and lot width development standards for the C-2 District. No development projects are proposed at this time.

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future mixed uses and public parks and open space. The proposed C-2 General Commercial rezoning and current use of the subject site (outdoor exhibits describing the paper making process, open space and walking paths) are consistent with the Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

*Goal 1 – Community Growth*

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

*Goal 8 – Economic Development*

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

*OBJECTIVE 9.4 Economic Development:*

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

*OBJECTIVE 10.1 Land Use:*

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

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

- 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:

**Rezoning #10-18 – W. Water Street**  
**October 9, 2018**  
**Page 3**

1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 goals and objectives stated above and the Future Land Use Map, which identifies this area for future mixed uses and public parks and open space.*
  2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.
  3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
  4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
  2. The effect of the proposed rezoning on surrounding uses. *The rezoning request is being made to accommodate a lot combination with the adjacent parcel. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

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

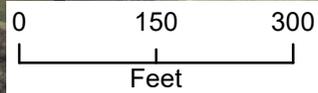
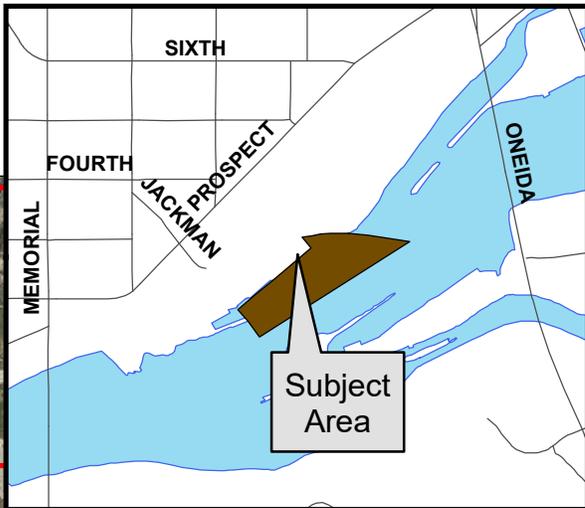
**Technical Review Group (TRG) Report:** This item was discussed at the September 18, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

**RECOMMENDATION**

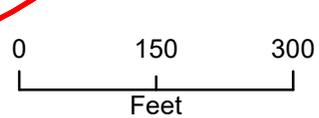
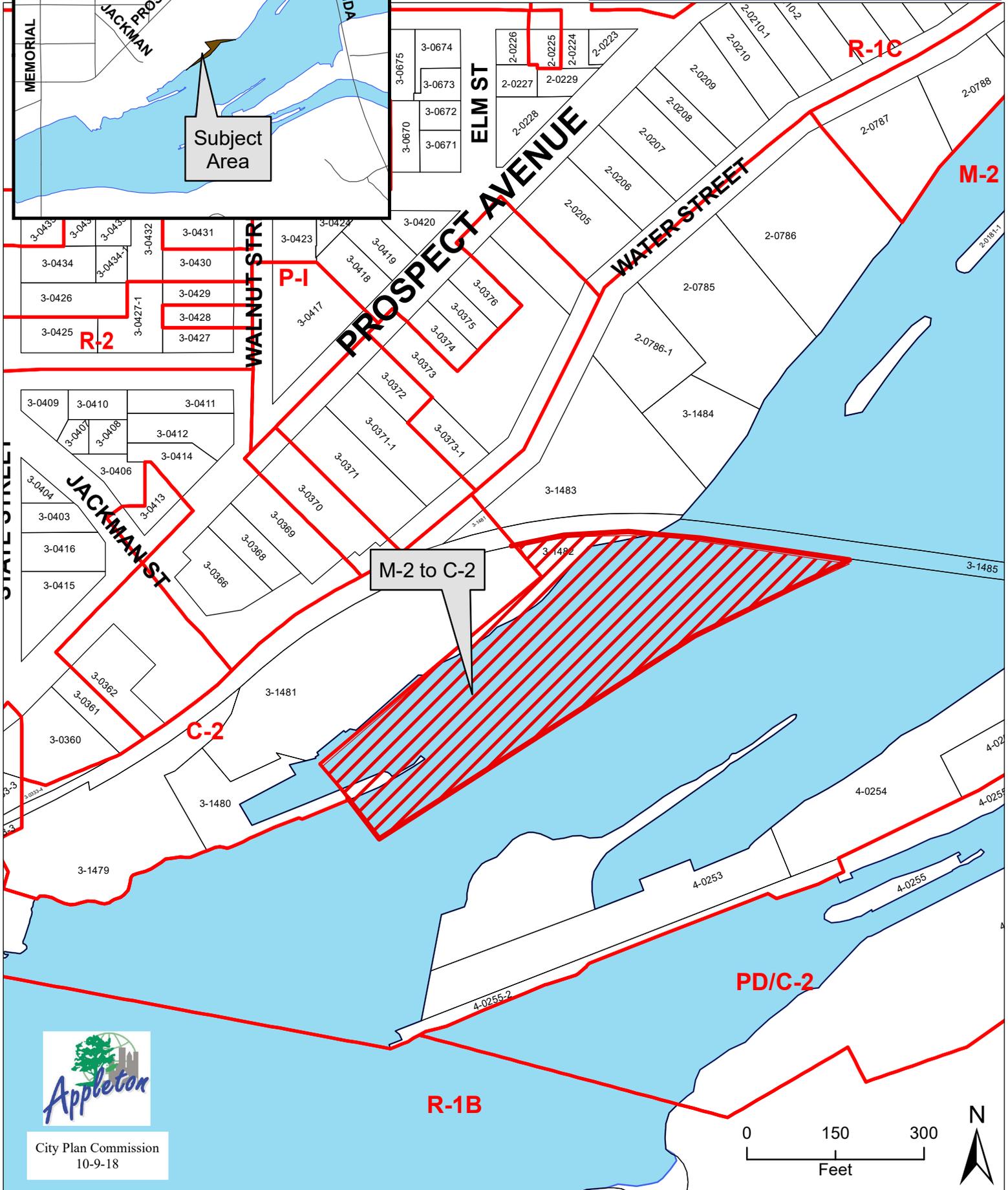
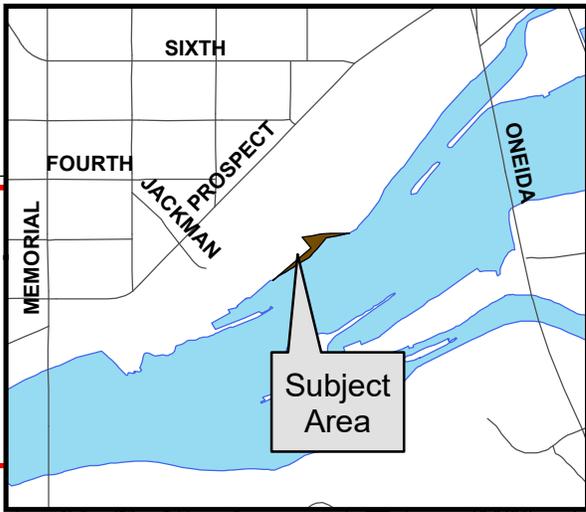
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Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #10-18 to rezone the subject parcel (Tax Id #31-3-1482-00) from M-2 General Industrial District to C-2 General Commercial District, including the adjacent Fox River as shown on the attached maps, **BE APPROVED**.

Rezoning 425 W Water Street  
M-2 General Industrial District  
to C-2 General Commercial District  
Zoning Map



Rezoning 425 W Water Street  
M-2 General Industrial District  
to C-2 General Commercial District



# REZONING REFERENCE MAP

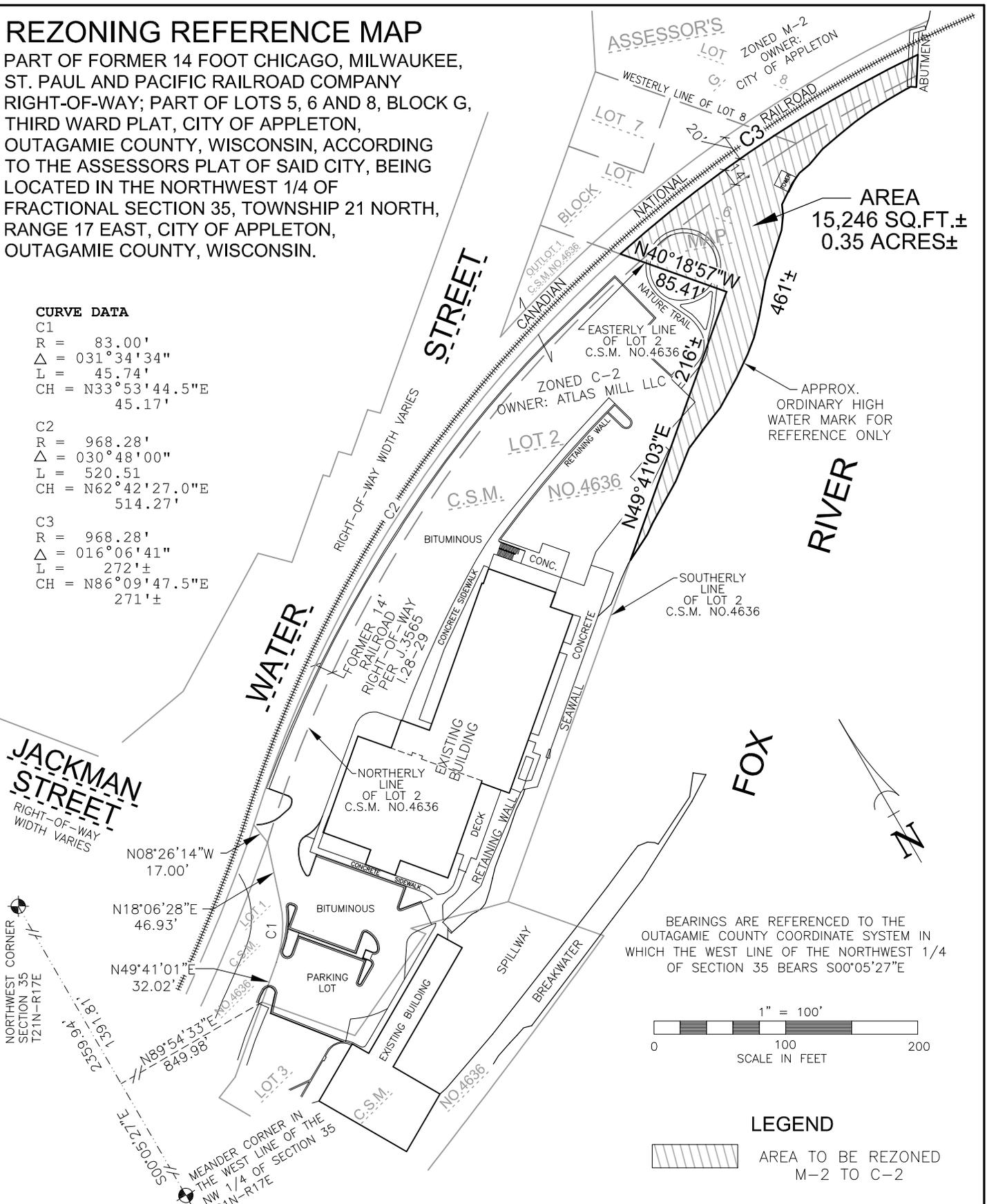
PART OF FORMER 14 FOOT CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT-OF-WAY; PART OF LOTS 5, 6 AND 8, BLOCK G, THIRD WARD PLAT, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, ACCORDING TO THE ASSESSORS PLAT OF SAID CITY, BEING LOCATED IN THE NORTHWEST 1/4 OF FRACTIONAL SECTION 35, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

### CURVE DATA

C1  
 R = 83.00'  
 $\Delta = 031^{\circ}34'34''$   
 L = 45.74'  
 CH =  $N33^{\circ}53'44.5''E$   
 45.17'

C2  
 R = 968.28'  
 $\Delta = 030^{\circ}48'00''$   
 L = 520.51'  
 CH =  $N62^{\circ}42'27.0''E$   
 514.27'

C3  
 R = 968.28'  
 $\Delta = 016^{\circ}06'41''$   
 L = 272'±  
 CH =  $N86^{\circ}09'47.5''E$   
 271'±

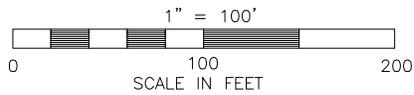


AREA  
 15,246 SQ.FT.±  
 0.35 ACRES±

APPROX.  
 ORDINARY HIGH  
 WATER MARK FOR  
 REFERENCE ONLY

SOUTHERLY  
 LINE  
 OF LOT 2  
 C.S.M. NO.4636

BEARINGS ARE REFERENCED TO THE  
 OUTAGAMIE COUNTY COORDINATE SYSTEM IN  
 WHICH THE WEST LINE OF THE NORTHWEST 1/4  
 OF SECTION 35 BEARS  $S00^{\circ}05'27''E$



### LEGEND

 AREA TO BE REZONED  
 M-2 TO C-2

**Martenson & Eisele, Inc.**  
 1377 Midway Road  
 Menasha, WI 54952  
 www.martenson-eisele.com  
 info@martenson-eisele.com  
 920.731.0381 1.800.236.0381

Planning  
 Environmental  
 Surveying  
 Engineering  
 Architecture

PROJECT NO. 1-1067-001  
 FILE 1-1067-001rezone.dwg  
 THIS INSTRUMENT WAS DRAFTED BY: A.Sedlar



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** October 23, 2018

**Common Council Meeting Date:** November 7, 2018

**Anticipated Date When Annexation is Effective:** November 13, 2018  
at 12:01 a.m.

**Item:** 5500 North Meade Street Randal Leeman, Et al Annexation

**Prepared By:** Don Harp

### GENERAL INFORMATION

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**Owners/Applicants:** Joseph Leeman, Sandra Green, Rusel Leeman, Scot Leeman, Jean M. Balck and Randal R. Leeman

**Address/Parcel:** 5500 North Meade Street (Town of Grand Chute Tax Id. 101002900)

**Petitioners' Request:** Owners are requesting direct annexation by unanimous approval pursuant to Section 66.0217(2), Wisconsin State Statutes of land currently located in the Town of Grand Chute, Outagamie County.

**Purpose for Annexation:** To allow the existing single-family residence to be connected to the City water system.

**Population of Such Territory:** 0

**Annexation Area:** 0.424 acres m/l

### BACKGROUND

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On March 16, 1992, the City of Appleton and the Town of Grand Chute agreed to and entered into an Intermunicipal Boundary Agreement pursuant to Section 66.027 and 66.30 of the Wisconsin State Statutes for the purpose of defining and expanding the provision of governmental services, including water and sewer services, by establishing the City's growth area and establishing provisions for annexation of land within the Town of Grand Chute to the City of Appleton.

Before the Common Council approves the annexation ordinance, the City must allow a 20-day statutory review period, which starts on the date when the State Department of Administration receives the annexation application materials and fee from the City. On October 11, 2018, the State Department of Administration received the annexation application materials and fee from the City. This requirement will be satisfied prior to Council taking action on this annexation request at their November 7, 2018 meeting.

**STAFF ANALYSIS**

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The Community and Economic Development Department staff has reviewed the annexation petition and identifies the following:

- The area proposed for annexation is contiguous to the existing City boundary to the south and west.
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- City water infrastructure to serve the subject property is already installed within the Meade Street right-of-way. Annexation to the City of Appleton would be required before the subject property could connect to the City water.
- Sanitary sewer service is not currently available by the City of Appleton.
- Currently, there is an existing single-family residence located on the subject property.
- The owners are requesting that Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District. A rezoning initiated directly by Plan Commission will be processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council.
- The City acquired the west 40 feet of the subject property from the property owners by quit claim deed for public right-of-way purposes.

**Surrounding Zoning Classification and Current Land Uses:**

**North:** Zoning: AGD, Agricultural District (Town of Grand Chute)  
Current Land Use – Plamann Park

**South:** Zoning: P-I, Public Institutional District  
Current Land Use – Fox Valley Lutheran High School

**East:** Zoning: AGD, Agricultural District (Town of Grand Chute)  
Current Land Use – Plamann Park

**West:** Zoning: AGD, Agricultural District (Town of Grand Chute)  
Current Land Use – Residential

**Appleton Comprehensive Plan 2010-2030:** The City of Appleton 2010-2030 Comprehensive Plan Map identifies this parcel for future one and two-family residential land uses. The proposed R-1B Single-Family District zoning classification is consistent with the *Comprehensive Plan 2010-2030* Future Land Use Map.

***Goal 1 – Community Growth (Chapter 10)***

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

***Goal 3 – Housing Quality, Variety, and Affordability (Chapter 5)***

*Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.*

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

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

**Technical Review Group (TRG) Report:** This item was discussed at the October 2, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

**FUTURE ACTIONS**

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- Per Section 23-65(e) of the Municipal Code, a temporary zoning classification of AG Agricultural District is assigned to newly annexed territory, with the permanent rezoning process taking place after the subject site has been annexed to the City. 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.

- The owners are requesting that Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District. A rezoning initiated directly by Plan Commission will be processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council.

**RECOMMENDATION**

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Staff recommends that the 5500 North Meade Street Randal Leeman, Et al Annexation, as shown on the attached maps, **BE APPROVED** with the following stipulation:

1. The Plan Commission initiating the rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District pursuant to Section 23-65(d)(1) of the Zoning Ordinance.



**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL  
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES  
WHERE NO ELECTORS RESIDE IN TERRITORY**

I/We, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, petition the Common Council of the City of Appleton to annex the territory described below and shown on the attached scaled map to the City of Appleton, Outagamie County, Wisconsin.

The South 100 feet of the West 217.7 feet of the North one-half (N ½) of the Southwest Quarter (SW ¼) of Section 1, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 18,470 square feet of land, less the West 33 feet thereof.

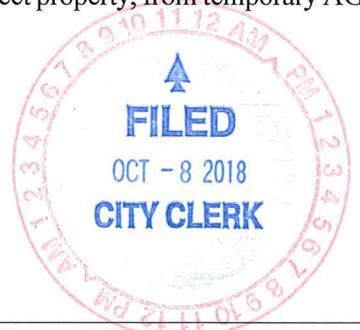
I/We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

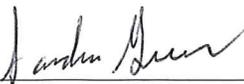
I/We further respectfully request that the City Plan Commission initiate a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-family district.

Area of lands to be annexed contains 0.424 acres m/l.

Tax Parcel numbers of lands to be annexed: 020-101002900.

The current population of such territory is 0.



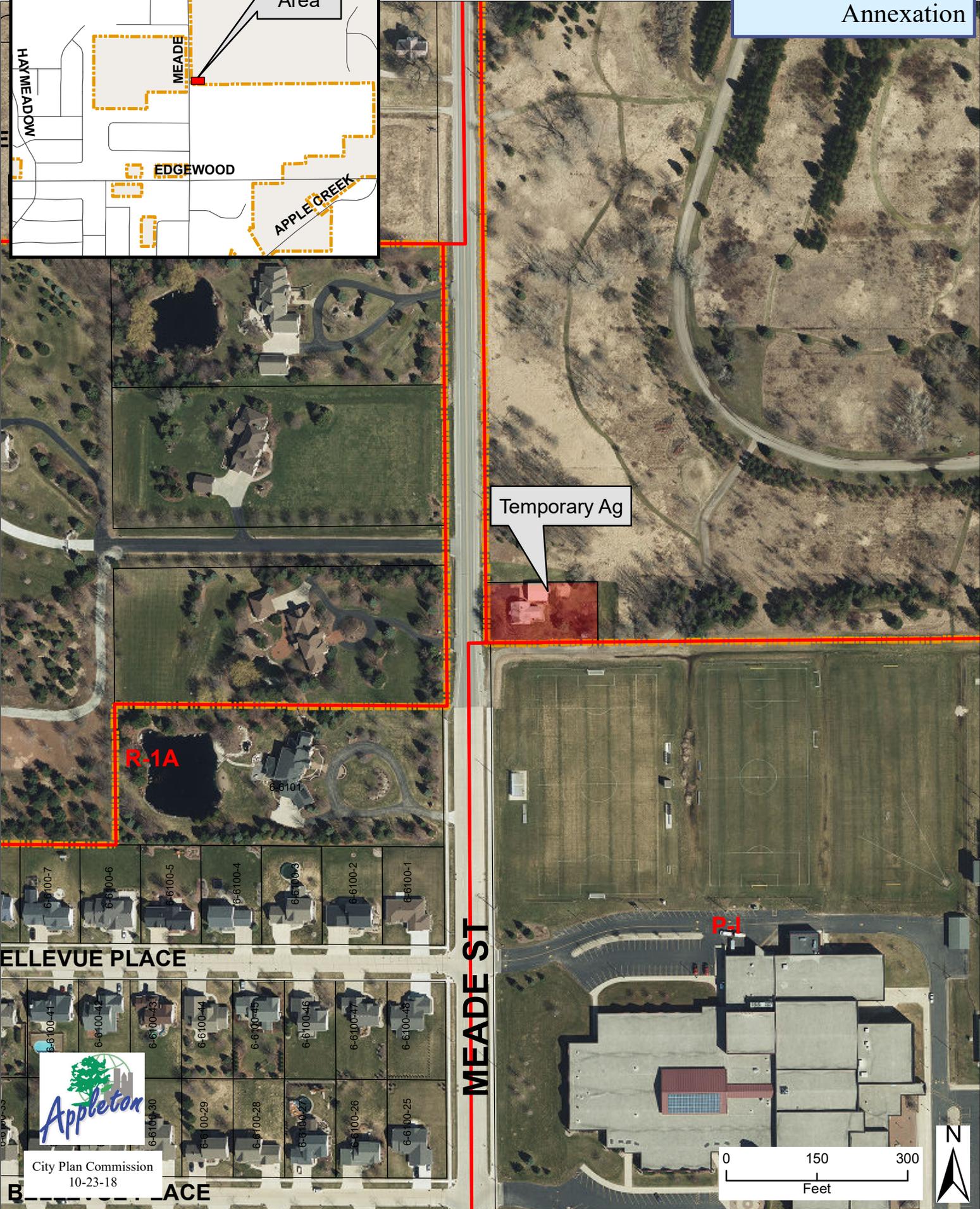
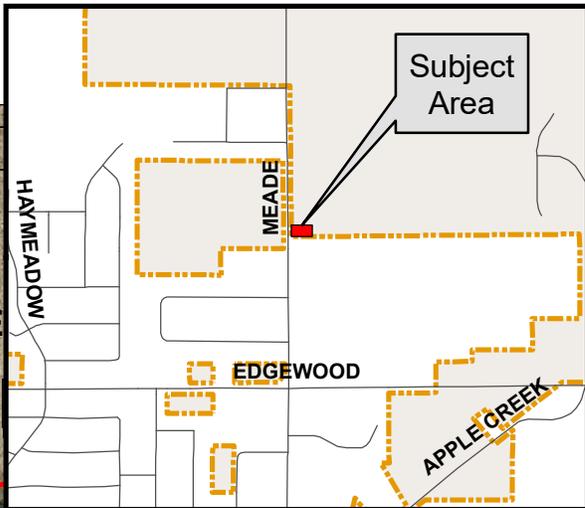
Signature of Petitioner	Owner	Date of Signing	Address of Petitioner
 Joseph Leeman	Joseph Leeman	10-3-18	561 Lemongrass Way, Kaukauna, WI 54130
 Sandra Green	Sandra Green	10-3-18	N3485 Cty Rd N, Freedom, WI 54913
 Rusel Leeman	Rusel Leeman	10-3-18	1201 Seneca Drive, Appleton, WI 54914

Signature of Petitioner	Owner	Date of Signing	Address of Petitioner
	Scot Leeman	10-3-18	N2651 Meade Street, Appleton, WI 54913
Scot Leeman			
	Jean M. Balck	10-3-18	N3497 Cty Rd N, Freedom, WI 54913
Jean M. Balck			

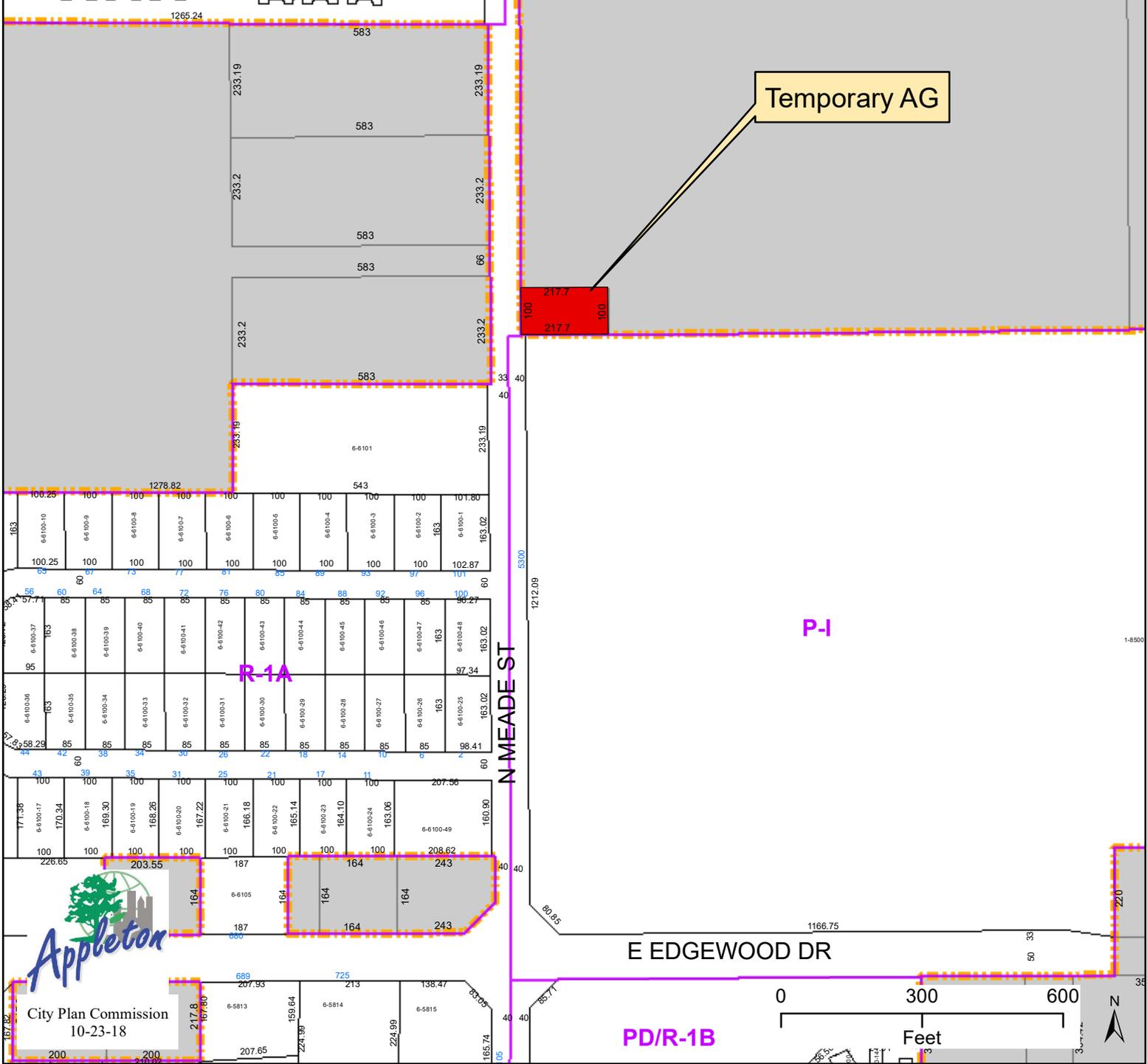
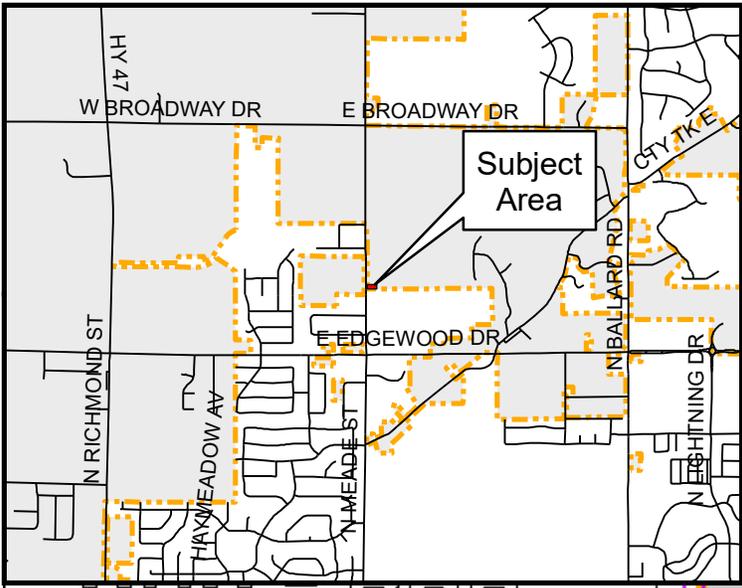
Remond R Leeman Randy R Leeman } 10-3-18 } W 5186 Thopson rd  
Shinton WI 54170



5500 N Meade St  
Randal Leeman, Etal  
Annexation



5500 N Meade St  
Randal Leeman, Etal  
Annexation Zoning Map





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

## LEGAL SERVICES DEPARTMENT

### Office of the City Attorney

100 North Appleton Street  
Appleton, WI 54911-4799

Phone: 920/832-6423

Fax: 920/832-5962

October 22, 2018

Re: Appleton Area School District  
Calumet, Outagamie and Winnebago Counties, Wisconsin ("Issuer")  
\$17,500,000 Taxable Tax and Revenue Anticipation Promissory Note,  
dated October 22, 2018 ("Note")

We have acted as bond counsel to the Issuer in connection with the issuance of the Note. In such capacity, we have examined such law and other certified proceedings, certifications, and other documents as we have deemed necessary to render this opinion.

Regarding questions of fact material to our opinion, we have relied on the certified proceedings and other certifications of public officials and others furnished to us without undertaking to certify the same by independent investigation.

We certify that we have examined a sample of the Note and find the same to be in proper form.

Based upon our examination, it is our opinion under existing law that:

1. The Note has been duly authorized by the Issuer and, when issued, would be a valid and binding special obligation of the Issuer.
2. The interest on the Note is included for federal income tax purposes in the gross income of the owners of the Note.

We express no opinion regarding the accuracy, adequacy, or completeness of any other offering material relating to the Note. Further, we express no opinion regarding tax consequences arising with respect to the Note other than as expressly set forth herein.

This opinion is not intended to be used, and cannot be used, to avoid federal tax penalties.

The rights of the owners of the Note and the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and similar laws affecting creditors' rights and may be subject to the exercise of judicial discretion in accordance with general principles of equity, whether considered at law or in equity.

This opinion is given as of the date hereof, and we assume no obligation to revise or supplement this opinion to reflect any facts or circumstances that may hereafter come to our attention, or any changes in law that may hereafter occur.

Sincerely,

James P. Walsh  
City Attorney

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James P. Walsh  
City Attorney

Christopher R. Behrens  
Deputy City Attorney

Amanda Abshire  
Assistant City Attorney

Darrin M. Glad  
Assistant City Attorney

EXHIBIT A-1

UNITED STATES OF AMERICA  
STATE OF WISCONSIN  
CALUMET, OUTAGAMIE, WINNEBAGO COUNTIES  
SCHOOL DISTRICT OF APPLETON AREA

TAXABLE TAX AND REVENUE ANTICIPATION PROMISSORY NOTE

DATED October 22, 2018

MASTER NOTE

For value received, the School District of Appleton, Wisconsin (the "District") hereby acknowledges itself to owe and promises to pay in lawful money of the United States of America to the City of Appleton, Wisconsin, or registered assigns (the "Purchaser"), on or before June 30, 2019, the sum of not to exceed SEVENTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$17,500,000) (but only so much as shall have been advanced and outstanding) together with interest on the unpaid principle balance from the respective dates the outstanding principle amounts were advanced at the rate of 2% above the average federal funds rate from its dated date until paid; and shall mature no later than June 30, 2019. Disbursements of the proceeds of this Note shall be made by the Purchaser to the District within two (2) business days after the receipt of one or more Disbursement Notes in the form attached hereto as Exhibit B-1. The Purchaser shall record such format shown on the attached Exhibit C-1.

The principle and interest on this Note will be paid by the District Clerk or District Treasurer at the City office: 100 N. Appleton Street, Appleton, Wisconsin 54911. Interest shall be paid on a 30/360 day basis at maturity.

This Note is prepayable by the District at any time.

This Note is issued pursuant to Section 67.12(8)(a)1, Wisconsin Statutes, for the public purpose of paying the immediate expenses of operating and maintaining the public instruction in the District during the current school year; does not exceed one half of the estimate receipts for the operation and maintenance of the District for the current school year and shall not extend beyond June 30, 2019 of the next school year as authorized by a resolution of the governing body of the District duly adopted at a lawful open meeting held on October 22, 2018. Said resolution is recorded in the official minutes of said governing body for said date.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the District, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that the District has irrevocably pledged taxes heretofore levied and other revenues, including state aids, sufficient to pay this Note, together with interest thereon, when and as payable.

IN WITNESS WHEREOF, the District, by its governing body, has caused this Note to be executed by its duly qualified officers and to be sealed with its official or corporate seal, if any, as of the day and year first above written.

By: Kay S. Eggert  
Kay S. Eggert, District President

And: James R. Bowman  
James R. Bowman, District Clerk

(SEAL)

City Law A17-0618

**Human Resources Department  
100 N. Appleton Street  
Appleton, WI 54911  
Phone: (920) 832-6455  
Fax: (920) 832-5845**

To: Finance Committee and Common Council Members

From: Sandy Matz, Human Resources Director

Date: October 16, 2018

Re: Recommendation for Worker's Compensation Third Party Administration

The City's third party administration services contract, currently with Minute Men HR, expires December 31, 2018. As part of the renewal process, a request for proposal was sent out to the following companies:

SFM Risk Solutions  
Cities and Villages Mutual (CVMIC)  
Minute Men HR

After evaluation of the responses received, we are recommending that the Committee approve renewal for a three (3) year period with Minute Men HR. Below are the current and renewal rates with Minute Men HR:

	2018	2019	2020	2021
Indemnity Claim	\$730	\$730	\$765	\$800
Medical Only Claim under \$1500	\$115	\$115	\$120	\$125
Medical Only Claim over \$1500	\$305	\$305	\$320	\$335
Minimum Fee	\$11,500	\$12,492	\$12,492	\$12,492
Maximum Fee	\$27,500			

Minute Men HR has been providing the City with third party administrative services since 1990 when the City became self-insured. Minute Men HR has knowledgeable staff and has provided the City with excellent service in a variety of areas including the third party administration.

Please contact me if you have any questions regarding the recommendation.

## WC - RFP Rate Comparison for 2019

	Minute Men HR	SFM	CVMIC
Medical only claims <\$1,500	\$ 115.00	\$ 150.00	\$ 110.00
Medical only claims >\$1,500	\$ 305.00	\$ 150.00	\$ 110.00
Medical only claims >\$2,500	\$ 305.00	\$ 850.00	\$ 110.00
Idemnity claims	\$ 730.00	\$ 1,000.00	\$ 700.00
Subsequent year charge	\$ -	\$ 500.00	\$ -
On-line system charge	\$ -	\$500/user	\$ -
Account Management Fee			\$3,500
Minimum Flat Fee	\$ 12,492.00	N/A	\$ 15,000.00
Maximum Flat Fee	N/A	N/A	\$ 25,000.00



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**PARKS, RECREATION & FACILITIES  
MANAGEMENT**

**Dean R. Gazza, Director**

1819 East Witzke Boulevard  
Appleton, Wisconsin 54911-8401  
(920) 832-5572 FAX (920) 993-3103  
Email - [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org)

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 10/22/2018

RE: Action: Award the 2017 "B-Building Boiler Replacement Project" contract to Great Lakes Mechanical, Inc. in the amount of \$790,587 with a contingency of 9% for a project total not to exceed \$860,000.

Action: Approve positive balance transfer of \$110,000 from the "WWTP Improvement Project" to "B-Building Boiler Replacement Project"

Action: Approve positive balance transfer of \$250,000 from the "WWTP Hardscapes Project" to "B-Building Boiler Replacement Project"

Action: Approve positive balance transfer of \$150,000 from the "WWTP Electrical Distribution Project" to "B-Building Boiler Replacement Project"

Parks, Recreation, and Facilities Management Department (PRFMD) has identified the need to install a new boiler in the B-Building at the Wastewater Treatment Plant (WWTP). The 2017 CIP identified \$180,000 to design and install a new natural gas boiler. The balance after design fees, was rolled over into the 2018 WWTP HVAC upgrades project that consisted of \$250,000. Concurrently, WWTP operations was implementing a Bio-Gas utilization study. PRFMD, WWTP operations, and the selected consultant formed a project team to explore all options for Bio-Gas utilization. The option with the best cost benefit ratio was to install a new bio-gas boiler in-lieu of the natural gas boiler. The final proposed project will include a new bio-gas boiler in the B-Building, bio-gas piping modifications, and a bio-gas compressor to feed compressed gas to all three bio-gas boilers. Currently, there are two existing bio-gas boilers that were successfully installed and have been operating since 2011. When this proposed project is complete, all of the heating load for the WWTP will be supplied by bio-gas. It was determined by the consulting engineer that this project will save approximately \$103,000 annually on our utility bills. We have also been approved by Focus on Energy for a rebate, in the amount of \$167,180, to be issued when the project is completed.

During the design process it was determined that the current budget would not be enough to cover the cost of installing a new bio-gas boiler, but with the estimated yearly cost savings and the Focus on Energy rebate, the project will have a six year payback. With the short payback and high return on investment, this is a very attractive project. Therefore we are asking for the budget

amendments above to make this project possible.

The positive fund balances are a combination of Utilities CIP's and Facilities Management CIP's. In addition, the scope of work in the Hardscape CIP was completed as part of the Electrical Distribution Project as the work was a component of the hardscapes surrounding the electrical sub-station. Last, we received very favorable bids for the first phase of the electrical distribution project compared to our engineering consultants budget estimate. Overall, though it requires various budget transfers we feel fortunate to be able to find a means to complete this existing project without adding an additional CIP or having to budget additional dollars.

This project has been a collaborative team effort between the Utilities and Facilities Management Department towards another project with a low payback and sustainable results.

The bids were received as follows:

<b>Great Lake Mechanical, Inc. (low bid)</b>	<b>\$790,587</b>
EGI Mechanical Inc.	\$806,471
Reeke-Marold Co., Inc.	\$855,000
Hurkman Mecahnical Industries Inc.	\$898,500
JF Ahern Co.	\$903,000

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to Great Lake Mechanical, Inc. The Parks, Recreation, and Facilities Management Department has also reviewed the bids and is in agreement with the engineer's recommendation. Therefore, we recommend awarding the contract to Great Lakes Mechanical, Inc. in the amount of \$790,587 plus a contingency of 9% only to be utilized as needed.

Please contact me at 832-5572 or at [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org) with any questions.



October 18, 2018

To: Fox Cities Transit Commission  
Finance Committee

From: Ronald C. McDonald  
General Manager

**Subject: Acceptance of Federal Transit Administration Bus and Bus Facilities capital grant of \$4,000,000.**

**Background:**

The Bus & Bus Facilities Infrastructure Investment Program (49 U.S.C. 5339) makes federal resources available to states and direct recipients for bus and bus facility capital projects. Eligible recipients include designated recipients that operate fixed route bus service such as Valley Transit.

Valley Transit applied for funding under this annual program and was awarded \$4,000,000 in federal funds. The FTA provides these funds as an 80/20 grant; 80% grant funded and 20% local match. The local share will be paid out of Valley Transit's depreciation fund. The costs associated with this grant are as follows:

80% funding from FTA:	\$4,000,000
20% local match (depreciation account):	<u>\$1,000,000</u>
Total eligible project cost:	\$5,000,000

**Recommendation:**

Recommend acceptance of the Federal Transit Administration capital grant for \$4,000,000 and to modify Valley Transit's spending authority for 2018 to include new capital funds inclusive of the \$4,000,000 FTA capital grant and \$1,000,000 from Valley Transit's depreciation reserve fund.

## Department of Public Works – Engineering Division

### MEMO

**TO:** Utilities Committee

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

**DATE:** October 15, 2018

**RE:** Second Amendment to the 2018 Stormwater Management Plan Review contract with raSmith by an increase of \$35,000 for a total contact amount not to exceed \$110,000.

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The Department of Public Works is requesting a second amendment to the contract with raSmith for 2018 Stormwater Management Plan Reviews by an increase of \$35,000 for a total contact amount not to exceed \$110,000. After this contract amendment, \$42,962 will remain in the 2018 stormwater consulting budget.

There has continued to be an extraordinary number of stormwater management plans submitted this year, including three subdivisions which take considerably more effort to review than a commercial site. The first amendment, approved in July, has almost been expended and, as of October 1, 2018, approximately \$6,800 remains in the contract.

Work under this contract is charged on an hourly basis and is therefore only used as needed. In order to keep projects moving forward, staff is requesting this amendment now, before the current contract is completely spent.

## Department of Public Works – Engineering Division

### MEMO

**TO:** Utilities Committee

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

**DATE:** October 23, 2018

**RE:** Amend Unit K-18 Native Landscape Management Contract with Applied Ecological Services, Inc., in an amount not to exceed \$10,965.

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The Department of Public Works is requesting approval to amend the Unit K-18 Native Landscape Management Contract with Applied Ecological Services, Inc. (AES), in an amount not to exceed \$10,965. If the amendment is approved, the total contract amount will be \$159,064.39 (budget is \$167,787).

DPW has been involved with placement of Land Hazard Waste Grant of Exemption fill material at the Mackville Quarry site, which was completed earlier in 2018. DPW anticipates additional fill material will be placed onsite in 2019, but DNR erosion control permit standards require the City to stabilize the site yet this fall. The City proposes to amend the existing contract with AES to perform the necessary site stabilization work.

Because of the excellent bid prices obtained from AES, a significant portion of the 2018 budget remains uncontracted. Additionally, AES has demonstrated excellent customer service and the ability to take on additional work, and they have personnel and equipment needed to perform the work efficiently.

Therefore, the Department of Public Works is requesting approval to amend the Unit K-18 Native Landscape Management Contract with Applied Ecological Services, Inc, in an amount not to exceed \$10,965.

**AGREEMENT FOR THE TREATMENT OF WASTEWATER  
BETWEEN THE TOWN OF CLAYTON AND THE CITY OF APPLETON**

(Sec. 66.0301 Wis. Stats.)

This **AGREEMENT**, entered into this day of by and between Town of Clayton organized and existing under the laws of the State of Wisconsin with principal offices at 8348 CTR T Larsen, Wisconsin, hereinafter called the "Town" and the City of Appleton, a Municipal Corporation organized and existing, under the laws of the State of Wisconsin with principal offices at 100 N. Appleton Street Appleton, Wisconsin, hereinafter called the "City", is as follows:

**WITNESSETH**

**WHEREAS**, the City owns and operates a wastewater treatment facility located in the City, which has capacity for the treatment of wastewater originating in the Town; and

**WHEREAS**, the Town has agreed to plan, design, construct, own, and operate a wastewater collection system and interceptor located principally in the Town but extending through other municipalities to the City limits; and

**WHEREAS**, the Town has no wastewater treatment capabilities and has expressed a desire that the City treat the wastewater originating from areas in the Town, said lands being those described in Exhibit A attached hereto ("2018 Service Area"); and

**WHEREAS**, the City has agreed to accept and treat wastewater originating in the 2018 Service Area; and

**WHEREAS**, the wastewater to be treated and disposed of by the City from the Town shall be only of the type and nature presently being collected and treated by the City; and

**WHEREAS**, wastewater of the Town to be treated and disposed of by the City may originate from various land uses, including residential dwellings, commercial businesses and industrial areas within the boundaries of the Town, which uses are hereinafter referred to as "users" and;

**WHEREAS**, the Town has expressed willingness to enter into a contract for wastewater treatment pursuant to Section 66.0301 Wis. Stats.

**NOW, THEREFORE**, in consideration of the payment of One Dollar (\$1.00) and other good and valuable consideration to each in hand paid by the other, receipt of which is hereby acknowledged, and in further consideration of the covenants herein contained and the benefits derived by each, the Town and the City contract and agree as follows:

**A. RECITALS**

The recitals hereto are hereby incorporated by reference.

**B. NATURE OF THIS AGREEMENT**

This Agreement is entered into pursuant to the provisions of §66.0301, Wis. Stats., and shall be construed and enforced in accordance with the provisions of that statute.

**C. GENERAL INTENT**

The Town will plan, design, construct, own and operate a wastewater sewerage system within the Town, extending to the City limits and connecting to the City of Appleton sewerage system, for the purpose of collecting and transporting to the City, the wastewater of users located within the 2018 Service Area. The City shall accept, transport, treat and dispose of such wastewater at its wastewater treatment facility. It is the intent of the Parties that those areas to be served by the City which are located within the Town shall not be added to the geographic boundaries of the City pursuant to the provisions of §200.15, Wis. Stats. Rather, the Town shall be considered a “contract purchaser” of sanitary sewer services from the City for purposes of this Agreement and otherwise.

**D. SERVICE AREA AND CAPACITY**

The service limits for the treatment of wastewater for the 2018 Service Area of the Town shall include those lands described in Exhibit A attached hereto. Any additions of area to the Existing Service Area or the 2018 Service Area by the Town must be approved by the Common Council. Any future expansion or extension of the Town’s sanitary sewer system to serve propert(ies) located outside of Town or City limits must be approved in writing by the Town and City.

**E. TOWN COLLECTION SYSTEM**

- (1) Except as otherwise provided in this Agreement, the Town shall be responsible for the planning, design, construction, ownership, operation and maintenance of the sewerage system located outside of the City boundaries. The Town shall be responsible for all costs associated with the planning, designing and construction of the sewerage system, including, but not limited to any lift station and force main, necessary for connection to the City's sewerage system. All plans and specifications for the Town sewers shall be submitted to and approved by the City. The Town shall obtain from and compensate private landowners for necessary easements over private property, which easements shall run to the Town and the City.
- (2) The Town shall be responsible for obtaining all necessary approvals, easements and permits from all Towns and Counties outside of the City of Appleton jurisdiction.
- (3) The City shall grant to the Town any permits, easements or other necessary approvals within public right-of-way or within existing public easements necessary to connect to the City sewerage system within for the construction and maintenance of the wastewater sewerage system. The Town shall restore any areas disturbed by the

construction to pre-construction conditions, and the restoration upon completion of construction must be approved by the City prior to final payment by the Town to the contractor retained by the Town for said work, which approval will not be unreasonably withheld.

- (4) Wastewater collected from the Town service area shall be transmitted to the City's wastewater collection system at the established connection points, which shall be identified by the City Engineer. Any proposed substitute connection points must be approved by the City.
- (5) Upon completion of the construction of the Town's sewerage system and acceptance by the Town, the Town shall be responsible for the operation and maintenance of the Town's sewerage system. The Town's operating and maintenance responsibility shall apply only to the collection system and interceptor components operated by the Town and shall not include the responsibility for maintenance of any service laterals from the sewer main to the building served, or of any facilities located on privately owned property not located in easements. Any approved future expansion of the Town's sewerage system or extensions within the 2018 Service Area will also be undertaken by the Town and paid for by the Town.
- (6) The Town shall maintain the wastewater sewerage system in full conformance with WDNR regulations and Chapter 20 of the City's Municipal Code now in existence or enacted or amended at any time during the existence of this Agreement or any extension thereof. Should the Town receive an order from the DNR requiring any action relating to the wastewater sewerage system and should the Town fail, refuse or neglect to reasonably comply with the order, the City shall be authorized to take action to correct the ordered deficiency to the extent necessary to achieve compliance at the Town's expense.

**F. FLOW VOLUMES AND CHARACTERISTICS**

The parties agree that the wastewater generated by the Town is of normal domestic strength as defined in Chapter 20 of the City's Municipal Code. Flows with strength characteristics higher than the stated limits shall be pretreated or corrected at the source prior to entry into any interceptor sewer or collector sewer connected to the City's sewerage system. For purposes of billings to the Town, flow volumes shall be based on the master flow meter described in Section H. Measurements of wastewater flow will be based upon quarterly flow meter reading.

**G. SEWERAGE SERVICE**

- (1) The Town hereby agrees to comply with Chapter 20 of the City's Municipal Code now in existence or enacted or amended at any time during the existence of this Agreement or any extension thereof. City agrees that any sewer use ordinance enacted or to be enacted or amended will treat users in the Town the same as users in the City, except as otherwise specifically provided herein.

- (2) The parties agree that the City shall have the right to inspect all users within the Town and if, from any inspection, it is determined by the City that any deleterious waste is improperly entering, the system, or that either the Town or a user are violating any ordinance rule or regulation or this Agreement, the user and the Town will be notified in writing and shall be required to cease and desist such discharge immediately in the case of deleterious waste and within five days if some other violation. In the event the Town and/or user fail to take corrective action (or in the alternative to satisfactorily assure the City that corrective action will be taken within a specified period of time), the City shall pursue any and all remedies available to achieve compliance.
- (3) The Town agrees that all Federal, State, City and local regulations regarding pretreatment of those industrial wastes demanding such pretreatment shall be rigidly monitored and enforced upon the applicable industrial dischargers by the Town.

#### **H. FLOW MEASUREMENT**

- (1) The actual flow of sewage from the Town shall be measured at a sewage metering station that shall be installed to accurately measure the total volume of wastewater and to transmit the flow information to the City. The metering stations shall be located so that all wastewater conveyed to the City from the Town shall be metered. The meter shall be at a location mutually acceptable to both parties. The City shall furnish, install, and maintain the flow meters and telemetry equipment. All costs for installation, operation and maintenance of the metering station and communication lines shall be the Town's responsibility.
  - b. The City shall take periodic 24-hour flow proportional samples at the metering station to determine the waste loadings from Town.
  - c. The meters shall be calibrated, and if necessary, adjusted, annually by the Town. A report of the calibration and adjustment shall be provided to the City within five (5) days of the Town's receipt of the report.

#### **I. SEWER SERVICE CONNECTIONS**

- (1) No connections shall be made to the Town collection system without prior written notice to the City.
- (2) The City shall have the right to inspect the Town building permit records to ensure compliance with this Agreement. The City shall also have the right to inspect any work performed relating to sewer service connections. All connections to the system shall meet the requirements of Chapter 20 of the Municipal Code of the City.

**J. BILLING DATES AND PROCEDURES; PAYMENT TERMS**

- (1) The City is providing wastewater treatment, collection and interceptor operation to the Town and the Town shall be liable for payment for all charges relating to these services. The City shall bill the Town on a quarterly basis for all charges. All invoices shall be paid in full within 20 days after the date of billing, and if not so paid, the account shall be considered delinquent. Delinquent payments shall be subject to the same penalties and charges assessed by the City to City residents who are delinquent in the payment of sewer charges. The City shall have the right to withhold approval of any sewer connections while bills are delinquent.
- (2) The Town shall provide, on a quarterly basis, a customer billing summary which indicates any changes to the number of customers being served by the Town. The City shall have the right to inspect the Town customer billing records to ensure compliance with this Agreement.

**K. SEWAGE TREATMENT RATES**

- (1) The rates for treating and disposing of the wastewater discharges from the Town wastewater sewerage system shall be as established by the City pursuant to Sec. 20-204 of the Appleton Municipal Code. The Town shall provide any data required by the City for non-residential customers.
- (2) All existing and future industries subject to the Federal Pretreatment Program under 40 CFR 403 shall be billed in accordance with rates established by the City for Quantity/Quality dischargers.

**L. TREATMENT PLANT EXPANSION AND TREATMENT PROCESS IMPROVEMENTS**

- (1) It is understood by the Town that the City's wastewater treatment facility is considered a regional facility and accordingly, the potential exists for future agreements by the City for treatment of wastewater originating in other municipalities, or sanitary and utility districts created therein. Additions to the capacity of the wastewater treatment facility or interceptors, consistent with upgraded treatment processes as required by Department of Natural Resources and the Environmental Protection Agency (EPA) or caused by growth, may be necessary in the future.
- (2) Inasmuch as the City is not reserving capacity for the Town or any other entity to be served, and is not therefore intending to sell reserve capacity, any wastewater treatment facility expansion or interceptor extension not covered by this Agreement shall be financed by the City.
- (3) If improvements to the wastewater treatment facility or the addition of a specific process for treating wastewater is required due to the treatment of wastewater from

a user within the Town, the total of such expense shall be calculated and billed on the basis of the percentage of wastewater flow from the Town as a proportion of the total wastewater flow into the City's Wastewater Treatment Facility.

**M. INDEMNIFICATION**

In constructing the Town wastewater sewerage system, as well as performing its obligations under this Agreement, the Town agrees to indemnify, save and hold harmless the City, its successors and assigns, from any and all claims, suits, demands or causes of action, arising out of any act or omission of the Town, its contractors, agents or employees, causing injury, directly or indirectly, to any person or persons whomsoever, or property whatsoever.

**N. TERM**

This Agreement shall commence upon its execution hereof by all interested parties; and shall continue thereafter for so long as wastewater discharges are made into the City wastewater sewerage system, and such wastewaters are conveyed to the City's facilities. This agreement may be terminated upon the mutual agreement of the parties.

**O. DEFAULT**

In the event either party hereto shall default in its obligations contained herein, then in such event the non-defaulting party may give notice of such default to the defaulting party. The defaulting party shall then have a period of not to exceed thirty (30) days within which to cure such default, except, however, that if the default is in the failure to make any payment required under the City's ordinance or the terms of this Agreement, then in such event, the terms of Section P of this Agreement shall apply. If the default as specified is not cured within the applicable cure period, then in such event, the non-defaulting party shall have the right and option to terminate this Agreement, and exercise any other right or remedy provided for by law or equity.

**P. PENALTIES**

The Town agrees that in the event of violation of this Agreement or the City's Municipal Ordinance, and after 30-days written notice, penalties may be assessed as allowed by Chapter 20 of the City's Municipal Code for each violation, with each day of continued violation considered as a separate "offense" for which an additional penalty assessment would be due. All such penalties shall be paid at the time the next monthly billing is due and payable.

**Q. NOTICE**

All notices, demands, and communications provided for herein or made hereunder shall be delivered or mailed first class with postage prepaid, addressed in each case as follows,

unless some other address shall have been designated in a written notice given in like manner, and shall be deemed to have been given or made when so delivered or mailed:

City of Appleton  
Attn: Director of Public Works  
City of Appleton  
100 North Appleton Street  
Appleton, WI 54911-4799

Town of Clayton  
Attn: Clerk  
8348 County Road T  
Larsen, WI 54947

**R. BINDING EFFECT**

This Agreement shall be binding upon the parties hereto and their respective successors and assigns, including an incorporated successor to the Town and shall be considered to run with the land of the Town and any incorporated successor thereto, whether in whole or in part.

**S. ASSIGNMENT**

Neither the Town nor the City may assign this Agreement or their interests herein, without the prior written consent of the other.

**T. BOOKS AND RECORDS**

The Town and the City shall keep accurate books, records, and accounts of costs, expenses, expenditures, and receipts as they pertain to this Agreement. Upon reasonable notice, either party shall be entitled to examine any and all such books and records. Either party may request an annual certified audit report of the books and records of the other party.

**U. DISPUTES**

The parties hereto agree that the resolution of any dispute concerning the interpretation of this Agreement or the rates, rules and practices of the parties shall be determined in a bench trial in the Circuit Court for Outagamie County.

**V. EFFECTIVE DATE**

The effective date of this Agreement shall be the date upon which it is executed by the last of the parties to this Agreement.

**W. EFFECT OF AGREEMENT**

The City and Town recognize that this Agreement is the product of a unique set of circumstances. Accordingly, it is mutually acknowledged that many of the provisions contained herein are unique unto themselves and should not be seen as precedent for any future agreement between the City and other entities.

**X. SEVERABILITY**

If any clause, provision, or section of this Agreement be declared invalid by any Court of competent jurisdiction, the invalidity of such clause, provision or section shall not affect any of the remaining provisions.

**[SIGNATURES BEGIN ON THE FOLLOWING PAGE]**

DRAFT

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018

**CITY OF APPLETON**

By: \_\_\_\_\_  
Timothy M. Hanna, Mayor

Attest:

By: \_\_\_\_\_  
Kami Lynch, City Clerk

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

By: \_\_\_\_\_  
Anthony B. Saucerman, Finance Director

Approved as to Form:

By: \_\_\_\_\_  
James P. Walsh, City Attorney

DRAFT

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018

TOWN OF CLAYTON

By: \_\_\_\_\_  
Russell Geise, Chair

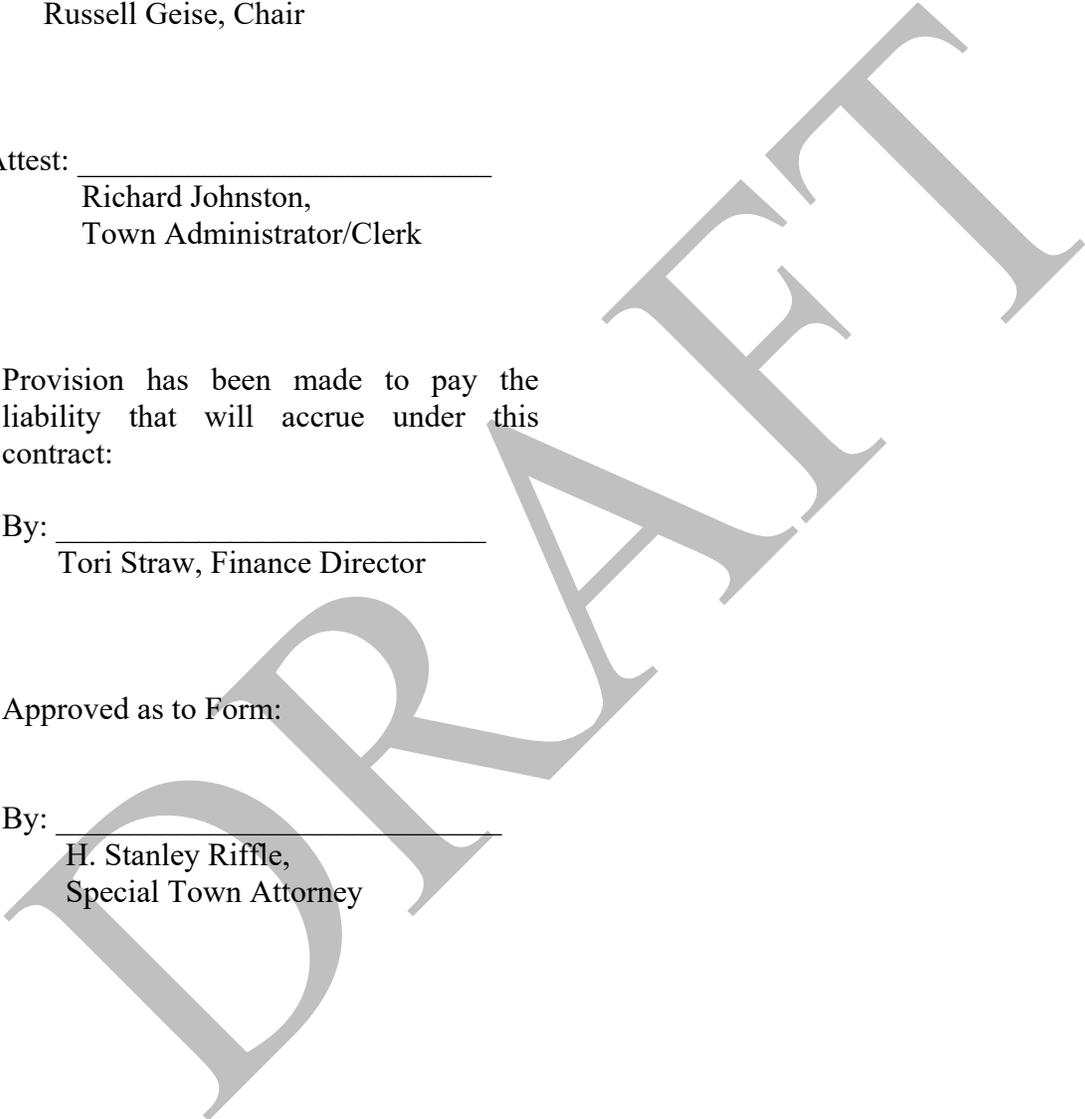
Attest: \_\_\_\_\_  
Richard Johnston,  
Town Administrator/Clerk

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

By: \_\_\_\_\_  
Tori Straw, Finance Director

Approved as to Form:

By: \_\_\_\_\_  
H. Stanley Riffle,  
Special Town Attorney



**AGREEMENT FOR THE PROVISION OF WATER SERVICE BETWEEN THE  
TOWN OF CLAYTON AND THE CITY OF APPLETON**

**(Sec. 66.0301, Wis. Stats.)**

This **AGREEMENT**, entered into this day of by and between Town of Clayton organized and existing under the laws of the State of Wisconsin with principal offices at 8348 CTR T Larsen, Wisconsin, hereinafter called the "Town" and the City of Appleton, a Municipal Corporation organized and existing, under the laws of the State of Wisconsin with principal offices at 100 N. Appleton Street Appleton, Wisconsin, hereinafter called the "City", is as follows:

**WITNESSETH:**

**WHEREAS**, the City owns and operates a system of water supply, storage, pumping, and distribution facilities which has capacity for supplying water utility service to properties located in the Town; and

**WHEREAS**, the Town has no water supply, storage, pumping or distribution capabilities in any other areas and has expressed a desire that the City provide wholesale water utility service to additional areas in the Town, said lands being those described in Exhibit A attached hereto ("2018 Water Service Area"); and

**WHEREAS**, the City has agreed to sell water to the Town water utility customers in the 2018 Water Service Area; and

**WHEREAS**, §66.0813(1), Wis. Stats., authorizes a city owning a water utility to serve persons or places outside its corporate limits, and §66.0813(3), Wis. Stats., authorizes the limits of the water utility service to be fixed and requires that the area of service be delineated; and further, that the City Utility has no obligation to serve beyond the delineated area unless enlarged by a subsequent ordinance; and

**WHEREAS**, water supplied to the 2018 Water Service Area by the City may supply various land uses, including residential dwellings, commercial businesses and institutional and industrial areas within the boundaries of the Town, which uses are hereinafter referred to as "users"; and

**WHEREAS**, the Town and City have expressed willingness to enter into a contract for water utility service pursuant to §66.0301, Wis. Stats.

**WHEREAS**, in consideration of the payment of One Dollar (\$1.00) and other good and valuable consideration to each in hand paid by the other, receipt of which is hereby acknowledged, and in further consideration of the covenants herein contained and the benefits derived by each, the Town and the City contract and agree as follows:

**A. RECITALS**

The representations and recitations set forth in the foregoing Recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section A and constitute representations and understandings of the City and the Town according to the tenor and import thereof.

**B. GENERAL INTENT AND OWNERSHIP**

The Town, at its sole expense, will plan, design, construct, operate, and maintain a water supply system, including but not limited to, water towers, booster pump stations and the like, within the Town 2018 Water Service Area connecting to the City of Appleton water system, for the purpose of providing water and fire protection service to users located within the 2018 Water Service Area. The City will own up to and including the “curb stop” unless, however, the service is larger than two inches, in which case the City will own to the first valve at the connection point.

**C. SERVICE AREA AND CAPACITY**

The service limits for the provision of water utility service to the Town shall include only those lands described in Exhibit A, the 2018 Water Service Area, attached hereto. Pursuant to §66.0813(3)(a), Wis. Stats., the City Utility has no obligation to serve beyond or in addition to the delineated areas.

By action of the City Common Council by adopting a subsequent amending ordinance to the ordinance limiting the utility service areas, the delineated areas may be enlarged.

**D. TOWN WATER SYSTEM**

(1) Except as otherwise provided in this Agreement, the Town shall be responsible for the planning, design, bidding, construction, operation and maintenance of the water system located within the 2018 water service area and from the Town boundaries to the existing City water system located in the City. The Town shall be responsible for all costs associated with the planning, designing and construction of the water system to serve properties within the 2018 Water Service Area. All plans and specifications for the Town water mains shall be submitted to and approved by the City.

(2) The City shall be permitted to periodically inspect construction of the water system at all phases of the construction or may delegate said inspections to a construction manager who is mutually agreed upon by the parties.

(3) The City shall grant to the Town any permits, easements or other

necessary approvals within public right-of-way or within existing public easements within those areas of the City needed for the construction and maintenance of the Town water system. The Town shall restore any areas disturbed by the construction to pre-construction conditions, and the restoration upon completion of construction must be approved by the City prior to final payment by the Town to the contractor retained by the Town for said work, which approval will not be unreasonably withheld.

- (4) Upon completion of the construction of the Town's 2018 Water Service Area water system and acceptance by the Town and the City, the Town shall dedicate the 2018 Water Service Area water system to the City and the City shall accept dedication and ownership. Notwithstanding ownership by the City, the Town shall be responsible for the operation and maintenance of the 2018 Water Service Area water system including, but not limited to, the following: a.) provide location service; b.) notify the City of major breaks/malfunctions; and c.) repair main breaks with staff/contractor approved by the City.
- (5) The Town's operating and maintenance responsibility shall apply only to the water supply, storage, pumping, transmission or distribution components located outside of City limits. Any future expansion or extension of the water service system within the Town's 2018 Water Service Area to serve Town property(ies) will also be undertaken and paid for by the Town. Any future expansion or extension of the Town's water service system to serve property(ies) located outside of Town or City limits must be approved in writing by the Town and City.

**E. METERS**

(1) **Master Metering System**

a. The Town shall install, own and maintain an above-ground metering station. The metering station shall be equipped with a fully functional telemetry system so as to enable both the Town and City to access real-time flows and pressures. The booster station shall be equipped with a back-up generator.

b. The City shall install, own, and maintain the master meter in good operating condition. The master meter shall be tested and calibrated by the City annually at City expense. Copies of all system testing and calibration reports shall be submitted to both parties within 30 days of the date of meter testing or calibration. The City shall have access to the meter(s) for maintenance purposes at any reasonable time. The meter(s) shall be tested by the City as the PSC recommended schedule with copies of all test results provided to the Town. The Town may request additional tests at its expense.

- (2) **Individual Customer Meters** The Town shall install meters for accurately measuring the quantity of water delivered to each of the Town's water customers in the 2018 Water Service Area. The Town shall install, operate, maintain, calibrate, and read the meters of its retail customers as required by Chapter 196, Wis. Stats., and Chapter PSC 185 of the Wisconsin Administrative Code. The Town shall require immediate connection to water service as authorized under §281.45 Wis. Stats.

**F. WATER SUPPLY**

The water provided by the City to the Town at the master meter station and the water provided by the Town to all Town customers pursuant to this Agreement shall satisfy all applicable regulations for safe drinking water. The Town shall provide water pressure sufficient to satisfy all applicable pressure requirements of the Wisconsin Department of Natural Resources (the "DNR"), of the Wisconsin Public Service Commission (the "PSC"), the Environmental Protection Agency ("EPA"), and the American Water Works Association ("AWWA"). The Town shall reasonably cooperate with the City to facilitate the provision of retail water service by the City to water users located within the Town.

**G. COSTS OF CONSTRUCTION**

**H. LOCAL ORDINANCES**

- (1) The Town hereby agrees to adopt and comply with Chapter 20 of the City's Municipal Code now in existence or enacted or amended at any time during the existence of this agreement or any extension thereof. Both the Town and City agree that any water utility ordinance enacted or to be enacted or amended will treat users in the either municipality the same, except as otherwise specifically provided herein.
- (2) The parties agree that the City shall have the right to inspect all necessary components of the Town water system. The City agrees to take all reasonable actions to assist the Town in ensuring continuous water supply to the Town.

**I. WATER SERVICE CONNECTIONS**

- (1) The City shall have the right to inspect the Town building permit records to ensure compliance with this agreement. The City shall also have the right to inspect any work performed relating to water service connections. All connections to the system shall meet the requirements of Chapter 20 of the Municipal Code of the City and the Wisconsin State Plumbing Code.

**J. BILLING DATES AND PROCEDURES; PAYMENT TERMS**

- (1) The City is providing water utility service to the Town and the Town shall be liable for payment for all charges relating to these services. The City shall bill the Town on a quarterly basis for all charges, to be computed in accordance with the provisions of Paragraph K herein.
- (2) The Town shall pay all invoices in full within 20 days after the date of billing, and if not so paid, the account shall be considered delinquent. Delinquent payments shall be subject to the same penalties and charges assessed by the City to City residents who are delinquent in the payment of water charges. The City shall have the right to withhold approval of any water connections while bills are delinquent.
- (3) Users of water in the 2018 Water Service Area shall be individual retail customers of the Town of Clayton. The Town of Clayton shall be solely responsible for the billing of all charges and fees to such retail customers and for the collection of all such charges and fees from such retail customers. Individual retail customers shall pay their water bills directly to the Town of Clayton.

**K. COMPUTATION OF VOLUME FOR BILLING**

- (1) The Town shall be billed at the Bulk Rate per Schedule Mg-1 of the City's approved tariff, said charges being calculated as modified from time to time, as applied to the volume of water measured at the Master Meter. A copy of the current Schedule Mg-1 of the City's approved tariff is attached here as Exhibit B.
- (2) The Town shall bill all Town customers in strict conformity with the City's Customer Water Utility Rate schedule and all PSC regulations, as applied to all individual customer meters at rates applicable to City customers, as modified from time to time. A copy of the current Customer Rate schedule is included herein as Exhibit B.
- (3) The Town shall provide, on a quarterly basis, a customer billing summary which indicates any changes to the number of customers being served by the Town. The City shall have the right to inspect the Town customer billing records to ensure compliance with the agreement.

**L. DISPUTES**

The parties hereto agree to be bound by the provisions of §196.37, Wis. Stats., in the resolution of any dispute concerning the interpretation of this agreement or the rates, rules and practices of the parties.

**M. BOOKS AND RECORDS**

The Town and the City shall keep accurate books, records, and accounts of costs, expenses, expenditures, and receipts as they pertain to this Agreement. Upon reasonable notice, either party shall be entitled to examine any and all such books and records. Either party may request an annual certified audit report of the books and records of the other party.

**N. EFFECTIVE DATE**

The effective date of this Agreement shall be the date upon which it is executed by the last of the parties to this Agreement.

**O. TERM OF CONTRACT; REMEDIES**

- (1) The term of this Agreement shall be fifty (50) years and shall be renewed for fifty (50) year periods thereafter commencing on the 1st day of \_\_\_\_\_, 2018, unless the Agreement is terminated by mutual agreement.
- (2) In addition to the penalties provided herein, and in the event of violation of the terms of this Agreement or of any rule and regulation of the Wisconsin Department of Natural Resources, the United States Environment Protection Agency, the PSC, or other authority having legal jurisdiction in these matters, either party may sue in any court of record for declaratory judgment or other relief as may be provided by law.
- (3) The Town shall periodically evaluate no less than every five (5) years whether it meets criteria established by the PSC and any other agencies to be considered its own utility.

**P. EFFECT OF AGREEMENT**

The City and Town recognize that this Agreement is the product of a unique set of circumstances. Accordingly, it is mutually acknowledged that many of the provisions contained herein are unique unto themselves and should not be seen as precedent for any future agreement between the City, the Town and/or other entities.

**Q. SEVERABILITY**

If any clause, provision, or section of this Agreement be declared invalid by any Court of competent jurisdiction, the invalidity of such clause, provision or section shall not affect any of the remaining provisions.

**R. BINDING AGREEMENT**

This Agreement shall be binding upon the parties hereto and their respective successors and assigns, including an incorporated successor to the Town and shall be considered to run with the land of the Town and any incorporated successor thereto, whether in whole or in part.

**S. TRANSFER OF OWNERSHIP**

During the term of this Agreement, the City shall not transfer, pledge, assign or in any manner encumber the 2018 Water Service Area water system. Upon written request of the Town, the City shall tender, relinquish and transfer all right title and interest to the 2018 Water Service Area water system, free and clear of any liens or encumbrances.

**T. INDEMNIFICATION**

For good and valuable consideration, the Town and its successors and assigns, including any incorporated successor to the Town agree to indemnify, defend and hold harmless the City and its officers, officials, employees and agents from and against any and all liability, loss, damage, expenses, costs, including attorney's fees, arising in any way out of the goods provided and activities performed pursuant to this agreement, caused in whole or in part by any negligent act or omission of the Town, anyone directly or indirectly employed by it or anyone for whose acts it may be liable, except where caused by the sole negligence or willful misconduct of the City.

[SIGNATURE LINES ON NEXT PAGE]



**POLICE DEPARTMENT**

222 South Walnut Street • Appleton, WI 54911-5899  
(920) 832-5500 • Fax (920) 832-5553  
<http://www.appleton.org/police>

**TO:** Human Resources Committee

**FROM:** Larry Potter, Assistant Police Chief

**DATE:** October 30, 2018

**SUBJECT: Request to Over Hire – Administrative Support Specialist**

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The police department currently has a vacancy for an Administrative Support Specialist, with a second vacancy expected in January due to a retirement. We request to bring in the new employees together, which will necessitate a brief over hire.

A current Administrative Support Specialist will be retiring on January 4<sup>th</sup>, 2019 after almost 40 years of service to the city. There is also an existing opening for the same position due to a prior employee taking an employment opportunity elsewhere this fall. A recent hiring process identified two qualified applicants who are set to begin when needed.

Bringing in the employees together will streamline training (by training them together) and aid in the continued transition to a new software platform, while also allowing the retiring employee to share knowledge with her replacement. An Administrative Support Specialist is responsible for maintaining the records of the department, such as processing citations and offense reports, reporting crime statistics to outside agencies, and responding to open records requests, among other duties.

The existing vacancy is scheduled to be filled by the new employee on November 19, 2018. By bringing in the second hire on the same date, the over hire cost until the departing employee's retirement on January 4<sup>th</sup> is approximately \$7300. The proposed funding to cover this cost will be to utilize vacant salary dollars. As such, no additional budget will be requested. From November 19<sup>th</sup> through November 30<sup>th</sup>, the second hire, who is currently an employee in the city clerk's office, would split time between the offices as the transition began, finally settling in at the police department full time on December 3<sup>rd</sup>. This has been factored into the estimated cost.



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

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## MEMO

**TO:** Human Resources Committee

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

**DATE:** October 31, 2018

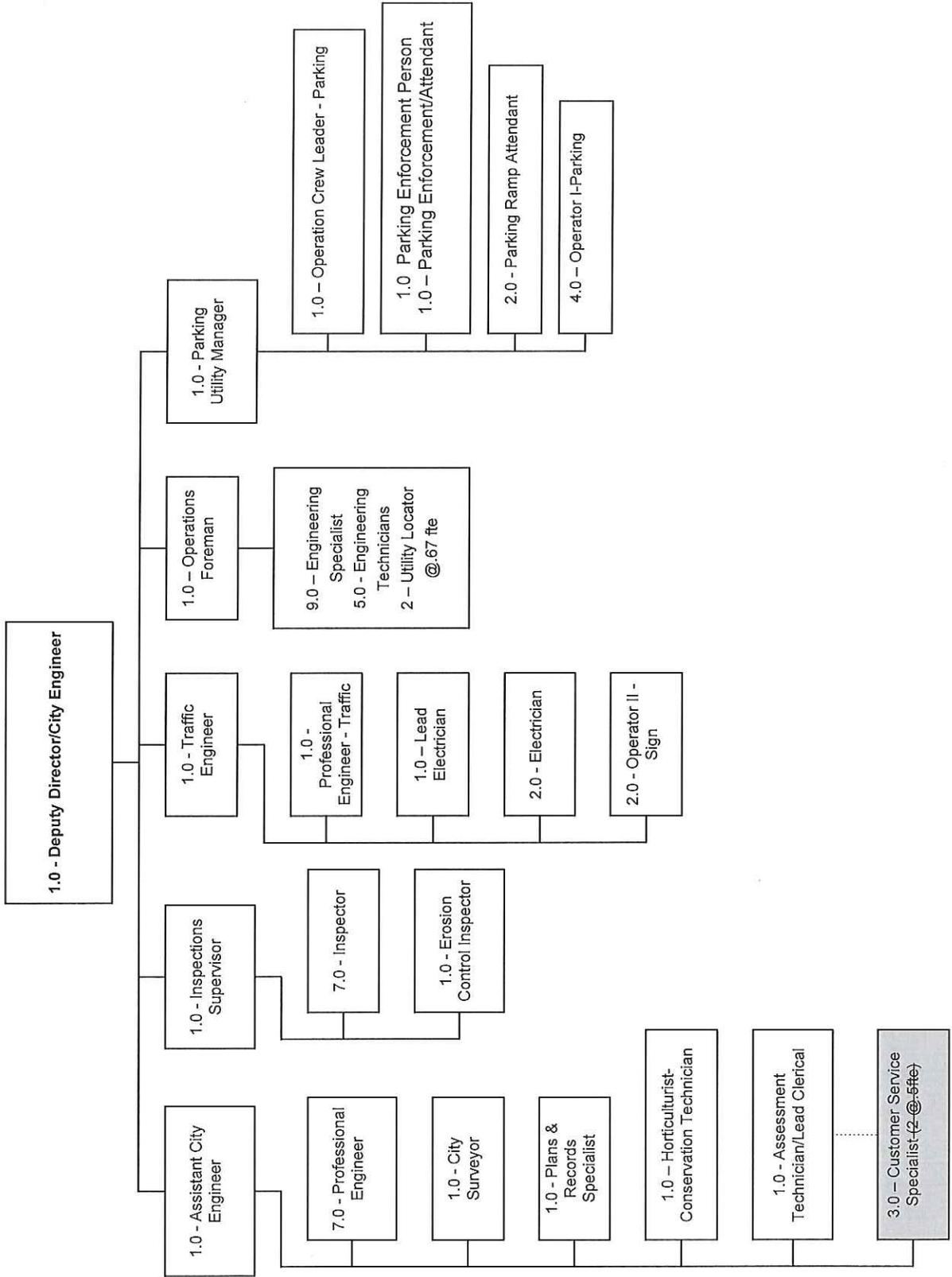
**SUBJECT:** Proposed Department of Public Works Table of Organization change related to the 5<sup>th</sup> Floor Customer Service Team.

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The 5<sup>th</sup> Floor Customer Service team currently consists of 2 full-time and 2 part-time positions. This team provides support to all departments located on the 5<sup>th</sup> floor of City Center. Since 2012, we have had seven (7) different employees fill the 2 part-time positions. Effective Friday, November 2, 2018 we will be losing another part-time employee from this team.

This constant turnover of part-time staff is negatively impacting customer service, productivity and employee morale. To best serve the clerical and customer service needs of all 5<sup>th</sup> floor customer service departments, we are proposing to join the two part-time non-benefited positions into a full-time benefited position. This will bring better continuity and a more balanced workload for all positions.

**Therefore, I request approval of the proposed Department of Public Works Table of Organization change related to the 5<sup>th</sup> Floor Customer Service Team.**



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# Human Resources Department

## Memorandum

To: Chairperson Konezke and Human Resources Committee

From: Sandy Matz, Human Resources Director 

CC: Common Council

RE: Request to change the Department of Public Works table of organization

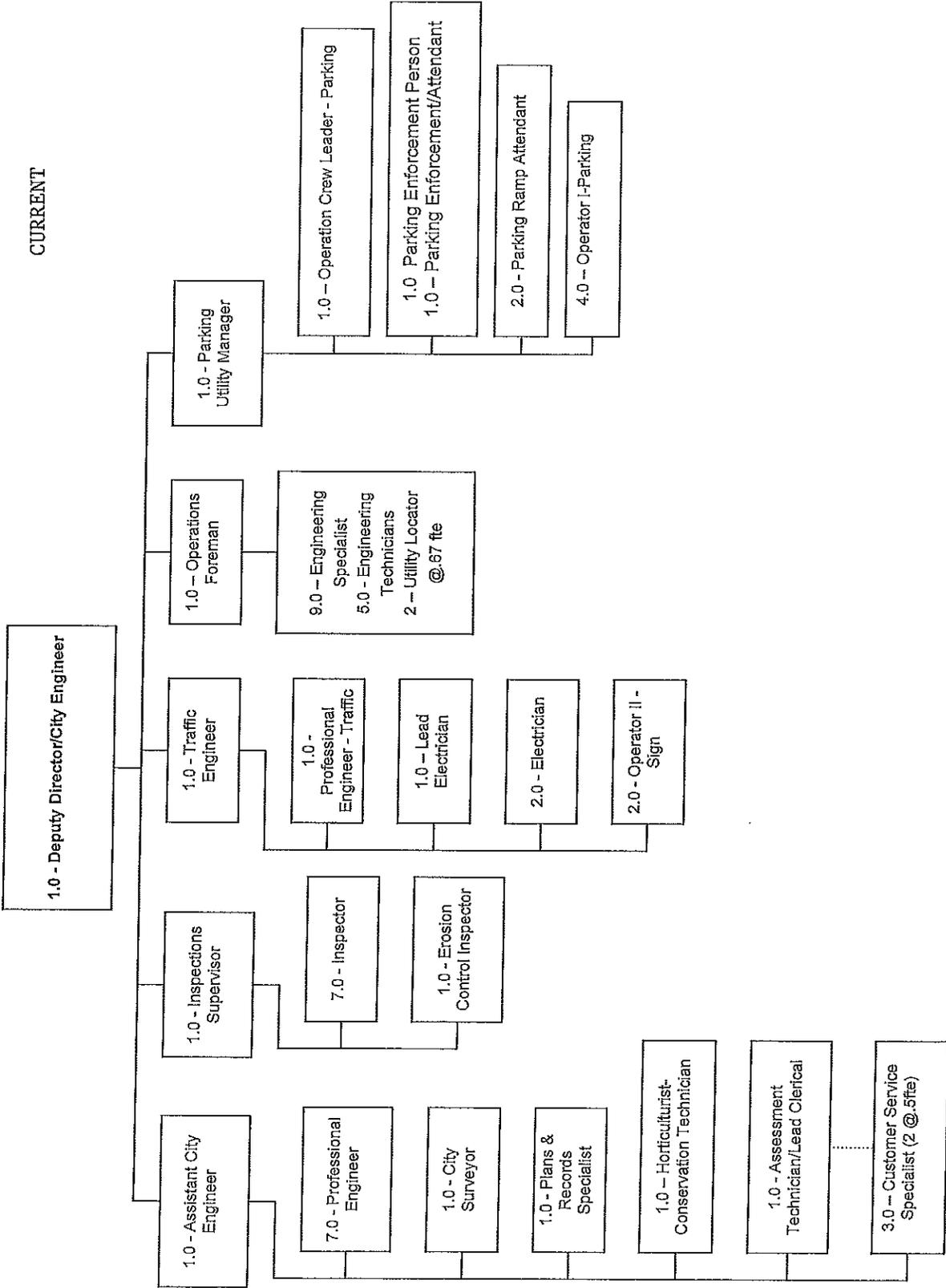
The current table of organization for the Department of Public Works shows that the department is authorized to have a total of 8 Professional Engineers. (7 under the Assistant City Engineer and 1 under the Traffic Engineer), 9 Engineering Specialists and 5 Engineering Technicians. We are requesting approval to modify the table of organization to reflect a total of 8 Professional/Civil Engineers and 14 Engineering Specialist/Technicians.

The reason for this request is to allow for more flexibility on the table of organization without needing to obtain Council approval each time an employee progresses through the engineering career development program.

The Department has had a long-standing practice of moving employees through a career development program for Engineers and Engineering Technicians. This program has been beneficial to not only the department and the organization but to employees by allowing growth and pay advancement when certain milestones are obtained. Titles for these positions and pay grades changed when the City adopted the new compensation plan. It wasn't until recently, that we discovered the table of organization with the new titles doesn't really allow for the same flexibility that used to exist. This was an oversight when the new plan was adopted.

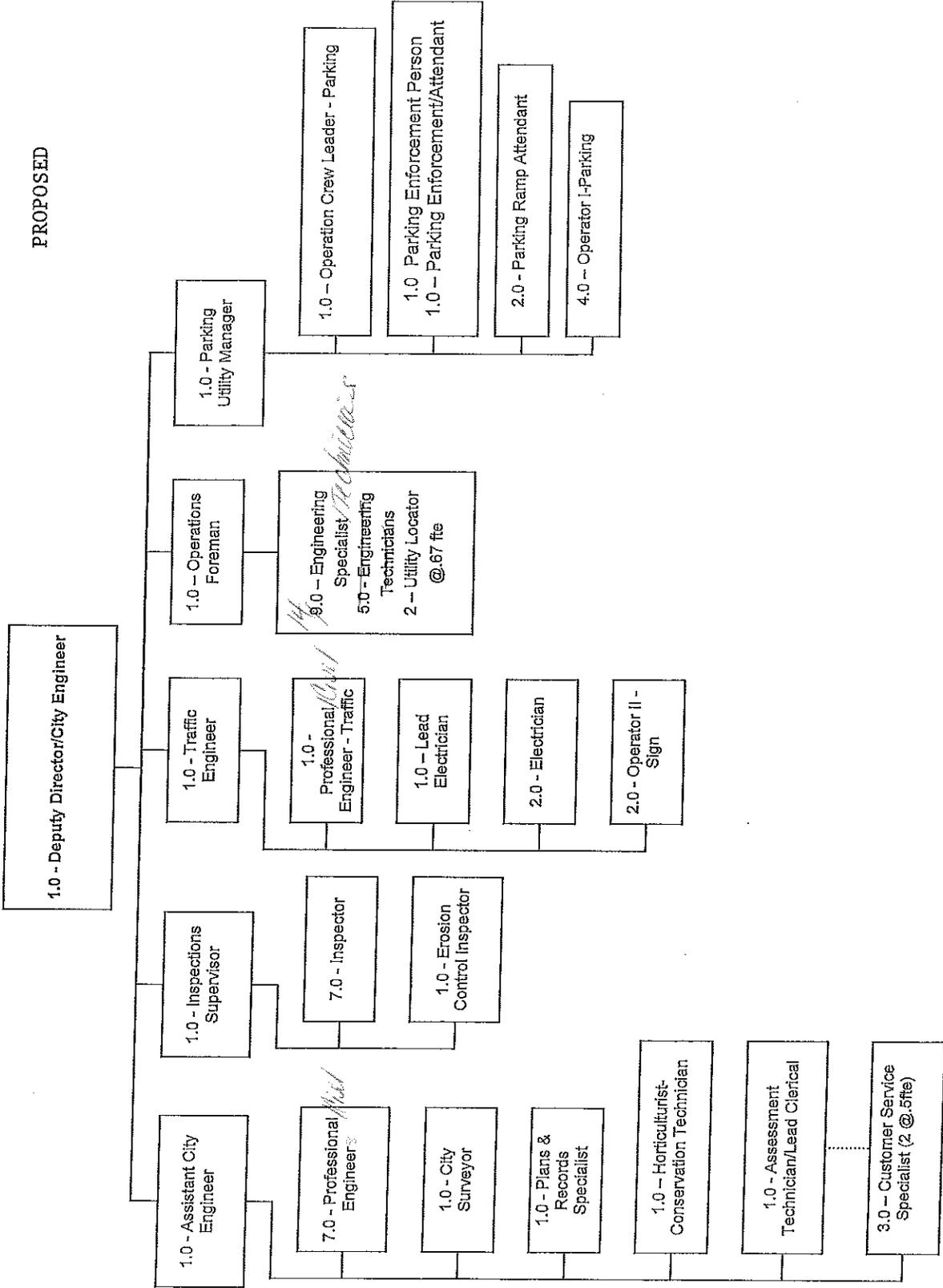
I have attached a copy of the current and proposed tables of organization.

CURRENT



Approved 8/2/17

PROPOSED



Approved 8/2/17

<b>CITY OF APPLETON POLICY</b>	<b>TITLE: SEASONAL EMPLOYMENT</b>	
ISSUE DATE: August 1, 2002	LAST UPDATE: June 2, 2004 October 8, 2004 April 24, 2006 July 2007 October 2009 March 2014	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	AUDIENCE: All Employees	TOTAL PAGES: 10
Reviewed by Legal Services Date: November 11, 2003 November 3, 2009 June 2, 2014	Committee Approval Date: January 14, 2004 December 9, 2009 July 21, 2014	Council Approval Date: January 21, 2004 December 16, 2009 August 6, 2014

I. PURPOSE

To provide guidelines in the seasonal employment process including recruitment and selection, training, and performance evaluation.

II. POLICY

The City of Appleton will recruit and select the best qualified persons for positions with the City. The Human Resources Department, under the guidance of the Human Resources Director, is responsible for developing and facilitating an active seasonal recruitment and selection program designed to meet the current and anticipated City departments' seasonal employment needs. The procedure will be consistent with the City's Affirmative Action Program and will comply with all Equal Employment Opportunity guidelines.

III. DISCUSSION

The City of Appleton establishes clear and consistent guidelines to assist City supervisors and to ensure equal and unbiased treatment of all applicants and employees. The selection of seasonal employees shall be made by the respective department supervisor and in conjunction with the established guidelines.

IV. DEFINITIONS

A. Seasonal Employment: Certain times of the year necessitate the hiring of temporary, non-benefited positions to assist with increased workloads or to fill recreational program activity positions. These positions shall be consistent with the seasonal pay plan and shall be for a specific time period.

B. Seasonal Employee: Employees hired to perform seasonal work for a specific time period. Seasonal employees shall not exceed 1200 hours in any 12 month period and are not eligible for benefits. Employment terminates at the end of the season.

## V. PROCEDURES

### A. Recruitment

When it is determined to be in the best interest of the City of Appleton, seasonal employees may be hired as budgeted. Such employees shall not be eligible to receive City of Appleton fringe benefits unless specifically provided for elsewhere in this policy. The department shall establish job descriptions for each seasonal position within their department and pay rates will be established and approved by Human Resources and the Common Council as referred on **referenced in** the seasonal pay plan.

Hours – No seasonal employee shall exceed 1200 hours of employment in any 12-month period, unless previously authorized by the Human Resources Director. The Human Resources Benefits Coordinator will monitor the number of hours that a seasonal employee has worked and will notify a department if close to the hour limits. Seasonal employees shall not work more than 40 hours per week unless authorized by the Department Head. All hours worked over 40 must be paid at time and one-half.

#### 1. Advertising and Publicity

The Human Resources Department shall post the open positions on the City's website to accept applications for the seasonal position vacancies. A list of the open positions may also be sent to regional high schools, Wisconsin technical colleges and universities, and diversity groups, along with other resources customarily used to distribute regular weekly Open Positions Lists and/or are deemed to be appropriate by the department.

#### 2. Application Forms

All City of Appleton seasonal applications for employment must be completed on-line. Resumes will be accepted only as an attachment to the application; not in lieu of an application. Each returning seasonal employee must update their application annually.

#### 3. Applicant Tracking

Once the applications are submitted via the City's website, the applications will then be forwarded electronically to the department supervisor

#### 4. Candidate Selection

The hiring supervisor will screen the applications based on the job requirements outlined in the job description. After selections are made, candidates will be scheduled for an interview. Interviews can be conducted over the phone or in person. All candidates will be asked the same general questions. Supervisors should refer to their Seasonal Hiring binders for information on conducting interviews. All applicants not chosen from the initial screening will be notified by email.

#### 5. Reference Checks

The hiring supervisor will make a decision on their final candidate(s). Depending on the position, the hiring supervisor will obtain employment and/or personal references. (Exhibit 1a and 1b).

#### 6. Conditional Offer of Employment

The hiring supervisor will make the job offer contingent upon appropriate background checks using the existing seasonal pay structure.

7. Background Checks

The necessary information to conduct a background check shall be sent to Human Resources. HR Administrative staff will process the background check.

8. Offer Letter

The HR department will prepare a conditional offer letter, contingent on the successful completion of a background check after the supervisor determines a start date with the candidate. The conditional offer letter will be sent with the appropriate instructions for paperwork that the employee must complete on or before the first day of employment. The required paperwork could include: I-9 form, W-4 form, ACH Direct Deposit Authorization (all seasonal employees are required to sign-up for direct deposit of their payroll checks), and a Child Labor Permit (if applicable) a policy sign off sheet and policy brochure, and any other required paperwork. (The City reimburses employees for the child labor permit.)

B. Auto Insurance

The City does not provide insurance coverage for an employee's privately owned vehicle. Employees who use non-City-owned vehicles for City business should confirm that their personal auto insurance policy provides coverage for this use.

All employees who drive non-City-owned vehicles for City business shall be required to purchase (at their own expense) and maintain auto insurance at a level that meets one of the following minimum standards:

The minimum acceptable coverage is:

Single limit of liability - \$200,000 for bodily injury and property damage

OR

Split limit of liability with limits of \$100,000 each person bodily injury,  
\$300,000 each accident bodily injury, \$50,000 property damage

All seasonal employees are required to sign the Driver's License Information Update form (Exhibit 2) if they are required to use their own vehicle for City business and/or if they will be using a City-provided vehicle.

A seasonal employee must be 18 years of age to drive a vehicle for City business.

C. Seasonal Employee Orientation and Training

1. The department supervisor should follow the Seasonal Employee Orientation Checklist to orient the new employee(s). (Exhibit 3)
2. The Staff Training and Development Coordinator for the Human Resources Department will coordinate the necessary policy training with each of the department supervisors.
3. Once a new seasonal employee is hired, he/she should attend one of the scheduled training courses. The employee's supervisor is responsible for notifying employees of the training dates and confirming the employee's attendance with the Human Resources Department. The courses include the training that is required by federal and state law and City policy. At the end of each training course, the employee will be asked to sign a form stating that he/she took the class and understands that he/she must abide by the policies covered in it.

4. If the employee cannot attend the training course, the supervisor will be responsible for sending a required training brochure, along with a sign-off form to the employee. The employee is required to return the signed form to their supervisor prior to beginning his/her job. All hard copies of the sign-off form will be filed with the employee's application for future reference. The Human Resources Department will keep such files on-line for all seasonal employees.

D. Evaluation Forms/Process

At the end of each employment period, the supervisor shall fill out a Seasonal Performance Evaluation Form (Exhibit 4) for each seasonal employee who worked under his/her supervision. The supervisor shall sit down with the employee to discuss the evaluation, then obtain the employee's signature as acknowledgment of the evaluation. Supervisors who are in charge of a large number of seasonal employees may complete the evaluation and mail or email two copies to the seasonal employee, provided the employee has met the minimum performance requirements of the position. The evaluation should be accompanied by a letter (Exhibit 5) explaining the evaluation and requesting that the employee sign and return one of the copies to the supervisor. All employees who fall below minimum performance requirements must be evaluated in person. In order to be eligible for re-hire, the employee must have a prior year satisfactory evaluation on file. Seasonal staff evaluations are kept electronically. If an employee receives a "not eligible for re-hire" evaluation, the supervisor will meet with the employee to discuss the details. It is the supervisor's responsibility to track this for future years. Supervisors from other programs/departments have access to see these evaluations from former years.

E. Seasonal Pay Schedule

Seasonal employment shall be compensated on a per hour or per event basis at a rate established by the Human Resources Director and approved by the Common Council. ~~A new seasonal hire will start at the 1<sup>st</sup> year step of the seasonal applicable pay grade. A returning seasonal employee can advance to the next step, up to the 4<sup>th</sup> year step, each year that they return if the position they are returning to is the same position or similar in duties to the one they previously held, and as long as they are deemed eligible for re-hire for the position. Any exception to the above must be approved by the Department Director and the Human Resources Director.~~

~~A seasonal employee's rate of pay is based on the rate that applies in the year when the program starts. (For example, a lifeguard starting in October 2014 will be paid at the starting Lifeguard rate for 2014, even if the employee continues his/her employment into calendar year 2015. If the employee begins a new position and/or program in 2015, then their rate will reflect the 2015 rate.)~~

Seasonal employees will be placed on the Seasonal Pay Plan based on years of experience and/or qualifications. Department hiring managers are responsible for working within the established budgetary allocation for their respective department.

Retirees with prior job-related training, experience and qualifications may be paid within the assigned job classification on the Non-Represented Compensation Grade Order List at a rate that reflects the level of experience of the retiree.

EXHIBIT 1a

**TELEPHONE REFERENCE FORM**

Name of applicant: \_\_\_\_\_

Current/previous employer: \_\_\_\_\_

Employment dates: \_\_\_\_\_ Full time: \_\_\_\_\_ Part time: \_\_\_\_\_

Job title/summary of duties: \_\_\_\_\_

Quality of work: \_\_\_\_\_

Dependability/follow through on assignments: \_\_\_\_\_

Initiative: \_\_\_\_\_

Ability to work with others: \_\_\_\_\_

Attendance/punctuality: \_\_\_\_\_

Any concerns in the area of violence: \_\_\_\_\_

Any concerns in the area of harassment: \_\_\_\_\_

Has this person ever had a positive drug test: \_\_\_\_\_

Reason for leaving: \_\_\_\_\_

Eligible for rehire: \_\_\_\_\_

Areas of strength: \_\_\_\_\_

If you were to coach in one area, what would it be: \_\_\_\_\_

Recommend for hire for this position: \_\_\_\_\_

Additional remarks: \_\_\_\_\_

Name/title of person giving reference: \_\_\_\_\_

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

**SEASONAL EMPLOYMENT  
TELEPHONE REFERENCE FORM**

**Exhibit 1b**

Name of applicant: \_\_\_\_\_

Name & title/relationship of person giving reference: \_\_\_\_\_

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

---

Job title or nature of relationship to applicant (i.e. teacher, coach): \_\_\_\_\_

Quality of work/assignments: \_\_\_\_\_

Dependability/follow through on tasks or assignments: \_\_\_\_\_

Ability to work with others: \_\_\_\_\_

Attendance/punctuality: \_\_\_\_\_

Additional remarks or anything you would like to share about this individual? \_\_\_\_\_

**Use the following only if the contact is from a previous employer**



**DRIVER'S LICENSE INFORMATION UPDATE** \_\_\_\_\_

Please print CLEARLY

First Name: \_\_\_\_\_ Middle Initial: \_\_\_\_\_

Last Name: \_\_\_\_\_

Do you have a **valid** Driver's License?  Yes  No

Date your Driver's License expires (mm/dd/year): \_\_\_\_ / \_\_\_\_ / \_\_\_\_

List any restrictions on your Driver's License (i.e. glasses, occupational, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

It is your responsibility to notify Human Resources or your Supervisor immediately when your driver's license is restricted, suspended or revoked. Failure to do so may result in disciplinary action up to and including discharge.

\_\_\_\_\_  
Signature Department Date

**AUTO INSURANCE**

The City does not provide insurance coverage for an employee's privately owned vehicle. Employees who use non-City-owned vehicles for City business should confirm that their personal auto insurance policy provides coverage for this use.

All employees who drive non-City-owned vehicles for City business shall be required to purchase (at their own expense) and maintain auto insurance at a level that meets one of the following minimum standards:

(a) Single limit of liability - \$200,000 for bodily injury and property damage

**OR**

(b) Split limit of liability with limits of; \$100,000 each person bodily injury \$300,000 each accident bodily injury \$50,000 property damage.

Proof of insurance must be provided prior to mileage reimbursement payment. Employees who cannot provide proof of this level of insurance will not be entitled to receive mileage reimbursement, and will not be allowed to drive for City business. Failure by the employee to maintain required insurance limits may affect employment status, as stated in the Conditions of Employment policy.

Health Department employees who are reimbursed monthly for mileage must provide regular insurance policy updates to the HR Department.

I anticipate I may drive a non-City owned vehicle in the conduct of my job duties and I understand that, should I use a non-City-owned vehicle in the conduct of my job duties, I must have and maintain adequate insurance coverage (as noted above) for that vehicle.

I do not anticipate that I may drive a non-City owned vehicle in the conduct of my job duties. However, I understand that should I need to use a non-City-owned vehicle in the conduct of my job duties, I will verify that I have adequate insurance coverage (as noted above) for that vehicle, prior to using the vehicle for my job.

\_\_\_\_\_  
Signature Department Date

**EXHIBIT 3**

**SEASONAL EMPLOYEE ORIENTATION CHECKLIST**

*(To be completed the first week of employment)*

EMPLOYEE: \_\_\_\_\_

DATE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

SUPERVISOR: \_\_\_\_\_

<input type="checkbox"/> Schedule appointment with HR to complete new hire paperwork with employee	<input type="checkbox"/> Review Departmental communications (i.e. Bulletin board, staff meetings, etc.)
<input type="checkbox"/> Schedule seasonal training with HR or have employee read and sign the Seasonal Training Brochure	<input type="checkbox"/> Review Departmental Activities (i.e. Casual Fridays)
<input type="checkbox"/> Collect Work Permit (if applicable)	<input type="checkbox"/> Show video of department, if applicable
<input type="checkbox"/> Make sure employee brought appropriate documentation to sign new employee paperwork in HR	<input type="checkbox"/> Discuss performance evaluation format, if any
<input type="checkbox"/> Issue keys, if applicable	<input type="checkbox"/> Fill out applicable employment forms (if required by specific department)
<input type="checkbox"/> Employee Introductions	<input type="checkbox"/> Train employee on applicable equipment
<input type="checkbox"/> Office/Facility Tour	<input type="checkbox"/> Train employee on phone system
<input type="checkbox"/> Review of work rules, departmental policies, etc.	<input type="checkbox"/> Review Department policy on public relations
<input type="checkbox"/> Review of reporting requirements	<input type="checkbox"/> Review Chain of Command
<input type="checkbox"/> Review of work hours, time cards (if applicable), and location	<input type="checkbox"/> Review of Department Mission and Beliefs
<input type="checkbox"/> Review job description	<input type="checkbox"/> Review all departmental safety/compliance issues
<input type="checkbox"/> Give job assignment	<input type="checkbox"/> Issue PPE (Personal Protective Equipment)
<input type="checkbox"/> Review parking	<input type="checkbox"/> Fire Drill/Evacuation Procedure

EMPLOYEE SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

SUPERVISOR SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

SEASONAL PERFORMANCE EVALUATION FORM

Department: Parks & Recreation Employee: \_\_\_\_\_ Job Title: \_\_\_\_\_ Date: \_\_\_\_\_

Please complete the following evaluation near the end of the employment period and review it with the employee prior to the end of his/her employment. Place an 'X' in the box which best indicates employee performance.

Area of Evaluation (X-out those that do not pertain)	Excep- tional	Exceeds Require- ments	Meets Require- ments	Needs Improvement	Unsatis- factory	Comments
<b>Job Knowledge</b> - Consider how well employee understood duties and re-tained and applied knowledge						
<b>Quality of Work</b> - Consider neatness, accuracy and effectiveness						
<b>Quantity of Work</b> - Consider amount and speed of work output, timeliness						
<b>Cooperation</b> - Consider employee's ability to work effectively with others						
<b>Dependability</b> - Consider employee's ability to complete job assignments						
<b>Attendance</b> - Consider employee's punctuality and attendance						
<b>Initiative</b> - Consider employee's willingness to help others and seek out work and perform tasks assigned						
<b>Attitude</b> - Was the employee's attitude positive, professional and supportive of the City						

**DETERMINATION OF OVERALL EVALUATION (Please choose one)**

<input type="checkbox"/> Demonstrates consistent exceptional performance. Far exceeds requirements of position.	EVALUATOR COMMENTS:
<input type="checkbox"/> Consistently exceeds requirements of position.	
<input type="checkbox"/> Consistently meets requirements of position.	
<input type="checkbox"/> Meets minimum requirements of position. Indicates need for improvement.	
<input type="checkbox"/> Consistently falls below minimum requirements of position.	

Is employee eligible for rehire?  Yes  No

Number of years in this position: \_\_\_\_\_

Employee: This performance review has been completed as a guide to help you in your job performance and development. Your signature does not necessarily imply you agree with the comments or rating, but that you read and understand the review.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_ Evaluator Signature \_\_\_\_\_ Date \_\_\_\_\_

EMPLOYEE: PLEASE USE REVERSE SIDE FOR COMMENTS. Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

**Appleton Parks Recreation  
and Facilities Management**  
1819 Witzke Boulevard  
Appleton, WI 54911  
Phone: (920) 832-5905  
Fax: (920) 832-5950

"Date"

"First Name" "Last Name"  
"Address"  
"City", "State" "Zip Code"

Dear "First Name",

I would like to thank you for your hard work and effort put forth this past summer for the Appleton Parks Recreation and Facilities Management Department. Your time and dedication is greatly appreciated and made this year a rewarding and memorable one.

Enclosed you will find your employee evaluation for this year's program. Please read, sign, and return a copy for our files. Keep a copy for your personal records. If you have any questions regarding your evaluation, please feel free to call me at (920) 832-3926.

Sincerely,

Recreation Program Supervisor  
Appleton Parks Recreation and  
Facilities Management Department

Enclosure



## ELECTED ALDERPERSON SALARIES

Council Date	Election Year	Salary	Benefits	Notes
11-07-2001	2002	No increase		
11-07-2001	2003	\$5636 – 3%		
10-16-2002	2004	No increase		
10-16-2002	2005	No increase		
12-03-2003	2006	No increase		
10-19-2005	2007	No increase		
11-01-2006	2008	No increase		
01-21-2008	2009	\$5805 – 3%		
07-02-2009	2010	No increase		
07-02-2009	2011	No increase		
10-20-2010	2012	No increase		
01-04-2012	2013	No increase		
03-20-2013	2014	No increase		
11-20-2013	2015	No increase	5.12% increase with parking pass	Added Parking passes \$297 annual (\$33@9months) effective with the April, 2015 election
9-17-2014	2016	\$5921 – 2%	6.89% increase with parking pass	Parking Pass \$408 annual (\$33@6 months & \$35@6 months)
11-09-2015	2017	\$5980 – 1%	1.1% increase with parking pass	Parking Pass \$420 annual
10/19/2016	2018	\$6129.50 – 2.5%	plus parking pass	
10/18/2017	2019	No increase		
	<i>2020</i>	<i>TBD</i>		

**CITY OF APPLETON 2019 BUDGET**

**VALLEY TRANSIT**

**General Manager: Ron C. McDonald**

**Assistant General Manager: Amy L. Erickson**

**Administrative Services Manager: Debra A. Ebben**

# CITY OF APPLETON 2019 BUDGET VALLEY TRANSIT

## MISSION STATEMENT

Valley Transit provides safe, customer-focused transportation options that connect our communities to enhance the quality of life.

## DISCUSSION OF SIGNIFICANT 2018 EVENTS

### Ridership

Following national transit ridership trends, Valley Transit ridership is slightly down (2%) in the first six months of 2018. When gas prices are lower, as they have been in 2018, transit ridership tends to dip.

### Legislative Issues

Valley Transit faces funding challenges every year and has been able to find solutions to keep the system operating without service cuts or major increases in costs to the local funding partners. Staff continues to look for a stable source of local funding to offset the swings in funding at the State and federal level.

Federal Funding– During 2015, congress passed the FAST Act (Fixing America's Surface Transportation) to improve the nation's surface transportation infrastructure. The five-year legislation reforms and strengthens transportation programs and provides long-term certainty and more flexibility for State and local governments. The FAST Act increases dedicated bus funding, provides both stable formula funding and a competitive grant program to address bus and bus facility needs and provides flexibility for recipients in the use of federal funds to maintain facilities and equipment in a state of good repair.

Although the FAST Act has provided more stable funding for Valley Transit, the new legislation, along with Valley Transit's reclassification to a large system and as a direct recipient of Federal Transit Authority (FTA) funds, has increased the amount of administrative time needed to meet our obligations to the FTA. Reporting requirements have increased from annual reports to quarterly reports and new reporting requirements have been developed along with a higher level of scrutiny from the FTA.

State Budget – State funding for transit operations has remained at a consistent level, but remains at the 2011 level.

RTA – Valley Transit's Strategic Plan maintains that the best long-term solution for stable and adequate funding is establishing a Regional Transit Authority (RTA) in the Fox Cities. Valley Transit remains committed to pursuing enabling legislation at the State level.

### Audits

#### Single Financial Audit

Valley Transit received no findings in the 2017 financial audit conducted in early 2018.

### Federal Funds (5310)

Section 5310 funding provides assistance to programs serving the elderly and persons with disabilities. When the population of the Fox Valley reached 200,000 with the 2010 census, Valley Transit became a direct recipient of this funding. The grant allows 45% of the funds to go to fixed route providers, such as Valley Transit, for senior/disabled services in excess of ADA paratransit requirements and requires a minimum of 55% of the funds to be distributed to non-profit organizations that provide transportation services to senior and disabled populations. Valley Transit and the East Central Wisconsin Regional Planning Commission (ECWRPC) reached an agreement that designates Valley Transit as the recipient of 5310 funds and ECWRPC as the lead on the process to distribute the 55% funds to non-profit organizations.

## CITY OF APPLETON 2019 BUDGET VALLEY TRANSIT

### MAJOR 2019 OBJECTIVES

Valley Transit's Strategic Plan was completed in early 2015. The plan includes recommendations for near-term, three, five and ten years. A near-term action plan and schedule has been developed and is being implemented. The focus of the near-term plan is to make sure the existing services function as efficiently and effectively as possible before adding additional services. Valley Transit has performance measures and tracking mechanisms in place which build on existing strengths of the system and address weaknesses. Improving on-time-performance will continue to be a major focus in 2019, as will monitoring subcontractor performance to deal with performance issues. The asset management plan will continue to be fine-tuned for vehicles, facilities and equipment and will identify funding requirements for vehicle and equipment replacements and to maintain facilities in a state of good repair.

Valley Transit will continue to focus on strengthening the partnership with advocacy groups in the Fox Cities and increasing communication with Valley Transit stakeholders. Staff will continue to refine and improve the communication tools used to give potential riders information on how to use the system. Implementation of a bus tracking application for smart phones to provide real-time bus schedules to passengers will be completed in 2018. As part of the effort to increase ridership, Valley Transit will be working on partnerships with area businesses to increase ridership by their employees.

We will continue to work on establishing an RTA in the Fox Cities and finding alternate/sustainable sources of funding for both fixed route and paratransit services.

Valley Transit is required to complete a Transit Development Plan (TDP) every five years. The 2017 Budget included an expense of \$100,000 for the TDP. Transit system development plans refine and detail the recommendations for transit services set forth in the regional transportation plan. The TDP got a late start in 2017 due to timing of availability of State funding. During 2018, we will continue to work on the plan with completion expected for 2019. In 2019, the plan will be reviewed to determine the feasibility of recommendations with an implementation plan to follow.

### DEPARTMENT BUDGET SUMMARY

Programs		Actual		Budget			%
Unit	Title	2016	2017	Adopted 2018	Amended 2018	2019	Change *
<b>Program Revenues</b>		\$ 8,677,130	\$ 10,250,785	\$ 9,837,695	\$ 9,837,695	\$ 10,271,508	4.41%
<b>Program Expenses</b>							
5810	Administration	1,488,595	1,563,609	1,372,847	1,389,211	1,449,101	5.55%
5820	Vehicle Maint.	616,015	767,091	757,963	2,963,095	840,171	10.85%
5830	Facilities Maint.	148,138	154,200	505,345	688,630	204,159	-59.60%
5840	Operations	3,509,144	3,563,119	3,943,407	3,943,407	4,170,719	5.76%
5850	ADA Paratransit	1,765,067	1,750,443	1,871,109	1,871,109	2,432,566	30.01%
5860	Ancillary Paratransit	1,662,953	1,806,614	1,941,479	1,941,479	1,781,599	-8.23%
<b>TOTAL</b>		\$ 9,189,912	\$ 9,605,076	\$ 10,392,150	\$ 12,796,931	\$ 10,878,315	4.68%
<b>Expenses Comprised Of:</b>							
Personnel		4,056,684	4,138,026	4,028,395	4,028,395	4,325,995	7.39%
Administrative Expense		831,213	884,215	883,583	883,583	947,227	7.20%
Supplies & Materials		544,859	703,138	950,156	950,156	974,936	2.61%
Purchased Services		3,437,400	3,545,966	3,827,340	3,843,704	3,939,456	2.93%
Utilities		99,428	92,727	133,500	133,500	109,975	-17.62%
Repair & Maintenance		220,328	243,464	224,176	224,176	235,726	5.15%
Capital Expenditures		-	(2,460)	345,000	2,733,417	345,000	0.00%
<b>Full Time Equivalent Staff:</b>							
Personnel allocated to programs		54.35	54.95	56.20	56.85	58.85	

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Administration**

**Business Unit 5810**

**PROGRAM MISSION**

We will equitably allocate federal, State, and local resources among a variety of transportation services and we will provide management, oversight, planning, and marketing information for and about our services for the benefit of our passengers, employees, and participating governmental units.

**PROGRAM NARRATIVE**

**Link to City Goals:**

Implements Key Strategies #1: "Prompt delivery of excellent services"; #2: "Encourage active community participation and involvement"; #4: "Continually assess trends affecting the community and proactively respond"; #6: "Create opportunities and learn from successes and failures"; and #7: "Communicate our successes through stories and testimonials."

**Objectives:**

- To provide administrative support to ensure that local funding from the municipalities and counties is equitable
- To monitor all services to ensure cost effectiveness and efficiency and to avoid duplication of services
- To reach out to riders and non-riders alike to demonstrate that Valley Transit provides low cost, safe, reliable, friendly public transportation that directly improves the quality of life for everyone
- To continue to be a fiscally responsible organization that is accessible and supports a high quality of life in the Fox Cities
- To fund Valley Transit in a manner that promotes stability and resilience and is flexible to accommodate a growing region

**Major changes in Revenue, Expenditures, or Programs:**

Combined State and federal operating assistance is estimated at 57.5% of eligible expenses in 2019.

The increase in contractor fees is due to Valley Transit out-sourcing marketing efforts, rather than filling a vacant marketing position. The marketing position remains on the table of organization. This program also includes the addition of a full time Mobility Coordinator to work in partnership with the Aging and Disability Resource Center of Outagamie County to improve access to transportation by older adults and persons with disabilities. This position and the Travel Trainer position in the Operations program are both funded entirely by federal grants and Outagamie County local support.

The increase in depreciation expense is related to new buses and equipment purchased in 2017 and 2018.

**PERFORMANCE INDICATORS**

	<u>Actual 2016</u>	<u>Actual 2017</u>	<u>Target 2018</u>	<u>Projected 2018</u>	<u>Target 2019</u>
<b>Client Benefits/Impacts</b>					
Regional transit service					
Municipalities and County government units served	14	13	13	13	13
<b>Strategic Outcomes</b>					
Regulatory compliance					
Expense per revenue hour	\$ 84.61	\$ 90.14	\$ 85.86	\$ 87.25	\$ 91.77
Expense per revenue mile	\$ 4.76	\$ 5.06	\$ 4.87	\$ 4.95	\$ 5.27
<b>Work Process Outputs</b>					
Contract negotiating & monitoring					
# employee grievances filed	10	16	0	2	0

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Administration**

**Business Unit 5810**

**PROGRAM BUDGET SUMMARY**

Description	Actual		Budget		
	2016	2017	Adopted 2018	Amended 2018	2019
<b>Revenues</b>					
4210 Federal Grants	\$ 2,560,663	\$ 3,665,953	\$ 2,904,386	\$ 2,904,386	\$ 3,208,329
4224 Miscellaneous State Aids	2,491,999	2,627,353	2,736,001	2,736,001	2,840,530
4230 Miscellaneous Local Aids	443,258	472,236	479,388	479,388	513,513
4710 Interest on Investments	(9,161)	7,759	12,500	12,500	12,500
4877 Advertising/Promotional	55,455	68,509	55,000	55,000	55,000
5001 Fees & Commissions	10,454	10,708	8,000	8,000	8,000
5005 Sale of City Prop - Tax	339	1,621	-	-	-
5010 Misc Revenue - Nontax	3	25	-	-	-
5020 Donations & Memorials	1,000	-	-	-	-
5035 Other Reimbursements	2,842	7,884	-	-	-
5921 Trans In - General Fund	627,179	676,739	642,744	642,744	674,158
<b>Total Revenue</b>	<b>\$ 6,184,031</b>	<b>\$ 7,538,787</b>	<b>\$ 6,838,019</b>	<b>\$ 6,838,019</b>	<b>\$ 7,312,030</b>
<b>Expenses</b>					
6101 Regular Salaries	\$ 191,773	\$ 192,895	\$ 214,202	\$ 214,202	\$ 233,285
6105 Overtime	-	1,534	-	-	-
6108 Part Time	6,228	-	-	-	-
6150 Fringes	241,172	278,055	76,892	76,892	82,087
6201 Training/Conferences	6,720	2,590	16,792	16,792	15,471
6204 Tuition Reimbursement	-	-	2,000	2,000	-
6205 Employee Recruitment	18,505	6,873	3,200	3,200	4,200
6206 Parking	176	150	360	360	150
6301 Office Supplies	6,035	3,826	3,958	3,958	3,868
6302 Subscriptions	959	1,901	1,555	1,555	1,386
6303 Memberships & Licenses	4,401	4,672	4,708	4,708	4,233
6304 Postage & Freight	2,828	2,277	3,404	3,404	3,326
6305 Awards & Recognition	1,187	526	878	878	900
6307 Food & Provisions	2,142	1,513	1,170	1,170	1,200
6316 Miscellaneous Supplies	872	2,250	375	375	375
6320 Printing & Reproduction	16,567	9,017	21,483	21,483	20,991
6323 Safety Supplies	603	-	500	500	500
6326 Vehicle & Equipment Parts	-	4,380	-	-	-
6327 Miscellaneous Equipment	3,374	15,279	2,000	2,000	16,000
6401 Accounting/Audit	9,584	7,855	9,000	9,000	7,790
6403 Bank Services	3,048	3,226	3,000	3,000	3,000
6404 Consulting	162	12,869	45,000	61,364	-
6408 Contractor Fees	165	11,025	1,080	1,080	51,080
6411 Temporary Help	25,543	13,963	5,000	5,000	5,000
6412 Advertising	42,398	23,294	42,000	42,000	42,000
6413 Utilities	82,537	77,061	109,889	109,889	84,239
6418 Equip Repairs & Maint	130	399	317	317	309
6424 Software Support	48,002	61,097	56,000	56,000	49,600
6430 Health Services	1,141	2,171	2,100	2,100	2,100
6501 Insurance	174,963	200,159	138,816	138,816	143,397
6599 Other Contracts/Obligations	214	400	350	350	350
6601 Depreciation Expense	597,166	622,352	606,818	606,818	672,264
<b>Total Expense</b>	<b>\$ 1,488,595</b>	<b>\$ 1,563,609</b>	<b>\$ 1,372,847</b>	<b>\$ 1,389,211</b>	<b>\$ 1,449,101</b>

**DETAILED SUMMARY OF 2019 PROPOSED EXPENDITURES > \$15,000**

<b>Printing</b>		<b>Advertising</b>	
Fare material	\$ 6,889	Events	\$ 12,309
Riders guides & maps	5,000	Print	8,000
Public information materials	5,000	Broadcast	8,000
Forms	1,200	Bus driver ads	1,500
City copy charges	2,902	Rider survey	9,591
	<u>\$ 20,991</u>	Legal notices	2,000
<b>Contractor Fees</b>		Trudigital electronic signs	600
FCTC camera operator	\$ 1,080		<u>\$ 42,000</u>
Marketing	50,000	<b>Software Support</b>	
	<u>\$ 51,080</u>	GFI maintenance agreement	14,000
<b>Miscellaneous Equipment</b>		Info Transit & Doublemap	35,600
Office equipment	\$ 2,000		<u>\$ 49,600</u>
Replace office computers (20)	14,000		
	<u>\$ 16,000</u>		

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Vehicle Maintenance**

**Business Unit 5820**

**PROGRAM MISSION**

We will provide safe, reliable, and environmentally-friendly service by maintaining our vehicle fleet to minimize service delays due to breakdowns and sustain a quality fleet that benefits our bus drivers, passengers and the general public.

**PROGRAM NARRATIVE**

**Link to City Goals:**

Implements Key Strategies #3: "Recognize and grow everyone's talents"; #4: "Continually assess trends affecting the community and proactively respond"; #6: "Create opportunities and learn from successes and failures"; and #7: "Communicate our successes through stories and testimonials."

**Objectives:**

- To maintain the vehicle fleet in a manner that will ensure that all service requirements are met
- To maintain the vehicle fleet in a manner that minimizes the number of road calls that require a replacement bus or cause a trip to be significantly delayed or missed
- To maintain the vehicle fleet in a manner that ensures that there are no vehicle accidents due to mechanical failure

**Major changes in Revenue, Expenditures, or Programs:**

The higher level of expense in the vehicle maintenance program reflects the aging of our bus fleet and the more frequent need to replace transmissions and engines, along with routine repairs.

Capital projects for 2019 include replacing one staff vehicle for fixed route operations. This vehicle is used to transport drivers to and from the transit center and ferrying passengers to destinations when transfers are missed due to a Valley Transit problem or weather issues. The vehicle is also used by the operations supervisors to respond to accidents, manage detours, perform ride checks and travel between the Administration building and the Transit Center. Capital funding has been budgeted to cover 80% of the cost (\$40,000), with the remaining 20% to be funded from the depreciation reserve.

**PERFORMANCE INDICATORS**

	<u>Actual 2016</u>	<u>Actual 2017</u>	<u>Target 2018</u>	<u>Projected 2018</u>	<u>Target 2019</u>
<b>Customer Benefits/Impacts</b>					
Safe, reliable service					
Miles between road calls	26,203	15,679	20,000	17,000	20,000
<b>Strategic Outcomes</b>					
Vehicles that meet service obligations					
Avg. vehicle age for active fleet - years	13.98	12.18	13.00	11.72	11.39
Avg. vehicle mileage for active fleet	561,492	458,044	460,000	474,235	475,134
Maintenance cost/mile	\$0.73	\$0.90	\$0.88	\$0.89	\$0.91
Spare ratio	22%	22%	32%	32%	32%
Inventory turnover *	0.21	0.79	1.00	0.72	1.00
<b>Work Process Outputs</b>					
Preventive maintenance					
# vehicles maintained	27	30	31	31	33
Miles operated	938,269	941,888	943,198	938,611	938,611
# inspections completed	167	170	170	170	170
Clean buses					
# exterior cleanings	5,364	5,376	5,080	5,380	5,355
# interior cleanings	5,364	5,376	5,080	5,380	5,355
* Excluding fluids.					

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Vehicle Maintenance**

**Business Unit 5820**

**PROGRAM BUDGET SUMMARY**

Description	Actual		Budget		
	2016	2017	Adopted 2018	Amended 2018	2019
<b>Revenues</b>					
5020 Donations & Memorials	\$ 20	\$ -	\$ -	\$ -	\$ -
5030 Damage to City Property	16,540	1,134	-	-	-
	<u>\$ 16,560</u>	<u>\$ 1,134</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<b>Expenses</b>					
6101 Regular Salaries	\$ 298,499	\$ 333,233	\$ 342,774	\$ 342,774	\$ 353,398
6105 Overtime	21,316	12,528	7,147	7,147	7,080
6150 Fringes	114,832	131,170	135,140	135,140	133,575
6201 Training/Conferences	300	20,048	3,000	3,000	5,000
6309 Shop Supplies & Tools	39,872	37,940	50,970	50,970	52,450
6316 Miscellaneous Supplies	307	31	-	-	-
6321 Clothing	55	-	220	220	220
6322 Gas Purchases	2,336	2,235	5,000	5,000	5,000
6326 Vehicle & Equipment Parts	106,314	188,896	161,500	161,500	178,000
6327 Miscellaneous Equipment	434	75	8,200	8,200	2,700
6417 Vehicle Repairs & Maint	8,461	17,349	12,000	12,000	17,450
6418 Equip Repairs & Maint	8,807	7,826	8,550	8,550	12,850
6424 Software Support	1,550	2,134	1,000	1,000	2,200
6425 CEA Equipment Rental	-	-	2,000	2,000	2,000
6430 Health Services	1,441	1,003	525	525	525
6451 Laundry Services	1,766	1,752	3,050	3,050	1,560
6501 Insurance	9,725	9,542	16,887	16,887	16,163
6599 Other Contracts/Obligations	-	1,329	-	-	-
6804 Equipment	-	-	-	2,205,132	50,000
	<u>\$ 616,015</u>	<u>\$ 767,091</u>	<u>\$ 757,963</u>	<u>\$ 2,963,095</u>	<u>\$ 840,171</u>

**DETAILED SUMMARY OF 2019 PROPOSED EXPENDITURES > \$15,000**

<b><u>Shop Supplies &amp; Tools</u></b>	
Janitorial supplies	\$ 7,200
Cleaning supplies & chemicals	4,250
Grease and liquid gases	29,000
Tools and instruments	12,000
	<u>\$ 52,450</u>
<b><u>Vehicle &amp; Equipment Parts</u></b>	
Misc parts (doors, windows, etc.)	\$ 10,000
Brake system parts	29,000
Electrical system parts	8,000
Wheelchair ramp parts	9,000
Heating/cooling system parts	20,000
Transmission parts	30,000
Engine parts	50,000
PM's and oil changes	22,000
	<u>\$ 178,000</u>
<b><u>Equipment</u></b>	
Operations staff vehicle	50,000
	<u>\$ 50,000</u>

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Facilities Maintenance**

**Business Unit 5830**

**PROGRAM MISSION**

We will provide a clean and safe working environment by purchasing, cleaning, maintaining and repairing the Operations and Maintenance facility, the Transit Center and the passenger shelters located throughout the Fox Cities that benefits our passengers, employees, and the general public.

**PROGRAM NARRATIVE**

**Link to City Goals:**

Implements Key Strategies #1: "Prompt delivery of excellent services"; #4: "Continually assess trends affecting the community and proactively respond"; and #6: "Create opportunities and learn from successes and failures".

**Objectives:**

- To provide clean, safe shelter for passengers waiting to board the bus
- To provide a clean, safe working environment for employees
- To maintain facilities that enhance the beauty of the community

**Major changes in Revenue, Expenditures, or Programs:**

Capital projects for 2019 include purchasing bus shelters and replacing deteriorating furniture at the Transit Center. Capital funding has been budgeted to cover 80% of the cost (\$36,000). The remaining 20% will be funded from the depreciation reserve.

**PERFORMANCE INDICATORS**

	<u>Actual 2016</u>	<u>Actual 2017</u>	<u>Target 2018</u>	<u>Projected 2018</u>	<u>Target 2019</u>
<b>Customer Benefits/Impacts</b>					
Clean, safe protection from the elements					
# claims related to facilities	0	0	0	0	0
Clean, safe working environment for employees					
# workplace injuries	0	0	0	0	0
<b>Strategic Outcomes</b>					
Buildings that enhance beauty of community					
# customer complaints	0	0	0	0	0
<b>Work Process Outputs</b>					
Facilities maintained					
# major facilities	2	2	2	2	2
# minor facilities	41	41	41	41	41
Maintenance schedule					
# cleanings major facilities	565	565	565	565	565
# inspections	12	12	12	12	12

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Facilities Maintenance**

**Business Unit 5830**

**PROGRAM BUDGET SUMMARY**

Description	Actual		Budget		
	2016	2017	Adopted 2018	Amended 2018	2019
<b>Revenues</b>					
5015 Facility Rent	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
	<u>\$ 6,000</u>				
<b>Expenses</b>					
6306 Building Maint./Janitorial	\$ -	\$ -	\$ -	\$ -	\$ -
6308 Landscape Supplies	1,603	3,748	3,000	3,000	3,000
6325 Ice Control Materials	2,008	-	-	-	-
6327 Miscellaneous Equipment	610	3,555	1,000	1,000	1,000
6407 Collection Services	4,180	3,124	4,600	4,600	4,600
6408 Contractor Fees	-	1,653	-	-	-
6416 Building Repairs & Maint	3,669	9,761	-	-	-
6420 Facilities charges	111,975	106,099	113,519	113,519	111,672
6440 Snow Removal Services	11,086	13,956	15,000	15,000	11,603
6451 Laundry Services	2,644	4,170	3,050	3,050	5,356
6454 Grounds Repair & Maint.	3,806	3,985	-	-	-
6501 Insurance	(816)	-	13,126	13,126	13,696
6599 Other Contracts/Obligations	7,373	6,609	7,050	7,050	8,232
6803 Buildings	-	(2,460)	345,000	528,285	45,000
	<u>\$ 148,138</u>	<u>\$ 154,200</u>	<u>\$ 505,345</u>	<u>\$ 688,630</u>	<u>\$ 204,159</u>

**DETAILED SUMMARY OF 2019 PROPOSED EXPENDITURES > \$15,000**

<b><u>Buildings</u></b>	
Shelters	\$ 20,000
Furniture at Transit Center	25,000
	<u>\$ 45,000</u>

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Operations**

**Business Unit 5840**

**PROGRAM MISSION**

Valley Transit provides safe, customer-focused transportation options that connect our communities to enhance the quality of life.

**PROGRAM NARRATIVE**

**Link to City Goals:**

Implements Key Strategies #2: "Encourage active community participation and involvement"; #3: "Recognize and grow everyone's talents"; #4: "Continually assess trends affecting the community and proactively respond"; #6: "Create opportunities and learn from successes and failures"; and #7: "Communicate our successes through stories and testimonials."

**Objectives:**

Excellence in customer service is a central value of Valley Transit, so the organization will continuously monitor and exceed customer expectations:

To have transit services in the Fox Cities direct, on-time and easy to use

To have the transportation infrastructure in the Fox Cities improve communities and offer seamless connections for all people traveling to, from, or within the region

To have transit needs in the Fox Cities met efficiently and in a manner that is consistent with our mission

**Major changes in Revenue, Expenditures, or Programs:**

Overtime expense has been relatively high in recent years due to the need to cover drivers' shifts for vacant positions caused by retirements and by absences due to illness and FMLA leave. During 2017, Valley Transit changed the table of organization to allow hiring of additional drivers with various scheduling options to control overtime expense.

The level of customer complaints shown below is the result of inconsistent on-time performance, which results in missed connections, appointments, etc. On-time performance is in turn due to a variety of factors such as detours due to street construction, less experienced drivers (due to retirements of long-time employees) pressing to meet schedules and not focusing on customer service as much as we would like, etc. We are working to address bus on-time performance and are counseling drivers on customer service. Valley Transit is in the process of implementing a real time bus tracker application with reporting software, which will help improve on-time performance.

A decrease in the price and usage of tires is reflected in the Vehicle & Equipment Parts account. In 2018, Valley Transit entered into a contract with Goodyear Tire to lease bus tires, which is projected to reduce tire expense by approximately 29%, though that savings is offset by an increase in the cost of lubricants used in the buses. The miscellaneous equipment budget includes an on-going program of camera replacement on the buses, as the cameras have exceeded their useful lives and do not provide the quality of image required.

This program includes the addition of a full time Travel Trainer to work with the Mobility Coordinator to improve access to transportation by older adults and persons with disabilities.

**PERFORMANCE INDICATORS**

	<u>Actual 2016</u>	<u>Actual 2017</u>	<u>Target 2018</u>	<u>Projected 2018</u>	<u>Target 2019</u>
<b>Client Benefits/Impacts</b>					
Safe, reliable, convenient service					
Accidents per 100,000 mi	1.00	2.40	0.00	3.00	0.00
On-time performance percentage	83.0%	82.0%	95.0%	84.0%	95.0%
# customer complaints as a percentage of trips provided	0.02%	0.02%	0.05%	0.02%	0.02%
<b>Strategic Outcomes</b>					
Cost effective service delivery					
Expense per passenger trip	\$ 5.62	\$ 6.24	\$ 5.82	\$ 6.38	\$ 6.45
Efficient service delivery					
Passengers per revenue hour	16.7	16.3	17.5	16.3	16.6
Passengers per revenue mile	1.11	1.08	1.15	1.08	1.10
Farebox recovery	14.7%	13.0%	15.2%	14.0%	14.6%
<b>Work Process Outputs</b>					
Service Provided					
Hours of service	59,532	59,512	60,111	60,111	60,111
Miles of service	902,748	900,996	910,802	910,802	910,802
Trips taken	1,006,035	969,379	1,050,000	980,000	1,000,000

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Operations**

**Business Unit 5840**

**PROGRAM BUDGET SUMMARY**

Description	Actual		Budget		
	2016	2017	Adopted 2018	Amended 2018	2019
<b>Revenues</b>					
4875 Farebox Revenue	\$ 809,469	\$ 744,399	\$ 904,375	\$ 904,375	\$ 904,375
4876 Special Transit Revenues	37,613	43,910	38,843	38,843	38,843
5085 Cash Short or Over	339	172	-	-	-
	<u>\$ 847,421</u>	<u>\$ 788,481</u>	<u>\$ 943,218</u>	<u>\$ 943,218</u>	<u>\$ 943,218</u>
<b>Expenses</b>					
6101 Regular Salaries	\$ 2,032,867	\$ 1,952,860	\$ 2,187,139	\$ 2,187,139	\$ 2,334,016
6105 Overtime	170,315	256,076	61,375	61,375	64,633
6150 Fringes	918,792	890,441	927,383	927,383	1,009,949
6201 Training/Conferences	-	4,200	-	-	-
6303 Memberships & Licenses	-	319	-	-	-
6321 Clothing	2,512	3,855	4,780	4,780	4,780
6322 Gas Purchases	290,511	339,896	600,000	600,000	600,000
6326 Vehicle & Equipment Parts	67,990	76,875	76,200	76,200	74,500
6327 Miscellaneous Equipment	980	9,745	6,900	6,900	6,900
6328 Signs	222	-	2,000	2,000	2,000
6408 Contractor Fees	13,490	13,640	17,000	17,000	17,000
6412 Advertising	392	-	-	-	-
6418 Equip Repairs & Maint	931	1,760	-	-	-
6430 Health Services	9,153	12,215	6,460	6,460	6,460
6451 Laundry Services	49	21	-	-	-
6501 Insurance	-	-	53,630	53,630	49,341
6599 Other Contracts/Obligations	940	1,216	540	540	1,140
	<u>\$ 3,509,144</u>	<u>\$ 3,563,119</u>	<u>\$ 3,943,407</u>	<u>\$ 3,943,407</u>	<u>\$ 4,170,719</u>

**DETAILED SUMMARY OF 2019 PROPOSED EXPENDITURES > \$15,000**

<b><u>Gas Purchases *</u></b>	
Non-diesel fuel 15,000 gal. @ \$2.50/gal	\$ 37,500
Diesel fuel 187,500 gal. @ \$3.00/gal	562,500
	<u>\$ 600,000</u>
<b><u>Vehicle &amp; Equipment Parts</u></b>	
Lubricants	\$ 25,000
Tire leasing program	40,000
Staff vehicle tires	9,500
	<u>\$ 74,500</u>
<b><u>Contractor Fees</u></b>	
Transit Center security	\$ 17,000
	<u>\$ 17,000</u>

\* Valley Transit does not pay federal or State fuel taxes and attains bulk purchasing rates. Budgeted fuel cost shown here is based on DOT allowable rates.

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**ADA Paratransit**

**Business Unit 5850**

**PROGRAM MISSION**

We will provide specialized curb-to-curb advance reservation demand response transportation for people with disabilities who are unable to use the fixed route bus system.

**PROGRAM NARRATIVE**

**Link to City Goals:**

Implements Key Strategies #2: "Encourage active community participation and involvement"; #4: "Continually assess trends affecting the community and proactively respond"; #6: "Create opportunities and learn from successes and failures"; and #7: "Communicate our successes through stories and testimonials".

**Objectives:**

- To comply with the requirements of the Americans with Disabilities Act
- To provide safe, reliable, convenient, and friendly specialized transportation
- To meet the needs of the transit dependent population, including outreach efforts to agencies and companies that provide services to seniors and people with disabilities

**Major changes in Revenue, Expenditures, or Programs:**

ADA ridership saw a small decrease in 2017 while we continue to see a steady use of ADA paratransit services for the first half of 2018.

The increase in payroll expense in 2019 in this program is due to an increased allocation of the Paratransit Coordinator position. As fixed route management positions are fully staffed, the Paratransit Coordinator is able to spend more time providing oversight of ADA contracts and to conduct ADA passenger certifications.

The contract with the current service provider ends July 1, 2019. The increase in contractor fees is an estimate of the possible costs related to a new contract. The Miscellaneous Local Aids also reflects the possible increase resulting from a new service contract.

Capital expense includes the procurement of Mobile Data Terminals for dispatching and scheduling ADA paratransit services. This equipment will be 80% funded by a federal capital grant, with the remaining 20% funded by local share.

**PERFORMANCE INDICATORS**

	<u>Actual 2016</u>	<u>Actual 2017</u>	<u>Target 2018</u>	<u>Projected 2018</u>	<u>Target 2019</u>
<b>Client Benefits/Impacts</b>					
Safe, reliable, convenient mobility					
% on-time performance	98.3%	98.0%	98.0%	98.0%	98.0%
# customer complaints as a percentage of trips provided	0.17%	0.05%	0.05%	0.06%	0.05%
<b>Strategic Outcomes</b>					
Cost effective service delivery					
Cost per trip	\$ 18.40	\$ 18.45	\$ 18.36	\$ 18.90	\$ 21.40
Cost per mile	\$ 3.80	\$ 3.80	\$ 3.90	\$ 3.98	\$ 4.55
Trips per hour	4.0	4.2	3.9	4.0	3.9
<b>Work Process Outputs</b>					
Service Provided					
Hours of service/yr	24,046	22,774	26,000	25,000	26,000
Miles of service/yr	463,933	460,717	480,000	470,000	480,000
Trips taken/yr	95,943	94,868	102,000	99,000	102,000

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**ADA Paratransit**

**Business Unit 5850**

**PROGRAM BUDGET SUMMARY**

Description	Actual		Budget		
	2016	2017	Adopted 2018	Amended 2018	2019
<b>Revenues</b>					
4230 Miscellaneous Local Aids	\$ 243,737	\$ 398,775	\$ 413,752	\$ 413,752	\$ 528,674
4875 Farebox Revenue	466,222	461,386	489,600	489,600	491,640
	<u>\$ 709,959</u>	<u>\$ 860,161</u>	<u>\$ 903,352</u>	<u>\$ 903,352</u>	<u>\$ 1,020,314</u>
<b>Expenses</b>					
6101 Regular Salaries	\$ 42,407	\$ 60,817	\$ 54,047	\$ 54,047	\$ 75,998
6150 Fringes	18,483	28,416	22,296	22,296	31,974
6201 Training & Conferences	3,018	803	5,208	5,208	4,529
6301 Office Supplies	1,443	875	1,042	1,042	1,132
6302 Subscriptions	-	-	349	349	349
6303 Memberships & Licenses	1,002	1,069	1,239	1,239	1,239
6304 Postage\Freight	643	521	896	896	974
6308 Landscape Supplies	365	857	-	-	-
6316 Miscellaneous Supplies	-	55	375	375	375
6320 Printing & Reproduction	6,487	3,937	5,653	5,653	6,145
6322 Gas Purchases	532	511	-	-	-
6327 Miscellaneous Equipment	190	-	-	-	-
6401 Accounting/Audit	2,181	1,797	2,500	2,500	2,500
6408 Contractor Fees	1,585,813	1,590,347	1,710,132	1,710,132	1,975,740
6411 Temporary Help	-	3,195	-	-	-
6412 Advertising	9,656	5,330	8,309	8,309	8,309
6413 Utilities	16,892	15,666	23,611	23,611	25,736
6418 Equip Repairs & Maint	30	385	83	83	91
6420 Facilities Charges	13,815	12,011	15,707	15,707	17,554
6424 Software Support	18,285	19,746	15,000	15,000	22,000
6430 Health Services	-	-	115	115	115
6440 Snow Removal Services	2,523	3,193	-	-	3,397
6454 Grounds Repair & Maint.	866	912	-	-	-
6501 Insurance	816	-	4,547	4,547	4,409
6599 Other Contracts/Obligations	39,620	-	-	-	-
6804 Equipment	-	-	-	-	250,000
	<u>\$ 1,765,067</u>	<u>\$ 1,750,443</u>	<u>\$ 1,871,109</u>	<u>\$ 1,871,109</u>	<u>\$ 2,432,566</u>

**DETAILED SUMMARY OF 2019 PROPOSED EXPENDITURES > \$15,000**

**Contractor Fees**

Purchased transportation:

Valley Transit II - Disabled,  
102,000 trips

\$ 1,975,740  
\$ 1,975,740

**Software Support**

Trapeze ride scheduling program

\$ 22,000  
\$ 22,000

**Equipment**

Mobile Data Terminals

250,000  
\$ 250,000

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Ancillary Paratransit**

**Business Unit 5860**

**PROGRAM MISSION**

We will coordinate a broad range of contracted specialized services that maximizes transportation funding and benefits older adults, people with disabilities and participating local governments.

**PROGRAM NARRATIVE**

**Link to City Goals:**

Implements Key Strategies #2: "Encourage active community participation and involvement"; #4: "Continually assess trends affecting the community and proactively respond"; #6: "Create opportunities and learn from successes and failures"; and #7: "Communicate our successes through stories and testimonials."

**Objectives:**

- To provide a transportation alternative to older adults for whom fixed route bus service is difficult
- To provide employment transportation and limited Sunday service to people with disabilities
- To coordinate transportation services to maximize the effectiveness of each local dollar spent
- To provide employment transportation for 2nd and 3rd shift workers and those who need to travel to jobs outside the fixed route service area

**Major changes in Revenue, Expenditures, or Programs:**

The local share of all ancillary paratransit services other than the Connector and Trolley is paid by the three counties in which Valley Transit operates (Outagamie, Winnebago and Calumet), the cities of Neenah and Menasha, the Village of Fox Crossings, and the Family Care providers. The organizations that are paying for the local share determine what the fare and operating rules will be for each of the services. The local share for the Connector is currently being paid for by donations from and through the Fox Cities United Way and by support from the local municipalities that participate in the fixed route system.

The decrease in contractor fees is due to the discontinuation of the New Hope program, which is off-set by a projected increase in contractor costs for the other programs.

The 2019 Budget continues to show an expense in Other Contracts/Obligations and a revenue in Federal Grant revenue for administration of the FTA Section 5310 grant funds. The Section 5310 program is a discretionary program designed to improve transportation for seniors and customers with disabilities. Valley Transit is the direct recipient of the funds and uses 45% of the total to support Valley Transit's services. The remaining 55% is awarded to a non-profit organization(s) through an application process conducted in partnership with East Central Wisconsin Regional Planning Commission.

**PERFORMANCE INDICATORS**

	<u>Actual 2016</u>	<u>Actual 2017</u>	<u>Target 2018</u>	<u>Projected 2018</u>	<u>Target 2019</u>
<b>Client Benefits/Impacts</b>					
Safe, reliable, convenient mobility					
Trips taken/yr	89,783	90,370	100,080	87,080	76,080
<b>Strategic Outcomes</b>					
Cost effective Service Delivery					
Cost per trip	\$ 18.52	\$ 19.99	\$ 18.50	\$ 21.26	\$ 23.42
Efficient Service Delivery					
Trips per hour	3.9	3.7	3.2	3.0	2.8
<b>Work Process Outputs</b>					
Service provided					
Hours of service/yr	23,158	24,276	31,275	29,200	27,400
Miles of service/yr	525,120	538,181	680,000	635,000	585,000

**CITY OF APPLETON 2019 BUDGET  
VALLEY TRANSIT**

**Ancillary Paratransit**

**Business Unit 5860**

**PROGRAM BUDGET SUMMARY**

Description	Actual		Budget		
	2016	2017	Adopted 2018	Amended 2018	2019
<b>Revenues</b>					
4210 Federal Grants	\$ 42,414	\$ 121,872	\$ 89,750	\$ 89,750	\$ 89,750
4230 Miscellaneous Local Aids	582,630	627,957	716,863	716,863	560,724
4875 Farebox Revenue	205,963	226,762	259,730	259,730	259,730
5020 Donations & Memorials	77,645	65,414	62,678	62,678	62,335
5921 Trans In - General Fund	4,507	14,217	18,085	18,085	17,407
	<u>\$ 913,159</u>	<u>\$ 1,056,222</u>	<u>\$ 1,147,106</u>	<u>\$ 1,147,106</u>	<u>\$ 989,946</u>
<b>Expenses</b>					
6320 Printing & Reproduction	\$ 114	\$ -	\$ -	\$ -	\$ -
6408 Contractor Fees	1,620,425	1,684,741	1,851,729	1,851,729	1,691,849
6599 Other Contracts/Obligations	42,414	121,873	89,750	89,750	89,750
	<u>\$ 1,662,953</u>	<u>\$ 1,806,614</u>	<u>\$ 1,941,479</u>	<u>\$ 1,941,479</u>	<u>\$ 1,781,599</u>

**DETAILED SUMMARY OF 2019 PROPOSED EXPENDITURES > \$15,000**

**Contractor Fees**

Purchased transportation:	
Valley Transit II - elderly purchased transportation - optional	\$ 86,104
Specialized employment transportation - VP	547,625
Outagamie County - demand response - rural	225,406
Outagamie County - children & family transportation	12,824
Village of Fox Crossing - Dial-a-Ride	28,000
Neenah - Dial-A-Ride	112,000
Heritage	10,920
Calumet County - rural service	34,650
Connector late evening service	487,808
Connector service beyond current fixed route service boundaries	116,133
Trolley service - downtown	30,379
	<u>\$ 1,691,849</u>

**Other Contracts/Obligations**

FTA Section 5310 sub-recipient	\$ 89,750
	<u>\$ 89,750</u>

City of Appleton  
2019 Budget  
Revenue and Expense Summary

Description	2016 Actual	2017 Actual	2018 YTD Actual	2018 Adopted Budget	2018 Amended Budget	2019 Requested Budget	2019 Adopted Budget
<b>REVENUES</b>							
Intergovernmental Revenues	6,364,701	7,914,146	3,985,225	7,340,140	9,083,366	7,637,863	7,741,520
Interest Income	9,161	7,759	13,324	12,500	12,500	12,500	12,500
Charges for Services	1,519,267	1,476,456	1,063,644	1,692,548	1,692,548	1,694,588	1,694,588
Other Revenues	170,637	161,468	101,951	131,678	131,678	131,335	131,335
Transfers In	631,686	690,956	2,372,337	660,829	660,829	701,737	691,565
<b>TOTAL REVENUES</b>	<b>8,677,130</b>	<b>10,250,785</b>	<b>7,536,481</b>	<b>9,837,695</b>	<b>11,580,921</b>	<b>10,178,023</b>	<b>10,271,508</b>
<b>EXPENSES BY LINE ITEM</b>							
Regular Salaries	2,049,588	1,982,748	1,466,358	2,797,847	2,797,847	2,716,832	2,804,858
Labor Pool Allocations	148,794	165,949	118,569	0	0	190,504	190,504
Overtime	191,631	270,137	223,957	68,522	68,522	71,713	71,713
Part-Time	6,228	0	0	0	0	0	0
Incentive Pay	1,410	1,410	0	315	315	1,335	1,335
Other Compensation	29,996	1,962	1,950	0	0	0	0
Sick Pay	96,100	127,526	79,940	0	0	0	0
Vacation Pay	160,688	182,126	125,739	0	0	0	0
Holiday Pay	78,970	78,085	58,278	0	0	0	0
Fringes	1,102,457	1,114,431	730,829	1,161,711	1,161,711	1,230,713	1,257,585
Unemployment Compensation	6,660	12,164	5,571	0	0	0	0
Pension Expenses / Revenue	184,162	201,488	0	0	0	0	0
<b>Salaries &amp; Fringe Benefits</b>	<b>4,056,684</b>	<b>4,138,026</b>	<b>2,811,191</b>	<b>4,028,395</b>	<b>4,028,395</b>	<b>4,211,097</b>	<b>4,325,995</b>
Training & Conferences	10,038	27,641	12,617	25,000	25,000	25,000	25,000
Tuition Fees	0	0	0	2,000	2,000	0	0
Employee Recruitment	18,505	6,873	2,757	3,200	3,200	4,200	4,200
Parking Permits	176	150	65	360	360	150	150
Office Supplies	7,478	4,700	1,703	5,000	5,000	5,000	5,000
Subscriptions	959	1,901	760	1,904	1,904	1,735	1,735
Memberships & Licenses	5,403	6,060	6,409	5,947	5,947	5,472	5,472
Postage & Freight	3,471	2,798	1,107	4,300	4,300	4,300	4,300
Awards & Recognition	1,187	526	378	878	878	900	900
Food & Provisions	2,142	1,513	917	1,170	1,170	1,200	1,200
Insurance	184,688	209,701	140,771	227,006	227,006	227,006	227,006
Depreciation Expense	597,166	622,352	455,113	606,818	606,818	672,264	672,264
<b>Administrative Expense</b>	<b>831,213</b>	<b>884,215</b>	<b>622,597</b>	<b>883,583</b>	<b>883,583</b>	<b>947,227</b>	<b>947,227</b>
Landscape Supplies	1,968	4,605	907	3,000	3,000	3,000	3,000
Shop Supplies & Tools	39,872	37,940	26,889	50,970	50,970	52,450	52,450
Miscellaneous Supplies	1,179	2,336	2,021	750	750	750	750
Printing & Reproduction	23,168	12,955	13,799	27,136	27,136	27,136	27,136
Clothing	2,567	3,855	2,116	5,000	5,000	5,000	5,000
Gas Purchases	293,379	342,641	298,959	605,000	605,000	605,000	605,000
Safety Supplies	604	0	555	500	500	500	500
Construction Materials	2,008	0	0	0	0	0	0
Vehicle & Equipment Parts	174,304	270,151	177,790	237,700	237,700	252,500	252,500
Miscellaneous Equipment	5,588	28,655	22,714	18,100	18,100	26,600	26,600
Signs	222	0	0	2,000	2,000	2,000	2,000
<b>Supplies &amp; Materials</b>	<b>544,859</b>	<b>703,138</b>	<b>545,750</b>	<b>950,156</b>	<b>950,156</b>	<b>974,936</b>	<b>974,936</b>
Accounting/Audit	11,765	9,652	0	11,500	11,500	11,500	10,290
Bank Services	3,048	3,226	1,623	3,000	3,000	3,000	3,000
Consulting Services	162	12,869	0	45,000	61,364	0	0
Collection Services	4,180	3,124	2,231	4,600	4,600	4,600	4,600
Contractor Fees	3,219,894	3,301,406	2,270,306	3,579,941	3,579,941	3,735,669	3,735,669
Temporary Help	25,543	17,158	543	5,000	5,000	5,000	5,000
Advertising	52,447	28,624	5,495	50,309	50,309	50,309	50,309
Health Services	11,734	15,388	5,017	9,200	9,200	9,200	9,200
Snow Removal Services	13,609	17,150	18,419	15,000	15,000	15,000	15,000
Laundry Services	4,458	5,943	3,860	6,100	6,100	6,916	6,916
Other Contracts/Obligations	90,560	131,426	39,408	97,690	97,690	99,472	99,472
<b>Purchased Services</b>	<b>3,437,400</b>	<b>3,545,966</b>	<b>2,346,902</b>	<b>3,827,340</b>	<b>3,843,704</b>	<b>3,940,666</b>	<b>3,939,456</b>
Electric	52,060	45,372	37,393	61,900	61,900	61,900	55,000

City of Appleton  
2019 Budget  
Revenue and Expense Summary

Description	2016 Actual	2017 Actual	2018 YTD Actual	2018 Adopted Budget	2018 Amended Budget	2019 Requested Budget	2019 Adopted Budget
Gas	13,387	15,955	14,841	38,300	38,300	38,300	25,000
Water	9,219	6,792	5,609	7,850	7,850	7,850	7,850
Waste Disposal/Collection	3,555	2,467	2,084	2,975	2,975	3,124	3,124
Stormwater	8,111	8,013	6,753	8,175	8,175	9,401	9,401
Telephone	4,781	5,535	4,184	5,300	5,300	5,600	5,600
Cellular Telephone	8,315	8,593	5,277	9,000	9,000	4,000	4,000
Utilities	99,428	92,727	76,141	133,500	133,500	130,175	109,975
Building Repair & Maintenance	3,669	9,761	3,002	0	0	0	0
Vehicle Repair & Maintenance	8,461	17,349	26,791	12,000	12,000	17,450	17,450
Equipment Repair & Maintenance	9,899	10,370	9,748	8,950	8,950	13,250	13,250
Facilities Charges	125,790	118,110	83,253	129,226	129,226	129,226	129,226
Software Support	67,837	82,977	26,804	72,000	72,000	73,800	73,800
CEA Equipment Rental	0	0	0	2,000	2,000	2,000	2,000
Grounds Repair & Maintenance	4,672	4,897	633	0	0	0	0
Repair & Maintenance	220,328	243,464	150,231	224,176	224,176	235,726	235,726
Buildings	0	2,460	118,576	345,000	528,285	20,000	20,000
Machinery & Equipment	0	0	193,708	0	341,999	250,000	250,000
Furniture & Fixtures	0	0	0	0	0	25,000	25,000
Vehicles	0	0	0	0	1,863,133	50,000	50,000
Capital Expenditures	0	2,460	312,284	345,000	2,733,417	345,000	345,000
<b>TOTAL EXPENSES</b>	<b>9,189,912</b>	<b>9,605,076</b>	<b>6,865,096</b>	<b>10,392,150</b>	<b>12,796,931</b>	<b>10,784,827</b>	<b>10,878,315</b>

**CITY OF APPLETON 2019 BUDGET**  
**VALLEY TRANSIT**  
**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET ASSETS**

	2016 Actual	2017 Actual	2018 Budget	2018 Projected	2019 Budget
<b>Revenues</b>					
Charges for Services	\$ 1,519,267	\$ 1,476,457	\$ 1,747,548	\$ 1,597,548	\$ 1,749,588
Miscellaneous	92,992	96,054	76,678	76,678	76,335
Total Revenues	<u>1,612,259</u>	<u>1,572,511</u>	<u>1,824,226</u>	<u>1,674,226</u>	<u>1,825,923</u>
<b>Expenses</b>					
Operating Expenses	8,592,747	8,982,721	9,440,332	9,140,332	9,861,051
Depreciation	597,166	622,352	606,818	606,818	672,264
Total Expenses	<u>9,189,913</u>	<u>9,605,073</u>	<u>10,047,150</u>	<u>9,747,150</u>	<u>10,533,315</u>
Revenues over (under) Expenses	(7,577,654)	(8,032,562)	(8,222,924)	(8,072,924)	(8,707,392)
<b>Non-Operating Revenues (Expenses)</b>					
Investment Income	(9,161)	7,759	12,500	10,000	12,500
Gain (Loss) on Sale of Capital Assets	-	-	-	-	-
Operating Subsidies	6,442,345	6,905,780	7,064,140	7,064,140	7,465,520
Total Non-Operating	<u>6,433,184</u>	<u>6,913,539</u>	<u>7,076,640</u>	<u>7,074,140</u>	<u>7,478,020</u>
Income (Loss) Before Contributions and Transfers	(1,144,470)	(1,119,023)	(1,146,284)	(998,784)	(1,229,372)
<b>Contributions and Transfers In (Out)</b>					
General Fund	631,686	690,956	660,829	660,829	691,565
Capital Contributions	-	1,073,780	276,000	2,186,734	276,000
Change in Net Assets	(512,784)	645,713	(209,455)	1,848,779	(261,807)
Total Net Assets - Beginning	5,754,051 *	5,241,267	5,886,980	5,886,980	7,735,759
Total Net Assets - Ending	<u>\$ 5,241,267</u>	<u>\$ 5,886,980</u>	<u>\$ 5,677,525</u>	<u>\$ 7,735,759</u>	<u>\$ 7,473,952</u>

\* as restated

**SCHEDULE OF CASH FLOWS**

Working Cash - Beginning	\$ 726,423	\$ 995,286
+ Change in Net Assets	1,848,779	(261,807)
+ Depreciation	606,818	672,264
- Fixed Assets	(2,733,417)	(345,000)
+ F/A Funded by Restricted Cash	546,683	69,000
Working Cash - End of Year	<u>\$ 995,286</u>	<u>\$ 1,129,743</u>

**CITY OF APPLETON  
CAPITAL IMPROVEMENTS PROGRAM 2019 - 2023  
PROJECT REQUEST FORMS**

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Project request forms for those projects to be funded in the 2019 - 2023 Capital Improvements Program are included in this section.

## CITY OF APPLETON 2019 BUDGET CAPITAL IMPROVEMENTS PROGRAM PROJECT REQUEST

### IDENTIFICATION

Project Title: ADA Intelligent Transportation System Upgrade

### PROJECT DESCRIPTION

**Justification:**

Valley Transit Capital projects for 2019 include upgrading the current scheduling software used by Valley Transit for ADA services (Valley Transit II).

Valley Transit's current paratransit ITS system features software that is used to schedule over 130,000 demand response rides annually and track individual rider's data. The product, called Novus DRM, is provided by a vendor called Trapeze. The current software was last upgraded in 2008 and is hosted on a City of Appleton server. The downside of a local server is the City of Appleton/Valley Transit must maintain physical hardware and staff to host the software. If the server goes down, there is no local redundancy, so we lose access to rider and ride scheduling data. Another downside is software updates or repairs/fixes must be made by the current vendor remotely, which adds wait time to each update or repair session.

Many modern ITS products feature a cloud-based solution, which would be more reliable, effective and efficient for Valley Transit. Another key reason for the replacement is the current system does not utilize or support in-vehicle hardware (mobile data terminal/tablet), which severely limits the data available. Without tablets, Valley Transit does not have computer aided dispatch (CAD) or automatic vehicle location (AVL) features, which are significant elements of a modern demand response transportation system. A replacement system will allow access to more data by Valley Transit and riders, improve overall service efficiency and improve reporting.

Capital funding has been budgeted to cover 80% of the cost (\$200,000) with the remaining 20% funded from the depreciation reserve.

**Discussion of operating cost impact:**

Current software maintenance fees (\$22,000) will be replaced with new software maintenance fees but no overall impact on operating expense is anticipated.

### DEPARTMENT COST SUMMARY

DEPARTMENT PHASE	2019	2020	2021	2022	2023	Total
Valley Transit ITS purchase	250,000	-	-	-	-	\$ 250,000
<b>Total -Valley Transit Capital Projects</b>	<b>\$ 250,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 250,000</b>

### COST ANALYSIS

#### Estimated Cash Flows

Components	2019	2020	2021	2022	2023	Total
Planning	-	-	-	-	-	\$ -
Land Acquisition	-	-	-	-	-	\$ -
Construction	-	-	-	-	-	\$ -
Other	250,000	-	-	-	-	\$ 250,000
<b>Total</b>	<b>\$ 250,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 250,000</b>
Operating Cost Impact	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

## CITY OF APPLETON 2019 BUDGET CAPITAL IMPROVEMENTS PROGRAM PROJECT REQUEST

### IDENTIFICATION

Project Title: Vehicle Purchase

### PROJECT DESCRIPTION

**Justification:**

Valley Transit Capital projects for 2019 include the replacement of a staff vehicle for fixed route operations. This vehicle is used to transport drivers to and from the transit center and to ferry passengers to destinations when transfers are missed due to a Valley Transit problem or weather issue. The vehicle is also used by the operations supervisors to respond to accidents, manage detours, perform ride checks and travel between the Administration building and the Transit Center. Capital funding has been budgeted to cover 80% of the cost (\$40,000) with the remaining 20% funded from the depreciation reserve.

**Discussion of operating cost impact:**

Since this is a replacement for an existing vehicle, it is expected to incur routine maintenance costs with no overall impact on operating expense.

### DEPARTMENT COST SUMMARY

DEPARTMENT PHASE	2019	2020	2021	2022	2023	Total
Valley Transit Vehicle purchase	50,000	-	-	-	-	\$ 50,000
<b>Total -Valley Transit Capital Projects Fund</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 50,000</b>

### COST ANALYSIS

#### Estimated Cash Flows

Components	2019	2020	2021	2022	2023	Total
Planning	-	-	-	-	-	\$ -
Land Acquisition	-	-	-	-	-	\$ -
Construction	-	-	-	-	-	\$ -
Other	50,000	-	-	-	-	\$ 50,000
<b>Total</b>	<b>\$ 50,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 50,000</b>
Operating Cost Impact	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

# CITY OF APPLETON 2019 BUDGET CAPITAL IMPROVEMENTS PROGRAM PROJECT REQUEST

## IDENTIFICATION

Project Title: Bus Shelter Replacement

## PROJECT DESCRIPTION

**Justification:**

Valley Transit Capital projects for 2019 include purchasing bus shelters. Most of Valley Transit's passenger waiting shelters and shelter accessories were purchased and installed between 1986 and 1991. Some have been moved several times to accommodate changing needs. Valley Transit is replacing the current shelters with ADA accessible shelters. Capital funding has been budgeted to cover 80% of the cost (\$16,000) with the remaining 20% funded from the depreciation reserve.

**Discussion of operating cost impact:**

Since these shelters are replacing existing shelters, they are expected to incur routine maintenance costs and have no overall impact on operating expense.

## DEPARTMENT COST SUMMARY

DEPARTMENT PHASE	2019	2020	2021	2022	2023	Total
Valley Transit Shelter purchase	20,000	-	-	-	-	\$ 20,000
<b>Total -Valley Transit Capital Projects Fund</b>	<b>\$ 20,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 20,000</b>

## COST ANALYSIS

### Estimated Cash Flows

Components	2019	2020	2021	2022	2023	Total
Planning	-	-	-	-	-	-
Land Acquisition	-	-	-	-	-	-
Construction	-	-	-	-	-	-
Other	20,000	-	-	-	-	\$ 20,000
<b>Total</b>	<b>\$ 20,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 20,000</b>
<b>Operating Cost Impact</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

## CITY OF APPLETON 2019 BUDGET CAPITAL IMPROVEMENTS PROGRAM PROJECT REQUEST

### IDENTIFICATION

Project Title: Transit Center Furniture Replacement

### PROJECT DESCRIPTION

**Justification:**

Valley Transit Capital projects for 2019 include replacing some of the furniture at the Transit Center. Much of the furniture was purchased in 2008 or earlier, and is deteriorating. Many pieces have been broken and have become unsafe for customers to utilize. Capital funding has been budgeted to cover 80% of the cost (\$20,000) with the remaining 20% funded from the depreciation reserve.

**Discussion of operating cost impact:**

There is no operating cost impact to this purchase.

### DEPARTMENT COST SUMMARY

DEPARTMENT PHASE	2019	2020	2021	2022	2023	Total
Valley Transit TC Furniture purchr	25,000	-	-	-	-	\$ 25,000
<b>Total -Valley Transit Capital Projects Fund</b>	<b>\$ 25,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 25,000</b>

### COST ANALYSIS

#### Estimated Cash Flows

Components	2019	2020	2021	2022	2023	Total
Planning	-	-	-	-	-	\$ -
Land Acquisition	-	-	-	-	-	\$ -
Construction	-	-	-	-	-	\$ -
Other	25,000	-	-	-	-	\$ 25,000
<b>Total</b>	<b>\$ 25,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 25,000</b>
Operating Cost Impact	-	-	-	-	-	\$ -





October 18, 2018

To: Fox Cities Transit Commission  
Finance Committee

From: Ronald C. McDonald  
General Manager

**Subject: Acceptance of Federal Transit Administration Bus and Bus Facilities capital grant of \$4,000,000.**

**Background:**

The Bus & Bus Facilities Infrastructure Investment Program (49 U.S.C. 5339) makes federal resources available to states and direct recipients for bus and bus facility capital projects. Eligible recipients include designated recipients that operate fixed route bus service such as Valley Transit.

Valley Transit applied for funding under this annual program and was awarded \$4,000,000 in federal funds. The FTA provides these funds as an 80/20 grant; 80% grant funded and 20% local match. The local share will be paid out of Valley Transit's depreciation fund. The costs associated with this grant are as follows:

80% funding from FTA:	\$4,000,000
20% local match (depreciation account):	<u>\$1,000,000</u>
Total eligible project cost:	\$5,000,000

**Recommendation:**

Recommend acceptance of the Federal Transit Administration capital grant for \$4,000,000 and to modify Valley Transit's spending authority for 2018 to include new capital funds inclusive of the \$4,000,000 FTA capital grant and \$1,000,000 from Valley Transit's depreciation reserve fund.

**97-18**

**AN ORDINANCE AMENDING SECTION 4-343 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO ENFORCEMENT GENERALLY.**

(Municipal Services Committee – 10/17/2018)

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

**Section 1:** That Section 4-343 of Chapter 4 of the Municipal Code of the City of Appleton, relating to enforcement generally, is hereby amended to read as follows:

**Sec. 4-343. Enforcement generally.**

The electrical inspector shall enforce all the ordinances or laws relating to electrical installation, including any lawful orders issued by the Department of Safety and Professional Services or any other agency of the State; there is hereby vested in the electrical inspector the necessary power and authority to properly execute such duties. The electrical inspector may issue a citation for any violation of this chapter at any stage of the construction phase.

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

**98-18**

**AN ORDINANCE AMENDING SECTION 4-346 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO NOTIFICATION FOR INSPECTION; CONCEALMENT OF WIRING.**

(Municipal Services Committee – 10/17/2018)

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

**Section 1:** That Section 4-346 of Chapter 4 of the Municipal Code of the City of Appleton, relating to notification for inspection; concealment of wiring, is hereby amended to read as follows:

**Sec. 4-346. Notification for inspection; concealment of wiring.**

Upon the completion of the wiring of any building or before any wiring is to be hidden from view, or prior to reconnecting of service drop or reattachment of electric meter, the person doing the wiring shall notify the electrical inspector. The electrical inspector shall inspect within two full business days following the day of notification, excluding weekends and holidays. If, upon inspection, it is found that such installation is fully in compliance with this article and does not constitute a hazard to life or property, the electrical inspector shall approve the installation and authorize concealment of such wiring or connection for electrical service. If the installation is not strictly in accordance with this article, he shall require the person installing the wiring to remove all hazards and make the necessary changes or additions as soon as practicable. Concealment of electrical work before inspection or failure to comply with the order of the electrical inspector shall constitute a violation of this article. A contractor or his employee, or an owner doing his own work as permitted by Sec. 4-392(c) shall be present for the final inspection. Nothing under this section shall prevent enforcement of this section under Secs. 4-24, 4-343, or any other applicable section.

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

## **99-18**

### **AN ORDINANCE AMENDING SECTION 4-392 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO EXEMPTIONS.**

(Municipal Services Committee – 10/17/2018)

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

**Section 1:** That Section 4-392 of Chapter 4 of the Municipal Code of the City of Appleton, relating to exemptions, is hereby amended/repealed/created to read as follows:

#### **Sec. 4-392. Exemptions.**

As allowed under §101.862(4)(a), a residential property owner may perform electrical work in his own dwelling which he owns and occupies without a license, with the exception of installing or replacing of service equipment, as long as the work is being conducted in a single family dwelling. Electrical work performed on a residential property which is not a single family owner occupied dwelling will need to be performed by a licensed electrical contractor. The owner of the property must procure a permit prior to starting any electrical work.

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

**100-18**

**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 11/7/2018)

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 West Water Street (tax parcel number 31-3-1482-00), adjacent to 425 West Water Street, including the adjacent Fox River, from M-2 General Industrial District to C-2 General Commercial District. (Rezoning #10-18 – Atlas Mill, LLC, Randy Stadtmueller)

**LEGAL DESCRIPTION:**

PART OF FORMER 14 FOOT CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT-OF-WAY; PART OF LOTS 5, 6 AND 8, BLOCK G, THIRD WARD PLAT, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, ACCORDING TO THE ASSESSORS PLAT OF SAID CITY, BEING LOCATED IN THE NORTHWEST 1/4 OF FRACTIONAL SECTION 35, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 35; THENCE SOUTH 00 DEGREES 05 MINUTES 27 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 35, A DISTANCE OF 1391.81 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 33 SECONDS EAST, 849.98 FEET; THENCE NORTH 49 DEGREES 41 MINUTES 01 SECONDS EAST, ALONG THE NORTHERLY LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4636, A DISTANCE OF 32.02 FEET; THENCE CONTINUING ALONG THE NORTHERLY LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4636, A DISTANCE OF 45.74 FEET ALONG AN ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 83.00 FEET AND A CHORD THAT BEARS NORTH 33 DEGREES 53 MINUTES 44.5 SECONDS EAST, 45.17 FEET; THENCE NORTH 18 DEGREES 06

MINUTES 28 SECONDS EAST, CONTINUING ALONG THE NORTHERLY LINE OF SAID LOT 2 OF CERTIFIED SURVEY MAP NO. 4636, A DISTANCE OF 46.93 FEET; THENCE NORTH 08 DEGREES 26 MINUTES 14 SECONDS WEST, A DISTANCE OF 17.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF THE MAIN TRACK OF THE CANADIAN NATIONAL RAILROAD; THENCE 520.51 FEET ALONG AN ARC OF A CURVE TO THE RIGHT ALONG THE SOUTHERLY RIGHT-OF-WAY OF THE MAIN TRACK OF THE CANADIAN NATIONAL RAILROAD, SAID CURVE HAVING A RADIUS OF 968.28 FEET AND A CHORD THAT BEARS NORTH 62 DEGREES 42 MINUTES 27.0 SECONDS EAST, 514.27 FEET TO THE POINT OF BEGINNING; THENCE 272 FEET MORE OR LESS ALONG AN ARC OF A CURVE TO THE RIGHT, CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY OF THE MAIN TRACK OF THE CANADIAN NATIONAL RAILROAD, SAID CURVE HAVING A RADIUS OF 968.28 FEET AND A CHORD THAT BEARS NORTH 86 DEGREES 09 MINUTES 47.5 SECONDS EAST, 271 FEET MORE OR LESS TO THE ORDINARY HIGH WATER MARK OF THE FOX RIVER; THENCE ALONG THE ORDINARY HIGH WATER MARK OF THE FOX RIVER IN A SOUTHWESTERLY DIRECTION, 461 FEET MORE OR LESS TO A POINT WHERE THE SOUTHERLY LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4363 INTERSECTS WITH THE ORDINARY HIGH WATER MARK OF THE FOX RIVER; THENCE NORTH 49 DEGREES 41 MINUTES 03 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 2, A DISTANCE OF 216 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 40 DEGREES 18 MINUTES 57 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 2 AND ITS NORTHERLY EXTENSION, A DISTANCE OF 85.41 FEET TO THE POINT OF BEGINNING. CONTAINING 15,246 SQUARE FEET MORE OR LESS [0.35 ACRES±, and including to the center line of fox river.

**COMMON DESCRIPTION:**

Tax Parcel Number 31-3-1482-00, West Water Street, adjacent to 425 West Water 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 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.

**101-18**

**AN ORDINANCE ANNEXING TERRITORY  
TO THE CITY OF APPLETON, WISCONSIN.  
(Leeman Annexation)**

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

**Section 1. Territory Annexed.** In accordance with §66.0217 of the Wisconsin Statutes for 2015 – 2016 and the *Unanimous Petition for Direct Annexation* filed with the City Clerk on October 8, 2018, the following described territory in the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, is hereby annexed to the City of Appleton, Wisconsin:

*The South 100 feet of the West 217.7 feet of the North one-half (N ½) of the Southwest Quarter (SW ¼) of Section 1, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 18,470 square feet of land, less the West 33 feet thereof.*

*Tax Parcel number of lands to be annexed: 020-101002900.*

*The current population of such territory is 0 people.*

**Section 2. Effect of Annexation.** From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Appleton for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Appleton.

**Section 3. Ward Designation.** The territory described in Section 1 of this ordinance is hereby made a part of the Twenty-first (21<sup>st</sup>) Ward, attached to the Seventh (7<sup>th</sup>) Aldermanic District of the City of Appleton, Outagamie County, subject to the ordinances, rules and regulations of the City governing wards.

**Section 4. Zoning Classification.** The territory described in Section 1 is hereby zoned as follows, pursuant to §66.0217(7)(a), Stats., and §23-65(e), Appleton Municipal Code:

Temporary AG (Temporary Agricultural District)

**Section 5. Severability.** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or

unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance, which can be given without the invalid or unconstitutional provision or application.

**Section 6. Effective Date.** This ordinance shall take effect upon passage and publication.