



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, July 24, 2019

7:00 PM

Council Chambers

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

[19-1062](#) Common Council Meeting Minutes of July 10, 2019

Attachments: [CC Minutes 7-10-19.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR
- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS

[19-0917](#) Public Hearing, Rezoning #6-19, Cypress Homes - N. Haymeadow Avenue Annexation

Attachments: [RZ #6-19 Notice of Public Hearing.pdf](#)

- J. SPECIAL RESOLUTIONS

[19-1008](#) Initial Resolution for Alley W. of Oneida Street Vacation

Attachments: [Initial Resolution - Alley W. of Oneida St.pdf](#)

[19-1005](#) Initial Resolution for W. Water Street Vacation

Attachments: [Initial Resolution - W. Water St.pdf](#)

[19-1007](#) Initial Resolution for E. North Island Street Vacation

Attachments: [Initial Resolution - E. North Island St.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-0888](#) **R-B-Summer Street**, from Gillet Street to Richmond Street, be reconstructed with asphalt and concrete pavement and curb and gutter. The dimensions of the Summer Street reconstruction project are as follows:

Gillet Street-295' west of Mason Street: New asphalt pavement and concrete curb & gutter to be constructed to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street within this portion of the project.

285' west of Mason Street- Mason Street: New concrete pavement to be constructed to a width of 33' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

Mason Street- 100' west of Richmond Street: New asphalt pavement and concrete curb & gutter to be constructed to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street within this portion of the project.

100' west of Richmond Street- Richmond Street: New asphalt pavement and concrete curb & gutter to be constructed to a width of 33' 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.

Legislative History

6/24/19	Municipal Services Committee	recommended for approval
7/10/19	Common Council	referred to the Municipal Services Committee
7/10/19	Common Council	amended
		<i>This Item was amended to have the North side from Gillet Street to 295' West of Mason Street narrowed by 1' for a total street width of 32'.</i>
7/15/19	Municipal Services Committee	recommended for approval

[19-0979](#) Approve Alley Vacation south of College Avenue and west of S. Oneida Street.

Attachments: [Alley Vacation south of College Avenue and west of S. Oneida St..pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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[19-0981](#) Approve W. Water Street Vacation for the southeasterly side of W. Water Street located approximately 500' northeast of Jackman Street.

Attachments: [W. Water Street Vacation.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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[19-0982](#) Approve E. North Island Street Vacation west of S. Vulcan Street.

Attachments: [E. North Island Street Vacation.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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[19-0983](#) Request from Boldt to mark a route on the sidewalk from the Fox Cities Exhibition Center to Appleton Beer Factory with chalk shoe prints with the Boldt logo for the September 18, 2019 WHEA Conference. Marked route to be installed no sooner than September 17, 2019 and removed no later than September 20, 2019.

Attachments: [Boldt to mark a route on the sidewalk.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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[19-0984](#) Request from Crescent Lofts-Appleton, LLC for a permanent street occupancy permit to place a ground mounted transformer for Hoersch Home Appliance at the south end of the Alley south of W. Franklin Street.

Attachments: [Permanent Street Occupancy-Crescent Lofts-Appleton, LLC.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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[19-0985](#)

Approve proposed changes to Municipal Code Section 19-110 Metered on-street parking and Section 19-111 Metered off-street parking related to red-head meter time limits.

Attachments: [Proposed Changes to Municipal Code Section 19-110 and Section 19-111.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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[19-0986](#)

Approve proposed change of the seven (7) meters on the north side of College Avenue between Appleton Street and Oneida Street from 2-hour meters to 25-minute red head meters.

Attachments: [Red-Head Meter Parking.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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[19-0988](#)

Approve proposed "Yellow Meter Loading Zone" for the first three parking stalls on the southside of College Avenue east of Appleton Street similar to the zone of Oneida Street near City Center.

Attachments: [Yellow Meter Loading Zone.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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[19-0989](#)

Approve parking restriction changes on Vulcan Street, south of N. Island Street (Follow-up to six month trial period).

Attachments: [Parking changes on Vulcan St, south of North Island Street.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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[19-0990](#)

Approve parking changes related to the College Avenue/Matthias Street RRFB Installation Project.

Attachments: [Parking changes on College Av-Matthias St RRFB Installation project.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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- [19-0991](#) Approve parking changes related to the Richmond Street/Winnebago Street RRFB Installation Project.

Attachments: [Parking changes to the Richmand St-Winnebago St RRFB Installation Project.p](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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- [19-0992](#) Approve parking changes related to the Evergreen Drive Urbanization Project (Haymeadow Avenue to west city limits).

Attachments: [Parking changes to Evergreen Dr Urbanization Project .pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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- [19-0996](#) Approve Amendment No. 1 to the Collins Engineers, Inc. Contract for the Bridge Inspections to perform additional LRFD loading analysis as requested by WISDOT and to update the Olde Oneida Street Bridge Rehab Report in an amount not to exceed \$7,200 (revised contract amount of \$37,200)

Attachments: [Contract for the Bridge Inspections.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
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2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

- [19-0961](#) "Class B" Liquor and Class "B" Beer License application for Tandem Wine & Beer LLC, George Koenig, Agent, new location at 101 W. Edison Ave Suite 100, contingent upon approvals from all departments.

Attachments: [Liquor License -Tandem Wine & Beer S&L 7-10-19.pdf](#)

Legislative History

7/17/19	Safety and Licensing Committee	recommended for approval
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- [19-0993](#) "Class B" Liquor and Class "B" Beer License application for Old Bavarian, Franz-Josef Schadt, Agent, located at 527 & 529 W. College Ave, contingent upon approval from all departments.

Attachments: [Liquor License-Old Bavarian S&L 7-17-19.pdf](#)

Legislative History

7/17/19	Safety and Licensing Committee	recommended for approval
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- [19-0994](#) Class "B" Beer License application for Pheng Houa Daily Foods, Youa Bee Xiong, Agent, located at 1216 North Division St, contingent upon approval from all departments.

Attachments: [Liquor License-Pheng Houa Daily Foods S&L 7-17-19.pdf](#)

Legislative History

7/17/19	Safety and Licensing Committee	recommended for approval
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- [19-1033](#) Operator's Licenses

Attachments: [Operator's Licenses for 7-17-19.pdf](#)

Legislative History

7/17/19	Safety and Licensing Committee	recommended for approval
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3. MINUTES OF THE CITY PLAN COMMISSION

- [19-0875](#) Request to approve Rezoning #6-19 for the Cypress Homes - N. Haymeadow Avenue Annexation, formerly part of Town of Grand Chute, consisting of 5.518 acres m/l located south of W. Edgewood Drive and west of N. Haymeadow Avenue (E. Clearfield Lane, E. Stratford Lane and E. Wentworth Lane dead-end at the subject property), (Tax Id #31-6-5802-00, formerly Grand Chute Tax Id #101039315), as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport_CypressAnnex_Rezoning_For062519.pdf](#)

Legislative History

6/25/19	City Plan Commission	recommended for approval
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Proceeds to Council on July 24, 2019.

- [19-0937](#) Request to approve the street discontinuance to vacate a portion of alley public right-of-way generally located west of South Oneida Street and south of West College Avenue and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_AlleyWestOfOneida_StreetVacation_For07-09-19.pdf](#)

Legislative History

7/9/19	City Plan Commission	recommended for approval
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Proceeds to Council on July 24, 2019.

- [19-0939](#) Request to approve the street discontinuance to vacate a portion of East North Island Street public right-of-way generally located west of South Vulcan Street and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_ENorthIslandSt_StreetVacation_For07-09-19.pdf](#)

Legislative History

7/9/19	City Plan Commission	recommended for approval
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Proceeds to Council on July 24, 2019.

[19-0941](#)

Request to approve the street discontinuance to vacate a portion of West Water Street public right-of-way generally located on the southeasterly side of West Water Street, 500' m/l northeast of Jackman Street and adopt the Initial Resolution and exhibit map (Associated with File Item #19-0942)

Attachments: [StaffReport WaterStreet StreetVacation For07-09-19.pdf](#)

Legislative History

7/9/19 City Plan Commission recommended for approval
Proceeds to Council on July 24, 2019.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[19-1021](#)

Request to approve \$30,000 payment to the Fox Cities Regional Partnership and approve the related 2019 Budget adjustment:

TIF Capital Project Funds

Other Contracts/Obligations - TIF 7	+ \$5,256
Other Contracts/Obligations - TIF 8	+ \$5,971
Other Contracts/Obligations - TIF 9	+ \$2,629
Other Contracts/Obligations - TIF 10	+ \$2,848
Other Contracts/Obligations - TIF 11	+\$10,625
Other Contracts/Obligations - TIF 12	+ \$2,671
Fund Balance (Each Individual TIF Fund)	- \$30,000

to provide funding for payment to the Fox Cities Regional Partnership (2/3 vote of Common Council required)

Attachments: [Finance Committee Fox Cities Regional Partnership.pdf](#)

Legislative History

7/15/19 Finance Committee recommended for approval

[19-1022](#)

Request to utilize up to \$175,000 of new library funding included in the 2019 Downtown Development Capital Improvement Plan for security enhancements to the current library

Attachments: [Finance Committee Library Security Improvements.pdf](#)

Legislative History

7/15/19 Finance Committee recommended for approval

- [19-1024](#) Award of contract for Unit BB-19 Edgewood Drive Sanitary Sewer - French Road to Lightning Drive to Kruczek Construction, Inc. for \$479,000 with a 10% contingency of \$47,900 for a total contract not to exceed \$526,900

Attachments: [Kruczek Construction BB-19 Award.pdf](#)

Legislative History

7/15/19 Finance Committee recommended for approval

- [19-1025](#) Request to approve contract amendment/Change Order No. 1 to Contract 77-19 for Kernan Avenue/East South River Street Storm Sewer Construction for additional funding to complete permanent concrete surface restoration in lieu of temporary asphalt in the amount of \$121,841 with an increase in contingency from \$50,000 to \$70,000. Overall contract increases from \$904,655 to \$1,046,496

Attachments: [Unit T-19 Change Order No.1.pdf](#)

Legislative History

7/15/19 Finance Committee recommended for approval

- [19-1026](#) Request authorization to engage outside counsel for defense of taxation lawsuit

Legislative History

7/15/19 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

- [19-1000](#) Request to approve the Development Agreement with Block 800, LLC for improvements and redevelopment of the property located at 823-825 and 827 W. College Avenue in Tax Increment Financing District No. 12

Attachments: [Memo Recommend 800 Block W College Ave Dev Agrmt.pdf](#)
[Block 800 LLC - Draft Development Agreement 6-13-19.pdf](#)

Legislative History

7/17/19 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

19-1009

Request the Approval of the Electronic Compliance Maintenance Annual Report (eCMAR) for 2018 (attached) and Request the following Resolution be presented to the Common Council for approval:

Whereas, the City of Appleton has successfully been operating a biosolids compost program in cooperation with the Outagamie Department of Solid Waste; and

Whereas, Outagamie County has committed to continue to allowing biosolids composting during the next five years on over five acres of County property; and

Whereas, the City of Appleton had applied for and has now been re-issued a Wisconsin Pollution Discharge Elimination System (WPDES) permit; and

Whereas, the WPDES permit application requested and the facility was approved for a biosolids compost program and outfall; and

Whereas, the City of Appleton now meets requirements of NR 204 for biosolids storage due to the reissuance of the WPDES permit as of April 1, 2017;

Now, therefore, be it resolved by the City Council that the City of Appleton:

Article 1. Continues supporting an active biosolids compost program.

Article 2. Continue planning for a long term composting facility as the County site is limited to the next five years.

Attachments: [eCMAR memo 2018.pdf](#)

[Compliance Maintenance Annual Report.pdf](#)

Legislative History

7/16/19

Utilities Committee

recommended for approval

- [19-1010](#) Award the Lindbergh Painting Project to Classic Protective Coatings in the amount of \$693,850 with a 10% contingency of \$69,385 for a project total not to exceed \$763,235.

Attachments: [Lindbergh - Contractor Award.pdf](#)
[Lindbergh - Contractor Award Rev 071719.pdf](#)

Legislative History

7/16/19 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

- [19-1012](#) Request to approve Public Works table of organization change a CEA Serviceperson position to a CEA Master Mechanic position.

Attachments: [DPW reorg Serviceperson to Mechanic.pdf](#)
[Public Works draft 7-17-19.pdf](#)

Legislative History

7/17/19 Human Resources & recommended for approval
Information Technology
Committee

- [19-1018](#) Request to approve changes to the Salary Administration Policy.

Attachments: [Salary Administration Policy 7-17-19.pdf](#)

Legislative History

7/17/19 Human Resources & recommended for approval
Information Technology
Committee

- [19-1019](#) Request to approve changes to the Travel Policy.

Attachments: [Travel Policy Summary of Changes 7-17-19.pdf](#)
[Travel Policy 7-17-19.pdf](#)

Legislative History

7/17/19 Human Resources & recommended for approval
Information Technology
Committee

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

[19-1064](#) Consolidated Action Items: Oneida St. & College Ave. Alley Vacation
Item 19-1008 Special Resolutions
Item 19-0979 Municipal Services
Item 19-0937 Plan Commission

[19-1065](#) Consolidated Action Items- W. Water St. Vacation
Item 19-1005 Special Resolutions
Item 19-0981 Municipal Services Committee
Item 19-0941 Plan Commission

[19-1066](#) Consolidated Action Items - E. North Island St. Vacation
Item 19-1007 Special Resolutions
Item 19-0982 Municipal Services Committee
Item 19-0939 Plan Commission

N. ITEMS HELD

O. ORDINANCES

[19-1037](#) Ordinances 71-19 to 75-19

Attachments: [Ordinances going to Council 7-24-19.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

[19-1063](#) The Common Council may convene into closed session to confer with legal
 counsel concerning strategy to be adopted by the body with respect to
 litigation in which it is involved or likely to become involved regarding real
 estate tax assessments pursuant to the exceptions contained in
 §19.85(1)(g) of the Wisconsin Statutes. The Common Council will then
 reconvene into open session.

T. ADJOURN

Kami Lynch, City Clerk

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



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
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Meeting Minutes - Final Common Council

Wednesday, July 10, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:01 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Schultz.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Mayor Timothy Hanna

Excused: 1 - Alderperson Joe Martin

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Library Director Rortvedt, Director of Parks, Recreation & Facilities Gazza, Asst. Police Chief Potter, Director of Public Works Vandehey, Valley Transit General Manager McDonald.

The following were excused:

Health

Human Resources

Information Technology

Utilities

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-0910](#)

Common Council Meeting Minutes of June 19, 2019

Attachments: [CC Minutes 6-19-19.pdf](#)

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

Aye: 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Chris Croatt

Excused: 1 - Alderperson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

[19-0864](#) Children's Week Proclamation

This Proclamation was presented

[19-0919](#) Parks & Recreation Month Proclamation

This Proclamation was presented

[19-0960](#) Bob Pintarelli Day Proclamation

This Proclamation was presented

[19-0920](#) Committee Reappointment- Fox Cities Area Room Tax Commission

Attachments: [COMMITTEE REAPPTS 071019.pdf](#)

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

Aye: 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Chris Croatt

Excused: 1 - Alderperson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

H. PUBLIC PARTICIPATION

The following spoke regarding Item 19-0751: Parking Permit Fees:

Paul Hoffman, 200 E Washington St.

John Pfefferle, 200 E Washington St.

Jennifery Stephany, 333 W College Ave

Item 19-0893 Weed Administrative Fee Waiver Request:

Brendan Piper, N9657 Darboy Dr.

I. PUBLIC HEARINGS

[19-0768](#)

Public Hearing, Comprehensive Plan Future Land Use Map Amendment #1-19, Mark's East Side - E. Wisconsin Avenue

Attachments: [PublicHearing_CPA#1-19_MarksEastSide.pdf](#)

The following spoke during the hearing:

Mark Dougherty, 1405 E Wisconsin Ave

[19-0769](#)

Public Hearing, Rezoning #5-19, Mark's East Side - E. Wisconsin Avenue

Attachments: [RZ #5-19 Notice of Public Hearing_MarksEastSide.pdf](#)

The public hearing was held. There were no speakers during the hearing.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[19-0888](#)

R-B-Summer Street, from Gillet Street to Richmond Street, be reconstructed with asphalt and concrete pavement and curb and gutter. The dimensions of the Summer Street reconstruction project are as follows:

Gillet Street-295' west of Mason Street: New asphalt pavement and concrete curb & gutter to be constructed to a width of 34' 32' from back of curb to back of curb, which is 2' 1' narrower **on the northside of the street** that the existing street within this portion of the project.

285' west of Mason Street- Mason Street: New concrete pavement to be constructed to a width of 33' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

Mason Street- 100' west of Richmond Street: New asphalt pavement and concrete curb & gutter to be constructed to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street within this portion of the project.

100' west of Richmond Street- Richmond Street: New asphalt pavement and concrete curb & gutter to be constructed to a width of 33' 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 Item was amended to have the North side of Gillet Street be narrowed by 1' for a total street width of 32'.

Alderson Williams moved, seconded by Alderson Meltzer, that the Item be amended to have the North side of Gillet Street be narrowed by 1' for a total width of 32'. Roll Call. Motion carried by the following vote:

Aye: 9 - Alderson William Siebers, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Cathy Spears and Alderson Kyle Lobner

Nay: 3 - Alderson Vered Meltzer, Alderson Patti Coenen and Alderson Chris Croatt

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

This Report Action Item was referred to the Municipal Services Committee by Alderson Coenen, due back on 7/15/2019.

[19-0684](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-19 for a portion of the parcels generally located east of North Plateau Street and south of East Wisconsin Avenue (Tax Id #31-1-1044-00, #31-1-1045-01, and #31-1-1216-00) from future Public/Institutional and One and Two-Family Residential land use designation to Commercial land use designation as shown on the attached map and approve the attached Resolution

Attachments: [StaffReport_MarksEastSide_CompPlan+Rezoning_For05-21-19.pdf](#)

Alderson Croatt moved, seconded by Alderson Spears, that the Comprehensive Plan Amendment be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Alderson Chris Croatt

Abstained: 2 - Alderson Joe Martin and Mayor Timothy Hanna

[19-0686](#)

Request to approve Rezoning #5-19 for a portion of the parcels generally located east of North Plateau Street and south of East Wisconsin Avenue (Tax Id #31-1-1044-00, #31-1-1045-01, and #31-1-1216-00), as shown on the attached maps, from R-1B Single-Family District to C-2 General Commercial District

Attachments: [StaffReport_MarksEastSide_CompPlan+Rezoning_For05-21-19.pdf](#)

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

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Alderson Chris Croatt

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

[19-0689](#)

Request to approve Certified Survey Map #7-19, which crosses a plat boundary, to reconfigure lot lines for 1405 East Wisconsin Avenue (Tax Id #31-1-1043-00), 1206 North Plateau Street (Tax Id #31-1-1044-00), 1200 North Plateau Street (Tax Id #31-1-1045-01), and East Wisconsin Avenue (Tax Id #31-1-1216-00), subject to the conditions in the attached staff report and as shown on the attached maps

Attachments: [StaffReport_MarksEastSide_CrossingPlatBoundary_For05-21-19.pdf](#)

Alderson Croatt moved, seconded by Alderson Spears, that the Certified Survey Map be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Alderson Chris Croatt

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

[19-0893](#)

Request from Path to Freedom, LLC to waive the \$160 Weed Administration fee for 214 E. Winnebago St.

Attachments: [Request to Waive Weed Administrative Fee for 214 E. Winnebago St.pdf](#)

A notwithstanding vote was taken. An 'aye' vote approves the waiver of the fee and a 'nay' vote denies the waiver of the fee.

Alderson Croatt moved, seconded by Alderson Lobner, that the Weed Administration fee be waived. Roll Call. Motion failed by the following vote:

Aye: 4 - Alderson Vered Meltzer, Alderson Maiyoua Thao, Alderson Matt Reed and Alderson Alex Schultz

Nay: 8 - Alderson William Siebers, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Alderson Chris Croatt

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

[19-0751](#)

Approve increasing monthly parking permits from \$30/month to \$40/month as part of the 2020 Budget with a January 1, 2020 implementation date.

Attachments: [Proposals for 2020 Budget consideration.pdf](#)

Alderson Croatt moved, seconded by Alderson Spears, that the Parking Permit Fees be amended to \$35/month, Effective January 1, 2020 and \$40/month Effective January 1, 2021. Roll Call. Motion failed by the following vote:

Aye: 6 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Katie Van Zeeland, Alderson Christine Williams, Alderson Cathy Spears and Alderson Chris Croatt

Nay: 6 - Alderson Brad Firkus, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Patti Coenen and Alderson Kyle Lobner

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

Alderson Spears moved, seconded by Alderson Coenen, that the Parking Permit Fees be amended to \$35/month effective January 1, 2020. Roll Call. Motion carried by the following vote:

Aye: 8 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Matt Reed, Alderson Christine Williams, Alderson Patti Coenen and Alderson Cathy Spears

Nay: 4 - Alderson Maiyoua Thao, Alderson Alex Schultz, Alderson Kyle Lobner and Alderson Chris Croatt

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

Alderson Croatt moved, seconded by Alderson Lobner, that the Parking Permit Fees be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Alderson Chris Croatt

Nay: 2 - Alderson Katie Van Zeeland and Alderson Alex Schultz

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Katie Van Zeeland, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner and Alderson Chris Croatt

Excused: 1 - Alderson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-0887](#)

Approve proposed changes to Article VI (Electrical) of the Municipal Code.

Attachments: [Update to Article VI \(Electrical\) of the Municipal Code.pdf](#)

This Report Action Item was approved.

[19-0889](#)

Douglas Street, from Reid Drive to Prospect Avenue, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 32' from back of curb to back of curb, which is 1' narrower than the existing street. The proposed 1' narrowing will occur along the west curb line. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[19-0890](#)

Madison Street, from Taft Avenue to Calumet 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. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[19-0891](#)

Approve proposed changes to Article V (Plumbing) and Article VII (Mechanical) of the Municipal Code related to reinspection fees.

Attachments: [Reinspection Fees.pdf](#)

This Report Action Item was approved.

[19-0892](#)

Approve Street Name Sign Distribution Policy.

Attachments: [Street Name Sign Distribution Policy.pdf](#)
[Amended Street Name Sign Distribution Policy.pdf](#)

This Report Action Item was approved.

[19-0894](#)

Request from Fika Tea Bar for a Street Occupancy Permit to place tables and chairs in the College Avenue Beautification strip at 207 W. College Avenue.

Attachments: [Request from Fika Tea Bar for Street Occupancy Permit.pdf](#)

This Report Action Item was approved.

[19-0895](#)

Anticipated award for Unit Q-19, Pavement Marking contract (paint).

Attachments: [Unit Q-19.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-0907](#)

Class "B" Beer and "Class C" Wine License application for MK2 Investments d/b/a Pinot's Palette, Mari P. Kessenich, Agent, located at 226 E. College Ave, contingent upon approvals from all departments.

Attachments: [Liquor License-Pinots Palette-MK2 Investments S&L 7-10-19.pdf](#)

This Report Action Item was approved.

[19-0879](#)

Class "B" Beer and "Class C" Wine License application for Moon Water Cafe LLC d/b/a Moon Water Cafe, Shannon Boegh, Agent, located at 606 N. Lawe Street, contingent upon approvals from all departments.

Attachments: [Liquor License-Moon Water Cafe S&L 6-26-19.pdf](#)

This Report Action Item was approved.

[19-0904](#) 2019-20 Class "B" Beer and "Class C" Wine License renewal application for The Draw LLC, John C. Adams, Agent, 800 S. Lawe St.

Attachments: [2019 Beer-Wine Renewal application-The Draw-S&L 7-10-19.pdf](#)

This Report Action Item was approved.

[19-0947](#) Operator's Licenses

Attachments: [Operator's Licenses for 7-10-19 S & L.pdf](#)

This Report Action Item was approved.

[19-0948](#) Renewal Operator's Licenses

Attachments: [RENEWAL Licenses for 7-10-19 S&L.pdf](#)

This Report Action Item was approved.

[19-0912](#) 2019 Cigarette/Tobacco License renewal application for Family Dollar, located at 808 W Wisconsin Ave.

Attachments: [2019 Cigarette renewal - Family Dollar S&L 7-10-19.pdf](#)

This Report Action Item was approved.

[19-0871](#) 2019 Cigarette/Tobacco License renewal application for The Factory, Eugene Rice, owner, located at 508 W College Ave.

Attachments: [The Factory 2019 S&L 6-26-19.pdf](#)

This Report Action Item was approved.

[19-0921](#) 2019 Secondhand Article Dealer Mall/Flea Market application for Ye Old Goat, Meghan M Keller, Person In Charge, located at 1919 East Calumet St, contingent upon approvals from all departments.

Attachments: [Ye Old Goat S&L 7-10-19.pdf](#)

This Report Action Item was approved.

[19-0962](#) Commercial Quadricycle Renewal License application of Social Station, LLC, Chris Burns, 325 N Appleton St, contingent upon approval from all departments.

Attachments: [The Social Station.pdf](#)

This Report Action Item was approved.

[19-0857](#)

Pet Store License renewal application for HSA Corporation d/b/a Pet Supplies Plus, located at 702 W Northland Ave, contingent upon approvals from all departments.

Attachments: [Pet Supplies Plus S&L 6-26-19.pdf](#)

This Report Action Item was approved.

[19-0858](#)

Salvage Dealer's License renewal application for Golper Supply Co, located at 1810 W. Edgewood Dr, contingent upon approvals from all departments.

Attachments: [Golper Supply Co S&L 6-26-19.pdf](#)

This Report Action Item was approved.

[19-0958](#)

Class "B" Beer and "Class C" Wine Permanent Premise Amendment application for Garden View Restaurant, Rose Villanueva, Agent, located at 216 E. College Ave, contingent upon approvals from all departments.

Attachments: [Garden View-permanent premise amendment.pdf](#)

This Report Action Item was approved.

[19-0859](#)

Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Theadocia, LLC dba Spats, Bill Neubert, Agent, located at 733 W College Ave, from July 31-August 5, 2019, contingent upon approvals from all departments.

Attachments: [Spats.pdf](#)

This Report Action Item was approved.

[19-0881](#)

Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Emmett's Bar & Grill, Sharon Reader, Agent, 139 N. Richmond St, August 1-4, 2019, contingent upon approval from all departments.

Attachments: [Emmetts Bar & Grill.pdf](#)

This Report Action Item was approved.

[19-0964](#)

Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Riverside Bar & Grill, Gregg Van Dinter, Agent, 906 S. Olde Oneida St, contingent upon approval from all departments.

Attachments: [Riverside Bar & Grill-MoM.pdf](#)

This Report Action Item was approved.

[19-0959](#)

Reserve "Class B" Liquor and Class "B" Beer Temporary Premise Amendment application for Fox Cities Building for the Arts, Christina Turner, Agent, Houdini Plaza, September 19, 2019, contingent upon approvals from all departments.

Attachments: [Fox Cities Bldg for the Arts Fundraiser 9-19.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[19-0934](#)

Request to approve Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption located at 101 West Edison Avenue, Suite 100 (Tax Id #31-4-0257-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport 101WEdison SUP For07-09-19.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[19-0813](#)

Request to award the City of Appleton 2019 Fire Station #6 Hardscape Phase 1 project contract to Highway Landscapers, Inc in the amount of \$67,342 with a contingency of \$10,000 for a project total not to exceed \$77,342

Attachments: [2019 Fire Station #6 Hardscape Repairs Phase 1.pdf](#)

This Report Action Item was approved.

[19-0899](#)

Request to approve anticipated Award of Contract for Unit T-19 Kernan Avenue / East South River Street Storm Sewer Construction (bids to be opened Monday, June 24, 2019).

Attachments: [Contract Award & Bids T-19 Kernan Ave.pdf](#)

This Report Action Item was approved.

[19-0902](#)

Request to award Unit J-19 Mini Storm Sewer Construction to Dave Tenor Corporation in an amount not to exceed \$200,000.

Attachments: [Contract Award Form Unit J-19.pdf](#)
 [J-19 Bid Tab June 17.pdf](#)

This Report Action Item was approved.

[19-0903](#)

Request to award Unit O-19 Sanitary Sewer CIPP Lining to Terra Engineering & Construction Corporation in an amount of \$245,475 with a 1.9% contingency of \$4,547 for a total not to exceed \$250,022.

Attachments: [Contract Award Form O-19.pdf](#)
 [Bid Tabs O-19.pdf](#)

This Report Action Item was approved.

[19-0905](#)

Request to approve Amendment and Change Order #1 to contract for Wastewater "2018 Electrical Distribution Upgrades Phase 1 Project" for alternative design of transformer in the amount of \$98,650 resulting in an increase to contingency from \$103,703 to \$202,353. Overall contract increased from \$1,037,025.66 to \$1,135,675.66.

Attachments: [Wastewater Electrical Distribution Change Order.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[19-0883](#)

****CRITICAL TIMING**** Request to approve the Offer to Purchase from Valley Tool, Inc. or its assigns to purchase Lots 1 and 2 on Goodland Drive in the Northeast Industrial Park Plat No. 4 consisting of approximately 2.92 acres, at a purchase price of \$107,000 (\$36,643.84 per acre) and authorize staff to negotiate and execute an option to purchase for Lot 3 in the Northeast Industrial Park, Plat Number 4 with terms defined in Addendum A (#10)

Attachments:

[Valley Tool Memo 6-26-19.pdf](#)

[Valley Tool OTP Lots 1 & 2 Goodland Dr 6-18-19.pdf](#)

[Valley Tool Memo 5-15-19.pdf](#)

[Valley Tool - Counter Offer No. 3.pdf](#)

[Valley Tool Memo 4-19-19.pdf](#)

[Valley Tool OTP Lots 1-2-3 Goodland Dr 4-17-19.pdf](#)

[Valley Tool - Counter Offer 1_2.pdf](#)

[NEIP Plat No 4 Covenants and Restrictions.pdf](#)

[Map Available Sites NE Bus Park 04182019.pdf](#)

[NEBPUilities.pdf](#)

This Report Action Item was approved.

- 7. MINUTES OF THE UTILITIES COMMITTEE
- 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
- N. ITEMS HELD
- O. ORDINANCES

[19-0918](#)

Ordinances 69-19 and 70-19

Attachments:

[Ordinances going to Council 7-10-19.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

#7-R-19

Alternate Mode of Transportation Resolution

Submitted by: Alderperson Croatt, District 14

Date: July 10, 2019

Referred To: Safety & Licensing Committee

Whereas, Appleton has many great community and neighborhood parks, holds numerous special events and community functions within the city that its residents participate in and enjoy as part of enhancing the quality of life.

And Whereas, for residents living within the city, travel to and from these locations and events comes in many forms including but not limited to cars/trucks/SUVs, buses, bicycles, scooters, hoverboards, power chairs, roller blades, skateboards, walking, rideshare, etc.

And Whereas, modes of transportation that help reduce overall emissions and ultimately lead to cleaner air and are more eco-friendly and "greener" alternatives to traditional passenger vehicles are encouraged.

And Whereas, other communities have embraced alternate methods of intracity and/or defined neighborhood transportation by clearly defining all requirements, restrictions, expectations, and penalties.

And Whereas, some citizens of Appleton and a resident of District 14 are interested in an alternate means of transportation and have asked me to evaluate it and propose a resolution to have the dialogue around changing an ordinance that currently restricts a desired means of transportation within the city.

Now, Therefore, be it Resolved, the appropriate City of Appleton staff and the committee of jurisdiction begin the discussion and possibly take action by revising ordinance language to allow for the use of regulated (through clear and specific ordinance language) and permitted (through an application and fee process) intracity travel using golf carts as a mode of transportation within the city limits with the possible restriction of use limited to defined neighborhoods and/or established subdivisions. Additionally, very careful consideration to be given to a golf cart definition that includes a motor vehicle commonly referred to as a golf cart that is battery or gasoline powered and must have 4 wheels and has an attainable top speed not greater than 25 miles per hour on a paved level surface and is manufactured for the primary purpose of transporting persons on a golf course at low speeds. Further consideration for banning use of vehicles defined as ATV's, off-road vehicles, four-wheelers, Mules, Gators, and any design-altered golf carts that can travel faster than 25 miles per hour or any gasoline-powered golf carts that have any modifications to the exhaust system that would increase noise above the level produced by a factory issued version.

Be it Further Resolved, review, discussion, and possible action to include a detailed review of ordinance language from other municipalities including but not limited to Kyle, Texas and Noblesville, Indiana. Included in the review is the FAQ document from the City of Noblesville, Indiana that addresses safety concerns, permitted use, restrictions, equipment requirements, traffic laws and penalties for non-compliance.

*Resolution #8-R-19
North Clark Street
Submitted by: Alderperson Siebers, District 1
Date: July 10, 2019*

Referred To: Municipal Services Committee

Whereas, the 500 and 600 block of North Clark street is very narrow,

Whereas, there is little to no terrace,

Whereas, in winter, due to there being limited place to plow the snow, the snow builds up and the street becomes even more narrow, making it impossible for two cars going in opposite directions to pass each other,

Therefore Be It Resolved, on a one-year trial, this block be made into a one-way street and thereafter consideration, with citizen input, be given to making the one-way permanent.

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

19-0909

The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session regarding the bluff site development and then reconvene into open session.

Alderperson Croatt moved, seconded by Alderperson Meltzer, that the Common Council convene into closed session at 8:04 p.m. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Chris Croatt

Excused: 1 - Alderperson Joe Martin

Abstained: 1 - Mayor Timothy Hanna

T. ADJOURN

Lobner moved, seconded by Croatt that the Common Council reconvene into open session. Motion carried 12/0 and at 9:09 p.m. the Common Council reconvened in open session.

No action was taken in Closed Session.

Aldersperson Lobner moved, seconded by Aldersperson Coenen, that the meeting be adjourned at 9:10 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Katie Van Zeeland, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Mayor Timothy Hanna

Excused: 1 - Aldersperson Joe Martin

Kami Lynch, City Clerk

NOTICE OF PUBLIC HEARING

#6-19

RE: Proposed Zone Change

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on July 24, 2019, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zone change:

Rezoning #6-19: A rezoning request has been initiated by the City Plan Commission, in the matter of amending Chapter Twenty-three (Zoning Ordinance) of the Municipal Code of the City of Appleton for the above-described real estate, which will be zoned temporary AG Agricultural District following annexation. Pursuant to Sections 23-65(d)(1) and 23-65(e) of the Municipal Code, the City Plan Commission proposes to rezone the property to a permanent zoning classification of R-1B Single-Family District (see attached map). The R-1B District is intended to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses.

Purpose of the Rezoning: To assign a permanent zoning classification following the “Cypress Homes (N. Haymeadow Avenue)” Annexation and facilitate future single-family development.

Legal Description: Tax Id #31-6-5802-00 (formerly Tax Id #101039315 in the Town of Grand Chute) Lot 2 of Certified Survey Map No. 7013 filed in Volume 42 of Certified Survey Maps on Page 7013 as Document No. 2047169, located in and being a part of the Northeast ¼ of the Northwest ¼ of Section 11, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.

June 26, 2019

RUN: July 9, 2019
July 16, 2019

KAMI LYNCH
City Clerk

INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of the alley west of Oneida Street and south of College Avenue, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of this alley, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION:

All of the East 60.48 feet of a 20 foot wide Alley, being a part of Lot Three (3), Block 5, Appleton Plat (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the SE ¼ of the SW ¼ of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,209 square feet of land m/l and being more fully described by:

Commencing at the Northeast corner said Lot 3;

Thence South 00°02'58" East 110.00 feet along the West line of Oneida Street and being coincident with the East line of said Lot 3 to the point of beginning;

Thence continue South 00°02'58" East 20.00 feet coincident with the East line of said Lot 3;

Thence South 89°59'06" West 60.48 feet coincident with the South line of said 20 foot wide Alley;

Thence North 00°02'58" West 20.00 feet to the North line of said 20 foot wide Alley;

Thence North 89°59'06" East 60.48 feet coincident with the North line of said Alley to the East line of said Lot 3 and the **point of beginning**.

See also attached Exhibit "A" for illustration.

TITLE TO VACATED LANDS

The adjoining property owner shall acquire ownership to the afore described and vacated portion of the Alley, in its entirety and with the entire vacated portion attaching to owners property, as shown on the attached Exhibit "A" Map and more specifically as follows:

The owner of that part of Lot Three (3), Block 5, Appleton Plat (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the SE ¼ of the SW ¼ of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin and being more fully described as: The East 60.48 feet of the North 110 feet of said Lot Three (3). Said Owner abutting the portion of vacated alley shall acquire, in its entirety, the vacated right-of-way.

EASEMENTS

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for any and all existing utilities and also any future utilities deemed necessary or desirable by Grantee within the vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer, watermain, gas, electric, cable and fiber-optic within the entire length and width of the above described right of way.

It is further agreed that this easement shall be a permanent easement.

It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize and repair any and all of these utilities and their associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing or repairing of these utilities and their associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel and dirt on said property, as closely as possible, to the condition previously existing. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein. This easement includes the right to operate all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

COMMON DESCRIPTION:

Alley west of Oneida Street and south of College Avenue

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

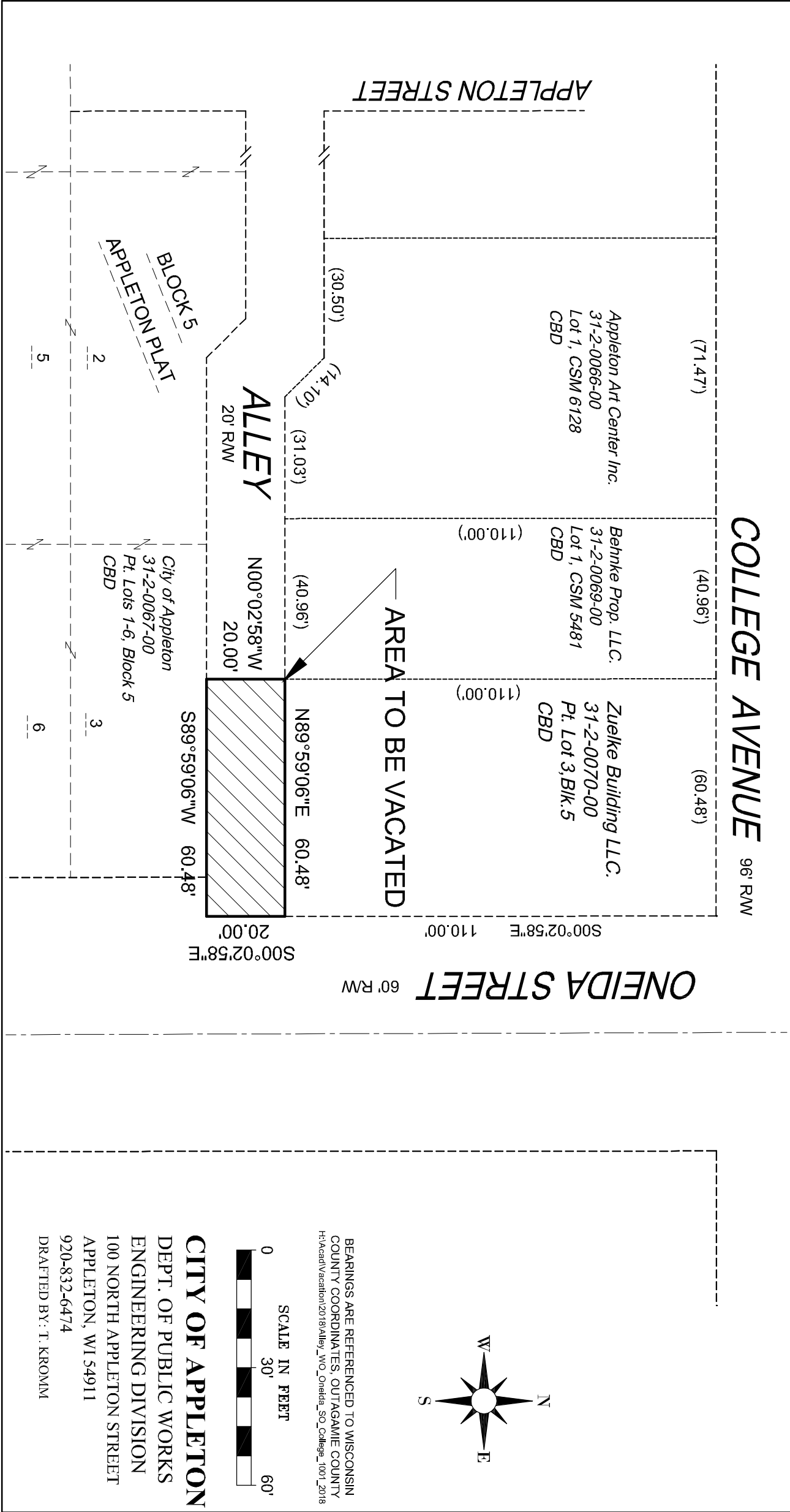
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said alley west of Oneida Street and south of College Avenue, title to the above-described alley shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

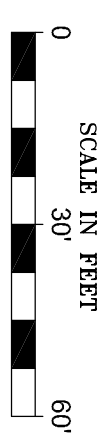
City Law: A18-0827
06/27/2019

EXHIBIT "A"

PART OF LOT 3, BLOCK 5, **APPLETON PLAT**, (AKA SECOND WARD PLAT), ALL ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON, BEING LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



BEARINGS ARE REFERENCED TO WISCONSIN COUNTY COORDINATES. OUTAGAMIE COUNTY H:\Acad\Vacation\2018\Alley_WO_Oneida_SO_College_1001_2018



CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KROMM

INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of the southeasterly side of West Water Street located 500' m/l northeast of Jackman Street, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of West Water Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION:

All that part or Water Street lying adjacent to Lots Six (6), Seven (7), Eight (8) and Nine (9), Block G, of the **GRAND CHUTE PLAT** and all that part of Water Street lying adjacent to Block 71 of the **APPLETON PLAT**, all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2), Section Thirty-Five (35), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 7,349 square feet of land and being described by:

Commencing at the most Northerly corner of Lot 7 in said Block G and being the point of beginning; Thence South 49°41'17" West 78.07 feet along the Northwesternly line of said Block G and being coincident with the Southeasterly line of Water Street; Thence North 29°03'55" East 351.44 feet to the Southwesterly extension of a Southeasterly line of Water Street; Thence North 48°46'37" East 42.03 feet along said extension to an angle point in the Southeasterly line of Water Street; Thence South 26°40'00" West 318.22 feet along the Southeasterly line of Water Street and being coincident with the Northwesternly line of said Block 71 and Block G to the point of beginning.

COMMON DESCRIPTION:

A portion of the southeasterly side of West Water Street located 500' m/l northeast of Jackman Street

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

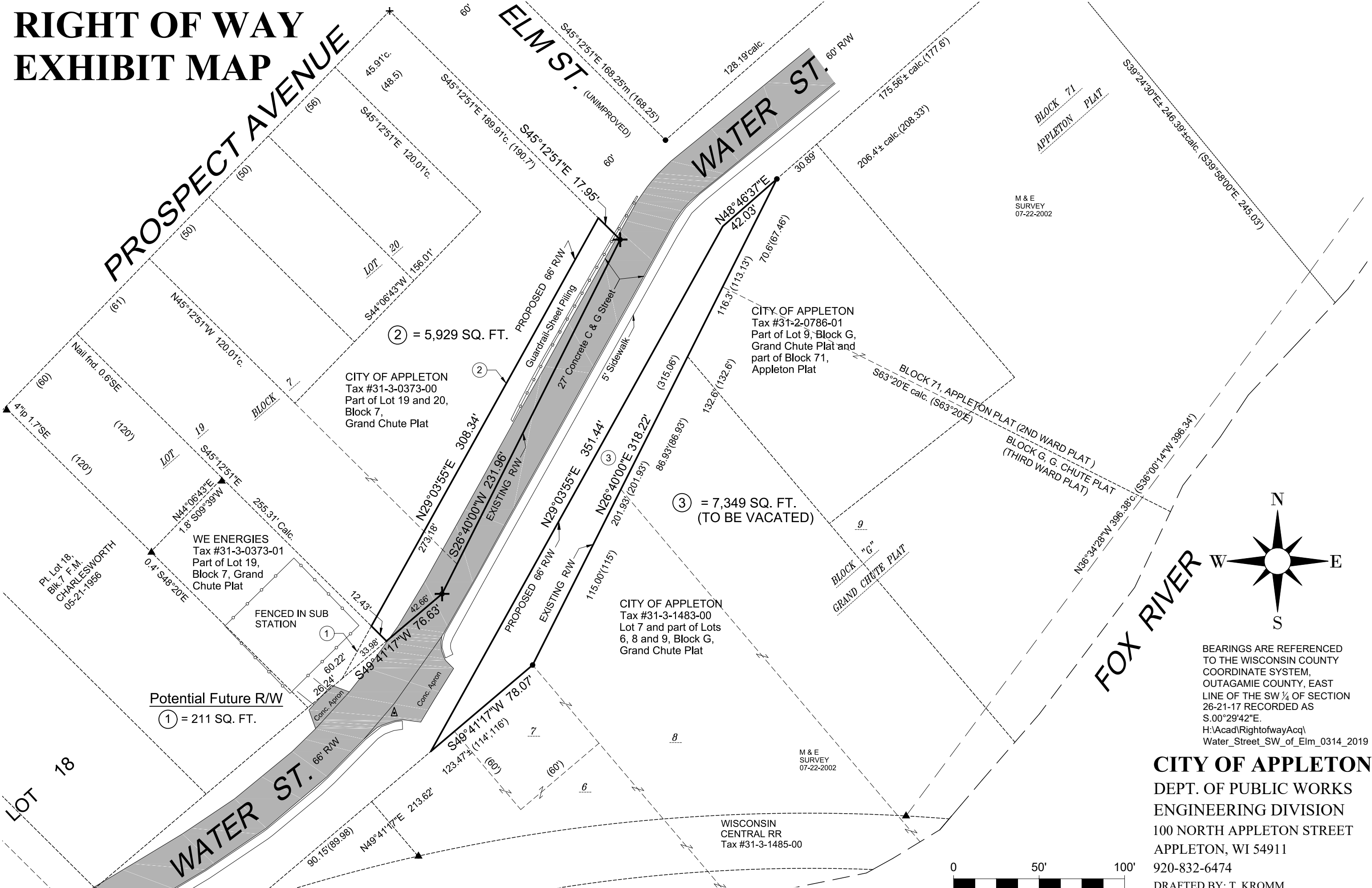
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon

vacation and discontinuance of said portion of West Water Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

City Law A19-0480
06/27/2019

RIGHT OF WAY EXHIBIT MAP



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of East North Island Street, west of South Vulcan Street, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of East North Island Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION

All of a strip of land 30 feet in width and 123.91 feet m/l in length along its centerline and containing 3,717 square feet of land m/l and being further described by:

All that part of North Island Street lying between Lots K and M of the GRAND CHUTE ISLAND PLAT, according to the recorded Assessors Map of the City of Appleton, being located in the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), Section 35, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin and being further described as follows:

Commencing at the Southwesterly corner of North Island Street and Vulcan Street; Thence North 80°22'38" West 100.30 feet along the Southwesterly line of North Island Street to the point of beginning; Thence continue North 80°22'38" West 123.70 feet along the Southwesterly line to the Westerly terminus of North Island Street per Resolution document No.1238146; Thence North 08°48'17" East 30.00 feet along the Westerly terminus of North Island Street to the Northeasterly line thereof; Thence South 80°22'38" East 124.13 feet along the Northeasterly line of North Island Street; Thence South 09°37'22" West 30.00 feet to the point of beginning.

See also attached Exhibit "A" for illustration.

EASEMENTS

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for any and all existing utilities and also any future utilities deemed necessary or desirable by Grantee within the vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer, watermain, gas, electric, cable and fiber- optic within the entire length and width of the above described right of way. Grantee also retains an access easement for motorized maintenance and emergency response vehicles for the purpose of responding to any and all emergency situations.

It is further agreed that this easement shall be a permanent easement. It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize and repair any and all of these utilities and their associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing or repairing of these utilities and their associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel and dirt on said property, as closely as possible, to the condition previously existing. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein. Buildings or any other type of permanent structure shall not be placed over Grantees' facilities or in, upon or over said easement area. This easement includes the right to operate any and all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

**EXISTING LOT LINE PROJECTIONS AND THE FINAL OWNERSHIP
DISTRIBUTION OF THE VACATED STREET AREA**

It is the intent of the City of Appleton that the adjoining property owner's existing lot lines be extended until they intersect with the centerline of North Island Street. The City of Appleton and the abutting landowner (Neenah Paper) have also agreed that upon the recording of the vacation in the Outagamie County Register of Deeds Office the abutting landowner of tax parcel 31-4-0271-02 (Neenah Paper) shall immediately transfer its interest in the vacated street area to the owner of tax parcel 31-4-0271-00 (Neenah Paper). The purpose of this transfer of interest in the vacated street area is to maintain frontage on a public street for tax parcel 31-4-0271-00.

COMMON DESCRIPTION:

A portion of East North Island Street west of South Vulcan Street

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said portion of East North Island Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

City Law A19-0481
06/27/2019

STREET VACATION

PART OF NORTH ISLAND STREET LYING BETWEEN LOTS K AND M OF THE **GRAND CHUTE ISLAND PLAT**, ALL ACCORDING TO THE RECORDED ASSESSORS PLAT OF THE CITY OF APPLETON, LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

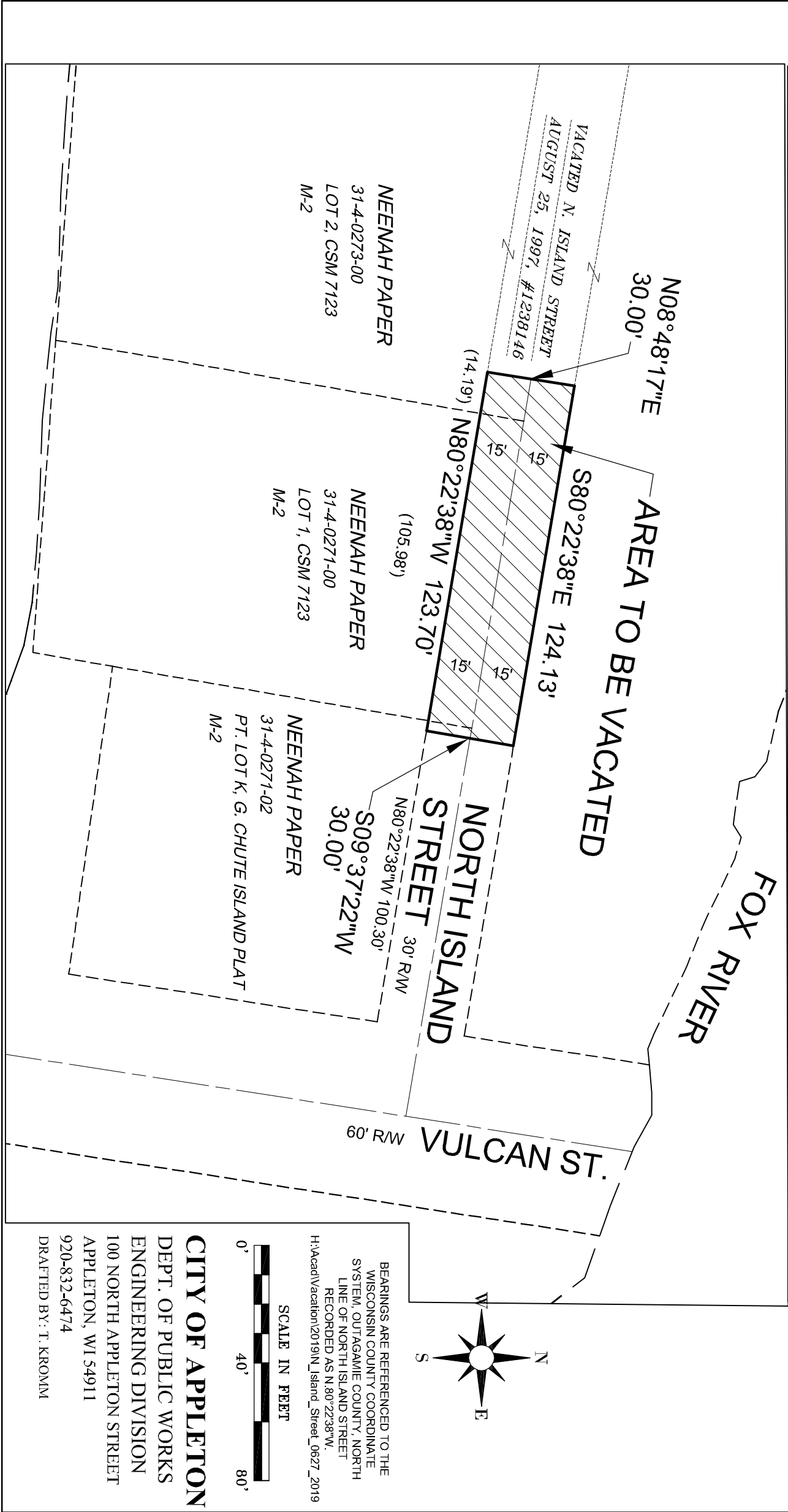


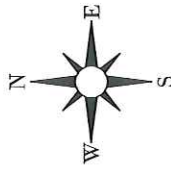
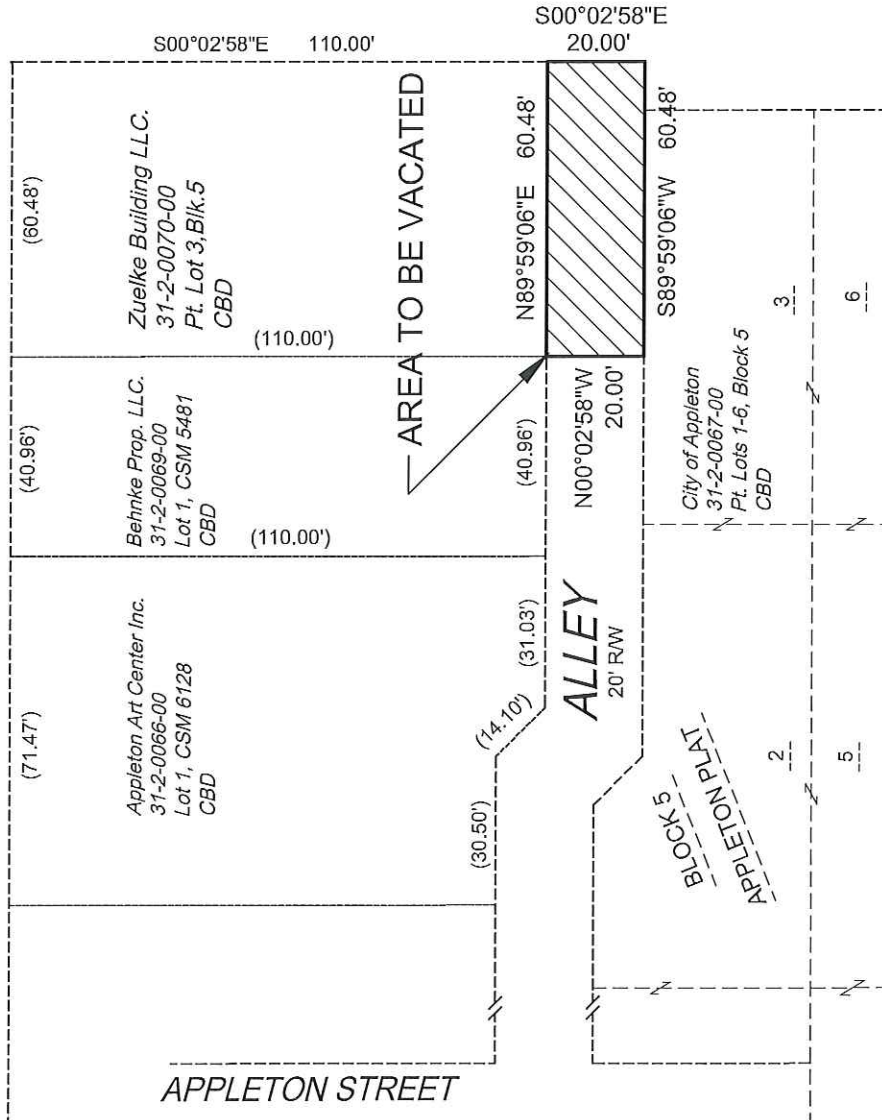
EXHIBIT "A"

PART OF LOT 3, BLOCK 5, APPLETON PLAT, (AKA SECOND WARD PLAT), ALL ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON, BEING LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

COLLEGE AVENUE 96' RW

ONEIDA STREET 60' RW

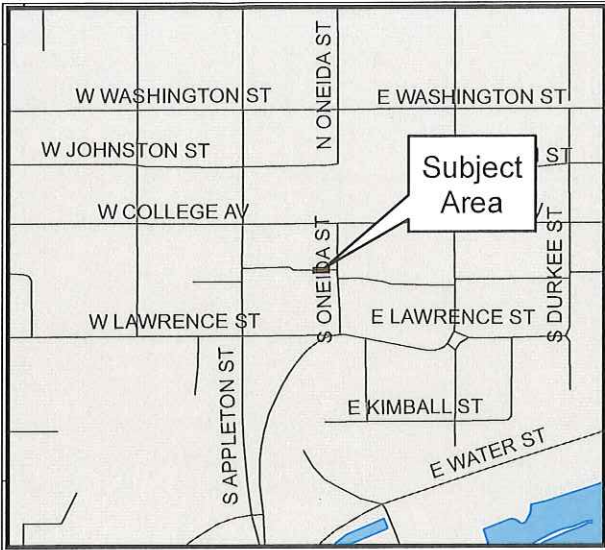
APPLETON STREET



BEARINGS ARE REFERENCED TO WISCONSIN COUNTY COORDINATES. OUTAGAMIE COUNTY H:\Acad\Vacation\2018\Alley_WO_Oneida_SO_College_1001_2018



CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KROMM



Alley West of Oneida Street
Street Vacation
Zoning Map

2-0290-1

2-0287

10

100

W COLLEGE AV

E COLLEGE AV

121

111-13

109

107

101-05

101

103

107

109

111

SAPPLETON ST

SONEIDA ST

2-0065

2-0066

0-0069

2-0069

2-0070

2-0038

2-0039

2-0040

2-0041

2-0042

CBD

2-0067

Area to be Vacated

SOLIDERS SQUARE

2-0072

2-0052

100

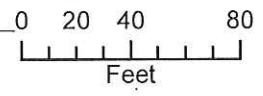
120

W LAWRENCE ST

SONEIDA ST

2-0142

PD/R-3



City Plan Commission
7-9-19



Alley West of Oneida Street
Street Vacation
Aerial Map

College Av

Appleton St

Oneida St

Lawrence St

CBD

Area to be
Vacated



City Plan Commission
7-9-19



2-0273-21
2-0273-20
2-0273-6
2-0273-5
2-0273-4
2-0273-3
2-0273-2

111-13

109

107

101-05

101

121

2-0065

2-0067

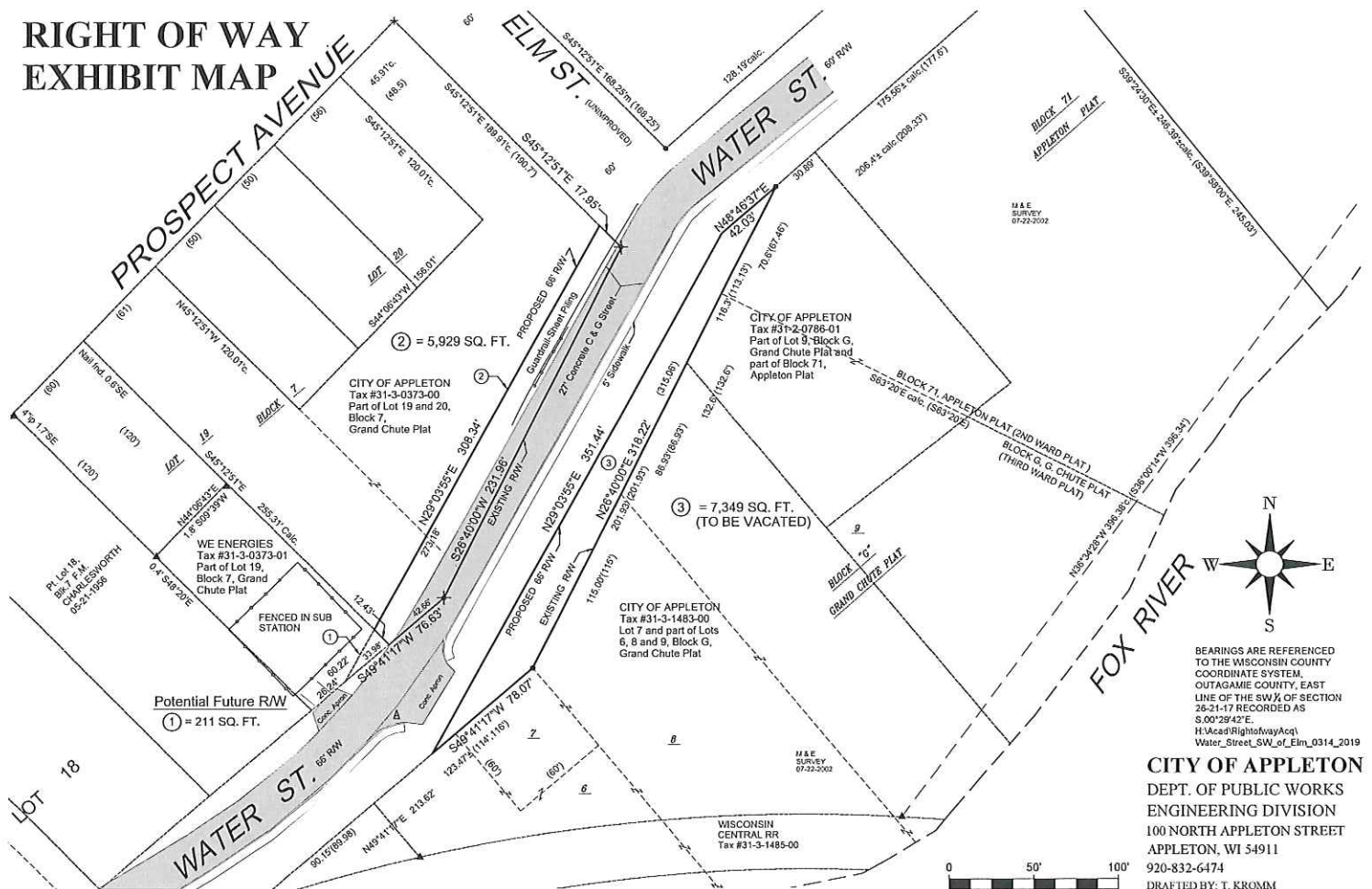
2-0072

2-0070

121

120

RIGHT OF WAY EXHIBIT MAP



W. Water Street
Street Vacation
Zoning Map

Subject
Area

R-1C

R-1B

M-2

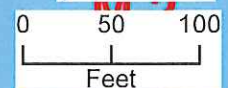
R-1C

R-2

R-1C

C-2

Area to be Vacated



City Plan Commission
7-9-19



W. Water Street
Street Vacation
Aerial Map

Area to be Vacated

0 50 100 200 Feet

Appleton
City Plan Commission
7-9-19



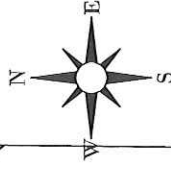
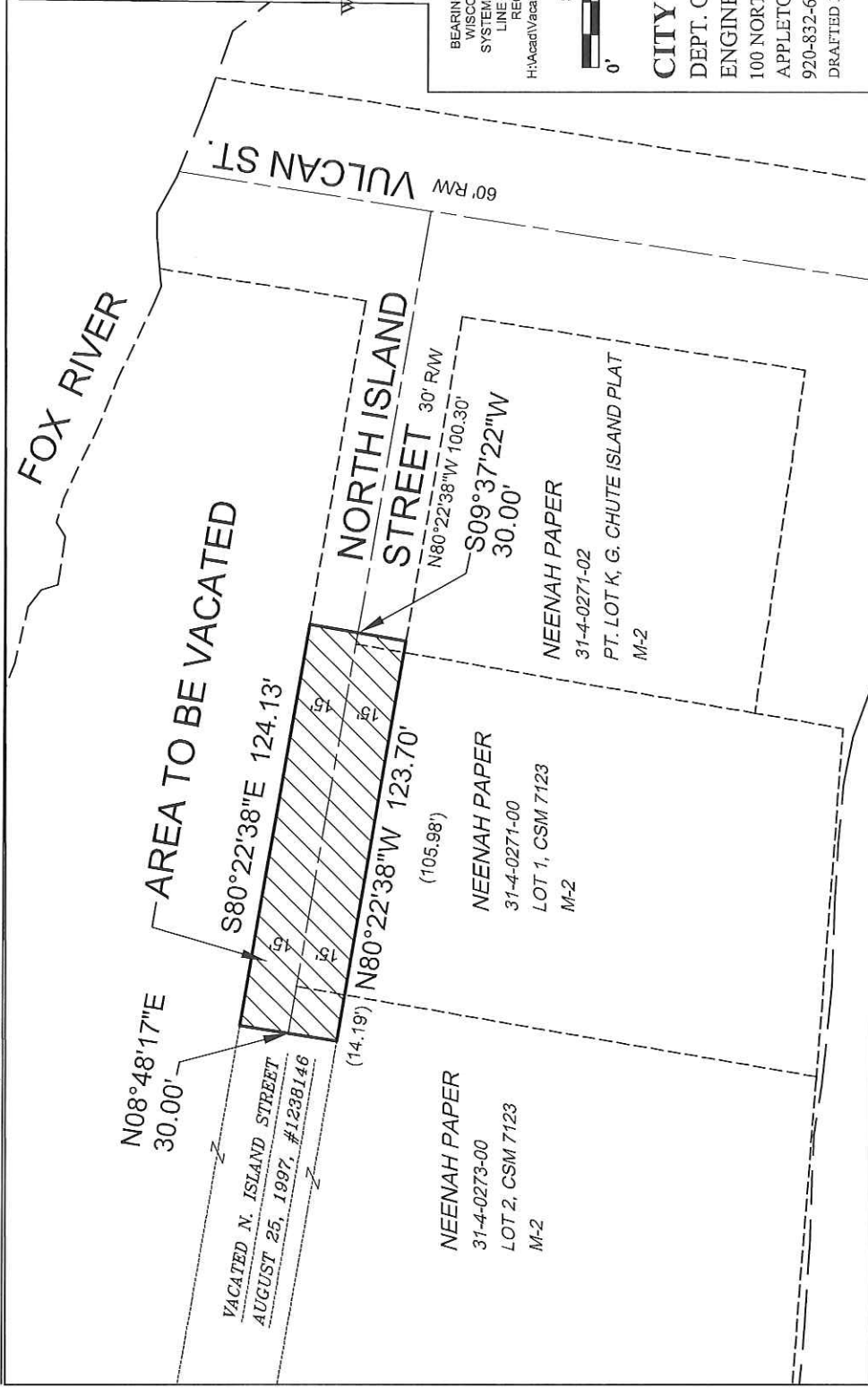
0 50 100 200 Feet



City Plan Commission
7-9-19

STREET VACATION

PART OF NORTH ISLAND STREET LYING BETWEEN LOTS K AND M OF THE GRAND CHUTE ISLAND PLAT, ALL ACCORDING TO THE RECORDED ASSESSOR'S PLAT OF THE CITY OF APPLETON, LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



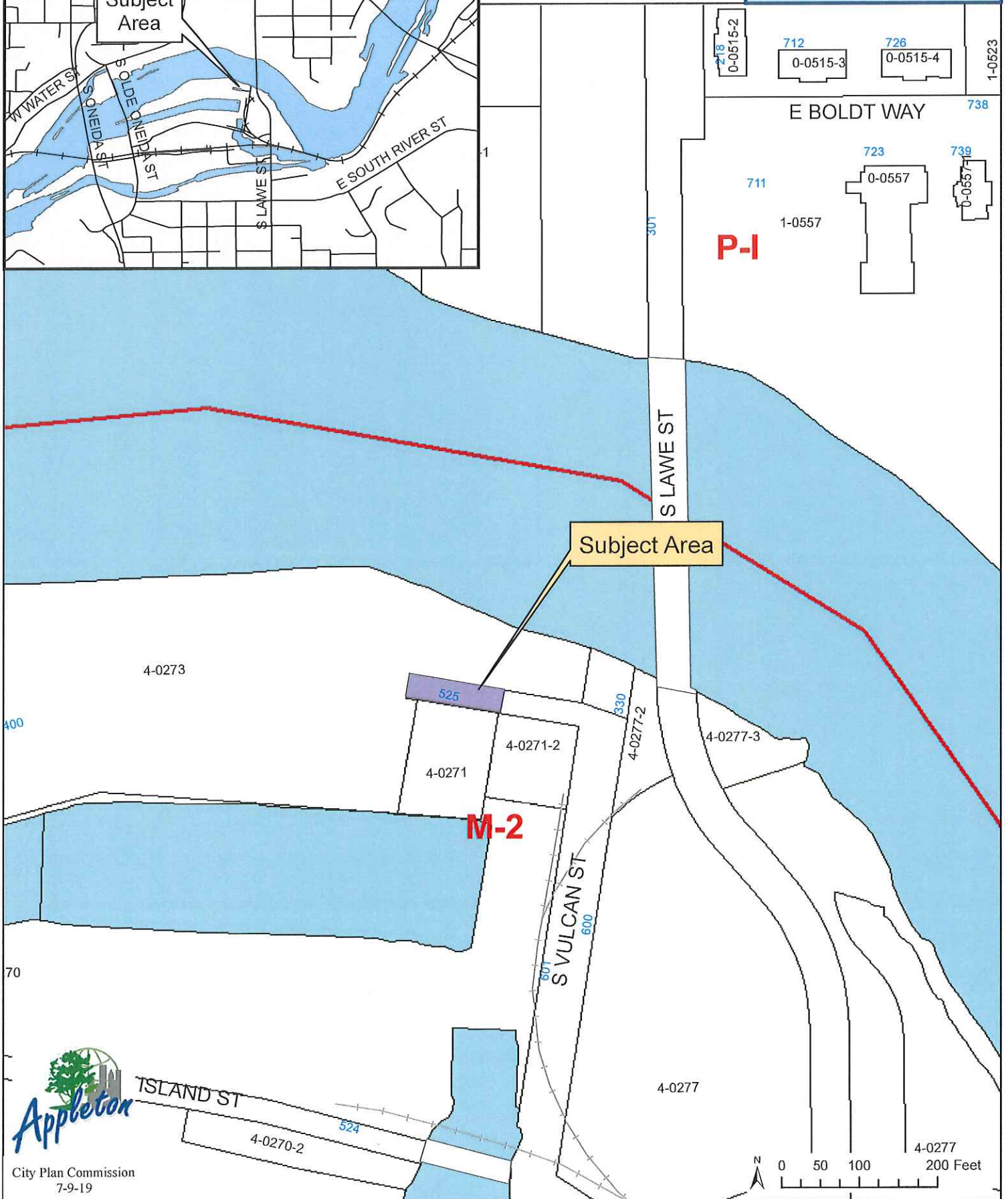
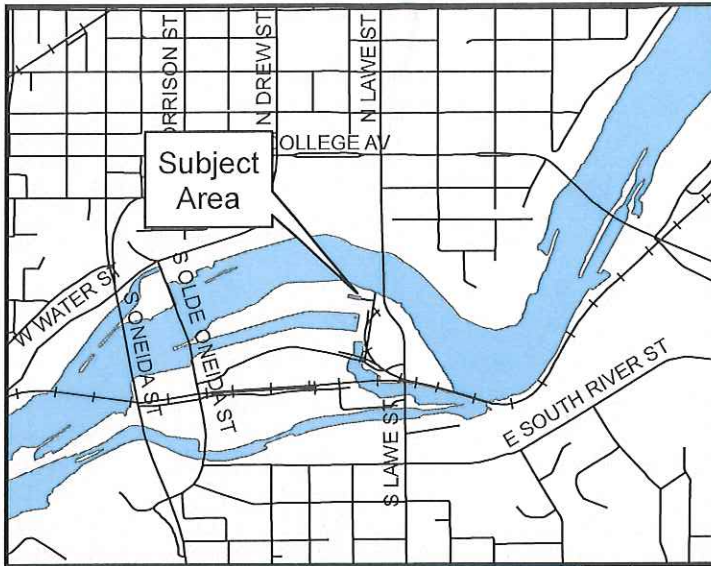
BEARINGS ARE REFERENCED TO THE
WISCONSIN COUNTY COORDINATE
SYSTEM, OUTAGAMIE COUNTY, NORTH
LINE OF NORTH ISLAND STREET
RECORDED AS N.80°22'38\"W.
H:\Acad\Vacation\2019\N_Island_Street_0627_2019

SCALE IN FEET



CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KROMM

E. North Island Street Street Vacation Zoning Map



E. North Island Street
Street Vacation
Aerial Map

Subject Area

4-0273

E NORTH ISLAND ST

525

4-0271-2

4-0271

4-0277-2

4-0277-4

S LAWE ST

S VULCAN ST

601

600

E SOUTH ISLAND ST



0 50 100 200
Feet

524



City Plan Commission
7-9-19

Paula Vandehey

From: Paula Vandehey
Sent: Tuesday, July 9, 2019 10:16 AM
To: Mari Massonet
Subject: WHEA Conference

From: Mari Massonet <Mari.Massonet@boldt.com>
Sent: Monday, July 1, 2019 10:45 AM
To: Paula Vandehey <Paula.Vandehey@Appleton.org>; Christopher Croatt <District14@Appleton.org>
Cc: Patti Coenen <District11@Appleton.org>
Subject: RE: Future Muni Services Agenda Item?

Hi Paula,

Thanks for your quick response, once again.

I didn't see the Exhibition Center on the map, but yes, it would go from there to the Appleton Beer Factory. I believe the Center is connected with the hotel? Either way, we will need to work those logistics out on our end.

We would certainly like to move forward with trying to get the Boldt logo on the shoe print first. If they disapprove, can we still do just the shoe print markings? Once we have the template created, I can send it over for your approval.

Thanks!

Mari Massonet
Group Coordinator
mari.massonet@boldt.com
2525 N. Roemer Road
Appleton, WI 54912

-----Original Message-----

From: Paula Vandehey <Paula.Vandehey@Appleton.org>
Sent: Monday, July 1, 2019 9:57 AM
To: Mari Massonet <Mari.Massonet@boldt.com>; Christopher Croatt <District14@Appleton.org>
Cc: Patti Coenen <District11@Appleton.org>
Subject: RE: Future Muni Services Agenda Item?

Hi Mari,

A couple of thoughts/questions.

1. Based on the map, it looks like the prints would be from the hotel to Appleton Beer Factor. I don't see a route from the Exhibition Center (or is that because they will cut through the building versus going outside?) 2. If you would decide not to have the Boldt logo, then I do not need to go through Committee and Council. It is up to you, just let me know which route you would like to take. Our next Committee meeting is July 15th so I need o complete the agenda the week before.

Paula

-----Original Message-----

From: Mari Massonet <Mari.Massonet@boldt.com>

Sent: Monday, July 1, 2019 9:02 AM

To: Paula Vandehey <Paula.Vandehey@Appleton.org>; Christopher Croatt <District14@Appleton.org>

Cc: Patti Coenen <District11@Appleton.org>

Subject: RE: Future Muni Services Agenda Item?

Hello,

Thank you so much for the prompt response from all of you. I really appreciate it.

Paula, we would love to have chalk shoe prints from the Convention Center to the Appleton Beer Factory directing individuals to and from these locations. We would love to have the footprints be Boldt branded, including our logo, as well as some tag lines. The tag lines would be something like "you are almost there", and "Come celebrate with Boldt". However, we are certainly open to just having the Boldt logo or just a plain shoe print.

Once again, thank you for taking the time to look into this matter.

Mari Massonet
Group Coordinator
mari.massonet@boldt.com
2525 N. Roemer Road
Appleton, WI 54912

-----Original Message-----

From: Paula Vandehey <Paula.Vandehey@Appleton.org>

Sent: Monday, July 1, 2019 8:28 AM

To: Christopher Croatt <District14@Appleton.org>

Cc: Mari Massonet <Mari.Massonet@boldt.com>; Patti Coenen <District11@Appleton.org>

Subject: RE: Future Muni Services Agenda Item?

Hi Mari,

Advertising is not allowed within the street right-of-way. If you wish to do temporary chalk shoe prints, I can administratively approved that request. However, if the decals are not chalk and/or they include advertising (Boldt logo as an example) then I will need to take this request through the Municipal Services Committee and Common Council. There is also a certificate of insurance requirement and a \$40 fee. Please email me your request stating the purpose for the sidewalk markings, a map showing the route, why advertising is needed as part of the sidewalk markings, etc.

Thanks and have a great week!

Paula Vandehey, P.E.
Director of Public Works
City of Appleton

-----Original Message-----

From: Christopher Croatt

Sent: Friday, June 28, 2019 4:34 PM

To: Paula Vandehey <Paula.Vandehey@Appleton.org>

Cc: mari.massonet@boldt.com; Patti Coenen <District11@Appleton.org>

Subject: Future Muni Services Agenda Item?

Hi Paula,

Sending this to make a connection between you and my sister-in-law, Mari, regarding a request they have for an event downtown this Fall. She's copied on this email. Mari can give you details but she told me they want to do some temporary marking on some downtown sidewalks.

Their event is the evening of September 18. WHEA Conference is at the convention center and afterparty is at Appleton Beer Factory. So, it would be about 2-3 blocks worth of shoe prints from FCEC to ABF. These shoe print decals would have the Boldt logo and maybe some tag lines.

I thought this would be something that should come through Committee. Right? Patti also copied.

Thanks!

Chris

Parcel 1
 PARCEL ID: 312042500
 ZONED: CBD CENTRAL BUSINESS DISTRICT
 LOT 1 CSM#7161

Parcel 2
 306 W. WASHINGTON ST.
 PARCEL ID: 312042500
 ZONED: CBD CENTRAL BUSINESS DISTRICT
 LOT 2 CSM#1041

Lot Dimensions and Bearings:

- North Boundary: S89°49'21"W (146.67')
- East Boundary: N00°04'08"E (192.00')
- South Boundary: S89°49'21"W (146.67')
- West Boundary: S89°49'21"W (146.67')

Other Features and Annotations:

- W. FRANKLIN ST. (60') PUBLIC ROADWAY (ITEM 10)**
- W. WASHINGTON ST. (60') PUBLIC ROADWAY (ITEM 10)**
- ALLEY (20')**: N00°34'35"W (142.78')
- Easements and Setbacks**: Various notes regarding easement widths, setbacks from property lines, and building footprints.
- Structures and Landmarks**: Notes about existing buildings, concrete foundations, and landscaping.
- Survey Data**: Numerous numerical values for distances and bearings throughout the site plan.

Proposed transformer

Paula Vandehey

From: Jonathan Brinkley <jonathan.b@ExcelEngineer.com>
Sent: Tuesday, June 25, 2019 7:34 AM
To: Paula Vandehey; Matt Mrochinski; Kurt Craanen
Cc: Ned Derksen; Andy Dumke
Subject: RE: 306 W. Washington Street-Electric Transformer Occupation of Alley

Hello Paula,

Below is a description of the challenges with electric relocations and why we are requesting to set a ground mounted transformer at the dead end of the alley.

As part of the redevelopment of the Historic Post Crescent Building, a new 4-story building addition is to be located on West Franklin Street. The currently electric utility poles and lines are located right on the property line along the street and currently stretch over the existing Post Crescent Building near the corner of W. Franklin St. and N. Superior St. In order to safely construct and occupy the new 4-story addition, Northpointe Development and WE Energies have worked together to secure a new route for the overhead electric lines. Easements will be created to route the overhead electric lines adjacent to the railroad tracks to the northwest and the poles and lines along W. Franklin St will be removed. Currently, Hoersch Home Appliance receives electric service via a pole-mounted transformer. When the electric lines are relocated, a pole-mounted transformer will no longer be an option. Hoersch Home Appliance will need a ground-mounted transformer. As part of the redevelopment of the Post Crescent Site, Northpointe Development will be repaving the alley to allow continued circulation from both sites. Initially, Northpointe planned to use the existing parking stalls at the south end of the alley as it dead ends. However, the Hoersch Home Appliance site is tight and with its need for a ground-mounted transformer, Northpointe feels the best use of the dead end alley parking stalls is for a ground mounted transformer for Hoersch Hope Appliance.

Jonathan Brinkley, AIA, PE
Architect, Senior Project Manager

From: Paula Vandehey <Paula.Vandehey@Appleton.org>
Sent: Wednesday, June 19, 2019 8:03 AM
To: Matt Mrochinski <matt.m@ExcelEngineer.com>; Kurt Craanen <Kurt.Craanen@Appleton.org>
Cc: Jonathan Brinkley <jonathan.b@ExcelEngineer.com>; Ned Derksen <ned.d@ExcelEngineer.com>
Subject: RE: 306 W. Washington Street-Electric Transformer Occupation of Alley

Matt,

Yes that is correct!

Paula

From: Matt Mrochinski <matt.m@ExcelEngineer.com>
Sent: Wednesday, June 19, 2019 7:56 AM
To: Paula Vandehey <Paula.Vandehey@Appleton.org>; Kurt Craanen <Kurt.Craanen@Appleton.org>
Cc: Jonathan Brinkley <jonathan.b@ExcelEngineer.com>; Ned Derksen <ned.d@ExcelEngineer.com>
Subject: RE: 306 W. Washington Street-Electric Transformer Occupation of Alley

Thank you Paula,

Google Maps



Imagery ©2019 Google, Map data ©2019 20 ft

Hide all



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

MEMO

TO: Municipal Services Committee

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

DATE: July 9, 2019

SUBJECT: **Red-head Meter Parking**

Representatives from Downtown recently attended a Municipal Services Committee meeting to share some on-going challenges they are having with parking. One of those challenges is with employees with handicap permits parking meters full for the entire day. This creates a challenge for the businesses that rely on turn-over for convenient parking for their customers.

Wisconsin State Statute 346.50(2a) states "*...a physically disabled person is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with **one-half hour or more limitation...***"

In order to address this issue, we are recommending that the existing 30-minute red-head meters be converted to 25-minute meters. This will at least ensure that the red-head meters are providing turn-over. In addition, we are proposing to convert seven (7) existing 2-hour meters to 25-minute red-head meters on the north side of College Avenue between Appleton Street and Oneida Street.

TRAFFIC AND VEHICLES

Sec. 19-110. Metered on-street parking.

The time limits for operation of parking meters are as authorized by the Common Council and as specified on individual meters.

(a) *Red head meters – Fee.* A rate of fifty cents (\$0.50) for ~~thirty (30)~~ minutes shall apply to all spaces marked with red head meters in the Central Business District.

(+twentyfive (25))

(b) *Non-red head meters – Fee.*

1. For all on-street meters north of Washington Street, a rate of twenty-five cents (\$0.25) for each hour shall apply to all spaces marked with non-red head meters.
2. All other meters shall have a rate of one dollar (\$1.00) for each hour and shall apply to all spaces marked with non-red head meters.

(Code 1965, §10.07(10)(b); Ord 107-91, §1, 10-16-91; Ord 115-91, §1, 11-6-91; Ord 147-93, §1, 9-15-93; Ord 148-93, §1, 9-15-93; 137-95, §1, 12-20-95; Ord 23-04, §1, 2-10-04; Ord 104-10, §1, 1-1-11; Ord 64-13, §1, 8-13-13; Ord 54-15, §1, 6-23-15; Ord 113-18, §1, 1-1-19)

Sec. 19-111. Metered off-street parking.

The time limits for operation of parking meters are as authorized by the Common Council and as specified on individual meters.

(a) *Library lot fees.* A rate of one dollar (\$1.00) per hour shall apply to all non-red head meters in the Library lot. A rate of fifty cents (\$0.50) for ~~thirty~~ minutes shall apply to all spaces marked with red head meters in the Library lot.

(+twentyfive)

(Code 1965, §10.07(11)(a), (b); Ord 138-89, §1, 10-18-89; No. of 1-24-90; Ord 114-91, §1, 11-6-91; Ord 36-92, §2, 3-18-92; Ord 118-93, §1, 7-21-93; Ord 149-93, §1, 9-15-93; Ord 150-93, §1, 9-15-93; Ord 181-93, §1, 11-3-93; Ord 157-01, §1, 9-10-01; Ord 24-04, §1, 2-10-04; Ord 105-10, §1, 1-1-11; Ord 116-12, §1, 10-23-12; Ord 65-13, §1, 8-13-13; Ord 114-18, §1, 1-1-19)

Sec. 19-112. Non-metered off-street parking.

(a) The rates and regulations for non-metered off-street parking facilities owned by the City may be established by the Common Council and shall be on file in the office of the Department of Public Works.

(b) Any vehicle which has not been moved and/or is left unattended in any City-owned non-metered off-street parking facility for more than thirty (30) days shall be considered to be abandoned, and shall be dealt with pursuant to the provisions of Chapter 12, Article V of this Municipal Code.

(Code 1965, §10.07(11)(a); Ord 137-89, §1, 10-18-89; Mo. of 1-24-90; Ord 36-92, §3, 3-18-92; Ord 151-93, §1, 9-15-93; Ord 117-12, §1, 10-23-12)

Sec. 19-113. Parking permits.

(a) *Sale of permits; types.* Except as otherwise provided in this section, off-street parking permits shall be issued by the Department of Public Works. The types of permits and the cost for the different types of permits shall be on file in the Department of Public Works.

(b) – (i) Reserved.

(Code 1965, §10.07(11)(c); Ord 86-88, §(a) - (d), 8-17-88; Ord 71-89, §1(c), (d), 6-7-89; Ord 124-89, §1, 9-20-89; Ord 139-89, §1, 10-18-89; Ord 176-89, §1, 12-20-89; Ord 64-90, §1, 8-8-90; Ord 36-92, §§4 - 7, 3-18-92; Ord 4-93, §1, 1-6-93; Ord 27-93, §1, 2-17-93; Ord 119-93, §1, 7-21-93; Ord 120-93, §1, 7-21-93; Ord 152-93, §1, 9-15-93; Ord 182-93, §1, 11-3-93; Ord 118-12, §1, 10-23-12)

Sec. 19-114. Loitering in off-street parking facilities prohibited.

No person shall enter, remain in or upon, loiter, stand, sit, lie, remain or otherwise occupy any off-street parking facilities except for the purpose of motor vehicle parking and the necessary ingress and egress for parking.

(Code 1965, §10.07(11)(c)(1)(a.4))

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

Secs. 19-115 – 19-135. Reserved.

- (b) The stopping of the vehicle is necessary to avoid conflict with other traffic or to comply with traffic regulations or the directions of a traffic officer or traffic control sign or signal.
- (c) The vehicle of a public utility, as defined in s. 196.01 (5), a telecommunications carrier, as defined in s. 196.01 (8m), or a rural electric cooperative is stopped or left standing and is required for maintenance, installation, repair, construction or inspection of its facilities by the public utility or a rural electric cooperative when warning signs, flags, traffic cones, or flashing yellow lights or barricades, have been placed to warn approaching motorists of any obstruction to the traveled portion of the highway.
- (1m) In subs. (2) and (2a), the terms "municipal" and "municipally" include county.
- (2) Except as provided in sub. (3m), a motor vehicle bearing a special registration plate issued under s. 341.14 (1) to a disabled veteran or on his or her behalf is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the disabled veteran to whom or on whose behalf the special plates were issued and to qualified operators acting under the disabled veteran's express direction with the disabled veteran present.
- (2a) Except as provided in sub. (3m), a motor vehicle bearing special registration plates issued under s. 341.14 (1a), (1e), (1m), or (1q) or a motor vehicle upon which a special identification card issued under s. 343.51 is displayed or a motor vehicle registered in another jurisdiction upon which is displayed a registration plate, a card, or an emblem issued by the other jurisdiction designating the vehicle as a vehicle used by a physically disabled person is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the following:
 - (a) A person to whom plates were issued under s. 341.14 (1a).
 - (b) A qualified operator acting under the express direction of a person to whom plates were issued under s. 341.14 (1a) when such person is present.
 - (c) A person to whom plates were issued under s. 341.14 (1m) when the disabled person for whom the plates were issued is present.
 - (d) A person for whom plates were issued under s. 341.14 (1q).
 - (e) A qualified operator acting under the express direction of a person for whom plates were issued under s. 341.14 (1q) when such person is present.
 - (h) A person or organization to whom a special identification card was issued under s. 343.51.
 - (j) A qualified operator acting under the express direction of a person to whom a special identification card was issued under s. 343.51 when such person is present.
 - (k) A qualified operator of a motor vehicle registered in another jurisdiction upon which is displayed a registration plate, a card or an emblem issued by the other jurisdiction designating the vehicle as a vehicle used by a physically disabled

Google Maps 121 W College Ave



Image capture: Aug 2018 © 2019 Google

Appleton, Wisconsin

Google

Street View - Aug 2018



**NO
STOPPING
EXCEPT
COMMERCIAL TRUCKS
LOADING/UNLOADING
8AM TO 3PM MON-FRI**



**METERED PARKING
ENFORCED DURING TIMES
DISPLAYED ON METER**



“... 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, City Traffic Engineer
Date: July 8, 2019
Re: Parking restriction changes on Vulcan Street, south of North Island Street
Follow-Up to Six-Month Trial Period

The Traffic Section was contacted by a representative from Neenah Papers regarding a parking issue on Vulcan Street, adjacent to their industrial complex. Parked vehicles on Vulcan Street were making it nearly impossible for Neenah Papers to move large trucks through this area to access their site. In an effort to address this issue, they requested that parking be removed from the east side of Vulcan Street, in the area just south of the 90-degree bend in the roadway at North Island Street.

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

Upon review at the end of the trial period, it was determined the change had adequately addressed their issues. Additionally, we have received no negative feedback 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 east side of Vulcan Street from North Island Street to a point 165 feet south of North Island Street.”



"... 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, City Traffic Engineer
Date: July 8, 2019
Re: Parking changes related to the College Av/Matthias St RRFB Installation Project

A project to enhance the pedestrian crossing across College Avenue at Matthias Street was included in the 2019 budget and is currently under construction, with completion expected in early August. This memo addresses the parking restrictions that are necessary to implement this Council-approved project.

The following ordinance action is required:

1. **Create:** "Parking be prohibited on the west side of Matthias Street from College Avenue to a point 65 feet north of College Avenue."
2. **Create:** "Parking be prohibited on the east side of Matthias Street from College Avenue to a point 50 feet south of College Avenue."



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

To: Municipal Services Committee
From: Eric Lom, City Traffic Engineer
Date: July 8, 2019
Re: Parking changes related to the Richmond St/Winnebago St RRFB Installation Project

A project to enhance the pedestrian crossing across Richmond Street at Winnebago Street was included in the 2019 budget and is currently under construction, with completion expected in early August. This memo addresses the parking restrictions that are necessary to implement this Council-approved project.

The following ordinance action is required:

1. **Create:** "Parking be prohibited on the north side of Winnebago Street from Richmond Street to a point 50 feet east of Richmond Street."
2. **Create:** "Parking be prohibited on the south side of Winnebago Street from Richmond Street to a point 65 feet west of Richmond Street."



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

To: Municipal Services Committee
From: Eric Lom, City Traffic Engineer
Date: July 8, 2019
Re: Parking changes related to Evergreen Dr urbanization project (Haymeadow to W City limits)

The *Evergreen Drive Urbanization Project* (from Haymeadow Avenue to the west city limits) was included in the 2019 budget and is currently under construction, with completion expected in late summer. This memo addresses the parking restrictions that are necessary to implement this Council-approved project.

The following ordinance action is required:

1. **Create:** “Parking be prohibited on Evergreen Drive from Haymeadow Avenue to the west City limits.”



July 10, 2019

**Bridge Rating and Rehabilitation Report Updates for Olde Oneida Street Bridge -Amendment #1
Unit R-18**

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

Dear Mr. Weyenberg:

The application for bridge funding for the Olde Oneida Street Bridge over South Mill Race, Bridge P44-723 is due to WisDOT in the fall of 2019. A rehabilitation report for this bridge was previously completed in 2017. As you are aware, the eligibility for bridge funding is based on a bridge's sufficiency rating (SR). Bridges with an SR between 50 and 80 are eligible for rehabilitation, and bridges with an SR less than 50 are eligible for replacement. The current SR for the bridge is 51.5 and the bridge is therefore currently eligible for rehabilitation.

Recent inspections of the bridge, however, have noted that multiple girders are exhibiting deterioration that likely affect the bridge's load rating capacity. This reduced load capacity may in turn reduce the bridges SR below the SR 50 threshold and result in the bridge being eligible for replacement funding. It is our recommendation that an updated load rating be prepared to determine the effects of recent deterioration on the load carrying capacity of the bridge. Collins proposes to perform this load rating for a cost not to exceed \$4,400. The rating will include the submittal to WisDOT of the required load rating forms and calculations.

This amendment also includes the costs to update the 2017 rehabilitation report if it is determined that the reduced load rating does not result in the bridge being eligible for replacement. The cost to revise the Rehabilitation Report in this case is estimated to be \$2,800. Please note, this cost does not include any analysis of the bridge foundations if required by WisDOT for the Rehabilitation Report.

If you should have any questions regarding this submittal, please do not hesitate to contact me at (920) 434-9857/smiller@collinsengr.com.

Very truly yours,

COLLINS ENGINEERS, INC.

Steven J. Miller, P.E.
Regional Manager

SJM:
Enclosure

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 6-30-19 ending: 6-30-20
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of Appleton

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

Check one: ☐ Individual ☒ Limited Liability Company
☐ Partnership ☐ Corporation/Nonprofit Organization

Tandem Wine & Beer LLC

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)

Koenig, George H.

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

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Tandem Wine & Beer Business Phone Number 920-734-0068

2. Address of Premises 101 W. Edison Suite 100 Post Office & Zip Code 54914

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

101 W. Edison - Appleton, WI 54915
8700 Sq Ft Commercial Building w/ Several
Tenants, Proposed Retail + Wine Lounge
in Suite 100 - 3000 Sq Ft Space

4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No

(b) If yes, under what name was license issued? _____

Applicant's Wisconsin Seller's Permit Number <u>[REDACTED]</u>	
FEIN Number <u>[REDACTED]</u>	
TYPE OF LICENSE REQUESTED	FEE
<input checked="" type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ☐ Yes ☒ No
7. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☒ Yes ☐ No
If yes, explain.
Agent
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ☐ Yes ☒ No
9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 9.2015 of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ☐ Yes ☒ No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☒ Yes ☒ No
If yes, explain.
Current Tandem Wine & Beer
1350 W. College Appleton WI 54914
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ☒ Yes ☐ No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>George H. KOENIG</u>	Title/Member <u>Agent</u>	Date <u>5.31.19</u>
Signature <u>[Signature]</u>	Phone Number <u>[Redacted]</u>	Email Address <u>george.koenig@qmc.com</u>

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

(Submit to municipal clerk.)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of } APPLETON

Check one: ☐ Individual ☐ Limited Liability Company
☐ Partnership ☒ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number	
FEIN Number	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

SCHADT FRAUZE-MOSET

President / Member Last Name SCHADT	(First) FRANZ	(Middle Name) JOSEF	Home Address (Street, City or Post Office, & Zip Code) 1515 GREENDALE ST NEWARK NJ 07102
Vice President / Member Last Name II	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name II	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name II	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name II	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name II	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name OLD BAVARIAN Business Phone Number 920-730-0202
2. Address of Premises 527+529 W COLLEGE. Post Office & Zip Code 54911

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

RESTAURANT / BASEMENT / STORAGE

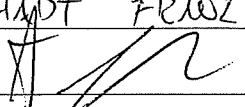
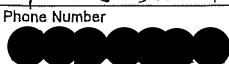
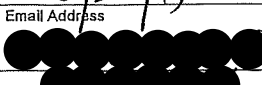
4. Legal description (omit if street address is given above): ~~174500~~

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No

(b) If yes, under what name was license issued? IL AUGOLO

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? If yes, explain ☐ Yes ☒ No
7. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? If yes, explain ☐ Yes ☒ No
9. (a) Corporate/limited liability company applicants only: Insert state WI and date _____ of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? If yes, explain ☐ Yes ☒ No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☒ Yes ☐ No
If yes, explain. OB'S BRAU HAUS (APPLETON)
OLD BALDWIN BREWING COMP. (GREEN BAY)
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ☒ Yes ☐ No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>SCHMIDT FRANK MOSEF</u>	Title/Member <u>PRESIDENT</u>	Date <u>06/20/19</u>
Signature 	Phone Number 	Email Address 

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



City of Appleton Liquor License Questionnaire

1. Name of Applicant: SCHADT FRWZ JOSEF

2. Name of Business: OLD BAVARIAN

3. Address of Business: 527+529 W. COLLEGE AVE
APPLETON WI. 54911

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes _____ No /

AND/OR been convicted of a felony? Yes _____ No /

If yes to either question, please explain in detail: _____

5. List all partners, shareholders or investors. Include full name, middle initial and date of birth. Please use additional sheets if necessary.

First name	Initial	Last name	Date of Birth
First name	Initial	Last name	Date of Birth
First name	Initial	Last name	Date of Birth
First name	Initial	Last name	Date of Birth

6. Name of person/corporation you are buying the premises and equipment from?

Name: _____

Address: _____

City, State, Zip: _____

7. What was the previous name and nature of the business operating at this location?

IL AULOCO RESTAURANT

8. Are alcohol sales an existing use in this building? Yes No
If no, When did the operation cease? months ago.

9. Are alcohol sales a new use in this building? Yes No
If yes, please contact the Community Development Department at 832-6468 to obtain a
Special Use Permit.

10. Is your primary business restaurant? Yes ✓ No

11. Seating capacity: Inside 100 Outside 0

12. Operating hours: 4PM - 10PM

13. Number of floor personnel 5 Number of door checkers 0

14. In general, state the size, design and type of the proposed establishment and the
operational details.

RESTAURANT

APPLICATION IS TO HOLD LICENSE
FOR NEW FUTURE BUSINESS

06/20/19
Date


Signature

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

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 7/1/2019 ending: 6/30/2020
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of Appleton

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

Check one: ☒ Individual ☐ Limited Liability Company
☐ Partnership ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number [REDACTED]	
FEIN Number [REDACTED]	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
Yolua Bee Xiong

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

President / Member Last Name <u>Xiong</u>	(First) <u>Yolua Bee</u>	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code) <u>706 Fair Oaks Dr. Neenah, 54956</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Pheng Hwa Daily Foods Business Phone Number 920-738-3911
2. Address of Premises 343 1/2 W. Wisconsin Ave Post Office & Zip Code 54911

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

Deli/Restaurant side of building,
kitchen, dining room and in refrigerator


4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No

(b) If yes, under what name was license issued? Pheng Hwa Daily Foods

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ☐ Yes ☒ No
7. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ☐ Yes ☒ No
9. (a) **Corporate/limited liability company applicants only:** Insert state _____ and date _____ of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ☐ Yes ☒ No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** ☐ Yes ☒ No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ☒ Yes ☐ No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) Xiong, Yung Bee	Title/Member owner	Date 7/8/2019
Signature 	Phone Number 800-888-8888	Email Address

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

**SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT
ORGANIZATION OR LIMITED LIABILITY COMPANY**

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village ☒ City of Appleton County of Outagamie

The undersigned duly authorized officer(s)/members/managers of Pheng Hua Daily Foods
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Pheng Hua Daily Foods
(trade name)

located at 343 1/2 W. Wisconsin Ave Appleton, WI 54911

appoints Yua Bee Xiong
(name of appointed agent)
706 Fair Oaks Dr. Neenah, WI 54950
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☒ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? _____

Place of residence last year 706 Fair Oaks Dr. Neenah, WI 54950

For: Pheng Hua Daily Foods
(name of corporation/organization/limited liability company)

By: [Signature]
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Yua Bee Xiong
(print/type agent's name), hereby accept this appointment as agent for the

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 7/8/2019
(signature of agent) (date)
706 Fair Oaks Dr. Neenah, WI 54950
(home address of agent)

Agent's age

Date of birth

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) (signature of proper local official) (town chair, village president, police chief)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Xiong		Youna		Bee	
Home Address (street/route)		Post Office	City	State	Zip Code
706 Fair Oaks Dr			Neenah	WI	54950
Home Phone Number		Age	Date of Birth	Place of Birth	
[REDACTED]		[REDACTED]	[REDACTED]	Laos	

The above named individual provides the following information as a person who is (check one):

☒ Applying for an alcohol beverage license as an **individual**.

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☐ _____ of _____
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

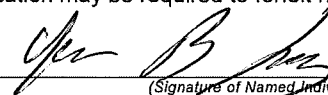
The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? _____
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☒ Yes ☐ No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
[REDACTED]
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, describe status of charges pending. _____
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No
If yes, identify. _____
(Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No
If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Presto Products	670 N. PERKINS ST.	1987	2003
Employer's Name	Employer's Address	Employed From	To
General Electric		2004	2009

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.


 (Signature of Named Individual)

Operator's Licenses for 7/17/19 S & L

1. Shannon Alcala	918 E Evergreen Dr Kaukauna 54130
2. Andrea Alvarez	122 W Bell St #101 Neenah 54956
3. Kanyon Beringer	1400 Linda Ave Menasha 54952
4. Joshua Berman	144 Gregor Ct Appleton 54915
5. Chelsea Bisceglia	1220 W Elsie St Appleton 54914
6. Nicole Bohn	211 ½ S Walnut St Appleton 54911
7. Emily Bradley	327 ½ E Franklin Ave Neenah 54956
8. Patricia Breen	603 N Summit St Appleton 54914
9. Lisa Bright	209 ½ N Fair St Appleton 54911
10. Dianna Bunnell	2018 N Ullman St Appleton 54911
11. Nicole Costley	1366 Racine Rd Menasha 54952
12. Kenton Craddock	105 Valerie Dr Appleton 54915
13. Ashley DeBroux	218 W Pacific St Appleton 54911
14. Darrell DeRidder	1120 N Union St Appleton 54911
15. Sarah Ebertsch	501 S Kensington Dr Appleton 54915
16. Sandra Emerich	2165 S Fountain Ave Appleton 54915
17. Amber Enno	1020 W Spring St Appleton 54914
18. Ashley Evers	239 S Roger St Kimberly 54136
19. Cassidy Evers	742 W Prospect Ave Appleton 54914
20. Jaclyn Ewald	1505 Waterford Dr Green Bay 54313
21. Gail Fernandez	96 Mathewson St Menasha 54952
22. Jordan Fisher	131 E Meadow Grove Blvd Appleton 54915
23. Stephanie Ford	218 E South Island St Appleton 54915
24. Brianne Getchius	208 E Circle St Appleton 54911
25. Ann Gilboa	76 Northbreeze Dr Appleton 54911
26. Sandeep Gill	21 Diane Ln Appleton 54915
27. Lisha Goss	W7060 Firelane #3 Menasha 54952
28. Nicholl Green	W3125 Glenbrooke Ct Appleton 54915
29. Patrick Griffith	1225 ½ W Lorain St Appleton 54914
30. Jessica Grim	400 N Richmond St #511 Appleton 54911
31. Frances Griswold	N7783 State Rd Black Creek 54106
32. Kevin Grosskreutz	1115 N Clark St Appleton 54911
33. Raena Hamblin	W8724 Pheasant Run Hortonville 54944
34. Taylor Hansen	1170 Christopher Dr #13 Neenah 54956
35. Andrea Heesaker	3313 Logan Dr #2 Oshkosh 54901
36. Chelse Helms	1701 S Memorial Dr Appleton 54915
37. Philip Hoffland	2240 E Plank Rd Appleton 54915
38. Grace Huelsbeck	1208 S Memorial Dr Appleton 54914
39. Aubrey Immel	822 Smits St De Pere 54115
40. John Iversen	1701 S Matthias St Appleton 54915
41. Tyler Kempf	3167 E Ladybug Ln Appleton 54915
42. Nicholas Kolz	4012 Towne Lakes Cir #8109 Appleton 54913
43. Sydney Kosteman	744 W Prospect Ave Appleton 54914
44. Ray Kramer	N3462 County Rd E Freedom 54913
45. Coty Kropidlowski	1468 Linda Ave Menasha 54952

46. Jennifer Krull
47. Carmen LaPean
48. Janey Lee
49. Yeng Lee
50. Brooklyn Magdanz
51. Lucia Martinez
52. Cheyenne McNiesh
53. Shannon Meyer
54. Kassie Mickelson
55. Thomas Mischka
56. Amanda Nilsson
57. Trista Nickerson
58. Kelly Obiala
59. Michelle Oettinger
60. Debbie Otte
61. Susan Peters
62. Anna Phelps
63. Veronica Pritchard
64. Erin Proctor
65. Julie Rademaker
66. Fnu Rajkishan
67. Raul B Ramirez
68. Matthew Ricks
69. Amy Ristow
70. Keith Ruff
71. Vanessa Schoen
72. Michele Schroeder
73. Trista Siegel
74. Conner Stilp
75. Stacy Streck
76. Anamarie Stern
77. Puspa R. Subedi
78. Alexis Tiede
79. Colin Torrez
80. Melinda Vanderpas
81. Allan VanderVelden
82. Mai Vang
83. Debra Walker
84. Can Wang
85. Sarah Wittig
86. Jason Wittmann
87. Erin Wong
88. Dakota Wright
89. Colin Wrubel
90. Paige Wurzer
91. Justin Yager

832 W Commercial St Appleton 54914
888 E Shady Ln #151 Neenah 54956
525 Inverary Ct Appleton 54911
415 W Sunset Ave Appleton 54911
230 E Hancock St Appleton 54911
500 W Winnebago St Appleton 54911
N583 Military Rd Sherwood 54169
144 Bessoe O'Halloran Ln Menasha 54952
1568 Linda Ave Menasha 54952
906 Millbrook Dr Neenah 54956
307 E Winnebago St Appleton 54911
135 S Buchanan St Appleton 54915
General Delivery Appleton 54911
534 W Ann St Kaukauna 54130
2525 S Jason Dr Appleton 54915
59 Ramlen Ct Appleton 54915
2222 N Bay St Appleton 54911
1204 ½ S Jefferson St Appleton 54915
500 Eagle Flats pkwy #101 Appleton 54915
103 E 9th St Kaukauna 54130
W7130 Puls Farm Pl Greenville 54942
721 N Appleton St A Appleton 54911
742 W Prospect Ave Appleton 54914
1020 W Franklin St Appleton 54914
W6878 Goldfinch Ct Greenville 54942
520 N NewFranken Rd New Franken 54229
N1690 Holland Rd Appleton 54913
1821 S Schaefer St C Appleton 54915
1788 Sanctuary Ct #89 Appleton 54914
1603 S Lee St Appleton 54915
N3592 Scenic Ln Freedom 54913
3045 Winnipeg St Menasha 54952
3401 W Heritage Ave Appleton 54914
320 1/ E Harris St Appleton 54911
3419 S Kernan Ave Appleton 54915
1025 W Hawes Ave Appleton 54914
412 W 9th St Kaukauna 54130
367 Winnebago Ct Menasha 54952
4025 E Lorna Ln Appleton 54915
430 E Carrington Ln Appleton 54913
1867 Justin Dr Omro 54963
617 E Goodall St Appleton 54915
1235 Evans St Oshkosh 54901
100 E Mitchell Ave #12 Appleton 54915
W3077 Mathison Rd Freedom 54913
1444 Maricopa Dr Oshkosh 549404



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: June 25, 2019

Common Council Public Hearing Meeting Date: July 24, 2019 (Public Hearing on Rezoning)

Item: Rezoning #6-19 – Cypress Annexation (N. Haymeadow Avenue)

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner/Applicant: Cypress Homes, Inc. c/o Mike Blank

Applicant: City of Appleton Plan Commission

Address/Parcel: N. Haymeadow Avenue (Tax Id #31-6-5802-00, formerly Tax Id #101039315 in the Town of Grand Chute). The subject property is located south of West Edgewood Drive and west of North Haymeadow Avenue.

Petitioner's Request: To assign a permanent zoning classification to newly annexed property, pursuant to Section 23-65(e) of the Municipal Code, from temporary AG Agricultural District to R-1B Single-Family District. The request is being made to facilitate future single-family residential development.

BACKGROUND

On June 19, 2019, Common Council adopted Ordinance 68-19, to annex the subject area from the Town of Grand Chute to the City of Appleton. The subject property was officially annexed to the City on June 25, 2019 at 12:01 a.m.

The subject property was annexed to the City with a Temporary AG Agricultural District zoning classification. During review of the Cypress Annexation, the Plan Commission initiated the process to rezone the subject property from Temporary AG Agricultural District to R-1B Single-Family District at the June 11, 2019 meeting.

STAFF ANALYSIS

Existing Site Conditions: The subject parcel is approximately 5.5180 acres in size and located south of West Edgewood Drive and west of North Haymeadow Avenue. The subject property connects to the City of Appleton at Clearfield Lane, Stratford Lane and Wentworth Lane right-of-way, which are each identified as local streets on the City's Arterial/Collector Plan. The subject property also connects via officially mapped extension of North Haymeadow Avenue. North Haymeadow Avenue is classified as a collector street on the City's Arterial/Collector Plan. Currently, the subject property consists of vacant, undeveloped land.

Surrounding Zoning Classification and Land Uses:

North: Town of Grand Chute. The adjacent land use to the north is currently residential.

South: Town of Grand Chute. The adjacent land use to the south is currently agriculture.

East: R-1A Single Family Residential. The adjacent land use to the east is currently single-family residential.

West: Town of Grand Chute. The adjacent land use to the west is currently single-family residential.

Proposed Zoning Classification: The purpose of the R-1B Single-Family District is to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses. The development standards for the R-1B District are listed below:

- 1) **Minimum lot area:** 6,000 square feet.
- 2) **Maximum lot coverage:** 50%.
- 3) **Minimum lot width:** 50 feet.
- 4) **Minimum front yard:** 20 feet (25 feet on arterial street).
- 5) **Minimum rear yard:** 25 feet.
- 6) **Minimum side yard:** 6 feet.
- 7) **Maximum building height:** 35 feet.

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

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

In this case, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District. A rezoning initiated directly by Plan Commission is processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council. If approved, any future development would need to conform to the R-1B District zoning regulations listed above and other sections of the Zoning Ordinance.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future One and Two-Family Residential uses. The proposed R-1B Single-Family

District zoning classification is consistent with the Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

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

Goal 3 – Housing Quality, Variety, and Affordability

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.

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

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 goals and objectives stated above and the Future Land Use Map, which identifies this area for future one and two family residential land uses.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map, is inadequate to meet the demands for such development.
 3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:

1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *City sanitary sewer and water infrastructure is already installed within adjacent right-of-ways. The improvements needed to connect to City utilities will be reviewed at the time of a development proposal being submitted.*
2. The effect of the proposed rezoning on surrounding uses. *Single-family residential uses are already located to the north, west and east of the subject site. Property to the south of the subject area primarily consists of vacant, undeveloped land. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding neighborhood.*

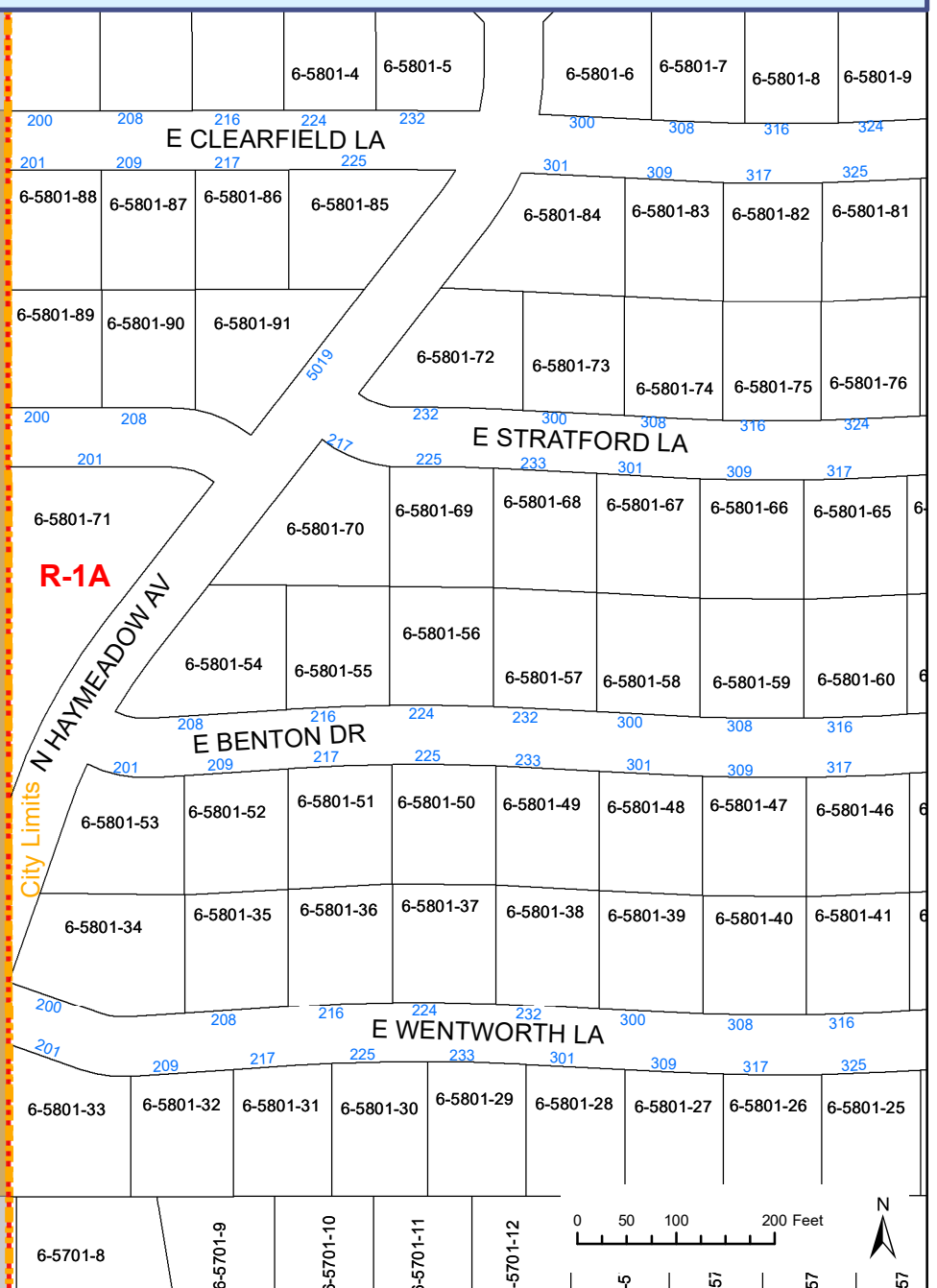
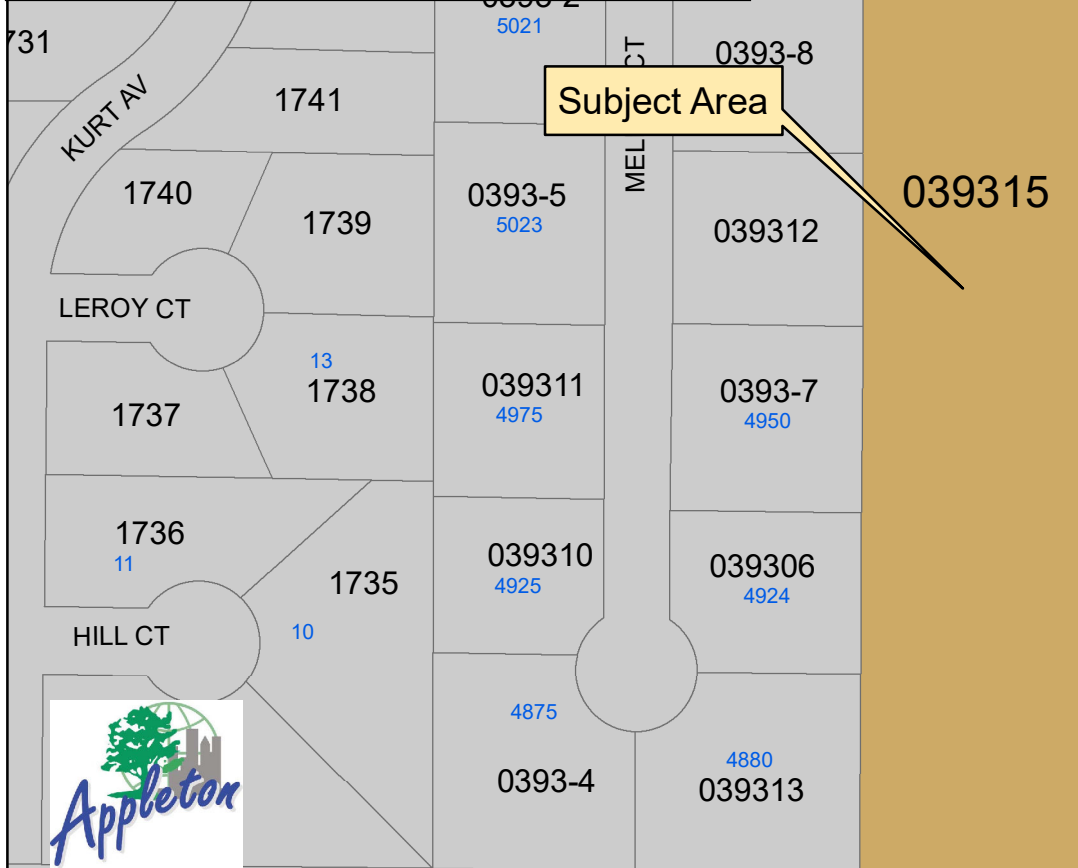
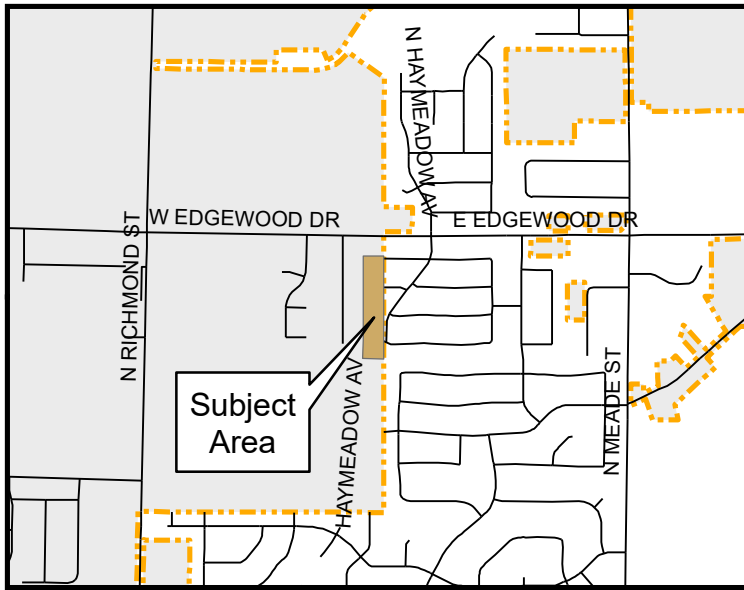
Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Technical Review Group (TRG) Report: This item was discussed at the May 21, 2019 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #6-19 to rezone the subject parcel located on N. Haymeadow Avenue (Tax Id #31-6-5802-00, formerly Tax Id #101039315 in the Town of Grand Chute) from temporary AG Agricultural District to R-1B Single-Family District, as shown on the attached map, **BE APPROVED**.

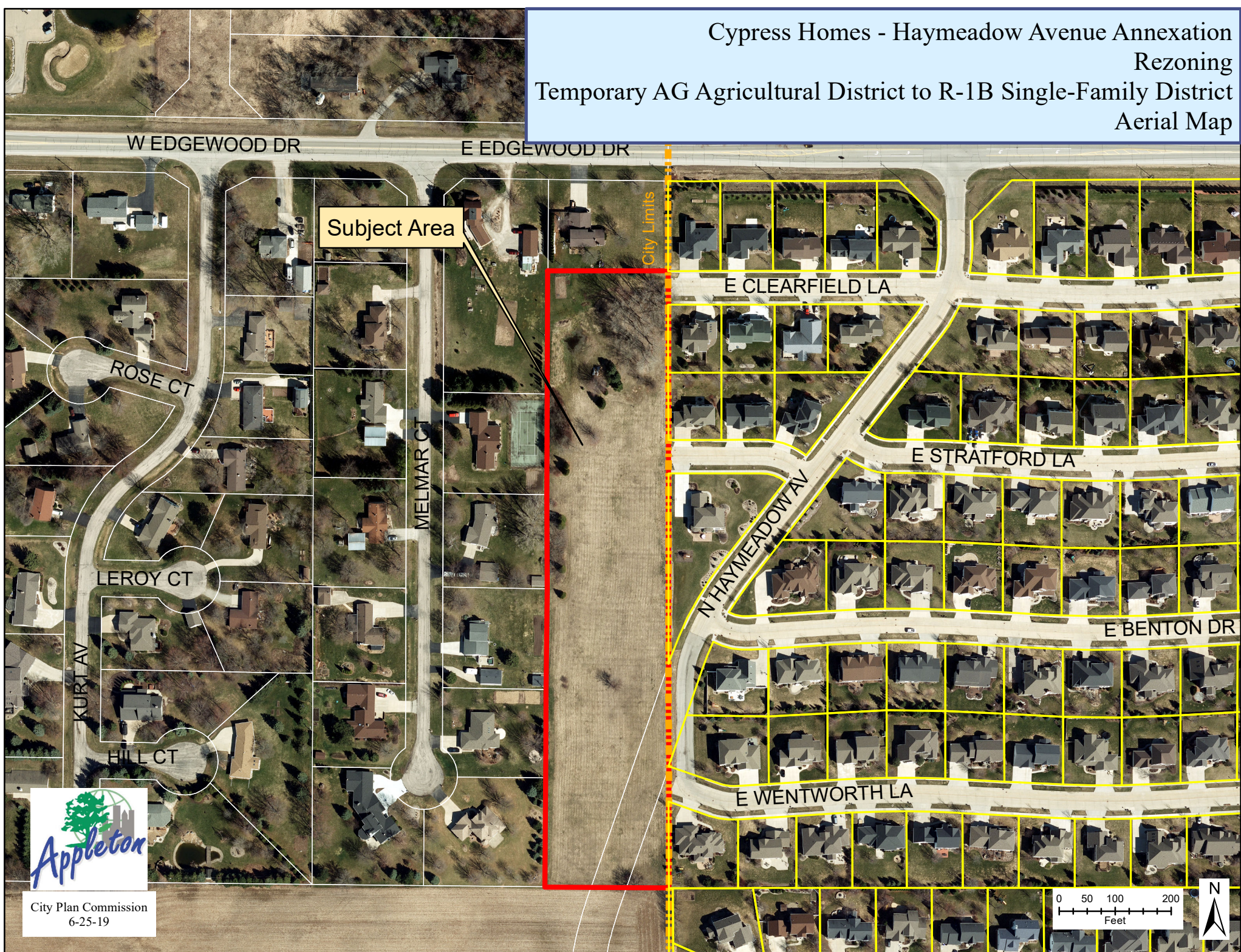
Cypress Homes - Haymeadow Avenue Annexation Rezoning Temporary AG Agricultural District to R-1B Single-Family District Zoning Map



City Plan Commission
6-25-19



Cypress Homes - Haymeadow Avenue Annexation
Rezoning
Temporary AG Agricultural District to R-1B Single-Family District
Aerial Map



CYPRESS HOMES

Tax Id #31-6-5802-00 (formerly Tax Id #101039315 in the Town of Grand Chute)

Lot 2 of Certified Survey Map No. 7013 filed in Volume 42 of Certified Survey Maps on Page 7013 as Document No. 2047169, located in and being a part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 11, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Public Hearing Date: July 9, 2019

Municipal Services Committee Meeting Date: July 15, 2019

Common Council Meeting Date – Initial Resolution: July 24, 2019

Common Council Meeting Date – Public Hearing (40-day waiting period): September 4, 2019

Item: Street discontinuance to vacate a portion of alley, west of Oneida Street and south of College Avenue

Case Manager: David Kress

GENERAL INFORMATION

Owner/Applicant: City of Appleton / Tom Kromm, Department of Public Works

Location: Portion of alley, generally located west of Oneida Street and south of College Avenue

Owner/Applicant's Request: The applicant is requesting a street discontinuance to vacate a portion of alley west of South Oneida Street.

BACKGROUND

The subject area is referenced in a Development Agreement that was approved by Common Council on December 19, 2017 for the redevelopment of the Zuelke Building into a mixed-use property with residential, office, retail, and lower level parking. The Zuelke Building, located at 103 West College Avenue (parcel #31-2-0070-00), is immediately adjacent to the subject area. The need to work toward a mutually agreeable means of lower level access to parcel #31-2-0070-00 was anticipated in Section G of the Development Agreement.

STAFF ANALYSIS

Title to Vacated Alley: When vacated, the land reverts to its original source, which typically includes the parcels located adjacent to the proposed vacation area. In this case, title to the alley being vacated will belong to the adjoining property owner to the north. The adjoining property owner will acquire, in its entirety, the vacated right-of-way totaling approximately 1,209 square feet, as shown on the attached map.

Existing Public Utilities: The City will retain an easement for all existing utilities and any future utilities deemed necessary within the entire length and width of the vacated right-of-way.

Alley Right-of-Way Width: This portion of alley is approximately 20 feet wide.

Street Classification: This portion of alley right-of-way is not identified on the City's Arterial/Collector Plan Map.

Street Vacation – Alley west of Oneida Street

July 9, 2019

Page 2

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally commercial and institutional in nature.

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

South: CBD Central Business District. The adjacent land use to the south is currently Houdini Plaza.

East: CBD Central Business District. Existing Oneida Street right-of-way is immediately east of the subject area.

West: CBD Central Business District. Unimproved alley right-of-way is immediately west of the subject area.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future Central Business District designation. The proposed street vacation is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

OBJECTIVE 6.7 Transportation:

Maintain a balanced parking program which provides an adequate supply of parking without undermining economic development and neighborhood development efforts.

Policy 6.7.4 Encourage underground and structured parking, where feasible, as future development occurs.

Chapter 14 Downtown Plan, Initiative 3 Neighborhood and Residential Development:

Strategy 3.1.E.5 – Continue to encourage adaptive reuse and redevelopment to increase residential density. Opportunities include the Zuelke Building and former Thompson Center block.

Technical Review Group (TRG) Report: This item was discussed at the October 23, 2018 and June 18, 2019 Technical Review Group meetings. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the discontinuance of a portion of alley public right-of-way, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and the adoption of the Initial Resolution, **BE APPROVED**.



Alley West of Oneida Street
Street Vacation
Zoning Map

2-0290-1

2-0287

10

100

W COLLEGE AV

E COLLEGE AV

121

111-13

109

107

101-05

101

103

107

109

111

2-0065

2-0066

0-0069

2-0069

2-0070

2-0038

2-0039

2-0040

2-0041

2-0042

CBD

2-0067

Area to be Vacated

121

SONEIDA ST

SOLIDERS SQUARE

2-0072

2-0052

120

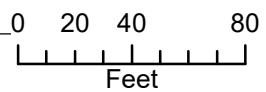
100

W LAWRENCE ST

2-0142

SONEIDA ST

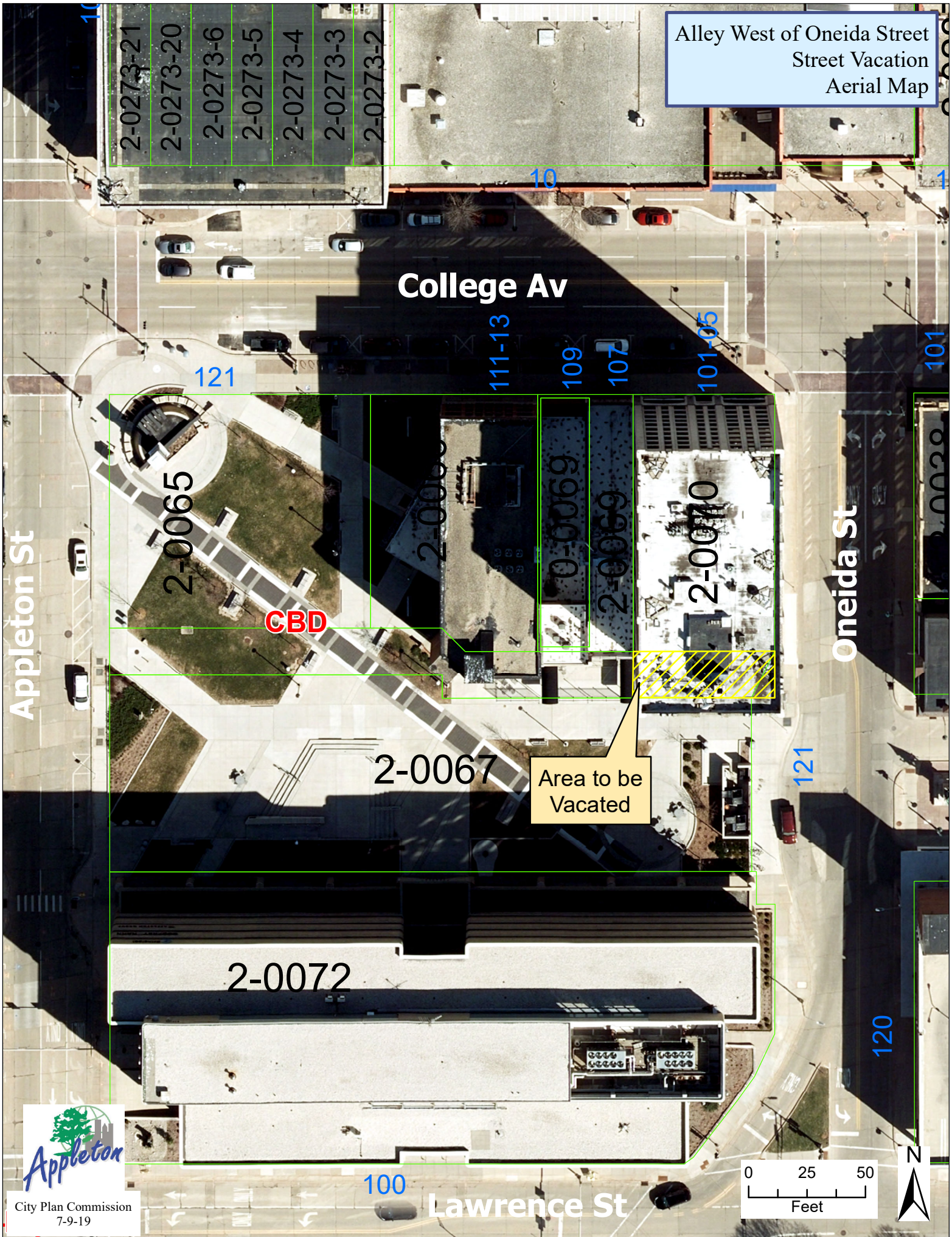
PD/R-3



City Plan Commission
7-9-19



Alley West of Oneida Street
Street Vacation
Aerial Map



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of the alley west of Oneida Street and south of College Avenue, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of this alley, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION:

All of the East 60.48 feet of a 20 foot wide Alley, being a part of Lot Three (3), Block 5, Appleton Plat (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the SE ¼ of the SW ¼ of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 1,209 square feet of land m/l and being more fully described by:

Commencing at the Northeast corner said Lot 3;

Thence South 00°02'58" East 110.00 feet along the West line of Oneida Street and being coincident with the East line of said Lot 3 to the point of beginning;

Thence continue South 00°02'58" East 20.00 feet coincident with the East line of said Lot 3;

Thence South 89°59'06" West 60.48 feet coincident with the South line of said 20 foot wide Alley;

Thence North 00°02'58" West 20.00 feet to the North line of said 20 foot wide Alley;

Thence North 89°59'06" East 60.48 feet coincident with the North line of said Alley to the East line of said Lot 3 and the **point of beginning**.

See also attached Exhibit "A" for illustration.

TITLE TO VACATED LANDS

The adjoining property owner shall acquire ownership to the afore described and vacated portion of the Alley, in its entirety and with the entire vacated portion attaching to owners property, as shown on the attached Exhibit "A" Map and more specifically as follows:

The owner of that part of Lot Three (3), Block 5, Appleton Plat (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in the SE ¼ of the SW ¼ of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin and being more fully described as: The East 60.48 feet of the North 110 feet of said Lot Three (3). Said Owner abutting the portion of vacated alley shall acquire, in its entirety, the vacated right-of-way.

EASEMENTS

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for any and all existing utilities and also any future utilities deemed necessary or desirable by Grantee within the vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer, watermain, gas, electric, cable and fiber-optic within the entire length and width of the above described right of way.

It is further agreed that this easement shall be a permanent easement.

It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize and repair any and all of these utilities and their associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing or repairing of these utilities and their associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel and dirt on said property, as closely as possible, to the condition previously existing. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein. This easement includes the right to operate all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

COMMON DESCRIPTION:

Alley west of Oneida Street and south of College Avenue

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

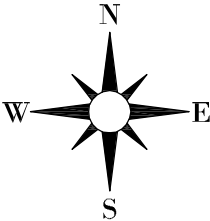
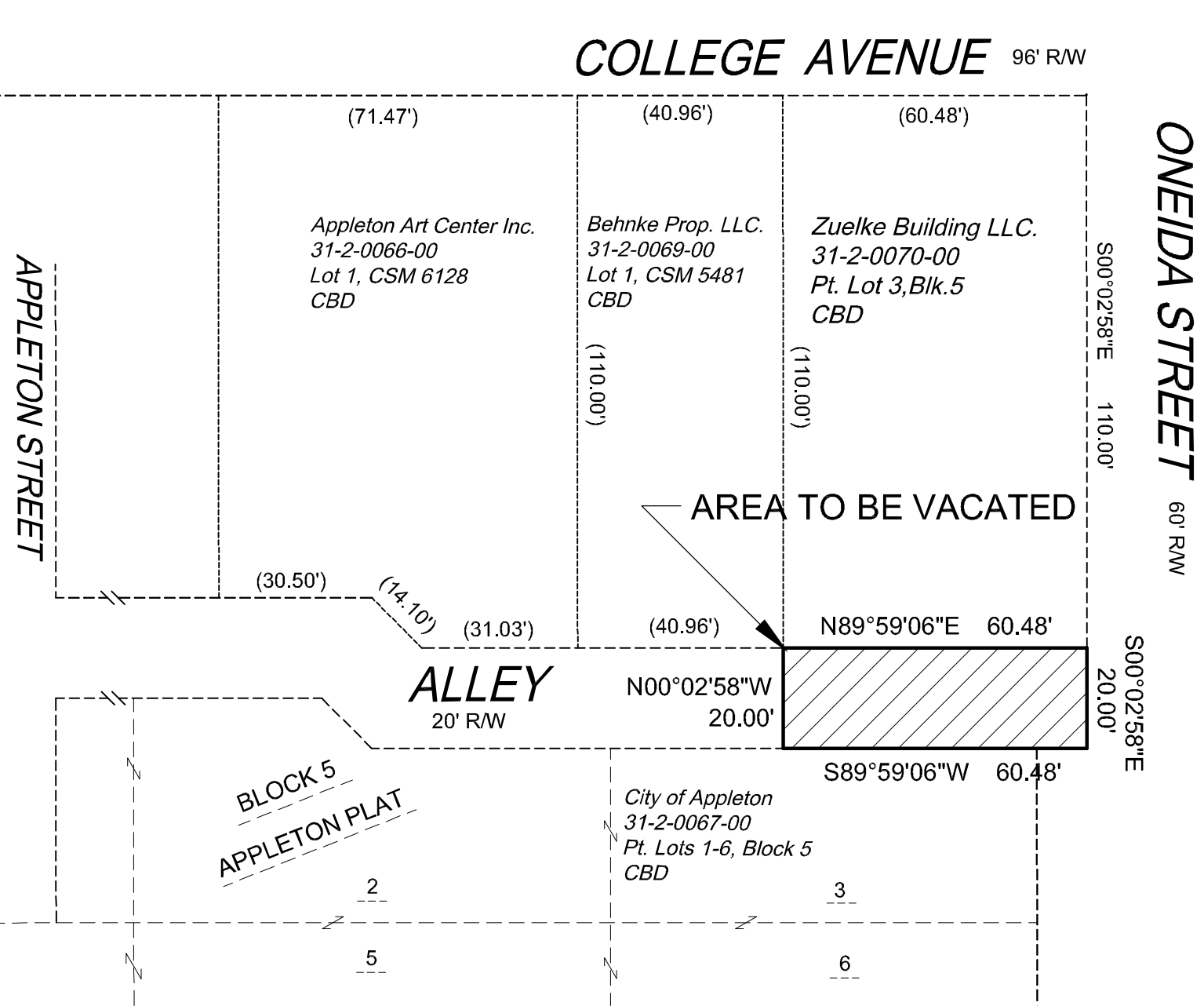
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said alley west of Oneida Street and south of College Avenue, title to the above-described alley shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

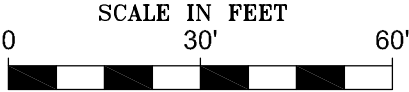
City Law: A18-0827
06/27/2019

EXHIBIT "A"

PART OF LOT 3, BLOCK 5, **APPLETON PLAT**, (AKA SECOND WARD PLAT), ALL ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON, BEING LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



BEARINGS ARE REFERENCED TO WISCONSIN
COUNTY COORDINATES, OUTAGAMIE COUNTY
H:\Acad\Vacation\2018\Alley_WO_Oneida_SO_College_1001_2018



CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KROMM



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Public Hearing Date: July 9, 2019

Municipal Services Committee Meeting Date: July 15, 2019

Common Council Meeting Date – Initial Resolution: July 24, 2019

Common Council Meeting Date – Public Hearing (40-day waiting period): September 4, 2019

Item: Street discontinuance to vacate a portion of East North Island Street

Case Manager: David Kress

GENERAL INFORMATION

Owner/Applicant: City of Appleton / Tom Kromm, Department of Public Works

Location: Portion of East North Island Street, generally located west of South Vulcan Street

Owner/Applicant's Request: The applicant is requesting a street discontinuance to vacate a portion of East North Island Street west of South Vulcan Street.

BACKGROUND

On August 20, 1997, Common Council approved the vacation of a portion of East North Island Street right-of-way located immediately west of the subject area. On February 18, 2015, Common Council approved Special Use Permit #1-15 for a paper manufacturing facility located on several parcels adjacent to the subject area, including a new facility on parcel #31-4-0273-00. Site Plans #2-15 and #34-15 for the new building, parking lot, and subsequent building addition were also approved in 2015. The subject area is now surrounded by and functions as a part of the newly built facility.

STAFF ANALYSIS

Title to Vacated Alley: When vacated, the land reverts to its original source, which in this case includes the parcels located north and south of the proposed vacation area. Consequently, title to the street being vacated will belong to the adjoining property owner. The adjoining property owner will acquire an ownership interest in the land vacated, totaling approximately 3,717 square feet. As shown on the attached map and described in the Initial Resolution, the adjoining property owner's existing lot lines will be extended until they intersect with the street centerline, and upon recording of the street vacation, the vacated area of parcel #31-4-0271-02 shall be transferred to parcel #31-4-0271-00.

Existing Public Utilities and Emergency Access: The City will retain an easement for all existing utilities and any future utilities deemed necessary within the entire length and width of the vacated right-of-way. The City will also retain an access easement for motorized maintenance and emergency response vehicles for the purpose of responding to any and all emergency situations.

Street Right-of-Way Width: This portion of East North Island Street is approximately 30 feet wide.

Street Vacation – East North Island Street
July 9, 2019
Page 2

Street Classification: The City's Arterial/Collector Plan Map identifies this portion of East North Island Street as a local street.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally industrial in nature.

North: M-2 General Industrial District. The adjacent land use to the north is currently industrial (part of the Neenah Paper facility).

South: M-2 General Industrial District. The adjacent land use to the south is currently industrial (part of the Neenah Paper facility).

East: M-2 General Industrial District. Existing East North Island Street right-of-way is immediately east of the subject area.

West: M-2 General Industrial District. The adjacent land use to the west is currently industrial (part of the Neenah Paper facility).

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future Mixed Use designation. The proposed street vacation is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

OBJECTIVE 9.5 Economic Development:

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

Policy 9.5.1 Ensure a continued adequate supply of industrial and commercial land to sustain new business development.

OBJECTIVE 13.3 Fox River Corridor Plan:

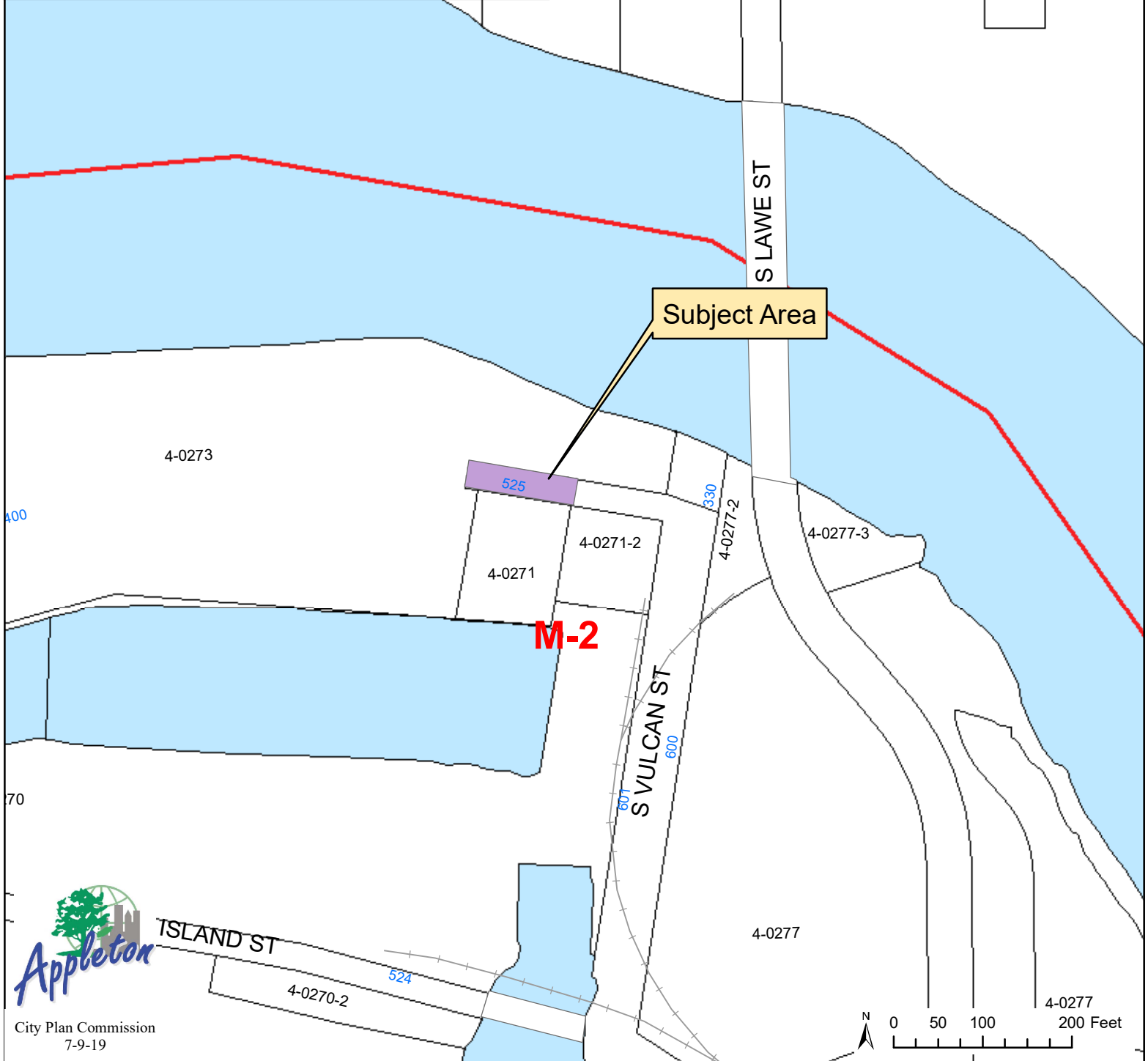
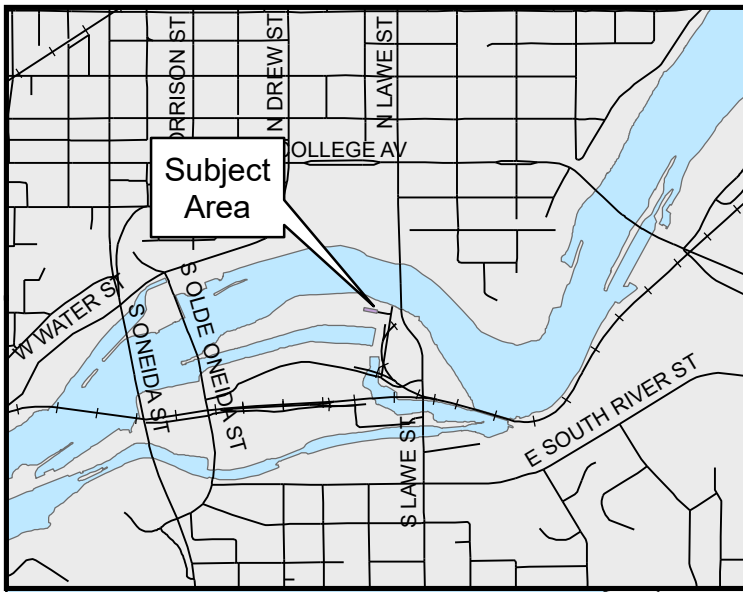
Promote an economically viable mix of existing and redeveloped uses along the riverfront.

Technical Review Group (TRG) Report: This item was discussed at the August 1, 2017 and June 18, 2019 Technical Review Group meetings. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the discontinuance of a portion of East North Island Street public right-of-way, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and the adoption of the Initial Resolution, **BE APPROVED**.

E. North Island Street Street Vacation Zoning Map



E. North Island Street
Street Vacation
Aerial Map



Subject Area

4-0273

E NORTH ISLAND ST

525

4-0271

4-0271-2

330

4-0277-2

4-0277-3

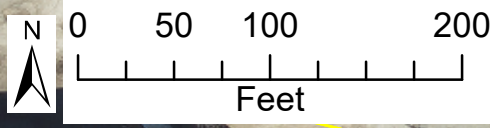
S VULCAN ST

600

601

E SOUTH ISLAND ST

4-



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of East North Island Street, west of South Vulcan Street, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of East North Island Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION

All of a strip of land 30 feet in width and 123.91 feet m/l in length along its centerline and containing 3,717 square feet of land m/l and being further described by:

All that part of North Island Street lying between Lots K and M of the GRAND CHUTE ISLAND PLAT, according to the recorded Assessors Map of the City of Appleton, being located in the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), Section 35, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin and being further described as follows:

Commencing at the Southwesterly corner of North Island Street and Vulcan Street; Thence North 80°22'38" West 100.30 feet along the Southwesterly line of North Island Street to the point of beginning; Thence continue North 80°22'38" West 123.70 feet along the Southwesterly line to the Westerly terminus of North Island Street per Resolution document No.1238146; Thence North 08°48'17" East 30.00 feet along the Westerly terminus of North Island Street to the Northeasterly line thereof; Thence South 80°22'38" East 124.13 feet along the Northeasterly line of North Island Street; Thence South 09°37'22" West 30.00 feet to the point of beginning.

See also attached Exhibit "A" for illustration.

EASEMENTS

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for any and all existing utilities and also any future utilities deemed necessary or desirable by Grantee within the vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer, watermain, gas, electric, cable and fiber- optic within the entire length and width of the above described right of way. Grantee also retains an access easement for motorized maintenance and emergency response vehicles for the purpose of responding to any and all emergency situations.

It is further agreed that this easement shall be a permanent easement. It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize and repair any and all of these utilities and their associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing or repairing of these utilities and their associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel and dirt on said property, as closely as possible, to the condition previously existing. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein. Buildings or any other type of permanent structure shall not be placed over Grantees' facilities or in, upon or over said easement area. This easement includes the right to operate any and all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

**EXISTING LOT LINE PROJECTIONS AND THE FINAL OWNERSHIP
DISTRIBUTION OF THE VACATED STREET AREA**

It is the intent of the City of Appleton that the adjoining property owner's existing lot lines be extended until they intersect with the centerline of North Island Street. The City of Appleton and the abutting landowner (Neenah Paper) have also agreed that upon the recording of the vacation in the Outagamie County Register of Deeds Office the abutting landowner of tax parcel 31-4-0271-02 (Neenah Paper) shall immediately transfer its interest in the vacated street area to the owner of tax parcel 31-4-0271-00 (Neenah Paper). The purpose of this transfer of interest in the vacated street area is to maintain frontage on a public street for tax parcel 31-4-0271-00.

COMMON DESCRIPTION:

A portion of East North Island Street west of South Vulcan Street

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

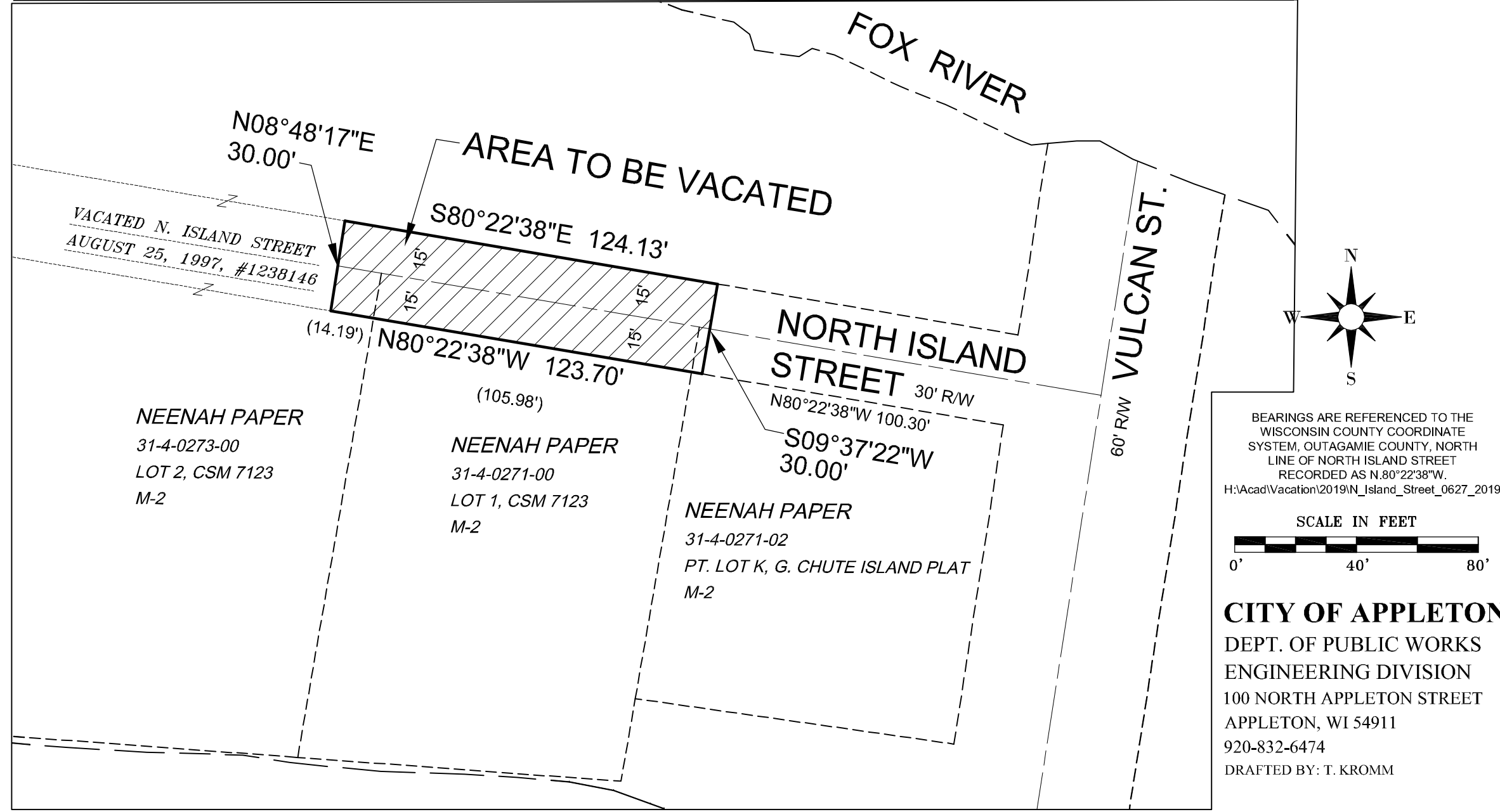
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon vacation and discontinuance of said portion of East North Island Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

City Law A19-0481
06/27/2019

STREET VACATION

PART OF NORTH ISLAND STREET LYING BETWEEN LOTS K AND M OF THE **GRAND CHUTE ISLAND PLAT**, ALL ACCORDING TO THE RECORDED ASSESSOR'S PLAT OF THE CITY OF APPLETON, LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.





REPORT TO CITY PLAN COMMISSION

Municipal Services Committee Meeting Date: July 15, 2019

Plan Commission Informal Public Hearing Date: July 9, 2019

Common Council Meeting Date – Initial Resolution: July 24, 2019

Common Council Meeting Date – Public Hearing (40-day waiting period): September 4, 2019

Item: Vacate a portion of West Water Street public right-of-way

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner/Applicant: City of Appleton / Tom Kromm, Department of Public Works

Street Name/Location: Portion of West Water Street, generally located 500' m/l northeast of Jackman Street.

Owner/Applicant's Request: The applicant is requesting to vacate a portion of West Water Street right-of-way, northeast of Jackman Street.

BACKGROUND

The proposed street vacation is being proposed to realign the Water Street right-of-way in this area in order to coincide with the street location. The Water Street pavement is not centered on the existing right-of-way and this street vacation is being done in concurrence with a right-of-way dedication on the northwesterly side of Water Street so that the street pavement is fully contained within the right-of-way. The City of Appleton owns the land adjacent to the proposed vacation and dedication.

STAFF ANALYSIS

Title to Vacated Street: When vacated, the land must revert to its original source, which in this case includes the parcels located south of the proposed vacation area. Consequently, title to the street being vacated will belong to the adjoining property owner, which is the City of Appleton. The adjoining property owner will acquire an ownership interest in the land vacated, totaling approximately 7,349 square feet, as shown on the attached map.

Existing Public Utilities: The City will retain title of the vacated land; therefore, no easements are needed for the small length of existing water main that is located within the vacated portion of right-of-way.

Street Classification: The City's Arterial/Collector Plan Map identifies this portion of West Water Street as a collector street.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally public/institutional in nature.

Street Vacation – West Water Street

July 9, 2019

Page 2

North: M-2 General Industrial District. The adjacent property to the north is currently Water Street right-of-way.

South: M-2 General Industrial District. The adjacent property to the south is currently undeveloped (future Ellen Kort Peace Park).

East: M-2 General Industrial District. The adjacent property to the east is currently undeveloped (future Ellen Kort Peace Park).

West: M-2 General Industrial District. The adjacent property to the west is currently Water Street right-of-way.

Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* Future Land Use Map identifies this area with a future Public Parks and Open Space designation. The proposed street vacation is consistent with the following excerpts from the *Comprehensive Plan 2010-2030*.

Goal 4 – Transportation

Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.

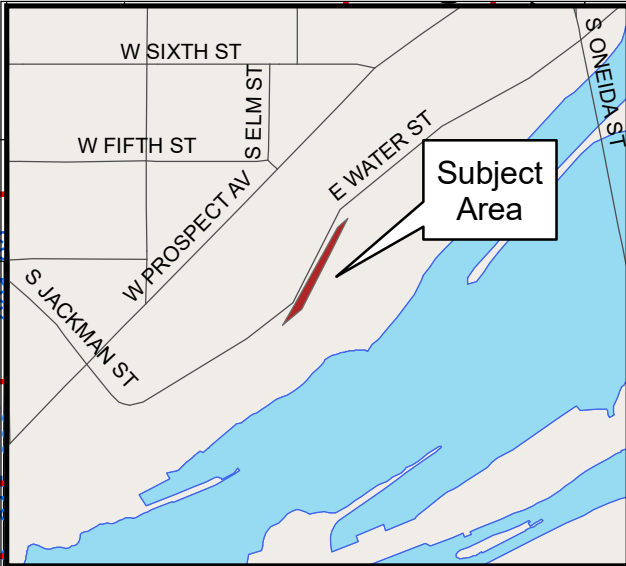
Chapter 14 – Downtown Plan

Initiative 7.4 – Plan, design, and construct improvements to Jones Park and Ellen Kort Peace Park

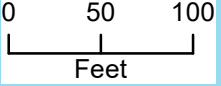
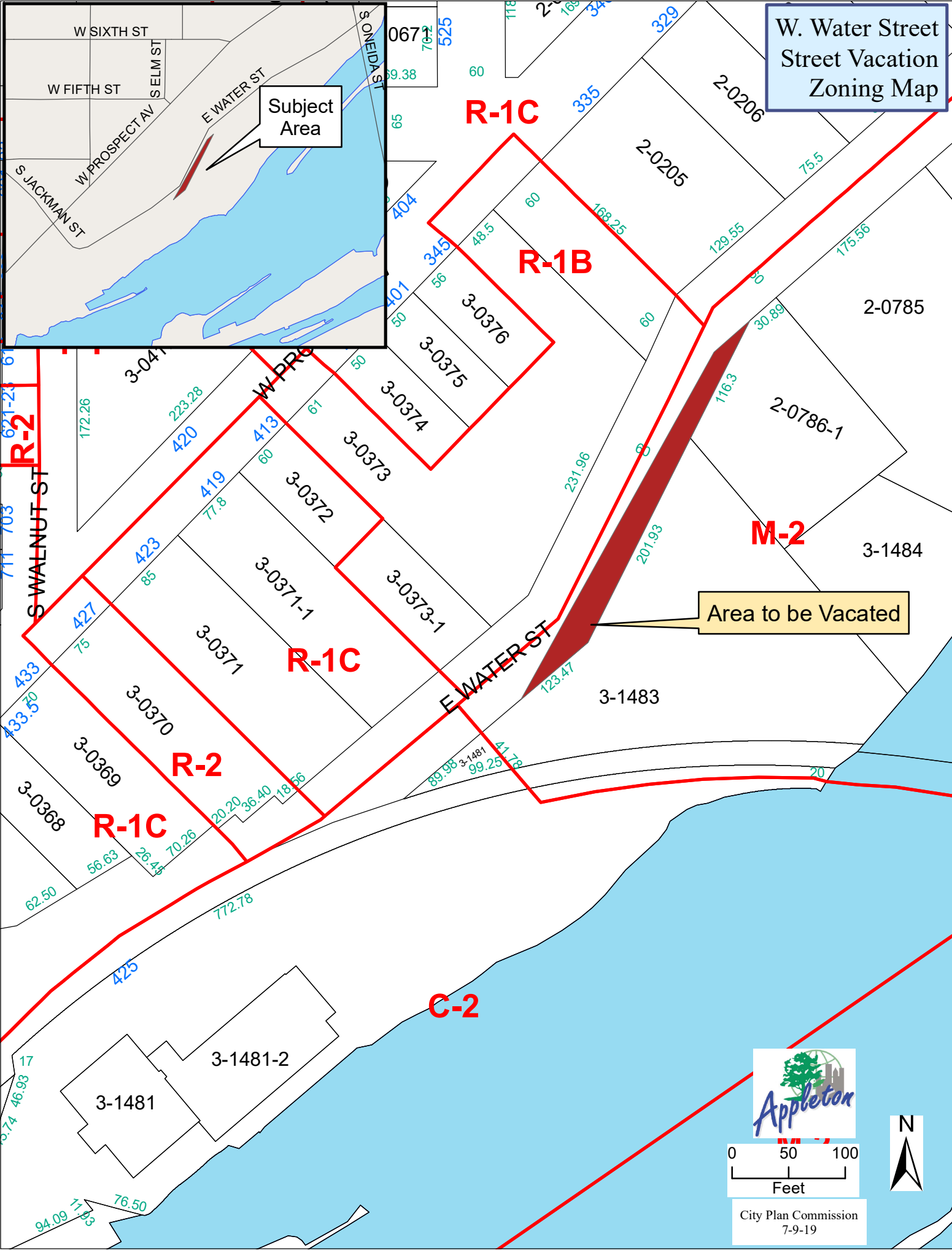
Technical Review Group (TRG) Report: This item was discussed at the May 21, 2019 and June 18, 2019 Technical Review Group meetings. No negative comments were received from participating departments. Staff discussed the need to coordinate with WE Energies regarding potential future dedication of 211 square feet of their property for Water Street right-of-way.

RECOMMENDATION

Staff recommends the discontinuance of a portion of West Water Street public right-of-way, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and the adoption of the Initial Resolution, **BE APPROVED**.



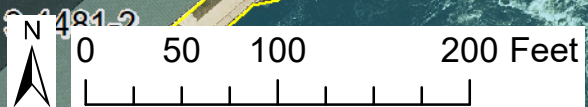
W. Water Street
Street Vacation
Zoning Map



W. Water Street
Street Vacation
Aerial Map



Area to be Vacated



INITIAL RESOLUTION

WHEREAS, the public interest requires that a portion of the southeasterly side of West Water Street located 500' m/l northeast of Jackman Street, that has not previously been vacated, be vacated and discontinued,

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that a portion of West Water Street, City of Appleton, Outagamie County, Wisconsin, as hereinafter described, is hereby vacated and discontinued pursuant to §66.1003 of the Wisconsin Statutes.

LEGAL DESCRIPTION:

All that part or Water Street lying adjacent to Lots Six (6), Seven (7), Eight (8) and Nine (9), Block G, of the **GRAND CHUTE PLAT** and all that part of Water Street lying adjacent to Block 71 of the **APPLETON PLAT**, all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2), Section Thirty-Five (35), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin, containing 7,349 square feet of land and being described by:

Commencing at the most Northerly corner of Lot 7 in said Block G and being the point of beginning; Thence South 49°41'17" West 78.07 feet along the Northwesternly line of said Block G and being coincident with the Southeasterly line of Water Street; Thence North 29°03'55" East 351.44 feet to the Southwesterly extension of a Southeasterly line of Water Street; Thence North 48°46'37" East 42.03 feet along said extension to an angle point in the Southeasterly line of Water Street; Thence South 26°40'00" West 318.22 feet along the Southeasterly line of Water Street and being coincident with the Northwesternly line of said Block 71 and Block G to the point of beginning.

COMMON DESCRIPTION:

A portion of the southeasterly side of West Water Street located 500' m/l northeast of Jackman Street

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

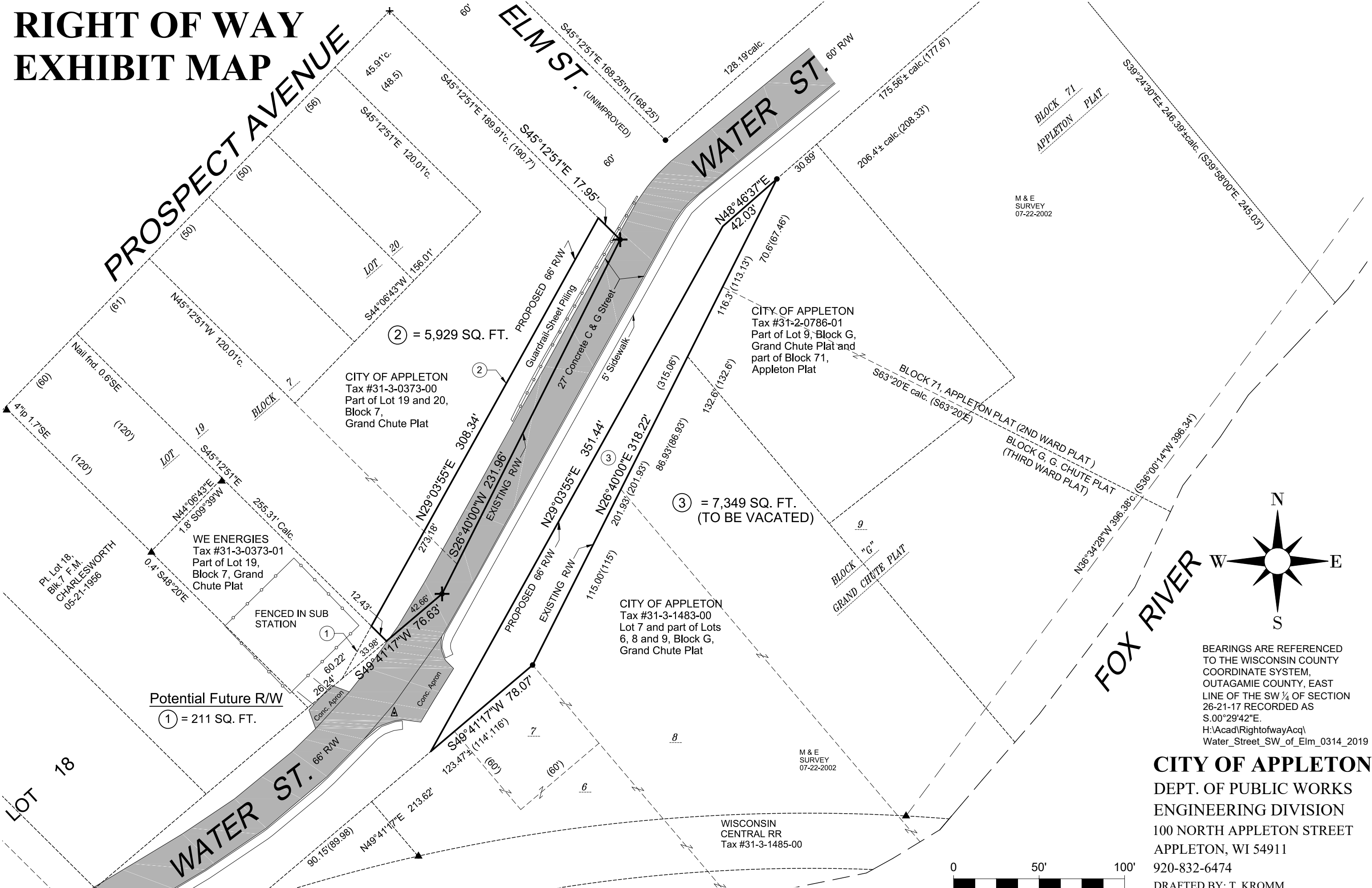
FURTHER RESOLVED, that according to §66.1005 of the Wisconsin Statutes, upon

vacation and discontinuance of said portion of West Water Street, title to the above-described street shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated as shown on the attached Exhibit Map.

Date

City Law A19-0480
06/27/2019

RIGHT OF WAY EXHIBIT MAP



BEARINGS ARE REFERENCED
TO THE WISCONSIN COUNTY
COORDINATE SYSTEM,
OUTAGAMIE COUNTY, EAST
LINE OF THE SW ¼ OF SECTION
26-21-17 RECORDED AS
S.00°29'42"E.
H:\Acad\RightofwayAcq\
Water_Street_SW_of_Elm_0314_2019

CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KROMM



MEMO

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

TO: Finance Committee and Community & Economic Development Committee
CC: Mayor Tim Hanna
FROM: Karen Harkness, Director of Community & Economic Development
DATE: June 18, 2019
RE: Fox Cities Regional Partnership Funding

The Fox Cities Regional Partnership was formed in 2012 as an affiliate of the Fox Cities Chamber of Commerce. A community assessment commissioned from Garner Economics, LLC in 2011 recommended the formation of a regional economic development organization to address the job creation needs of the region. The resulting Garner Report included an economic development strategic plan, structural, program, and budget recommendations.

Fox Cities Regional Partnership, the economic development division of the Fox Cities Chamber of Commerce, is committed to helping businesses locate and expand in the Fox Cities Region, and supported by public and private sector partners from around the region. Located in east-central Wisconsin, along the banks of the Fox River and Lake Winnebago, the Fox Cities Region is comprised of several dozen communities, the largest of which is the City of Appleton.

The City of Appleton recommends investing in the partnership with \$30,000 from each of 6 active TIF's based on percent of equalized value of each TIF.

<u>Fund</u>	<u>2018 TID Value</u>	<u>% of Total</u>	<u>Allocation Amount</u>	<u>Fund Balance 12/31/2018</u>
TID 7	\$44,650,100	17.52%	\$5,256	\$814,082
TID 8	\$50,720,000	19.90%	\$5,971	(\$166,598)
TID 9	\$22,337,500	8.76%	\$2,629	\$196,937
TID 10	\$24,196,200	9.49%	\$2,848	\$91,772
TID 11	\$90,259,800	35.42%	\$10,625	(\$419,132)
TID 12	<u>\$22,689,200</u>	<u>8.90%</u>	<u>\$2,671</u>	<u>(\$8,283)</u>
Total	<u><u>\$254,852,800</u></u>	<u><u>100.00%</u></u>	<u><u>\$30,000</u></u>	



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

**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

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

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 7/10/2019

RE: Action: Request to utilize library funding allocated in the 2019 Downtown Development Capital Improvement Plan to make security enhancements to the current library. The enhancements are estimated to not exceed a cost of \$175,000.

The 2019 Capital Improvement Plan (CIP) includes \$5,000,000 for planning for the library. While the planning has been paused as various details are finalized for the various developments, the current Library continues to operate and needs improvements. Many improvements have been deferred as it was anticipated that a new Library would be constructed soon. Based on the information we know today, it appears it will be several years to complete agreements, design and construction before a new Library would be completed.

Due to increased security concerns, we initiated a security analysis of the current library which included the Appleton Police Department, Milwaukee Library Security Manager, library staff and myself. In addition, we have reached out to an architect and vendors to learn more about current solutions to areas we have determined are in need of improvement.

Based on the analysis, upgrades identified included improving egress from two secluded areas, upgrading door alarms/auto-locks, adding additional access control to employee areas, increasing camera coverage and improved communication systems. It is important to note that some of the upgrades would be able to be transferred to a new Library.

We request to move forward with these security upgrades immediately versus deferring to the 2020 Capital Improvement Plan.

Please contact me at 832-5572 or at dean.gazza@appleton.org with any questions.

CITY OF APPLETON
Department of Public Works
MEMORANDUM

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

SUBJECT: Award of Contract

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

Unit BB-19 Sanitary Sewer Construction - Edgewood Drive - French Road to Lightning Drive

Be awarded to:

Name: Kruczek Construction, Inc.

Address: 3636 Kewaunee Road

Green Bay, WI 54311

In the amount of : \$479,000.00

With a 10 % contingency of : \$47,900.00

For a project total not to exceed : \$526,900.00

**** OR ****

In an amount Not To Exceed : _____

Budget: \$548,000.00

Estimate: \$514,700.00

Committee Date: 07/15/19

Council Date: 07/24/19

SANITARY SEWER - EDGEWOOD DR, FRENCH RD TO LIGHTNING DR

Unit BB-19

15-Jul-19

ITEM	DESCRIPTION	Quantity	Units	Kruczek Construction, Inc.		Dorner, Inc.		PTS Contractors, Inc.	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1.	Furnish & Install 30" Steel Casing	60	lin.ft.	\$520.00	\$31,200.00	\$660.00	\$39,600.00	\$695.00	\$41,700.00
2.	Furnish & Install 18" Sanitary Sewer	2,215	lin.ft.	\$102.00	\$225,930.00	\$250.00	\$553,750.00	\$170.00	\$376,550.00
3.	Furnish & Install 15" Sanitary Sewer	1,050	lin.ft.	\$100.00	\$105,000.00	\$200.00	\$210,000.00	\$158.00	\$165,900.00
4.	Furnish & Install Sanitary Manhole	154	vert.ft.	\$245.00	\$37,730.00	\$375.00	\$57,750.00	\$285.00	\$43,890.00
5.	Furnish & Install Sanitary Manhole Casting	10	ea.	\$875.00	\$8,750.00	\$500.00	\$5,000.00	\$1,120.00	\$11,200.00
6.	Furnish & Install Extra Stone Bedding	200	ton	\$10.00	\$2,000.00	\$14.40	\$2,880.00	\$11.50	\$2,300.00
7.	Furnish & Maintain Temporary Traffic Control	1	lump sum	\$48,200.00	\$48,200.00	\$52,500.00	\$52,500.00	\$46,800.00	\$46,800.00
8.	Furnish & Paint Pavement Marking - Center line Yellow (4")	4930	lin.ft.	\$1.00	\$4,930.00	\$0.85	\$4,190.50	\$0.80	\$3,944.00
9.	Furnish & Paint Pavement Marking - Edgeline White (4")	5950	lin.ft.	\$1.00	\$5,950.00	\$0.85	\$5,057.50	\$0.80	\$4,760.00
10.	Furnish & Paint Pavement Marking - Channelization line White (8")	625	lin.ft.	\$2.40	\$1,500.00	\$2.35	\$1,468.75	\$2.20	\$1,375.00
11.	Furnish & Install Silt Fence	2,855	lin.ft.	\$2.00	\$5,710.00	\$2.25	\$6,423.75	\$2.00	\$5,710.00
12.	Furnish & Install 20" dia. Sediment Log	105	lin.ft.	\$20.00	\$2,100.00	\$20.00	\$2,100.00	\$19.00	\$1,995.00
				\$479,000.00		\$940,720.50		\$706,124.00	

CONTRACT AMENDMENT AND CHANGE ORDER

Change Order No. _____

One _____

Date _____

07/11/19

Contract No. 77-19 for the following public work : T-19 Kernan Avenue / E. South River Street Storm Sewer Reconstruction

between Dorner Inc. and the City of Appleton dated TBD is hereby changed in the following particular wit:

Item No.	Account No.	Current Contract Amount	Current Contingency	C.O. Amount (+/-)	Contingency (+/-)	New Contract Total	New Contingency Total
1	5230.6809.4	\$854,655.00	\$50,000.00	\$121,840.50	\$20,000.00	\$976,495.50	\$70,000.00
2						\$0.00	\$0.00
3						\$0.00	\$0.00
4						\$0.00	\$0.00
5						\$0.00	\$0.00
6						\$0.00	\$0.00
7						\$0.00	\$0.00
8						\$0.00	\$0.00
9						\$0.00	\$0.00
10						\$0.00	\$0.00
Total		\$854,655.00	\$50,000.00	\$121,840.50	\$20,000.00	\$976,495.50	\$70,000.00

Reason for Change:

The additional funding is to complete permanent concrete surface restoration in lieu of temporary asphalt in 2019. This will avoid disrupting the neighborhood again in 2020. It will also eliminate the additional cost of a temporary asphalt surface prior to installing the permanent concrete the following year.

The Contract Time will be (unchanged) by this Change Order:

_____ 0 _____ Days

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

_____ 90 _____

Finance Committee Agenda Date: 07/15/19

Date approved by Council: _____

KERNAN AVE / E SOUTH RIVER ST
STORM SEWER CONSTRUCTION

ESTIMATE

CONCRETE PAVEMENT RESTORATION

<u>Item</u>	<u>Description</u>	<u>Qty./</u>	<u>Unit</u>	<u>Unit Price/\$</u>	<u>Total/\$</u>
1.	Furnish & Install 7" Plain Concrete Pavement	1,800.00	SY	\$59.41	\$106,938.00
2.	Concrete Pavement Removal	250.00	SY	\$0.01	\$2.50
3.	Adjust Storm Sewer Manhole	6.00	EA	\$350.00	\$2,100.00
4.	Full Depth Sawcut	2,240.00	LF	\$3.00	\$6,720.00
5.	Drilled in Tie Bars	760.00	EA	\$8.00	\$6,080.00
				Subtotal:	<u>\$121,840.50</u>

*** Price does not include Traffic Control

*** Price does not include Curb and Gutter Replacement

*** Price does not include Terrace Restoration

*** Price includes Excavating 7" of gravel and pavement to finished subgrade. Since we have to excavate either gravel or concrete we have elected to put the monies for that into the pavement price

**** Prices do not include cold weather concrete. If Vinton is asked to do the second phase work in cold conditions we would have to get money for covereing if applicable.

*** Price includes finegrading

*** Price includes bond



MEMO

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

TO: Community & Economic Development Committee

FROM: Karen Harkness, Director

DATE: July 10, 2019

RE: Request Approval of the Development Agreement between the City of Appleton and Block 800, LLC in TIF District #12

Tax Increment Financing District Number 12 (TIF District #12) was created by the City of Appleton in August 2017 under the authority provided by Wisconsin Statute Section 66.1105 "Tax Increment Law" to eliminate blight and stimulate the redevelopment of this urban corridor. TIF District #12 was created as a "Rehabilitation District" based upon the finding that at least 50%, by area of the real property within the District, is blighted and/or is in need of rehabilitation and/or conservation work within the meaning of Wisconsin Statute Section 66.1337 "Urban Renewal".

TIF District #12 is located along West College Avenue from approximately the Badger Avenue/Story Street intersection to Walnut Street. A map of TIF District #12 is included on the following page.

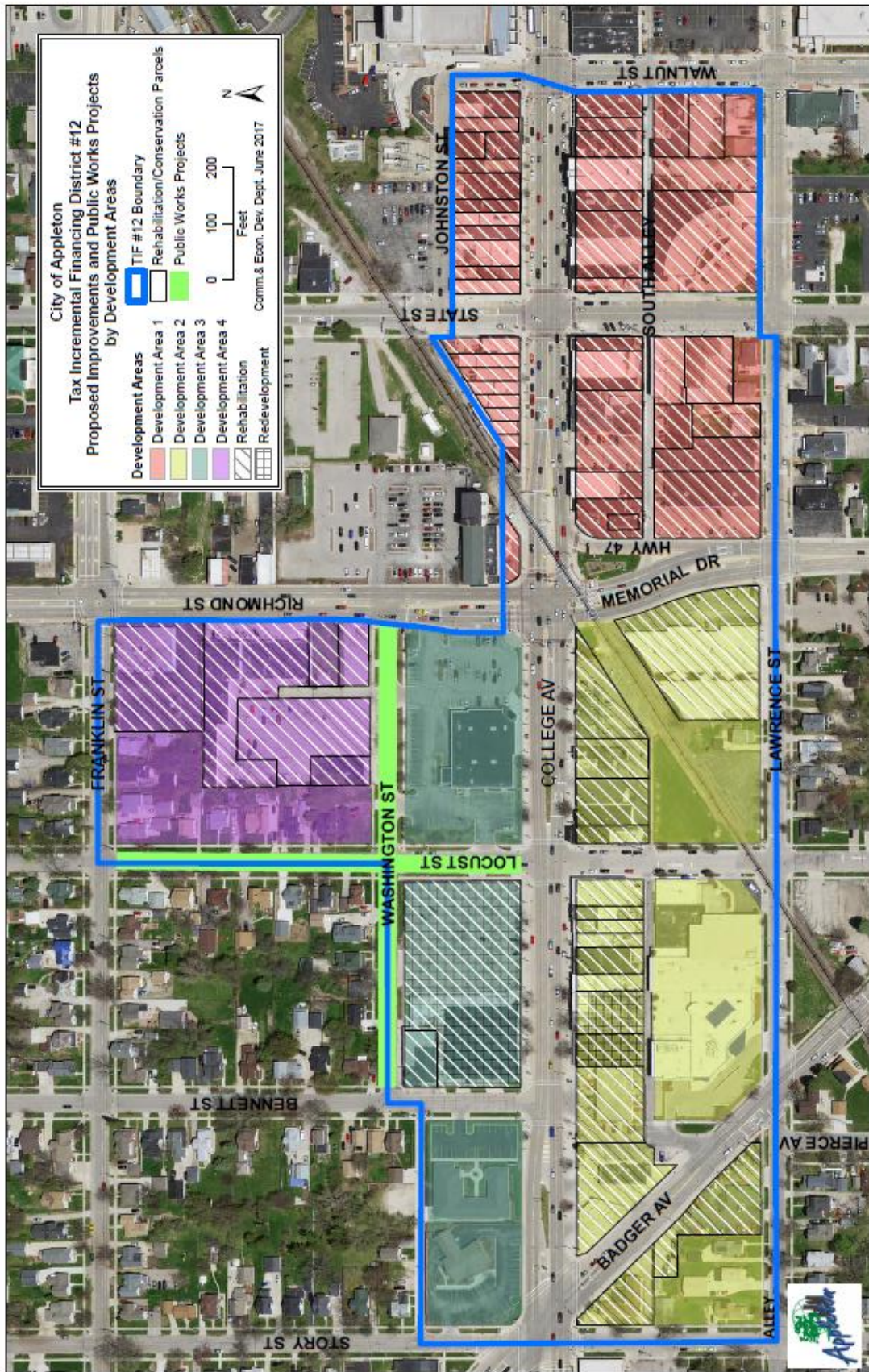
Block 800, LLC is requesting assistance to support a 4-story mixed use project that will encompass three lots, 823, 825 and 827 W. College Avenue. The building will have first floor commercial space with three floors of residential, including 20 market rate apartments. The building will have 10 parking spaces in the back and secure parking underground for 21 vehicles. A concept of proposed improvements is included as Exhibit B of the Development Agreement.

823, 825 and 827 W. College Avenue have been vacant for many years. This development will offer another opportunity for residential living in our Central Business District. This project is targeted to support the City's Comprehensive Plan goal of increasing the quantity and variety of housing product offered in Downtown Appleton.

Based on the analysis of current value of the property, projected value of the property and review of proposed expenses, TIF District #12 could make available the lesser of eighteen percent (18%) or \$823,500 of the Tax Increment Value as of January 1, 2021, plus interest thereon to support the construction work for Block 800, LLC.

Staff Recommendation:

The Development Agreement between the City of Appleton and Block 800, LLC **BE APPROVED.**



TAX INCREMENT DISTRICT NO. 12 DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the "Agreement") is dated as of the ____ day of July, 2019, by and among Block 800, LLC, a Wisconsin limited liability company ("Developer") and the City of Appleton, a Wisconsin municipal corporation (the "City").

RECITALS

Developer and the City acknowledge the following:

A. Developer owns or will acquire the real property located at 823-825 W. College Avenue (Parcel 31-3-0943-00) and 827 W. College Avenue (Parcel 31-3-0943-02), Appleton, WI more particularly described in Exhibit A, attached hereto (collectively the "Property").

B. The Property is located within the City in Tax Increment District #12 (the "District") which was created in 2017 pursuant to Section 66.1105, Wis. Stats. along with a plan for the redevelopment of the District (the "District Plan") that provides for, among other things, the financial assistance set forth in this Agreement.

C. Subject to obtaining the financial assistance set forth herein, Developer has proposed improvements to the Property to create a mixed use development that includes approximately 10,000 square feet of Retail/Office space on the first level and three floors of apartments consisting of approximately fourteen (14) one bedroom apartments and (6) two bedroom apartments, for a total of 20 apartments, as well as twenty-one (21) underground parking stalls (the "Project"). All references to the Project include the Property.

D. The City has determined that the Project will spur economic development, expand the City's tax base and create new jobs; that such financial assistance is a Project Cost under the Tax Incremental Law; that the amount of financial assistance provided pursuant to this Agreement is the amount necessary to induce development of the Project; and, that the Project will not proceed without the financial assistance set forth in this Agreement.

E. Subject to obtaining financial assistance as set forth herein, Developer intends to undertake a redevelopment of the property that will increase the value of the Property and provide other tangible benefits to the surrounding neighborhoods and to the City as a whole, consistent with the District Plan. The City finds that this redevelopment of the Property and the fulfillment, generally, of the terms and conditions of this Agreement are in the vital and best interests of the City and its residents and serves a public purpose in accordance with state and local law.

F. The City, pursuant to Common Council Action dated July _____, 2019 has approved this Agreement and authorized the execution of this Agreement by the proper City officers on the City's behalf.

G. The Developer has approved this Agreement and authorized the appropriate officers to execute this Agreement on the Developer's behalf.

H. The base value of the Property for purposes of this Agreement, including calculating increment generated by the Project, is \$125,000. The Developer estimates the Project will create up to an additional \$ 4,575,000 in incremental value "Tax Increment Value".

I. All terms that are capitalized but not defined in this Agreement and that are defined under the Tax Increment Law shall have the definitions assigned to such terms by the Tax Increment Law.

AGREEMENT

NOW, THEREFORE, in consideration of the Recitals and the promises and undertakings set forth herein, the parties mutually agree and covenant as follows:

ARTICLE I UNDERTAKINGS OF THE DEVELOPER

1.1 Developer's Project shall include improvements to, and development of, the Property as set forth in Exhibit B that will result in an increase in the Property's assessed value. All aspects of the Project shall be in accordance with all applicable City zoning and building codes, ordinances and regulations.

1.2 Project Costs shall include, without limitation, costs incurred after approval of this agreement for the construction of improvements (including infrastructure improvements), environmental remediation costs, demolition, interior remodeling if applicable and the clearing, grading and redevelopment of the Project.

1.3 Developer warrants and represents to the City that but for the assistance provided by the City under Article II, herein, Developer would not be able to proceed with the Project.

1.4 Developer and City acknowledge that several of the specific undertakings of the parties may require approvals from directors, boards or the City Council as applicable. The parties' agreements are conditioned upon the obtaining of all such approvals in the manner required by law. The parties cannot assure that all such approvals will be obtained; however, they agree to use their best good faith efforts to obtain them on a timely basis.

ARTICLE II UNDERTAKINGS OF THE CITY

2.1 The City shall appropriate sufficient funds for the performance of the City's obligations under this Agreement.

2.2 City shall cooperate with Developer throughout the Project and shall promptly review and/or process all submissions and applications in accordance with applicable City ordinances.

2.3 Subject to all of the terms, covenants and conditions of this Agreement and applicable provisions of law, and as an inducement by the City to Developer to carry out the Project, upon completion of the Project (which shall be defined as issuance of occupancy permits for all apartments within the Project (hereafter "completion")) the City will provide payments to Developer solely from future Tax Increments (derived from both real and personal property as legally permitted) to assist with Developer's Project Costs. The City's total payment of Tax Increment Revenue to the Developer shall not exceed the lesser of: i) \$823,500; or ii) eighteen percent (18%) of the actual Tax Increment Value as of January 1, 2021, plus interest thereon (the "Contribution").

The Contribution will be paid to Developer as follows:

2.3.1 As the sole source for payment of the Contribution, the City agrees to pay the Developer an amount equal to ninety percent (90%) of the Tax Increment Revenue attributable to, and actually received from, the Property during the calendar year.

2.3.2 Payments under this Agreement shall be due in annual installments on August 15 of the calendar year following the first tax year after completion of the Project and continuing on each August 15 thereafter for a period of time described in Sec. 4.2

2.3.3 Interest on the Contribution shall begin to accrue upon completion of the Project. The interest rate on the Contribution shall be the lesser of 1) the interest rate paid by the Developer to the primary lender for the Project, as evidenced by the note indicating the loan amount; or, 2) five percent (5.00%).

2.3.4 The Contribution shall be a special and limited obligation of the City and not a general obligation. Payments shall first apply to accrued interest and then to the principal balance of the Contribution. Unpaid interest in any year shall be added to the principal balance of the Contribution and accrue interest. The City may prepay the Contribution, in its sole discretion, at any time, with no prepayment penalty.

2.4 This Agreement fully evidences the City's obligation to pay the Contribution. No separate instrument will be prepared to evidence the City's obligation to pay the Contribution. The Contribution shall not be included in the computation of the City's statutory debt limitation because the Contribution is limited and conditional and no taxes will be levied or pledged for its payment. Nothing in this Agreement shall be deemed to change the nature of the City's obligation from a limited and conditional obligation to a general obligation.

2.5 The City covenants to Developer that until the Contribution plus interest thereon has been paid in full, the City shall not close the District prior to its statutory expiration date.

2.6 The City shall, upon Developer's request, provide to Developer an accounting of the status of the District including, but not limited to, the outstanding principal balance of the Contribution and annual Tax Increments received from the District.

2.7 Developer hereby acknowledges that, as a result of the special and limited nature of the City's obligation to pay the Contribution, Developer's recovery of the full amount of the Contribution depends on factors including, but not limited to, future mill rates, changes in the assessed value of the Property, the failure of the Property to generate the Tax Increments at the rate expected by Developer, reduction in Tax Increments caused by revenue-sharing, changes in the Tax Increment Law, and other factors beyond the City's and/or Developer's control.

ARTICLE III PAYMENT OF TAXES

3.1 As long as the District is in existence, the Property and all buildings and improvements thereon shall be owned and taxable for real estate tax and special assessment purposes. The City may waive any or all of the restrictions upon execution of a payment in lieu of taxes (PILOT) agreement on a form acceptable to the City.

3.2 Throughout the duration of this agreement, all ad valorem property taxes properly assessed against the Property will be paid timely and in full.

3.3 In the event that any property owned by Developer within the District becomes exempt from ad valorem property taxes during the life of the District, then for the remaining life of the District, the Developer will make (or cause to be made) annual payments in lieu of taxes in amounts equal to what the ad valorem property taxes would have been for such other property had it not been exempt. If the Developer conveys the Property within the District to any party (related or unrelated), the terms of such sale shall impose as a covenant upon all successor owners of the property the foregoing obligation for payments in lieu of taxes during the life of the District. The City shall be a beneficiary of such covenant and entitled to enforce same against the successor owners.

ARTICLE IV CONDITIONS TO PAYMENT; TERMINATION OF AGREEMENT

4.1 The City shall have no obligation to pay any portion of the Contribution to Developer unless and until all of the following shall have occurred:

4.1.1 The Project's completion.

4.1.2 The Project's total assessed value after completion is greater than or equal to \$3,525,000.

4.2 This Agreement, and the City's obligation to make any further payments of the Contribution, shall terminate when any of the following shall have occurred:

4.2.1 The Contribution is paid in full or August 15, 2037, whichever occurs first.

4.2.2 Developer fails to complete the Project on or before December 31, 2021, subject to extension for Force Majeure.

ARTICLE V CONFLICT OF INTEREST

5.1 No member, officer or employee of the City, during his/her tenure or for one year thereafter, will have or shall have had any interest, direct or indirect, in this Agreement or any proceeds thereof.

ARTICLE VI WRITTEN NOTICES

6.1 Any written notice required under this Agreement shall be sent to the following individuals:

FOR THE CITY:

City of Appleton
Community and Economic Development Department
100 North Appleton Street
Appleton, WI 54911-4799
Attention: Director

With a copy to:

City of Appleton
City Attorney's Office
100 North Appleton Street
Appleton, WI 54911-4799
Attn: City Attorney

FOR DEVELOPER:

Block 800, LLC
Need contact person, address, etc.

ARTICLE VII ASSIGNMENT

7.1 No party to this Agreement may assign any of its interest or obligations hereunder without first obtaining the written consent of the other party.

ARTICLE VIII NO PARTNERSHIP OR VENTURE

8.1 Developer and its contractors or subcontractors shall be solely responsible for the completion of the Project. Nothing contained in this Agreement shall create or effect any partnership, venture or relationship between the City and Developer or any contractor or subcontractor employed by Developer in the construction of the Project.

ARTICLE IX MISCELLANEOUS

9.1 Under no circumstances shall any officer, official, director, member, manager, commissioner, agent, or employee of City or Developer have any personal liability arising out of this Agreement, and no party shall seek or claim any such personal liability.

9.2 The laws of the State of Wisconsin shall govern this Agreement.

9.3 This Agreement may be signed in any number of counterparts with the same effect as if the signatures thereto and hereto were upon the same instrument.

9.4 No modification, alteration, or amendment of this Agreement shall be binding upon any party until such modification, alteration, or amendment is reduced to writing and executed by all parties to this Agreement.

9.5 Any captions or headings in this Agreement are for convenience only and in no way define, limit, or describe the scope or intent of any of the provisions of this Agreement.

9.6 If any provisions of this Agreement shall be held or deemed to be inoperative or unenforceable as applied in any particular case in any jurisdiction because it conflicts with any other provision or provisions of this Agreement or any constitution or statute or rule of public policy, or for any other reason, then such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of

rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. To the maximum extent possible, this Agreement shall be construed in a manner consistent with the powers of the City, including but not limited to, the City's powers under the Blight Elimination and Slum Clearance Law and the Tax Increment Law, to achieve its intended purpose. Reference is made to Section 66.1333(17) of the Wisconsin Statutes and Chapter 105, Laws of 1975 § 4, which provide that the Blight Elimination and Slum Clearance Law and the Tax Increment Law should be construed liberally to effectuate their purposes.

[Signatures on following pages]

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

CITY OF APPLETON:

By: _____
Timothy M. Hanna, Mayor

ATTEST:

By: _____
Kami L. Lynch, City Clerk

STATE OF WISCONSIN)
 : ss.
OUTAGAMIE COUNTY)

Personally came before me this ____ day of _____, 2019, Timothy M. Hanna, Mayor and Kami L. Lynch, City Clerk, of the City of Appleton respectively, to me known to be the persons who executed the foregoing instrument and acknowledged the same in the capacity and for the purposes therein intended.

Printed Name: _____
Notary Public, State of Wisconsin
My commission is/expires: _____

APPROVED AS TO FORM:

James P. Walsh, City Attorney
800 Block, LLC - Draft
Dated: June 13, 2019
By: Christopher R. Behrens
City Law A19-0407

DEVELOPER:

800 Block, LLC

By: _____
_____, Principal

STATE OF WISCONSIN)
 : ss.
OUTAGAMIE COUNTY)

Personally came before me this ____ day of _____, 2019,
_____, Principal, to me known to be the person who executed the
foregoing instrument and acknowledged the same in the capacity and for the purposes therein
intended.

Printed Name: _____
Notary Public, State of Wisconsin
My commission is/expires: _____

SCHEDULE OF EXHIBITS

- A. Legal Description of Property
- B. Proposed Improvements

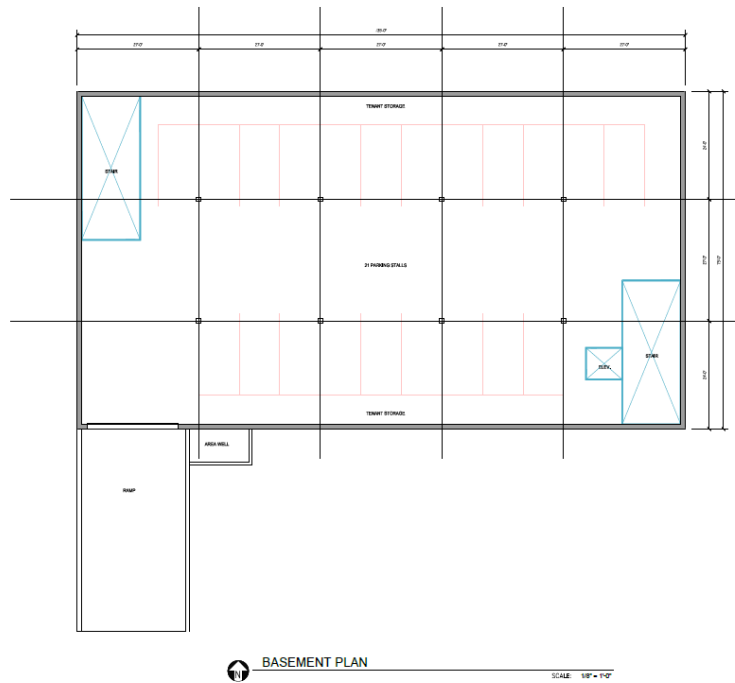
DRAFT

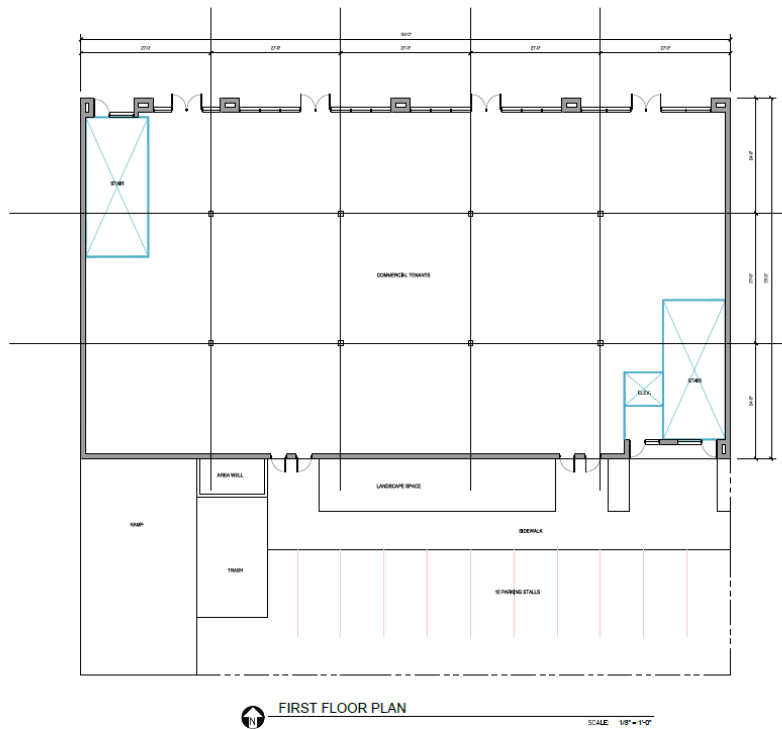
EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

To be added

PROPOSED IMPROVEMENTS

The project budget is approximately \$6,000,000 and is depicted as follows:

[illegible]



VISION
 architecture

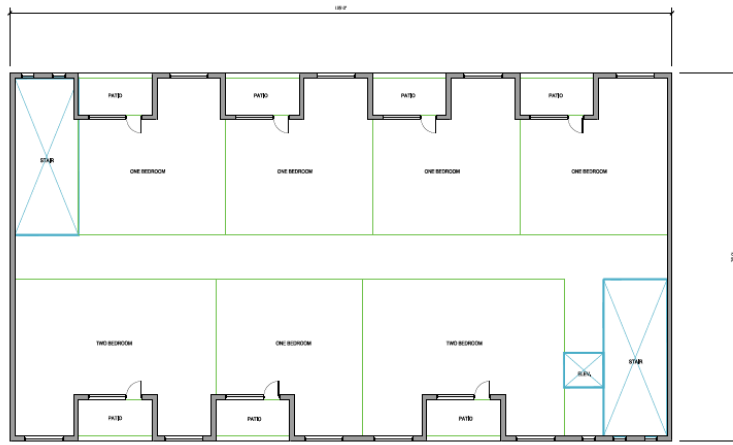
3028 Buttercup Road
 Neenah, WI 54956
 920-864-4300

www.visionarchitecture.net
adam@visionarchitecture.net

Building Renovation for:
AMS 823/825, LLC
 City of Appleton, Wisconsin

Issue Date: 1/13/2018
 Revision:

A101



SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"



3034 Rutledge Road
Berens, WI 54916
920-944-1100

www.vision-architecture.net
adam@vision-architecture.net

Building Renovation for:

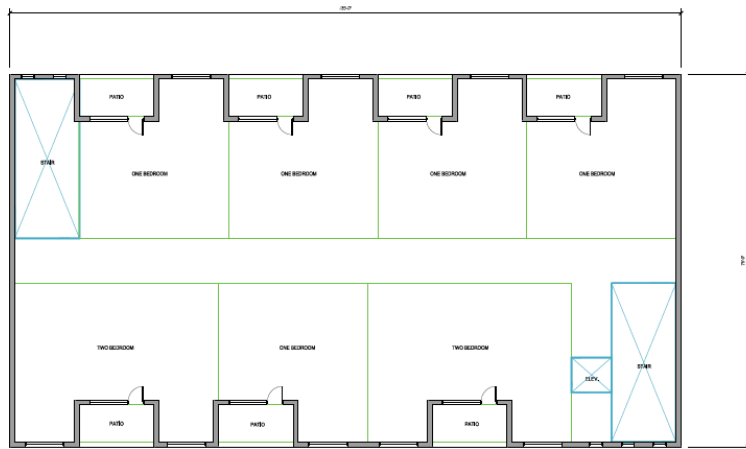
AMS 823/825, LLC

City of Appleton, Wisconsin

New Date: 1/23/2018

Revisions:

A102



THIRD FLOOR PLAN

SCALE: 1/8" = 1'-0"

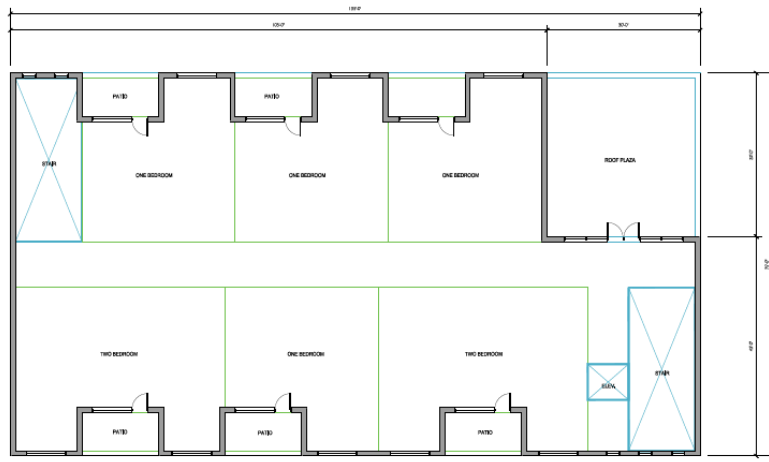
Building Renovation for:

AMS 823/825, LLC
City of Appleton, Wisconsin

Issue Date: 1/13/2018

Revisions:

A103



FOURTH FLOOR PLAN

SCALE: 1/8" = 1'-0"

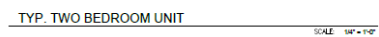
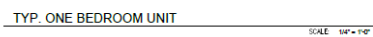
Building Renovation for:

AMS 823/825, LLC
City of Appleton, Wisconsin

Issue Date: 1/13/2018

Revisions:

A104





NORTH ELEVATION

SCALE: 1/8" = 1'-0"



NORTH RENDERING

SCALE: 1/8" = 1'-0"

3224 Buteaup Road
Neenah, WI 54956
920.404.4320

www.visionarchitecture.net
adam@visionarchitecture.net

Building Renovation for:

AMS 823/825, LLC
City of Appleton, Wisconsin

App Date: 1/23/2018

Revisions:

A200



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

Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915
920-832-5945 tel.
920-832-5949 fax

To: Chairperson Vered Meltzer and Members of the Utilities Committee

From: Ryan Rice, AWWTP Operations Supervisor

Cc: Chris Shaw, Director of Utilities

Date: July 11, 2019

Re: ***Request Approval of the electronic Compliance Maintenance Annual Report (eCMAR) for 2018***

State of Wisconsin Code NR 208 mandates an annual assessment of the wastewater utility. Requirements under NR 208 are enforceable through the facility's Wisconsin Pollutant Discharge Elimination System permit. The 2018 eCMAR is required to be submitted to the Department of Natural Resources (DNR) by June 30, 2019.

After approval from the Utilities Committee and Common Council, the 2018 eCMAR will be submitted to the Wisconsin Department of Natural Resources. Each eCMAR category was letter graded (A, B, C, D, or F) based on regulatory criteria. The categories are then combined and an overall treatment works grade point average was determined for 2018. Responses are required for categories with grades at or below a "C" or for an overall grade point average less than 3.0.

The overall letter grade for the 2018 eCMAR is an A with a grade point average of 4.00. All of the categorical grades for the facility were graded as excellent or A.

Overall, the 2018 Compliance Maintenance Annual Report reflects sound utility planning and operations. I would like to credit the Utilities Committee and Council for continued investment in our wastewater facilities, Wastewater Staff for their work in achieving a fine maintenance and compliance record, the Department of Public Works for collection system engineering and maintenance, and Facilities Management for maintaining our buildings and grounds.

I recommend approving the 2018 eCMAR in support thereof. If you have any questions concerning the 2018 eCMAR please contact Ryan Rice at 832-2349.

Wisconsin Department of Natural Resources

Status :
InProgress

Compliance Maintenance Annual Report

[Logout](#)

Appleton Wastewater Treatment Facility

WPDES No:
0023221

Reporting For:
2018

SECTIONS

[Influent](#)[BOD/CBOD](#)[TSS](#)[Ammonia](#)[Phosphorus](#)[Biosolids](#)[Staffing/PM](#)[OpCert](#)[Financial](#)[Collection](#)[Summary](#)[Resolution](#)

Grading Summary

SECTIONS	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Influent	A	4	3	12
BOD/CBOD	A	4	10	40
TSS	A	4	5	20
Ammonia	A	4	5	20
Phosphorus	A	4	3	12
Biosolids	A	4	5	20
Staffing/PM	A	4	1	4
OpCert	A	4	1	4
Financial	A	4	1	4
Collection	A	4	3	12
TOTALS			37	148
GRADE POINT AVERAGE (GPA) = 4.00				

Notes:

A = Voluntary Range (Response Optional)

B = Voluntary Range (Response Optional)

C = Recommendation Range (Response Required)

D = Action Range (Response Required)**F = Action Range (Response Required)**

INFO

[SectionInstructions](#)[CMAR Website](#)

OPTIONS

Report Issue

Submit

Save

Validate

Print

Return

The Official Internet site for the Wisconsin Department of Natural Resources
101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608.266.2621



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

Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915
920-832-5945 tel.
920-832-5949 fax

TO: Chairperson Vered Meltzer and Members of the Utilities Committee

FROM: Chris Shaw, Utilities Director

DATE: July 11, 2019

RE: *Award the Lindbergh Painting Project to Classic Protective Coatings in the amount of \$693,850 with a 10% contingency of \$69,385 for a Project Total not to exceed \$763,235*

BACKGROUND:

The Appleton Water Utility storage inventory includes the Lindbergh Standpipe. This is the City of Appleton's second largest tank with a capacity of 2 million gallons. The tank was constructed in 1964. To date, the tank has had minimal maintenance costs other than scheduled cleanings and regulatory inspections. However, during the most recent regulatory inspection it was noted that a number of maintenance items needed to be attended to preserve the integrity of the tank. To prevent the spread of corrosion, the engineering report included the recommendation to have the tank properly prepared and painted.

A Request for Proposals (RFP) was developed to invite engineering firms to propose on the project. The selected firm would be tasked to ensure a quality project. Proposals were received from four engineering firms. A City selection team recommended the proposal from Strand Associates. Engineering services included in the Strand proposal included the following:

- Conditions Assessment and Project Alternatives Report
- Preparation of Bidding Documents
- Field Services
- Contract Administration Services
- Contract Management Services
- Compile Operations and Maintenance Manuals

Bidding documents were created and the project bids were received and opened on July 3, 2019. In the bidding documents, the base bid included complete removal of the existing wet interior and a new paint system. The tank exterior specifications called for substrate preparation and top coating.

BIDDING PROCESS:

The bids ranged from \$677,590 to \$737,393. The quote received from Classic Protective Coatings, Inc. was the least cost bid. The complete list of contractors and pricing is summarized in the table below.

CONTRACTOR	BIDDERS PROOF	BOND	QUOTE
<i>Classic Protective Coatings, Inc.</i>	✓	✓	\$634,000
<i>TMI Coatings, Inc.</i>	✓	✓	\$691,200
<i>Badger Specialty Coatings</i>	✓	✓	\$588,950

FUNDING SOURCE:

The funding source for this project can be found in the 2019 Water Utility Operations and Maintenance Budget. The utility had identified \$725,000 for total project funding which includes both engineering (i.e., \$63,900 Strand fees) and contractor painting fees.

RECOMMENDATION:

I recommend award of the North Reservoir Painting Project to Classic Protective Coatings, Inc. in the amount of \$693,850 with a 10% contingency of \$ \$69,385 for a Project Total not to exceed \$763,235. If you have any questions regarding this project please contact Chris Shaw at ph: 832-5945



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

Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915
920-832-5945 tel.
920-832-5949 fax

TO: Chairperson Vered Meltzer and Members of the Utilities Committee

FROM: Chris Shaw, Utilities Director

DATE: July 11, 2019

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CONTRACTOR	BIDDERS PROOF	BOND	QUOTE
<i>Classic Protective Coatings, Inc.</i>	✓	✓	\$677,950
<i>TMI Coatings, Inc.</i>	✓	✓	\$714,500
<i>Badger Specialty Coatings</i>	✓	✓	\$797,393

FUNDING SOURCE:

The funding source for this project can be found in the 2019 Water Utility Operations and Maintenance Budget. The utility had identified \$725,000 for total project funding which includes both engineering (i.e., \$63,900 Strand fees) and contractor painting fees.

RECOMMENDATION:

I recommend award of the North Reservoir Painting Project to Classic Protective Coatings, Inc. in the amount of \$693,850 with a 10% contingency of \$ \$69,385 for a Project Total not to exceed \$763,235. If you have any questions regarding this project please contact Chris Shaw at ph: 832-5945



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

MEMO

TO: Human Resources Committee

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

DATE: July 8, 2019

SUBJECT: Proposed Department of Public Works Table of Organization change converting a CEA Serviceperson position to a CEA Master Mechanic position.

The Department of Public Work's current Table of Organization includes 9 Master Mechanics and 1.5 Servicepersons. The Servicepersons are required to have a Commercial Driver's License and hold the same certifications as our Master Mechanics.

Our full-time Serviceperson performs minor maintenance, preventative maintenance and oil changes on the vehicles within our CEA fleet. In essence, this position is performing mechanic type duties, but being compensated at a significantly lower rate than a master mechanic.

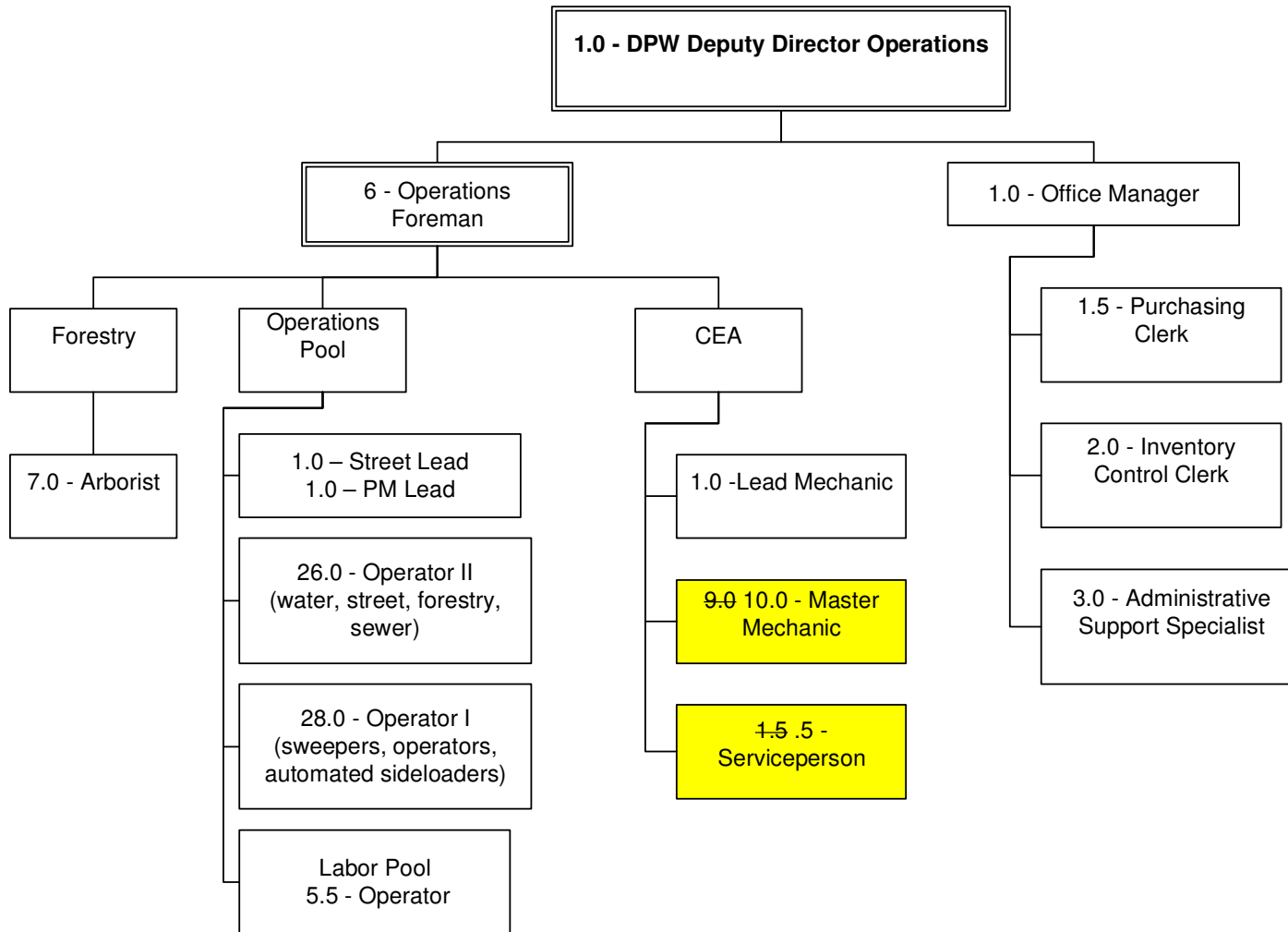
With the recent resignation of our current Serviceperson, we reflected on how the days of "getting your foot in the door and gaining experience" is not enough to retain employees. Instead, we need to compensate them accurately for the work they are expected to perform. In this case, the position is performing mostly mechanic duties, and therefore, should be compensated as a mechanic.

Our current process is to have the Master Mechanics repair the vehicle (i.e engine diagnostics, welding, brake repairs, etc.) and then the Serviceperson would perform the oil change. If the proposed Table of Organization is approved, the Mechanics would also perform the oil change at the time they are repairing any vehicle that has an upcoming oil change due. This will help us be more efficient and provide a higher level of service to our customers.

Therefore, I request approval of the attached proposed Department of Public Works Table of Organization change converting a CEA Serviceperson to a CEA Master Mechanic.

Attachment

C: Sandy Matz, Human Resources Director



CITY OF APPLETON PERSONNEL POLICIES	TITLE: SALARY ADMINISTRATION	
ISSUE DATE: February 18, 2005	LAST UPDATE: September 4, 2001 February 2006 September 10, 2003 October 2006 February 18, 2004 July 2008 February 17, 2005 August 2009 December 2011 September 2012 September 2013 July 2014 April 2018	SECTION: Human Resources
POLICY SOURCE: Human Resources Department	AUDIENCE: All regular full and part-time benefited employees covered by the Non-represented compensation plan. Excludes represented employees.	TOTAL PAGES: 7
Reviewed by Legal Services Date: December 2000 September 12, 2003 February 2006 September 2009 August 2013 July 2014 March 2018	Committee Approval Date: March 9, 2000 September 24, 2003 May 12, 2004 February 9, 2005 February 22, 2006 July 23, 2008 October 28, 2009 December 12, 2011 September 24, 2012 September 9, 2013 August 11, 2014 October 6, 2014 April 11, 2018	Council Approval Date: March 15, 2000 October 1, 2003 May 19, 2004 February 16, 2005 March 1, 2006 August 6, 2008 November 4, 2009 December 21, 2011 October 3, 2012 September 18, 2013 August 20, 2014 October 15, 2014 April 18, 2018

I. PURPOSE

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

II. POLICY

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

III. DISCUSSION

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

IV. DEFINITIONS

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

B. Base Pay: An employee's initial rate of compensation, excluding extra lump sum compensation, shift

differential etc. An employee's base pay can be expressed as a base hourly rate of pay or as an annual salary.

- C. Compensation Plan: A schedule of pay ranges listing the job classifications Minimum, Maximum and Control Points. All regular positions shall be placed in one of these ranges based on a job questionnaire and point factor job evaluation.
- D. Emergency: For purposes of this policy, an emergency shall be defined as an unplanned, significant event that affects the operation, or service level of the department (as determined by the Department Director and/or the Mayor)
- E. Interim Assignment: When an employee is assigned to a different position on a temporary basis, because of a vacancy.
- F. Job-Questionnaire (JQ): A job analysis that outlines the responsibilities and the requirements necessary to perform the functions of the position. The JQ is utilized to evaluate the position responsibilities using the City' point factor job evaluation system for allocation to the appropriate pay grade. A JQ also functions as the key document for pay plan maintenance.
- G. Non-base pay adjustment: Pay adjustments generally in the form of a lump sum or other forms that do not increase the employee's base pay.
- H. Red-circled: The maintenance of an employee's pay rate above the established range maximum. An employee whose pay rate is at or above the range maximum may be eligible for a non-base performance adjustment.

V. PROCEDURES

A. DETERMINATION OF PAY RANGES

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

B. ENTRANCE PAY RATE

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

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

(a) Classification or Reclassification Consideration

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

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

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

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

(b) Review of Requests

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

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

The employee and the department director will be informed of the final decision in writing. The effective date of any compensation changes will be based on the specific circumstance of the reclassification.

D. COMPENSATION PLAN COMPONENTS

(a) Pay Range Adjustment

Pay Range adjustments are typically made on an annual basis. The Human Resources Director shall recommend such adjustments to the Mayor and Finance Director based on the general level of pay adjustments in the job markets where the City competes for its staff, as well as internal adjustments (e.g. collective bargaining settlements). These adjustments are also made in consideration of general changes in cost-of-living indices.

The adjustment takes the form of an adjustment to pay ranges with the goal of maintaining market competitiveness of the pay plan.

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

(b) Pay for Performance

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

The maximum Pay for Performance Adjustment shall not exceed the approved Pay Range Adjustment plus 3%.

E. PAY RATE ADJUSTMENTS

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

- (a) Transfers - When an employee is transferred from one class to another with a common pay range, he/she shall continue to receive the same pay rate unless a different rate is deemed appropriate.
- (b) Promotion - When an employee is promoted from one class to another having a higher pay range, he/she shall receive an increase as deemed appropriate but not to exceed the Control Point of the range unless approved by the Committee as outlined in the above Entrance Pay Rate section. If the employee's pay rate is higher than the control point of the new position prior to promotion, no authorization is needed from the Committee. For consideration of placement into the new salary range, such factors as the average value of overtime lost, average value of extra hours worked in a non-exempt capacity as well as other internal and external factors shall be considered.
- (c) Demotion - When an employee accepts a position in a lower pay grade for any reason, a rate of pay shall be determined. For consideration of placement into the new salary range, such factors as experience, qualification, length of service, average value of overtime lost and the level of pay similar to employees in the pay range shall be considered.
- (d) Upward Re-Classification - When an employee's position is reclassified into a higher pay grade, the reclassification shall be treated the same as a promotion under (b) above.
- (e) Downward Re-Classification - When an employee's position is reclassified into a lower pay grade, the reclassification shall be treated the same as (c.) above.
- (f) Equity Adjustments
Equity adjustments are salary changes outside of the normal salary programs (as listed above) to remedy salary issues such as external pressure in high demand areas, internal salary compression, and/or retention considerations.

F. MINIMUM AND MAXIMUM RATES

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

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

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

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

G. OVERTIME

- (a) Employees in the Compensation Plan who meet the exemption under the Fair Labor Standards Act shall be exempt from all premium pay provisions except as otherwise outlined in this policy.
- (b) Employees who are required to work Sunday, not part of their regular schedule, shall receive double time pay. Utility Department employees who work Sunday, as part of their regular schedule, shall receive double time pay.
- (c.) All non-represented non-exempt employees in the Compensation Plan shall be paid no less than the minimum compensation required pursuant to the FLSA, including overtime compensation on a time and one half basis, for all hours worked in excess of 40 hours per week subject to the following:
 - 1. Compensatory Time, Sick leave, ~~PTO-Sick~~, approved non-paid leave, and FMLA [Comp, Sick, and](#) non-paid leave hours shall not be counted as hours worked for purposes of computing overtime compensation; and,
 - 2. Scheduled City holiday hours, [Floating Holiday](#), vacation, PTO, funeral leave, jury duty and approved paid FMLA leave (except FMLA Compensatory Time and Sick leave [as outlined in #1](#) above) may be counted as hours worked for purposes of computing overtime compensation (except when employee is called to work, then see #3 below); and,
 - 3. Hours worked and paid at a Sunday or Holiday double time rate*, where the employee is also paid an additional call pay premium, shall not be counted as hours worked for purposes of computing overtime compensation.

*Holiday double time rate refer to Fringe Benefit Policy.

- (c) Battalion Chiefs and Deputy Fire Chiefs who fill in for other Chief Officers, when overtime would otherwise be required, shall receive straight time pay for all such hours worked in addition to his/her regular bi-weekly rate. Operations Battalion Chiefs who are required by the Chief to attend extended (generally more than four (4) hours) training on his/her off-duty time may be eligible for straight time pay for attendance at such training at the discretion of the Fire Chief.
- (d) Police Lieutenants and Captains will receive compensation at time and one half of the top senior sergeant rate when working beyond their normal schedule for Grants, Off-Duty Police Services, Avenue Detail and special events.
- (e) Overtime shall be approved in advance by the Department Director or supervisor and reviewed

periodically by the Department Director. Overtime shall be kept to a minimum and shall be utilized to relieve specific occasional peak workloads or emergencies.

H. SHIFT PREMIUM

Non-exempt employees shall be eligible for a \$.50 shift premium added to their base pay if the employee is regularly scheduled (through shift selection or designated assignment) to work a 2nd or 3rd shift schedule (3rd or 4th shift schedule for Police).

K. TELEPHONE CALL

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

L. EMERGENCY CALL-IN

Non-exempt employees who have left the worksite or are in a paid leave status, and who are called to return to work outside of their regularly scheduled hours to handle emergency situations that could not be anticipated, will be eligible for a lump sum of \$100 as call-in pay.

M. ASSIGNED SHIFT CHANGE

This applies to Department of Public Works and Utilities employees who operate on shifts.

When a non-exempt employee is required to work outside their assigned shift he/she will be paid as follows:

Employees notified for a change of assigned shift for a duration of more than one week and are given 48 hours or more notice shall be paid \$1.00 per hour, added to their base pay, for all hours worked for the duration of the scheduled shift.

Employees notified for a change of assigned shift for a duration of one week or less and are given 48 hours or more notice shall be paid \$2.00 per hour, added to their base pay, for all hours worked for the duration of the scheduled shift.

Employees notified for a change of assigned shift and are given less than a 48 hour notice shall be paid \$50 per day for the first 48 hours and then the employee shall be paid pursuant to the above.

The \$1.00 and \$2.00 premium pay shall be added to the employee's regular base rate for purposes of calculating the overtime rate.

O. STAND-BY DUTY

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

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

P. CALL DUTY - EMERGENCY RESPONSE (Excludes Directors, Deputy Directors and Assistant Police Chief)

Any exempt employee, not on Stand By Duty, who is required to report to duty for emergency operations (e.g. snowplowing, water main breaks, facilities and grounds and technology issues, storms & other disasters, police investigations, SWAT calls etc.) may be eligible for additional compensation in the form of a bonus as outlined below:

- ◆ If the employee reports for work and works more than one (1) hour but less than four (4) hours, the employee shall be entitled to \$50.00 for each report.
- ◆ If the employee reports for work and works four (4) hours or more, shall be entitled to \$200.00 for each report.

SUMMARY OF MAJOR CHANGES TO THE CITY OF APPLETON TRAVEL POLICY

Below is a summary of the primary changes to the City's Travel Policy:

- **Purpose:** modified to reflect that travel is seen as an investment in our employees (versus just a business expense).
- **Pre-approval:** previously, only the supervisor had to pre-approve any travel/training expenses. It was modified to add the Department Director's pre-approval prior to incurring any expense. The Library Board would still approve any Library employee expenses.
- **Airline Travel:** employees are now expected to search for the lowest overall cost to travel, including the expectation that they search out fares from all major airlines within a 120-mile radius (not just what is most convenient for the employee).
- **Rental Vehicles:** vehicle rentals are only allowed under extenuating circumstances (e.g., if the training class is too far away for a shuttle and there is no other way to get to the training). To reduce liability, employees must purchase the auto liability insurance from the rental company.
- **Mileage Reimbursement:** was clarified to allow reimbursement for travel beyond a 15-mile radius of the employees' usual work facility or residence (whichever is closer). The monthly mileage reimbursement was reinstated for those employees who regularly drive for their positions and who do not have regular access to a City vehicle. Department Directors would identify these positions. Department Directors and Deputy Directors are not eligible for this allowance without pre-approval from the Mayor.
- **Lodging:** reimbursement for lodging is now available when the employee travels beyond 60 miles for training/travel which requires an overnight stay (the previous standards was 120 miles).
- **Meal Reimbursement:** instead of using the IRS Standard Per Diem which varied by state and city, employees are now eligible to receive the CONUS meal and incidental rate when travelling overnight.
- **Parking and Transportation:** receipts are only needed for single transactions of more than \$50.
- **Spousal/Guest Travel:** employees should advise their supervisor if they are bringing a guest with them when traveling for City business.
- **Training Evaluations:** training evaluations (or equivalent documentation) are now required for training/travel events that incur more than \$1000 expense (previously \$500).
- **Training Form:** modified to include the current CONUS and mileage reimbursement amounts (to mitigate the employee needing to search for the amounts each time) and to reinforce the need to provide the required documentation prior to being reimbursed.

CITY OF APPLETON POLICY		TITLE: TRAVEL POLICY	
ISSUE DATE: Original Policy Date Unknown	LAST UPDATE: 5/6/04, 5/16/05 9/9/05, 11/1/05 6/2/06, 12/6/06, 2/8/07, 7/19	SECTION: Finance	FILE NAME: Travel Policy
POLICY SOURCE: Finance Department			TOTAL PAGES: 3+attachments
Reviewed by Attorney's Office Date: 5/7/04, 12/6/06		Finance Committee Approval Date: 5/12/04, 11/22/06, 2/14/07	Council Approval Date: 5/19/04, 12/6/06, 2/21/07

I. Purpose

To provide guidelines for employees for the reimbursement of training and travel incurred during the conduct of City business.

II. Policy

The City believes in investing in employees to help them grow. The City will reimburse employees for reasonable travel costs incurred while on official authorized City business. Employees, in turn, are asked to respect and value this investment, and travel at the lowest reasonable cost.

III. Guidelines

- A. **Pre-Approval:** All travel is required to be approved by the employee's supervisor and Department Director or designee prior to registration or incurring any expense. Out-of-state travel must have the Mayor's approval prior to incurring any expense. (Library Board President approves Library expenses.)
- B. **Post-Approval:** Supervisors are required to review and approve all expense reimbursement requests before sending the reimbursement request form to the Department Director or Mayor.
- C. **Use of Procurement Card:** City-issued procurement cards can be used for travel related expenses other than meals. When using City-issued procurement cards, the card should be used to pay for only the employee's own expenses. The employee should attach copies of all supporting documentation ~~on~~ to his/her travel report for all procurement card charges.
- D. **Out-of-State Travel:** All out-of-state travel is required to be approved by the Mayor or Library Board (for Library Personnel) prior to registration or incurring any expense.

Non-exempt employees who travel out-of-state for training are paid for their travel time based on-air travel time (unless stated differently in the employee's bargaining contract). If the employee chooses another means of transportation, any resulting additional time required for travel shall be charged to the employee's paid leave.

- E. **Airline Travel:** Employees are expected to travel coach class; to search for the lowest available overall cost for flight, mileage, paid time (for non-exempt staff), and airport parking fees, including from all major airlines within a 120-mile radius; and to reserve as far in advance as practical. Baggage fees are reimbursable for one suitcase and one carry-on bag. The cost of cancelling and/or rebooking of flights is not reimbursable unless it can be shown that it was necessary or required for legitimate business reasons (e.g., a changed meeting date) or extraordinary circumstances.

- F. **Rental Vehicles:** Rental vehicles are not eligible for reimbursement except under extenuating circumstances (see below). For transportation to/from the training, etc., employees should use other means such as shuttles, taxi cab, etc.

If extenuating circumstances necessitate the need for a rental car while traveling, the employee should obtain approval of their Department Director prior to renting the vehicle. The employee may use a City-issued procurement card to rent the vehicle and must purchase the auto liability insurance from the rental company.

- G. **Mileage Reimbursement:** Mileage reimbursement is available for employees who do not have regular access to a City vehicle and who travel beyond a 15-mile radius from the employee's usual work facility or residence (whichever is closer) for City business (the total round trip would be 30 miles or more). Mileage reimbursement for the use of the employee's vehicle is based on the standard IRS mileage rate in effect. The mileage reimbursement should be calculated as the difference between the training/travel event location and the employee's usual City work facility or residence (if driving to training/travel event directly from home), whichever is less. Commuting expenses between an employee's residence and his/her normal place of business are not eligible.

For positions that are expected to use their personal vehicle to travel for work on a regular basis, Department Directors may designate these positions to receive a \$30 monthly local mileage allowance (prorated for positions that work less than full-time). Directors and Deputy Directors are not eligible for this allowance without pre-approval from the Mayor. This per diem is subject to payroll taxes according to IRS regulations. For all other positions, mileage incurred within the City limits or between City facilities is not reimbursable.

- H. **Lodging:** Training classes/Events within 60 miles of City Hall are not eligible for overnight lodging. For travel/training more than 60 miles away, overnight lodging for the night before the conference up to and including the night before the last day of the conference is reimbursable at a single, standard room rate.
- I. **Meal Reimbursement:** Employees are eligible to receive up to the Wisconsin U.S. General Services Administration (GSA) Standard Continental United States (CONUS) meal and incidental rate for meals they consume when traveling overnight for approved City training/travel. Employees are not eligible for meal reimbursement for any meals that are included in the training/program or provided by the hotel, or meals that are not purchased/consumed by the employee. This per diem is not subject to payroll taxes according to IRS regulations.
- J. **Parking and Transportation:** The cost of parking fees, tolls and taxis, shuttles, and rideshares to/from the training is reimbursable. Receipts will be required for expenses that are more than \$50 per single transaction.
- K. **Tips:** Tips for meals are included in the meal and incidental rate in I above. All other tips are not reimbursable.
- L. **Spousal/Guest Travel:** Any additional costs incurred due to a spouse/guest traveling with the employee is not eligible for reimbursement. If an employee is bringing a guest (e.g., spouse, family, friend) with them, the employee should advise his/her supervisor before traveling.
- M. **Fines:** Fines (e.g., traffic or parking) resulting from traveling on City business are not reimbursable.
- N. **Miscellaneous Expenses:** There may be other miscellaneous reimbursable expenses from time to

time. Examples include books or supplies needed for a conference and telephone calls for City business. Miscellaneous expense reimbursements are subject to review for reasonableness by the Department Director and for City-wide consistency by the Finance Director.

- O. **Policy Exceptions:** Any exception to this policy must have the approval of the employee's supervisor and Department Director (Department Directors would need Mayor's approval). Requests for the exception should document extenuating circumstances or proposed overall savings to the City.

IV. Procedure

- A. A separate "City of Appleton Travel Report" will be completed for each employee and each event (Appendix A).
- B. Travel expense reimbursements to employees will be incorporated into their payroll payments. Since these payments will represent reimbursement of business expenses, no payroll taxes will be withheld.
- C. For any training event incurring over \$1,000 total expense, a Training Evaluation form (or equivalent documentation) must be completed within 30 days after the training. See Appendix B.

1. TO BE FILLED OUT COMPLETELY BEFORE REGISTRATION OR INCURRING COSTS

Employee/Department Requesting Travel: _____ / _____

Title of Training or Purpose of Travel (**must attach brochure/agenda**): _____**City/State of Training/Event** (Mayor approval required for **all** employees' out-of-state travel): _____

Dates (time) request to be out of the office: _____ / ____ (____ AM/PM) through _____ / ____ (____ AM/PM)

Are there other City employees attending this training/event as well? If so, why?
_____Estimated Costs (*variance of more than \$100 need to be explained on reverse side upon return)**Registration Fee:**

\$

Lodging:

\$

Airfare:

\$

Meals (based on per diem rate):

\$

Other (e.g. rental car, mileage):

\$

Overtime for your attendance:

\$

Overtime to cover your vacancy:

\$

TOTAL:

\$

Details (e.g. vendor name, specific expenses)**If the total equals \$1000 or more, attendees must complete and submit an evaluation form upon return.*How does this training/travel help meet your individual, departmental or organizational goals?

Date Submitted to Supervisor: _____ / _____ / _____

SUPERVISOR'S RESPONSE:

Authorized Date of Departure and Return: _____ - _____ Budget Account: _____

I authorize this employee to register for this training and incur these travel-related expenses (as detailed above).

Supervisor Signature_____
Date_____
Mayor Signature_____
Date*(for **all** out-of-state training and Department Director's requests)*_____
Department Director Signature_____
Date**2. REGISTRATION PAYMENT IN ADVANCE. IF USING PROCUREMENT CARD, CHECK BOX AND SKIP TO SECTION 3.**

- ☐ Paid with procurement card. Skip to Section 3.
- ☐ Please pay my registration in advance (submit this form to Finance).

Amount: \$_____ (enter on lines 7 & 11 in Section 3)

Due to Vendor by: _____ / _____ / _____

Vendor: _____

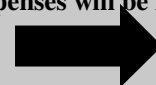
Attn: _____

Address: _____

City/State/Zip: _____

Note: Advance payments will be made for registration only. All other items should either be charged on a procurement card (if eligible) or will be reimbursed.

Complete reverse side upon completion of travel, or if no other expenses will be incurred.



**3. ACTUAL EXPENSES: EMPLOYEE MUST COMPLETE UPON RETURN (SUBMIT TO FINANCE).
TRAINING BROCHURE AND REQUIRED DOCUMENTATION MUST BE SUBMITTED PRIOR TO REIMBURSEMENT.**

Current 2019 per diem rate: Breakfast (\$14.30); Lunch (\$15.40); and Supper (\$25.30)

Date	M	T	W	R	F	S	S	
1. Lodging:	\$	\$	\$	\$	\$	\$	\$	\$
2. Breakfast:	\$	\$	\$	\$	\$	\$	\$	(no receipts required) \$
3. Lunch:	\$	\$	\$	\$	\$	\$	\$	(no receipts required) \$
4. Dinner:	\$	\$	\$	\$	\$	\$	\$	(no receipts required) \$
5. Parking/Tolls/Taxi (receipts only required for single transactions of more than \$50):								\$
6. Airfare/Taxis:								\$
7. Registration:								\$
8. Other:								\$
9. Mileage	_____ miles @ \$.58/mile (no receipts required)							\$
*Mileage within 15 miles of the employee's usual work facility is not eligible for reimbursement								
10. TOTAL EXPENSES (Trip Total):								\$
11. Less Section 2 Advance Registration Payments								\$(
12. Less Procurement Card Charges:								\$(
13. Less Vendor Refunds								\$(
14. AMOUNT DUE TO (FROM) EMPLOYEE								\$

This is to certify that the above is a true and correct statement of travel expenses incurred in the conduct of City business. I have attached all supporting documentation (e.g., training brochure, airline receipt, etc.) and I acknowledge I may be personally responsible for any expenses I incurred for which I do not have supporting documentation (except for meals, mileage and transportation expenses of less than \$50 in a single transaction).

_____ Employee Signature	_____ Mayor:
_____ Supervisor Signature	_____ Department Director Signature
	_____ Finance:

Training/Travel Evaluation

(please complete and return within 30 days after training/travel)

Appendix B

Employee Name: _____

Today's Date: _____ Date(s) of Travel: _____

Source of Training (if seminar/conference): _____

1. What are the three greatest learnings that you took away from this training/travel? (Please attach documentation that may be beneficial to share with others.)
2. Describe two ways that you plan to apply what you learned during your training/travel to benefit your department and/or the City.

Training Program Only

3. This training course:
☐ Exceeded my expectations ☐ Met my expectations ☐ Did not meet my expectations
4. The instructor of the course:
☐ Exceeded my expectations ☐ Met my expectations ☐ Did not meet my expectations
5. Would you recommend this training class to others?
☐ Yes
☐ No

Please explain: _____

Explanation of Variances

Please explain variances of \$100 or more than the estimated costs (from Section 1):

Registration: _____

Lodging: _____

Airfare: _____

Meals: _____

Other: _____

71-19

AN ORDINANCE AMENDING ARTICLE VI. OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO ELECTRICAL.

(Municipal Services Committee – 07/10/2019)

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

Section 1: That Article VI. of Chapter 4 of the Municipal Code of the City of Appleton, relating to electrical, is hereby amended to read as follows:

ARTICLE VI. ELECTRICAL

DIVISION 1. GENERALLY

Sec. 4-341. Adoption of the State Electrical Code, State Statutes and other standards.

The Wisconsin Administrative Code, SPS chapters 305, 316, and 324, Wis. Stats., §101 subchapter IV and We Energies meter manuals are hereby adopted by reference and made a part of this article with the same force and effect as though set out in full in this article.

Sec. 4-342. Definitions.

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

Electrical work. Electrical work means and includes the installation of electrical wiring, devices and equipment for the production, modification, utilization or safeguarding of electrical energy as covered by the code adopted in §4-341. Replacement of meter socket(s), service changes, and electrical panel replacements are considered electrical work.

Electrical contractor means a legal entity licensed by the State of Wisconsin under SPS 305.41.

Maintenance includes only the necessary repairs to provide the safe operation of previously installed electrical equipment.

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 state of the construction phase.

Sec. 4-344. Authority to discontinue electrical service.

In case of emergency and where electrical currents are dangerous to life or property or may interfere with the work of the Fire Department, the electrical inspector may order all electrical currents disconnected.

Sec. 4-345. Periodic inspection.

The electrical inspector periodically shall make thorough examinations of all the electrical wires and equipment installed in places of public use and occupancy within the City. When such wires or equipment are found to be in a dangerous or unsafe condition, he shall notify the person owning, using, operating or installing the wires or appliances to place them in a safe condition. The electrical inspector may order the discontinuance of electrical service to such defective wires or equipment until they have been repaired, removed or changed as directed by the electrical inspector, subject to the limitations of this article.

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 section 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.

Failure to notify the electrical inspector prior to concealing the electrical wiring nullifies the residential property owner exemption under Sec. 4-392 and §101.862(4)(a). As a result, the residential property owner shall hire a licensed electrical contractor as required in Sec. 4-391 to obtain the license and permit and perform all electrical work for which the permit is issued.

Sec. 4-347. Reserved.

Sec. 4-348. Certificate of Inspection.

No Certificate of Inspection shall be issued for work regulated under this article unless the

electric light, power or heating installation and all other electric apparatus connected with it are in strict conformity with the provisions of this article.

Sec. 4-349. Reserved.

Sec. 4-350. Review of condemnation order.

When the electrical inspector condemns all or part of the electrical installation in any building, the owner, within five (5) days after receiving written notice from the electrical inspector, may file a petition in writing for review of the action of the electrical inspector to the chairman of the Board of Building Inspection in accordance with §4-26.

Sec. 4-351. Liability for defects in work.

This article shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling or installing or repairing any electrical equipment for damages to anyone injured or any property destroyed by any defect therein. The City and its elected or appointed officials shall not be held as assuming any liability by reason of this article, the inspection authorized in this article, or the certificate issued.

Secs. 4-352 – 4-390. Reserved.

DIVISION 2. LICENSE

Sec. 4-391. Required.

No person, either individually, as a member of a firm, or as an officer or employee of a corporation, shall conduct the business of electrical wiring, electrical construction or contracting, unless such person has a license as required by Wis. Stats. §101.862

Sec. 4-392. Exemptions.

As allowed under Wis. Stats. §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.

Secs. 4-393 – 4-415. Reserved.

DIVISION 3. PERMITS

Sec. 4-416. Application; issuance.

The Inspection Department shall issue permits for all electrical installations to the licensed electrical contractor in charge for light, heat or power upon filing of proper application, which shall be made on forms furnished by the Director. The permit application shall describe the nature of the work as well as such other information as may be required for inspection. Permits shall be issued prior to the start of any electrical work. No permit shall be required for repairs necessary for the proper maintenance of an existing installation, with the exception of service changes and panel/meter changes. Electrical permits are required for demolition of any part of an electrical system. The electrical inspector may require the applicant to furnish additional plans and specifications covering the work to be done in addition to the items that are required in (1) and (2) of this section.

- (1) **A photometric study:** Where emergency lighting is required, modified or where exit paths have changed, a photometric plan is required. Illumination levels shall be noted on the study using the point-to-point method having a maximum spacing of two feet on center.
- (2) **Photovoltaic (PV) Systems:** Requirements as listed in the "Photovoltaic System Permit Requirements" handout.

Sec. 4-417. Reserved.

Sec. 4-418. Electrical fees.

- (a) **Generally.** Permit fees for the installation of wiring and electrical equipment shall be as provided in this section.
- (b) **One- and two-family dwellings.** The amount of the permit fee for one- (1-) and two- (2-) family dwellings (new construction and additions) shall be on file in the Office of the City Clerk.
- (c) **Multiple-family buildings.** The amount of the permit fee for multiple-family buildings (new construction and additions) shall be on file in the Office of the City Clerk.
- (d) **Commercial or industrial buildings.** For commercial or industrial buildings (new construction and additions) and alterations to all existing commercial buildings, the amount of the permit fees shall be on file in the Office of the City Clerk.
- (e) **Change of service.** The fee for change of service shall be on file in the Office of the City Clerk.
- (f) **Photovoltaic (PV) systems.** The fee for a PV system shall be on file in the Office of the City Clerk.
- (g) **Penalty for commencing work without permit.** The fee for installation of wiring or electrical equipment without a permit shall be triple the permit fee prescribed in this section when a permit is obtained. Payment of any fee mentioned in this subsection shall in no way

relieve any person of the penalties that may be imposed for violation of this Article.

(h) **Reinspection.** A thirty-five dollar (\$35.00) call back inspection fee may be charged each time a reinspection is necessary due to failure to correct, faulty, defective or incomplete work identified during a prior inspection.

(1) Plan review. The fee for plan review shall be on file in the Office of the City Clerk.

(2) Data and communication wiring. The fee for data and communication wiring shall be on file in the Office of the City Clerk.

Sec. 4-419. Use of license to obtain permit for another.

It shall be unlawful for any licensed electrical contractor or person with a master's license to allow the use of said license, directly or indirectly, for the purpose of obtaining local electrical permits for others.

Sec. 4-420. Temporary installations.

On applying for an electrical permit for temporary work, a specified period of time for which such wiring is to remain in service must be stated. Service shall be cut off at the end of the time period as detailed in the State Electrical Code. All exterior temporary electrical equipment and material shall be immediately removed from the property after the allowed time period. Any temporary electrical equipment or material left after the allowed time period may be considered construction debris and prohibited as a public nuisance.

Secs. 4-421 – 4-435. Reserved.

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

72-19

AN ORDINANCE AMENDING SECTION 4-546(c) OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO SWIMMING POOLS; PERMITS; PENALTY FOR COMMENCING WORK WITHOUT A PERMIT.

(Municipal Services Committee – 07/10/2019)

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

Section 1: That Section 4-546(c) of Chapter 4 of the Municipal Code of the City of Appleton, relating to swimming pools; permits; penalty for commencing work without permit, is hereby amended to read as follows:

Sec. 4-546. Permits.

(c) *Penalty for commencing work without a permit.* Failure to obtain a required plumbing, electrical, and building permits are subject to the penalties in §4-418(g), §4-292(b) and §4-161(b).

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

73-19

AN ORDINANCE AMENDING SECTION 4-292(C) OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PLUMBING FEES.

(Municipal Services Committee – 07/10/2019)

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

Section 1: That Section 4-292(c) of Chapter 4 of the Municipal Code of the City of Appleton, relating to plumbing fees, is hereby amended to read as follows:

Sec. 4-292. Plumbing fees.

(c) A callback inspection charge shall be established at thirty-five dollars (\$35.00) per callback for all work requiring inspection under plumbing and sewer permit requirements.

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

74-19

AN ORDINANCE AMENDING SECTION 4-497(f) OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO HEATING FEES;

REINSPECTION.

(Municipal Services Committee – 07/10/2019)

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

Section 1: That Section 4-497(f) of Chapter 4 of the Municipal Code of the City of Appleton, relating to heating fees; reinspection, is hereby amended to read as follows:

Sec. 4-497. Heating fees.

(f) ***Reinspection.*** A callback inspection charge shall be established at thirty-five dollars (\$35.00) per callback for all work requiring inspection under mechanical permit requirements.

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

75-19

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 07/24/2019)

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 included in the “Cypress Homes (N. Haymeadow Avenue) Annexation”, located south of West Edgewood Drive and west of North Haymeadow Avenue from Temporary AG Agricultural District to R-1B Single-Family District. (Rezoning #6-19 – Cypress Homes – N. Haymeadow Avenue Annexation)

LEGAL DESCRIPTION:

Lot 2 of Certified Survey Map No. 7013 filed in Volume 42 of Certified Survey Maps on Page 7013 as Document No. 2047169, located in and being a part of the Northeast ¼ of the Northwest ¼ of Section 11, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin. Tax Id #31-6-5802-00 (formerly Tax Id #101039315 in the Town of Grand Chute)

COMMON DESCRIPTION:

Parcel #31-6-5802-00 (formerly Tax Id #101039315 in the Town of Grand Chute) included in the “Cypress Homes (N. Haymeadow Avenue) Annexation”, located south of West Edgewood Drive and west of the North Haymeadow Avenue

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.