



# City of Appleton

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

## Meeting Agenda - Final Municipal Services Committee

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Monday, November 22, 2021

4:30 PM

Council Chambers, 6th Floor

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1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting  
[21-1629](#) Minutes from November 8, 2021

**Attachments:** [Minutes from November 8, 2021.pdf](#)

#### 4. Public Hearings/Apearances

- [21-1633](#) Design Hearing for future Paving Projects:

- Lawrence Street from Appleton Street to Durkee Street
- Oneida Sreet from Lawrence Street to College Avenue
- Morrison Street from Lawrence Street to Washington Street
- Durkee Street from south of Lawrence Street to Washington Street

**Attachments:** [Design Hearing for future Paving Projects.pdf](#)  
[Map-future Paving Projects.pdf](#)

#### 5. Action Items

- [21-1635](#) Approve second amendment to the 2021 Materials Testing Contract (M-21) with Westwood Infrastructure, Inc. from an amount not to exceed \$175,000 to an amount not to exceed \$229,000.

**Attachments:** [2021 Materials Testing Contract \(M-21\).pdf](#)

- [21-1636](#) Award of 2022 Materials Testing Contract (M-22) to Westwood Infrastructure, Inc. in an amount not to exceed \$100,000.

**Attachments:** [2022 Materials Testing Contract \(M-22\).pdf](#)

[21-1637](#) Approve installation of STOP signs on Pine Street at Outagamie Street.  
(Follow-up to six-month trial period.)

**Attachments:** [STOP signs on Pine St to Outagamie St.pdf](#)

[21-1578](#) Proposed changes to Municipal Code Section 9, Division 3-Central  
Business District Street Vendors.

**Attachments:** [Municipal Code Section 9 Division 3 changes.pdf](#)

*This item to be held until the December 6th meeting.*

**Legislative History**

11/8/21	Municipal Services Committee	recommended for approval
11/17/21	Common Council	referred to the Municipal Services Committee

[21-1580](#) Approve 15 MPH speed limit designation on Washington Street from Story  
Street to Bennett Street.

**Attachments:** [800 W. Washington Speed Limit.pdf](#)

**Legislative History**

11/8/21	Municipal Services Committee	recommended for approval
11/17/21	Common Council	referred to the Municipal Services Committee

## 6. Information Items

## 7. Adjournment

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

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



# City of Appleton

100 North Appleton Street  
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## Meeting Minutes - Final Municipal Services Committee

---

Monday, November 8, 2021

4:30 PM

Council Chambers, 6th Floor

---

1. Call meeting to order

2. Roll call of membership

**Present:** 4 - Firkus, Doran, Fenton and Siebers

**Excused:** 1 - Prohaska

3. Approval of minutes from previous meeting

[21-1576](#)

Minutes from October 25, 2021

**Attachments:** [Minutes from October 25, 2021.pdf](#)

Siebers moved, seconded by Fenton, that the Minutes be approved. Roll Call.  
Motion carried by the following vote:

**Aye:** 4 - Firkus, Doran, Fenton and Siebers

**Excused:** 1 - Prohaska

4. **Public Hearings/Apearances**

[21-1577](#)

Presentation by BIRD regarding E-Scooter Pilot Program for 2021.

**Attachments:** [BIRD Presentation.pdf](#)

[BIRD-City survey.pdf](#)

5. **Action Items**

[21-1578](#)

Proposed changes to Municipal Code Section 9, Division 3-Central Business District Street Vendors.

**Attachments:** [Municipal Code Section 9 Division 3 changes.pdf](#)

Fenton moved, seconded by Doran, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

**Aye:** 4 - Firkus, Doran, Fenton and Siebers

Excused: 1 - Prohaska

[21-1579](#) Request for approval for staff to develop a Parklet Policy.

**Attachments:** [Parklet Policy.pdf](#)

Siebers moved, seconded by Fenton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 4 - Firkus, Doran, Fenton and Siebers

Excused: 1 - Prohaska

[21-1580](#) Approve 15 MPH speed limit designation on Washington Street from Story Street to Bennett Street.

**Attachments:** [800 W. Washington Speed Limit.pdf](#)

Siebers moved, seconded by Fenton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 4 - Firkus, Doran, Fenton and Siebers

Excused: 1 - Prohaska

[21-1581](#) Approve parking restriction change on Atlantic Street, west of Lawe Street. (Follow-Up to Six-Month Trial Period.)

**Attachments:** [Atlantic St west of Lawe St parking restriction.pdf](#)

Siebers moved, seconded by Fenton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 4 - Firkus, Doran, Fenton and Siebers

Excused: 1 - Prohaska

## 6. Information Items

[21-1582](#) Inspections Division Permit Summary Comparison Report for October, 2021.

**Attachments:** [Inspection Division Permit Summary.pdf](#)

[21-1583](#) BIRD E-Scooter Report for October, 2021.

**Attachments:** [BIRD E-Scooter Report-October, 2021.pdf](#)

## 7. Adjournment

Fenton moved, seconded by Siebers, that the meeting be adjourned at 5:49 p.m.. Roll Call. Motion carried by the following vote:

Aye: 4 - Firkus, Doran, Fenton and Siebers

Excused: 1 - Prohaska

**MUNICIPAL SERVICES COMMITTEE – November 22, 2021**  
**Design Hearing for Business District Paving Projects**

**INTRO:**

Proposed Reconstruction:

<b>Lawrence St</b>	<b>(Appleton St to Durkee St)</b>
<b>Oneida St</b>	<b>(Lawrence St to College Ave)</b>
<b>Morrison St</b>	<b>(Lawrence St to Washington St)</b>
<b>Durkee St</b>	<b>(Lawrence St to Washington St)</b>

All streets listed above are proposed to undergo a total reconstruction. The projects to reconstruct the above listed streets will include the removal and replacement of all existing asphalt/concrete pavement, curb and gutter, sidewalk, stone base, and driveway aprons.

**LAWRENCE ST – Appleton St to Durkee St (1200 LF) (Concrete Pavt Reconstruct)**

**EXISTING CONDITIONS:**

- Existing right of way width = 60'
- Existing pavement width:
  - Appleton – Oneida: 36'
  - Oneida – Morrison: 41'
  - Morrison – Durkee: 41'
- Existing Pavement
  - Appleton – Oneida: Concrete placed in 1976
  - Oneida – Durkee: Concrete placed in 1984
- Existing Water Main
  - 4", 6" CIP constructed year unknown (assumed pre-1930)
- Existing Sanitary Sewer
  - 8", 10", 12" ABS Truss constructed 1974
- Existing Storm Sewer
  - 15", 18", 24" CON constructed 1964

**PROPOSED IMPROVEMENTS**

- **Underground utilities to be improved in 2022.**
- **Proposed ROW: 80'**
- **Proposed streetscape elements: Colored & stamped conc terrace, tree grates, etc...**
- **Estimated Construction Cost = \$900,000 (Paving Project)**
- **Appleton St – Oneida St**
  - **New concrete pavement – 58' (back of curb to back of curb)**
  - **1 travel lane in each direction**
  - **Dedicated left turn lane for westbound traffic**
  - **Dedicated bike lane along both sides of the street**
  - **Parallel parking along both sides of the street**
  - **Raised intersection at intersection with Oneida St**
- **Oneida St – Morrison St**
  - **New concrete pavement – 50' (back of curb to back of curb)**
  - **1 travel lane in each direction**
  - **Dedicated bike lane along both sides of the street**
  - **Parallel parking along both sides of the street**
  - **Raised intersection at intersection with Morrison St**
- **Morrison St – Durkee St**
  - **New concrete pavement – 55' (back of curb to back of curb)**
  - **1 travel lane in each direction**
  - **Dedicated bike lane along both sides of the street**
  - **Back-in angled parking along north side**
  - **Parallel parking along south side**
  - **Raised intersection at intersection with Durkee St**



## **ONEIDA STREET – Lawrence St to College Ave (400 LF) (Concrete Pavt Reconstruct)**

### **EXISTING CONDITIONS:**

- Existing right of way width = 60'
- Existing pavement width = 42'
- Existing Pavement
  - Concrete placed in 2002
- Existing Water Main
  - 4" CIP constructed year unknown (assumed pre-1930)
- Existing Sanitary Sewer
  - 8" ABS constructed 1975

### **PROPOSED IMPROVEMENTS**

- **Underground utilities to be improved in 2022.**
- **Proposed streetscape elements: Colored & stamped conc terrace, tree grates, etc...**
- **Estimated Construction Cost = \$400,000 (Paving Project)**
- **New concrete pavement – 38' (back of curb to back of curb)**
  - **1 travel lane in each direction**
  - **Parallel parking along both side of the street**
- **2 marked mid-block crosswalks**

## **MORRISON ST – Lawrence St to Washington St (800 LF) (Concrete Pavt Reconstruct)**

### **EXISTING CONDITIONS:**

- Existing right of way width = 60'
- Existing pavement width:
  - Lawrence – College: 42' (one-way northbound)
  - College – Washington: 42' (two-way)
- Existing Pavement
  - Lawrence – College: Concrete placed in 1973
  - College – Washington: Concrete placed in 1970
- Existing Water Main
  - 8", 10" CIP constructed 1890
- Existing Sanitary Sewer
  - 8", 10" CIPP constructed 2001
- Existing Storm Sewer
  - 15", 18" CON constructed 1964, 1965

### **PROPOSED IMPROVEMENTS**

- **Underground utilities to be improved in 2022.**
- **Proposed streetscape elements: Colored & stamped conc terrace, tree grates, etc...**
- **Estimated Construction Cost = \$620,000 (Paving Project)**
- **New concrete pavement – 38' (back of curb to back of curb)**
  - **1 travel lane in each direction**
  - **Shared bike lanes**
  - **Parallel parking along both side of the street**
- **3 marked mid-block crosswalks (2 Lawrence-College/1 College – Washington)**



**DURKEE STREET – Approximately 200' s/o Lawrence St (cul de sac) to Washington St (300 LF)  
(Concrete Pavt Reconstruct)**

**EXISTING CONDITIONS:**

- Existing right of way width = 60'
- Existing pavement width:
  - 200' s/o Lawrence – Lawrence: 38' (two-way)
  - Lawrence – College: 33' (one-way southbound)
  - College – Washington: 45' (two-way)
- Existing Pavement
  - 200' s/o Lawrence – Lawrence: Asphalt placed in 1973
  - Lawrence – College: Concrete placed in 2002
  - College – Washington: Concrete placed in 1981
- Existing Water Main
  - 4", 6" CIP constructed 1920, 1946
- Existing Sanitary Sewer
  - 10" Vit Clay constructed 1919
  - 8" ABS Truss constructed 1975, 1981
- Existing Storm Sewer
  - 42" Con constructed 1987

**PROPOSED IMPROVEMENTS**

- **Underground utilities to be improved in 2022.**
- **Proposed streetscape elements: Colored & stamped conc terrace, tree grates, etc...**
- **Estimated Construction Cost = \$725,000 (Paving Project)**
- **New concrete pavement – 38' (back of curb to back of curb)**
  - **1 travel lane in each direction**
  - **Shared bike lanes**
  - **Parallel parking along both side of the street**
- **Cul-de-sac at south end of block**
- **New sidewalk extended to the south limits of the project along the east side of the street**
- **1 marked mid-block crosswalks (College – Washington)**





## MEMO

**TO:** Municipal Services Committee

**FROM:** Paula Vandehey, Director of Public Works  
Ross Buetow, City Engineer  
Sue Olson, Staff Engineer

**DATE:** November 17, 2021

**RE:** Approve second amendment to the 2021 Materials Testing Contract (M-21) with Westwood Infrastructure, Inc. from an amount not to exceed \$175,000 to an amount not to exceed \$229,000.

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The Department of Public Works recommends a second amendment to the 2021 Materials Testing Contract with Westwood Infrastructure, Inc. from an amount not to exceed \$175,000 to an amount not to exceed \$229,000. Funding for work under this contract is from the various project accounts.

The Department of Public Works is requesting additional funding for the 2021 Materials Testing Contract due to testing and response needs exceeding anticipated amounts. Some examples are:

- Additional subdivision development
- Geotechnical investigation for the new route for the Redundant Raw Water Line
- Infiltration testing for the Haymeadow Avenue/Apple Creek Road stormwater study
- Continued support for program development for NR 528 stormwater pond dredging
- On-going contamination testing, reporting and coordination with the Department of Natural Resources (DNR) for the Valley Road/Oneida Street intersection and 3001 Glendale Avenue site
- Geotechnical support associated with the Plamann Park sanitary sewer and water project
- Additional WDNR testing requirements for the Valley Road contamination just west of Oneida Street

In order to keep projects moving forward and meet DNR requirements, staff recommends a second amendment to the 2021 Materials Testing Contract with Westwood Infrastructure, Inc. from an amount not to exceed \$175,000 to an amount not to exceed \$229,000.

**Department of Public Works – Engineering Division**

**MEMO**

**TO:** Municipal Services Committee

**FROM:** Paula Vandehey, Director of Public Works  
Ross Buetow, City Engineer  
Sue Olson, Staff Engineer

**DATE:** November 17, 2021

**RE:** Award of 2022 Materials Testing Contract (M-22) to Westwood Infrastructure, Inc. in an amount not to exceed \$100,000.

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The Department of Public Works recommends award of the 2022 Materials Testing Contract to Westwood Infrastructure, Inc. in an amount not to exceed \$100,000.

In January 2019 a Request for Proposals (RFP) was sent to five (5) consulting firms and three (3) proposals were received. The Request for Proposals specifically stated: *“With satisfactory performance by the selected consultant services may be negotiated with the selected consultant and approved by the Common Council on a yearly basis for an additional 4 years.”* Based on the continued quality of work during 2021, staff recommends awarding the 2022 contract as the fourth year of the approval.

Work under this contract includes the following:

- Material testing for concrete, asphalt, and soils,
- Contaminated material response, analysis, and permitting,
- Emergency response to illicit discharges,
- Styrene testing for cast in place pipe (CIPP),
- Performing environmental investigations,
- Performing geotechnical investigations

Although cost data was received as part of the proposal, the actual work needed during the year is truly unknown. Funding for this work is included in each individual budget (concrete, asphalt, sidewalk, sanitary, storm and water). Expenditures will be for services actually performed and may be less than the awarded amount. A contract amendment will be brought to committee if additional funding is necessary.



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

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

**To:** Municipal Services Committee  
**From:** Eric Lom, Traffic Engineer  
**Date:** November 17, 2021  
**Re:** Intersection traffic control at the Outagamie Street / Pine Street intersection  
*Follow-Up to Six-Month Trial Period*

Based on a request from a concerned citizen, the Traffic Section recently reviewed the traffic control at the intersection of Pine Street and Outagamie Street, and subsequently initiated a six-month trial period to change from yield control to two-way stop control. This intersection is located one block east of Prospect Avenue and two blocks south of Haskel Street. The land use in this area is primarily residential. Both streets are classified as *local*.

In a typical intersection control study, we consider traffic volumes, crash history, safe approach speeds, etc. In this case, the estimated entering volume of this intersection is low, at approximately 450 vehicles per day. A review of crash records indicated two reportable crashes for the recent five-year period of 2016 through 2020, both involving injuries. The critical approach speed for the intersection was found to be approximately 10 mph due primarily to trees and a home in the southeast quadrant of the intersection.

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

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

1. **Create:** “Install Stop signs on Pine Street at Outagamie Street.”





## MEMO

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**TO:** Municipal Services Committee

**FROM:** Karen Harkness, Director of Community and Economic Development  
Paula Vandehey, Director of Public Works

**DATE:** October 25, 2021

**SUBJECT: Proposed changes to Municipal Code Section 9, Division 3 – Central Business District Street Vendors.**

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City staff met to discuss issues that have arisen regarding food trucks within the City's Central Business District. The areas of concern include:

1. The number of licenses allowed for on-street food trucks
2. Where the on-street food trucks are allowed to park

### **The number of licenses allowed for on-street food trucks**

When this ordinance was originally developed, the demand for food trucks was not well-defined so we arbitrarily picked four (4) as a manageable number to start the program. This maximum has not created any challenges until this year. For the first time, all four permits are issued with several other food trucks also applying for CBD permits.

If the number of permits is not increased, we will need a method to determine which of the applicants would be issued the limited number of permits.

### **Where the on-street food trucks are allowed to park**

The current ordinance language includes:

*"No sales shall be made within fifty (50) feet of the main entrance of any business selling same or similar products during the hours said business is open for the sale of said products, unless written permission is granted by said business and such documentation is placed on file with the Department of Public Works."*

The City Attorney's Office has concerns with this language as it is difficult to define "same or similar product" so they are recommending that this language be deleted altogether.



Therefore, City staff is recommending that the following two section of Municipal Code Chapter 9, Article XI, Division 3 Central Business District Street Vendors be amended as follows:

Section 9-628 (d) *No more than ~~four (4)~~ **eight (8)** Licenses may be issues for on-street units.*

Section 9-640 (i) *No sales shall be made within ~~fifty (50)~~ feet of the main entrance of any business selling same or similar products during the hours said business is open for the sale of said products, unless written permission is granted by said business and such documentation is placed on file with the Department of Public Works.*

The reasons for the above recommendations include:

- Whether the products of two businesses are the same or similar is difficult to enforce and also potentially places the City in an undesirable position of regulating competition between businesses.
- Many of the restaurants downtown are not open during the same hours as the food trucks are downtown.
- Food trucks have been a part of the vibrancy and vitality of downtown for many years.
- Food trucks can be a progression in entrepreneurship. (Food carts to food trucks to brick and mortar)

C: Chris Behrens, City Attorney  
Steve Kihl, Environmental Health Supervisor  
Todd Freeman, Police Captain

**DIVISION 3. CENTRAL BUSINESS DISTRICT STREET VENDORS**

**Sec. 9-626. Purpose.**

It is the intent of the Common Council to control and regulate the use of streets and sidewalks to the end that the safe use of sidewalks by pedestrians and roads by vehicles is ensured and the health, safety and general welfare of the public is protected and maintained. Consistent with this policy, the purpose of these regulations is to assure the safe and orderly performance of selling on streets and sidewalks within the Central Business District.  
(Ord 73-12, §1, 8-21-12)

**Sec. 9-627. Definitions.**

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

**Amenity strip** shall mean the area between the curb and the defined pedestrian right-of-way along College Avenue between Richmond Street and Drew Street. On all other streets, amenity strip shall mean a minimum four- (4-) foot width between the curb and an eight- (8-) foot pedestrian right-of-way.

**CBD street vendor** means any person who sells or offers for sale any goods, wares, merchandise, or services for sale in the CBD (Central Business District) from any mobile unit which is propelled by human power, including mobile food establishments.

**Mobile food establishment** means a restaurant or retail food establishment where food is served or sold from a movable vehicle, push cart, or trailer which periodically or continuously changes location and requires a service base to accommodate the unit for servicing, cleaning, inspection and maintenance or except as specified in the Wisconsin Food Code. Mobile food establishment does not include a vehicle which is used solely to transport or deliver food or a common carrier regulated by the state or federal government.

**Mobile sidewalk/amenity strip unit** shall mean a pushcart or other device which is on wheels and of sufficiently lightweight construction that it can be moved from place to place by one (1) adult person without any auxiliary power. The device shall not be motorized so as to move on its own power.

**On-street unit** shall mean any vehicle or pedal-powered unit that is readily movable, and designed and equipped to prepare, serve, or sell food.

**Vehicle** shall mean any motor vehicle as defined by Wis.

Stats. §340.01(35) or trailer as defined by Wis. Stats. §340.01(71).  
(Ord 25-05, §1, 4-12-05; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-628. License and Street Occupancy Permit required.**

(a) No CBD street vendor shall vend, sell or dispose of or offer to vend, sell or dispose of goods, wares or merchandise, produce or any other thing at any place whatsoever within the CBD without first obtaining a license as set forth in this division. Licensees may obtain no more than two (2) Street Occupancy Permits for any portion of the Central Business District west of Appleton Street; and no more than two (2) Street Occupancy Permits for any portion of the Central Business District east of Appleton Street.

(b) No more than eight (8) Street Occupancy Permits for mobile sidewalk/amenity strip units shall be issued between Appleton Street and Richmond Street. No more than eight (8) Street Occupancy Permits for mobile sidewalk/amenity strip units shall be issued between Appleton Street and Drew Street on College Avenue. This shall include all vendors using such units, whether vending goods or food.

(c) No more than two (2) Street Occupancy Permits for mobile sidewalk/amenity strip units shall be issued per block. One (1) block shall be defined to mean the area between intersections on a single side of the street.

(d) No more than ~~four~~ <sup>eight (8)</sup> (4) Licenses may be issued for on-street units.  
(Ord 25-05, §1, 4-12-05; Ord 76-11, §1, 4-12-11; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-629. Liability insurance.**

To hold a Street Occupancy Permit, the permit holder must have in force liability insurance and must agree to indemnify, defend and hold the City, its employees and agents harmless against all claims, liability, loss, damage, or expense incurred by the City as a result of any injury to or death of any person or damage to property caused by or resulting from the activities for which the permit is granted. As evidence of liability insurance, the permit holder shall furnish a Certificate of Insurance, on a form acceptable to the City, evidencing the existence of adequate liability insurance naming the City of Appleton, its employees and agents as additional insureds in an amount not less than one million dollars (\$1,000,000). Whenever such policy is cancelled, not renewed, or materially changed the insurer and the permit holder shall notify the City of Appleton by certified mail.  
(Ord 25-05, §1, 4-12-05; 76-11, §1, 4-12-11; Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)



sale of said products, unless written permission is granted by said business and such documentation is placed on file with the Department of Public Works.

- (4) Once a vendor is licensed, and a Street Occupancy Permit has been obtained, the change of use of those businesses in buildings within the fifty (50) feet limitation noted above shall not affect an existing license nor the timely renewal of the same.

(k) All persons conducting business on a sidewalk or amenity strip must pick up any paper, cardboard, wood or plastic containers, wrappers, or any litter in any form that is deposited by any person on the sidewalk or street within twenty-five (25) feet of the place of conducting business. Each person conducting business on a sidewalk or amenity strip under the provisions of this division shall carry a suitable container for placement of such litter by customers or other persons.

(l) Vendors shall maintain their sales location in a clean, hazard-free condition, and shall not discharge materials onto the sidewalk, gutters or storm drain. All liquid residue must be cleaned up, or in the alternative, protective matting may be placed on the amenity strip to absorb any liquid residue. Said matting must be removed when the vendor closes for the day.

(m) No person may make any loud unreasonable noise of any kind by vocalization or otherwise for the purpose of advertising or attracting attention to his or her wares.

(n) No person shall conduct business as defined herein at a location other than that designated on his or her Street Occupancy Permit/License.

(o) No permitted mobile sidewalk/amenity strip units shall be left unattended on a sidewalk or amenity strip nor remain on the sidewalk or amenity strip between 4:00 a.m. and 8 a.m.

(Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Sec. 9-640. Vending of products from vehicles or other on-street unit in the public streets.**

(a) No food shall be sold from a vehicle other or on-street unit in any public street in the City of Appleton except in compliance with the requirements of this section and §9-639 above.

(b) Any vehicle or other on-street unit used for vending food in any public street must be designed and constructed specifically for the purpose of vending the product or products to be vended.

(c) Each such vehicle or other on-street unit used for

vending food shall be licensed for such use by the Department of Health.

(d) If such vehicle or other on-street unit is a motor vehicle, it must have valid license plates and registration as provided by Chapter 341 of the Wisconsin Statutes.

(e) A vehicle or other on-street unit which is operated for the purpose of selling food from the unit in the public streets shall be operated only by a person who shall have obtained a license under this division.

(f) In addition, the operator or the owner of any motor vehicle shall furnish proof of current insurance issued by an insurance company authorized to do business in the State of Wisconsin and shall maintain such insurance as a condition of licensing under this division. The insurance shall provide coverage for bodily injury, including accidental death, as well as for claims for property damage which may arise from the operations under the license. The policy limits of such insurance shall be the same as those required in §9-629 above.

(g) Amplified music or other sounds from any vehicle used for the purpose of vending products in the public streets shall comply with the applicable requirements of Chapter 12, Article IV of this code pertaining to noise.

(h) No sales shall be made from a vehicle except from the curbside of said vehicle.

~~(i) No sales shall be made within fifty (50) feet of the main entrance of any business selling same or similar products during the hours said business is open for the sale of said products, unless written permission is granted by said business and such documentation is placed on file with the Department of Public Works.~~

(j) No vehicle may violate any traffic or parking statute or ordinance when stopping to make sales. This includes plugging parking meters, if applicable and not remaining in a location for a longer period of time than the meter allows. Meter bags will not be issued to license holders under this article.

(k) No on-street unit may park adjacent to a sidewalk café or an establishment with a Street Occupancy Permit for tables and chairs when the tables and chairs are present on the amenity strip.

(Ord 3-12, §1, 1-10-12; Ord 73-12, §1, 8-21-12)

**Editor's Note:** Chapter 9, Division 3 was repealed and recreated via ordinance 3-12 adopted by the Common Council on January 1, 2012, published January 9, 2012 and became effective January 10, 2012.

**Editor's Note:** Chapter 9, Division 3 was repealed and recreated via ordinance 73-12 adopted by the Common Council on August 15, 2012, published August 20, 2012 and became effective August 21, 2012.





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

**To:** Municipal Services Committee  
**From:** Eric S. Lom, City Traffic Engineer  
**Date:** November 1, 2021  
**Re:** 15 mph Speed Limit Designation on 800 W. Washington Street (Story St to Bennett St)  
*(follow-up to a 6-month trial)*

Earlier this year, my office was contacted by a resident that lives on the 800 block of W. Washington Street. She expressed concern about safety related to the speed of traffic.

The block in question is a one-way (westbound) street that is extremely narrow, with very tight sight lines and no posted speed limit (see Figures 1 & 2 below). Despite the fact that this block looks, feels and functions like an alley, it is actually designated as a residential “street.” As such, state statutes designate the “default” statutory speed limit as 25 miles per hour (mph). State statutes designate a 15 mph speed limit for designated alleys.



Figure 1- 800 W. Washington St (looking west)



Figure 2- 800 W. Washington St (highlighted)

Based on our review, we recommended designating and posting a 15 mph speed limit for a 6-month trial period. We did not receive any feedback or complaints from the public during the six-month trial period. Based on this, we recommend making the changes permanent.

**To accomplish this, section 19-61 of Chapter 19 of the Appleton Municipal Code requires the following amendment:**

Sec. 19-61      Speed Limits Designated - Fifteen miles per hour.  
**Add:** “Washington Street from Story Street to Bennett Street”