



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, August 18, 2021

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
[21-1175](#) Common Council Meeting Minutes of August 4, 2021

Attachments: [CC Minutes 8-4-21.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR
[21-1183](#) COVID-19 Report

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

- [21-1092](#) Public Hearing for Rezoning #9-21 for M&J Weyenberg, LLC Annexation from Temporary AG Agricultural District to R1-B Single Family District

Attachments: [RZ #9-21 Notice of Public Hearing.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-0873](#) R/B-Approve update to Municipal Code Section 4-392 related to electrical work by a home owner.

Attachments: [Municipal Code 4-392.pdf](#)
[Municipal Code update 4-392.pdf](#)

Legislative History

| | | |
|---------|------------------------------|--|
| 6/21/21 | Municipal Services Committee | recommended for approval |
| 7/7/21 | Common Council | referred to the Municipal Services Committee |
| 7/12/21 | Municipal Services Committee | held |
| 7/26/21 | Municipal Services Committee | recommended for approval |
| 8/4/21 | Common Council | referred to the Municipal Services Committee |
| 8/9/21 | Municipal Services Committee | amended |

Motion to amend and adopt updated language attached to Agenda (Firkus, second by Siebers).

[21-1154](#) **Morrison Street**, from Wisconsin Avenue to Glendale Avenue, be reconstructed with asphalt pavement and curb and gutter. The dimensions of the Morrison Street reconstruction project are as follows:

Wisconsin Ave - Randall St: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Randall St - Brewster St: New asphalt pavement to be constructed to a width of 33' from back of curb to back of curb, which is 2' narrower than the existing street within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Brewster St - Glendale Ave: New asphalt 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. New street to be shifted 1' to the east within this portion of the project. Existing on-street parking to remain unchanged within this portion of the project.

Legislative History

| | | |
|--------|------------------------------|--------------------------|
| 8/9/21 | Municipal Services Committee | recommended for approval |
|--------|------------------------------|--------------------------|

[21-1040](#) Request to approve Rezoning #9-21 to rezone the M&J Weyenberg Properties, LLC Annexation, formerly part of the Town of Grand Chute (Parcel #101157102), generally located at the southeast corner of Ballard Road and Ridge Haven Lane, including to the centerline of existing adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport M&JWeyenbergAnnex Rezoning For07-28-21.pdf](#)

Legislative History

7/28/21 City Plan Commission recommended for approval
Proceeds to Council on August 18, 2021.

[21-1116](#) Request to approve Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 3, City of Appleton, Wisconsin

Attachments: [MemoTIFs#3+#12Amendments 8-11-21.pdf](#)

[TID 3 PC Resolution for Amended Boundaries & Project Plan.pdf](#)

[TID No. 3 Amendment #2 FINAL Project Plan June29.2021.pdf](#)

[TID 3 CC Resolution for Amended Boundaries & Project Plan.pdf](#)

Legislative History

8/11/21 City Plan Commission recommended for approval

[21-1118](#) Request to approve Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 12, City of Appleton, Wisconsin

Attachments: [MemoTIFs#3+#12Amendments 8-11-21.pdf](#)

[TID 12 PC Resolution for Amended Boundaries & Project Plan.pdf](#)

[TID No. 12 Amendment #1 FINAL Project Plan June29.2021.pdf](#)

[TID 12 CC Resolution for Amended Boundaries & Project Plan.pdf](#)

Legislative History

8/11/21 City Plan Commission recommended for approval

4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**
5. **MINUTES OF THE FINANCE COMMITTEE**
6. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

[21-1112](#) Request to approve the Development Agreement with Merge LLC for a mixed-use development located on the southeast corner of E. Washington Street and S. Oneida Street (103 E. Washington Street) in Tax Increment Financing District No. 11

Attachments: [Merge DA Memo 8-11-21.pdf](#)
[0312 - Merge Development Agrm - 07-28-2021 \(with exhibits\).pdf](#)

Legislative History

8/11/21 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[21-1088](#) Request to approve Police department table of organization modification to move one Communication Specialist to a newly created Crime Analyst position and move reporting structure for two areas.

Attachments: [Police TO modification memo.pdf](#)
[Police DRAFT 7.21.21.pdf](#)

Legislative History

8/11/21 Human Resources & Information Technology Committee recommended for approval

[21-1145](#) Request to approve Health Reimbursement Account administrator change to MidAmerica.

Attachments: [PEHP recommendation change memo.pdf](#)
[2021 AndCo RFP Recommendation letter.pdf](#)

Legislative History

8/11/21 Human Resources & Information Technology Committee recommended for approval

[21-1146](#) Request to approve Police to over hire position of Lieutenant for remainder of 2021 and into early 2022.

Attachments: [Police LT over hire request 2021.pdf](#)

Legislative History

8/11/21 Human Resources & Information Technology Committee recommended for approval

[21-1151](#) Request to approve Fire department to over hire position of Fire Protection Engineer.

Attachments: [Fire Protection Engineer Over Hire.pdf](#)

Legislative History

8/11/21 Human Resources & Information Technology Committee recommended for approval

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

[21-1153](#) Resolution #12-R-21 Health Officer Hiring

Attachments: [#12-R-21 Health Officer Hiring.pdf](#)

[Health Office Hiring Process.pdf](#)

[Health Officer email.pdf](#)

[Health Officer State of Wisc letter.pdf](#)

[#12-R-21 Amendment.pdf](#)

Legislative History

- 8/11/21 Board of Health recommended for approval
*Spears motioned, seconded by Meltzer that paragraph 1 of the resolution be amended as follows:
Remove "put forth new guidance in the City requiring" and replace it with "in consultation with Interim Health Officer Jensen, affirmed the CDC Guidance on the use of masks and required"
Roll call. Motion carried by the following vote: 6-0, Mayor Woodford abstained*
- Spears motioned, seconded by Fuchs that paragraph 2 of the resolution be amended as follows:
To the end of the paragraph, add "resulting in Health Officer Eggebrecht serving the city for an additional year, a nationwide search was initiated in March of 2021 for a Health Officer who meets the City's expectations for quality and qualifications"
Roll call. Motion carried by the following vote: 6-0, Mayor Woodford abstained*
- Spears motioned, seconded by Dr. Vogel that paragraph 3 of the resolution be amended as follows:
After "Common Council", remove "hereby express their concern that the City has undertaken health initiatives and enacted a public health mandate while the position of Health Officer remains vacant" and replace it with "and Board of Health hereby express their appreciation of the outstanding job that Interim Director Jensen and the Appleton Health Department do as they continue to perform at the high level serving the citizens of Appleton"
Roll call. Motion carried by the following vote: 6-0, Mayor Woodford abstained*
- Spears motioned, seconded by Meltzer that paragraph 4 of the resolution be amended as follows:
After "Common Council" add "and the Board of Health" express their support of" and remove the word "urge";
After "practicably as possible", remove "and prior to enacting or implementing any further COVID-19 guidance or mandates in the City" and replace with "who meets the qualifications required to lead a Level III Health Department"
Roll call. Motion carried by the following vote: 6-0, Mayor Woodford abstained*

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[21-1176](#) Ordinances #35-21, #57-21 through #65-21

Attachments: [Ordinances going to Council 8-18-21.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

[21-1182](#)

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.

- T. ADJOURN

Kami Lynch, City Clerk

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

Remote meeting attendance may be permitted pursuant to Section 2-29 of the Appleton Municipal Code and Rules of Council.



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Meeting Minutes - Final Common Council

Wednesday, August 4, 2021

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

The Invocation was offered by Alderperson Prohaska.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

*Alderperson Van Zeeland participated virtually.
Alderperson Schulz arrived at 7:25 p.m.*

Present: 16 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska, Alderperson Chad Doran and Mayor Jake Woodford

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[21-1094](#)

Common Council Meeting Minutes of July 21, 2021

Attachments: [CC Minutes 7-21-21.pdf](#)

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

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Absent: 1 - Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[21-1106](#) Recognition of poems selected for the 2021 Sidewalk Poetry Program

This Sidewalk Poems were presented

[21-1107](#) Certificate of Recognition for the Bogenschutz Family

The Certificate of Recognition was presented

[21-1108](#) Certificates of Recognition for the Emergency Operations Center

The Certificates of Recognition were presented

[21-1110](#) ARPA Fund Allocation Process

[21-1123](#) COVID-19 Report

Attachments: [COVID -19 Cases August 2.pdf](#)

H. PUBLIC PARTICIPATION

*John Petit, 2100 S. Telulah Ave., spoke regarding Item 21-0853
Oliver Zornow, Building For Kids, spoke regarding Item 21-1056
Andrew Graf, representing the developer for Rezoning #8-21, spoke regarding Item
21-0853*

I. PUBLIC HEARINGS

[21-0920](#) Public Hearing for Comprehensive Plan Map Amendment #2-21 - Core LLC from One and Two Family Residential Land Use to Mixed Use Land Use

Attachments: [Public Hearing Notice Comp Plan Amend #2-21.pdf](#)

The Public Hearing was held, no one spoke during the hearing.

[21-0921](#)

Public Hearing for Rezoning #7-21 along W. Packard Street, N. Richmond Street, and W. Harris Street

Attachments: [RZ #7-21_Notice of Public Hearing.pdf](#)

The Public Hearing was held, no one spoke during the hearing.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[21-0847](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-21 for 719 West Packard Street (Tax Id #31-5-1232-00) from future One and Two-Family Residential land use designation to Mixed Use land use designation, as shown on the attached map, and approve the attached Resolution

Attachments: [StaffReport_FormerVFWSite_CompPlan+Rezoning_For06-23-21.pdf](#)
[EmailFromAnaHauser_07-14-21.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Martin, that the Comprehensive Plan Future Land Use Amendment be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Michael Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[21-0849](#)

Request to approve Rezoning #7-21 for subject parcels generally located west of North Richmond Street and south of West Packard Street (Tax Id #31-5-1232-00, #31-5-1234-00, #31-5-1236-00, and #31-5-1238-00), including the adjacent one-half (1/2) right-of-way of West Packard Street, North Richmond Street (aka S.T.H. 47), and West Harris Street, as shown on the attached maps, from C-2 General Commercial District, R-2 Two-Family District, and R-1C Central City Residential District to C-1 Neighborhood Mixed Use District

Attachments: [StaffReport_FormerVFWSite_CompPlan+Rezoning_For06-23-21.pdf](#)
[EmailFromAnaHauser_07-14-21.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Doran, that the Rezoning be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[21-0873](#)

R/B-Approve update to Municipal Code Section 4-392 related to electrical work by a home owner.

Attachments: [Municipal Code 4-392.pdf](#)
[Municipal Code update 4-392.pdf](#)

This Item was referred back to the Municipal Services Committee.

[21-0946](#)

Request to approve the allocation of excess General Fund balance at December 31, 2020 and the following related 2021 Budget amendments:

General Fund

| | |
|---|--------------|
| Transfer Out - Debt Service/Capital Projects Fund | +\$3,840,000 |
| Transfer Out - Industrial Park Land Fund | +\$ 250,000 |
| Transfer Out - Facilities Capital Projects Fund | +\$ 185,000 |
| Transfer Out - IT Capital Projects Fund | +\$ 65,000 |
| Mayor's Office | +\$ 75,000 |
| Public Works Department | +\$ 200,000 |
| Finance Department | +\$ 50,000 |
| General Fund Balance - Reserve for Brand Study | +\$ 450,000 |
| General Fund Balance | -\$5,115,000 |

Debt Service/Capital Projects Fund

| | |
|----------------------------|--------------|
| Transfer In - General Fund | +\$3,840,000 |
| Debt Service Reduction | +\$3,840,000 |

Industrial Park Land Fund

| | |
|----------------------------|-------------|
| Transfer In - General Fund | +\$ 250,000 |
| Industrial Park Land | +\$ 250,000 |

Facilities Management Capital Projects Fund

| | |
|----------------------------|-------------|
| Transfer In - General Fund | +\$ 185,000 |
| Parks Improvements | +\$ 175,000 |
| City Hall Improvements | +\$ 10,000 |

Information Technology Capital Projects Fund

| | |
|----------------------------|------------|
| Transfer In - General Fund | +\$ 65,000 |
| Council Chamber AV Project | +\$ 65,000 |

to allocate excess general fund balance at 12/31/20 per City Fund Balance Policy (2/3 vote of Council required)

Attachments: [Finance Committee - Fund Balance Policy 2021.pdf](#)
[Mayor Memo.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Firkus, that the Budget Amendments be approved as amended in Committee. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Nay: 2 - Alderperson Katie Van Zeeland and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[21-1032](#)

Mayor's Response to Resolution #9-R-21, Transportation Utility Study

Attachments: [#9-R-21 TU Resolution.pdf](#)
[Transportation Utility Study Resolution Response Memo.pdf](#)

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

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-0870](#)

Approve updated Sidewalk Maintenance Policy.

Attachments: [Sidewalk Maintance Policy.pdf](#)

This Report Action Item was approved.

[21-0872](#)

Approve update to Municipal Code Section 4-141 regarding prohibited accessory buildings.

Attachments: [Municipal Code 4-141.pdf](#)
[Update-Section 4-141 Municipal Code.pdf](#)

This Report Action Item was approved.

[21-1049](#)

Request from AT&T for a street occupancy permit to place a cabinet in the terrace at 2018 S. Kernan Avenue.

Attachments: [AT&T- 2018 S Kernan Ave.pdf](#)

This Report Action Item was approved.

[21-1050](#)

Request from AT&T for a street occupancy permit to place a cabinet in the terrace at 1407 W. Kamps Avenue.

Attachments: [AT&T-1407 W Kamps Ave.pdf](#)

This Report Action Item was approved.

[21-1052](#)

Request from AT&T for a street occupancy permit to place a cabinet in the terrace at 1130 W. Commercial Street.

Attachments: [AT&T-1130 W Commercial St.pdf](#)

This Report Action Item was approved.

[21-1053](#)

Request from Ruby's Pantry for a monthly street occupancy permit to close a portion of Ida Street the first Tuesday of each month from 2:00 p.m. to 7:00 p.m. adjacent to First English Lutheran Church.

Attachments: [First English Lutheran Church-St Occ Permit.pdf](#)

This Report Action Item was approved.

[21-1054](#)

Approve updated InterGovernmental Agreement with the Town of Grand Chute and Outagamie County for intersection improvements at CTH OO/Oneida Street, CTH OO/Ballard Road and CTH OO/Roemer Road.

Attachments: [CTH OO-Intersection Improvements.pdf](#)

This Report Action Item was approved.

[21-1055](#) Approve Six Month Trial Period to convert existing 5 minute loading zone (5:00 p.m. to 11:00 p.m.) and taxi loading zone only (11:00 p.m. to 3:00 a.m.) to a standard 15-minute loading zone (5:00 p.m. to 3:00 a.m.) for the six parking stalls on the north side of the 400 W. College Avenue block adjacent to the Fox Cities PAC.

Attachments: [400 W College Ave-parking meters.pdf](#)

This Report Action Item was approved.

[21-1056](#) Request from Building for Kids Children's Museum for a street occupancy permit to install stickers and spray paint for a safe route to the museum. All installation and maintenance is the responsibility of the museum.

Attachments: [Building for Kids-St Occ Permit.pdf](#)

This Report Action Item was approved.

[21-1060](#) Approve proposed traffic control for Trail View Estates South Subdivision.

Attachments: [Trail View Estate South Subdivision.pdf](#)

This Report Action Item was approved.

[21-1061](#) Approve proposed traffic control for the Sixth and Seventh Additions to Emerald Valley Subdivision.

Attachments: [Subdivision traffic control-Emerald Valley.pdf](#)

This Report Action Item was approved.

[21-1064](#) Approve proposed parking restrictions related to the Bennett Street/Wisconsin Avenue enhanced pedestrian crossing.

Attachments: [Parking changes-Bennett St-Wisconsin Ave.pdf](#)

This Report Action Item was approved.

[21-1065](#) Approve proposed parking restrictions related to the Meade Street/Grant Street enhanced pedestrian crossing.

Attachments: [Parking changes-Meade St-Grant St.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE[21-1051](#)

Class "A" Beer and "Class A" Liquor- Cider Only Change of Agent application for Kwik Trip Inc, d/b/a Tobacco Outlet Plus Grocery, Pattie Jo Vergenz, New Agent, located at 1342 W Prospect Ave, contingent upon approval from the Police Department.

Attachments: [Pattie Jo Vergenz S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE****5. MINUTES OF THE FINANCE COMMITTEE**[21-0949](#)

Request to award the 2021 Water Treatment Facility Fire Alarm project to Faith Technologies, Inc in the amount of \$51,228 with a contingency of \$10,000 for a project total no to exceed \$61,228

Attachments: [2021 WT Fire Alarm.pdf](#)

This Report Action Item was approved.

[21-1069](#)

Request to accept a grant from Mary Beth Nienhaus in the amount of \$500,000 for the construction of a pickleball complex at Telulah Park

Attachments: [2021 Donation for Pickleball Courts.pdf](#)

This Report Action Item was approved.

[21-1075](#)

Request approval of Change Order #1 for Contract 42-21 for the 2021 Parks Hardscapes Project - AMP Parking Lot #3 Reconstruction Project for installing Engineered Base Stabilizer (EBS) and drain tile in the amount of \$60,947 resulting in an increase of the contingency from \$50,000 to \$60,947 and an increase to the overall contract amount of \$10,947

Attachments: [2021 AMP Parking Lot #3 Renovation Change Order #1.pdf](#)

This Report Action Item was approved.

[21-1076](#)

RIVERSIDE CEMETERY ASSOCIATION submitting a request for payment for maintenance of Veteran's graves

Attachments: [Riverside Cemetery - 2021 Veteran Grave Care Reimbursement.pdf](#)
[Riverside Cemetery - Veterans July 2020 to June 2021.pdf](#)
[Riverside Cemetery - Military Report - 7-14-2021.xlsx](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[21-1042](#)

Amend 2021A Stormwater Management Plan Review contract with Brown and Caldwell by an increase of \$20,000 for a total contract amount not to exceed \$57,500.

Attachments: [2021A SWM Plan Review BC Amendment Memo Util Cmte.pdf](#)

This Report Action Item was approved.

[21-1043](#)

Amend 2021B Stormwater Management Plan Review contract with raSmith by an increase of \$20,000 for a total contract amount not to exceed \$57,500.

Attachments: [2021B SWM Plan Review raSmith Amendment Memo Util Cmte.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[21-0830](#)

Request to approve Information Technology to overhire position of Help Desk Analyst.

Attachments: [Help Desk Overhire Request 2021.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

[21-0853](#)

Request to approve Rezoning #8-21 for the subject undeveloped parcel located on Coolidge Court (Tax Id #31-9-1117-00), including the adjacent one-half (1/2) right-of-way, as shown on the attached maps, from PD/C-2 Planned Development General Commercial District #34-84 to R-3 Multi-Family District

Attachments: [StaffReport_CoolidgeCourt_Rezoning_For06-23-21.pdf](#)

Aldersperson Prohaska moved, seconded by Aldersperson Hartzheim, that the Rezoning be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Michael Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

O. ORDINANCES

[21-1093](#)

Ordinances #40-21, #42-21 through #56-21

Attachments: [Ordinances going to Council 8-4-21.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Hartzheim, that the Ordinances be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matthew Reed, Aldersperson Alex Schultz, Aldersperson Michael Smith, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Joe Prohaska and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

#10-R-21
Scavenging of Solid Waste/Recyclables

*Submitted By: Alderperson Smith – District 10
Date: 8/4/2021
Referred To: Municipal Services Committee*

Whereas Appleton has restructured bulk item pickups for a number of reasons, one being to reduce the number of useful items sent prematurely to the landfill and

Whereas a common practice is for individuals to collect items off the terrace on garbage/recycling night and

Whereas this is an illegal act by city ordinance Sec. 15-32 Scavenging Solid Waste or recyclables for collection,

Be it resolved that city ordinance Sec 15-32 be rescinded as a way to legalize an act which would then legally help reduce items sent prematurely to a landfill.

Sec. 15-32 Scavenging Solid Waste or recyclables for collection is below:

*Sec. 15-32. Scavenging of solid waste or recyclables placed for collection. Authorized personnel. It shall be unlawful for any person other than authorized City employees or county recycling contractors to go through, sort or take anything from any solid waste or recyclables that have been set out for the purpose of being picked up by City refuse collection personnel. Yard waste, grass clippings and brush are not included in the prohibitions set forth in this paragraph.
(Ord 166-08, §1, 11-11-08; Ord 24-14, §1, 5-13-14)*

#11-R-21
Sidewalks near Linwood Park

*Submitted By: Alderperson Smith – District 10
Submitted On: 8/4/2021
Referred To: Parks & Recreation Committee*

Whereas Linwood Park has sidewalks around the majority of its perimeter and,

Whereas easy access to parks is important to young and old,

Be it resolved that those parts of the perimeter of Linwood Park without sidewalks be connected to sidewalks already in existence, specifically needed sidewalk on Franklin St and Douglas St

#12-R-21
Health Officer Hiring

Submitted By: Alderperson Martin – District 4, Alderperson Reed – District 8,
Alderperson Hartzheim – District 13, Alderperson Doran – District 15
Date: 8/4/2021
Referred To: Board of Health

WHEREAS, on August 4, 2021, City of Appleton Mayor Jacob A Woodford put forth new guidance in the City requiring masking in indoor public City facilities; and

WHEREAS, the permanent position of Health Officer for the City of Appleton has been vacant since early June, 2021, and the Mayor and city staff were aware of the pending retirement of the previous Health Officer since prior to the first COVID-19 cases in Appleton in early 2020;

THEREFORE, BE IT RESOLVED that the Members of the City of Appleton Common Council hereby express their concern that the City has undertaken health initiatives and enacted a public health mandate while the position of Health Officer remains vacant; and

BE IT FURTHER RESOLVED that the Members of the City of Appleton Common Council urge the Mayor to prioritize and expedite the hiring of a Health Officer as quickly and as practicably as possible and prior to enacting or implementing any further COVID-19 guidance or mandates in the City.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderperson Prohaska moved, seconded by Alderperson Smith, that the meeting be adjourned at 8:30 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Michael Smith, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Joe Prohaska and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk

NOTICE OF PUBLIC HEARING

#9-21

RE: Proposed Zone Change

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on August 18, 2021, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zone change:

Rezoning #9-21: 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 following described real estate (“M&J Weyenberg Properties, LLC” Annexation). The City Plan Commission requests to rezone the property from temporary AG Agricultural District to R-1B Single-family District. 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 “M&J Weyenberg Properties, LLC” Annexation and allow the property to be developed as single-family residential.

Legal Description: PARCEL 101157102

ALL OF LOT 2, CERTIFIED SURVEY MAP NO. 8075 AND PART OF RIDGE HAVEN LANE, ALL BEING LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 00 DEGREES 09 MINUTES 08 SECONDS EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 1144.19 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 04 SECONDS EAST, 50.00 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 119.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 7.44 FEET; THENCE NORTH 05 DEGREES 33 MINUTES 30 SECONDS EAST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 30.17 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 40.11 FEET; THENCE NORTH 33 DEGREES 46 MINUTES 42 SECONDS EAST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 44.77 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 39 SECONDS EAST, 33.00 FEET TO THE CENTERLINE OF RIDGE HAVEN LANE; THENCE SOUTH 89 DEGREES 21 MINUTES 49 SECONDS EAST, ALONG THE CENTERLINE OF RIDGE HAVEN LANE,

A DISTANCE OF 324.91 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 08 SECONDS EAST, ALONG THE EAST LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8075 AND ITS NORTHERLY EXTENSION, A DISTANCE OF 262.98 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG A SOUTH LINE OF SAID LOT 2, A DISTANCE OF 201.50 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 2, A DISTANCE OF 119.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG A SOUTH LINE OF SAID LOT 2, A DISTANCE OF 151.50 FEET TO THE POINT OF BEGINNING. CONTAINING A TOTAL OF 73,859 SQUARE FEET [1.696 ACRES].

JULY 29, 2021

RUN: August 3, 2021
August 10, 2021

KAMI LYNCH
City Clerk

DEPARTMENT OF PUBLIC WORKS

100 North Appleton Street

Appleton, WI 54911

Phone (920) 832-6474

Fax (920) 832-6489

TO: Municipal Services Committee

FROM: Kurt W. Craanen, Inspections Supervisor *KWC*
Paula Vandehey, Director of Public Works *PVW*

SUBJECT: Update to Section 4-392 of the Municipal Code

DATE: June 21, 2021

Staff recommends the following changes to Section 4-392 of the Municipal Code related to electrical work. In 2018, changes were made to this section to prohibit homeowners from doing their own service changes in their homes. The proposed changes below further clarify what is required in order to install a new service, as well as solar installations, by a home owner in their own home.

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. In the case of installing or replacing service equipment in a single-family dwelling, solar photovoltaic installations or electrical work performed on a residential property which is not a single-family owner occupied dwelling, the electrical work will need to shall be performed by a licensed electrical contractor, meeting all the requirements of SPS 305.41 as amended from time to time. The owner of the property must procure a permit prior to starting any electrical work. The property owner may not procure a permit on behalf of an electrical contractor or another individual.

The Department of Public Works recommends approval of the changes to Section 4-392 of the Municipal Code of the City of Appleton.

cc: Nicholas VandeCastle

DEPARTMENT OF PUBLIC WORKS

100 North Appleton Street

Appleton, WI 54911

Phone (920) 832-6474

Fax (920) 832-6489

TO: Municipal Services Committee

FROM: Kurt W. Craanen, Inspections Supervisor *KWC*
Paula Vandehey, Director of Public Works *PW*

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DATE: June 21, 2021

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utility interactive

The Department of Public Works recommends approval of the changes to Section 4-392 of the Municipal Code of the City of Appleton.

cc: Nicholas VandeCastle

Why Sidewalks on Bartell Drive?

GENERAL

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

SPECIFIC

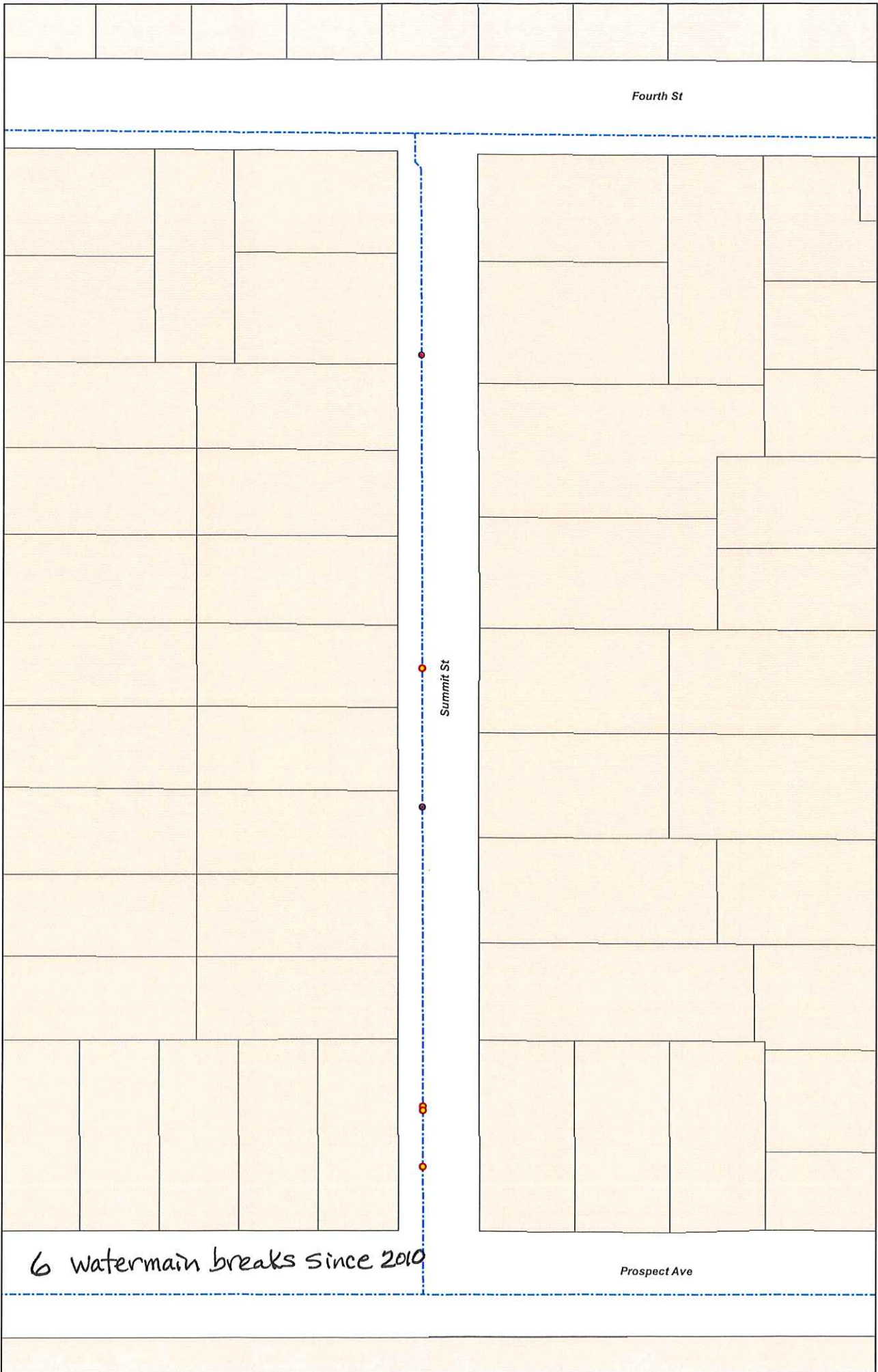
- Connects Pine Street sidewalk to Prospect Avenue sidewalk
- Traffic volume over 1100 vehicles per day

Fourth St

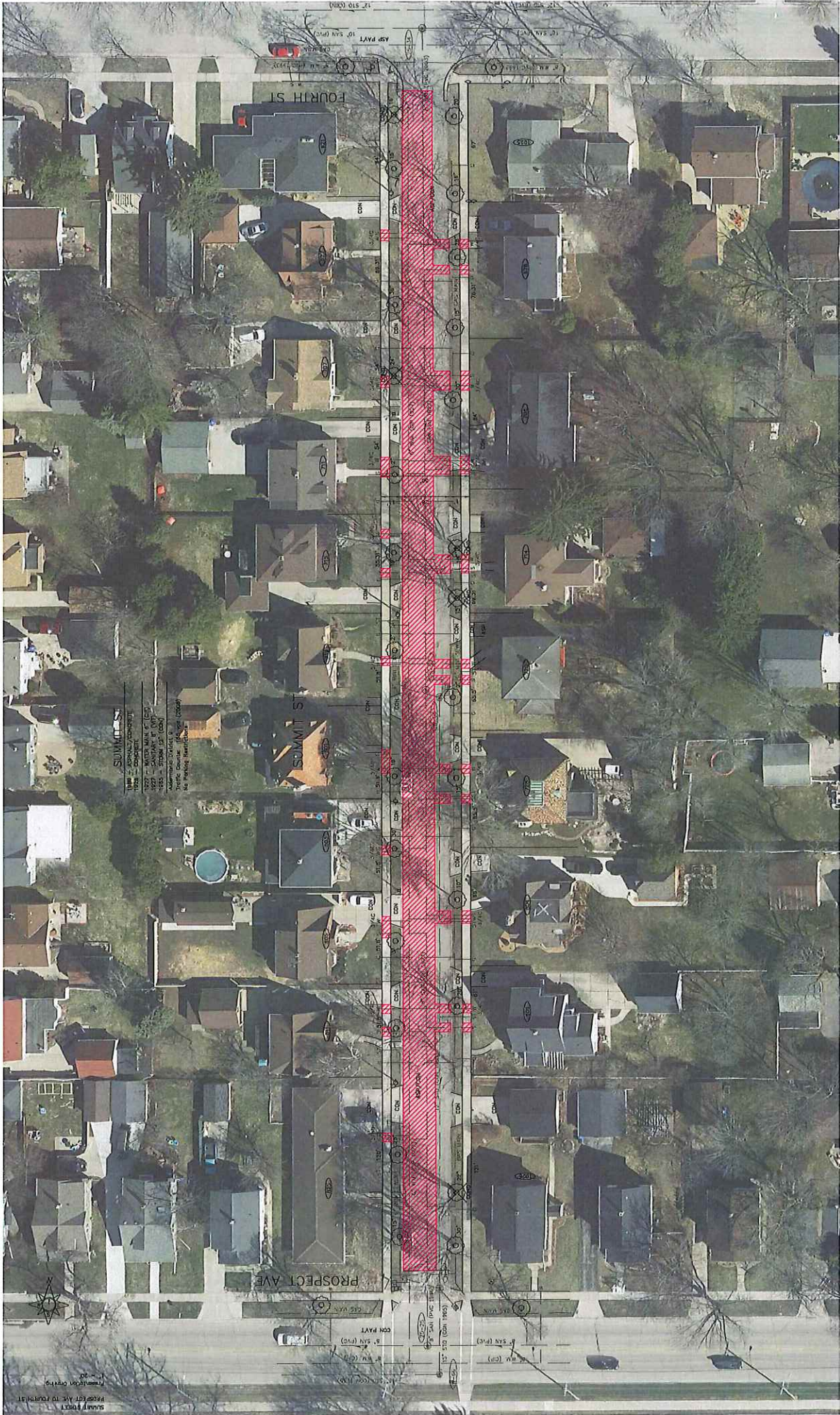
Summit St

Prospect Ave

6 watermain breaks since 2010



21



Renee Padgett

From: Cathy Kromm
Sent: Wednesday, August 11, 2021 9:12 AM
To: Diana A. Santiago
Subject: FW: Summit Street project proposal

From: Traci J. Reed <Traci.Reed@Appleton.org>
Sent: Wednesday, August 11, 2021 8:02 AM
To: Cathy Kromm <Cathy.Kromm@Appleton.org>
Subject: FW: Summit Street project proposal

From: Paula Vandehey <Paula.Vandehey@Appleton.org>
Sent: Tuesday, August 10, 2021 10:35 PM
To: Traci J. Reed <Traci.Reed@Appleton.org>
Subject: Fwd: Summit Street project proposal

Traci I need to attach another document to the Muni Services Committee minutes. Is that still possible?

Paula

Sent from my iPhone

Begin forwarded message:

From: Brad Firkus <District3@appleton.org>
Date: August 10, 2021 at 9:31:12 PM CDT
To: Paula Vandehey <Paula.Vandehey@appleton.org>
Cc: "Amanda K. Abshire" <Amanda.Abshire@appleton.org>
Subject: RE: Re: Summit Street project proposal

Alright, let's try this then:

On Aug 10, 2021 7:37 AM, Paula Vandehey <Paula.Vandehey@Appleton.org> wrote:
Hi Brad,

I did not get the attachment with your email.

Paula

From: Brad Firkus <District3@Appleton.org>
Sent: Monday, August 9, 2021 8:43 PM
To: Amanda K. Abshire <Amanda.Abshire@Appleton.org>; Paula Vandehey

I am a resident of 714 S. Summit Street. I, along with three other Summit Street residents, attended and spoke at the Municipal Services Committee meeting of July 26. Attached is a letter signed by many of the Summit Street residents who would be affected by the proposed reconstruction project. The letter is self-explanatory and expresses our opposition to the bulk of the proposed project.

Let me just add a few additional comments. We believe that narrowing the width of the street from 28 to 26 feet and eliminating parking on the west side is a very bad idea for the safety and other reasons mentioned in the letter. Additionally, to do that probably also would necessitate posting permanent "No Parking" signs along the west side of the street. That would diminish the beauty of the street. I am sure that no one living on the west side of the street would want to have such a metal sign in front of their house.

Further, with respect to saving the mature trees, it is my understanding that there is a digging technique called "air-spading" which can be used and is much less damaging to tree roots compared to digging with a bucket. If it is determined that comprehensive sewer/water main work needs to be done (as opposed to simply fixing the water main in front of 719 S. Summit St.), then I would suggest air-spading. Finally, if more comprehensive underground work is determined to be necessary, resulting in repaving the street instead of just patching it, we all request that any such repaving not involve the existing curbs, since keeping the street at 28 feet wide with parking on both sides is important to us.

I am sending you this email instead of using the City's contact form, because there is no way to attach documents on the City's form. Thank you, Jonathan Menn

Attention: This message was sent from a source external to the City of Appleton. Please use caution when opening attachments or clicking links.

July 29, 2021

Dear Appleton Common Council Members,

We are the residents of South Summit Street (between Prospect and Fourth). We have been made aware of a proposal of the Engineering Division of the Municipal Services Committee to reconstruct sanitary sewer, storm sewer, and water main, increase the size of the terraces on both the east and west sides of the street, reduce the width of Summit Street from 28 feet to 26 feet, re-asphalt the entire street, eliminate parking on the west side of the street, and remove five mature trees along the street.

It appears that there may be a problem with the water main in front of 719 S. Summit St. If that needs to be fixed, then we agree that that should be fixed. However, we all strongly oppose the rest of the proposal (i.e., increasing the size of the terraces, narrowing the street, doing comprehensive underground work and re-asphalting, eliminating the parking on the west side, and removing the existing trees). There are several reasons why we believe this is a very bad idea (and four of us were able to be at the Municipal Services Committee meeting on July 26 to voice our concerns).

First, this comprehensive proposal is unnecessary.

- The letter of July 12 from the Engineering Division did not indicate that *any* of this was necessary.
- No one who lives here has noticed any problems or voiced any desire to have any of these things done. To impose this major revision on our street and neighborhood seems wrong.
- Our portion of Summit Street is only two blocks long and is not a thoroughfare. Consequently, spending over \$200,000 to make major revisions to our street is an unwarranted use of taxpayer money which could better be spent dealing with streets that are thoroughfares.

Second, the aspects of the proposal to which we object would adversely affect the character of our street and neighborhood and, if carried out, would likely make the traffic situation worse.

- Other proposed street projects (as discussed at the July 26 meeting) involve streets 35 or more feet wide. Our street is only 28 feet wide now. To reduce its width by two feet would make backing out of the driveway (if there are cars parked on the street) much more difficult. It would also make turning into the street much more difficult, especially in winter and when there are vehicles parked on the street and/or vehicles at the corners waiting to turn on to Prospect or Fourth.
- We need the parking on both sides of the street. There is an Air BNB (unfortunately with a non-resident owner) located at 628 S. Summit St. They frequently have several cars on the street for guests and parties. To eliminate parking on the west side of the street would adversely affect everyone who lives on the street when we have guests or parties of our own.

- This short street has a historic and distinctive character. Many of the houses were built in the 1920s and 1930s. Most of the trees are mature. To repave the street, eliminate parking, and remove some of the mature trees would adversely affect the character of our neighborhood.
- Regarding the trees, the Forestry Q&A section of the City's website says, "Large trees provide a significant value to the City of Appleton. We strive to maintain them as long as they are safe and healthy. Tree removal is usually only considered as a last option." All of the mature trees along our street have been alive for decades. They are all in full leaf. None of them appears to be diseased or dying, and they all appear to be thriving. While the tree in front of 707 S. Summit St. lost a limb in a big storm a few years ago, it was otherwise not affected and is thriving now. The trees in front of 714 S. Summit St. have never required any repair or maintenance. They have never lost any major limbs in windstorms. Clearly, therefore, these trees do not require a wider terrace to "be saved" and thrive. These trees provide significant value to the City, to the residents of Summit Street, and to the character of Summit Street. They are safe and they are healthy. There is no good or necessary reason (let alone a "last option") to remove them.

In sum, if it is necessary to fix the water main in front of 719 S. Summit St., then, of course, do that. However, all the other aspects of this proposal are not only not necessary but are counterproductive. We therefore request that the street narrowing, terrace enlarging, parking eliminating, comprehensive underground work, street re-asphalting, and tree removal aspects of the proposal NOT be approved.

[Signature] 711 S Summit St Sincerely,
 Marcia Ostroch 715 S. Summit St.
 54914
 Rick Martin 707 S. Summit St.
 Jean Mautts 805 S. Summit St.
 Annesa VanHelen 719 S Summit St.
 Douglas Martin 720 S Summit ST
 [Signature] 714 S. SUMMIT ST.
 Rachel TenHaken 811 S. Summit St.
 Butany Schumacher 711 S. Summit Street.
 [Signature] 811 S. Summit St.
 [Signature] 719 S. SUMMIT
 Michael R. DeHate 715 S Summit
 Janna Foster 728 S Summit

Name of Member 714 S. Summit St.



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit #: Effective Date: Expiration Date: Fee: 80.00 Paid (yes or no):

Rev. 04-10-15

Applicant Information: Name (print): James Fero, Address: 205 W. College Ave, Company: Home Burger Bar, Telephone: (920) 851-6324, e-mail: Homeburgerbarwi@gmail.com, Date: 7/27/21

Occupancy Information: General Description: 3 Red dining tables, Street Address: 205 W. College Ave, Tax Key No.:

(Department use only) Occupancy Type: Permanent (\$40), Sub-Type: Sandwich Board, Tables / Chairs, Location: Terrace

Additional Requirements: Plan/Sketch, Certificate of Insurance, Bond, Other:

Traffic Control Requirements: Type of Street, Proposed Traffic Control, Contact Traffic Division (832-2379) 1 business day prior to any lane closure...

- This permit approval is subject to the following conditions: 1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy. 2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application. 3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met. 4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted.

This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies, be properly barricaded and lighted, and be performed in a safe manner.

APPROVED BY: (Department of Public Works) DATE:

Paula Vandehey

From: Grant Thompson <grant@920remodel.com>
Sent: Tuesday, July 27, 2021 8:25 AM
To: Paula Vandehey
Cc: Tina Marie
Subject: Hello from Grant Thompson Construction / dumpster permit

Hello

I talked with someone at the appleton inspection office about a street permit for a dumpster this dumpster will be there over 30 days total job time would be approx. 8 weeks they asked me to contact you

job name and address
Chad and Emily Walters
610 E Roosevelt ST
Appleton Wi

would like to have the dumpster delivered 8/6/21 am

--

Sincerely,
Grant Thompson
Builder - Owner
Grant Thompson Construction, Inc.
920-304-9571
grant@920remodel.com
www.920remodel.com



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ARTICLE VII. MECHANICAL

DIVISION 1. GENERALLY

Sec. 4-436. Penalty for violation of article.

Any person who shall violate any provision of this article shall be subject to a penalty as provided in §1-16. (Code 1965, §18.14)

Sec. 4-437. Inspections.

Article II, Division 4 of this chapter shall apply to inspection of work regulated under this article. (Code 1965, §18.03)

Sec. 4-438. Appeals.

Any person directly interested who is aggrieved by any decision of the Inspection Supervisor or the Board of Heating Examiners in the execution of their duties pursuant to this article may appeal from any decision to a Heating Board of Appeals, which shall consist of three (3) recognized contractors for work governed by this article or holders of licenses under this article, one (1) of whom shall be chosen by the party taking the appeal, one (1) by the Inspections Division, and the third person chosen by the other two (2) members. The appeal shall be taken by the person aggrieved by giving written notice of such appeal to the Inspections Division at its office within twenty-four (24) hours after such decision is made. The selection of the members of the Heating Board of Appeals shall be made at once and the Board shall meet within forty-eight (48) hours after the giving of such notice and shall render a decision within five (5) days thereafter, which shall be in writing. Any interested party, including the Inspections Division, shall have the right to present the case to the Heating Board of Appeals, whose decision shall be final. The members of the Appeal Board shall serve without pay.

(Code 1965, §18.01(5); Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 176-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Secs. 4-439 – 4-455. Reserved.

DIVISION 2. BOARD OF HEATING EXAMINERS

Sec. 4-456. Membership; organization.

The Board of Heating Examiners shall consist of seven (7) members: the Fire Chief; five (5) licensed heating contractors, to be as diversified as possible, and one (1) member of the Common Council. The Inspection Supervisor shall be secretary of the Board without a vote, except in case of a tie vote, and shall keep a record of all its meetings and transactions. All appointments shall be for a term of two (2) years, except that the term of office of the Council member shall be one (1) year. At the regular meeting in October, the Board shall elect its chairman for the ensuing year. (Code 1965, §18.01(4)(b); Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-457. Procedures.

The Board of Heating Examiners may adopt such rules of procedure for conduct of its meetings and for examination of applicants and for revocation and suspension of licenses as are reasonably calculated to carry out the purposes of this article.

(Code 1965, § 18.01(4)(c))

Secs. 4-458 – 4-475. Reserved.

Paula Vandehey

From: Sara Wouters <sarawouterscookies@gmail.com>
Sent: Wednesday, August 4, 2021 8:40 AM
To: Paula Vandehey
Subject: Extending Pod permit

Hello Paula. Thanks for getting back to me this morning. My husband and I are looking to extend our Pod permit 2 more months past our original permit that is just going to cover the month of August. Do to situations that be and supplies coming in later than expected, do to Covid, our lumber/trusses for our new garage are coming in 2 months later than originally quoted. So we will need to keep all of our garage items in the Pod till new garage is standing. We live at 1119 W Lawrence St, Appleton, WI 54914. Since we are tarring out the old driveway, old garage and slab there is no where else to put the Pod besides the road in front of our house. It is currently parked directly in front of our home and we've purchased 6' reflective stripping that we placed on all 4 corners of the Pod. Let me know if you have any questions or concerns for me or if I can provide any additional information.

Sara Wouters

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PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit #: 21-059-T

Effective Date: 8/1/21

Expiration Date: 8/31/21

Fee: \$ 40.00

Paid (yes or no): 94608318

Rev. 04-10-15

Applicant Information

Name (print): Travis Wouters

Company: N/A

Address: 1119 W. Lawrence St.

Telephone: (920) 809-0096 FAX: N/A

Appleton, WI 54914

e-mail: ~~travis.wouters@traviswouters.com~~ travis.wouters@gmail.com

Applicant Signature: [Signature]

Date: 5-19-21

Occupancy Information

General Description: 8' x 16" POD Container

Street Address: 1119 W. Lawrence St Tax Key No.: _____

Street: _____ From: 6/1/21 To: 7/10/21

Multiple Streets: _____

(Department use only)

Occupancy Type

Sub-Type

Location

- Permanent (\$40)
- Temporary - max. 35 days (\$40)
- Amenity/Annual (\$40)
- Blanket/Annual (\$250)
- Block Party (\$15)

- Sandwich Board
- Tables / Chairs
- Dumpster
- POD / Container
- Obstruction / Other

- Sidewalk
- Terrace
- Roadway

Additional Requirements

- Plan/Sketch
- Certificate of Insurance
- Bond
- Other: _____

Traffic Control Requirements

N/A

Type of Street:

Proposed Traffic Control:

- Arterial/CBD
- Collector
- Local
- City Manual Page(s)
- State Manual Page(s)
- Other (attach plan)

Contact Traffic Division (832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure.

Additional Requirements:

Reflective tape on POD

Approved by: _____

Date: _____

This permit approval is subject to the following conditions:

1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted.
- 5.
- 6.

This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies, be properly barricaded and lighted, and be performed in a safe manner. By applying for and accepting this permit, the applicant assumes full liability and/or any costs incurred by the City for corrective work required to bring the subject area into compliance with said ordinances, standards, policies and permit conditions. No occupancy shall occur prior to approval of this permit by the Department of Public Works.

The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume complete and full liability and responsibility, in accordance with existing ordinances and policies, in the event of injury or damage to persons or property resulting from their facilities within the public right-of-way.

APPROVED BY: _____

[Signature]
(Department of Public Works)

DATE: 5/25/21



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit #: _____
 Effective Date: _____
 Expiration Date: _____
 Fee: _____
 Paid (yes or no): _____

Rev. 04-10-15

Applicant Information

Name (print): Jason Vogds Company: Hoffman Planning, Design & Construction Inc.
 Address: 122 E College Ave Suite 1G Telephone: 920-539-6145 FAX: _____
Appleton, WI 64911 e-mail: jvogds@hoffman.net
 Applicant Signature: *Jason Vogds* Date: 8/3/2021

Occupancy Information

General Description: See Plan attached. We plan on moving fence to during this period to free up area of public parking along Lawrence St. and Soldier Square.

Street Address: _____ Tax Key No.: Exempt 002467
 - or -
 Street: Lawrence, S Morrison, Sol From: August 26 2021 To: February 18th
 Multiple Streets: E. Lawrence, S. Morrison, Soldiers Square, Onieda

(Department use only)

| Occupancy Type | Sub-Type | Location |
|--|---|---|
| <input checked="" type="checkbox"/> Permanent (\$40) <i>> 35 days</i> | <input type="checkbox"/> Sandwich Board | <input type="checkbox"/> Sidewalk |
| <input type="checkbox"/> Temporary - max. 35 days (\$40) | <input type="checkbox"/> Tables / Chairs | <input type="checkbox"/> Terrace |
| <input type="checkbox"/> Amenity/Annual (\$40) | <input type="checkbox"/> Dumpster | <input checked="" type="checkbox"/> Roadway |
| <input type="checkbox"/> Blanket/Annual (\$250) | <input type="checkbox"/> POD / Container | |
| <input type="checkbox"/> Block Party (\$15) | <input checked="" type="checkbox"/> Obstruction / Other | |

Additional Requirements

Plan/Sketch Certificate of Insurance Bond
 Other:

Traffic Control Requirements N/A

Contact Traffic Division (832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure.

Type of Street: Proposed Traffic Control:

Arterial/CBD City Manual Page(s)
 Collector State Manual Page(s)
 Local Other (attach plan)

Approved by: _____ Date: _____

- This permit approval is subject to the following conditions:**
1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
 2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
 3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met.
 4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted.
 - 5.
 - 6.

This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies, be properly barricaded and lighted, and be performed in a safe manner. By applying for and accepting this permit, the applicant assumes full liability and/or any costs incurred by the City for corrective work required to bring the subject area into compliance with said ordinances, standards, policies and permit conditions. No occupancy shall occur prior to approval of this permit by the Department of Public Works.

The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume complete and full liability and responsibility, in accordance with existing ordinances and policies, in the event of injury or damage to persons or property resulting from their facilities within the public right-of-way.

APPROVED BY: _____ DATE: _____
 (Department of Public Works)

PLAN KEY



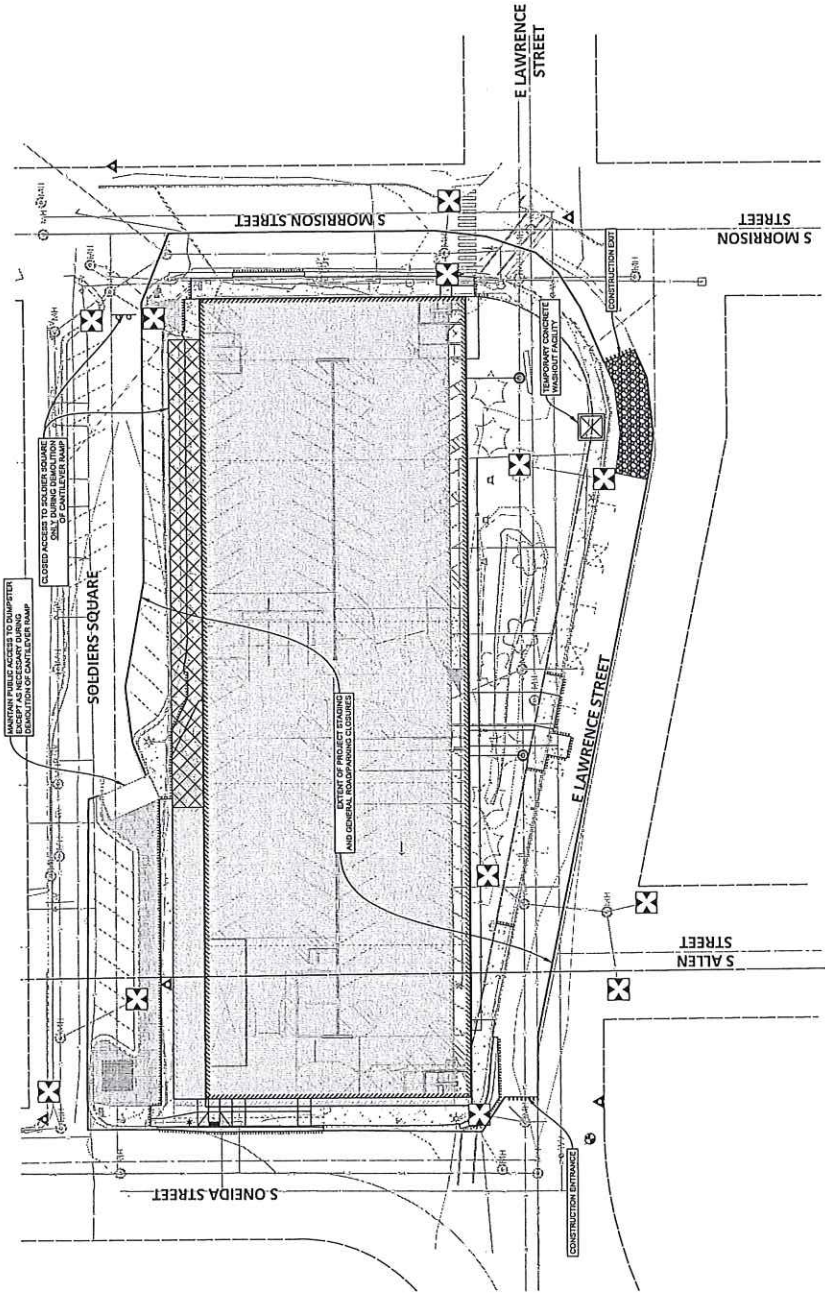
CONSTRUCTION SEQUENCE

- INSTALL SHEET PROTECTION IN STREET.
- REMOVE EXISTING PARKING MARKS.
- CONSTRUCT FOOTINGS OF NEW PARKING STRUCTURE.
- INSTALL NEW PAVEMENT.
- CONSTRUCT NEW PARKING STRUCTURE.
- PAVE DRIVEWAY AND DRIVEWAY.
- REMOVE EXISTING AND NEW PARKING MARKS.
- REMOVE SHEET PROTECTION.
- CONSTRUCT DRIVEWAY AND DRIVEWAY.
- REMOVE SHEET PROTECTION.



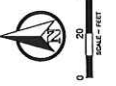
Westwood
CONSULTANT
1414 West
14th Street
PO Box 1000
Wausau, WI 54980
Tel: 715.833.1877
Fax: 715.833.1878
www.westwoodinc.com

Hoffman
Planning, Design & Construction, Inc.
600.224.2270 | hoffmann.net



YMCA OF THE FOX CITIES
120 S ONIDA STREET
APPLETON, WI 54911

NEW PARKING STRUCTURE FOR:



C401
PRELIMINARY
NOT FOR CONSTRUCTION

| NO. | DATE | DESCRIPTION |
|-----|------------|-------------------|
| 1 | 12/15/2023 | ISSUED FOR PERMIT |
| 2 | 01/10/2024 | ISSUED FOR PERMIT |
| 3 | 02/05/2024 | ISSUED FOR PERMIT |
| 4 | 03/05/2024 | ISSUED FOR PERMIT |
| 5 | 04/05/2024 | ISSUED FOR PERMIT |
| 6 | 05/05/2024 | ISSUED FOR PERMIT |
| 7 | 06/05/2024 | ISSUED FOR PERMIT |
| 8 | 07/05/2024 | ISSUED FOR PERMIT |
| 9 | 08/05/2024 | ISSUED FOR PERMIT |
| 10 | 09/05/2024 | ISSUED FOR PERMIT |

CITY OF APPLETON NOTES

- THE CONTRACTOR SHALL NOTIFY THE CITY OF APPLETON ENGINEERING CONTROL INSPECTOR TWO (2) DAYS PRIOR TO THE START OF SOIL REMEDIATION.
- ALL WORK SHALL BE COMPLETED BY THE END OF THE WORKDAY. ALL MATERIALS SHALL BE REMOVED FROM THE SITE BY THE END OF THE WORKDAY. ALL MATERIALS SHALL BE STORED IN A SECURE LOCATION AS TO BE PROTECTED FROM THE PUBLIC AND MAINTAINED AS APPROVED BY THE CITY OF APPLETON.
- ALL MATERIALS SHALL BE STORED IN A SECURE LOCATION AS TO BE PROTECTED FROM THE PUBLIC AND MAINTAINED AS APPROVED BY THE CITY OF APPLETON.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. ACCESS TO ALL ADJACENT PROPERTIES SHALL BE MAINTAINED AT ALL TIMES.
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DNR GENERAL NOTES

- POST WITH CERTIFICATE OF PERMIT COVERAGE ON SITE AND MAINTAIN UNTIL CONSTRUCTION ACTIVITIES HAVE CEASED. THE SITE IS STABILIZED, AND A RESTORATION PLAN IS SUBMITTED TO THE DNR.
- KEEP A COPY OF THE COMPLETE EROSION CONTROL PLAN ON SITE THROUGHOUT THE DURATION OF THE PROJECT.
- STURDY PILE DRIVERS OR ANCHORS TO THE WORK AT LEAST 3 DAYS PRIOR TO FIELD IMPLEMENTATION.
- INSTALL EROSION CONTROL MEASURES TO PREVENT SOIL EROSION AND SILTATION FROM THE PROJECT SITE.
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Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07/01/21 ending: 6/30/22
(mm dd yyyy) (mm dd yyyy)

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

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 ●●●●●●●●●● | |
|--|---------------|
| FEIN Number ●●●●●●●● | |
| TYPE OF LICENSE REQUESTED | FEE |
| <input type="checkbox"/> Class A beer | \$ |
| <input checked="" type="checkbox"/> Class B beer | \$ 100 |
| <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 | \$ 500 |
| <input type="checkbox"/> Reserve Class B liquor | \$ |
| <input type="checkbox"/> Class B (wine only) winery | \$ |
| Publication fee | \$ 60 |
| TOTAL FEE | \$ 660 |

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

~~SEBAC BAR~~ NAC LLC

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) |
|--------------------------------|------------------------|-----------------|--|
| <u>NECIS</u> | <u>CHRISTOPHER</u> | <u>ALAN</u> | <u>1315 1/2 S JEFFERSON ST, APPLETON, WI 54915</u> |
| NECIS | CHRISTOPHER | ALAN | 1315 |
| 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) |
| <u>NECIS</u> | <u>CHRISTOPHER</u> | <u>ALAN</u> | <u>1315 1/2 S JEFFERSON ST, APPLETON, WI, 54915</u> |
| Directors / Managers Last Name | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |

1. Trade Name OB'S BRAU HAUS Business Phone Number (920) 730-0202
 2. Address of Premises 523-525 W COLLEGE AVE Post Office & Zip Code 54911
APPLETON WI, 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.)
523-525 WEST COLLEGE AVENUE - 3,200 SQ. FT
BUILDING WITH DINING ROOM, KITCHEN, STORAGE ROOM,
BAR AND BASEMENT

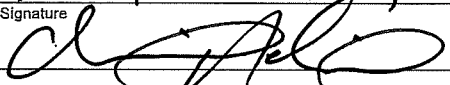


4. Legal description (omit if street address is given above): _____

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? OLD BAVARIAN BREWHAUS INC

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
current AGENT FOR OBS
OLD BAVARIAN BREWMAHS INC
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
 If yes, explain.
OLD BAVARIAN BRAU MAHS INC.
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 WISCONSIN and date JUNE 2021 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.) <u>HEIS, CHRISTOPHER, ALAN</u> | Title/Member <u>OWNER</u> | Date <u>07/27/2021</u> |
| Signature  | Phone Number  | Email Address  |

TO BE COMPLETED BY CLERK

| | | | |
|---|----------------------------------|---------------------------------|-----------------------------------|
| Date received and filed with municipal clerk <u>07-27-21</u> | 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: CHRISTOPHER NELIS

2. Name of Business: OB'S BRAU HAUS

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
 Tavern/Night Club/Wine Bar
 Microbrewery/Brewpub
 Painting/Craft Studio
 Other (describe) _____

3. Address of Business: 523 + 525 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 X No _____

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

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

Disorderly Conduct, DUI, OPERATION WHILE REVOKED

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

| | | | |
|---------------------|---------------|--------------------|------------------------|
| CHRISTOPHER | A | NELIS | ●/●/●●● |
| First name | M.I. | Last name | Date of Birth |
| _____ First name | _____ M.I. | _____ Last name | _____ Date of Birth |
| _____ First name | _____ M.I. | _____ Last name | _____ Date of Birth |
| _____ First name | _____ M.I. | _____ Last name | _____ Date of Birth |

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

Name: FRANK SCHADT
First name Middle Initial Last name

Address: 1515 GREENDALE ST, MENASHA, WI, 54952
City State ZIP

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

Name: OB'S BRAU HAUS

(Check Applicable Box(s) to identify primary business activity)

- Restaurant
- Tavern/Night Club/Wine Bar
- Microbrewery/Brewpub
- Painting/Craft Studio
- Other (describe) _____

8. Was this premise licensed for alcohol sales/consumption during the past license year?

Yes If yes, please contact the Community and Economic Development Department at 832-6468 about obtaining a copy of an existing Special Use Permit and related requirements that may run with property.

No _____ If no, please contact the Community and Economic Development Department at 832-6468 about obtaining a Special Use Permit. A Special Use Permit may be required for your business activity prior to the issuance of a Liquor License, pursuant to the City of Appleton Zoning Ordinance.

9. If alcohol sales were a previous use in this building, when did the operation cease?

8 months ago.

10. Seating capacity: Inside 80-120 Outside

11. Operating hours (Inside the building): 4pm - 9pm TUES-WED, 4pm - 2AM THUR-SAT
Operating hours (Outdoor seating areas): NONE

12. Employees/Staff

Number of floor personnel 4-5 Number of door checkers 2

13. In general, state the size and operational details of the proposed establishment:

a. Gross floor building area of the premises to be licensed: 3,200 square feet.

b. Gross outdoor seating areas of the premises to be licensed: square feet.

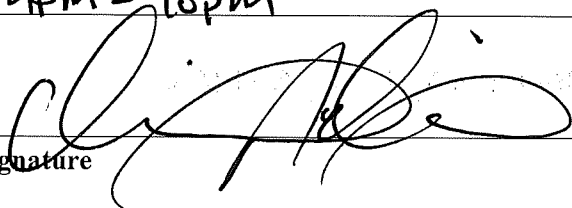
c. Below, identify the operational details of the proposed establishment:

RESTAURANT / BREWERY
SERVING GERMAN AUTHENTIC CUISINE

AND GERMAN AUTHENTIC MICROBREWS. BAR ON

THURSDAY - SATURDAY 10PM - 2AM AND RESTAURANT TUESDAY - SAT

4PM - 10PM

Signature 

Date 07/26/2021

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 an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village of APPLETON County of Outagamie
 City

The undersigned duly authorized officer/member/manager of NAC LLC
(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 OB'S BRAU HAUS
(Trade Name)

located at 523 + 525 COLLEGE AVE. APPLETON, WI, 54911

appoints CHRISTOPHER NELIS
(Name of Appointed Agent)

1315 1/2 S. JEFFERSON ST, APPLETON, WI, 54915
(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).
OLD BAVARIAN BRAUHAUS INC. (CITY OF APPLETON, OUTAGAMIE, WINNEBAGO CALLIMET COUNTY)

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? 31 years

Place of residence last year 1315 1/2 S JEFFERSON ST, APPLETON, WI, 54915

For: NAC LLC
(Name of Corporation / Organization / Limited Liability Company)

By: 
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, CHRISTOPHER NELIS, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

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.

 07/27/2021 Agent's age 31
(Signature of Agent) (Date)

1315 1/2 S JEFFERSON ST APPLETON, WI, 54915 Date of birth 06/06/1990
(Home Address of Agent)

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)



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting: July 28, 2021

Common Council Public Hearing Meeting: August 18, 2021

Item: Rezoning #9-21 - M&J Weyenberg Properties, LLC Annexation

Case Manager: Don Harp, Principal Planner

GENERAL INFORMATION

Owner: M&J Weyenberg Properties, LLC – Gerald M. Weyenberg

Petitioner: City of Appleton Plan Commission

Tax Id Number: Town of Grand Chute Parcel #101157102

Petitioner's Request: To assign permanent zoning classification to newly annexed property pursuant to Section 23-65(e) of the Zoning Ordinance and Annexation Petition from Temporary AG Agricultural District to R-1B Single-family District.

BACKGROUND

The subject property was included in the M&J Weyenberg Properties, LLC Annexation that was approved by the Plan Commission on July 14, 2021 and by the Common Council on July 21, 2021. The subject property was officially annexed to the City on July 27, 2021 at 12:01 a.m.

The subject property was annexed to the City with a Temporary AG Agricultural District zoning classification per Section 23-65(e) of the Municipal Code. The Plan Commission initiated the process to rezone the subject property from Temporary AG Agricultural District to R-1B Single-family District at the July 14, 2021 meeting.

STAFF ANALYSIS

Existing Conditions: The subject parcel is approximately 1.696 acres in size. Currently, the subject property is vacant/undeveloped land.

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. Per Section 23-93(g) of the Municipal Code, 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.

Surrounding Zoning Classification and Land Uses:

North: Town of Grand Chute. The adjacent land use to the north is currently developed as single-family residential.

South: Town of Grand Chute. The adjacent land use to the south is currently developed as single-family residential.

East: Town of Grand Chute. The adjacent land use to the east is currently developed as single-family residential.

West: City of Appleton. AG Agricultural District. The adjacent land use to the west is currently developed as single-family residential and Ballard Road.

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future One/Two-Family residential. The proposed rezoning is consistent with the following goals and objectives of the *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.

Rezoning #9-21 - M&J Weyenberg Properties, LLC Annexation
July 28, 2021
Page 3

OBJECTIVE 5.3 Housing and Neighborhoods:

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.

Policy 5.3.3 Plan for a supply of developable land suitable for residential development.

OBJECTIVE 10.1 Land Use:

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

Standards for Zoning Map Amendments: Per Section 23-65(d)(3) of the Municipal Code, all recommendations for Official Zoning Map amendments shall be consistent with the adopted plans, goals, and policies of the City and with the intent of the Zoning Ordinance. 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 site as future one and two-family residential land use.*
 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. *It was determined during the annexation process for the M&J Weyenberg Properties, LLC Annexation that the City can provide the needed municipal services to serve the subject site.*

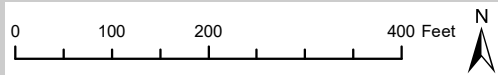
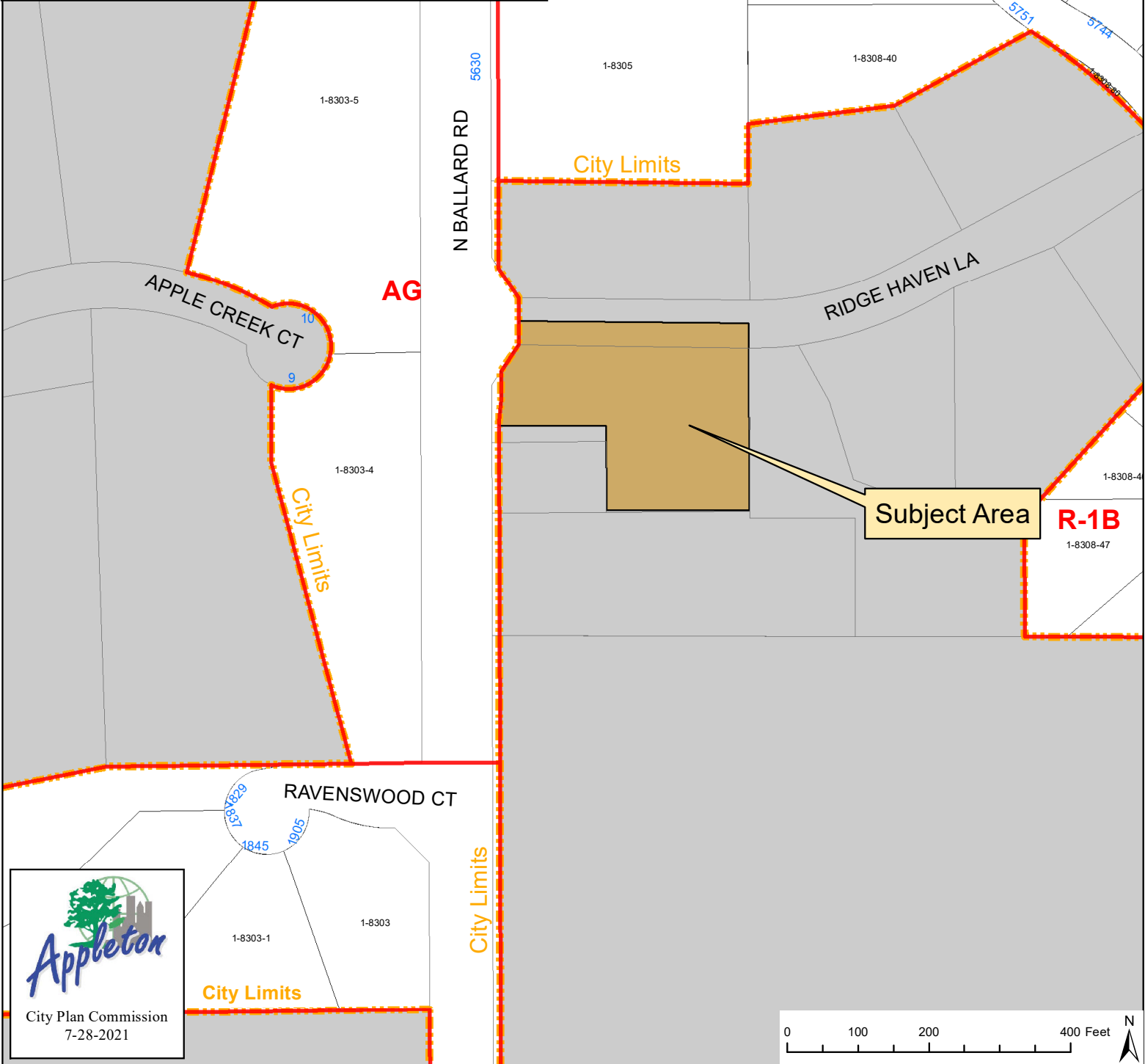
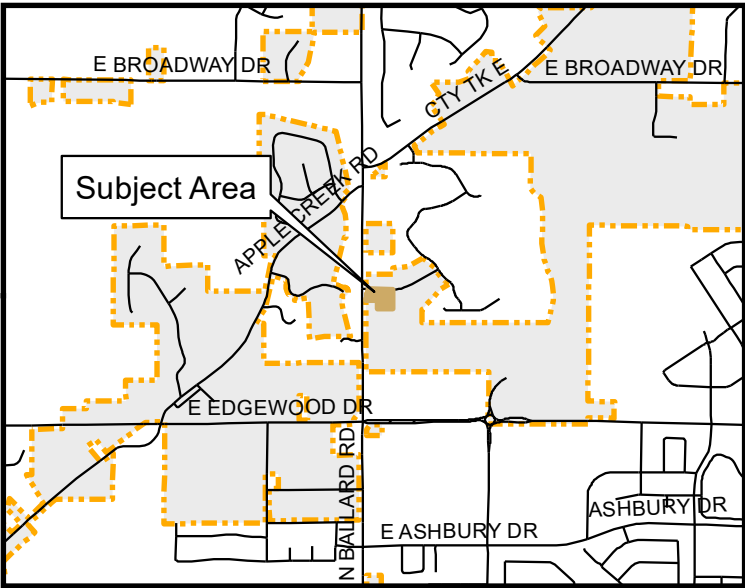
2. The effect of the proposed rezoning on surrounding uses. *Single-family residential uses are already established adjacent to the subject site. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding uses.*

Technical Review Group (TRG) Report: This item appeared on the July 6, 2021 TRG Agenda. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning #9-21 to rezone the subject site from Temporary AG Agricultural District to R-1B Single-family District, including to the centerline of existing adjacent right-of-way, as shown on the attached maps, **BE APPROVED**.

**M & J Weyenberg Annexation
Rezoning
Temporary Ag Agricultural to R-1B
Single-family Residential District**



M & J Weyenberg Annexation
Rezoning
Temporary Ag Agricultural to R-1B
Single-family Residential District



N BALLARD RD

N OSPREY DR

APPLE CREEK CT

RIDGE HAVEN LA

RAVENSWOOD CT

City Limits

Subject Area

City Limits

City Limits

Appleton
City Plan Commission
7-28-2021



MEMORANDUM

TO: City Plan Commission

FROM: Karen Harkness, Director of Community and Economic Development Department

DATE: August 11, 2021

RE: Tax Incremental Financing Districts #3 & #12 Amendments

The Department is proposing amendments to the boundaries and project plans for Tax Incremental Financing Districts #3 and #12.

TIF #3 was created in 1992 as a blighted district. Objectives were to stimulate downtown and commercial development, expand the property tax base and employment opportunities, and reduce blight in the downtown retail area.

In 2011, it was designated a distressed TIF following a \$15.4 million decrease in the District's valuation from 2009 to 2010 resulting from the Department of Revenue (DOR) implementation of a new valuation methodology and loss of valuation in the Richmond Terrace project due to bankruptcy. A distressed TIF is not eligible for new projects, nor can a new TIF be overlaid. TIF #3 expires in 2029.

TIF #3 is being amended to pull undervalued/underutilized parcels out and add them to TIF #12 to encourage redevelopment and reinvestment in our Central Business District. The proposed Tax Incremental District #3 Project Plan amendment subtracts 13 tax parcels from the District, which will be added to Tax Incremental District #12.

TIF #12 was created as a rehabilitation/conservation district in 2017. The objectives were to eliminate blight and stimulate the rehabilitation, conservation and redevelopment of West College Avenue and the surrounding area.

The proposed Tax Incremental District #12 Project Plan amendment will add to the District the 13 tax parcels being removed from Tax Incremental District #3 along with 23 additional parcels. The amendment will also revise the kind, number and location of proposed public works or improvements within the District and the detailed list of project costs to add approximately \$2.3 million or \$2,345,594 in additional potential project cost expenditures. Project costs include potential cash grants (development incentives) to be paid to owners, lessees or developers of land located within the District.

This item will go to Council on August 18th.

RESOLUTION NO. _____

**RESOLUTION DESIGNATING PROPOSED AMENDED BOUNDARIES
AND APPROVING A PROJECT PLAN AMENDMENT
FOR TAX INCREMENTAL DISTRICT NO. 3,
CITY OF APPLETON, WISCONSIN**

WHEREAS, the City of Appleton (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 3 (the "District") was created by the City on November 4, 1992 as a blighted area district and amended on September 10, 2020; and

WHEREAS, the City now desires to amend the Project Plan and boundaries of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will remove territory from the District as permitted under Wisconsin Statutes Section 66.1105(4)(h)2.; and

WHEREAS, an amended Project Plan for the District (the "Amendment") has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the district promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Outagamie County, the Appleton Area School District, and the Fox Valley Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on August 11, 2021 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Appleton that:

1. It recommends to the Common Council that the boundaries of Tax Incremental District No. 3 be amended as designated in Exhibit A of this Resolution.
2. It approves and adopts the amended Project Plan for the District, attached as Exhibit B, and recommends its approval to the Common Council.
3. Amendment of the Project Plan and Boundaries of the District promotes orderly development in the City.

Adopted this _____ day of _____, 2021.

Jacob A. Woodford, Mayor
Plan Commission Chair

ATTEST:

Kami L. Lynch, City Clerk

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 3
CITY OF APPLETON**

[INCLUDED WITHIN PROJECT PLAN]

PROJECT PLAN AMENDMENT

[DISTRIBUTED SEPARATELY]

June 29, 2021

Tax Incremental District No. 3 Project Plan Amendment #2



| | |
|---|-------------------------------|
| Organizational Joint Review Board Meeting Held: | Scheduled for August 11, 2021 |
| Public Hearing Held: | Scheduled for August 11, 2021 |
| Adoption by Plan Commission: | Scheduled for August 11, 2021 |
| Adoption by Common Council: | Scheduled for August 18, 2021 |
| Approval by the Joint Review Board: | TBD |

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SECTION 1:

Executive Summary

Description of District

Tax Incremental District (“TID”) No. 3 (“District”) is a blighted area district created by the City on November 4, 1992. In accordance with its Project Plan (“Plan”), the objectives for the District were to stimulate downtown and commercial development, to expand the property tax base and employment opportunities, and to reduce blight in the downtown retail area. On August 3, 2011, the District was designated as distressed as permitted under Wis. Stat. § 66.1105(4e) which extended the expiry of its maximum life by ten years until November 4, 2029. This extension did not lengthen the District’s expenditure period, which terminated on November 4, 2014. The distressed designation was sought following a \$15.4 million decrease in the District’s valuation from 2009 to 2010 resulting from the Department of Revenue’s implementation of a new valuation methodology, and a loss of valuation in the Richmond Terrace project following a bankruptcy sale. As of January 1, 2020, the District had an incremental valuation of \$58,719,700. The District’s remaining liabilities include an advance from the City’s General Fund, which is projected to be repaid in 2023, and payments due to the City’s Parking Utility which are expected to run through the remaining life of the District. On August 19, 2020, Council approved the first amendment to TID No. 3, removing undervalued parcels and adding them to TID No. 11.

Amendment Purpose

The City has identified 13 parcels within the District that continue to have redevelopment potential. Since the District’s expenditure period has passed, the City is unable to incur further Project Costs to promote redevelopment on those sites. This Plan Amendment will subtract these 13 parcels from the District as permitted under Wis. Stat. § 66.1105(4)(h)2. By separate amendment to Tax Incremental District No. 12 (“TID No. 12”), the City will add the same 13 parcels to that district, which has an active expenditure period through August 2, 2039. This will allow the City to promote further redevelopment in the downtown area in furtherance of the objectives of both TIDs No. 3 and 12. The effective date of the subtraction for valuation purposes will be January 1, 2021, first impacting the 2022 levy for the 2023 budget year.

Other than the subtraction of territory from the District, this Plan Amendment makes no further changes to the District or its Plan. Due to the subtraction of certain underperforming parcels, the territory subtraction is expected to slightly increase the incremental value of the District by a net amount of \$19,670. At the present tax rate, the annual revenue increase to the District will be approximately \$400, or \$3,200 over the remaining life of the District. As the District is currently projected to remain open for the balance of its remaining life, the removal of territory will not impact closure, but will instead slightly increase the funds available for repayments to the Parking Utility.

Summary of Findings

As required by Wis. Stat. § 66.1105, and as documented in this Plan Amendment and the exhibits contained and referenced herein, the following findings are made:

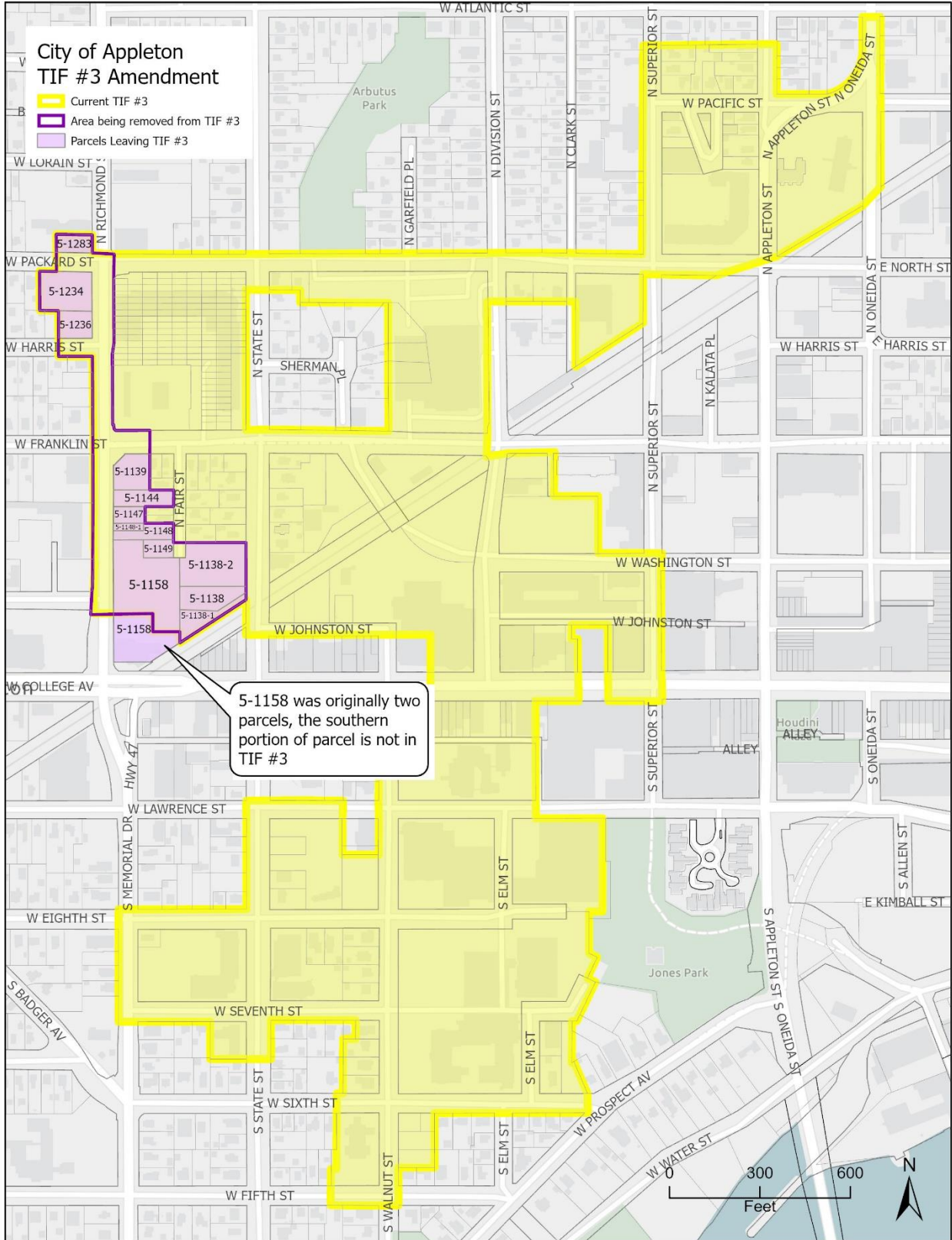
1. **That “but for” this Plan Amendment: 1) the City’s economic development objectives for the District will not be achieved; and 2) additional potential development within the District may not occur in the manner, at the values, or within the timeframe desired by the City.** In evaluating the appropriateness of this Plan Amendment, the Joint Review Board must consider “whether the development expected in the tax incremental district would occur without the use of tax incremental financing” customarily referred to as the “but for” test. Since the purpose of this Plan Amendment is solely to subtract territory, this test cannot be applied in the conventional way. The Joint Review Board has previously concluded that the “but for” test was met with respect to the District. Accordingly, the City finds that it is reasonable to conclude the “but for” test continues to be satisfied.

2. **The economic benefits of amending the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.** As a result of the Project Costs made within the District, \$58,719,700 in incremental property value has been created. While not quantified, increased employment, business and personal income, and other economic benefits have resulted from the redevelopment that has occurred within the District.
3. **The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.** Given the Joint Review Board has previously concluded the benefits of the District outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions, the City finds that it is reasonable to conclude that this test continues to be satisfied.
4. Not less than 50% by area of the real property within the District, as amended, was a blighted area within the meaning of Wis. Stat. § 66.1105(2)(a)(e)1 at the time the District was created.
5. Based on the foregoing finding, the District is declared to be, and remains, a blighted area district based on the identification and classification of the property included within the District.
6. The District's Project Costs, which remain unchanged, relate directly to promoting the elimination of blight.
7. No territory will be added to the District. Demonstration of compliance with the 12% equalized value test is, therefore, not required for this Plan Amendment.
8. Improvements to be made in the District are likely to significantly enhance the value of substantially all of the other real property in the District
9. The Plan for the District is feasible and is in conformity with the Master Plan of the City.
10. That based on the District's creation date, the City was not required to provide an estimate of the percentage of territory within the District expected to be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. § 66.1105(5)(b).

SECTION 2:

District Boundary Map & Identification of Parcels to be Subtracted

Map Found on Following Page.



SECTION 3:

Identification of Parcels to be Subtracted

The purpose of this Plan Amendment is to remove the parcels identified in the table below from the District effective January 1, 2021. The parcel subtraction will reduce the District's base value by approximately \$1,058,970 and increase its incremental value by approximately \$19,670. The figures listed in the table reflect assessed values. The actual adjustments to the base and incremental value will be calculated by the Department of Revenue using equalized value. Furthermore, the figures listed under the "Current Value" column reflect valuations as of January 1, 2020. The actual reduction in incremental value will be based on January 1, 2021 valuations which are not yet available. The actual reductions in both the base and incremental valuation of the District will, therefore, vary from the estimates provided. The District's revised based and incremental values resulting from the removal of the listed parcels will first be reflected in the valuations certified for January 1, 2022.

| Parcel Number | Street Address | Base Value (Jan. 1, 1993) | Current Value (Jan. 1, 2021) |
|----------------------|-----------------------|--------------------------------------|---|
| 5-1138 | 133 N STATE ST | \$ 97,400 | \$ 0 |
| 5-1138-1 | 123 N STATE ST | \$ 0 | \$ 0 |
| 5-1138-2 | 139 N STATE ST | SPLIT FROM 5-1138 | \$ 0 |
| 5-1139 | 226 N RICHMOND ST | \$119,110 | \$ 47,100 |
| 5-1144 | N RICHMOND ST | \$ 37,710 | \$ 66,200 |
| 5-1147 | 208 N RICHMOND ST | \$ 52,800 | \$ 95,000 |
| 5-1148 | 200 N RICHMOND ST | \$106,300 | \$120,000 |
| 5-1148-1 | 204 N RICHMOND ST | \$ 34,500 | \$ 83,600 |
| 5-1149 | 139 N FAIR ST | \$ 32,500 | \$ 59,000 |
| 5-1158 | 110 N RICHMOND ST | \$382,670 | \$210,000 |
| 5-1234 | N RICHMOND ST | \$ 93,800 | \$169,200 |
| 5-1236 | N RICHMOND ST | \$ 42,800 | \$ 79,200 |
| 5-1283 | 501 N RICHMOND ST | \$ 59,380 | \$110,000 |
| Totals | | \$ 1,058,970 | \$ 1,039,300 |

SECTION 4:

Map Showing Existing Uses and Conditions

Except for subtraction of territory, this Plan Amendment makes no changes to the map depicting existing uses and conditions of real property within the District as included in the original Project Plan for the District approved on November 4, 1992. That map is hereby incorporated by reference.

SECTION 5:

Equalized Value Test

No territory will be added to the District. Demonstration of compliance with the 12% equalized value test is, therefore, not required for this Plan Amendment.

SECTION 6:

Statement of Kind, Number and Location of Proposed Public Works and Other Projects

The District's expenditure period terminated on November 4, 2014; therefore, no additional Project Costs may be incurred. The Statement of Kind, Number and Location of Proposed Public Works and Other Projects set forth in the original Project Plan for the District approved on November 4, 1992 remains unchanged.

SECTION 7:

Map Showing Proposed Improvements and Uses

Except for subtraction of territory, this Plan Amendment makes no changes to the maps depicting proposed improvements and uses within the District as included in the original Project Plan for the District approved on November 4, 1992. That map is hereby incorporated by reference.

SECTION 8:

Detailed List of Project Costs

The District's expenditure period terminated on November 4, 2014; therefore, no additional Project Costs may be incurred. The Detailed List of Project Costs set forth in the original Project Plan for the District approved on November 4, 1992 remains unchanged.

SECTION 9:

Economic Feasibility Study, Financing Methods, and the Time When Costs or Monetary Obligations Related are to be Incurred

The cash flow projection found on the following page reflects the District's current financial position and anticipated performance through the end of its maximum life. The District's expenditure period ended on November 4, 2014, and additional expenditures will be limited to repayment of existing obligations and direct administrative cost. Existing liabilities include an advance from the General Fund expected to be repaid by 2023, and payments owed to the City's Parking Utility, which will run through the District's final year in 2030.

**TAX INCREMENT DISTRICT #3
CASH FLOW PROJECTION**

| Valuation Year 1/1 | Revenue Year | TIF District 3 Valuation* | Tax Rate | Tax Increment | Other Revenues | Admin Expense | Interest on Gen Fund Advance | Repayment to Parking Utility | Fund Balance | Repayment of General Fund Advance | Cash Balance |
|--------------------|--------------|---------------------------|----------|----------------------|-------------------|--------------------|------------------------------|------------------------------|----------------|-----------------------------------|--------------|
| | 2020 | | | | | | | | \$ (3,211,621) | | \$ 130,806 |
| 2020 | 2021 | 77,660,500 | 20.7044 | 1,215,753 | 10,983 | (1,460) | (139,621) | 0 | (2,125,966) | (1,100,000) | 116,461 |
| 2021 | 2022 | 78,437,108 | 20.7044 | 1,231,835 | 13,000 | (2,000) | (84,621) | 0 | (967,752) | (1,100,000) | 174,675 |
| 2022 | 2023 | 79,221,476 | 20.7044 | 1,248,075 | 13,000 | (2,000) | (28,560) | 0 | 262,763 | (1,142,427) | 262,763 |
| 2023 | 2024 | 80,013,691 | 21.2190 | 1,264,478 | 13,000 | (2,000) | 0 | (1,400,000) | 138,241 | 0 | 138,241 |
| 2024 | 2025 | 80,813,828 | 21.2190 | 1,281,044 | 13,000 | (2,000) | 0 | (1,300,000) | 130,285 | 0 | 130,285 |
| 2025 | 2026 | 81,621,966 | 21.2190 | 1,297,776 | 13,000 | (2,000) | 0 | (1,300,000) | 139,061 | 0 | 139,061 |
| 2026 | 2027 | 82,438,186 | 21.2190 | 1,314,675 | 13,000 | (2,000) | 0 | (1,300,000) | 164,736 | 0 | 164,736 |
| 2027 | 2028 | 83,262,568 | 21.2190 | 1,331,744 | 13,000 | (2,000) | 0 | (1,300,000) | 207,480 | 0 | 207,480 |
| 2028 | 2029 | 84,095,193 | 21.2190 | 1,348,983 | 13,000 | (2,000) | 0 | (1,400,000) | 167,463 | 0 | 167,463 |
| 2029 | 2030 | 84,936,145 | 21.2190 | 1,366,394 | 13,000 | (5,000) | 0 | (1,541,857) | 0 | 0 | 0 |
| | | | | <u>\$ 12,900,757</u> | <u>\$ 127,983</u> | <u>\$ (22,460)</u> | <u>\$ (252,802)</u> | <u>\$ (9,541,857)</u> | | <u>\$ (3,342,427)</u> | |

* A 1% valuation growth has been used for 2021 and beyond.

SECTION 10:

Annexed Property

A tax incremental district cannot include annexed territory unless at least three years have elapsed since the annexation, or certain other requirements are met. No territory is being added to the District as part of this Plan Amendment

SECTION 11:

Proposed Zoning Ordinance Changes

The proposed Plan Amendment is in general conformance with the City's current zoning ordinances. Individual properties may require rezoning at the time of development.

SECTION 12:

Proposed Changes in Master Plan, Map, Building Codes and Ordinances

The proposed Plan Amendment is in general conformance with the City's Comprehensive Plan. Development within the District will be required to conform to State Building Codes and will be subject to the City's permitting and inspection procedures. The proposed Plan conforms to all relevant State and Local ordinances, plans, and codes. No changes to the existing regulations are proposed or needed.

SECTION 13:

Relocation

The District's expenditure period terminated on November 4, 2014; therefore, no additional Project Costs, to include relocation costs, may be incurred.

SECTION 14:

Orderly Development of the City

This original District Plan contributed to the orderly development of the City by promoting revitalization of blighted and transitional areas in the City's Downtown District. The District's expenditure period has past, and this Plan Amendment has no impact to the original District Plan regarding orderly development of the City.

SECTION 15:

List of Estimated Non-Project Costs

Non-Project Costs are public works projects which only partly benefit the District. Costs incurred that do not benefit the District may not be paid with tax increments. Examples of non-project costs are:

- A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

The District's expenditure period terminated on November 4, 2014; therefore, no additional Project Costs, or Non-Project Costs will be incurred.

SECTION 16:

Opinion of Attorney for the City of Appleton Advising Whether the Plan is Complete and Complies with Wisconsin Statutes 66.1105



LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street
Appleton, WI 54911
Phone: 920/832-6423
Fax: 920/832-5962

June 28, 2021

Mayor Jacob A. Woodford
City of Appleton
100 North Appleton Street
Appleton, WI 54911-4799

Re: Tax Increment Finance Program Plan, City of Appleton
Tax Incremental District #3

Dear Mayor Woodford:

You have asked me for a legal opinion as to the legal sufficiency and statutory compliance of the proposed Tax Incremental Financing District #3 Project Plan Amendment (amendment #2) for the City of Appleton Tax Incremental District #3. I have reviewed the second Project Plan Amendment for said District as well as the appendices attached thereto, specifically as to their compliance with the provision of Section 66.1105(4), Wisconsin Statutes. It is my opinion that the Project Plan Amendment is in compliance with all of the provisions of Section 66.1105(4) of the Wisconsin Statutes dealing with the creation of Tax Incremental Financing Districts.

If you have any questions concerning this matter, please contact me at your earliest convenience.

Sincerely,

Christopher R. Behrens
City Attorney

CRB:jljg

Christopher R. Behrens
City Attorney

Amanda Abshire
Deputy City Attorney

Darrin M. Glad
Assistant City Attorney

Nicholas J. Vande Castle
Assistant City Attorney

SECTION 17:

Calculation of the Share of Projected Tax Increments Estimated to be Paid by the Owners of Property in the Overlying Taxing Jurisdictions

The scope of this Plan Amendment makes no changes to the calculations prepared and included in the original District Project Plan approved on November 4, 1992. Those calculations are hereby incorporated by reference.

RESOLUTION NO. _____

**RESOLUTION APPROVING AN AMENDMENT TO THE PROJECT PLAN AND
BOUNDARIES OF TAX INCREMENTAL DISTRICT NO. 3,
CITY OF APPLETON, WISCONSIN**

WHEREAS, the City of Appleton (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 3 (the "District") was created by the City on November 4, 1992 as a blighted area district and amended on September 10, 2020; and

WHEREAS, the City now desires to amend the boundaries of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will remove territory from the District as permitted under Wisconsin Statutes Section 66.1105(4)(h)2.; and

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the District promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Outagamie County, the Appleton Area School District, and the Fox Valley Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on August 11, 2021 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the amended district, adopted the Project Plan, and recommended to the Common Council that it amend and adopt the Project Plan and boundaries for the District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Appleton that:

1. The boundaries of the District named "Tax Incremental District No. 3, City of Appleton", are hereby amended as identified in Exhibit A of this Resolution.
2. The territory being subtracted from the District shall no longer be part of the District effective as of January 1, 2021.
3. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District, as amended, was a blighted area at the time the District was created.
 - (b) Based upon the finding stated in 3.a. above, the District was declared to be, and remains, a blighted area district based on the identification and classification of the property included within the District.
 - (c) The District's project costs will not change as a result of this amendment. Prior project costs incurred directly promoted the elimination of blight, consistent with the purpose for which the District is created
 - (d) The limitation as the percentage of equalized taxable property value that can be located within tax incremental districts does not apply to this Plan Amendment as no territory will be added to the District
 - (e) Improvements made within the District have and are likely to continue to significantly enhance the value of substantially all of the other real property in the District.
 - (f) The City estimates that less than 35% of the territory within the District was devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
4. The Project Plan for "Tax Incremental District No. 3, City of Appleton" (see Exhibit B), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2021, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

Adopted this _____ day of _____, 2021.

Jacob A. Woodford, Mayor

ATTEST:

Kami L. Lynch, City Clerk

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 3
CITY OF APPLETON**

[INCLUDED WITHIN PROJECT PLAN]

PROJECT PLAN AMENDMENT

[DISTRIBUTED SEPARATELY]



MEMORANDUM

TO: City Plan Commission

FROM: Karen Harkness, Director of Community and Economic Development Department

DATE: August 11, 2021

RE: Tax Incremental Financing Districts #3 & #12 Amendments

The Department is proposing amendments to the boundaries and project plans for Tax Incremental Financing Districts #3 and #12.

TIF #3 was created in 1992 as a blighted district. Objectives were to stimulate downtown and commercial development, expand the property tax base and employment opportunities, and reduce blight in the downtown retail area.

In 2011, it was designated a distressed TIF following a \$15.4 million decrease in the District's valuation from 2009 to 2010 resulting from the Department of Revenue (DOR) implementation of a new valuation methodology and loss of valuation in the Richmond Terrace project due to bankruptcy. A distressed TIF is not eligible for new projects, nor can a new TIF be overlaid. TIF #3 expires in 2029.

TIF #3 is being amended to pull undervalued/underutilized parcels out and add them to TIF #12 to encourage redevelopment and reinvestment in our Central Business District. The proposed Tax Incremental District #3 Project Plan amendment subtracts 13 tax parcels from the District, which will be added to Tax Incremental District #12.

TIF #12 was created as a rehabilitation/conservation district in 2017. The objectives were to eliminate blight and stimulate the rehabilitation, conservation and redevelopment of West College Avenue and the surrounding area.

The proposed Tax Incremental District #12 Project Plan amendment will add to the District the 13 tax parcels being removed from Tax Incremental District #3 along with 23 additional parcels. The amendment will also revise the kind, number and location of proposed public works or improvements within the District and the detailed list of project costs to add approximately \$2.3 million or \$2,345,594 in additional potential project cost expenditures. Project costs include potential cash grants (development incentives) to be paid to owners, lessees or developers of land located within the District.

This item will go to Council on August 18th.

**RESOLUTION DESIGNATING PROPOSED AMENDED BOUNDARIES
AND APPROVING A PROJECT PLAN AMENDMENT
FOR TAX INCREMENTAL DISTRICT NO. 12,
CITY OF APPLETON, WISCONSIN**

WHEREAS, the City of Appleton (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 12 (the "District") was created by the City on August 2, 2017 as a rehabilitation/conservation district; and

WHEREAS, the City now desires to amend the Project Plan and boundaries of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will:

- a. Add territory to the District as permitted under Wisconsin Statutes Section 66.1105(4)(h)2.
- b. Amend the categories, locations or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1105(4)(h)1.; and

WHEREAS, an amended Project Plan for the District (the "Amendment") has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the district promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to owners of all property in the proposed District, to the chief executive officers of Outagamie County, the Appleton Area School District, and the Fox Valley Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on August 11, 2021 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Appleton that:

1. It recommends to the Common Council that the boundaries of Tax Incremental District No. 12 be amended as designated in Exhibit A of this Resolution.
2. It approves and adopts the amended Project Plan for the District, attached as Exhibit B, and recommends its approval to the Common Council.
3. Amendment of the Project Plan and Boundaries of the District promotes orderly development in the City.

Adopted this _____ day of _____, 2021.

Jacob A. Woodford, Mayor
Plan Commission Chair

ATTEST:

Kami L. Lynch, City Clerk

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 12
CITY OF APPLETON**

[INCLUDED WITHIIN PROJECT PLAN]

PROJECT PLAN AMENDMENT

[DISTRIBUTED SEPARATELY]

June 29, 2021

TAX INCREMENTAL DISTRICT NO. 12 PROJECT PLAN AMENDMENT #1



| | |
|---|-------------------------------|
| Organizational Joint Review Board Meeting Held: | Scheduled for August 11, 2021 |
| Public Hearing Held: | Scheduled for August 11, 2021 |
| Adoption by Plan Commission: | Scheduled for August 11, 2021 |
| Adoption by Common Council: | Scheduled for August 18, 2021 |
| Approval by the Joint Review Board: | TBD |
| Expenditure Deadline: | August 2039 (22 Years) |
| TID Expiration Date: | August 2044 (27 Years) |

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Section 1: Executive Summary

Description of District

Tax Incremental District (“TID”) No. 12 (“District”) was created by the City on August 2, 2017 under the authority provided by Wisconsin Statute Section 66.1105 “Tax Increment Law”. In accordance with its Project Plan (“Plan”), the objectives for the District are to eliminate blight and stimulate the rehabilitation, conservation and redevelopment of this urban corridor located on West College Avenue from the east side of Story Street to the west side of Walnut Street as well as Memorial Drive/Richmond Street from the north side of Lawrence Street to the south side of Elsie Street (excluding the east side of the 400 block of Richmond Street that contains the gas station and Richmond Terrace). A map of the proposed District boundaries is found in Section 3. A complete description of the District, individual development areas, and objectives related to those areas can be found in Section 2 of this Plan.

Amendment Purpose

The City has identified 13 undervalued and high re-development parcels within Tax Incremental District No. 3 (TID No. 3) comprising an area that continues to have redevelopment potential. Since TID No. 3’s expenditure period has passed, the City is unable to incur further Project Costs within this area. This Plan Amendment will add these 13 parcels to the District as permitted under Wis. Stat. § 66.1105(4)(h)2. Twenty-three (23) additional parcels not presently located within TID No. 3 will also be added to the District as part of this Plan Amendment. This will allow the City to promote further redevelopment in the downtown area in furtherance of the objectives of both TIDs No. 3 and 12. The effective date of the territory additions for valuation purposes will be January 1, 2021. The Plan also sets forth additional Project Costs the City may incur within the District and the territory being added to the District.

Summary of Findings

As required by Wis. Stat. § 66.1105, and as documented in this Plan Amendment and the exhibits contained and referenced herein, the following findings are made:

1. **That “but for” this Plan Amendment: 1) the City’s economic development objectives for the District will not be achieved; and 2) additional potential development within the District may not occur in the manner, at the values, or within the timeframe desired by the City.** Development Areas identified in this Plan Amendment contain various impediments to redevelopment including obsolete structures, structures requiring substantial renovation, substandard access, and inadequate parking. Due to the additional development costs associated with brownfield redevelopment such as demolition, remediation and provision of off-street parking, Tax Incremental Financing (“TIF”) is often required to make a project economically feasible. Without use of TIF, redevelopment projects that the City wants to encourage are unlikely to attract needed private investment capital. It is therefore the City’s judgment that “but for” the use of TIF within the District and the territory to be added, that redevelopment is not likely to occur in the manner, at the values, or within the timeframe desired by the City. Since the District includes various potential Development Areas, the City will evaluate specific projects as they are proposed regarding any requested TIF assistance.

2. **The economic benefits of amending the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.** Beyond the expected increase in incremental property value, development within the District will result in short-term employment opportunities as a result of both public and private construction, as well as long-term employment opportunities resulting from commercial and retail operations that will locate in or be retained within the District. Implementation of the Plan Amendment will also provide housing opportunities, and commercial enterprise providing goods and services to workers and residents in the area. The City expects that the level of economic benefit derived from implementing the amended Plan will be more than sufficient to compensate for the Project Costs to be undertaken.
3. **The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.** As identified in 2. above, the economic benefits of the Plan Amendment are expected to more than compensate for the Project Costs. These same benefits will be enjoyed by taxpayers of all overlying taxing jurisdictions. The City finds that the benefits of the Plan Amendment similarly outweigh the cost of the anticipated tax increments to be paid.
4. Not less than 50% by area of the real property within the District, as amended, is a blighted area within the meaning of Wis. Stat. § 66.1105(2)(ae)1. The District was created as a Rehabilitation District and at least 50% by area of real property within the District is blighted and/or in need of rehabilitation and/or conservation work within the meaning of Wisconsin State Statutes 66.1337 (2m) (a).
5. Based on the foregoing finding, the District is declared to be, and remains, a blighted rehabilitation area district based on the identification and classification of the property included within the District.
6. The District's Project Costs relate directly to promoting the elimination of blight and rehabilitation.
7. The equalized value of the taxable property within the territory to be added to the District, plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
8. Improvements to be made in the District are likely to significantly enhance the value of substantially all of the other real property in the District
9. The Plan for the District is feasible and is in conformity with the Master Plan of the City.
10. The City estimates that 10% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. § 66.1105(5)(b).

Section 2: Intent and Purpose of District and the Amendment

Tax Incremental District (“TID”) No. 12 (“District”) was created by the City of Appleton under the authority provided by Wis. Stat. § 66.1105 as a Rehabilitation & Conservation TIF District per State Statute 66.1337 (2m)(a). The intent and purpose of the district is to eliminate blight and stimulate the rehabilitation, conservation and redevelopment of this urban corridor located on West College Avenue from the east side of Story Street to the west side of Walnut Street as well as Memorial Drive/Richmond Street from the north side of Lawrence Street to the south side of Elsie Street (excluding the east side of the 400 block of Richmond Street that contains the gas station and Richmond Terrace). This area is primarily characterized by a large vacant parking lot, commercial building, a mixture of small and medium retail, office, service and hospitality businesses, which have the potential to, and in some cases already have, created a blighting influence on the surrounding area. While several property owners have made significant investment in the area, there are still numerous blighted properties that hamper further investment. The original District consisted of approximately 23 acres of land with the vast majority zoned Central Business District. This Amendment will add approximately 12 acres of land to the District.

The District is being 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” described below. Some properties identified as rehabilitation or conservation may not experience any redevelopment or conservation activities during the TIF lifetime, while others not identified may experience redevelopment activities due to inclusion in the District. The identification of properties considered in need of rehabilitation or conservation work does not compel the City, or private landowners, to undertake public or private improvement projects specific to that location. 62 of the 95 properties in the amended area (Development Areas #1 and #5) of the District have been identified as in need of rehabilitation or conservation. These parcels represent approximately 69% of the total amended District area, excluding right-of-way. The map exhibit found in Section 5 illustrates existing uses and conditions of the District.

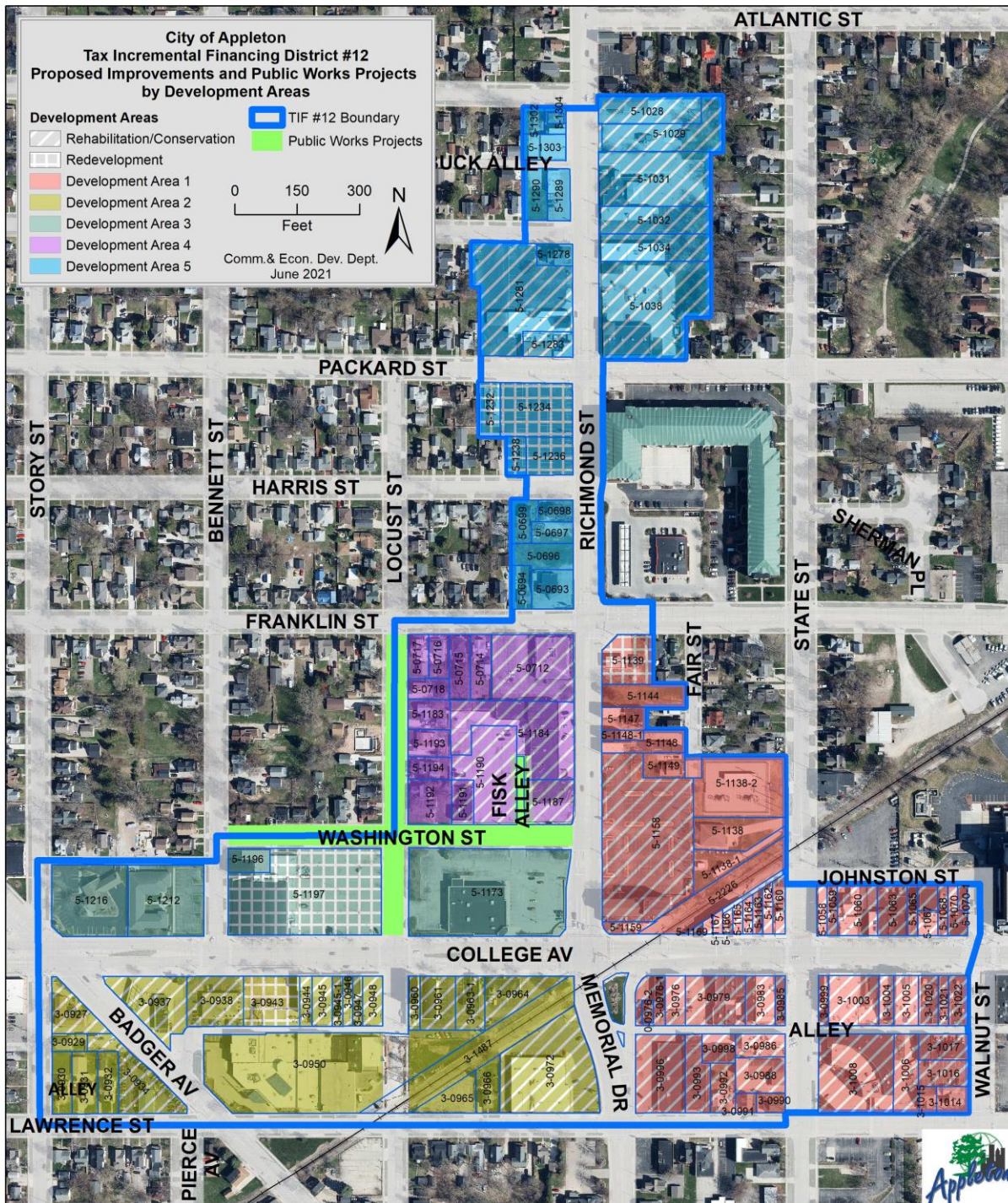
Rehabilitation or conservation work includes any of the following:

1. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements.
2. Acquisition of real property and demolition, removal or rehabilitation of buildings and improvements on the property where necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public welfare, to otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities.
3. Installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the objectives of the urban renewal project.
4. The disposition, for uses in accordance with the objectives of the urban renewal project, of any property acquired in the area of the project. The disposition shall be in the manner prescribed in this section for the disposition of property in a redevelopment project area.

This Project Plan outlines the City of Appleton's role in assisting with the rehabilitation and conservation of existing properties and business as well as redevelopment of vacant, blighted, and underutilized properties as needed to support the urban renewal of this area. The investment in this District will:

- eliminate blight and foster urban renewal through public and private investment
- enhance the development potential of private property within and adjacent to the District
- stabilize property values in the area
- promote retention, expansion, attraction and reuse through the development of an improved area thereby facilitating the creation of new jobs and increased tax base
- improve the overall appearance of public and private spaces
- strengthen the economic well-being and economic diversity of the area
- provide appropriate financial incentives to encourage business expansion
- maximize the Districts strategic location in Appleton's Downtown and easy access to U.S. Interstate 41.

There are five identified development areas within the District that include a combination of redevelopment and rehabilitation sites. The following map and narrative highlight the key development areas targeted for rehabilitation/conservation as well as redevelopment in this District that would not happen otherwise but for the creation of this District.



Development Area #1: This Development Area comprises approximately 11.4 acres of the approximate 35 acre TIF District and is predominately home to independent businesses in the retail, personal and professional services, hospitality and financial industries. Buildings dating back to 1870 through the 1980s provide a mixture of architectural styles and aesthetic characteristics. See pictures below of the College Avenue portion of this Development Area. There are also about 82 housing units located in this Development Area.

While several businesses have committed significant time and financial investment into improving and maintaining their properties in Development Area #1, there are also a substantial number of properties that are for sale or lease, vacant, or in need of property maintenance. Conservation of the existing businesses is also critical to the economic vitality of this corridor. Many of these properties have and will continue to benefit from Property Improvement Grants to mitigate the deteriorated conditions and improve the overall economic vitality and appearance of the corridor.

The Amendment Project Plan adds a total of 10 parcels to this development area. 8 parcels were previously in TIF #3 and consist of a large parking lot, WE Energies electrical station, an old gas station and commercial properties that are vacant and/or where rehabilitation of the existing buildings and properties would further enhance the entire area. The two 2 additional parcels consist of railroad right of way and Good Company’s building.

- **200 NORTH Richmond Street (East) Block**



- **500 WEST College Avenue (North) Block**



- **500 WEST College Avenue (South) Block**



- **600 WEST College Avenue (North) Block**



- **600 WEST College Avenue (South) Block**



Development Area #2: This Development Area comprises approximately 7.5 acres of the approximately 35 acre TIF District and is home to a variety of independent businesses, several houses, public services and a youth community center. The businesses include retail, personal and professional services, hospitality and automotive sales and repair. The buildings date back to 1894 and include a variety of architectural styles and aesthetic characteristics. See below for pictures of the College Avenue properties in this Development Area. Prior to the original creation of TIF #12, the most recent construction projects included the expansion of the Boys & Girls Club in 2010. Since the creation of TIF #12, this area has seen the rehabilitation of the 800 block of West College Avenue in 2020. Block 800 is a mixed use project that added commercial/retail space and 20 apartments with one, two and three bedroom options with underground parking and a patio on the top floor. Additionally, 741 W. College Avenue, a Quonset hut building purchased at a Sheriff Sale, utilized a Business Enhancement Grant to rehabilitate exterior portions of the property.

Several properties remain vacant in this area and rehabilitation of the existing buildings and properties would further enhance the entire area. Since this entire area is also highly visible and an integral part of the Downtown, this Development Area would benefit from increased commercial activity. Redevelopment of the blighted and vacant properties in this Development Area would further benefit, and potentially induce, investment in parcels located surrounding and in close proximity to this area. Conservation of the existing businesses is also critical to the economic vitality of this corridor. Many of these properties have and will benefit from Property Improvement Grants to mitigate the deteriorated conditions and improve the overall appearance of the corridor with 18 of the 25 properties identified as in need of rehabilitation, conservation or redevelopment.

- **700 WEST College Avenue (South) Block**



- **800 WEST College Avenue (South) Block**



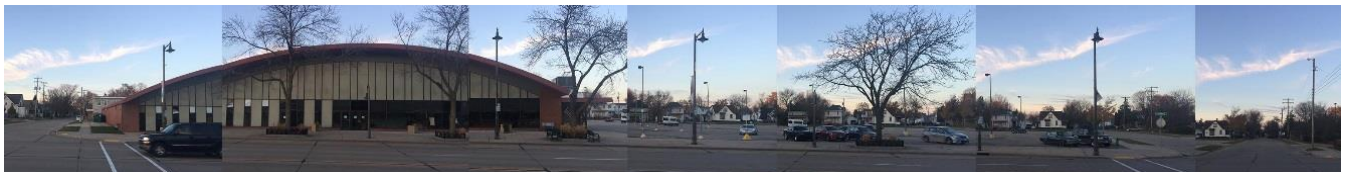
- **900 WEST College Avenue (South) Block**



Development Area #3: This Development Area comprises about 5 acres of the approximately 35 acre TIF District and includes several large buildings. Most of the buildings are relatively recent in their construction, from the Capital Credit Union’s building in 1989 to Walgreens in 2000. When TIF #12 was originally created, the Thompson Center located at 820 W. College Avenue, built in 1972 was vacant. As the largest building in this Development Area at over 23,500 square feet, the site was negatively impacting other properties, had deteriorating property conditions, was not aesthetically pleasing, and needed to be rehabilitated or redeveloped to enhance the overall economic vitality of the area and provide a positive impression for those travelling this corridor. Conservation of the existing businesses is also critical to the economic vitality of this corridor. In September 2020, The Core church moved into the renovated site. It is a contemporary church affiliated with St. Peter Lutheran Church in Freedom and 922 Ministries. This project was not eligible for TIF support due to its property tax exemption.

This Development Area is highly visible and a primary gateway into the City of Appleton and Appleton’s Downtown. Redevelopment of this site would further benefit, and potentially induce investment in parcels located surrounding and in close proximity to this site/area.

- **800 WEST College Avenue (North) Block**



- **900 WEST College Avenue (North) Block**

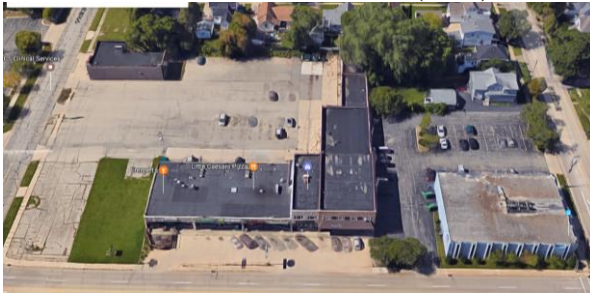


Development Area #4: This Development Area comprises just over 4 acres of the approximately 35 acre TIF District and includes a commercial center with storage units and office building among a couple vacant parcels and single-family homes. The commercial center was built in 1961, and the blue office building at the corner of Richmond and Franklin Streets was built in 1969. Access to the commercial center site can be challenging with the high volume of traffic on Richmond Street, and parking is a challenge as there are a limited number of stalls in the front of the building despite the substantial parking lot behind. The unit on the north end of the center has remained vacant for years. The vacant and underutilized parcels at the corner of Washington Street and Richmond Street present a deteriorated condition in this area. With the original creation of TIF #12, this vacant parcel was redeveloped into Evergreen Credit Union which opened early 2021. This entire corridor is a high visibility route into Downtown Appleton. Rehabilitation of the existing buildings and conservation of the businesses along with redevelopment of this blighted site would further enhance the entire area.

- **200 NORTH Richmond Street (West) Block**



- **100 – 200 NORTH Richmond Street (West) Block**



Development Area #5: This Development Area comprises approximately 7.7 acres of the approximately 35 acre TIF District and includes not- for- profits, financial institutions, commercial, retail entities, office buildings, vacant parcels and single family homes. There are also about 12 housing units located in this development area. The credit union building was built in 1920. The VFW site is comprised of a very large parking lot and a building built in 1884 and most recently used as a bar and grill until it closed in 2019. The large underutilized parking lot is in a deteriorated condition. Business centers built in 1949, 1963, 1965 and 1983 may benefit with the amendment to this district. Access to the commercial sites can be challenging with the high volume of traffic on Richmond Street, and ingress and egress to parking can be a challenge as well. This entire corridor is a high visibility route into Downtown Appleton. Rehabilitation of the existing buildings and conservation of the businesses along with redevelopment of this blighted site would further enhance the entire area.

Greywolf Partners, Inc. has proposed to construct a multi-family project on the former VFW site which includes parcels 31-5-1232-00, 1234-00, 1236-00 and 1238-00. Three of these parcels are the former VFW parking lot, and the other parcel is an older duplex.

The proposed multi-family project would consist of 91 apartments with 94 underground parking stalls and 22 surface parking stalls. This new multi-family development is proposed to contain the following units:

- 30 studios (514-655 sq. ft.)
- 33 one-bedrooms (730-790 sq. ft.)
- 24 two-bedrooms (1,016-1,248 sq. ft.)
- 4 three-bedrooms (1,428 sq. ft.)

Greywolf Partners, Inc. would start construction in November 2021 and be ready for occupancy in March 2023. Greywolf estimates a total development cost of \$18,400,000.

- **300 NORTH Richmond Street (West) Block**



- **400 NORTH Richmond Street (West) Block**



- **500 NORTH Richmond Street (West) Block**



- **600 NORTH Richmond Street (East) Block**



- **600 NORTH Richmond Street (West) Block**



Development Areas #1 and #5 (new) are the only 2 areas that changed. On the following page is the list of parcels in these 2 areas.

| TAXKEY | Owner Name | Property Address | Prop Zip | Zoning | Area in Square Feet | Business Name | Personal Property Value | Improvements | Land Value | Total Real Estate Value | Total Real Estate & Personal Property Value | Develop Area | Rehab/Conservation/Re development |
|--------------|------------------------|-------------------|----------|--------|---------------------|--|-------------------------|---------------|---------------|-------------------------|---|--------------|-----------------------------------|
| 31-0-0976-02 | MAI VANG | 104 S MEMORIAL DR | 54911 | CBD | 1474.13 | MAI'S DELI LLC | \$ 32,600.00 | \$ - | \$ - | \$ - | \$ 32,600.00 | 1 | Rehab/Conservation |
| 31-3-0976-00 | GENIA'S LEGACY LLC | 623 W COLLEGE AVE | 54911 | CBD | 5787.03 | FOXLEY'S GALLERY LTD | \$ 3,600.00 | \$ 224,600.00 | \$ 69,400.00 | \$ 294,000.00 | \$ 297,600.00 | 1 | Rehab/Conservation |
| 31-3-0976-01 | MAI VANG | 104 S MEMORIAL DR | 54911 | CBD | 6788.01 | ALLEGRA APPLETON : ROCKVILLE CORPORATION | \$ - | \$ 90,400.00 | \$ 107,500.00 | \$ 197,900.00 | \$ 197,900.00 | 1 | Rehab/Conservation |
| 31-3-0979-00 | APPLETON WEST END REAL | 609 W COLLEGE AVE | 54911 | CBD | 17311.70 | VAL U BEAUTY SUPPLY LLC | \$ 1,300.00 | \$ 271,700.00 | \$ 202,300.00 | \$ 474,000.00 | \$ 475,300.00 | 1 | Rehab/Conservation |
| 31-3-0979-00 | APPLETON WEST END REAL | 609 W COLLEGE AVE | 54911 | CBD | | SIDE QUEST GAMING LLC | \$ 11,000.00 | | | \$ 11,000.00 | \$ 11,000.00 | 1 | Rehab/Conservation |
| 31-3-0983-00 | DAS VENTURES HOLDINGS | 603 W COLLEGE AVE | 54911 | CBD | 8653.19 | APPLETON BEER FACTORY : DAS VENTURES INC | \$ 65,500.00 | \$ 488,600.00 | \$ 112,500.00 | \$ 601,100.00 | \$ 666,600.00 | 1 | Rehab/Conservation |
| 31-3-0985-00 | JAMES LISON | 601 W COLLEGE AVE | 54911 | CBD | 2880.00 | PIXEL PRO AUDIO LLC | \$ 6,300.00 | \$ 168,900.00 | \$ 46,100.00 | \$ 215,000.00 | \$ 221,300.00 | 1 | Rehab/Conservation |
| 31-3-0986-00 | MCFLESHMAN'S COMMONS L | 115 S STATE ST | 54911 | CBD | 6724.46 | MC FLESHMAN'S BREWING CO LLC | \$ 63,500.00 | \$ 539,000.00 | \$ 63,900.00 | \$ 602,900.00 | \$ 666,400.00 | 1 | Rehab/Conservation |
| 31-3-0988-00 | 121 STATE ST LLC | 121 S STATE ST | 54911 | CBD | 10395.64 | APPLETON BICYCLE SHOP LLC | \$ 5,600.00 | \$ 126,500.00 | \$ 83,000.00 | \$ 209,500.00 | \$ 215,100.00 | 1 | Rehab/Conservation |
| 31-3-0990-00 | THE MOORING FOUNDATION | 131 S STATE ST | 54911 | CBD | 3293.82 | | \$ - | \$ - | \$ - | \$ - | \$ - | 1 | |
| 31-3-0991-00 | THE MOORING FOUNDATION | 610 W LAWRENCE ST | 54911 | CBD | 2353.25 | | \$ - | \$ - | \$ - | \$ - | \$ - | 1 | |
| 31-3-0992-00 | RUBY LOU PROPERTIES LL | 614 W LAWRENCE ST | 54911 | CBD | 7203.91 | | \$ - | \$ 24,800.00 | \$ 35,700.00 | \$ 60,500.00 | \$ 60,500.00 | 1 | Rehab/Conservation |
| 31-3-0993-00 | RUBY LOU PROPERTIES LL | 620 W LAWRENCE ST | 54911 | CBD | 9984.87 | FOX VALLEY RESTAURANT SUPPLY INC | \$ 3,000.00 | \$ 108,100.00 | \$ 59,900.00 | \$ 168,000.00 | \$ 171,000.00 | 1 | Rehab/Conservation |
| 31-3-0996-00 | ROBERT MAZZA | 122 S MEMORIAL DR | 54911 | CBD | 22767.31 | HOBBY TOWN - APPLETON STORE : RJM ENTERPRISES-OSHKOSH INC | \$ 10,900.00 | \$ 138,000.00 | \$ 182,000.00 | \$ 320,000.00 | \$ 330,900.00 | 1 | Rehab/Conservation |
| 31-3-0998-00 | RUBY LOU PROPERTIES LL | 613 W COLLEGE AVE | 54911 | CBD | 5559.28 | | \$ - | \$ 35,600.00 | \$ 24,400.00 | \$ 60,000.00 | \$ 60,000.00 | 1 | Rehab/Conservation |
| 31-3-0999-00 | JOHN GREINER | 535 W COLLEGE AVE | 54911 | CBD | 2879.67 | JACK'S APPLE PUB LLC | \$ 3,800.00 | \$ 151,100.00 | \$ 51,800.00 | \$ 202,900.00 | \$ 206,700.00 | 1 | Rehab/Conservation |
| 31-3-0999-00 | JOHN GREINER | 535 W COLLEGE AVE | 54911 | CBD | | MR TACO AUTHENTIC MEXICAN CUISINE CORPORATION | \$ 1,600.00 | | | \$ 1,600.00 | \$ 1,600.00 | 1 | Rehab/Conservation |
| 31-3-1003-00 | EFS LLC | 523 W COLLEGE AVE | 54911 | CBD | 14492.38 | C-VINE LOUNGE LLC | \$ 28,100.00 | \$ 724,800.00 | \$ 246,400.00 | \$ 971,200.00 | \$ 999,300.00 | 1 | Rehab/Conservation |
| 31-3-1003-00 | EFS LLC | 523 W COLLEGE AVE | 54911 | CBD | | OB'S BRAU HAUS GASTRO BREW PUB : OLD BAVARIAN BRAUHAUS INC | \$ 77,200.00 | | | \$ 77,200.00 | \$ 77,200.00 | 1 | Rehab/Conservation |
| 31-3-1003-00 | EFS LLC | 523 W COLLEGE AVE | 54911 | CBD | | SUSHI LOVER : C & K CATERING CORPORATION | \$ 176,700.00 | | | \$ 176,700.00 | \$ 176,700.00 | 1 | Rehab/Conservation |
| 31-3-1004-00 | KOROLL PROPERTIES LLC | 519 W COLLEGE AVE | 54911 | CBD | 4311.34 | DEJA VU MARTINI/THE MONKEY BAR : DEJA VU ENTERPRSES LLC | \$ 40,200.00 | \$ 336,300.00 | \$ 77,600.00 | \$ 413,900.00 | \$ 454,100.00 | 1 | Rehab/Conservation |
| 31-3-1005-00 | BELA DEVELOPMENT LLC | 513 W COLLEGE AVE | 54911 | CBD | 7123.90 | 513 APPLETON LLC THE | \$ 2,800.00 | \$ 720,800.00 | \$ 128,100.00 | \$ 848,900.00 | \$ 851,700.00 | 1 | Rehab/Conservation |
| 31-3-1006-00 | BELA DEVELOPMENT LLC | 516 W LAWRENCE ST | 54911 | CBD | 11461.17 | | \$ - | \$ 10,000.00 | \$ 90,900.00 | \$ 100,900.00 | \$ 100,900.00 | 1 | Rehab/Conservation |
| 31-3-1008-00 | NORWEST BANK WISCONSIN | 118 S STATE ST | 54911 | CBD | 34129.56 | WELLS FARGO BANK NA #100429 | \$ 97,000.00 | \$ 791,700.00 | \$ 341,000.00 | \$ 1,132,700.00 | \$ 1,229,700.00 | 1 | Rehab/Conservation |
| 31-3-1014-00 | CRESENCIO VICTORIA | 129 S WALNUT ST | 54911 | CBD | 4774.04 | | \$ - | \$ 54,900.00 | \$ 25,100.00 | \$ 80,000.00 | \$ 80,000.00 | 1 | |
| 31-3-1015-00 | CRESENCIO VICTORIA | 510 W LAWRENCE ST | 54911 | CBD | 2650.38 | | \$ - | \$ 55,700.00 | \$ 24,300.00 | \$ 80,000.00 | \$ 80,000.00 | 1 | |
| 31-3-1016-00 | CITY OF APPLETON | 125 S WALNUT ST | 54911 | CBD | 7621.40 | | \$ - | \$ - | \$ - | \$ - | \$ - | 1 | Rehab/Conservation |
| 31-3-1017-00 | CAROL HAUSSERMAN ET AL | 119 S WALNUT ST | 54911 | CBD | 7560.18 | | \$ - | \$ 78,000.00 | \$ 82,000.00 | \$ 160,000.00 | \$ 160,000.00 | 1 | Rehab/Conservation |
| 31-3-1020-00 | JJS VENTURES LLC | 511 W COLLEGE AVE | 54911 | CBD | 5768.10 | FRESS RESTAURANT & BAR : DVV ENTERPRISES LLC | \$ 7,900.00 | \$ 508,100.00 | \$ 109,400.00 | \$ 617,500.00 | \$ 625,400.00 | 1 | Rehab/Conservation |
| 31-3-1021-00 | VICTORIAS APPLETON INC | 507 W COLLEGE AVE | 54911 | CBD | 2884.28 | | \$ - | \$ 259,300.00 | \$ 57,600.00 | \$ 316,900.00 | \$ 316,900.00 | 1 | Rehab/Conservation |
| 31-3-1022-00 | VICTORIAS APPLETON INC | 503 W COLLEGE AVE | 54911 | CBD | 5532.75 | VICTORIA'S APPLETON INC | \$ 61,400.00 | \$ 249,000.00 | \$ 121,400.00 | \$ 370,400.00 | \$ 431,800.00 | 1 | Rehab/Conservation |
| 31-5-1058-00 | STATEVIEW LLC | 532 W COLLEGE AVE | 54911 | CBD | 3004.67 | STATEVIEW LLC | \$ 3,200.00 | \$ 231,200.00 | \$ 51,800.00 | \$ 283,000.00 | \$ 286,200.00 | 1 | Rehab/Conservation |
| 31-5-1059-00 | ANDREW THORNELL | 530 W COLLEGE AVE | 54911 | CBD | 3004.28 | MARLEY'S SMOKE SHOP % ANDY THORNELL | \$ 23,900.00 | \$ 123,500.00 | \$ 49,000.00 | \$ 172,500.00 | \$ 196,400.00 | 1 | Rehab/Conservation |
| 31-5-1060-00 | PATRICK FLANAGAN | 524 W COLLEGE AVE | 54911 | CBD | 11542.08 | FLANAGAN'S STOP & SHOP INC | \$ 6,200.00 | \$ 326,100.00 | \$ 201,500.00 | \$ 527,600.00 | \$ 533,800.00 | 1 | Rehab/Conservation |
| 31-5-1060-00 | PATRICK FLANAGAN | 524 W COLLEGE AVE | 54911 | CBD | | 528 BY PISCO MAR : PISCO MAR LLC | \$ 2,200.00 | | | \$ 2,200.00 | \$ 2,200.00 | 1 | Rehab/Conservation |
| 31-5-1063-00 | NOBLE ASSETS INC | 514 W COLLEGE AVE | 54911 | CBD | 8623.09 | CRAZY SWEET : FENDT & SCHALLIOL ENTERPRISES LLC | \$ 29,100.00 | \$ 155,200.00 | \$ 154,900.00 | \$ 310,100.00 | \$ 339,200.00 | 1 | Rehab/Conservation |
| 31-5-1065-00 | FRASER PROPERTIES LLC | 512 W COLLEGE AVE | 54911 | CBD | 2913.84 | | \$ - | \$ 98,900.00 | \$ 52,400.00 | \$ 151,300.00 | \$ 151,300.00 | 1 | Rehab/Conservation |
| 31-5-1066-00 | FRASER PROPERTIES LLC | 509 W JOHNSTON ST | 54911 | CBD | 2934.01 | | \$ - | \$ 234,700.00 | \$ 31,700.00 | \$ 266,400.00 | \$ 266,400.00 | 1 | Rehab/Conservation |
| 31-5-1067-00 | FRASER PROPERTIES LLC | 508 W COLLEGE AVE | 54911 | CBD | 2940.09 | | \$ - | \$ 129,400.00 | \$ 55,700.00 | \$ 185,100.00 | \$ 185,100.00 | 1 | Rehab/Conservation |
| 31-5-1068-00 | FRASER PROPERTIES LLC | 506 W COLLEGE AVE | 54911 | CBD | 2882.44 | | \$ - | \$ 121,400.00 | \$ 54,700.00 | \$ 176,100.00 | \$ 176,100.00 | 1 | Rehab/Conservation |
| 31-5-1070-00 | COLLEGE AVE LEGACY LLC | 500 W COLLEGE AVE | 54911 | CBD | 4320.45 | MAKAROFF SCHOOL OF BALLET LTD | \$ 900.00 | \$ 89,800.00 | \$ 89,800.00 | \$ 179,600.00 | \$ 180,500.00 | 1 | Rehab/Conservation |
| 31-5-1070-00 | COLLEGE AVE LEGACY LLC | 500 W COLLEGE AVE | 54911 | CBD | | ACOCA COFFEE HAUS : WAAM ENTERPRISES LLC | \$ 8,600.00 | | | \$ 8,600.00 | \$ 8,600.00 | 1 | Rehab/Conservation |

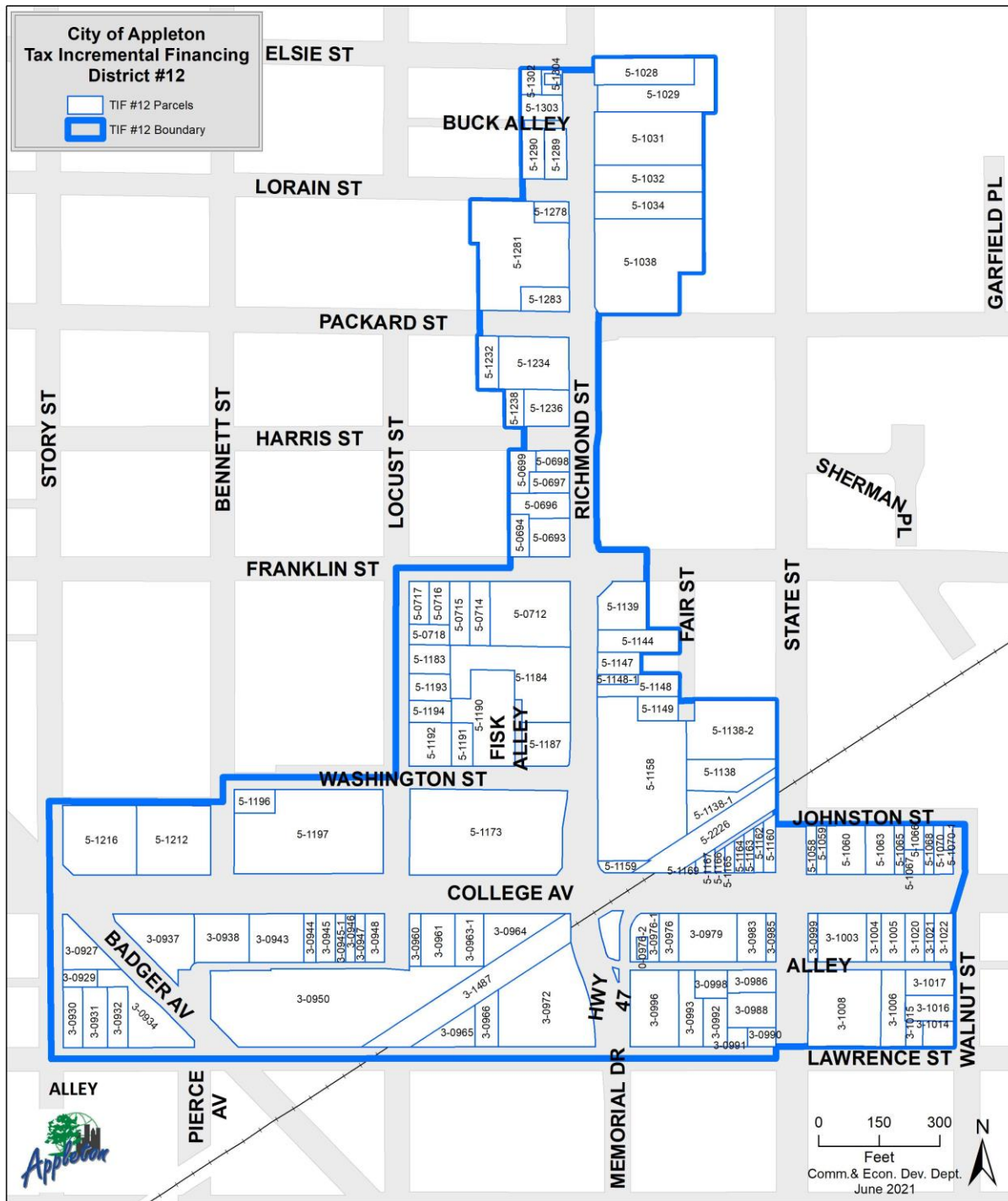
| | | | | | | | | | | | | | |
|--------------|---------------------------|-------------------|-------|-----|----------|--|--------------|---------------|---------------|-----------------|-----------------|---|--------------------|
| 31-5-1070-01 | BANKS NATASHA | 111 N WALNUT ST | 54911 | CBD | 1431.34 | COZZY CORNER THE : BENNETT MANOR 2 LLC | \$ 82,300.00 | \$ 47,100.00 | \$ 29,900.00 | \$ 77,000.00 | \$ 159,300.00 | 1 | Rehab/Conservation |
| 31-5-1138-00 | LANDMARK INFRASTRUCTUR | 133 N STATE ST | 54911 | CBD | 14715.22 | | \$ - | \$ - | \$ - | \$ - | \$ - | 1 | |
| 31-5-1138-01 | US SPRINT COMMUNICATIO | 123 N STATE ST | 54911 | CBD | 10669.38 | | \$ - | \$ - | \$ - | \$ - | \$ - | 1 | |
| 31-5-1138-02 | WISCONSIN ELECTRIC POW | 139 N STATE ST | 54911 | CBD | 31102.88 | | \$ - | \$ - | \$ - | \$ - | \$ - | 1 | |
| 31-5-1139-00 | 2418 S ONEIDA ST LLC | 226 N RICHMOND ST | 54911 | C2 | 13690.27 | | \$ - | \$ 100.00 | \$ 47,000.00 | \$ 47,100.00 | \$ 47,100.00 | 1 | Redevelopment |
| 31-5-1144-00 | US VENTURE INC | N RICHMOND ST | 54911 | CBD | 11005.90 | | \$ - | \$ - | \$ 66,200.00 | \$ 66,200.00 | \$ 66,200.00 | 1 | |
| 31-5-1147-00 | JAMIE BOYCE | 208 N RICHMOND ST | 54911 | CBD | 5793.06 | | \$ - | \$ 60,300.00 | \$ 34,700.00 | \$ 95,000.00 | \$ 95,000.00 | 1 | |
| 31-5-1148-00 | JAMIE BOYCE | 200 N RICHMOND ST | 54911 | CBD | 8528.76 | | \$ - | \$ 69,500.00 | \$ 50,500.00 | \$ 120,000.00 | \$ 120,000.00 | 1 | |
| 31-5-1148-01 | JAMIE BOYCE | 204 N RICHMOND ST | 54911 | CBD | 2463.95 | RICHMOND RESALE LLC | \$ 2,600.00 | \$ 66,300.00 | \$ 14,700.00 | \$ 81,000.00 | \$ 83,600.00 | 1 | |
| 31-5-1149-00 | MICHAEL LAUX | 139 N FAIR ST | 54911 | CBD | 6030.20 | | \$ - | \$ 40,900.00 | \$ 18,100.00 | \$ 59,000.00 | \$ 59,000.00 | 1 | |
| 31-5-1158-00 | OLD BRICK PROPERTIES L | 110 N RICHMOND ST | 54911 | CBD | 78861.64 | GOOD COMPANY LTD | \$ 63,800.00 | \$ 489,100.00 | \$ 630,900.00 | \$ 1,120,000.00 | \$ 1,183,800.00 | 1 | Rehab/Conservation |
| 31-5-1159-00 | RANDY KESTER | 638 W COLLEGE AVE | 54911 | CBD | 3042.67 | EXPERT JEWELRY REPAIR LLC | \$ 900.00 | \$ 37,800.00 | \$ 41,700.00 | \$ 79,500.00 | \$ 80,400.00 | 1 | Rehab/Conservation |
| 31-5-1160-00 | SPARKY MARK LLC | 600 W COLLEGE AVE | 54911 | CBD | 4072.50 | MUNCHEEZ PIZZERIA : VANDER LINDEN BUS VENTURES LLC | \$ 2,300.00 | \$ 77,500.00 | \$ 53,500.00 | \$ 131,000.00 | \$ 133,300.00 | 1 | Rehab/Conservation |
| 31-5-1162-00 | SHANE KRUEGER | 602 W COLLEGE AVE | 54911 | CBD | 2837.78 | APPLETON IMPORTS % SHANE KRUEGER | \$ - | \$ 88,300.00 | \$ 32,600.00 | \$ 120,900.00 | \$ 120,900.00 | 1 | Rehab/Conservation |
| 31-5-1163-00 | FDS LLC | 604 W COLLEGE AVE | 54911 | CBD | 2464.33 | POSH % DEMETRA SCHADT | \$ 1,900.00 | \$ 126,500.00 | \$ 28,500.00 | \$ 155,000.00 | \$ 156,900.00 | 1 | Rehab/Conservation |
| 31-5-1164-00 | FREDERICK VANHANDEL | 606 W COLLEGE AVE | 54911 | CBD | 2090.86 | | \$ - | \$ 90,800.00 | \$ 24,300.00 | \$ 115,100.00 | \$ 115,100.00 | 1 | Rehab/Conservation |
| 31-5-1165-00 | FREDERICK VANHANDEL | 610 W COLLEGE AVE | 54911 | CBD | 1717.41 | COSTUME SHOPPE % FREDERICK G VAN HANDEL | \$ 1,900.00 | \$ 98,600.00 | \$ 20,200.00 | \$ 118,800.00 | \$ 120,700.00 | 1 | Rehab/Conservation |
| 31-5-1166-00 | INVESTMENT CREATIONS L | 612 W COLLEGE AVE | 54911 | CBD | 1345.45 | SUPREME TATTOO SOCIETY % KANI XIONG | \$ 4,600.00 | \$ 103,700.00 | \$ 16,300.00 | \$ 120,000.00 | \$ 124,600.00 | 1 | Rehab/Conservation |
| 31-5-1167-00 | JGA INVESTMENTS LLC | 614 W COLLEGE AVE | 54911 | CBD | 1254.41 | | \$ - | \$ 86,900.00 | \$ 15,100.00 | \$ 102,000.00 | \$ 102,000.00 | 1 | Rehab/Conservation |
| 31-5-1168-00 | JOHN YDE | 616 W COLLEGE AVE | 54911 | CBD | 883.09 | APPLETON COBBLER SHOPPE % JOHN A YDE | \$ 1,900.00 | \$ 61,700.00 | \$ 11,000.00 | \$ 72,700.00 | \$ 74,600.00 | 1 | Rehab/Conservation |
| 31-5-1169-00 | ANTAR BARQUET-LEYTE ET AL | 618 W COLLEGE AVE | 54911 | CBD | 649.24 | | \$ - | \$ 30,900.00 | \$ 9,700.00 | \$ 40,600.00 | \$ 40,600.00 | 1 | Rehab/Conservation |
| 31-5-2226-00 | WISCONSIN CENTRAL LTD | LAND LOCKED | 54911 | | 23651.79 | | \$ - | \$ - | \$ - | \$ - | \$ - | 1 | |
| 31-0-1304-00 | RICKEY J LLC | 603 N RICHMOND ST | 54914 | C2 | 1042.93 | | \$ - | \$ - | \$ - | \$ - | \$ - | 5 | |
| 31-5-0693-00 | LEWIS KRUEGER | 305 N RICHMOND ST | 54914 | C2 | 9558.30 | MYLEE'S EGG ROLL HOUSE : MYLEE'S EGG ROLLS LLC | \$ 1,100.00 | \$ 95,200.00 | \$ 71,800.00 | \$ 167,000.00 | \$ 168,100.00 | 5 | |
| 31-5-0694-00 | ZEST RENTALS LLC | 710 W FRANKLIN ST | 54914 | R1C | 4928.23 | | \$ - | \$ 60,400.00 | \$ 14,000.00 | \$ 74,400.00 | \$ 74,400.00 | 5 | |
| 31-5-0696-00 | LEWIS KRUEGER | N RICHMOND ST | 54914 | C2 | 8740.88 | | \$ - | \$ - | \$ 51,200.00 | \$ 51,200.00 | \$ 51,200.00 | 5 | |
| 31-5-0697-00 | DOTY INVESTMENTS II | N RICHMOND ST | 54914 | R3 | 5236.41 | | \$ - | \$ - | \$ 22,900.00 | \$ 22,900.00 | \$ 22,900.00 | 5 | |
| 31-5-0698-00 | DOTY INVESTMENTS II | 323 N RICHMOND ST | 54914 | R3 | 4351.66 | | \$ - | \$ 106,400.00 | \$ 12,400.00 | \$ 118,800.00 | \$ 118,800.00 | 5 | |
| 31-5-0699-00 | AMY ZAK | 711 W HARRIS ST | 54914 | R1C | 5857.75 | | \$ - | \$ 115,000.00 | \$ 16,300.00 | \$ 131,300.00 | \$ 131,300.00 | 5 | |
| 31-5-1028-00 | I.A.A.M. LLC | 604 N RICHMOND ST | 54911 | C2 | 16299.62 | HUSSEY, BRENNAN PT LLC | \$ - | \$ 191,900.00 | \$ 81,300.00 | \$ 273,200.00 | \$ 273,200.00 | 5 | Rehab/Conservation |
| 31-5-1028-00 | I.A.A.M. LLC | 604 N RICHMOND ST | 54911 | C2 | | STUDIO 604 LLC | \$ 11,900.00 | | | | \$ 11,900.00 | 5 | Rehab/Conservation |
| 31-5-1028-00 | I.A.A.M. LLC | 604 N RICHMOND ST | 54911 | C2 | | POPP DENTAL LABORATORY INC | \$ 6,900.00 | | | | \$ 6,900.00 | 5 | Rehab/Conservation |
| 31-5-1029-00 | I.A.A.M. LLC | 550 N RICHMOND ST | 54911 | C2 | 22552.26 | | \$ - | \$ 3,500.00 | \$ 64,600.00 | \$ 68,100.00 | \$ 68,100.00 | 5 | Rehab/Conservation |
| 31-5-1031-00 | MDC REAL ESTATE INVEST | 536 N RICHMOND ST | 54911 | C2 | 35243.09 | APPLE TOWN DENTAL CARE : MDC APPLETON LLC | \$ 68,400.00 | \$ 513,400.00 | \$ 185,000.00 | \$ 698,400.00 | \$ 766,800.00 | 5 | Rehab/Conservation |
| 31-5-1031-00 | MDC REAL ESTATE INVEST | 536 N RICHMOND ST | 54911 | C2 | | FOX VALLEY COMMUNICATIONS LLC | \$ 5,300.00 | | | | \$ 5,300.00 | 5 | Rehab/Conservation |
| 31-5-1032-00 | DENNIS VIEGUT | 532 N RICHMOND ST | 54911 | C2 | 17620.92 | SOTO'S MARTIAL ARTS LLC | \$ 2,600.00 | \$ 102,000.00 | \$ 87,900.00 | \$ 189,900.00 | \$ 192,500.00 | 5 | Rehab/Conservation |
| 31-5-1034-00 | CHERIE VIEGUT | 524 N RICHMOND ST | 54911 | C2 | 17620.55 | HAIR DESIGNERS : JBSOTO LLC | \$ 3,600.00 | \$ 164,100.00 | \$ 87,900.00 | \$ 252,000.00 | \$ 255,600.00 | 5 | Rehab/Conservation |
| 31-5-1038-00 | AUTOZONE INC | 500 N RICHMOND ST | 54911 | C2 | 56279.83 | AUTO ZONE PARTS INC #101962 | \$ 19,100.00 | \$ 732,300.00 | \$ 337,700.00 | \$ 1,070,000.00 | \$ 1,089,100.00 | 5 | Rehab/Conservation |

| | | | | | | | | | | | | | |
|--------------|------------------------|-------------------|-------|-----|----------|------------------------------|--------------|---------------|---------------|---------------|---------------|---|--------------------|
| 31-5-1232-00 | CORE LLC | 719 W PACKARD ST | 54914 | R2 | 6498.66 | | \$ - | \$ 109,400.00 | \$ 19,200.00 | \$ 128,600.00 | \$ 128,600.00 | 5 | Redevelopment |
| 31-5-1234-00 | CORE LLC | N RICHMOND ST | 54914 | C2 | 22611.30 | | \$ - | \$ 10,900.00 | \$ 158,300.00 | \$ 169,200.00 | \$ 169,200.00 | 5 | Redevelopment |
| 31-5-1236-00 | CORE LLC | N RICHMOND ST | 54914 | C2 | 10155.77 | | \$ - | \$ 8,800.00 | \$ 70,400.00 | \$ 79,200.00 | \$ 79,200.00 | 5 | Redevelopment |
| 31-5-1238-00 | CORE LLC | W HARRIS ST | 54914 | R1C | 4185.67 | | \$ - | \$ 1,800.00 | \$ 18,400.00 | \$ 20,200.00 | \$ 20,200.00 | 5 | Redevelopment |
| 31-5-1278-00 | JOSEPH ARNOLDUSSEN | 525 N RICHMOND ST | 54914 | C2 | 4471.99 | A-S-K ASSOCIATES INC | \$ 5,700.00 | \$ 95,400.00 | \$ 26,800.00 | \$ 122,200.00 | \$ 127,900.00 | 5 | |
| 31-5-1281-00 | COMMUNITY FIRST CREDIT | 509 N RICHMOND ST | 54914 | C2 | 50601.58 | COMMUNITY FIRST CREDIT UNION | \$ 84,200.00 | \$ 508,100.00 | \$ 272,100.00 | \$ 780,200.00 | \$ 864,400.00 | 5 | Rehab/Conservation |
| 31-5-1281-00 | COMMUNITY FIRST CREDIT | 509 N RICHMOND ST | 54914 | C2 | | COMMUNITY FIRST SERVICES INC | \$ 2,600.00 | | | | \$ 2,600.00 | 5 | Rehab/Conservation |
| 31-5-1283-00 | CORE LLC | 501 N RICHMOND ST | 54914 | C2 | 7199.99 | | \$ - | \$ 66,800.00 | \$ 43,200.00 | \$ 110,000.00 | \$ 110,000.00 | 5 | Rehab/Conservation |
| 31-5-1289-00 | RICHMOND LLC | 533 N RICHMOND ST | 54914 | C2 | 6873.79 | NEUMAN'S AUTO REPAIR LLC | \$ 3,300.00 | \$ 74,600.00 | \$ 41,300.00 | \$ 115,900.00 | \$ 119,200.00 | 5 | |
| 31-5-1290-00 | RICHMOND LLC | W LORAIN ST | 54914 | R1C | 6873.81 | | \$ - | \$ - | \$ 17,200.00 | \$ 17,200.00 | \$ 17,200.00 | 5 | |
| 31-5-1302-00 | RICKEY J LLC | 709 W ELSIE ST | 54914 | C2 | 3141.48 | | \$ - | \$ 67,900.00 | \$ 9,300.00 | \$ 77,200.00 | \$ 77,200.00 | 5 | |
| 31-5-1303-00 | RICKEY J LLC | 545 N RICHMOND ST | 54914 | C2 | 6408.61 | VALLEY GLASS COMPANY INC | \$ 900.00 | \$ 216,500.00 | \$ 35,200.00 | \$ 251,700.00 | \$ 252,600.00 | 5 | |
| 31-5-1304-00 | RICKEY J LLC | 601 N RICHMOND ST | 54914 | C2 | 2224.20 | | \$ - | \$ 116,300.00 | \$ 18,700.00 | \$ 135,000.00 | \$ 135,000.00 | 5 | |

19.04 acres

\$ 1,151,900.00 \$ 12,602,800.00 \$ 5,991,800.00 \$ 18,594,600.00 \$ 19,746,500.00

Section 3: District Boundary Map and Legal Description



TIF District #12 Legal Description

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW ¼ AND THE NW ¼ OF SECTION 26 AND A PART OF THE NE ¼ AND THE SE ¼ OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE OF LOCUST STREET AND FRANKLIN STREET AND BEING THE POINT OF BEGINNING;

THENCE EAST 281 FEET ALONG THE CENTERLINE OF FRANKLIN STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 1, BLOCK 4, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE NORTH 292.14 FEET ALONG SAID EXTENSION AND THEN THE WEST LINE OF LOT'S 1 THRU 5 OF SAID BLOCK 4 TO THE SOUTH LINE OF HARRIS STREET;

THENCE EAST 36.8 FEET ALONG THE SOUTH LINE OF HARRIS STREET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 6, BLOCK 37, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE NORTH ALONG SAID EXTENDED LINE TO THE NORTH LINE OF HARRIS STREET;

THENCE WEST 45.5 FEET ALONG THE NORTH LINE OF HARRIS STREET;

THENCE NORTH 92.39 FEET TO THE NORTH LINE OF SAID LOT 6;

THENCE WEST 66.5 FEET ALONG THE NORTH LINE OF SAID LOT 6 TO THE WEST LINE OF BLOCK 37, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE NORTH 130 FEET ALONG THE WEST LINE OF BLOCK 37, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON TO THE SOUTH LINE OF PACKARD STREET;

THENCE EAST 2.00 FEET ALONG THE SOUTH LINE OF PACKARD STREET;

THENCE NORTH 228 FEET M/L ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 10, BLOCK 49, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED

ASSESSOR'S MAP OF THE CITY OF APPLETON AND THEN ALONG SAID WEST LINE TO THE NW CORNER THEREOF;

THENCE WEST 20 FEET ALONG THE SOUTH LINE OF LOT 4, BLOCK 49, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH 102 FEET ALONG THE WEST LINE OF LOT 4 OF SAID BLOCK 49 TO THE SOUTH LINE OF LORAIN STREET;

THENCE EAST 132 FEET ALONG THE SOUTH LINE OF LORAIN STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 2, BLOCK 50, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE NORTH 330 FEET ALONG SAID EXTENDED LINE AND THEN THE WEST LINE SAID LOT 2 AND THE WEST LINE OF LOT 13, BLOCK 50, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON TO THE SOUTH LINE OF ELSIE STREET;

THENCE EAST 176 FEET ALONG THE SOUTH LINE OF ELSE STREET AND THE EASTERLY EXTENSION OF SAID LINE TO THE EAST LINE OF RICHMOND STREET;

THENCE NORTH 29.97 FEET M/L ALONG SAID EAST LINE TO THE NORTHWEST CORNER OF LOT 12, BLOCK 17, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE EAST 297 FEET ALONG THE NORTH LINE OF LOT 12, BLOCK 17, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 132 FEET ALONG THE EAST LINE OF LOT 12 AND 13, BLOCK 17, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE WEST 30 FEET ALONG THE SOUTH LINE OF SAID LOT 13 TO THE NORTHEAST CORNER OF LOT 14, BLOCK 17, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE SOUTH 396 FEET ALONG THE EAST LINE OF LOT'S 13 THRU 18, BLOCK 17, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE WEST 60 FEET ALONG THE NORTH LINE OF LOT 23, BLOCK 17, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON TO THE NORTHWEST CORNER THEREOF;

THENCE SOUTH 102 FEET ALONG THE WEST LINE OF SAID LOT 23 TO THE NORTH LINE OF PACKARD STREET;

THENCE WEST 201 FEET M/L TO THE NORTHERLY EXTENSION OF THE EAST LINE OF RICHMOND STREET;

THENCE SOUTH 294.7 FEET ALONG SAID NORTHERLY EXTENSION AND THEN THE EAST LINE THEREOF TO AN ANGLE POINT IN THE EAST LINE THEREOF;

THENCE SOUTH 9°02'12" WEST 37.50 FEET ALONG SAID EAST LINE;

THENCE SOUTH 232.99 FEET ALONG SAID EAST LINE TO AN ANGLE POINT IN SAID EAST LINE;

THENCE EAST 3 FEET ALONG SAID RIGHT OF WAY;

THENCE SOUTH 8°18' EAST 14.14 FEET ALONG SAID RIGHT OF WAY;

THENCE SOUTH 38°42'27" EAST 6.42 FEET ALONG SAID RIGHT OF WAY TO THE NORTH LINE OF FRANKLIN STREET;

THENCE EAST 111 FEET M/L ALONG THE NORTH LINE OF FRANKLIN STREET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 1, BLOCK 28, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE SOUTH 198 FEET ALONG SAID NORTHERLY EXTENSION AND THEN THE EAST LINE THEREOF;

THENCE EAST 80 FEET TO THE WEST LINE OF FAIR STREET;

THENCE SOUTH 55 FEET ALONG THE WEST LINE OF FAIR STREET;

THENCE WEST 95 FEET ALONG THE NORTH LINE OF LOT 5 OF SAID BLOCK 28;

THENCE SOUTH 55 FEET TO THE SOUTH LINE OF LOT 5 OF SAID BLOCK 28;

THENCE EAST 95 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF FAIR STREET;

THENCE SOUTH 64.52 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 7, BLOCK 27, HERMAN ERB'S 5TH WARD ADDITION, ACCORDING TO THE RECORDED ASSESSOR'S MAP OF THE CITY OF APPLETON;

THENCE EAST 240 FEET ALONG SAID WESTERLY EXTENSION AND THEN THE SOUTH LINE THEREOF TO THE WEST LINE OF STATE STREET;

THENCE SOUTH 308.36 FEET M/L ALONG THE WEST LINE OF STATE STREET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF JOHNSTON STREET;

THENCE EAST ALONG SAID WESTERLY EXTENSION OF JOHNSTON STREET AND THEN THE SOUTH LINE OF JOHNSTON STREET TO THE CENTERLINE OF WALNUT STREET;

THENCE SOUTH ALONG THE CENTERLINE OF WALNUT STREET TO THE NORTH LINE OF COLLEGE AVENUE;

THENCE SOUTHWESTERLY TO THE SOUTHWEST CORNER OF WALNUT STREET AND COLLEGE AVENUE;

THENCE SOUTH ALONG THE WEST LINE OF WALNUT STREET TO THE NORTH LINE OF LAWRENCE STREET;

THENCE WEST ALONG THE NORTH LINE OF LAWRENCE STREET TO THE WEST LINE OF STATE STREET;

THENCE SOUTH ALONG THE WEST LINE OF STATE STREET TO THE CENTERLINE OF LAWRENCE STREET;

THENCE WEST ALONG THE CENTERLINE OF LAWRENCE STREET TO THE CENTERLINE OF STORY STREET;

THENCE NORTH ALONG THE CENTERLINE OF STORY STREET TO THE CENTERLINE OF WASHINGTON STREET;

THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET, LYING BETWEEN BLOCK 34 AND BLOCK 35 OF THE **FIFTH WARD PLAT**, TO THE CENTERLINE OF BENNETT STREET;

THENCE NORTH ALONG THE CENTERLINE OF BENNETT STREET TO A POINT 30 FEET NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF WASHINGTON STREET AND SAID SOUTH

LINE BEING CONTIGUOUS WITH THE NORTH LINE OF LOTS 4, 5, 15, 14 AND 13 OF BLOCK 32 OF THE FIFTH WARD PLAT;
 THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID WASHINGTON STREET TO THE CENTERLINE OF LOCUST STREET
 THENCE NORTH ALONG THE CENTERLINE OF LOCUST STREET TO THE CENTERLINE OF FRANKLIN STREET AND THE POINT OF BEGINNING.

Section 4: Identification of Parcels to be Added

The purpose of this Plan Amendment is to add the parcels identified in the tables below to the District effective January 1, 2021. The figures listed under the “Current Value” column reflect valuations as of January 1, 2020. The actual addition to the District’s base value will be based on January 1, 2021 valuations which are not yet available. The District’s revised base will first be reflected in the valuations certified for January 1, 2022. Any changes in the valuation of the parcels being added to the District that occurs after January 1, 2021 will impact the incremental value of the District.

Parcels Currently Located within TID No. 3

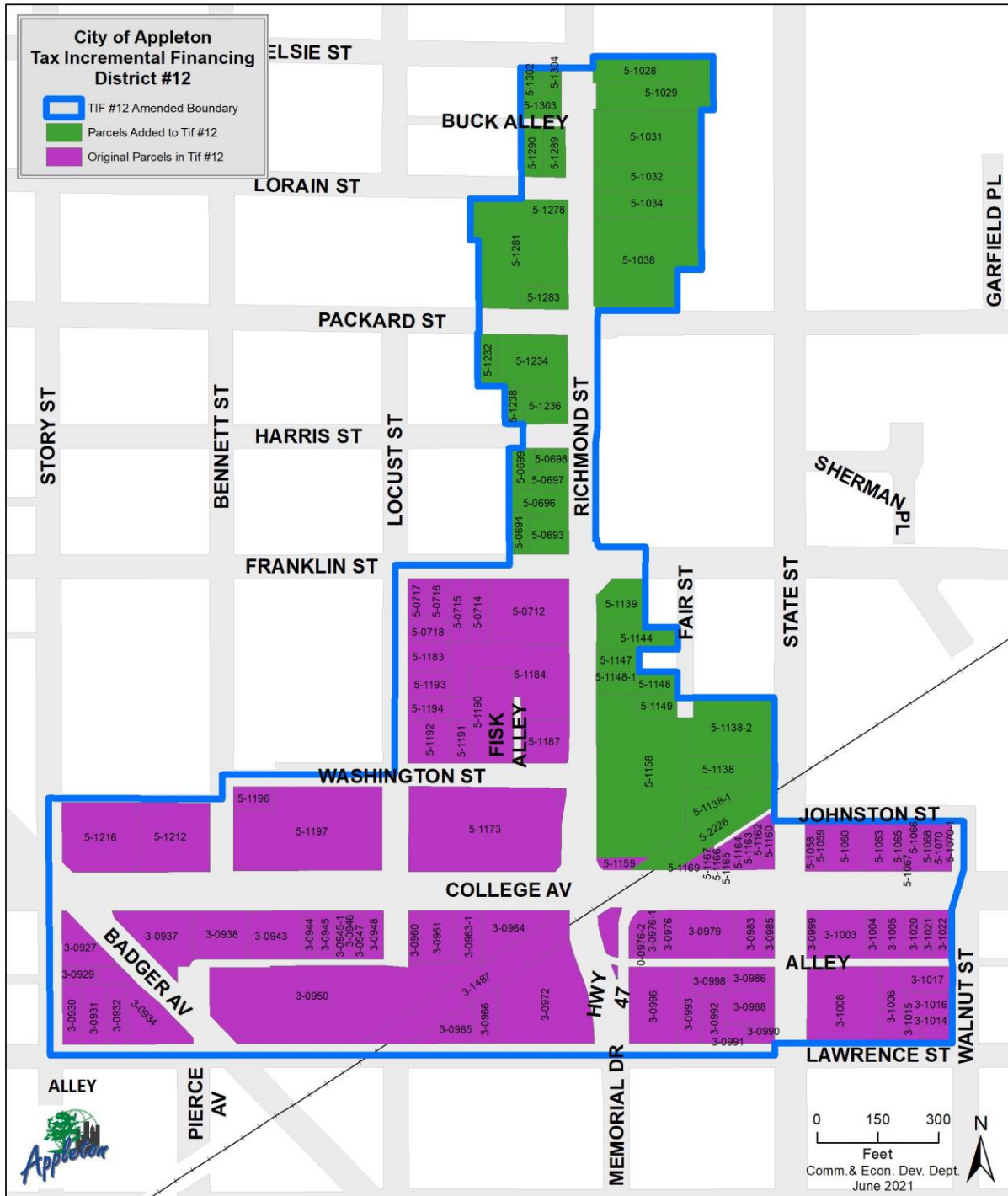
| Parcel Number | Street Address | Base Value (Jan. 1, 1993) | Current Value (Jan. 1, 2021) |
|----------------------|-----------------------|----------------------------------|-------------------------------------|
| 5-1138 | 133 N STATE ST | \$ 97,400 | \$ 0 |
| 5-1138-1 | 123 N STATE ST | \$ 0 | \$ 0 |
| 5-1138-2 | 139 N STATE ST | SPLIT FROM 5-1138 | \$ 0 |
| 5-1139 | 226 N RICHMOND ST | \$119,110 | \$ 47,100 |
| 5-1144 | N RICHMOND ST | \$ 37,710 | \$ 66,200 |
| 5-1147 | 208 N RICHMOND ST | \$ 52,800 | \$ 95,000 |
| 5-1148 | 200 N RICHMOND ST | \$106,300 | \$120,000 |
| 5-1148-1 | 204 N RICHMOND ST | \$ 34,500 | \$ 83,600 |
| 5-1149 | 139 N FAIR ST | \$ 32,500 | \$ 59,000 |
| 5-1158 | 110 N RICHMOND ST | \$382,670 | \$210,000 |
| 5-1234 | N RICHMOND ST | \$ 93,800 | \$169,200 |
| 5-1236 | N RICHMOND ST | \$ 42,800 | \$ 79,200 |
| 5-1283 | 501 N RICHMOND ST | \$ 59,380 | \$110,000 |
| | | | |
| TOTAL | | \$1,058,970 | \$1,039,300 |

Additional Parcels to be Added to the District

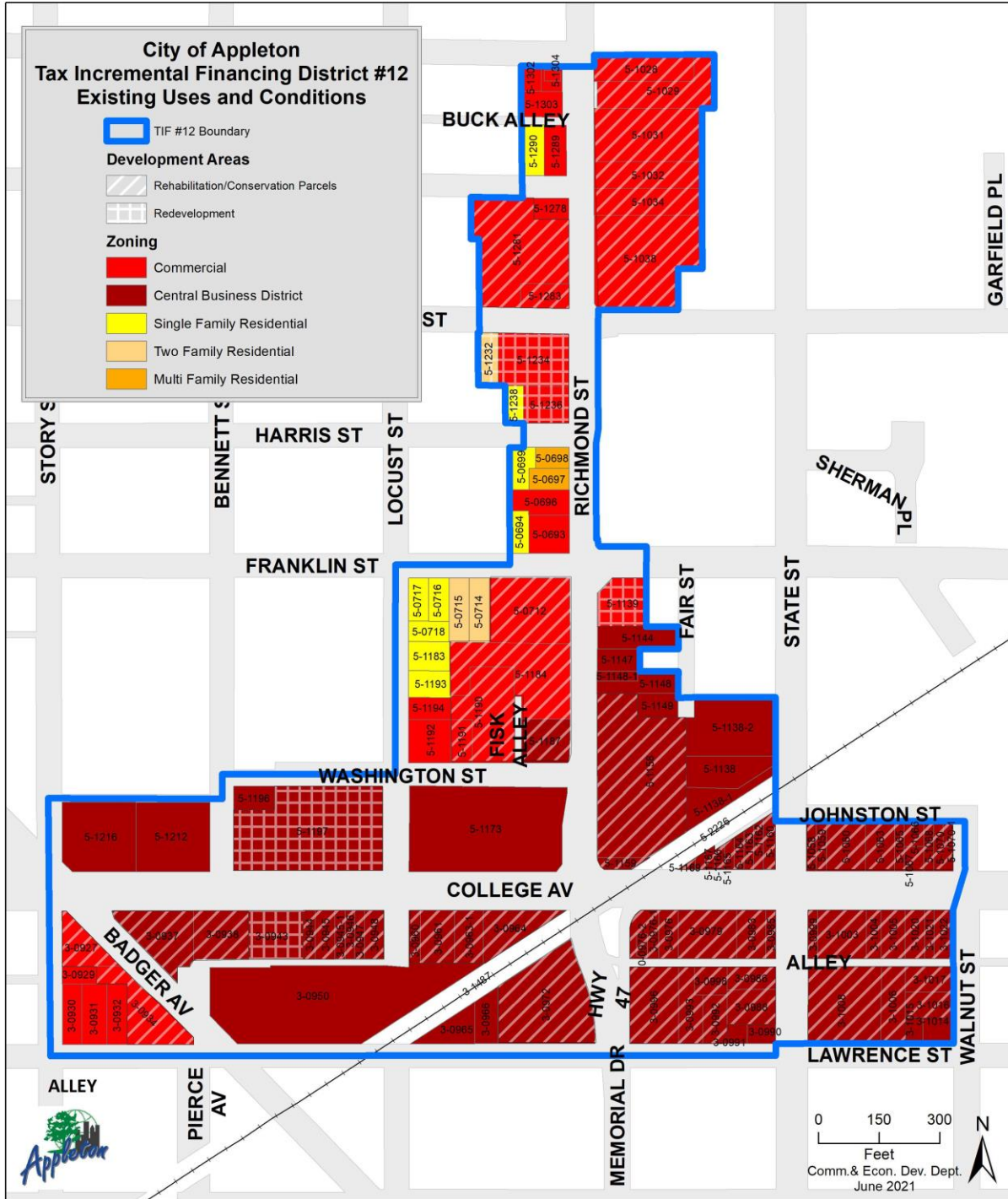
| Parcel Number | Street Address | Current Value (Jan. 1, 2021) |
|----------------------|-----------------------|-------------------------------------|
| 5-0693 | 305 N RICHMOND ST | \$ 168,100 |
| 5-0694 | 710 W FRANKLIN ST | \$ 74,400 |
| 5-0696 | N RICHMOND ST | \$ 51,200 |
| 5-0697 | N RICHMOND ST | \$ 22,900 |
| 5-0698 | 323 N RICHMOND ST | \$ 118,800 |
| 5-0699 | 711 W HARRIS ST | \$ 131,300 |
| 5-1028 | 604 N RICHMOND ST | \$ 292,000 |
| 5-1029 | 550 N RICHMOND ST | \$ 68,100 |
| 5-1031 | 536 N RICHMOND ST | \$ 772,100 |
| 5-1032 | 532 N RICHMOND ST | \$ 192,500 |
| 5-1034 | 524 N RICHMOND ST | \$ 255,600 |
| 5-1038 | 500 N RICHMOND ST | \$1,089,100 |
| 5-1158 | 110 N RICHMOND ST | \$ 973,800 |
| 5-1232 | 719 W PACKARD ST | \$ 128,600 |
| 5-1238 | W HARRIS ST | \$ 20,200 |
| 5-1278 | 525 N RICHMOND ST | \$ 127,900 |
| 5-1281 | 509 N RICHMOND ST | \$ 867,000 |
| 5-1289 | 533 N RICHMOND ST | \$ 119,200 |
| 5-1290 | W LORAIN ST | \$ 17,200 |
| 5-1302 | 709 W ELSIE ST | \$ 77,200 |
| 5-1303 | 545 N RICHMOND ST | \$ 252,600 |
| 5-1304 | 601 N RICHMOND ST | \$ 135,000 |
| 5-2226 | RAILROAD R/W | \$0 |
| | | |
| TOTAL | | \$5,954,800 |

Total of All Parcels to be Added \$6,994,100

Map Found on Following Page.



Section 5: Map Showing Existing Uses and Conditions



Section 6: Equalized Value Test

The following calculations demonstrate that the City expects to be in compliance with Wis. Stat. § 66.1105(4)(gm)4.c., which requires that the equalized value of the taxable property proposed to be added to the District, plus the value increment of all existing tax incremental districts, does not exceed 12% of the total equalized value of taxable property within the City.

Calculation of City Equalized Value Limit

| | |
|---|-----------------------|
| City TID IN Equalized Value (Jan. 1, 2020) | \$ 6,200,311,200 |
| TID Valuation Limit @ 12% of Above Value | \$ 744,037,344 |

Calculation of Value Subject to Limit

| | |
|--|-----------------------|
| Base Value of Territory to be Added to District | \$ 6,994,100 |
| Less: Incremental Value of Overlapped Parcels | \$ -0- |
| Plus: Incremental Value of Existing Districts (Jan. 1, 2020) | \$ <u>323,544,300</u> |

Total Value Subject to 12% Valuation Limit **\$330,538,400**

The equalized value of the territory to be added to the District plus the incremental value within all other existing tax incremental districts totals \$330,538,400 which is 5.33% of the City's total equalized value. This value is less than the maximum of \$744,037,344 in equalized value that is permitted for the City.

Section 7: Statement of Kind, Number and Location of Proposed Public Works and Other Projects

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred as outlined in this Plan. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received in connection with the implementation of the Plan. If Project Costs incurred benefit territory outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this amended Plan are preliminary estimates made prior to design considerations and are

subject to change after planning, design and construction is completed. With all Project Costs, the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating City ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs.

As set forth in the District's original Plan approved on August 2, 2017, the following is a list of public works and other tax incremental financing eligible Project Costs that the City expects to make, or may need to make, in conjunction with the implementation of the District's Plan. The map found in Section 8 of this Plan along with the Detailed List of Project Costs found in Section 9 provide additional information as to the kind, number and location of potential Project Costs.

A. Municipal Infrastructure Improvements

- Construction and/or reconstruction of the streets, bridges, pedestrian connections and parking to facilitate development and rehabilitation projects within the District. Scope of work may include right-of-way acquisition, land assembly, grading, gravel, curb and gutter, asphalt, streetlights, traffic signals, walkways, concrete paving, lighting, signage, and related appurtenances.
- Construction and/or reconstruction of a sanitary sewer collection system to facilitate development and rehabilitation projects within the District. The scope of work may include sewer mains, manholes, laterals, force main, lift stations, and related appurtenances.
- Construction and/or reconstruction of the water distribution system to facilitate development and rehabilitation projects within the District. Projects may include water mains, valves, hydrants, service connections, laterals and other related appurtenances.
- Construction and/or reconstruction of storm water drainage facilities to support development and rehabilitation projects within the District. Projects may include retention or detention basins, biofilters, conveyance systems, storm sewer mains, manholes, inlets, drains and related appurtenances.
- Installation of electric and/or natural gas service or the relocation of existing services to facilitate blight elimination and redevelopment or rehabilitation in the District and provide better service. Acquisition of equipment to service the District.
- Installation of telephone, fiber, and cable or the relocation of existing services to facilitate blight elimination and redevelopment or rehabilitation in the District and provide better service. Acquisition of equipment to service the District.
- The costs associated with the design, implementation, purchase and maintenance of streetscape amenities to improve the aesthetic appearance of this District, including but not limited to, decorative lighting, banners and/or flags, public art, landscaping and/or planters, benches and other pedestrian elements to encourage the viability of the businesses in the district and attract high quality development.

- B. Administrative Costs:** These include, but not limited to, a portion of the salaries of the City employees, professional fees, and others directly involved in the projects for the District over the implementation of the project plan. Audit expenses, state filing fees, and any expenses associated with dissolving the District are also eligible costs.
- C. Organizational Costs:** These include, but are not limited to, publication and printing costs in connection with this Project Plan as well as the fees for the financial consultants, attorney, engineers, planners, surveyors, and other contracted services.
- D. Professional Services:** These include, but are not limited to, those costs incurred for architectural, planning, engineering and legal advice and services.
- E. Financing Costs:** Interest, finance fees, bond discounts, redemption premiums, legal opinions, credit ratings, capitalized interest, insurance and other expenses related to financing. This would also include interest on advances made by the City of Appleton.
- F. Land Assembly, Clearance, and Real Estate Acquisitions:** In order to eliminate blight and promote rehabilitation and redevelopment, it may be necessary to assist developers or for the City to acquire and demolish blighted or underutilized properties within the District. These may include but are not limited to, the cost of acquisitions, clearance/demolition, titles, easements, appraisals, consultant fees, closing costs, surveying and mapping, and the lease and/or the sale of property at or below market price to encourage or make feasible an economic development project that is consistent with the intent of this District.
- G. Relocation Costs:** In the event any property is acquired for the projects, expenses including the cost of the relocation plan, director and staff time, publications, appraisals, land and property acquisition costs and relocation benefits as required by Wisconsin Statutes Section 32 are considered eligible project costs.
- H. Development Incentives (Cash Grants and/or Loans):** As a partner in the future redevelopment and rehabilitation/conservation of this District, the City of Appleton may enter into agreements with property owners, lessees, or developers for the purpose of sharing costs to encourage the desired kind of improvements based on the purpose of this District and assure tax base is generated sufficient to recover project costs. This assistance is regularly needed in rehabilitation and redevelopment projects to offset the additional costs in re-use versus greenfield development. Not every project will demand the same level of funding. These payments would be negotiated on a project basis in order to attract new taxable property or rehabilitate existing property in the District. No cash grants or loans will be provided until the Common Council adopts a development agreement and a copy of such agreement will be retained in the City's official records for the TID.
- I. Environmental Audits and Remediation:** Costs related to all environmental assessments and remediation will be considered eligible project costs.

- J. Promotion and Development:** Promotion and development of the District including professional services or marketing, recruitment, realtor commissions and fees in lieu of commissions, marketing services and materials, advertising costs, administrative costs and support of development organizations.
- K. Project Outside the Tax Increment District:** Pursuant to Wisconsin Statutes Section 66.1105(2)(f)1.n, the city may undertake projects within territory located within one-half (1/2) mile of the boundary of the district provided that (1) the project is located within the City's corporate boundaries, and (2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible Project Costs and may include any project cost that would otherwise be eligible if undertaken within the District.
- L. Payments Made at the Discretion of the Common Council:** These payments may include but are not limited to payments which are found to be necessary or convenient to the creation of the District or the implementation of the Project Plan that support the goals of the District as outlined in Section 2.

Section 8: Map Showing Proposed Improvements and Uses

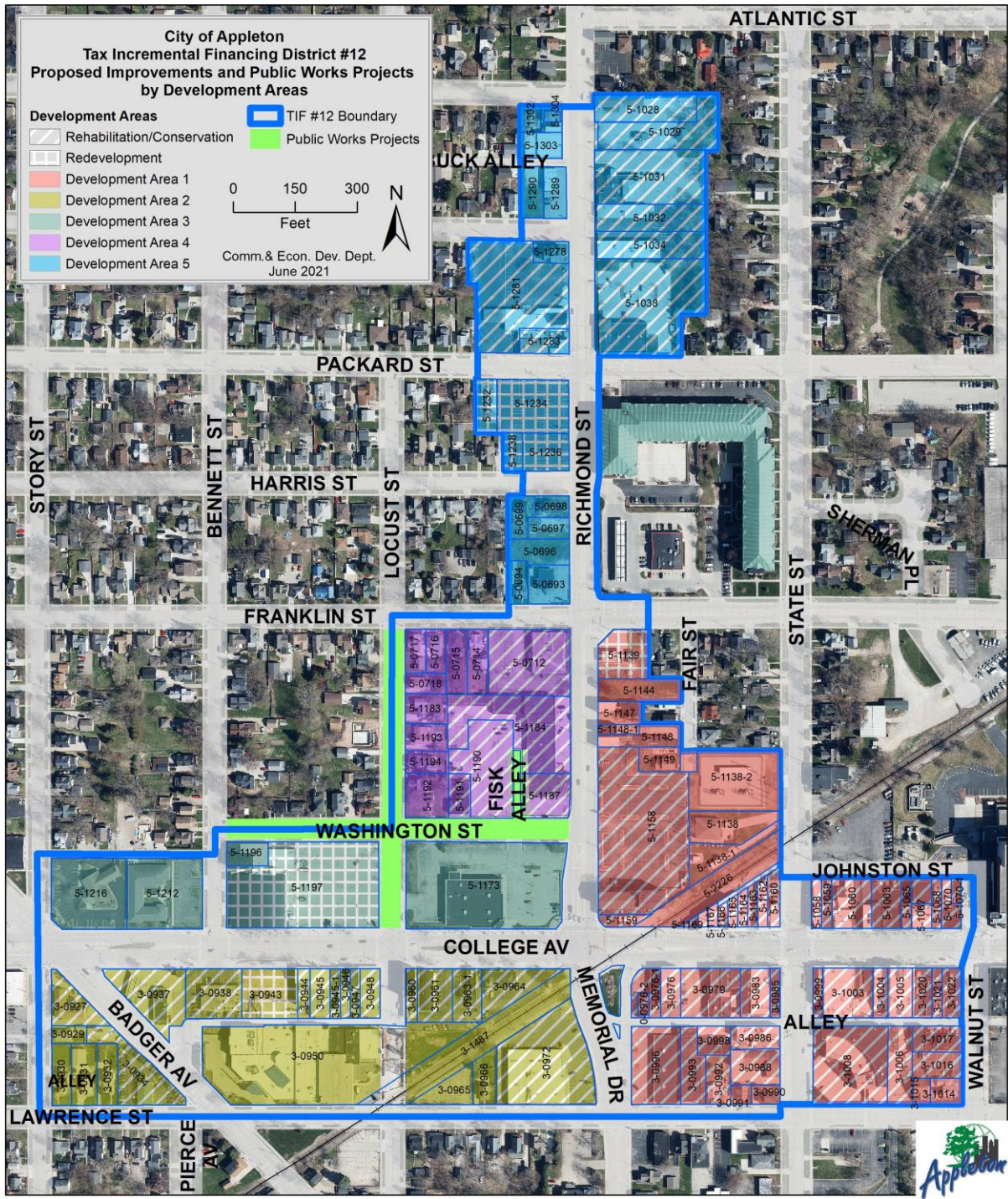
Maps Found on Following Page.

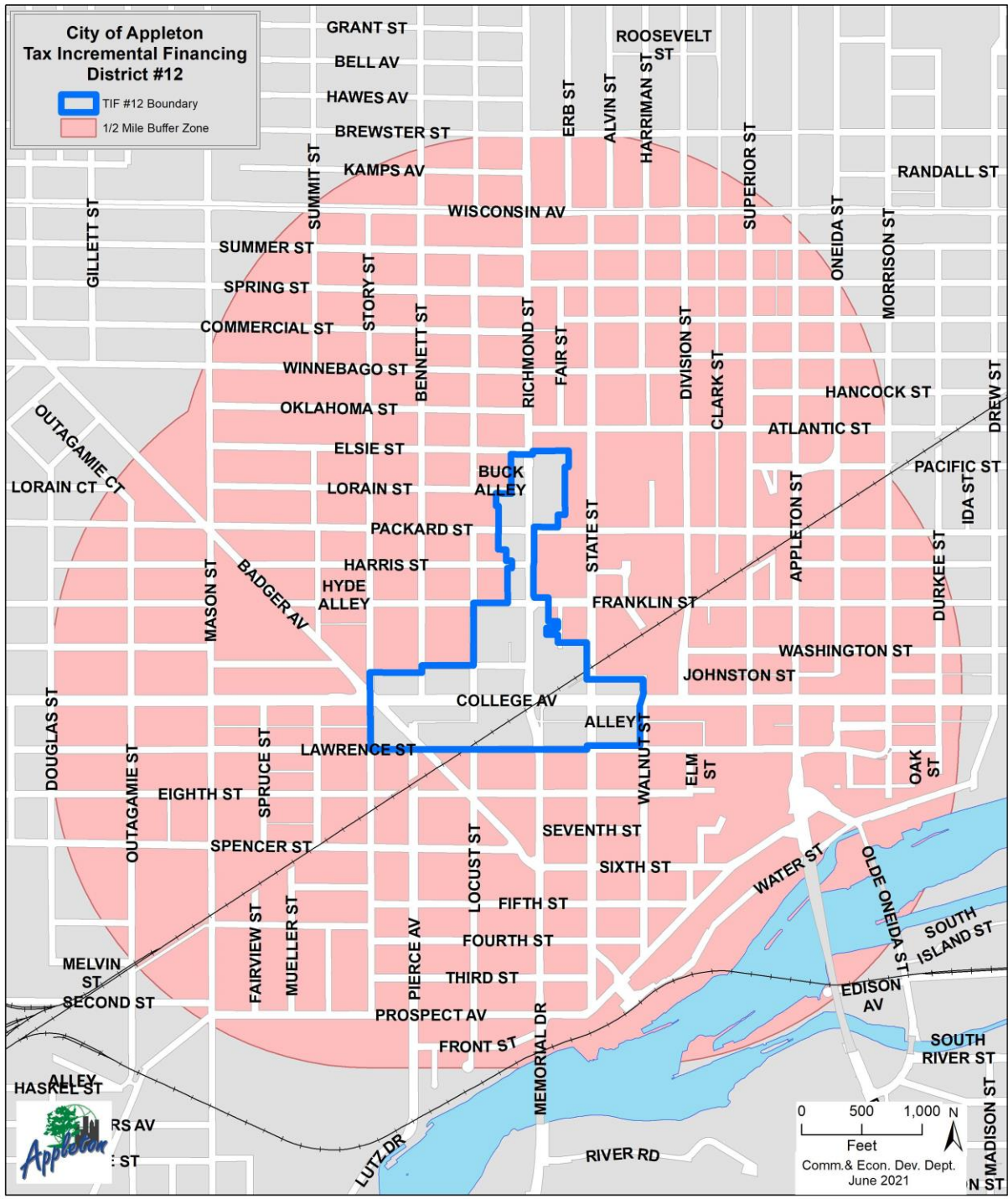
The first map depicts the locations where the City may undertake Municipal Infrastructure Improvements as detailed in Section 7. This includes eligible Project Costs to be incurred outside of, but within ½ mile of the District's boundaries. The second map identifies the ½ mile zone of eligibility.

The following types of Project Costs included in Section 7 are generally expected to be incurred within the Development Areas identified on the map.

- Municipal Infrastructure Improvements
- Land Assembly, Clearance, and Real Estate Acquisitions
- Relocation Costs
- Development Incentives (Cash Grants and/or Loans)

Other costs identified in Section 7 may be associated with expenditures made for the Municipal Infrastructure Improvements, activities within the Development Areas, or may not relate to a specifically identified geographical location such as District administrative costs.





Section 9: Detailed List of Project Costs

The following list identifies the Project Costs that the City currently expects to incur in implementing the District’s amended Plan. All projects identified and related costs reflect the best estimates available as of the date of preparation of this amended Plan. All costs are preliminary estimates and may increase or decrease. Certain Project Costs listed may become unnecessary, and other Project Costs not currently identified may need to be made. (Section 7 details the general categories of eligible Project Costs). Changes in Project Cost totals or the types of Project Costs to be incurred will not require that this Plan be further amended. This Plan is not meant to be a budget nor an appropriation of funds for specific Project Costs, but a framework within which to manage Project Costs.

| Project/Activity | Total Cost (Original Plan Est.) | Cost Added (This Amendment) | Total Revised Cost Estimate | Estimated Timing |
|---|---------------------------------------|-----------------------------------|--------------------------------------|---------------------|
| • Municipal Infrastructure Improvements** | \$1,107,300 | \$90,300 | \$1,197,600 | 2023 - 2025 |
| • Municipal Infrastructure within the ½ Mile Boundary | None | None | None | N/A |
| • Development Incentives & Property Grants | \$1,679,176 | \$4,255,470 | \$5,934,646 | 2017 - 2039 |
| • Other Costs - Administrative, Professional, Environmental, and Promotion Services Costs. Filing fees and fees charged by State. | \$124,750 | (\$68,314) | \$56,436 | 2017 - 2045 |
| • Financing Costs* <ul style="list-style-type: none"> ○ General Fund Advance ○ Interest Expense ○ General Obligation | \$1,084,472 | (\$779,439) | \$305,033 | 2017 - 2036 |
| SUBTOTAL: | \$3,995,698 | \$3,498,017 | \$7,493,715 | 2017 - 2045 |
| • Financing Costs* <ul style="list-style-type: none"> ○ Development Incentives | \$1,152,423 | (\$1,152,423) | | |
| TOTAL* | \$5,148,121 | \$2,345,594 | \$7,493,715 | |

***NOTE:** The original District Plan line item for Development Incentives & Property Grants did not include estimated interest payments on developer financed incentives, although that cost was reflected in projected District cash flows. That total from the original Plan was \$1,152,423. When comparing the estimated total Project Costs from the original Plan to the Amended Plan, it is necessary to include that additional amount. The actual increase in estimated Project Costs from the original Plan to the Amended Plan is the \$2,345,594 figure shown on the total line.

****NOTE:** The City expects to incur the following Project Costs inside of the District:

| Project & Year | Estimated Cost |
|--|------------------------|
| Fisk Alley <ul style="list-style-type: none"> Paving (2025) | \$26,000 |
| Washington Street (Bennet to Richmond) <ul style="list-style-type: none"> Underground Utilities (2023) Paving (2024) | \$214,200 \$421,000 |
| Locust Street (College to Franklin) <ul style="list-style-type: none"> Underground Utilities (2023) Paving (2024) | \$255,700 \$280,700 |
| TOTAL | \$1,197,600 |

Refer to Section 8 for a map of proposed improvements and Public Works projects by development area.

Section 10: Economic Feasibility Study, Financing Methods, and the Time When Costs or Monetary Obligations Related are to be Incurred

This Section includes a forecast of the incremental value increases expected within the District, estimated developer incentive payments, a summary of how municipal infrastructure improvements would be financed, and a projected cash flow demonstrating that the District is economically feasible.

As of January 1, 2020, the District had incremental value of \$3,710,700. The Plan assumes that \$20.8 million in additional incremental value will be created within the District by January 1, 2024 as a result of development projects proceeding within Development Areas #1, #2, and #5 as shown on **Table 1**. The City expects it may need to pay Development Incentives to make these private projects economically feasible. A projection of potential incentive payments is shown on **Table 2**. These payments would be made from tax increment cash (“pay as you go”) generated by the projects.

In addition to payment of incentives, the City has, and will, complete Municipal Infrastructure Improvements within the District. The City has, and will, finance these costs through a combination of tax increment and General Obligation debt. Actual and estimated debt service for paying the cost of the Municipal Infrastructure Projects are identified on **Table 3**.

Table 4 is a projected cash flow for the District. Based on the incremental value expected to be created (**Table 1**), the District is projected to generate approximately \$13.3 million in tax increment revenue over its twenty-seven-year life. This assumes a tax rate increasing at ½% per year over the actual rate for the 2021 budget year. Considering the projected debt service (**Table 2**) and Development Incentive payments (**Table 3**), the District is projected to run a negative fund balance through the year 2034 before eventually generating a projected \$6.2 million surplus by its required closure date. The City will advance funds to the District as needed to cover the deficit fund balance and will charge the District interest on the advance.

The projected surplus fund balance indicates the District could close prior to the end of its maximum life; however, the City expects that development will occur within other identified Development Areas, and that the City may incur additional associated Project Costs. Additional development and incurrence of costs beyond what is shown in the projections included within this Section could increase or decrease the projected surplus fund balance and hasten or delay District closure. Under all circumstances, the District must make all Project Cost expenditures not later than the year 2039 and must close in 2044 with a final collection of tax increment for the 2045 budget year.

The cash flow exhibit does not include the costs of projects located outside of, but within ½ mile of the District's boundaries. These costs will be paid for initially from other sources. The extent to which the District may be able to offset a portion of these costs will be determined at a future date depending on District financial performance. Any contributions from the District towards these costs would reduce the projected surplus shown in the cash flow exhibit.

Based on the information included within this Section, the City concludes that the District remains economically feasible and that the City has the financial resources available to implement the Plan.

**TABLE 1
TAX INCREMENT DISTRICT #12
TAX INCREMENTS BY YEAR**

| Valuation Year | TID Revenue Year | TID Value (1) | TID Base Value | TID Increment | Dev Area #1 | Dev Area #2 | Dev Area #5 | Total TID Increment (1) |
|----------------|------------------|----------------|----------------|---------------|---------------------|---------------------|----------------------|-------------------------|
| | | | | | Bela Dev LLC | Block 800 LLC | Greywolf Ptnrs | |
| 2017 | 2018 | \$ 22,974,900 | \$ 22,974,900 | \$ - | \$ - | \$ - | \$ - | \$ - |
| 2018 | 2019 | 22,689,200 | 22,974,900 | - | - | - | - | - |
| 2019 | 2020 | 24,144,800 | 22,974,900 | 1,169,900 | - | - | - | 1,169,900 |
| 2020 | 2021 | 26,685,600 | 22,974,900 | 3,710,700 | - | - | - | 3,710,700 |
| 2021 | 2022 | 26,952,456 | 22,974,900 | 3,977,556 | - | - | - | 3,977,556 |
| 2022 | 2023 | 34,216,081 (2) | 29,969,000 | 4,247,081 | 1,700,000 | 4,575,000 | - | 10,522,081 |
| 2023 | 2024 | - | - | - | - | - | - | 10,627,301 |
| 2024 | 2025 | - | - | - | - | - | 13,762,800 | 24,496,374 |
| 2025 | 2026 | - | - | - | - | - | - | 24,741,338 |
| 2026 | 2027 | - | - | - | - | - | - | 24,988,752 |
| 2027 | 2028 | - | - | - | - | - | - | 25,238,639 |
| 2028 | 2029 | - | - | - | - | - | - | 25,491,025 |
| 2029 | 2030 | - | - | - | - | - | - | 25,745,936 |
| 2030 | 2031 | - | - | - | - | - | - | 26,003,395 |
| 2031 | 2032 | - | - | - | - | - | - | 26,263,429 |
| 2032 | 2033 | - | - | - | - | - | - | 26,526,063 |
| 2033 | 2034 | - | - | - | - | - | - | 26,791,324 |
| 2034 | 2035 | - | - | - | - | - | - | 27,059,237 |
| 2035 | 2036 | - | - | - | - | - | - | 27,329,830 |
| 2036 | 2037 | - | - | - | - | - | - | 27,603,128 |
| 2037 | 2038 | - | - | - | - | - | - | 27,879,159 |
| 2038 | 2039 | - | - | - | - | - | - | 28,157,951 |
| 2039 | 2040 | - | - | - | - | - | - | 28,439,530 |
| 2040 | 2041 | - | - | - | - | - | - | 28,723,925 |
| 2041 | 2042 | - | - | - | - | - | - | 29,011,165 |
| 2042 | 2043 | - | - | - | - | - | - | 29,301,276 |
| 2043 | 2044 | - | - | - | - | - | - | 29,594,289 |
| 2044 | 2045 | - | - | - | - | - | - | 29,890,232 |
| | | | | | <u>\$ 1,700,000</u> | <u>\$ 4,575,000</u> | <u>\$ 13,762,800</u> | |

(1) TID values for the 2017-2020 valuation years are actual. TID values for valuation years 2021 and beyond projected to increase 1% annually.
(2) Both the TID value and TID base value increased \$6,994,100 due to transfer of parcels to TID #12 in 2021 as part of the TID #12 amendment.

TABLE 2
TAX INCREMENT DISTRICT #12
ESTIMATED DEVELOPER INCENTIVE PAYMENTS

| Valuation Year | Budget Year | Dev Area #1 Developer TIF Payment McFleshmans | Dev Area #1 Developer TIF Payment Bela Dev LLC | Dev Area #2 Developer TIF Payment Block 800 LLC | Dev Area #5 Developer TIF Payment Greywolf Ptrns | Total Payments |
|----------------|-------------|--|---|--|---|---------------------|
| 2016 | 2017 | \$ - | \$ - | \$ - | \$ - | \$ - |
| 2017 | 2018 | - | - | - | - | - |
| 2018 | 2019 | - | - | - | - | - |
| 2019 | 2020 | 6,870 | - | - | - | 6,870 |
| 2020 | 2021 | 7,180 | - | - | - | 7,180 |
| 2021 | 2022 | 7,251 | - | - | - | 7,251 |
| 2022 | 2023 | 7,324 | 30,156 | 81,156 | - | 118,636 |
| 2023 | 2024 | 7,397 | 30,458 | 81,967 | - | 119,822 |
| 2024 | 2025 | 7,471 | 30,762 | 82,787 | 248,969 | 369,989 |
| 2025 | 2026 | 7,546 | 31,070 | 83,615 | 251,459 | 373,690 |
| 2026 | 2027 | 7,621 | 31,381 | 84,451 | 253,973 | 377,426 |
| 2027 | 2028 | 6,340 | 31,695 | 85,296 | 256,513 | 379,844 |
| 2028 | 2029 | - | 32,012 | 86,149 | 259,078 | 377,239 |
| 2029 | 2030 | - | 32,332 | 87,010 | 261,669 | 381,011 |
| 2030 | 2031 | - | 32,655 | 87,880 | 264,286 | 384,821 |
| 2031 | 2032 | - | 32,982 | 88,759 | 266,929 | 388,670 |
| 2032 | 2033 | - | 33,311 | 89,647 | 269,598 | 392,556 |
| 2033 | 2034 | - | 33,644 | 90,543 | 272,294 | 396,481 |
| 2034 | 2035 | - | 33,981 | 91,449 | 275,017 | 400,447 |
| 2035 | 2036 | - | 34,321 | 92,363 | 277,767 | 404,451 |
| 2036 | 2037 | - | 3,834 | 10,318 | 154,836 | 168,988 |
| 2037 | 2038 | - | - | - | - | - |
| 2038 | 2039 | - | - | - | - | - |
| 2039 | 2040 | - | - | - | - | - |
| 2040 | 2041 | - | - | - | - | - |
| 2041 | 2042 | - | - | - | - | - |
| 2042 | 2043 | - | - | - | - | - |
| 2043 | 2044 | - | - | - | - | - |
| 2044 | 2045 | - | - | - | - | - |
| | | <u>\$ 65,000</u> | <u>\$ 454,594</u> | <u>\$ 1,223,390</u> | <u>\$ 3,312,388</u> | <u>\$ 5,055,372</u> |

Note: Actual amounts may differ due to changes in project timing, projected valuations, and equalized tax rates

**TABLE 3
TAX INCREMENT DISTRICT #12
GENERAL OBLIGATION DEBT**

| Budget Year | \$450,000 2023 GO Notes | | \$600,000 2024 GO Notes | | Total Payments |
|----------------|----------------------------|------------------|----------------------------|------------------|---------------------|
| | Principal | Interest | Principal | Interest | |
| 2017 | \$ - | \$ - | \$ - | \$ - | \$ - |
| 2018 | - | - | - | - | - |
| 2019 | - | - | - | - | - |
| 2020 | - | - | - | - | - |
| 2021 | - | - | - | - | - |
| 2022 | - | - | - | - | - |
| 2023 | - | - | - | - | - |
| 2024 | 39,179 | 12,964 | - | - | 52,143 |
| 2025 | 40,370 | 11,773 | 52,238 | 17,286 | 121,667 |
| 2026 | 41,598 | 10,545 | 53,827 | 15,697 | 121,667 |
| 2027 | 42,863 | 9,279 | 55,464 | 14,060 | 121,666 |
| 2028 | 44,167 | 7,976 | 57,151 | 12,372 | 121,666 |
| 2029 | 45,510 | 6,632 | 58,889 | 10,634 | 121,665 |
| 2030 | 46,895 | 5,248 | 60,681 | 8,843 | 121,667 |
| 2031 | 48,321 | 3,822 | 62,526 | 6,997 | 121,666 |
| 2032 | 49,791 | 2,352 | 64,428 | 5,096 | 121,667 |
| 2033 | 51,306 | 837 | 66,388 | 3,136 | 121,667 |
| 2034 | - | - | 68,408 | 1,117 | 69,525 |
| 2035 | - | - | - | - | - |
| 2036 | - | - | - | - | - |
| 2037 | - | - | - | - | - |
| 2038 | - | - | - | - | - |
| 2039 | - | - | - | - | - |
| 2040 | - | - | - | - | - |
| 2041 | - | - | - | - | - |
| 2042 | - | - | - | - | - |
| 2043 | - | - | - | - | - |
| 2044 | - | - | - | - | - |
| 2045 | - | - | - | - | - |
| | <u>\$ 450,000</u> | <u>\$ 71,428</u> | <u>\$ 600,000</u> | <u>\$ 95,238</u> | <u>\$ 1,216,666</u> |

TABLE 4
TAX INCREMENT DISTRICT #12
CASH FLOW PROFORMA

| Valuation Year | Budget Year | TID Increment | Tax Rate (1) | TIF Revenue | Other Revenues | Debt Proceeds | Admin Expense | General Obligation Debt Service | Project/Other Expenses | Developer Incentive Payments | Interest on General Fund Advance | Annual Surplus/ (Deficit) | Fund Balance |
|----------------|-------------|---------------|--------------|-------------------|----------------|------------------|-----------------|---------------------------------|------------------------|------------------------------|----------------------------------|---------------------------|--------------|
| 2016 | 2017 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ (1,000) | \$ - | \$ - | \$ - | \$ (25) | \$ (1,025) | \$ (1,025) |
| 2017 | 2018 | - | - | - | 131 | - | (150) | - | (7,000) | - | (239) | (7,258) | (8,283) |
| 2018 | 2019 | - | - | - | 37 | - | (1,470) | - | (42,099) | - | (1,576) | (45,108) | (53,391) |
| 2019 | 2020 | 1,169,900 | 21.2190 | 24,824 | 38 | - | (1,396) | - | (32,175) | (6,870) | (3,793) | (19,372) | (72,763) |
| 2020 | 2021 | 3,710,700 | 20.7044 | 76,828 | 343 | - | (1,460) | - | (42,000) | (7,180) | (4,233) | 22,298 | (50,465) |
| 2021 | 2022 | 3,977,556 | 20.8079 | 82,765 | 283 | - | (1,460) | - | (42,000) | (7,251) | (2,733) | 29,604 | (20,861) |
| 2022 | 2023 | 10,522,081 | 20.9120 | 220,037 | 333 | 450,000 | (1,500) | - | (511,900) | (118,636) | (1,233) | 37,101 | 16,240 |
| 2023 | 2024 | 10,627,301 | 21.0165 | 223,349 | 412 | 600,000 | (1,500) | (52,143) | (743,700) | (119,822) | (2,983) | (96,386) | (80,147) |
| 2024 | 2025 | 24,496,374 | 21.1216 | 517,403 | 475 | - | (6,500) | (121,667) | (68,000) | (369,989) | (6,983) | (55,261) | (135,408) |
| 2025 | 2026 | 24,741,338 | 21.2272 | 525,190 | 567 | - | (1,500) | (121,667) | (42,000) | (373,690) | (9,233) | (22,333) | (157,741) |
| 2026 | 2027 | 24,988,752 | 21.3333 | 533,094 | 629 | - | (1,500) | (121,666) | (42,000) | (377,426) | (10,483) | (19,352) | (177,093) |
| 2027 | 2028 | 25,238,639 | 21.4400 | 541,117 | 673 | - | (1,500) | (121,666) | (42,000) | (379,844) | (11,483) | (14,703) | (191,796) |
| 2028 | 2029 | 25,491,025 | 21.5472 | 549,261 | 753 | - | (1,500) | (121,665) | (42,000) | (377,239) | (12,233) | (4,624) | (196,420) |
| 2029 | 2030 | 25,745,936 | 21.6550 | 557,527 | 790 | - | (1,500) | (121,667) | (42,000) | (381,011) | (12,483) | (344) | (196,764) |
| 2030 | 2031 | 26,003,395 | 21.7632 | 565,918 | 819 | - | (1,500) | (121,666) | (42,000) | (384,821) | (12,483) | 4,267 | (192,497) |
| 2031 | 2032 | 26,263,429 | 21.8720 | 574,435 | 918 | - | (1,500) | (121,667) | (42,000) | (388,670) | (12,483) | 9,033 | (183,464) |
| 2032 | 2033 | 26,526,063 | 21.9814 | 583,080 | 1,089 | - | (1,500) | (121,667) | (42,000) | (392,556) | (12,483) | 13,964 | (169,500) |
| 2033 | 2034 | 26,791,324 | 22.0913 | 591,855 | 1,361 | - | (1,500) | (69,525) | (42,000) | (396,481) | (11,233) | 72,477 | (97,023) |
| 2034 | 2035 | 27,059,237 | 22.2018 | 600,763 | 1,910 | - | (1,500) | - | (42,000) | (400,447) | (7,483) | 151,243 | 54,220 |
| 2035 | 2036 | 27,329,830 | 22.3128 | 609,804 | 2,756 | - | (1,500) | - | (42,000) | (404,451) | (2,491) | 162,118 | 216,338 |
| 2036 | 2037 | 27,603,128 | 22.4243 | 618,982 | 6,294 | - | (1,500) | - | (42,000) | (168,988) | - | 412,788 | 629,125 |
| 2037 | 2038 | 27,879,159 | 22.5365 | 628,298 | 13,823 | - | (1,500) | - | (42,000) | - | - | 598,620 | 1,227,746 |
| 2038 | 2039 | 28,157,951 | 22.6491 | 637,753 | 22,873 | - | (1,500) | - | (42,000) | - | - | 617,127 | 1,844,872 |
| 2039 | 2040 | 28,439,530 | 22.7624 | 647,352 | 32,479 | - | (6,500) | - | - | - | - | 673,331 | 2,518,203 |
| 2040 | 2041 | 28,723,925 | 22.8762 | 657,094 | 42,690 | - | (1,500) | - | - | - | - | 698,284 | 3,216,488 |
| 2041 | 2042 | 29,011,165 | 22.9906 | 666,984 | 53,238 | - | (1,500) | - | - | - | - | 718,722 | 3,935,210 |
| 2042 | 2043 | 29,301,276 | 23.1055 | 677,022 | 64,095 | - | (1,500) | - | - | - | - | 739,616 | 4,674,826 |
| 2043 | 2044 | 29,594,289 | 23.2211 | 687,211 | 75,265 | - | (1,500) | - | - | - | - | 760,976 | 5,435,802 |
| 2044 | 2045 | 29,890,232 | 23.3372 | 697,553 | 86,720 | - | (6,500) | - | - | - | - | 777,773 | 6,213,575 |
| | | | | <u>13,295,497</u> | <u>411,794</u> | <u>1,050,000</u> | <u>(56,436)</u> | <u>(1,216,666)</u> | <u>(2,076,874)</u> | <u>(5,055,372)</u> | <u>(138,367)</u> | <u>6,213,575</u> | |

(1) Tax rate projected to increase 1/2% annually beginning in 2021

Section 11: Annexed Property

A tax incremental district cannot include annexed territory unless at least three years have elapsed since the annexation, or certain other requirements are met. None of the territory being added to the District as part of this Plan Amendment was annexed to the City in the preceding three years.

Section 12: Proposed Zoning Ordinance Changes

The proposed Plan Amendment is in general conformance with the City's current zoning ordinances. Individual properties may require rezoning at the time of development.

Section 13: Proposed Changes in Master Plan, Map, Building Codes and Ordinances

The proposed Plan Amendment is in general conformance with the City's Comprehensive Plan. Development within the District will be required to conform to State Building Codes and will be subject to the City's permitting and inspection procedures. The proposed Plan conforms to all relevant State and local ordinances, plans, and codes. No changes to the existing regulations are proposed or needed.

Section 14: Relocation

The City does not expect that the continued implementation of the Plan will cause a need to relocate persons or businesses. In the event relocation becomes necessary at some time during the implementation period, the City will take the following steps and actions as required by Wisconsin Statutes Section 32:

1. Before negotiations begin for the acquisition of property or easements, all property owners will be provided with an informational pamphlet "The Rights of Landowners" prepared by the Wisconsin Department of Administration, and if any person is to be displaced as a result of the acquisition, they will be given a pamphlet on "Relocation Rights" prepared by the Wisconsin Department of Administration.
2. The City will provide each owner a full narrative appraisal, a map showing the owners of all property affected by the proposed project, and a list of all or at least ten neighboring landowners to whom offers are being made.

3. The City will file a relocation plan with the Wisconsin Department of Administration and will keep all records as required in Wisconsin Statutes Section 32.

Section 15: Orderly Development of the City

Amendment of the District contributes to the orderly development of the City by providing for the elimination of blighting influences, the rehabilitation and the redevelopment of underutilized properties along the West College Avenue corridor, and by providing for continued growth in residential, office, and retail development. By improving and maintaining an attractive area for private investment along the corridor, the City will ensure a healthy tax base, job growth/creation and a more vibrant economy.

The Amended Plan is complimentary to the adopted City of Appleton's *Comprehensive Plan 2010-2030* (Comprehensive Plan), specifically Chapter 14 Downtown Plan that identifies the corridor of West College Avenue for reinvestment, rehabilitation and redevelopment. The City's recommendations for this corridor and surrounding downtown sites include the following key strategies as adopted on March 15, 2017 in the updated Comprehensive Plan. These key strategies, and the detailed policies to support these efforts, can be found in the Comprehensive Plan – Chapter 14 Downtown Plan Initiatives Section from pages 335 to 362:

- 1.1 *Continue development of entry features on major routes into the downtown.*
- 1.3 *Implement appropriate streetscaping projects throughout the downtown.*
- 1.5 *Continue to encourage quality urban design throughout the downtown through voluntary measures.*
- 2.2 *Pursue opportunities to attract more artists and arts-related businesses to the downtown.*
- 3.1 *Encourage mixed-use and mid-density residential redevelopment on under-utilized or marginal sites on the edge of downtown.*
- 3.3 *Promote development of neighborhood serving businesses and amenities to meet the basic shopping and service needs of downtown and nearby residents.*
- 3.10 *Promote well-designed transitional areas between higher density development downtown and lower density development in adjacent, largely single-family neighborhoods.*
- 4.1 *Sustain and grow the retail niches which have formed downtown.*
- 4.2 *Identify and aggressively recruit target industries.*
- 4.3 *Protect the existing retail blocks on College Avenue.*
- 4.5 *Facilitate and pursue entrepreneurial business development in the downtown.*
- 4.6 *Create opportunities for smaller offices and business services to locate downtown, including north of College Avenue.*
- 4.7 *Maintain an environment favorable to larger employers in the downtown.*
- 4.8 *Support private sector efforts to redevelop and invest in downtown.*

Section 16: List of Estimated Non-Project Costs

Non-Project Costs are public works projects which only partly benefit the District. Costs incurred that do not benefit the District may not be paid with tax increments. Examples of non-project costs are:

- A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a nonproject cost.
- A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

No improvements to be made within the District will benefit property outside the District. Furthermore, there will be no improvements made outside the District that will only partially benefit the District.

Section 17: Opinion of Attorney for the City of Appleton Advising Whether the Plan is Complete and Complies with Wisconsin Statutes 66.1105



LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street
Appleton, WI 54911
Phone: 920/832-6423
Fax: 920/832-5962

June 28, 2021

Mayor Jacob A. Woodford
City of Appleton
100 North Appleton Street
Appleton, WI 54911-4799

Re: Tax Increment Finance Program Plan, City of Appleton
Tax Incremental District #12

Dear Mayor Woodford:

You have asked me for a legal opinion as to the legal sufficiency and statutory compliance of the proposed Tax Incremental Financing District #12 Project Plan Amendment for the City of Appleton Tax Incremental District #12. I have reviewed the Project Plan Amendment for said District as well as the appendices attached thereto, specifically as to their compliance with the provision of Section 66.1105(4), Wisconsin Statutes. It is my opinion that the Project Plan Amendment is in compliance with all of the provisions of Section 66.1105(4) of the Wisconsin Statutes dealing with the creation of Tax Incremental Financing Districts.

If you have any questions concerning this matter, please contact me at your earliest convenience.

Sincerely,

Christopher R. Behrens
City Attorney

CRB:jljg

Christopher R. Behrens
City Attorney

Amanda Abshire
Deputy City Attorney

Darrin M. Glad
Assistant City Attorney

Nicholas J. Vande Castle
Assistant City Attorney

**Section 18: Calculation of the Share of Projected Tax Increments
Estimated to be Paid by the Owners of Property in the Overlying
Taxing Jurisdictions**

The following projection is provided to meet the requirements of Wis. Stat. § 66.1105(4)(i)4. Allocation percentages based on 2020 Statement of Taxes.

| Budget Year | Tax Increment Revenue | City of Appleton 40.30% | Outagamie County 17.04% | Appleton School District 37.81% | FVTC 4.85% |
|---------------|-----------------------|----------------------------|----------------------------|------------------------------------|-------------------|
| 2020 | \$ 24,824 | \$ 10,005 | \$ 4,230 | \$ 9,386 | \$ 1,204 |
| 2021 | \$ 76,828 | \$ 30,965 | \$ 13,091 | \$ 29,047 | \$ 3,725 |
| 2022 | \$ 82,765 | \$ 33,358 | \$ 14,102 | \$ 31,292 | \$ 4,013 |
| 2023 | \$ 220,037 | \$ 88,684 | \$ 37,492 | \$ 83,192 | \$ 10,670 |
| 2024 | \$ 223,349 | \$ 90,019 | \$ 38,056 | \$ 84,444 | \$ 10,830 |
| 2025 | \$ 517,403 | \$ 208,534 | \$ 88,159 | \$ 195,620 | \$ 25,089 |
| 2026 | \$ 525,190 | \$ 211,673 | \$ 89,486 | \$ 198,564 | \$ 25,466 |
| 2027 | \$ 533,094 | \$ 214,859 | \$ 90,833 | \$ 201,553 | \$ 25,850 |
| 2028 | \$ 541,117 | \$ 218,092 | \$ 92,200 | \$ 204,586 | \$ 26,239 |
| 2029 | \$ 549,261 | \$ 221,374 | \$ 93,588 | \$ 207,665 | \$ 26,633 |
| 2030 | \$ 557,527 | \$ 224,706 | \$ 94,996 | \$ 210,791 | \$ 27,034 |
| 2031 | \$ 565,918 | \$ 228,088 | \$ 96,426 | \$ 213,963 | \$ 27,441 |
| 2032 | \$ 574,435 | \$ 231,521 | \$ 97,877 | \$ 217,183 | \$ 27,854 |
| 2033 | \$ 583,080 | \$ 235,005 | \$ 99,350 | \$ 220,452 | \$ 28,273 |
| 2034 | \$ 591,855 | \$ 238,542 | \$ 100,845 | \$ 223,770 | \$ 28,699 |
| 2035 | \$ 600,763 | \$ 242,132 | \$ 102,363 | \$ 227,137 | \$ 29,131 |
| 2036 | \$ 609,804 | \$ 245,776 | \$ 103,903 | \$ 230,556 | \$ 29,569 |
| 2037 | \$ 618,982 | \$ 249,475 | \$ 105,467 | \$ 234,026 | \$ 30,014 |
| 2038 | \$ 628,298 | \$ 253,230 | \$ 107,055 | \$ 237,548 | \$ 30,466 |
| 2039 | \$ 637,753 | \$ 257,041 | \$ 108,666 | \$ 241,123 | \$ 30,924 |
| 2040 | \$ 647,352 | \$ 260,909 | \$ 110,301 | \$ 244,752 | \$ 31,390 |
| 2041 | \$ 657,094 | \$ 264,836 | \$ 111,961 | \$ 248,435 | \$ 31,862 |
| 2042 | \$ 666,984 | \$ 268,822 | \$ 113,646 | \$ 252,174 | \$ 32,342 |
| 2043 | \$ 677,022 | \$ 272,867 | \$ 115,357 | \$ 255,969 | \$ 32,829 |
| 2044 | \$ 687,211 | \$ 276,974 | \$ 117,093 | \$ 259,822 | \$ 33,323 |
| 2045 | \$ 697,553 | \$ 281,142 | \$ 118,855 | \$ 263,732 | \$ 33,824 |
| Totals | \$ 13,295,497 | \$ 5,358,627 | \$ 2,265,396 | \$ 5,026,780 | \$ 644,693 |

RESOLUTION NO. _____

**RESOLUTION APPROVING AN AMENDMENT TO THE PROJECT PLAN AND
BOUNDARIES OF TAX INCREMENTAL DISTRICT NO. 12,
CITY OF APPLETON, WISCONSIN**

WHEREAS, the City of Appleton (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 12 (the "District") was created by the City on August 2, 2017 as a rehabilitation/conservation district; and

WHEREAS, the City now desires to amend the Project Plan and boundaries of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will:

- a. Add territory to the District as permitted under Wisconsin Statutes Section 66.1105(4)(h)2.
- b. Amend the categories, locations or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1105(4)(h)1.

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the District promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to owners of all property in the proposed district, to the chief executive officers of Outagamie County, the Appleton Area School District, and the Fox Valley Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on August 11, 2021 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the amended district, adopted the Project Plan, and recommended to the Common Council that it amend and adopt the Project Plan and boundaries for the District.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Appleton that:

1. The boundaries of the District named "Tax Incremental District No. 12, City of Appleton", are hereby amended as identified in Exhibit A of this Resolution.
2. The territory being added shall become part of the District effective as of January 1, 2021.
3. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District, as amended, is in need of rehabilitation and/or conservation work within the meaning of Wisconsin Statutes Section 66.1337(2m)(a).
 - (b) Based upon the finding stated in 3.a. above, the District was declared to be, and remains, a rehabilitation/conservation district based on the identification and classification of the property included within the District.
 - (c) Project costs relate directly to promoting the rehabilitation and/or conservation of the area consistent with the purpose for which the District is created.
 - (d) The equalized value of the taxable property within the territory to be added to the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
 - (e) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (f) The City estimates that 10% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (g) That there are no parcels to be added to the District that were annexed by the City within the preceding three-year period.

4. The Project Plan for "Tax Incremental District No. 12, City of Appleton" (see Exhibit B), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2021, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

Adopted this _____ day of _____, 2021.

Jacob A. Woodford, Mayor

ATTEST:

Kami L. Lynch, City Clerk

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 12
CITY OF APPLETON**

[INCLUDED WITHIN PROJECT PLAN]

PROJECT PLAN AMENDMENT

[DISTRIBUTED SEPARATELY]



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

MEMORANDUM

TO: Community and Economic Development Committee (CEDC)

FROM: Karen Harkness, Director of Community & Economic Development
Matt Rehbein, Economic Development Specialist

DATE: August 11, 2021

RE: Request Approval of the Development Agreement between the City of Appleton and Merge, LLC in TIF District #11

Tax Increment Financing District Number 11 (TIF District #11) 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 #11 was created as a "Blighted District" based upon the finding that at least 50%, by area of the real property within the District, is blighted within the meaning of Wisconsin Statute Section 66.1105 and 66.1333. The Project Plan was amended in September 2020.

TIF District #11 is located along East College Avenue from approximately Drew Street to just west of Superior Street, south to Water Street, and north to East Pacific Street.

Merge LLC (Developer) is requesting assistance to support a mixed-use project. The parcel, located on the southeast corner of E. Washington Street and N. Oneida Street is owned by the City of Appleton. The proposed concept is for a 5-story development which would include a mix of 56 residential units and ground floor commercial uses. A concept of proposed improvements is included as Exhibit B of the Development Agreement. This concept shows an anticipated Phase II at the location of the former Blue Ramp which will be brought forward as a separate Development Agreement.

This parcel has been vacant since the City demolished the Conway Hotel in 2013. 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 #11 would invest the lesser of eighteen percent (18%) or \$1,386,000 of the Tax Increment Value as of January 1, 2024, plus interest thereon to support the construction work for Merge, LLC.

Staff Recommendation:

The Development Agreement between the City of Appleton and Merge LLC **BE APPROVED.**

TAX INCREMENT DISTRICT NO. 11 DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the "Agreement") is dated as of the ___ day of _____, 2021, by and among Merge LLC, an Iowa 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 on the southeast corner of E. Washington St. and S. Oneida St., (Parcel 31-2-0281-01) Appleton, WI more particularly described in Exhibit A, attached hereto (hereafter the "Property").

B. The Property is located within the City in Tax Increment District #11 (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 approximately one floor of commercial/retail space and four floors consisting of approximately fifty-six (56) market rate living units offering studio and one bedrooms with approximate square footage ranging from 385 to 720 per unit (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 **DATE, 2021** 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 Zero Dollars (\$0). The Developer estimates the project will create up to an additional Seven Million Seven Hundred Thousand Dollars (\$7,700,000) in incremental 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 shall purchase the property for \$283,000 from the City within 30 days of execution of this agreement. Said sale of Property to Developer is contingent upon Developer fulfilling the terms and conditions of this Agreement and the City shall retain a right to repurchase the Property as more particularly set forth in Article IV.

1.2 Developer's Project is the first of two phases, is currently known as "URBANE" and 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.

1.3 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 and development of the project.

1.4 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.

1.5 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. In addition, the City agrees to work collaboratively with Developer in Developer's pursuit of various grant or similar funding opportunities.

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 floors of the Project (hereafter "completion")) the City will provide payments to Developer solely from the future Tax Increments (derived from both real and personal property) 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) \$1,386,000 or ii) Eighteen percent (18%) of the Tax Increment Value as of January 1, 2024, 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. 4.3.

2.3.3 Interest on the Contribution shall begin to accrue upon completion of the Project. The interest rate on the Contribution shall be 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) four percent (4%).

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; REPURCHASE OF PROPERTY; 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 conditions shall have been met:

4.1.1 The Project's completion on or before May 31, 2023 subject to reasonable extensions, not to exceed six (6) months each, for Force Majeure which shall include, but not be limited to, any delays caused by pandemic or other acts beyond the reasonable control of the Developer. Such extensions shall be by mutual written agreement and, in considering any requested extension, the City and Developer agree that each will act in good faith, cooperate in expeditious and timely approvals, and said extensions shall not be unreasonably withheld, conditioned or delayed by City.

4.1.2 The Property's assessed value is no less than Seven Million Seven Hundred Thousand Dollars (\$7,700,000) on or after January 1, 2025.

4.2 The City was induced to sell the real property described in Exhibit A to Developer based on Developer's proposed Project and construction of the same according to the terms of this Agreement. As such, the City shall retain and the Developer shall grant the City a right to repurchase the real property (hereafter "repurchase options"). This repurchase option shall be subject to the following:

4.2.1 The City's repurchase right shall terminate upon Developer obtaining approved buildings plans and a building permit for improvements to the real property consistent with the Project as described in this Agreement, and, commencement of the Project's construction.

4.2.2 The City shall refrain from executing the repurchase right if Developer is making reasonable timely progress toward commencement of the Project's construction in accordance with the terms of the Agreement.

4.2.3 The City shall provide Developer thirty (30) day's written notice of its intent to repurchase the Property unless Developer waives said notice. Thereafter Developer

shall execute all necessary documents and transfer the Property's unencumbered title to the City. In exchange, the City shall pay Developer \$283,000 (or the actual amount paid by Developer to the City) less \$1,000 per calendar month calculated from the first day of the month after this Agreement is executed through the date of sale. The City and Developer agree that each will act in good faith to facilitate a timely repurchase if the City exercises its repurchase right.

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

4.3.1 The conditions in Section 4.1 are not met.

4.3.2 The Contribution is paid in full or August 15, 2039, whichever occurs first.

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
Attn: 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:

Merge LLC
25 West Main Street, Suite 500
Madison, WI 53718
Email: info@mergeurbandevelopment.com

With a copy to:

Squire Patton & Boggs
Attn: Steven F. Mount
41 South High Street, Suite 2000
Columbus, OH 43215
Email: steven.mount@squirepb.com

ARTICLE VII ASSIGNMENT

7.1 Terms of this Agreement are not transferrable or assignable. No party to this Agreement may assign any of its interest or obligations hereunder without first obtaining the written consent of all other parties.

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: _____
Jacob A. Woodford, Mayor

ATTEST:

By: _____
Kami L. Lynch, City Clerk

STATE OF WISCONSIN)
: ss.
OUTAGAMIE COUNTY)

Personally came before me this ____ day of _____, 2021, Jacob A. Woodford, 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: _____

PROVISION HAS BEEN MADE TO PAY FOR OBLIGATIONS INCURRED PURSUANT TO THIS AGREEMENT:

Anthony Saucerman, Finance Director

APPROVED AS TO FORM:

Christopher R. Behrens, City Attorney
Dated: July 13, 2021
By: Christopher R. Behrens
City Law A21-0312

SCHEDULE OF EXHIBITS

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

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

The North 97.17 feet of Lots One (1) and Two (2) and the North 97.17 feet of the West 30 feet of Lot Three (3), Block Twenty-eight (28), Appleton Plat, City of Appleton, County of Outagamie, State of Wisconsin, according to the recorded assessor's map of said city.

APN: 312028101

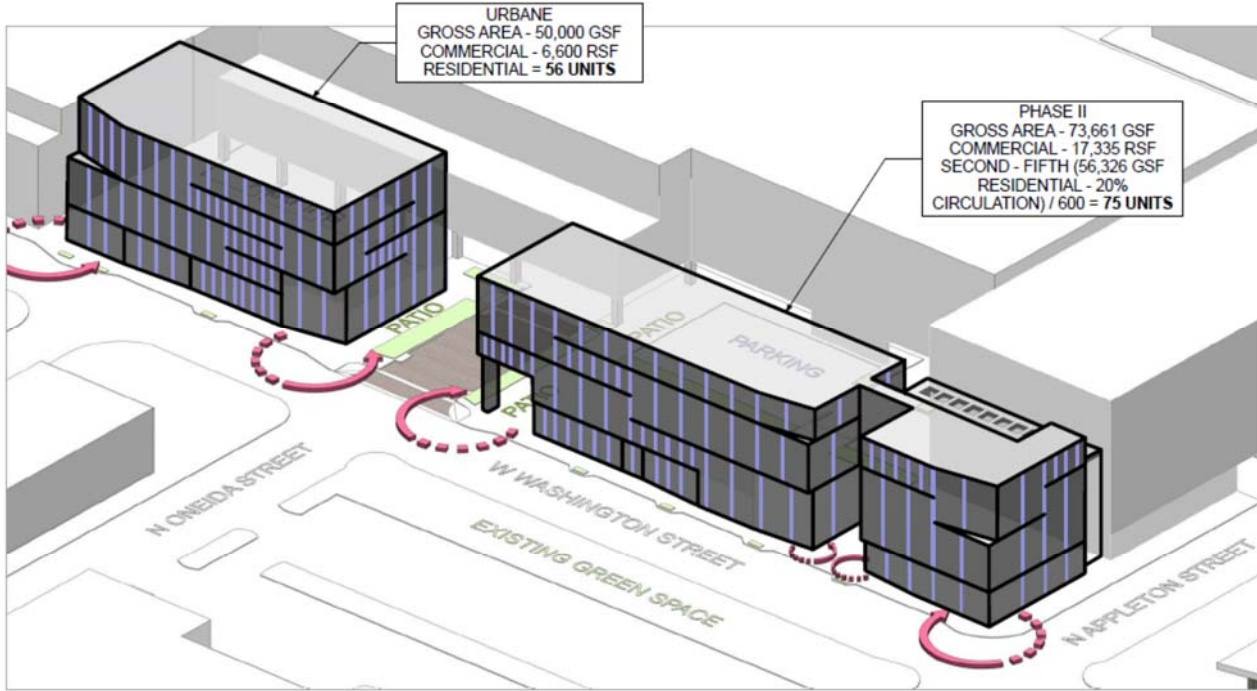
Property Address: 103 East Washington Street
Appleton, WI 54911

EXHIBIT B
PROPOSED IMPROVEMENTS

(Copy of Plans/Design docs follow)

APPLETON MIXED-USE

CONCEPT DIAGRAM



ONITSHOT
ARCHITECTURE



2020.09.25

APPLETON MIXED-USE

TYPICAL UNIT DIAGRAM

ONE BEDROOM

- Walk-in closet
- Full kitchen
- Washer + dryer
- Bedroom with natural lighting
- Living and dining space

STUDIO UNITS

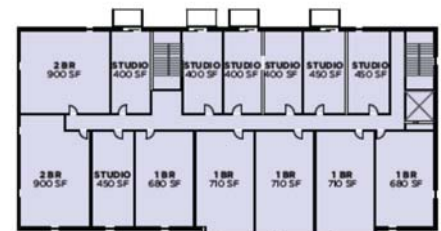
- Living room and dining area
- Built-in Murphy bed and sofa
- Ample cook and prep areas
- Built-in media center and desk work surface
- Dedicated laundry and closet space



1 BEDROOM TYPICAL PLAN
1/8" = 1' 0"



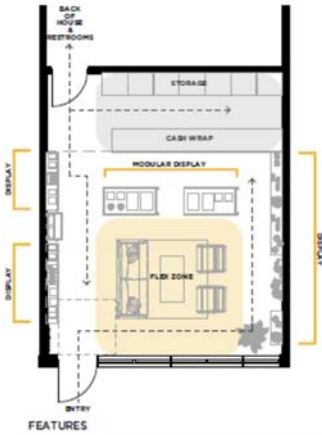
STUDIO TYPICAL PLAN
1/8" = 1' 0"



LEVEL 2-5 TYPICAL PLAN
1/32" = 1' 0"

APPLETON MIXED-USE

MICRO RETAIL



FEATURES

- 14' Min. Ceiling Heights
- Shared Restrooms
- Storefront
- 500 SQ.FT.



ONISHOT
ARCHITECTURE



2020.09.25

APPLETON MIXED-USE

VIGNETTE



ONISHOT
ARCHITECTURE



2020.09.25

APPLETON MIXED-USE

VIGNETTE



ONISHOT
ARCHITECTURE



2020.09.25



Chief Todd Thomas
Appleton Police Department

222 South Walnut Street
Appleton, WI 54911

To: Alderperson Fenton, Human Resources and IT Committee Chairperson

From: Chief Todd Thomas

Date: July 21, 2021

Subject: Police Department Table of Organization Modification Request

We constantly review processes, programs, and our organizational structure to make sure we are delivering police services in the most efficient way. I am presenting the following three recommendations to you and requesting approval for the modifications to our table of organization.

1. Move one Police Communication Specialist (PCS) position to a Crime Analyst (CA) in the Investigative Services Unit.

This is the culmination of a process we have been undertaking for several years. Our APD Staffing Plan included doing a feasibility study during 2018 and 2019, to evaluate creating a full time Crime Analyst position. Prior to this, we were not able to identify crime patterns, frequent offenders, or habitual nuisance addresses as quickly and effectively as we should because we did not have that specialist. We worked with other local police agencies who have full time crime analyst, mainly Oshkosh, Green Bay and WI DOJ, to develop our program. During the pilot period it has been a part time duty for one of our current PCS employees. We are requesting to make that position a full time Crime Analyst and remove it from the PCS unit. This will not impact the services of our PCS unit at all because we have adjusted the hours and work shifts of the unit members.

It is anticipated that this new position will eventually be at a pay grade above the PCS position, but that would not occur until after the position has been in place for one full year and Human Resources does an analysis. There will be no financial impact at this time.

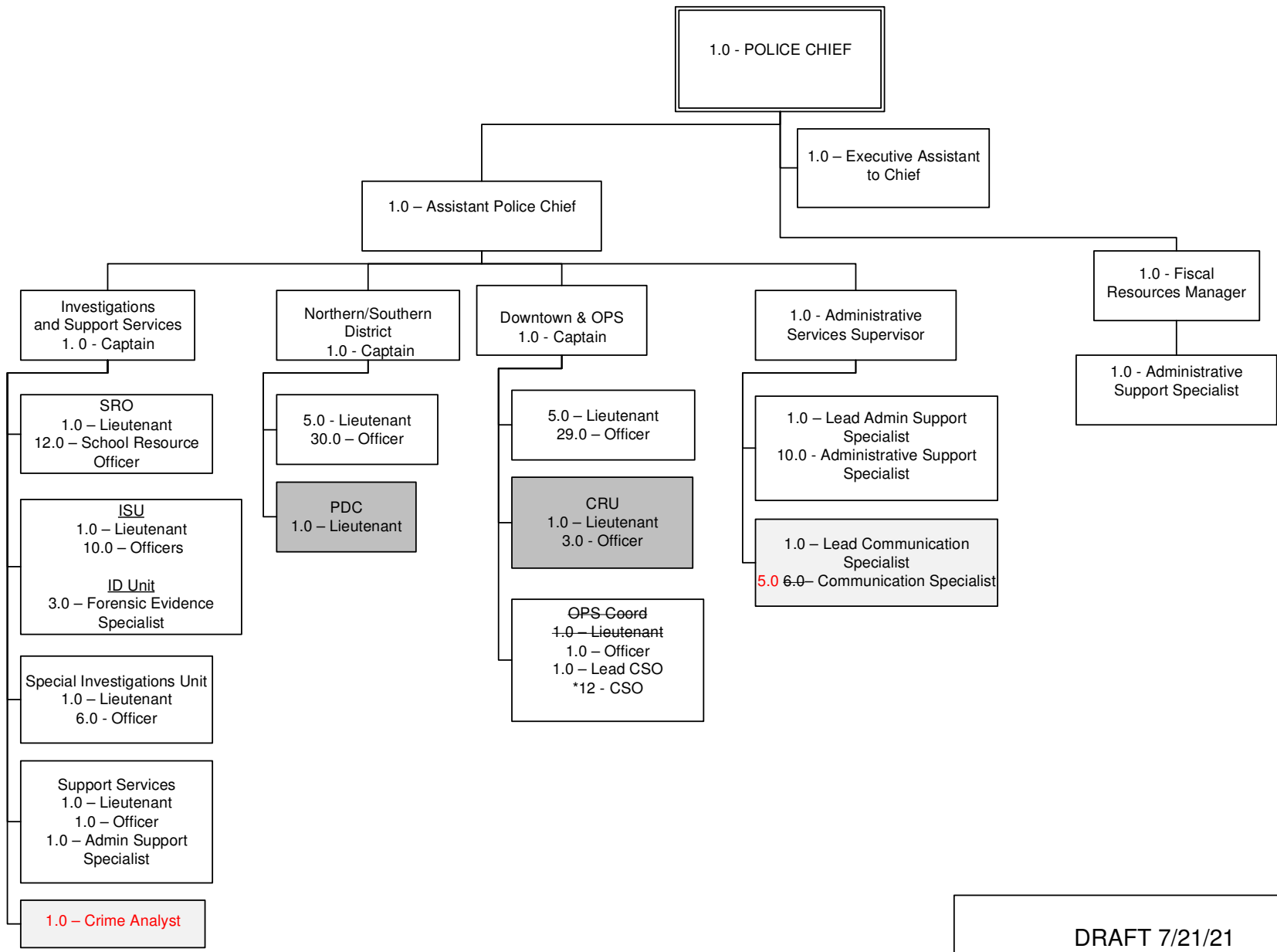
2. Move the Community Resource Unit under the Downtown District Command.
3. Rename the Operations Coordinator Lieutenant to Professional Development Coordinator and move it under the Northern/Southern District Command.

This is switching who these positions report to so that the workload for the District Commander's is balanced and they are supervising the areas that they have more knowledge and experience in. There will be no financial impact, it is a lateral switching of the supervision of units.

We will constantly review programs, processes, and our organizational structure. We also know that it takes time for changes to take hold so that we can truly determine if the anticipated benefits outweigh the unintended consequences. I will review the impact of any change that is approved and report back to the Council if there are any concerns.

Respectfully Submitted,

Chief Todd Thomas



DRAFT 7/21/21



“...meeting community needs...enhancing quality of life.”

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

To: Human Resources/IT Committee and Common Council Members

From: Jay Ratchman, Human Resources Director

Date: August 2, 2021

Re: Recommendation for Health Reimbursement Account (PEHP) Administration

The City of Appleton currently has a health reimbursement account benefit in place where tax-free funds can be used to pay qualified medical expenses after employment ends (e.g. \$10/month contributed by the City and payout of unused sick leave at time of retirement). This benefit is commonly referred to as the Post Employment Health Plan (PEHP).

Our current PEHP administrator is TASC and we have been with TASC since 2019. Since converting to TASC, we have been experiencing a large variety of service issues. For this reason, we requested that AndCo Consulting complete a request for proposal process to find a new plan administrator.

Proposals from AviBen, ICMA-RC, and Mid America were received and reviewed by AndCo Consulting and by the City of Appleton. Based on this review, we are recommending that the City of Appleton switch our plan administration to Mid America. Mid America stood out with public sector experience, valued added services, and by having a straightforward fee structure. The fee charges by TASC and Mid America are both \$2.00/month for an active employee. If approved, the transition to Mid America would start immediately.

Please refer to the letter from AndCo Consulting regarding the request for proposal process and the recommendation to switch to Mid America.

If you have any questions regarding our recommendation, please let me know.

Clients first.



MEMORANDUM

To: Jay Ratchman, City of Appleton Human Resources
From: Paul Murray, AndCo Consulting
Date: July 30, 2021
Subject: HRA Plan Recordkeeper Recommendation

Following the City of Appleton's engagement of AndCo to provide independent investment consulting services to the City's 457(b) Plan, the City decided to move the Health Reimbursement Account Plans to Voya's HRA plan partner, TASC. TASC has failed to meet the basic needs of administering the plans, so the City asked AndCo to assist with issuing a formal Request for Proposal (RFP) to select a replacement for TASC.

Based on information AndCo gathered from discussions with Human Resources about the objectives and plan requirements, AndCo developed a comprehensive Request for Proposal and distributed it to three qualified vendors that are capable of providing the required services. All three vendors responded with comprehensive proposals, competitive pricing and capabilities - so none of the proposals were rejected.

Based on the review of the questions in the RFP and our previous experience in working with these providers, we think that any of the providers would do a fine job for the City.

Based on our review and evaluation of the RFP responses and knowledge of the respondents' general administrative and service capabilities, we feel that the best route for the City is to move the HRA Plans to Mid America. The key points of our recommendation include:

AviBen (aka Educators Benefit Consultants) located in Minnesota

- Prefers use of general Account from The Standard, currently crediting 2.2%
- No other investment requirements – open architecture
- **Small firm / book of business - \$150 million / 80 plans**
- They offer Visa benefit card, replacement card cost \$10
- **Initial set up fee \$1,250**
- **Admin fees of 56 bps, plus 'System Fee' of \$12 once claims eligible**

ICMA-RC (rebranding as Mission Square) located in DC

- 1600 plans / 800 different employers
- They have 7,000 public Defined Contribution plan clients
- Good employee materials
- **Proprietary funds required. S3 share class expenses range from 0.59% to 1.25%. Fund performance is average.**
- **NO DEBIT CARD**

Mid America located in Lakeland, FL

- Very flexible fund offering – see modeling exhibit (all in expenses = 0.57%)
- HRA Plan Admin = 43% of their business
- Partners with AUL for the Fixed Interest Account and Fund platform, crediting 1.8% now
- 1800 Plans in 33 states / 300-500 clients in WI
- 581 HRA Plans / \$ 663 million
- They only serve public sector clients
- Partnered with Groom Law Firm in Washington DC (top notch firm)
- Debit Cards available
- \$2 per month admin fees for participants not yet claims eligible
- \$1 per month platform fees for participants that are claims eligible
- Can convert in 60 days or less
- Best employee materials

Based on our review, we feel that Mid America is the most consultative firm and they offer the most comprehensive services. We would take out ICMA for not offering debit cards, high fees and fund performance. While AviBen offers open investment architecture, they are a significantly smaller firm and just do not have all of the integration that Mid America offers.

AndCo appreciates the opportunity to assist the City with this search and evaluation. We are confident that moving the plans from TASC to Mid America will improve the plan experience for both the plan participants as well as the City's HR staff.

We look forward to continuing to serve the City of Appleton.



Chief Todd Thomas
Appleton Police Department

222 South Walnut Street
Appleton, WI 54911

To: Alderperson Fenton, Human Resources/IT Committee Chairperson
From: Chief Todd Thomas
Date: July 21, 2021
Subject: Police Department "Over hire" for 2021

I am requesting an "over hire" for 2021. This is not the addition of a new position or a new hire, it is the early promotion of an officer on our current promotional list to the rank of Lieutenant in anticipation of the pending retirement of a current Lieutenant in early 2022.

The Police Department currently operates with a Table of Organization that includes 12 Patrol Operations Lieutenants. This year we have three new Lieutenants who are working the late afternoon or night shift. The Lieutenant who provided his retirement notice is the most senior Lieutenant we have who has extensive supervisory experience and knowledge that we need to transfer to our new supervisors. He provided this unusual early notice because he understands the importance of this over hire. With his retirement, we will have 4 of our 12 Patrol Supervisors with less than a year of experience. This is 33% of our patrol supervisory staff, but more significantly it is 100% of our late afternoon and night shift supervision.

These supervisors are exclusively the only city supervisors working during the evening and overnight hours, the decisions they make impact not only the police department but the services and liability of the entire city.

For us to have a successful transition and development of this new supervisor, and to aid in the mentoring of our other young supervisors, I believe the city would greatly benefit from having this over hire for this position for the remainder of 2021.

The financial impact of this change will be approximately \$7,345. This will be covered from salary savings from the three prior promotions this year. Those promotions replaced senior Lieutenants with Lieutenants paid at a new supervisor rate. This savings was over \$12,000, which covers the \$7,345 cost of this move.


Please contact me with any questions.


Respectfully Submitted,


Chief Todd Thomas

CITY OF APPLETON

FIRE DEPARTMENT

 700 N. Drew Street
Appleton, WI 54911

 (920) 832-5810

 (920) 832-5830

 jeremy.hansen@appleton.org

MEMORANDUM

August 4, 2021

To: Alderperson Fenton and Members of the Human Resources & Information Technology Committee
From: Jeremy Hansen, Fire Chief
Cc: Ryan Weyers, Deputy Chief
Re: Fire Protection Engineer

The Appleton Fire Department's current Table of Organization includes one civilian Fire Protection Engineer. We recently received notification that our Fire Protection Engineer is planning to retire January 3, 2022.

The Fire Protection Engineer position is responsible for several key functions in the Fire Prevention Division. One responsibility is to review fire protection plans. This critical function ensures a high level of customer service for development within the city. The Fire Protection Engineer reviews more than 75 plans annually to ensure compliance with the International Building Code. It is crucial that the transition be seamless to avoid delays or negative impacts on projects throughout the city. Another responsibility is to coordinate school fire drills in the 53 public and parochial schools within the city. This helps to ensure the safety of students during the school day. Finally, a responsibility of this position is to serve on several City committees and boards. Providing 90 days overlap will allow the incumbent to be introduced to these committees and boards with no lapse in service.

In order for us to have a successful transition of the duties and projects, I believe the city would greatly benefit from having the incumbent transfer their significant institutional knowledge over a 90 day period. The financial impact for this proposal is approximately \$30,000. Sufficient 2021 salary dollars will be available to accommodate this overlap based on the lower salary of the new hire.

Job description attached.

Please direct additional questions to Fire Chief Jeremy Hansen 920-832-1710.





Fire Protection Engineer

Class Code:
250-6 (CC-3)

Bargaining Unit: Non-Union Exempt

CITY OF APPLETON
Revision Date: May 28, 2015

SALARY RANGE

\$28.83 - \$43.25 Hourly
\$59,966.40 - \$89,960.00 Annually

NATURE OF WORK:

This is a professional position responsible for the development, delivery, and administration of Fire Protection engineering issues related to local, state, and national fire and life safety codes and standards in the community. The position requires use of a considerable amount of judgment and includes interpretation and analysis of performance-based fire protection designs and systems within buildings. The work involves ensuring concept, site, architectural and engineering plans submitted for buildings and other development projects are reviewed for compliance with appropriate fire and life safety code requirements. The incumbent works under the direction of the Battalion Chief of Prevention and Public Education.

JOB FUNCTIONS:

ESSENTIAL JOB FUNCTIONS

- Develops standards and practices for technical fire protection/detection system plan reviews, conducts the reviews and oversees the associated inspection follow-up.
- Conducts routine and special fire inspections of public, commercial, residential, assembly, and target hazard occupancies, i.e., schools, day cares, hospitals, high-rises, nursing homes, care facilities, hazardous processing, storage, etc. ensuring compliance with local and state codes, and nationally recognized good practices and standards.
- Recommends prevention plans and strategies to address general and specific fire and life safety problems in the community based on national standards and state/local fire and building codes.
- Recommends code and ordinance changes to enhance fire and life safety in the community.
- Provides technical assistance to property owners, architects, contractors, and others in interpreting and complying with fire and life safety codes and standards.
- Enforces code requirements and, where necessary, issues corrective notices and/or citations.
- Inspects multifamily residential properties and other public buildings both during construction and after occupancy is granted.
- Prepares position statements regarding variance requests to fire prevention codes and standards for review and approval by the Battalion Chief of Fire Prevention and Public Education.
- Works with other City Department managers on new developments, plats, licenses, ordinances, etc.
- Develops training for department employees to develop and enhance prevention and inspection skills.
- Maintains regular punctual and predictable attendance, works overtime and extra hours as required.

OTHER JOB FUNCTIONS

- Provides advice, guidance, and direction to fire personnel in maintenance tasks relating to fire and life safety.
- Maintains records and answers correspondence regarding false alarms and fire prevention codes.

- Maintains effective records and documentation of actions and assessments related to fire prevention in new and existing buildings and developments.
- Recommends changes to policies and SOP's as may be necessary to ensure safe and effective operation of the Department.
- Performs various clerical functions including typing, computer entry and communication with the public.
- Performs support functions at emergency and non-emergency incidents as required.
- Other job tasks as assigned.

REQUIREMENTS OF WORK:

Bachelor's degree in Fire Protection Engineering or related field, one to three years fire prevention and building plan review experience, certified fire inspector, or any combination of experience and training which provides the following knowledge, skills and abilities:

- Considerable knowledge of fire science, fire behavior and fire protection engineering/technology.
- Considerable knowledge of codes, laws and ordinances, Wisconsin Revised Statutes and specific fire conditions of the City.
- Ability to obtain and maintain commercial building inspector certification.
- Thorough knowledge and understanding of departmental and City safety policies, practices and procedures.
- Ability to prioritize and oversee multiple projects and staff.
- Thorough knowledge of departmental and City policies, SOP's and labor agreements.
- Ability to analyze City's fire prevention needs and identify target hazards.
- Ability to read and interpret complex written materials.
- Ability to prepare concise and accurate oral and written presentations and reports.
- Ability to establish and maintain effective working relationships with superiors, co-workers, the public, elected officials, the business community, and other city departments.
- Ability to operate and utilize all personal protection equipment, tools and other equipment associated with the job expectations.
- Ability to conduct thorough site inspections while projects are under construction, climb ladders and stairs, negotiate uneven terrain, and work in a variety of atmospheric conditions that may be encountered.
- Ability to recognize situations that need action and then take appropriate action as necessary.
- Ability to resolve conflict at lowest levels.
- Ability to work with limited supervision.
- Wisconsin P.E. Registration or the ability to obtain it is preferred.
- Valid driver's license and good driving record.

COMPETENCIES

- Communication
- Self-directed/Autonomous/Accountable
- Problem Solving
- Technical/Professional/Strategic Skills
- Creative/Innovative

JOB TASK ANALYSIS:

JOB ANALYSIS REQUIREMENTS
JOB TITLE: Fire Protection Engineer Supervisor
REVISION DATE: July 2006
REVIEW DATE: December 2010

N = Never
 O - Occasionally: 1 to 33% of the time on job
 F - Frequently: 34 to 66% of the time on job
 C = Constantly: More than 67% of the time on job

A. PHYSICAL DEMANDS

| | N | O | F | C |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 1. Standing | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Walking | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Sitting | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Lifting: Light - max. 10 lbs. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Lifting: Moderate - max. 25 lbs. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Lifting: Heavy to moderate - max. 45 lbs. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Lifting: Heavy - max. 65 lbs. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Carrying est. wt. 50 lbs. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Pushing est. wt. _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Pulling est. wt. _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Pulling hand over hand | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Climbing stairs | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Climbing, use of legs and arms | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Balancing | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Stooping | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Kneeling | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. Repeated bending | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. Crawling | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 19. Reaching: <input type="checkbox"/> high <input type="checkbox"/> low <input type="checkbox"/> level | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20. Repetitive finger movement | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 21. May use hands for grasping | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. May use hands for manipulation | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. May use hands for twisting of wrist | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. May use hands for flex/ ext. of wrist | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 25. May use hands for reaching | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. May use hands for overhead work | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 27. Repetitive twisting or pressure involving wrists or hands | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 28. Both hands required | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 29. Both legs required | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 30. Ability of rapid mental/muscular coordination simultaneously | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 31. Oral communication: speaks clearly in <input type="checkbox"/> Spanish <input checked="" type="checkbox"/> English <input type="checkbox"/> Hmong <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 32. Hearing-conversation | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 33. Intense visual concentration | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 34. Specific visual requirements | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 35. Depth perception | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 36. Color vision: Distinguish basic shades | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 37. Color vision: Distinguish basic colors | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 38. Operation of crane, truck or motor vehicle | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 39. Other: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

B. WORKING CONDITIONS

| | N | O | F | C |
|---|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 1. Outside | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Alternating between Outside and Inside | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Heat between 90 - 100 degrees | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Heat over 100 degrees | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Cold below 55 degrees | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Temperature changes: <input checked="" type="checkbox"/> excessive <input type="checkbox"/> frequent | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Wetness | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Dry atmospheric conditions | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Confined spaces | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Heights (list maximum: 100ft) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Constant noise above 85 decibels | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Intermittent noise above 85 decibels | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Vibration | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Fumes: <input checked="" type="checkbox"/> Irritant <input checked="" type="checkbox"/> Toxic | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Dust: More than nuisance | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Gases: Types: smoke by-products at fire scenes | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Chemicals: Types: <u>hazardous material incidents</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. Grease and oils: Types: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. Working with machinery with moving parts | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 19. Working with moving vehicles | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20. Working with ladders/scaffolding | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 21. Working below ground | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. Working with hands in water | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. Working alone | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. Work intensity: <input type="checkbox"/> sedentary <input type="checkbox"/> light <input checked="" type="checkbox"/> light/medium <input type="checkbox"/> medium <input type="checkbox"/> heavy Hours/day: 9 Days/week: 5 Days overtime/week: _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

#12-R-21
Health Officer Hiring

Submitted By: Alderperson Martin – District 4, Alderperson Reed – District 8, Alderperson Hartzheim – District 13, Alderperson Doran – District 15

Date: 8/4/2021

Referred To: Board of Health

WHEREAS, on August 4, 2021, City of Appleton Mayor Jacob A Woodford put forth new guidance in the City requiring masking in indoor public City facilities; and

WHEREAS, the permanent position of Health Officer for the City of Appleton has been vacant since early June, 2021, and the Mayor and city staff were aware of the pending retirement of the previous Health Officer since prior to the first COVID-19 cases in Appleton in early 2020;

THEREFORE, BE IT RESOLVED that the Members of the City of Appleton Common Council hereby express their concern that the City has undertaken health initiatives and enacted a public health mandate while the position of Health Officer remains vacant; and

BE IT FURTHER RESOLVED that the Members of the City of Appleton Common Council urge the Mayor to prioritize and expedite the hiring of a Health Officer as quickly and as practicably as possible and prior to enacting or implementing any further COVID-19 guidance or mandates in the City.



“...meeting community needs...enhancing quality of life.”

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

To: Board of Health, Human Resources/IT Committee and Common Council Members

From: Jay Ratchman, Human Resources Director 

Date: August 9, 2021

Re: Health Officer Hiring Process

On August 4, 2021, resolution #12-R-21 Health Officer Hiring was submitted and referred to the Board of Health. To assist you as you consider this resolution, I would like to offer some background information to provide greater context for your upcoming discussion.

On February 4, 2020, then Health Officer Eggebrecht submitted his intent to retire on June 4, 2020. We immediately launched a national search to find a successor. On April 17, 2020, Health Officer Eggebrecht selflessly rescinded his resignation in an effort to assist the City through the looming pandemic. Consequently, the hiring process for the Health Officer position was paused.

We re-opened the hiring process in March 2021, in anticipation of Health Officer Eggebrecht's retirement in June 2021. Subsequent interviews were conducted prior to Health Officer Eggebrecht's retirement; however, we did not find a candidate who met the education, skills, and competencies we expect, particularly for our top-level leadership positions. As has always been our practice, we did not want to sacrifice our goal of finding quality candidates by making quick decisions which may not serve us well for the long-term.

Knowing the pandemic was waning but not departing, we wanted to ensure that we continued our legacy of strong leadership in this critical position. As a result, we proactively reached out to the State of Wisconsin Department of Health Services (DHS) to work through our interim plan to make sure we remained as a Level III health department. As we reviewed/created our interim plan, we discussed the qualifications of our Interim Health Officer and reviewed our ongoing recruitment efforts to find a successor. A memo dated May 24, 2021, from the Mayor which announced the appointment of an Interim Health Officer, was brought to the HR/IT committee and Common Council (see attachment).

Resolution #12-R-21 requests that members of the Common Council urge the Mayor to prioritize and expedite the hiring of a Health Officer as quickly and as practically as possible. I would like to reassure the City of Appleton Common Council that this hiring process has and will remain a priority. Particularly during this critical time in public health, we are committed to moving this process forward as quickly as possible, all while ensuring we are finding the best candidate to lead us through these challenging times and beyond. We won't hesitate to ask if we need additional resources.


As always, we will keep you abreast of the progress of the Health Officer hiring process. Should you have questions in the meanwhile, please let me know.



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

OFFICE OF THE MAYOR

Jacob A. Woodford
100 North Appleton Street
Appleton, Wisconsin 54911
Phone: (920) 832-6400
Email: Mayor@Appleton.org

TO: Human Resources & Information Technology Committee
FROM: Mayor Jacob A. Woodford 
DATE: May 24, 2021
RE: Interim Health Officer Appointment

Health Officer Eggebrecht has announced his retirement from the City of Appleton, effective June 4, 2021. Health Officer Eggebrecht has dedicated 21 years of his career to the City. Identifying a successor has received our full attention and we expect to name a successor shortly as this search nears its conclusion.

Public Health Nurse Supervisor Sonja Jensen joined the City of Appleton in 2013 and has demonstrated her capability in the health field and through her work in helping lead the City through the COVID-19 pandemic. Given the depth of experience and commitment to the City of Appleton, I am pleased to appoint Ms. Jensen as the Interim Health Officer. She will serve in this capacity to ensure there is no vacancy, however brief, in the Health Officer role.

Melody Rank

From: Jay Ratchman
Sent: Tuesday, August 10, 2021 12:16 PM
To: Melody Rank
Subject: Fw: [NCI] Health Officer Vacancy
Attachments: Interim Health Officer for HR.pdf; Appleton Health Officer Letter May 11 2021.pdf

From: Culotta, Christopher D - DHS <ChristopherD.Culotta@dhs.wisconsin.gov>
Sent: Tuesday, August 10, 2021 10:26 AM
To: Jay Ratchman <Jay.Ratchman@Appleton.org>; Jake Woodford <Jake.Woodford@Appleton.org>
Cc: Rombalski, Jennifer J - DHS <jennifer.rombalski@dhs.wisconsin.gov>
Subject: [NCI] Health Officer Vacancy

Mayor Woodford and Mr. Ratchman,

My understanding is there are questions regarding the process to identify an interim health officer at the City of Appleton and the coordination with the Wisconsin Department of Health Services, Division of Public Health. The City of Appleton Leadership has been in communication with the Division of Public Health Northeast Region and has provided updates on the hiring progress.

A little about me and the Division of Public Health Northeast Region – we work with local health departments and tribes in a 17 county area that includes 19 local health departments and 3 tribes.

The pandemic has been difficult for staff and public health leaders and currently of the 85 local health departments in Wisconsin we have 30+ newer or interim health officers statewide.

To put in perspective for the NE Region – there have been 7 new health officers of the 19 local health departments since November 2020.

A review of documentation relating to this situation identifies the following key facts.

Mr. Eggebrecht the former city health officer retired June 4, 2021.

May 11, 2021 I sent the attached letter to the City of Appleton Mayor that discussed the interim appointment and the health officer qualifications under Wisconsin Statute 251.05. Copied on the letter include the State Health Officer and Division of Public Health Administrator and the Office of Policy and Practice Alignment Director.

May 18, 2021, Mr. Ratchman, Mr. Eggebrecht and Mayor Woodford and I had a phone call to discuss health officer qualifications and the hiring process.

Mr. Ratchman on June 4, 2021 provided me the resume and interim health officer appointment letter for the City of Appleton. Ms. Jensen has served as the Appleton Health Department Nursing Supervisor since March 2013 and also leads other regional public health groups.

I have served as the Division of Public Health Northeast Region Director since December 2013 and I have supported/assisted many jurisdictions hiring new health officers and my assessment is the City of Appleton has provided updates on the hiring progress for a full-time health officer and is making a good faith effort to identify and hire the next health officer.

Please contact me with any questions.

Chris



Christopher Culotta, MPA

Northeast Region Director & 140 Review Program Supervisor

Office of Policy and Practice Alignment

Division of Public Health, Green Bay/Northeast Region

Wisconsin Department of Health Services

Christopherd.culotta@wisconsin.gov | (920) 448-5220

Cell (920) 450-4578



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Tony Evers
GovernorState of Wisconsin
Department of Health ServicesKaren E. Timberlake
SecretaryFax: 920-448-5265
TTY: 711 or 800-947-3529

May 11, 2021

Mayor Woodford
City of Appleton
100 N Appleton Street
Appleton WI 54911-4799

Dear Mayor Woodford,

The Division of Public Health has learned that Kurt Eggebrecht will retire June 4 from the position of health officer for your health department. I write to offer the support and assistance of the Northeast Region as your agency works to fill this important position. Please send me the name, qualifications and contact information of the individual who will serve as your agency's interim health officer, so I can work with him or her during this transitional period.

Maintaining classification as a Level III local health department under Wis. Stat. § 251.05, requires hiring a candidate who satisfies the requirements for a Level III local health officer set out in Wis. Stat. § 251.06(1)(c) and (d):

(c) A local health officer of a Level III local health department shall have at least one of the following:

1. A master's degree in public health, public administration, health administration or, as defined in rules promulgated by the department, a similar field and 3 years of experience in a full-time administrative position in either a public health agency or public health work.
2. A bachelor's degree and 16 graduate semester credits towards a master's degree in public health, public administration, health administration or, as defined in rules promulgated by the department, a similar field and 5 years of experience in a full-time administrative position in either a public health agency or public health work.
3. A license to practice medicine and surgery under ch. 448 and at least one of the following:
 - a. Three years of experience in a full-time administrative position in either a public health agency or public health work.
 - b. Eligibility for certification by the American board of preventive medicine in public health or general preventive medicine.
 - c. A master's degree in public health, public administration, health administration or, as defined in rules promulgated by the department, a similar field.

(d) Notwithstanding pars. (a) to (c), relevant education, training, instruction, or other experience that an applicant obtained in connection with military service, as defined in s. [111.32 \(12g\)](#), counts toward satisfying the requirements for education, training, instruction, or other experience

Mayor Woodford
Page 2
May 11, 2021

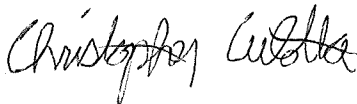
to qualify as a public health officer if the applicant demonstrates to the satisfaction of the department that the education, training, instruction, or other experience that the applicant obtained in connection with his or her military service is substantially equivalent to the education, training, instruction, or other experience that is required to qualify as a public health officer.

I strongly encourage you to hire a health officer who meets the educational requirements for a Level III local health department while considering the demographics of the jurisdiction and using recruitment that reaches qualified candidates from varied backgrounds. The Northeastern Regional Office is available to assist you during the hiring process. When you have narrowed your pool of candidates, you may wish to submit their qualifications to me for a preliminary review. Once you have selected someone for the position, you must submit the individual's qualifications to me for the Division of Public Health formal review prior to completing the hiring and appointment process.

There could be implications to the Level III designation, as well as the funding to your health department if an interim or new health officer is selected that does not meet qualifications as specified in statute.

If you have any questions during the application review or interview process, please feel free to contact me at (920) 448-5220 or ChristopherD.Culotta@dhs.wisconsin.gov. As the regional director for the Division of Public Health Northeastern Region, one of my responsibilities is to support your efforts and advise you on the public health issues you may encounter or questions you may have while filling this vacancy.

Sincerely,



Christopher Culotta
Regional Director
Northeastern Region
Office of Policy and Practice Alignment
Division of Public Health
Department of Health Services

C: Julie Willems Van Dijk, State Health Officer, Deputy Secretary
Chuck Warzecha, Deputy Division Administrator
Jen Rombalski, Office of Policy and Practice Alignment Director

#12-R-21
Health Officer Hiring

Submitted By: Alderperson Martin – District 4, Alderperson Reed – District 8, Alderperson Hartzheim – District 13, Alderperson Doran – District 15

Date: 8/4/2021

Referred To: Board of Health

WHEREAS, on August 4, 2021, City of Appleton Mayor Jacob A Woodford, ~~put forth new guidance in the City requiring,~~ in consultation with Interim Health Officer Jensen, affirmed the CDC Guidance on the use of masks and required masking in indoor public City facilities; and

WHEREAS, the permanent position of Health Officer for the City of Appleton has been vacant since early June, 2021, and the Mayor and city staff were aware of the pending retirement of the previous Health Officer since prior to the first COVID-19 cases in Appleton in early 2020; ~~resulting in Health Officer Eggebrecht serving the city for an additional year, a nationwide search was initiated in March of 2021 for a Health Officer who meets the City's expectations for quality and qualifications.~~

THEREFORE, BE IT RESOLVED that the Members of the City of Appleton Common Council and Board of Health hereby express their appreciation of the outstanding job that Interim Director Jensen and the Appleton Health Department do as they continue to perform at the high level serving the citizens of Appleton ~~hereby express their concern that the City has undertaken health initiatives and enacted a public health mandate while the position of Health Officer remains vacant;~~ and

BE IT FURTHER RESOLVED that the Members of the City of Appleton Common Council and the Board of Health express their support of urge the Mayor to prioritize and expedite the hiring of a Health Officer as quickly and as practicably as possible, ~~who meets the qualifications required to lead a Level III Health Department. and prior to enacting or implementing any further COVID-19 guidance or mandates in the City.~~

35-21

AN ORDINANCE AMENDING SECTION 4-141 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO GARAGES AND ACCESSORY BUILDINGS.

(Municipal Services Committee – 8/4/2021)

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

Section 1: That Section 4-141 of Chapter 4 of the Municipal Code of the City of Appleton, relating to garages and accessory buildings, is hereby amended to read as follows:

Sec. 4-141. Garages and accessory buildings.

(a) ***Unattached.*** Unattached one- or 2-family accessory buildings shall be constructed on concrete slabs and shall conform to UDC and American Concrete Institute (ACI) standards. No concrete slab shall be required for accessory buildings where the structure does not exceed one hundred (100) square feet in area and the building is securely anchored. Accessory buildings less than fifty (50) square feet are exempt from permits, however must comply with all zoning ordinance standards. Unattached accessory buildings shall maintain a fire separation distance that meets UDC standards. All one- or 2-family unattached buildings with overhead doors shall have at least one exit door that is a minimum of 32” in width. The overhead door shall not be used as an exit door. Accessory buildings that are 150 square feet or larger are considered a garage for the purposes of this section.

(b) ***Wall brace plans.*** Wall brace plans are required for accessory buildings greater in width or length than twelve (12) feet. Wall brace plans must meet UDC standards. Exterior walls and roofs shall meet UDC standards for design, structural requirements and covering. Stairs or stairways, handrails, guardrails or elevated areas inside and outside of the accessory building shall meet UDC standards.

(c) ***Attached.*** Attached garages, carports and shelters that are connected to a residence shall have footings and foundations to the established frost line. Attached garages with exterior siding shall be framed to meet all general requirements. Floor drains in garages shall not connect to the foundation drain tile or a clear water sump. Attached carports and unheated shelters that are designed to compensate for movement or flexing and meet all other general requirements may be erected or installed on concrete slabs without frost walls and footings, provided that detailed drawings of design and method of construction are submitted with the permit application.

(d) ***Construction time frame.*** Unattached garages or accessory buildings must be completed within one (1) year from the date that the building permit is issued. Failure to complete the construction of garages and accessory buildings will require a new permit. The permit fee for additional permits will be double the original permit fee.

(e) ***Garage door required.*** All attached and detached garages, excluding carports, must have an operating garage door.

(f) ***Prohibited accessory buildings.***

(1) Metal shipping containers are prohibited in residential zoning, except as permitted in Section 23-54(i)(3), Temporary uses and structures.

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

57-21

AN ORDINANCE AMENDING SECTION 19-5 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO THE ERECTION OF OFFICIAL TRAFFIC SIGNS AND SIGNALS.

(Municipal Services Committee 8/4/2021)

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

Section 1: That Section 19-5 of Chapter 19 of the Municipal Code of the City of Appleton, relating to the erection of official traffic signs and signals, is hereby created as follows:

INSTALL STOP SIGNS ON:

Gladiolus Place at Cherryvale 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 Traffic Engineer is authorized and directed to erect and maintain the appropriate standard traffic signs, signals and markings, giving notice of the provisions of this Ordinance.

58-21

AN ORDINANCE AMENDING SECTION 19-5 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO THE ERECTION OF OFFICIAL TRAFFIC SIGNS AND SIGNALS.

(Municipal Services Committee 8/4/2021)

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

Section 1: That Section 19-5 of Chapter 19 of the Municipal Code of the City of Appleton, relating to the erection of official traffic signs and signals, is hereby created as follows:

INSTALL STOP SIGNS ON:

Golden Gate Drive at Cherryvale 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 Traffic Engineer is authorized and directed to erect and maintain the appropriate standard traffic signs, signals and markings, giving notice of the provisions of this Ordinance.

59-21

AN ORDINANCE AMENDING SECTION 19-41 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL THROUGH STREET MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES.

(Municipal Services Committee 8/4/2021)

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

Section 1: That Section 19-41 of Chapter 19 of the Municipal Code of the City of Appleton and the Official Through Street Map, which is a part thereof, is amended by making the following addition:

Cherryvale Drive from Edgewood Dive (CTH “JJ”) south to the City limits

Section 2: This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the traffic engineer is authorized and directed to make the necessary changes to the Official Through Street Map in accordance with this Ordinance.

60-21

AN ORDINANCE AMENDING SECTION 19-5 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO THE ERECTION OF OFFICIAL TRAFFIC SIGNS AND SIGNALS.

(Municipal Services Committee 8/4/2021)

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

Section 1: That Section 19-5 of Chapter 19 of the Municipal Code of the City of Appleton, relating to the erection of official traffic signs and signals, is hereby created as follows:

INSTALL STOP SIGNS ON:

Turquoise Lane at Providence 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 Traffic Engineer is authorized and directed

to erect and maintain the appropriate standard traffic signs, signals and markings, giving notice of the provisions of this Ordinance.

61-21

AN ORDINANCE AMENDING SECTION 19-5 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO THE ERECTION OF OFFICIAL TRAFFIC SIGNS AND SIGNALS.

(Municipal Services Committee 8/4/2021)

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

Section 1: That Section 19-5 of Chapter 19 of the Municipal Code of the City of Appleton, relating to the erection of official traffic signs and signals, is hereby created as follows:

INSTALL STOP SIGNS ON:

Sunstone Place at Providence 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 Traffic Engineer is authorized and directed to erect and maintain the appropriate standard traffic signs, signals and markings, giving notice of the provisions of this Ordinance.

62-21

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

(Municipal Services Committee 8/4/2021)

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

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

Parking be prohibited on the west side of Bennett Street from Wisconsin Avenue to a point 70 feet north of Wisconsin 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 Traffic Engineer is authorized and directed to make the necessary changes in the Parking District Map in accordance with this Ordinance.

63-21

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

(Municipal Services Committee 8/4/2021)

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

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

Parking be prohibited on the east side of Bennett Street from Wisconsin Avenue to a point 58 feet south of Wisconsin 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 Traffic Engineer is authorized and directed to make the necessary changes in the Parking District Map in accordance with this Ordinance.

64-21

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

(Municipal Services Committee 8/4/2021)

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

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

Parking be prohibited on the south side of Grant Street from Meade Street to a point 55 feet west of Meade Street.

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

65-21

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 8/18/2021)

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

Section 1: That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone lands located on Ridge Haven Lane (Tax Id No. 31-1-8305-10) included in the "M&J Weyenberg Properties, LLC" Annexation, generally located at the southeast corner of Ballard Road and Ridge Haven Lane, including to the centerline of existing adjacent right-of-way from temporary AG Agricultural District to R-1B Single-Family District. (Rezoning #9-21 – M&J Weyenberg Properties LLC Annexation)

LEGAL DESCRIPTION:

ALL OF LOT 2, CERTIFIED SURVEY MAP NO. 8075 AND PART OF RIDGE HAVEN LANE, ALL BEING LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 00 DEGREES 09 MINUTES 08 SECONDS EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 1144.19 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 04 SECONDS EAST, 50.00 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 119.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 7.44 FEET; THENCE NORTH 05 DEGREES 33 MINUTES 30 SECONDS EAST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 30.17 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 40.11 FEET; THENCE NORTH 33 DEGREES 46 MINUTES 42 SECONDS EAST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF N. BALLARD ROAD (C.T.H. "E"), A DISTANCE OF 44.77 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 39 SECONDS EAST, 33.00 FEET TO THE CENTERLINE OF RIDGE HAVEN LANE; THENCE SOUTH 89 DEGREES 21 MINUTES 49 SECONDS EAST, ALONG THE CENTERLINE OF RIDGE HAVEN LANE, A DISTANCE OF 324.91 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 08 SECONDS EAST, ALONG THE EAST LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 8075 AND ITS NORTHERLY EXTENSION, A DISTANCE OF 262.98 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG A SOUTH LINE OF SAID LOT 2, A DISTANCE OF 201.50 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 08 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 2, A DISTANCE OF 119.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG A SOUTH LINE OF SAID LOT

2, A DISTANCE OF 151.50 FEET TO THE POINT OF BEGINNING.
CONTAINING A TOTAL OF 73,859 SQUARE FEET [1.696 ACRES].

COMMON DESCRIPTION:

Ridge Haven Lane (Tax Id No. 31-1-8305-10) included in the “M&J Weyenberg Properties, LLC” Annexation generally located at the southeast corner of Ballard Road and Ridge Haven Lane, including to the centerline of existing adjacent right-of-way

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.