



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, October 18, 2023

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
[23-1206](#) Common Council Meeting Minutes of October 4, 2023
Attachments: [CC Minutes 10-4-23.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

- H. PUBLIC PARTICIPATION

- I. PUBLIC HEARINGS

- [23-1136](#) Public Hearing for Rezoning #7-23 Prospera Annexation (4704 N. Ballard Rd) from Temp AG Agricultural District & R-1A Single Family District to C-2 General Commercial District
Attachments: [RZ #7-23 Notice of Public Hearing.pdf](#)

- J. SPECIAL RESOLUTIONS

- K. ESTABLISH ORDER OF THE DAY

- L. COMMITTEE REPORTS

- 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[23-1175](#) Request from Alan Schmidt at 508 W. Wisconsin Avenue for a Terrace Occupancy Permit to keep an existing terrace flower garden in the street terrace along N. Alvin Street.

Attachments: [2023.10.03 508 W. Wisconsin Ave Terrace Occupancy Permit.pdf](#)

Legislative History

10/9/23	Municipal Services Committee	recommended for approval
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[23-1176](#) Request from Appleton Downtown Inc. for free ramp and meter parking on Small Business Saturday, November 25, 2023.

Attachments: [ADI Small Business Sat request.pdf](#)

Legislative History

10/9/23	Municipal Services Committee	recommended for approval
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[23-1128](#) Resolution #10-R-22, Alternate Lawe Street Truck Route.

Attachments: [2023.09.20 MSC Lawe Street Truck Route Memo.pdf](#)

[Lawe Street Attachments.pdf](#)

[10-R-22 Amended.pdf](#)

[AMENDED 10-R-22 Staff Memo.pdf](#)

[WisDOT functional class map appleton.pdf](#)

[10-R-22 Email Feedback 2023.09.25.pdf](#)

Legislative History

9/25/23	Municipal Services Committee	recommended for approval
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9/25/23	Municipal Services Committee	amended
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Meltzer/Siebers Motion to Amend adding additional criteria for staff to review. 3/2 passes.

10/4/23	Common Council	referred to the Municipal Services Committee <i>This item was referred back to Committee by Alderperson Siebers.</i>
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10/9/23	Municipal Services Committee	denied
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2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

3. MINUTES OF THE CITY PLAN COMMISSION

[23-1118](#) Request to approve Rezoning #7-23 for the subject parcels located at 4704 N. Ballard Road (Tax Id #31-1-8008-00), including to the centerline of the adjacent right-of-way, and the adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00), as shown on the attached maps, from Temporary AG Agricultural District and R-1A Single-Family District to C-2 General Commercial District

Attachments: [StaffReport_4704NBallardRdandParceltoEast_Rezoning_For9-27-23.pdf](#)

Legislative History

9/27/23 City Plan Commission recommended for approval
Proceeds to Council on October 18, 2023.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[23-1197](#) Request to approve the following budget amendment:

2023 Jones Park Shade Project	-\$37,400
2022 City Hall Remodel Project	+\$37,400

for additional project costs (2/3 vote of Council required)

Attachments: [City Hall Renovation Project Budget Adjustment.pdf](#)

Legislative History

10/9/23 Finance Committee recommended for approval

[23-1236](#) Request to award an American Rescue Plan Act grant to Thompson Center on Lourdes, Inc. in the amount of \$1,000,000.

Attachments: [Thompson Center on Lourdes.pdf](#)

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[23-1199](#) Request to approve the Neighborhood Grant Program request submitted by the Historic Central Neighborhood

Attachments: [Memo_RequestForTNGP_HistoricCentral_For10-11-23.pdf](#)

[ApplicationSubmittedByHistoricCentralNeighborhood_10-02-23.pdf](#)

[HistoricCentral_BoundaryMap.pdf](#)

[SubjectAreaMap_HistoricCentral_TNGP.pdf](#)

[NGP_Support_Letter_HCN.pdf](#)

Legislative History

10/11/23 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

[23-1180](#) Approval to single source and award 2023C Stormwater Consulting Services Contract for assistance with the Interstate 41 Reconstruction Project to Brown and Caldwell in an amount not to exceed \$50,000.

Attachments: [2023C Single Source 41 Reconstruction Phase 2 BC award util memo.pdf](#)

Legislative History

10/10/23 Utilities Committee recommended for approval

[23-1181](#) Second amendment 2023A Stormwater Management Plan Review contract with Brown and Caldwell by an increase of \$20,000 for a total contract amount not to exceed \$75,000.

Attachments: [2023A SWM Plan Review BC 2nd Amendment Memo Util Cmte.pdf](#)

Legislative History

10/10/23 Utilities Committee recommended for approval

[23-1182](#) Approve wastewater rate increase of 7% for general service and special hauled waste service and increase compost fee to \$13/cu. yard to be effective January 1, 2024.

Attachments: [Memo 2024 Rate Increase.pdf](#)

[2024 Rate Sheet.pdf](#)

Legislative History

10/10/23 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[23-1161](#) Lieutenant Over Hire Request.

Attachments: [Lt Overhire 2023.pdf](#)

Legislative History

10/11/23 Human Resources & Information Technology Committee recommended for approval

[23-1162](#) Elected City of Appleton Attorney Compensation for May 2024 term.

Attachments: [Elected COA Attorney Compensation for May 2024 Term.pdf](#)

Legislative History

10/11/23 Human Resources & Information Technology Committee recommended for approval

[23-1163](#) City of Appleton Mayor Compensation for April 2024 Term.

Attachments: [COA Mayor Compensation for April 2024 Term.pdf](#)

Legislative History

10/11/23 Human Resources & Information Technology Committee recommended for approval
Approval of compensation structure set forth in Director Ratchman's memorandum.

Payment structure as set forth in Director Ratchman's memorandum.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

[23-1152](#) AHD002_Creation and Maintenance of Procedures

Attachments: [ADH002 Creation and Maintenance of Procedures 10.02.2023.pdf](#)

Legislative History

10/11/23 Board of Health recommended for approval
Mayor Woodford moved that the AHD002_Creation and Maintenance of Procedures be approved. Motion carried by the following vote:

[23-1012](#) Resolution #9-R-23 Mental Health Awareness & Services

Attachments: [#9-R-23 mental health awareness.pdf](#)

Legislative History

9/13/23 Board of Health recommended for approval
Presented by Alder Nate Wolff

9/20/23 Common Council referred to the Board of Health
This item was referred back by Alderperson Katie Van Zeeland.

10/11/23 Board of Health recommended for approval
Presented by Alder Nate Wolff.
Alderperson Meltzer moved that the Resolution #9-R-23 Mental Health Awareness & Services be approved as amended. Motion carried by the following vote:

10/11/23 Board of Health amended
Alderperson Meltzer moved, seconded by Werth, that the Resolution #9-R-23 Mental Health Awareness & Services be amended to include:
"Therefore be it resolved that we reaffirm the \$1,000,000 ARPA allocation to mental health and we will divide this money amongst organizations in our community."
Motion carried by the following vote:

10/11/23 Board of Health amended
Alderperson Meltzer moved that the Resolution #9-R-23 Mental Health Awareness & Services be amended to replace "local mental health organizations" with "N.E.W. Mental Health Connection and its affiliated organizations". Motion carried by the following vote:

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[23-1207](#) Ordinances #153-23 and #154-23

Attachments: [Ordinances to Council 10-18-23.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. 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.



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, October 4, 2023

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 Del Toro

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 16 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt, 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

[23-1142](#)

Common Council Meeting Minutes of September 20, 2023

Attachments: [CC Minutes 9-20-23.pdf](#)

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

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[23-1145](#)

Proclamations

- Indigenous Peoples Day
- Mental Health Day
- Coming Out Day
- White Cane Awareness Day
- Fire Prevention Week
- Domestic Violence Awareness Month

Attachments:

[Indigenous Peoples' Day Proclamation.pdf](#)

[Mental Health Day Proclamation.pdf](#)

[Coming Out Day Proclamation.pdf](#)

[White Cane Awareness Day Proclamation.pdf](#)

[Fire Prevention Week Proclamation.pdf](#)

[Domestic Violence Awareness Month Proclamation.pdf](#)

[23-1146](#)

Presentation of Fire Department Civilian Awards

*The following awards were presented:
Citizen Award of Merit - Adam Vervoort
Good Samaritan Award - Amy Rappert*

*Good Samaritan Award Recipients not present:
Robert Golla
Sam Lorge
Tina Vosters
Amy Zimmerman*

[23-1147](#)

Corey Asimus Commendation of Service

[23-1144](#)

CDBG Advisory Committee Appointment

Attachments:

[CDBG Advisory Committee Appt Memo.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that the appointment be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 2 - Aldersperson Joss Thyssen and Mayor Jake Woodford

[23-1148](#) 2024 Executive Budget & Service Plan Presentation

H. PUBLIC PARTICIPATION

The following spoke regarding Item 23-1128, Lawe St. Truck Route Resolution:
Janet Scheibe, 1407 E Glendale Ave
Kyle Jensen, Supply Chain VP for Appvion
Graeme Hodson, COO, Appvion
Kim Dixon, 610 E Eldorado St
Andrew Dane, 516 E Pacific St

I. PUBLIC HEARINGS

[23-1079](#) Public Hearing for Rezoning #6-23 St. Elizabeth Hospital - 303 E. Fremont Street from PD/C-2 Planned Development Amendment #5-04/General Commercial District to R-1B Single-Family District

Attachments: [RZ #6-23 Notice of Public Hearing.pdf](#)

The public hearing was held, no one spoke during the hearing.

[23-1060](#) Public Hearing for Zoning Ordinance Text Amendments - Sections: 23-22; 23-43; 23-47; 23-49; 23-66; 23-91; 23-92; 23-93; 23-94; 23-95; 23-96; 23-100; 23-101; 23-111; 23-112; 23-113; 23-114; 23-115; 23-131; 23-132; 23-152; 23-172; and 23-570

Attachments: [TA 1-23 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

[23-1128](#)

Resolution #10-R-22, Alternate Lawe Street Truck Route.

Attachments: [2023.09.20 MSC Lawe Street Truck Route Memo.pdf](#)
[Lawe Street Attachments.pdf](#)
[10-R-22 Amended.pdf](#)
[AMENDED 10-R-22 Staff Memo.pdf](#)
[WisDOT functional class map appleton.pdf](#)
[10-R-22 Email Feedback 2023.09.25.pdf](#)

This item was referred back to Committee by Alderperson Siebers.

This Resolution was referred back to the Municipal Services Committee due back on 10/9/2023.

[23-1049](#)

Request to approve Rezoning #6-23 for the subject parcel located at 303 E. Fremont Street (Tax Id #31-4-0670-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from PD/C-2 Planned Development Overlay #5-04/General Commercial District to R-1B Single-family District

Attachments: [StaffReport_303EFremontSt_Rezoning_For9-13-23.pdf](#)

Alderperson Fenton moved, seconded by Alderperson Meltzer, 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 Israel Del Toro, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[23-1131](#)

Request to approve the Fourth Addition to Clearwater Creek Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_4th Addn Clearwater Creek FinalPlat_For9-27-23.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Firkus, that the Final Plat be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Joss Thyssen, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 4 - Alderperson Vered Meltzer, Alderperson Israel Del Toro, Alderperson Patrick Hayden and Alderperson Alex Schultz

Abstained: 1 - Mayor Jake Woodford

[23-1130](#)

Police Department Sole Source Request for Flock Safety ALPR Cameras

Attachments: [Flock Sole Source-S&L.pdf](#)
[Sole Source Request.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Firkus, that the Sole Source Request be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

[23-1122](#)

Request to award a contract for consulting services related to the City of Appleton Housing Development Policy, Process and Stakeholder Engagement Services to Green Bicycle Co. in the amount of \$32,000

Attachments: [RecommendationtoAward_HousingDevelopmentServices09202023_Final.pdf](#)
[Green Bicycle Co Housing Development Policy Guide 9-19-23.pdf](#)
[RFPQ Housing Development Task Force Final Document 8-4-23.pdf](#)

Aldersperson Fenton moved, seconded by Aldersperson Firkus, that the Contract Award be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Fenton moved, Aldersperson Van Zeeland seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[23-1129](#)

Approve parking restriction change on the 700 block of E. Arnold Street. Follow up to Six-Month Evaluation Period.

Attachments: [Arnold St \(post 6-month trial\).pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-1119](#)

Cigarette License application for Rehan Grocery LLC d/b/a Halal International Market, located at 2310 W College Ave Suite D.

Attachments: [Halal International Market S&L.pdf](#)

This Report Action Item was approved

3. MINUTES OF THE CITY PLAN COMMISSION

[23-1051](#)

Request to approve proposed text amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to *Article II Definitions*: Section 23-22; *Article III General Provisions*: Sections 23-43, 23-47, and 23-49; *Article IV Administration*: Section 23-66; *Article V Residential Districts*: Sections 23-91, 23-92, 23-93, 23-94, 23-95, 23-96, 23-100, and 23-101; *Article VI Commercial Districts*: Sections 23-111, 23-112, 23-113, 23-114, and 23-115; *Article VII Industrial Districts*: Sections 23-131 and 23-132; *Article VIII Overlay Districts*: Section 23-152; *Article IX Off-Street Parking and Loading*: Section 23-172; *Article XIII Wireless Telecommunications Facilities*: Sections 23-420 thru 427; and *Article XV Site Plan Review and Approval*: Section 23-570, as identified in the attached document

Attachments: [StaffReport_ZOTextAmendments_2023Bundle_For9-13-23.pdf](#)

This Report Action Item was approved.

[23-1052](#)

Request to approve Resolution #2023-04 to update the land use applications fee schedule for the Community and Economic Development Department as described in the attached document (Associated with File #23-1051)

Attachments: [Resolution #2023-04 Update Land Use Application Fees.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE
5. MINUTES OF THE FINANCE COMMITTEE
6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
7. MINUTES OF THE UTILITIES COMMITTEE
8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE
9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION
10. MINUTES OF THE BOARD OF HEALTH
- M. CONSOLIDATED ACTION ITEMS
- N. ITEMS HELD
- O. ORDINANCES

[23-1143](#)

Ordinances #90-23 to #152-23

Attachments: [Ordinances to Council 10-4-23.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, 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 Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt 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
- R. CLOSED SESSION

[23-1167](#)

The Appleton Common Council may go into closed session according to State Statute §19.85(1)(e) (deliberations or negotiations on the purchase of public properties, investing of public funds or conducting other specific public business when competitive or bargaining reasons require a closed session) for the purpose of discussing the temporary location and lease for the Appleton Public Library and then will reconvene into open session.

Aldersperson Croatt moved, seconded by Aldersperson Van Zeeland, that the Common Council convene in closed session at 8:06 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

S. OTHER COUNCIL BUSINESS

Aldersperson Siebers moved, Aldersperson Jones seconded, to reconvene into open session at 9:41 p.m.

Roll Call. Motion carried 15/0.

No action was taken in closed session.

T. ADJOURN

Aldersperson Hartzheim moved, seconded by Aldersperson Wolff, that the meeting be adjourned at 9:44 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk

NOTICE OF PUBLIC HEARING

#7-23

RE: Proposed Zone Change

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on Wednesday, October 18, 2023, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zone change:

Rezoning #7-23: A rezoning request has been initiated by the owner, Prospera Credit Union, and applicant, Mark Boehlke of Hoffman Planning, Design & Construction, in the matter of amending Chapter 23 (Zoning Ordinance) of the Municipal Code of the City of Appleton for the above-described real estate, which is currently zoned Temporary AG Agricultural District and R-1A Single-family District. The owner & applicant propose to rezone the property to C-2 General Commercial District. The C-2 General Commercial District is intended for businesses which serve city and regional markets; provide goods and services to other businesses, as well as consumers; provide services to automobiles and serve the traveling public.

Purpose of the Request: Prospera Credit Union recently acquired the subject properties, which are adjacent to their existing corporate offices. Prospera Credit Union is exploring options to expand on the subject properties.

Legal Description:

PARCEL: 31-1-8008-00

A part of the South Fractional ½ of the Northwest ¼ of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 0.98 Acres of land m/l and described as follows:

Commencing at the West ¼ corner of said Section 7;

Thence North 00°03'10" West 397.00 feet along the West line of the Northwest ¼ of said Section 7;

Thence South 89°11'07" East 50.01 feet to the East line of Ballard Road to the point of beginning;

Thence North 00°03'10" West 218.13 feet m/l to a South line of Lot 1 of C.S.M. No. 6239;

Thence North 89°57'00" East 200.00 feet along a South line of said Lot 1;

Thence South 00°03'10" East 109.43 feet along a West line of said Lot 1 to the most South line of said Lot 1;

Thence South 89°49'09" West 8.02 feet;

Thence South 00°03'10" East 111.58 feet;

Thence North 89°11'07" West 192.00 feet to the Point of Beginning, including to the center line of the right-of-way.

And

PARCEL: 31-1-8007-00

A part of the South fractional 1/2 of the Northwest 1/4 of Section 7, 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 7; thence North, along the West line of Section 7, 284 feet to a point; thence East, parallel with the South line of the South fractional

1/2, 242 feet to the point of beginning; thence North, parallel with the West line of Section 7, 224.7 feet to a point in the South line of Volume 509 Page 641; thence Easterly along the South line of Volume 509 Page 641, 476 feet to a point; thence South parallel with the west line of Section 7, 232.8 feet to a point: thence West, parallel with the South line of the South fractional 1/2, 476 feet to the point of beginning.

August 10, 2023

RUN: October 3, 2023
October 10, 2023

KAMI LYNCH
City Clerk



DEPARTMENT OF PUBLIC WORKS

100 North Appleton Street

Appleton, WI 54911

TEL (920) 832-6474

FAX (920) 832-6489

MEMO

To: Municipal Services Committee
From: Danielle Block, P.E. Director of Public Works
Date: October 3, 2023
Re: 508 W. Wisconsin Avenue – Terrace Occupancy Permit

The property owner at 508 W. Wisconsin Avenue has applied for a Terrace Occupancy Permit to allow for an existing terrace garden to remain in the right-of-way/street terrace along the west side of the property (Alvin Street). See the attached site photos.

The recently updated City Street Terrace Policy allows requests to be made for consideration by the Municipal Services Committee and Common Council. Any approved terrace occupancy permits require insurance and payment of an annual terrace occupancy permit fee, which is valid until December 31 of the year it is issued.

Staff recommends approval of the Terrace Occupancy Permit. All required documentation has been submitted by the resident.



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): Alan Schmidt Company: AMS Management, LLC
 Address: 920-A Mayflower Dr Telephone: 920-428-4567 FAX: _____
Appleton, WI 54914-9192 e-mail: amsreservices@yahoo.com
 Applicant Signature: *Alan Schmidt - member* Date: 09/12/2023

Occupancy Information

General Description: Native pollinator garden, with a flowering plants reaching about 24" to 36", with occasional plants reaching about 48" when blooming. Also, placement of a National Wildlife Federation sign, about 8" x 12", designating it a Certified Wildlife Habitat. Also two 24" x 18" signs reading "Alvin Street Butterfly Garden". Tax Key No.: _____
 Street Address: _____
 - or - 508 W Wisconsin, terrace on Alvin St From: 09/2023 To: Permanent
 Street: _____
 Multiple Streets: The space occupied is the terrace between the sidewalk and Alvin Street, adjacent to the parking lot

(Department use only)

Occupancy Type	Sub-Type	Location
<input type="checkbox"/> Permanent (\$40)	<input type="checkbox"/> Sandwich Board	<input type="checkbox"/> Sidewalk
<input checked="" type="checkbox"/> Temporary - max. 35 days (\$40)	<input type="checkbox"/> Tables / Chairs	<input checked="" type="checkbox"/> Terrace
<input checked="" type="checkbox"/> Amenity/Annual (\$40)	<input type="checkbox"/> Dumpster	<input 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:
<input type="checkbox"/> Arterial/CBD	<input type="checkbox"/> City Manual Page(s)
<input type="checkbox"/> Collector	<input type="checkbox"/> State Manual Page(s)
<input type="checkbox"/> Local	<input type="checkbox"/> Other (attach plan)

Additional Requirements: _____

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: _____
 (Department of Public Works)

DATE: _____



September 27, 2023

Dear Municipal Service Committee,

Small Business Saturday takes place on Saturday, November 25, 2023. As a relentless supporter of our thriving Downtown, and on behalf of our small business owners, Appleton Downtown, Inc. respectfully requests that November 25, 2023 be a "Park Free" day in Downtown Appleton. We ask that you please consider removing the paid parking requirement throughout the central business district, making all parking ramps and parking meters free to shoppers, diners and visitors of the Downtown.

Small Business Saturday began in 2010, as an initiative by American Express to encourage consumers to shop at small businesses. Projected spending among U.S. consumers who shopped at independent retailers and restaurants on Small Business Saturday reached an estimated \$17.9 billion according to the 2022 Small Business Saturday Consumer Insights Survey. American Express estimates that for every dollar spent at a small business, \$0.68 stays in that business's local economy. Keeping those dollars local, creates potential to boost revenue for our Downtown businesses.

ADI is proud to partner with ANBA to cooperatively promote Small Business Saturday through our annual Small Business Saturday Passport program. In 2022, we had 50+ Downtown businesses participate in the program and 20+ small businesses throughout the rest of Appleton. There were over 500 passports turned in by shoppers and almost 100 high-value prizes given away at random. The impact of the program and of Small Business Saturday can be seen not just Downtown, but throughout the City of Appleton as well.

Including a partnership with the City of Appleton Public Works Department to make parking free on Small Business Saturday will create a welcoming experience for shoppers. A "Park Free" day will allow consumers to shop freely, without the pressure of monitoring a meter or worrying about how many hours they are parked in a ramp.

ADI will work with the Downtown business owners to ensure on-street parking is reserved for shoppers, and not occupied by Downtown employees.

We greatly appreciate your consideration. Please let us know when this request will be placed on the agenda.

Sincerely,



Jennifer Stephany
Executive Director
Appleton Downtown Inc.



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

DEPARTMENT OF PUBLIC WORKS
Engineering Division
100 North Appleton Street
Appleton, WI 54911
TEL (920) 832-6474

To: Municipal Services Committee
From: Danielle Block, Director of Public Works
Date: September 20, 2023
Re: Staff Report – Resolution #10-R-22 Lawe Street Truck Route Analysis

Department of Public Works and Community and Economic Development staff have reviewed and discussed the various elements included in Resolution #10-R-22 submitted by Alderperson Meltzer, District 2 and Alderperson Del Toro, District 4. A copy of the Resolution is included in the attachments (Exhibit 1).

Lawe Street from Wisconsin Avenue to College Avenue is proposed to be reconstructed in 2026, utility reconstruction in 2025. During the initial scoping discussions of the upcoming Lawe Street reconstruction project, the exploration of removing the Truck Route designation from Lawe Street between College Avenue and Hancock Street occurred. Further discussion on potential alternate routes also occurred. The future design of Lawe Street is being completed by Ayres Associates, an external engineering consultant. This design work and future construction work is being completed under the Wisconsin Department of Transportation (WisDOT) STP-Urban Bipartisan Infrastructure Law (BIL) program. Under this program, the project is being funded by the Federal, State and local governments through a State Municipal Agreement. A copy of the agreement is included (Exhibit 2).

Preliminary study of the corridor included a review of existing road and traffic conditions, proposed improvement requirements under WisDOT STP-Urban BIL program, City-wide truck route network, community listening session specific to the truck route, coordination with industrial and commercial carriers, and long-range City comprehensive plans.

Existing Roadway Conditions

- Collector Street and Designated Truck Route
- Roadway Typical Section
 - 60-ft right of way
 - 32-ft total roadway width
 - 11-ft travel lanes
 - 5-ft paved shoulder and curb & gutter
 - 8.5-ft grass terraces
 - 5-ft sidewalks
 - No Parking
 - No Bike Lanes
- Pavement Condition
 - Poor
- Tree Canopy Survey
 - 78 total trees
 - Approximately 47% *may* be removed due to species (Ash), condition (poor) or location (under power lines). Further design details are required to finalize the required tree removals.
 - Street Terrace Tree plantings will be part of the reconstruction project once the pavement and restoration are complete.

Existing Traffic Conditions

- Speed
 - Posted 25 mph.
 - Speed study indicated the 85th percentile speed is 30 mph. Which is below the citywide average for Collectors.
- ADT (Average Daily Traffic): 6,000 - 8,300, depending on the block.
- Truck %'s (≥15,000 GVW)
 - 3.1% Large Trucks or 279/day
- Crash History: 38 reportable crashes 2018-2022
- School Zone: Crossing at North St – Edison Elementary School

Proposed Improvement Requirements

- 32-ft roadway width (no widening)
 - 10-ft travel lanes
 - 6-ft bike lanes
 - 8.5-ft grass terraces
 - 5-ft sidewalks
- Pedestrian Accommodations and Traffic Calming
 - Currently investigating the feasibility of developing pedestrian enhancement features at select intersections. Design details and cost analysis pending.
 - Features could include side street curb extensions, median islands for refuge, etc.
 - Traffic Calming features being considered include modifications to the width of the roadway, signage, lighting, etc. These features do not include vertical installations (i.e., raised intersections or crosswalks) in order to minimize traffic noise from vibrations.
- Placemaking Opportunities
 - Pending funding resources and design within parameters of City Streetscape Guidelines:
 - Stamped and Colored Concrete
 - Decorative Lighting
 - Bus Stop Enhancements

Lawe Street Truck Route Community Listening Session Feedback

- Listening Session was held on the evening of August 2, 2023. Invitations were sent to residents and businesses along the project corridor. The goal of the listening session was to gather feedback specifically related to the truck route. Public Works provided a brief project update and Community Development facilitated an interactive discussion to generate input from residents and businesses along the project corridor.
- A summary of the listening session comments is attached (Exhibit 3).

Industrial and Commercial Carrier Coordination

- Number of Trips and Destination
 - Appvion currently takes approximately 16 round trips per day. 32 total trips per day along Lawe Street.
 - The 32 trips currently take place any time of day as ordering is placed by the distribution center. Trips also occur all days of the week, not just weekdays.
 - Appvion has been utilizing the Kensington Distribution Center for over 30 years, with a similar trucking pattern.
- Additional Mileage and Environmental Impacts
 - To reroute Appvion truck traffic along HWY 441, the mileage would increase by at least 50%. This would create an increase in CO2 emissions of 109 metric tons per year. This is an estimate related to Appvion trucks only. Other industries and trucking traffic would likely have increases as well.
 - See the attached Greenhouse Gas Equivalencies Calculator for a description of the CO2 emissions impact (Exhibit 4).

- Alternative Route – HWY 441 Hazards
 - Industry has expressed concerns related to the use of HWY 441 via Northland Avenue. The entrance ramp to the highway is uphill, making it difficult to enter and merge with highway traffic. Further, the reverse is true when exiting HWY 441 the downward incline onto College Avenue is also not ideal for truck traffic.
 - The industry expressed the local truck route being preferred from a driver and traffic safety standpoint based on the geometry of HWY 441.
- Compromise
 - During the month of August, leadership from Appvion approached City staff with a potential compromise. The compromise would restrict industrial and commercial truck traffic from utilizing the Lawe Street corridor from 10pm to 5am daily. This compromise would apply to the entirety of Lawe Street from Wisconsin Avenue south to College Avenue. Offering a positive benefit to those residents located north of Hancock Street that, under the Resolution language, would still have a Truck Route designation.
 - A letter regarding this topic is included (Exhibit 5).

Truck Route Network

- The existing City Truck Route Network map is attached (Exhibit 6).
- Alternative Route Discussion
 - Staff does not recommend a new alternative truck route to replace Lawe Street.
 - Efficiency and Cost – an alternative truck route could disrupt the efficiency of our transportation system, leading to increased travel time, congestion and additional fuel costs.
 - Safety Concerns – the existing truck route network has been designed with safety in mind and appropriate truck turning accommodations.
 - Community Impact – implementation of an alternative route could have a negative impact on a corridor that historically has not experienced measurable trucking volumes.
 - Environmental Considerations – a modification to the truck route will likely have increased emission levels and travel time.
 - Based on these factors, staff does not recommend any alternative truck routes.

City of Appleton Long Range Plan

It is worth noting the discussion of Truck Routes and Transportation planning within the City’s Comprehensive Plan. The City of Appleton has designated truck routes to discourage heavy vehicle traffic on neighborhood streets and other roads where these vehicles may present conflicts. In general, these include state and county trunk highways passing through the city, along with local streets in industrial districts or business parks in the community (COA Comp Plan 2010-2030, pg. 77). Lawe Street is a designated Collector Street. The Future Land Use Map within the Comprehensive Plan indicates most of the area north of Atlantic Street as future multi-family residential, mixed use, commercial, and industrial land use.

Truck Route Summary

The specific authority of a city to regulate heavy traffic is contained within Wis. Stat. 349.17 and City Municipal Code Sec. 19-136. Heavy trucks/commercial vehicles equal to or over 15,000 pounds shall drive on marked truck routes. Heavy trucks are allowed to deviate from the marked truck routes for the purpose of making pickups or deliveries as long as they leave and re-enter the designated route at points closest to their immediate destinations. There are exemptions to the types of trucks (i.e., municipal vehicles, emergency vehicles, buses).

For future consideration by the Committee, based on the analysis completed, staff does not recommend the removal of the Lawe Street Truck Route designation. This north-south connection is a historic and critical truck route to sustain the viability of strong economic anchors at the northern end of the project limits. Appvion alone has 350 employees to operate and manage their Appleton location. This industry has been a stable business in the Appleton community for over 115 years.

Staff does not recommend the designation of an alternative route in lieu of Lawe Street. Richmond Street and HWY 441 are the closest truck routes if Lawe Street is eliminated.

Staff anticipates recommending a compromise to the operational hours of the Lawe Street truck route. Based on feedback from industry, staff anticipates introducing an agreement limiting the hours truck travel along the entirety of Lawe Street from Wisconsin Avenue to College Avenue from 5am to 10pm. Trucks would not be scheduled to travel along Lawe Street from 10pm to 5am. This compromise could be memorialized in a Memorandum of Understanding between the industries and the City of Appleton at a subsequent meeting.

10-R-22 Recommendation

The pertinent portion of the Resolution asked "... that when the redesign comes up prior to Lawe Street's reconstruction, staff will explore removing the Truck Route designation from Lawe Street between College Avenue and Hancock Street and finding an alternate route for truck traffic to travel north and south."

This resolution is referred to Council via the Municipal Services Committee. **Based on the fact that Staff has explored the designation and alternate routes and presented its recommendation through this Memo, Staff's recommendation is to approve the resolution at this time.**

Exhibit 1

#10-R-22

Alternate Lawe Street Truck Route

Date: August 3, 2022

Submitted By: Ald. Meltzer, District 2, & Ald. Del Toro, District 4

Referred To: Department of Public Works

Whereas large commercial trucks on Lawe Street have long been a problem for the neighborhood both as a nuisance and a safety issue, causing damage to road conditions and home infrastructure; and


Whereas amenities, such as bike lanes, and safe walkable street crossings add value to neighborhoods, but inner city truck routes, impose a burden on neighborhoods; and

Whereas Lawe Street is scheduled for surface reconstruction in 2025, underground work in 2024, and design and planning 2023; and

Whereas large commercial truck traffic will have to be re-routed during the reconstruction work on Lawe Street, this provides an opportunity to make permanent changes as well as explore options to save on cost of materials;

THEREFORE BE IT RESOLVED that when the redesign comes up prior to Lawe Street's reconstruction, staff will explore removing the Truck Route designation from Lawe Street between College Avenue and Hancock Street, and finding an alternate route for truck traffic to travel north and south.

Exhibit 2

 <p style="text-align: center;">1st Revision STATE/MUNICIPAL AGREEMENT FOR A STATE- LET URBANIZED AREA STP-URBAN PROGRAM PROJECT</p> <p style="text-align: center;"><i>This agreement supersedes the agreement signed by the Municipality on June 22, 2022 and signed by the DOT on June 23, 2022.</i></p> <p>Program Name: STP-Urban Population Group: 200,000-500,000 Sub-program #: 206 Cycle: BIL 2023-2026</p>	<p>Revised Date: August 15, 2023</p> <p>Date: January 25, 2023</p> <p>I.D.: 4984-24-74/75</p> <p>Roadway Name: Lawe Street</p> <p>Limits: College Avenue to Wisconsin Avenue</p> <p>County: Outagamie</p> <p>Roadway Length: 0.8 MILES</p> <p>Functional Classification: Collector</p> <p>Project Sponsor: City of Appleton</p>
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The signatory, **City of Appleton**, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Sections 86.25(1), (2), and (3) and Section 66.0301 of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

All components of the project must be defined in the environmental document if any portion of the project is federally funded. The Municipality agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

Existing Facility - Describe and give reason for request: **The year of last improvement is 1973. The road consists of an urban cross section with two lanes of concrete pavement. The pavement has a rating of 1 and is cracking and experiencing joint failure. The road has curb and gutter and existing sidewalk. The existing pavement is cracked and deteriorated to a point that requires complete reconstruction. There is a railroad facility at the north end of the project.**

Proposed Improvement - Nature of work: **The proposed improvement is an urban reconstruction for 0.65 miles of concrete pavement with a pavement width of 42 feet. The proposed roadway is to include bike lanes on the street, curb and gutter, street lighting, pavement marking, signing and 5-foot sidewalks on both sides of the road. There will be extensive grading, and less than ½ acre of strip right-of-way will be acquired. Railroad crossing improvements to be determined.**

Describe non-participating work included in the project and other work necessary to completely finish the project that will be undertaken independently by the Municipality. Please note that non-participating components of a project/contract are considered part of the overall project and will be subject to applicable federal requirements: **Maintenance and repair of haul roads, adjustments to water main and sanitary sewer facilities (if applicable) and roadway widths exceeding WisDOT standards.**

The Municipality agrees to the following **BIL 2023-2026** Urbanized Area project funding conditions:

Project ID **4984-24-74** design costs are funded with up to 80% federal funding up to a funding limit of **\$364,907**. The Municipality agrees to provide the remaining 20% and any funds in excess of the **\$364,907** federal funding limit.

Non-participating design costs which include real estate, railroad and compensable utility costs are 100% the responsibility of the Municipality. Any work performed by the Municipality prior to federal authorization is not eligible for federal funding. The Municipality will be notified by the State that the project is authorized and available for charging.

Project ID **4984-24-75** construction costs are funded with up to 80% federal funding up to a funding limit of **\$2,454,193**. The Municipality agrees to provide the remaining 20% and any funds in excess of the **\$2,454,193** federal funding limit.

Non-participating construction costs which include, but is not limited to, relocation/adjustments to water and sanitary sewer facilities and maintenance and repair of haul roads are 100% the responsibility of the Municipality. Any work performed by the Municipality prior to federal authorization is not eligible for federal funding. The Municipality will be notified by the State that the project is authorized and available for charging.

This project is currently scheduled in State Fiscal Year **2026**. Sunset date: **June 30, 2031**.

Sunset Date is determined based on the date a project is scheduled to be authorized. Sunset date is calculated as six years from the beginning of the state fiscal year (SFY) in which a project is initially scheduled.

Extensions may be available upon approval of a written request by or on behalf of the Municipality to State. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

The dollar amounts shown in the Summary of Costs Table below are estimates. The final Municipal share is dependent on the final federal participation, and actual costs will be used in the final division of cost for billing and reimbursement. In no event shall federal or State funding exceed the estimate of **\$2,819,100** in the Summary of Costs Table, unless such increase is approved in writing by the State through the State's Change Management Policy prior to the Municipality incurring the increased costs.

SUMMARY OF COSTS

PHASE	Total Est. Project Cost	Federal / State Funds	%	Municipal Funds	%
ID 4984-24-74					
Design	\$ 439,934	\$ 351,947	80%*	\$ 87,987	20% + BAL
State Review	\$ 16,200	\$ 12,960	80%*	\$ 3,240	20% + BAL
<i>Project total</i>	\$ 456,134	\$ 364,907		\$ 91,227	
ID 4984-24-75					
Participating Construction	\$ 3,297,087	\$ 2,168,083	80%*	\$ 1,129,004	20% + BAL
Construction Engineering	\$ 414,698	\$ 272,695	80%*	\$ 142,003	20% + BAL
Non-Participating Construction	\$ 20,500		0%	\$ 20,500	100%
State Review	\$ 20,400	\$ 13,415	80%*	\$ 6,985	20% + BAL
<i>Project total</i>	\$ 3,752,685	\$ 2,454,193		\$ 1,298,492	
Total Est. Cost Distribution	\$ 4,208,819	\$ 2,819,100		\$ 1,389,719	

*Design ID **4984-24-74** federal/state funding is limited to \$ **364,907**

*Construction ID **4984-24-75** federal/state funding is limited to \$ **2,454,193**

This request is subject to the terms and conditions that follow (pages 3 – 8) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

Signatures certify the content has not been altered by the municipality. Signed for and in behalf of: City of Appleton (please sign in blue ink.)		
Name	<i>Mark A. Labay</i>	Title <i>Assistant City Engineer</i> Date <i>8/23/23</i>
Signed for and in behalf of the State :		
Name	<i>Scott A. Nelson P.E.</i>	Title <i>NE Region Systems, Planning, and Operations Manager</i> Date <i>08/24/2023</i>

GENERAL TERMS AND CONDITIONS:

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.
2. Work prior to federal authorization is ineligible for federal funding.
3. The Municipality, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:
 - a. Environmental requirements, including but not limited to those set forth in the 23 U.S.C. 139 and National Environmental Policy Act (42 U.S.C. 4321 et seq.)
 - b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. 16.765. The municipality agrees to comply with and promote applicable Federal and State laws, Executive Orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition the Municipality agrees not to engage in any illegal discrimination in violation of applicable Federal or State laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The Municipality agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.
 - c. Prevailing wage requirements, including but not limited to 23 U.S.C 113.
 - d. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. 16.754.
 - e. Competitive bidding and confidentiality requirements set forth in 23 U.S.C 112 and Wis. Stat. 84.06. This includes the sharing of financial data prior to the conclusion of the competitive bid period.
 - f. All applicable Disadvantaged Business Enterprise (DBE) requirements that the State specifies.
 - g. Federal statutes that govern the Surface Transportation Program (STP), including but not limited to 23 U.S.C. 133.
 - h. General requirements for administering federal and state aid set forth in Wis. Stat. 84.03.

STATE RESPONSIBILITIES AND REQUIREMENTS:

4. Funding of each project phase is subject to inclusion in Wisconsin's approved BIL 2023-2026 Urbanized Area STP-Urban program. Federal funding will be limited to participation in the costs of the following items, as applicable to the project:
 - a. The grading, base, pavement, and curb and gutter, sidewalk, and replacement of disturbed driveways in kind.
 - b. The substructure, superstructure, grading, base, pavement, and other related bridge and approach items.
 - c. Storm sewer mains necessary for the surface water drainage.
 - d. Catch basins and inlets for surface water drainage of the improvement, with connections to the storm sewer main.
 - e. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, staking, and testing of sanitary sewer and water main).
 - f. Signing and pavement marking.
 - g. New installations or alteration of street lighting and traffic signals or devices.
 - h. Landscaping.
 - i. Preliminary engineering and design.
 - j. State review services.
5. The work will be administered by the State and may include items not eligible for federal participation.
6. As the work progresses, the State will bill the Municipality for work completed which is not chargeable to federal funds. Upon completion of the project, a final audit will be made to determine the final division of costs subject to project funding limits in the Summary of Costs Table. If reviews or audits show any of the work to be ineligible for federal funding, the Municipality will be responsible for any withdrawn costs associated with the ineligible work.

MUNICIPAL RESPONSIBILITIES AND REQUIREMENTS:

7. Work necessary to complete the BIL 2023-2026 Urbanized Area STP-Urban improvement project to be financed entirely by the Municipality or other utility or facility owner includes the items listed below.
 - a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.
 - c. Detour routes and haul roads. The municipality is responsible for determining the detour route.
 - d. Conditioning, if required and maintenance of detour routes.
 - e. Real estate for the improvement.
 - f. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.

- g. All work related to underground storage tanks and contaminated soils.
 - h. Street and bridge width in excess of standards, in accordance with the current *WisDOT Facilities Development Manual*.
8. The construction of the subject improvement will be in accordance with the appropriate standards unless an exception to standards is granted by State prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the Municipality unless such exception is granted.
 9. Work to be performed by the Municipality without federal funding participation necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Municipality but must be coordinated with all other work undertaken during construction.
 10. The Municipality is responsible for financing administrative expenses related to Municipal project responsibilities.
 11. The Municipality will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in Wis. Stat. 51.01 (5), sexual orientation as defined in Wis. Stat. 111.32 (13m), or national origin.
 12. The Municipality will pay to the State all costs incurred by the State in connection with the improvement that exceed federal financing commitments or are ineligible for federal financing. To guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.
 13. In accordance with the State's sunset policy for STP Program projects, the subject FFY 2023-2026 STP Program improvement must be constructed and in final acceptance within six years from the beginning of the state fiscal year (SFY) in which a project is initially scheduled. Extensions may be available upon approval of a written request by or on behalf of the Municipality to State. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.
 14. If the Municipality should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project.
 15. The Municipality will at its own cost and expense:
 - a. Maintain all portions of the project that lie within its jurisdiction (to include, but not limited to, cleaning storm sewers, removing debris from sumps or inlets, and regular maintenance of the catch basins, curb and gutter, sidewalks and parking lanes [including snow and ice removal]) for such maintenance in a manner consistent with reasonable industry standards, and will make ample provision for such maintenance each year.
 - b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during construction.
 - c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
 - e. Provide complete plans, specifications, and estimates to State upon request.
 - f. Provide relocation orders and real estate plats to State upon request.

- g. Use the *WisDOT Utility Accommodation Policy* unless it adopts a policy, which has equal or more restrictive controls.
- h. Provide maintenance and energy for lighting.
- i. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.

16. It is further agreed by the Municipality that:

- a. The Municipality assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the state and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this agreement.
- b. The Municipality assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Municipality. The Municipality is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Municipality will reimburse State if State incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.
- c. The Municipality will be 100% responsible for all costs associated with utility issues involving the contractor, including costs related to utility delays.
- d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Municipality or by others, will be in conformity with such *Manual of Uniform Traffic Control Devices* as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred with by the Federal Highway Administration.
- e. The right-of-way available or provided for the project will be held and maintained inviolate for public highway or street purposes. Those signs prohibited under federal aid highway regulations, posters, billboards, roadside stands, or other private installations prohibited by Federal or State highway regulations will not be permitted within the right-of-way limits of the project. The Municipality, within its jurisdictional limits, will remove or cause to be removed from the right-of-way of the project all private installations of whatever nature which may be or cause an obstruction or interfere with the free flow of traffic, or which may be or cause a hazard to traffic, or which impair the usefulness of the project and all other encroachments which may be required to be removed by the State at its own election or at the request of the Federal Highway Administration, and that no such installations will be permitted to be erected or maintained in the future.
- f. The Municipality is responsible for any damage caused by legally hauled loads, including permitted oversize and overweight loads. The contractor is responsible for any damage caused to haul roads if they do not obey size and weight laws, use properly equipped and maintained vehicles, and do not prevent spilling of materials onto the haul road (*WisDOT Standard Specifications* 618.1, 108.7, 107.8). The local maintaining authority can impose special or seasonal weight limitations as defined in Wis. Stat. 349.16, but this should not be used for the sole purpose of preventing hauling on the road.

The bid item 618.0100 Maintenance and Repair of Haul Roads (project) is ineligible for federal funding on local program projects as per the State/Municipal Agreement. The repair of damages as a result of hauling materials for the project is the responsibility of the Municipality as specified in the State/Municipal Agreement Terms and Conditions under Municipal Responsibilities and Requirements.

LEGAL RELATIONSHIPS:

17. The State shall not be liable to the Municipality for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Municipality for damages or delays resulting from injunctions or other restraining orders obtained by third parties.
18. The State will not be liable to any third party for injuries or damages resulting from work under or for the Project. The Municipality and the Municipality's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Municipality and its sureties; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Municipality or its sureties; or because of any claims or amounts recovered for any infringement by the Municipality and its sureties of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act, relating to the employees of the Municipality and its sureties; or any other law, ordinance, order or decree relating to the Municipality's operations.
19. Contract modification: This State/Municipal Agreement can only be modified by written instruments duly executed by both parties. No term or provision of either this State/Municipal Agreement or any of its attachments may be changed, waived or terminated orally.
20. Binding effects: All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may be transferred to a third party. This State/Municipal Agreement creates no third-party enforcement rights.
21. Choice of law and forum: This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The Parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.

PROJECT FUNDING CONDITIONS

22. Non-appropriation of funds: With respect to any payment required to be made by the State under this State/Municipal Agreement, the parties acknowledge the State's authority to make such payment is contingent upon appropriation of funds and required legislative approval sufficient for such purpose by the Legislature. If such funds are not so appropriated, either the Municipality or the State may terminate this State/Municipal Agreement after providing written notice not less than thirty (30) days before termination.
23. Maintenance of Records: During the term of performance of this State/Municipal Agreement, and for a period not less than three years from the date of final payment to the Municipality, records and accounts pertaining to the performance of this State/Municipal Agreement are to be kept available for inspection and audit by representatives of the Department. The Department reserves the right to audit and inspect such records and accounts at any time. The Municipality shall provide appropriate accommodations for such audit and inspection.

In the event that any litigation, claim or audit is initiated prior to the expiration of said records maintenance period, the records shall be retained until such litigation, claim or audit involving the records is complete.

24. The Municipality agrees to the following BIL 2023-2026 Urbanized Area STP-Urban project funding conditions:
 - a. ID 4984-24-74: Design is funded with 80% federal funding up to a funding limit of **\$364,907**, where applicable when the Municipality agrees to provide the remaining 20% and any funds in excess of the **\$364,907** state/federal funding limit. This phase includes plan development and state review. The work includes project review, approval of required reports and documents and processing the final Plan, Specification & Estimate (PS&E) document for award of the contract. Costs for this phase include an estimated amount for state review activities, to be funded 80% with federal funding and 20% by the Municipality.

- b. Real estate is funded 100% by the Municipality. Real estate acquisition is 100% the responsibility of the Municipality.
- c. Utility items are funded 100% by the Municipality.
- d. ID **4984-24-75**: Construction:
 - i. Costs for items such as grading, gravel, asphalt, curb & gutter, sidewalk, traffic control, etc. are funded with 80% federal funding up to a funding limit of **\$2,454,193**, when the Municipality agrees to provide the remaining 20%, and any funds in excess of the **\$2,454,193** federal funding limit.
 - ii. Non-participating costs for water and sanitary facilities, utilities, maintenance and repair of haul roads and detours are funded 100% by the Municipality. Costs include construction delivery.
 - iii. Costs for this phase include an estimated amount for state review activities, to be funded 80% with federal funding and 20% by the Municipality.

[End of Document]

Exhibit 3

Lawe Street Truck Route Community Listening Session

August 2, 2023 5-6pm

Session Summary

- Presentation by Public Works staff, then a workshop lead by Community Development staff.
- Map of the corridor was available to enter comments and locate corridor comments and concerns.
- Two questions were posed to the attendees:
 - **What about the truck route impacts you the most?**
 - Excessive noise and vibration in homes. Concerned with foundation and windows.
 - Experience excessive speeding.
 - Difficulty crossing the streets, including school crossing safety.
 - Deteriorating road conditions.
 - Industry has concerns that rerouting will increase travel times, fuel usage and negatively affect business operations.
 - Industry has concerns regarding HWY 441, the ability to merge uphill and enter traffic safely. The interchange at College Avenue is difficult for trucks to maneuver.
 - Dirt and dust caused by trucks along the corridor.
 - Maintaining the character of the neighborhood and view the trucks as determinantal to the character.
 - Concerns regarding potential widening of the roadway, if needed would impact the trees.
 - Overall perception of a negative impact on property value.
 - **Are there features that could mitigate your concerns about the truck route?**
 - Installation of traffic control at intersections: stop signs, pedestrian crossing signs and/or lights, etc.
 - Rerouting of the truck traffic.
 - Do not widen the street.
 - No bike lanes.
 - Different speed limits for trucks.
 - Reinforced roads.
 - Different routes depending on whether or not the truck is loaded.
 - Improved railroad crossing.
 - Reduced speed limits.
 - Enforcement for speed.

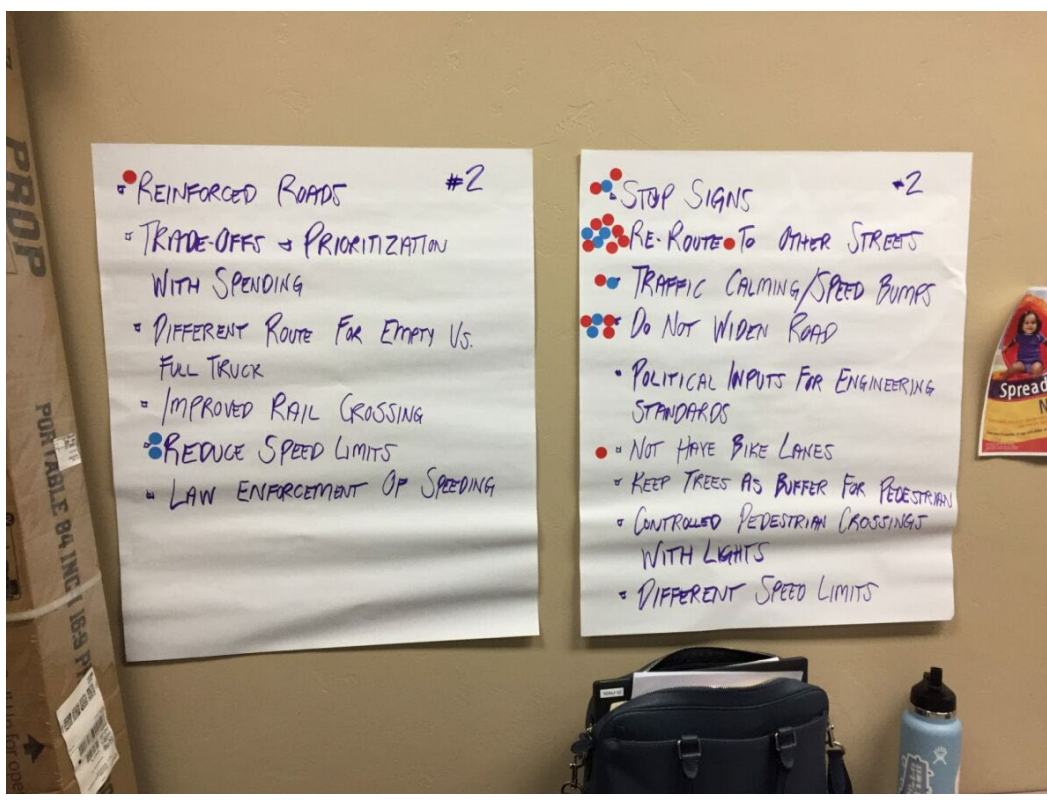
- EXCESSIVE SPEED (NOT JUST TRUCKS)
- HOMES SHAKE — FOUNDATION (CONCERN + WINDOWS)
- TRUCKS OVERLOADED
- PEDESTRIAN/BIKE SAFETY
- SCHOOL CROSSING SAFETY
- FRANKLIN/LANE + WASH/LANE
- NOISE

- #1 • DIRT/DUST
- CHARACTER OF NEIGHBORHOOD
- WIDENING STREET + LOSS OF TREES / INCREASED SPEED
- Safety

- #1 • ROAD CONDITIONS
- EMPLOYERS VERY RELIANT ON TRUCK ROUTE
- REMOVAL OF TRUCK ROUTE WOULD HAVE MAJOR IMPACT ON BUSINESSES
- PROPERTY VALUE
- ON-RAMP/OFF-RAMP SAFETY CONCERNS WITH TRUCKS MERGING ON HWY 441
- COLLEGE/LANE INTERSECTION
- ELDERLY SAFETY
- ACCESS TO BUS, LIKE JACOBS

- #2 • REINFORCED ROADS
- TRADE-OFFS → PRIORITIZATION WITH SPENDING
- DIFFERENT ROUTE FOR EMPTY VS. FULL TRUCK
- IMPROVED RAIL CROSSING
- REDUCE SPEED LIMITS
- LAW ENFORCEMENT OF SPEEDING

- #2 • STOP SIGNS
- RE-ROUTE TO OTHER STREETS
- TRAFFIC CALMING / SPEED BUMPS
- DO NOT WIDEN ROAD
- POLITICAL INPUTS FOR ENGINEERING STANDARDS
- NOT HAVE BIKE LANES
- KEEP TREES AS BUFFER FOR PEDESTRIANS
- CONTROLLED PEDESTRIAN CROSSINGS WITH LIGHTS
- DIFFERENT SPEED LIMITS



109 Metric Tons of Carbon Dioxide (CO₂) equivalent

Exhibit 4

This is equivalent to greenhouse gas emissions from:

24.3 gasoline-powered passenger vehicles driven for one year 

<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#vehicles>



279,427 miles driven by an average gasoline-powered passenger vehicle 

<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#miles>



This is equivalent to CO₂ emissions from:

12,265 gallons of gasoline consumed 

<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#gasoline>



10,707 gallons of diesel consumed 

<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#diesel>




122,097 pounds of coal burned 

<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#lbscoal>




1.4 tanker trucks' worth of gasoline


 <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#tankers>




13.7 homes' energy use for one year

 <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#houseenergy>




21.2 **homes' electricity use for one**
year  [<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#houseelec>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#houseelec)




0.601 **railcars' worth of coal burned** 
 [<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#railcars>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#railcars)




252 **barrels of oil consumed** 
 [<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#oil>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#oil)




5,007 **propane cylinders used for home**
barbeques  [<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#propane>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#propane)




0 **coal-fired power plants in one**
year  <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#coalplant>




0.0003 **natural gas-fired power plants in**
one year  <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#gasplant>



13,259,048 **number of smartphones charged**
 <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#smartphones>







This is equivalent to greenhouse gas emissions avoided by:



37.7 **tons of waste recycled instead of**
landfilled  <https://epa.gov/energy/greenhouse-gases->





equivalencies-calculator-calculations-and-references#recycle>

5.4 **garbage trucks of waste recycled**
instead of landfilled  <<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#gtrucks>> 

4,718 **trash bags of waste recycled**
instead of landfilled  <<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#trash>> 

0.03 **wind turbines running for a year**
 <<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#wind>> 

4,131 **incandescent lamps switched to**
LEDs  <<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#leds>> 

calculator-calculations-and-references#lights>



This is equivalent to carbon sequestered by:

1,802 tree seedlings grown for 10 years

[? <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#seedlings>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#seedlings)



130 acres of U.S. forests in one year

[? <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#pineforests>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#pineforests)



0.723 acres of U.S. forests preserved from conversion to cropland in one year

[? <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#deforestation>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#deforestation)



Exhibit 5

September 14, 2023

To: Danielle Block
Director of Public Works, City of Appleton

From: Graeme Hodson
COO, M2S Group (Appvion, Nekoosa, and Decorative Films)

Dani,

Thanks again for including us in the Community Listening event on Wednesday August 2nd at City Hall. It was a great opportunity to understand the construction and upgrade plans for Lawe Street and more importantly hear the concerns and feedback of our local residents regarding the “truck route” designation.

Appvion has been manufacturing here in Appleton for over 115 years and as part of our operations we have been utilizing WSI warehousing in the Radio Road/College Avenue vicinity for more than 30 years. Given our limited warehousing in our manufacturing buildings around Meade Street and Wisconsin Avenue, we store the majority of our incoming raw materials and outgoing finished goods in offsite warehousing and use VS Midwest to shuttle materials back and forth. The most direct and cost-effective truck route utilizes Lawe Street.

As we explained when we visited City Hall on August 15th, if the Lawe Street truck route designation is removed Appvion has two alternatives. The next best alternative would be to use Richmond Street and College Avenue, resulting in all our truck traffic traveling through Downtown Appleton. Alternatively, we could utilize Ballard Road, Northland Avenue, and 441. In discussions with our shuttle service provider, we have safety concerns with trucks utilizing the inclined ramps and short entry lanes entering and exiting 441, especially around peak traffic times.

Utilizing 441 would result in an additional 33,792 miles per year and an additional 751 driver hours an increase of 97% and 44% respectively. These impacts will result in increased operating costs (fuel, wear & tear, tires, vehicle maintenance costs, and driver hours) along with increased capital requirements (semi-trucks and trailers). From an environmental impact perspective, based on industry standards for semi-trucks, we would generate an additional 109.4 Metric Tons of CO₂ (Greenhouse Gas Emissions) annually.

Our current operating schedule (7 days/24 hours) requires ~16 round trip shuttles per day between the warehouse and our manufacturing site. Our facility layout requires the two loops around our properties (Lawe Street, Meade Street, Wisconsin Avenue, E Hancock Street, E Commercial Street, and N Rankin Street) to remain truck routes in order to access our loading

docks and move materials in and out of our buildings. Therefore, the focus is really on the 0.5-mile stretch between E Hancock Street and College Avenue.

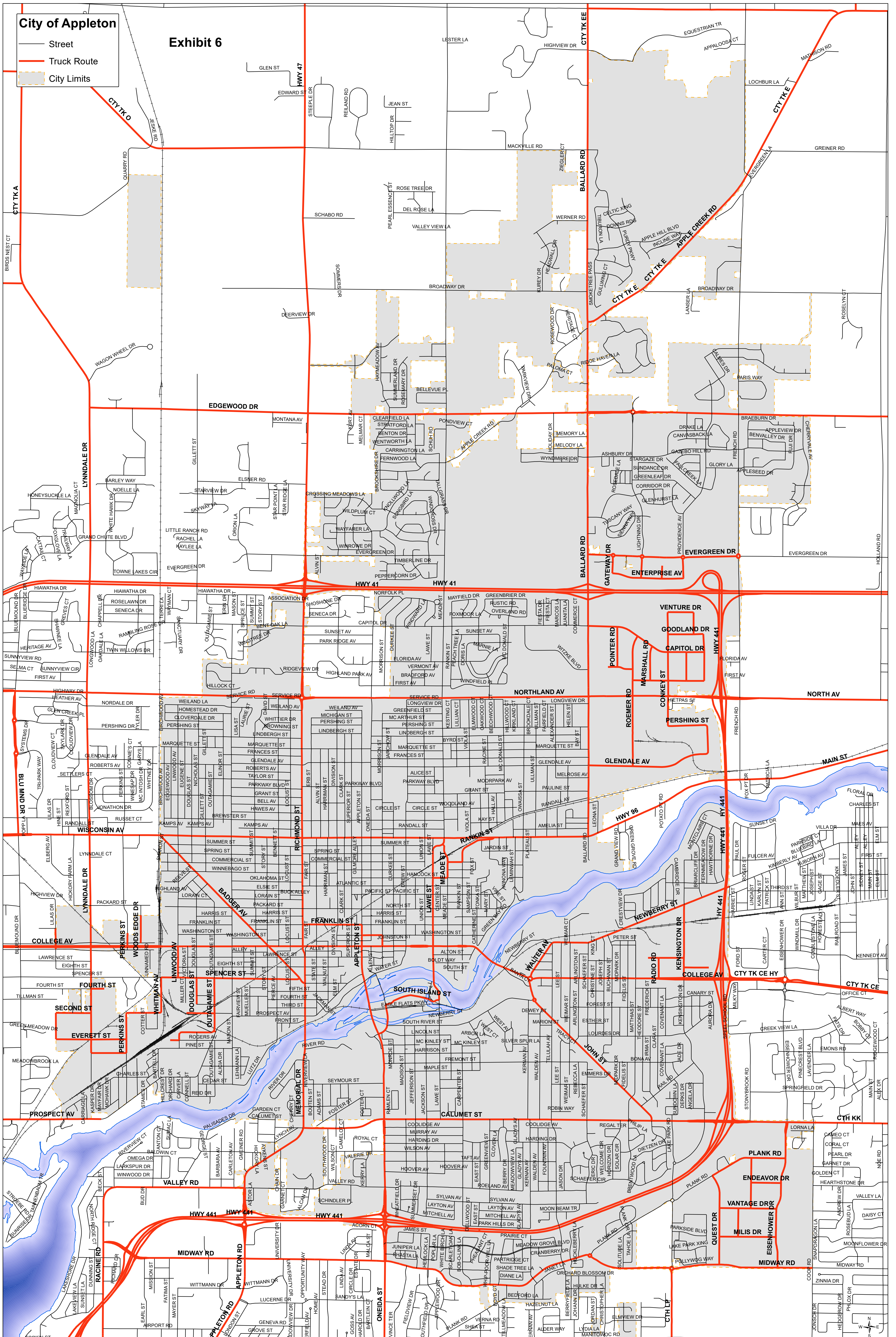
A key takeaway from the Community Listening event was the impact to our neighboring residents from trucks using Lawe Street at night. Since the event, our team has been focused on what changes we can make that might be a positive for the area residents. After discussing options internally and meeting with our carrier, VS Midwest, we can commit to eliminate the use of our shuttle between 10pm and 5am daily. This would provide for some quiet time overnight and be a benefit to not only those living on Lawe Street, but also the loops around our facilities. If for some reason, we had to run an emergency shuttle we would utilize an alternative route. However, based on our planning we expect this to be a highly unlikely need.

Appvion is committed to finding a balanced solution for both the residents in the areas neighboring our facilities and our business needs. Our operations in Appleton provide a significant economic benefit to the City of Appleton and the surrounding communities. We employ approximately 350 people with wages totaling over \$30MM annually. In addition, we pay around \$400K in Real Estate and purchase more than \$10MM from local businesses.

City of Appleton

Exhibit 6

- Street
- Truck Route
- City Limits



#10-R-22

Amended

Alternate Lawe Street Truck Route

Date: August 3, 2022

Submitted By: Ald. Meltzer, District 2, & Ald. Del Toro, District 4

Referred To: Department of Public Works

Amended: September 25, 2023 at Municipal Services Committee

Whereas large commercial trucks on Lawe Street have long been a problem for the neighborhood both as a nuisance and a safety issue, causing damage to road conditions and home infrastructure; and

Whereas amenities, such as bike lanes, and safe walkable street crossings add value to neighborhoods, but inner city truck routes, impose a burden on neighborhoods; and

Whereas Lawe Street is scheduled for surface reconstruction in 2025, underground work in 2024, and design and planning 2023; and

Whereas large commercial truck traffic will have to be re-routed during the reconstruction work on Lawe Street, this provides an opportunity to make permanent changes as well as explore options to save on cost of materials;

THEREFORE BE IT RESOLVED that when the redesign comes up prior to Lawe Street's reconstruction, staff will explore removing the Truck Route designation from Lawe Street between College Avenue and Hancock Street, and finding an alternate route for truck traffic to travel north and south. Specifically, staff will conduct a Lawe Street (from College Avenue to Hancock Street) corridor study that includes: an analysis of deterioration of terrace habitat and trees due to trucks, cost benefit analysis of construction, origin/destination study, traffic volume report, specific traffic speed reduction efforts, and an environmental impact assessment to include truck particulate matter emissions and a heavy metal analysis that are being deposited into the roadway. This study will be completed by March 2024.



DEPARTMENT OF PUBLIC WORKS
Engineering Division
100 North Appleton Street
Appleton, WI 54911
TEL (920) 832-6474

To: Municipal Services Committee and Common Council
From: Danielle Block, Director of Public Works
Date: September 27, 2023
Re: Resolution #10-R-22 Lawe Street Truck Route Analysis - **AMENDED**

10-R-22 Amendment Considerations

Proposed Research

Timeline

Portions of the requested research would need to be outsourced. Through the solicitation and selection process, discussions with the consultants would need to include the feasibility of completing the analysis by March 2024. The scope of services and proposals would likely include additional fees to complete the work at an expedited schedule. It is worth considering extending the deadline to avoid such fees. Of note, the process to complete a traffic origin destination study and environmental impact assessment related to truck particulate matter emissions and heavy metal deposition would likely extend past the March 2024 deadline.

Note the proposed additional research is not a requirement of the State & Federal Funding, there is no air quality analysis or noise analysis requirement under the environmental documentation based on the project type (reconstruction). However, Environmental Document items that are required by Federal and State agreement and already included in the consultant contract are as follows:

- Disclosure Statement as required by 40 CRFR 1506.5(c)
- Categorical Exclusion Checklist Environmental Document as specified in Trans 400, Wisconsin Administrative Code
- Historical and Archaeological Reviews: Area of Potential Effect identification - an archaeological and historical reconnaissance and evaluation study
- Hazardous Materials/Contamination Assessments, a Phase 1 investigation
- Native American Coordination
- Section 401 and 402 Certifications in accordance with the Clean Water Act
- US Fish and Wildlife Service for potential impacts to endangered and threatened species
- Soil and Subsurface investigation to include 8 borings to a depth of 10 feet below the existing grade to determine existing pavement structure, including base courses.

Cost Benefit Analysis – Roadway Construction

For cost estimating purposes there are no basic design elements that will change based on the designation of truck route. The following elements will remain the same:

- Pavement Thickness
- Lane Width
- Pedestrian Accommodations
- Streetscape Elements

There are traffic calming features that would likely be eliminated based on the traffic volumes and truck route designation:

- Raised Crosswalks
- Raised Intersections

Safety

Safety was referenced in the resolution and community listening session feedback. The Traffic Engineering Division prepared the following crash history information comparing similar corridors and all crashes versus crashes involving a commercial motor vehicle.

A commercial motor vehicle (CMV) means a motor vehicle having one or more the following characteristics:

1. The vehicle over 26,000 pounds.
2. The vehicle is over 26,000 pounds inclusive of a towed unit or actual gross weight of more than 10,000 pounds.
3. The vehicle is designed to transport the driver and 15 or more passengers.
4. The vehicle is transporting hazardous materials.

In short, the Commercial Motor Vehicle crash and safety information is specific to heavy trucks in excess of 26,000 pounds.

A corridor crash rate analysis is included with this memo. Crash data records were gathered from the WisPortal System, through the Wisconsin Traffic Operations and Safety Laboratory. Crashes are documented using the KABCO scale, as defined by the guidelines established by the Model Minimum Uniform Crash Criteria and is a functional measure of the injury severity for any person involved in the crash. When reading the attached crash information, the scale abbreviations as follows:

K = Fatal Injury

A = Suspected Serious Injury

B = Suspected Minor Injury

C = Possible Injury

O = No Apparent Injury

This analysis includes data from 2018-2022 using WisDOT Facilities Design Manual (FDM) standards. The data compares Lawe Street versus similar truck routes within the City of Appleton. **See Exhibit 1.**

Visual representations of the data within the table on Exhibit 1 is included within the pages of **Exhibit 2.**

The data illustrates there have been zero KAB CMV Crashes, or serious injury crashes involving a commercial motor vehicle.

STP-Urban BIL Funding Requirements

It is most important to note the following items regarding the consideration of amended 10-R-22. These items relate to the WisDOT grant funding applied for and awarded to the City of Appleton. Deviation from representations made in the application process put the City at risk of losing the STP-Urban Funding. Total grant funding for the Lawe Street project is \$2.8M, keep in mind the total City Capital Infrastructure Projects budget is \$4M annually.

Roadway Classification

STP-Urban Funding must be awarded to highways within urban areas on roads functionally classified as major collector or higher, not a local residential street. Major collectors circulate traffic and provide access to local businesses or homes. They distribute trips between local roads and arterials over greater distances than minor collectors. Lawe Street is classified by the Wisconsin Department of Transportation (WisDOT) as a minor arterial roadway. Minor arterials connect and support the system of Principal Arterials, serving trips of moderate length. In urban areas minor arterials often support transportation modes such as bus travel. All minor arterials provide opportunities for direct access to adjacent land uses. A modification in the truck route designation along Lawe Street could have consequences on the functional classification of the roadway resulting in the loss of funding. The current funding grant is \$364,907 (80%) for the design of Lawe Street and \$2,454,193 (65%) for the reconstruction of Lawe Street.

More information regarding WisDOT Functional Classification along with Criteria and Procedures can be found here: <https://wisconsindot.gov/Pages/projects/data-plan/plan-res/function.aspx#urban>

Sunset Date

The project is currently scheduled for construction during State Fiscal Year 2026. The sunset date, or expiration date, is June 30, 2031. The sunset date is determined based on the date a project is scheduled to be authorized. Sunset date is calculated as six years from the beginning of the state fiscal year in which the project is initially scheduled. A modification in the construction date due to design delays could result in the loss of funding as well. Additionally, delays in the design of the Lawe Street roadway would likely result in construction price escalation. Funding on the project is capped per the State Municipal Agreement and would not be adjusted due to inflation. Funding allocation each fiscal year is dependent upon approval of the State budget, delay of the project is not recommended.

Exhibit 1

Corridor Crash Rate

2018-2022

FDM Methodology

On	From	To	Length	ADT	Mi Traveled	100M Mi Traveled	All Reportable Crashes		KAB Crashes		All CMV Crashes		CMV KAB Crashes	
							Crashes	Crashes/HMVMT	Crashes	Crashes/HMVMT	Crashes	Crashes/HMVMT	Crashes	Crashes/HMVMT
Lawe	Washington	Summer	0.77	6650	9,398,698	0.094	41	436	3	32	1	11	0	0
Badger	College	Wisconsin	0.92	5600	9,410,917	0.094	43	457	7	74	3	32	0	0
Newberry/Walter	College	STH 441	1.57	5250	15,042,563	0.150	25	166	2	13	3	20	0	0
John	College	Calumet	1.31	7250	17,332,938	0.173	42	242	4	23	1	6	0	0
WisDOT 2-Lane ≤40mph								290		35				

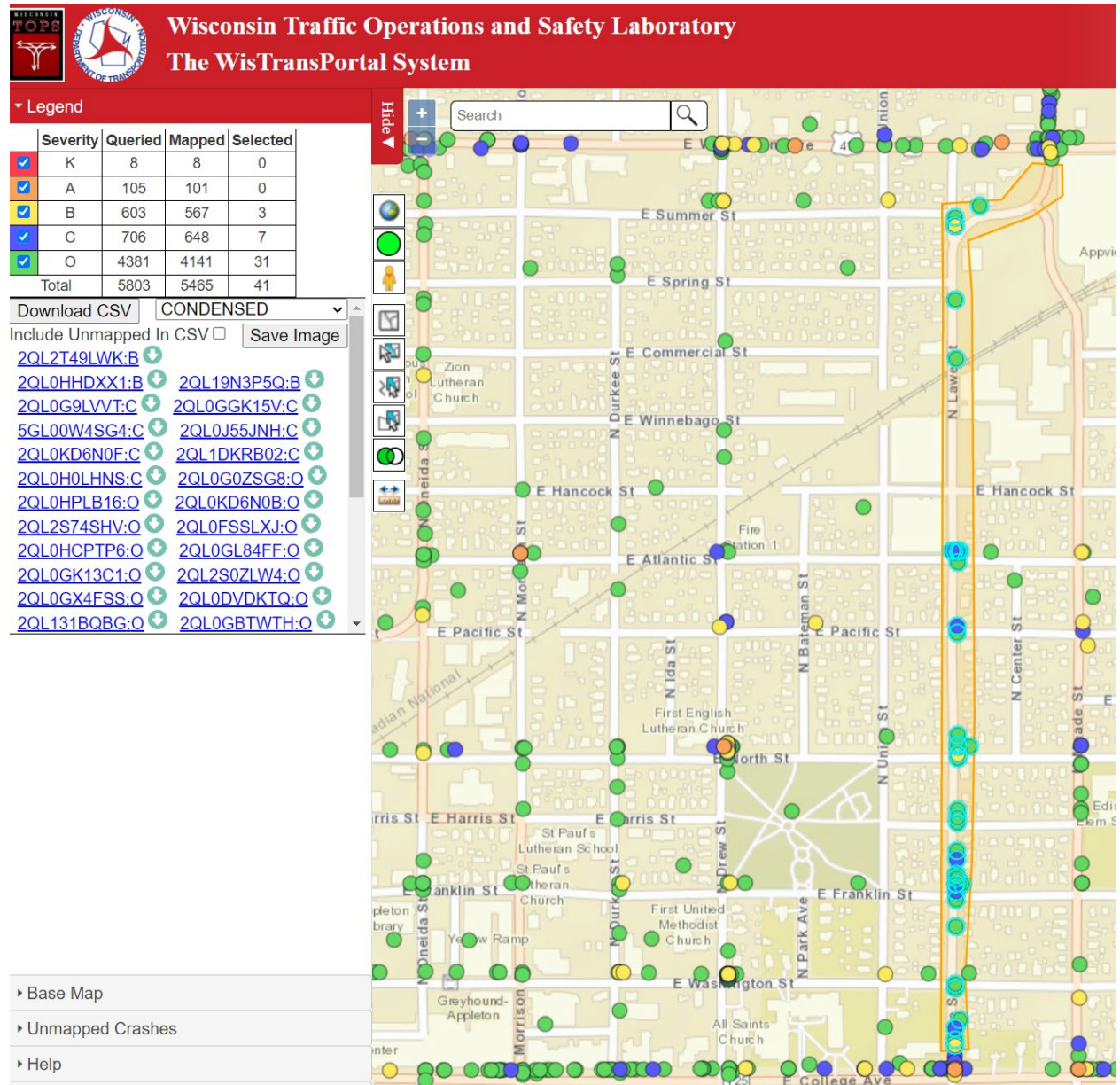
Table 1: 2016-2020 Statewide Average Crash Rates, KAB Crash Rates, and UCLs for State Highways

Meta-Manager Peer Group	Total Crash Rate (crashes per HMVMT)		KAB Crash Rate (crashes per HMVMT)	
	Average	UCL	Average	UCL
110 6-lane Freeways with AADT ≤ 90,300 vpd	69.89	$= 69.89 + 523.42 \sqrt{\frac{69.89}{AADT * L * Y}}$	8.64	$= 8.64 + 523.42 \sqrt{\frac{8.64}{AADT * L * Y}}$
120 6-lane Freeways with AADT > 90,300 vpd	100.33	$= 100.33 + 523.42 \sqrt{\frac{100.33}{AADT * L * Y}}$	9.42	$= 9.42 + 523.42 \sqrt{\frac{9.42}{AADT * L * Y}}$
130 4-lane Freeways	52.11	$= 52.11 + 523.42 \sqrt{\frac{52.11}{AADT * L * Y}}$	7.15	$= 7.15 + 523.42 \sqrt{\frac{7.15}{AADT * L * Y}}$
210 65 mph Expressways*	46.59	$= 46.59 + 523.42 \sqrt{\frac{46.59}{AADT * L * Y}}$	9.75	$= 9.75 + 523.42 \sqrt{\frac{9.75}{AADT * L * Y}}$
220 55 mph Expressways*	71.81	$= 71.81 + 523.42 \sqrt{\frac{71.81}{AADT * L * Y}}$	12.25	$= 12.25 + 523.42 \sqrt{\frac{12.25}{AADT * L * Y}}$
310 Multilane Divided Highways Posted at 45 mph or higher	204.68	$= 204.68 + 523.42 \sqrt{\frac{204.68}{AADT * L * Y}}$	26.15	$= 26.15 + 523.42 \sqrt{\frac{26.15}{AADT * L * Y}}$
320 Multilane Divided Highways Posted at 40 mph or lower	432.91	$= 432.91 + 523.42 \sqrt{\frac{432.91}{AADT * L * Y}}$	54.47	$= 54.47 + 523.42 \sqrt{\frac{54.47}{AADT * L * Y}}$
330 Multilane Undivided and One-Way Highways	465.24	$= 465.24 + 523.42 \sqrt{\frac{465.24}{AADT * L * Y}}$	59.5	$= 59.5 + 523.42 \sqrt{\frac{59.5}{AADT * L * Y}}$
410 Rural 2-lane Highways with AADT ≤ 2,000	98.89	$= 98.89 + 523.42 \sqrt{\frac{98.89}{AADT * L * Y}}$	24.86	$= 24.86 + 523.42 \sqrt{\frac{24.86}{AADT * L * Y}}$
420 Rural 2-lane Highways with 2,000 < AADT < 7,000	77.35	$= 77.35 + 523.42 \sqrt{\frac{77.35}{AADT * L * Y}}$	18.24	$= 18.24 + 523.42 \sqrt{\frac{18.24}{AADT * L * Y}}$
430 Rural 2-lane Highways with AADT ≥ 7,000	90.98	$= 90.98 + 523.42 \sqrt{\frac{90.98}{AADT * L * Y}}$	19.23	$= 19.23 + 523.42 \sqrt{\frac{19.23}{AADT * L * Y}}$
440 2-Lane Highways Posted at 40 mph or lower	290.29	$= 290.29 + 523.42 \sqrt{\frac{290.29}{AADT * L * Y}}$	35.07	$= 35.07 + 523.42 \sqrt{\frac{35.07}{AADT * L * Y}}$

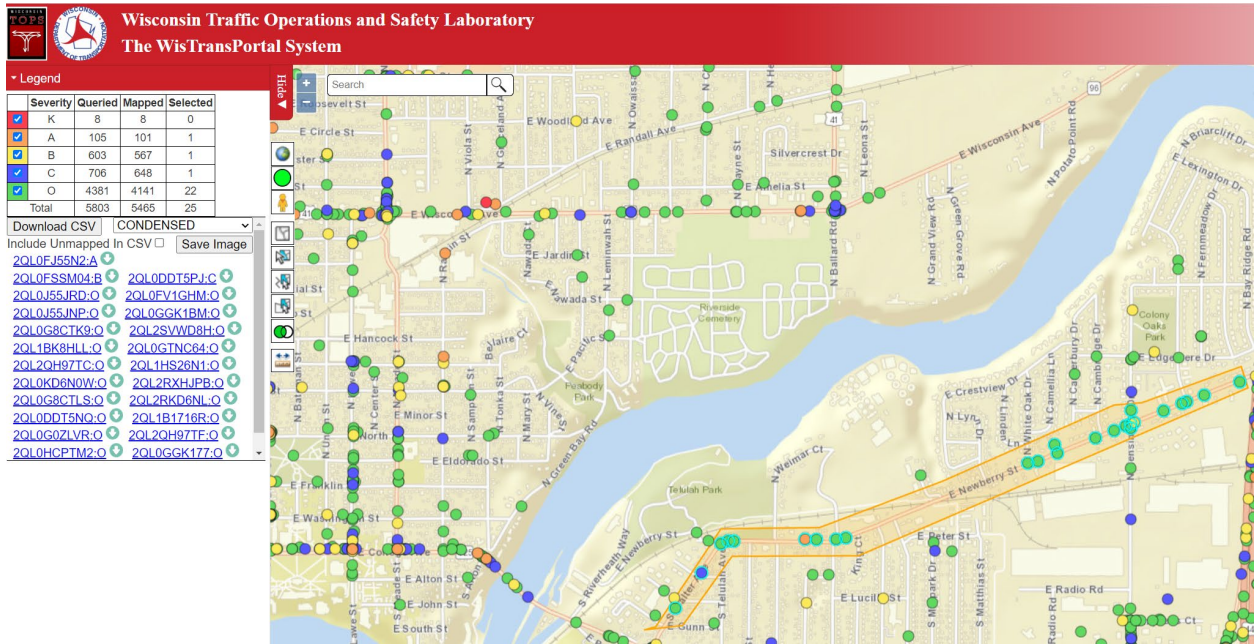
AADT = Average Annual Daily Traffic (vehicles per day) L = Segment Length (miles) Y = Years
 HMVMT = 100 million vehicle miles traveled

Exhibit 2

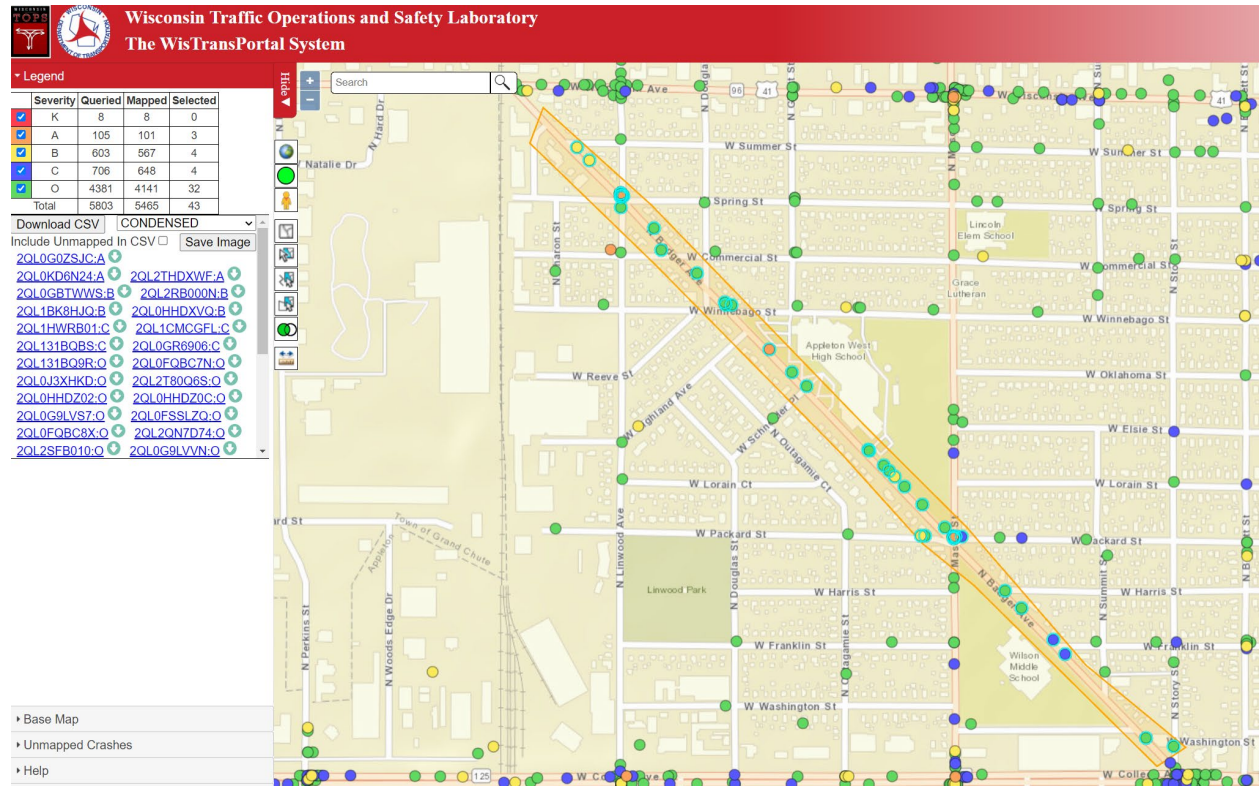
2018-2022 All Reportable Crashes (Lawe St from College Av to Wisconsin Av)



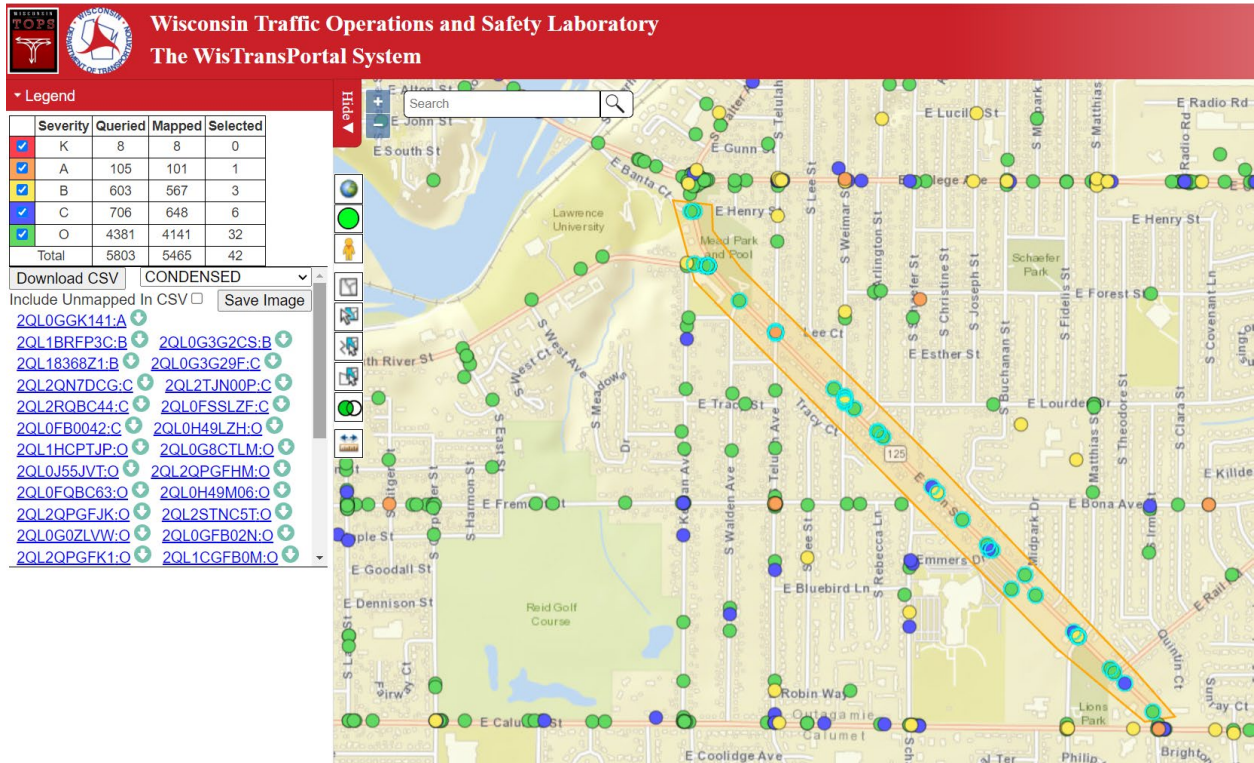
2018-2022 All Reportable Crashes (Newberry St / Walter Av from College Av to STH 441)



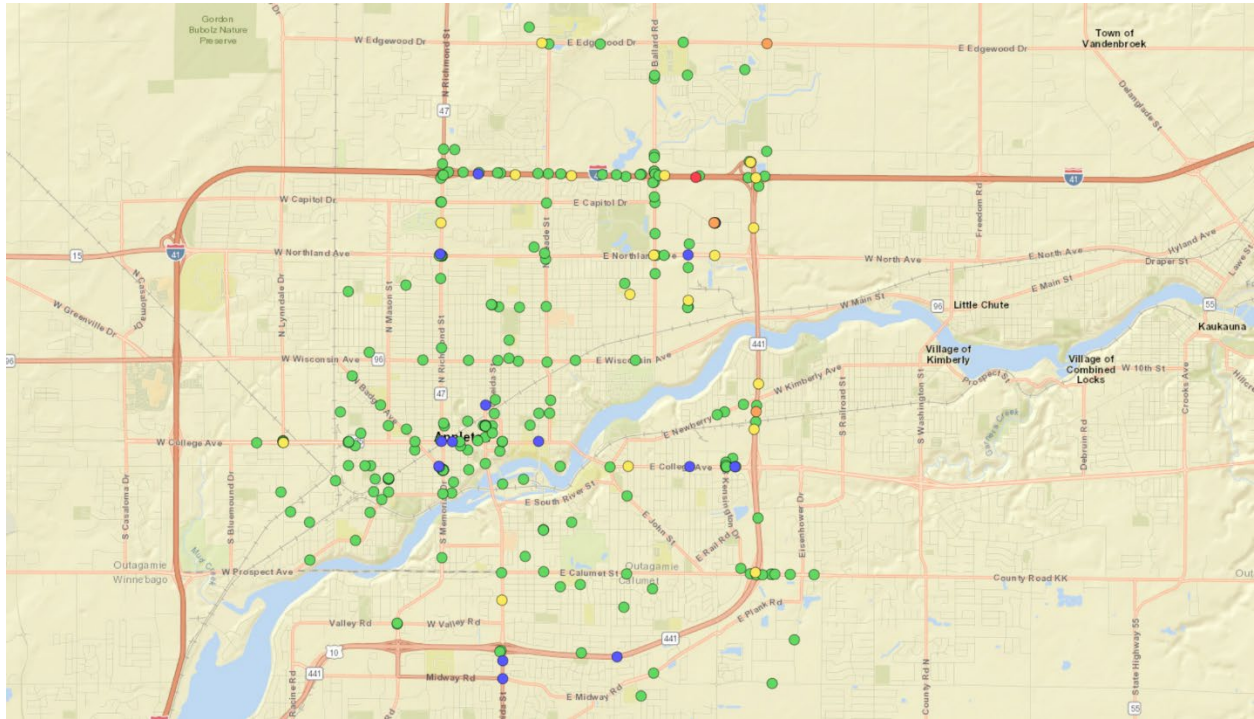
2018-2022 All Reportable Crashes (Badger Av from College Av to Wisconsin Av)



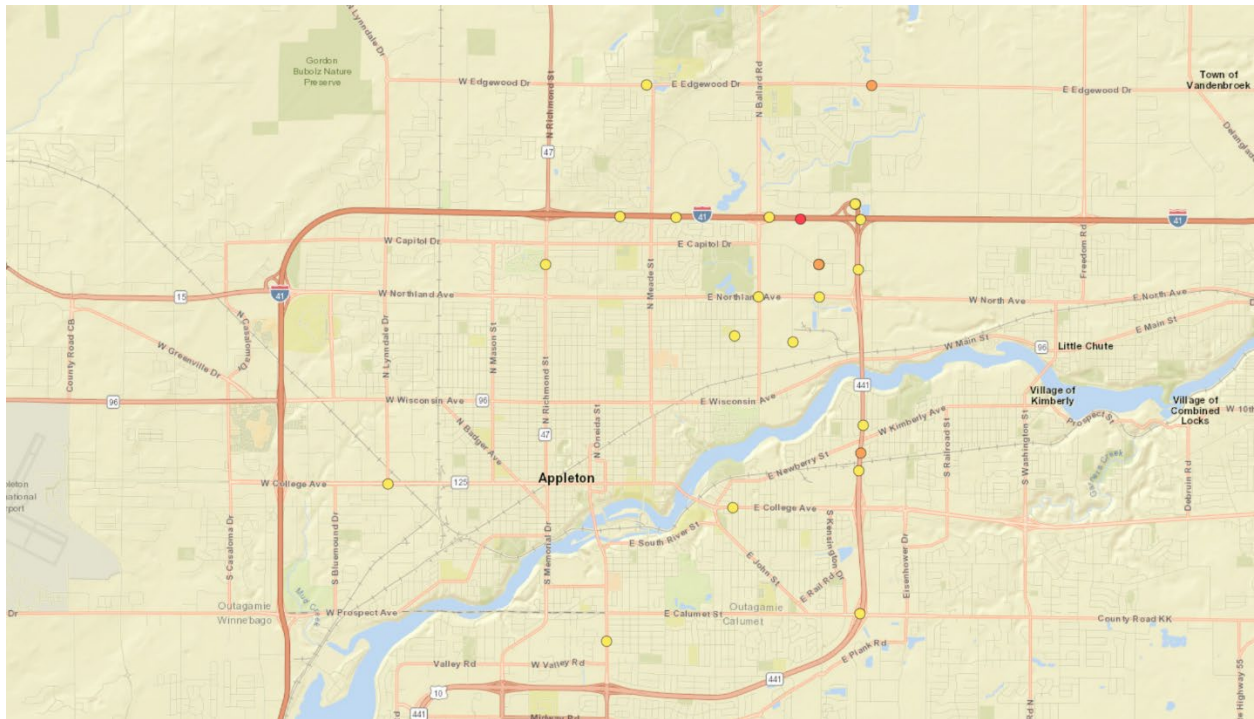
2018-2022 All Reportable Crashes (John St from College Av to Calumet St)



2018-2022 Commercial Motor Vehicle Crashes (citywide)



2018-2022 Commercial Motor Vehicle Crashes involving KAB Injuries (citywide)



APPLETON

Existing function detail maps for planned routes

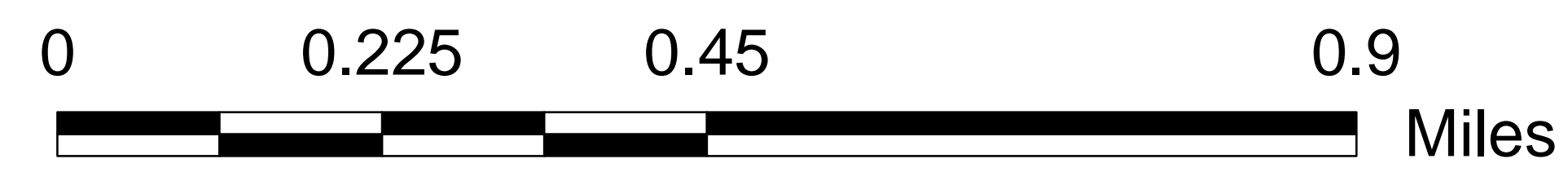
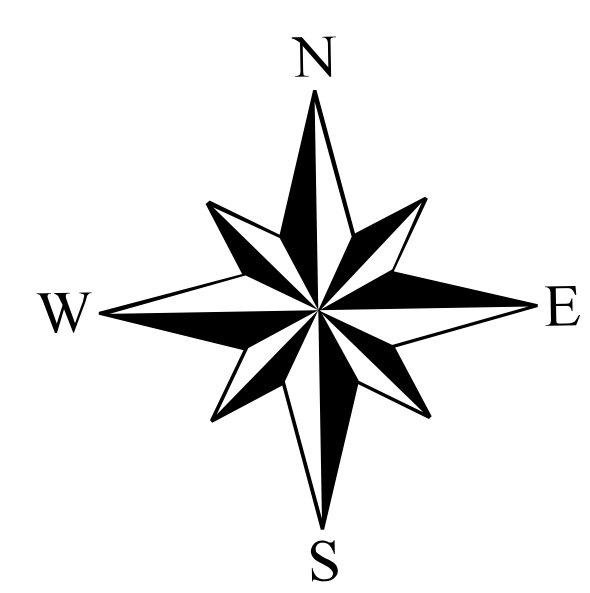
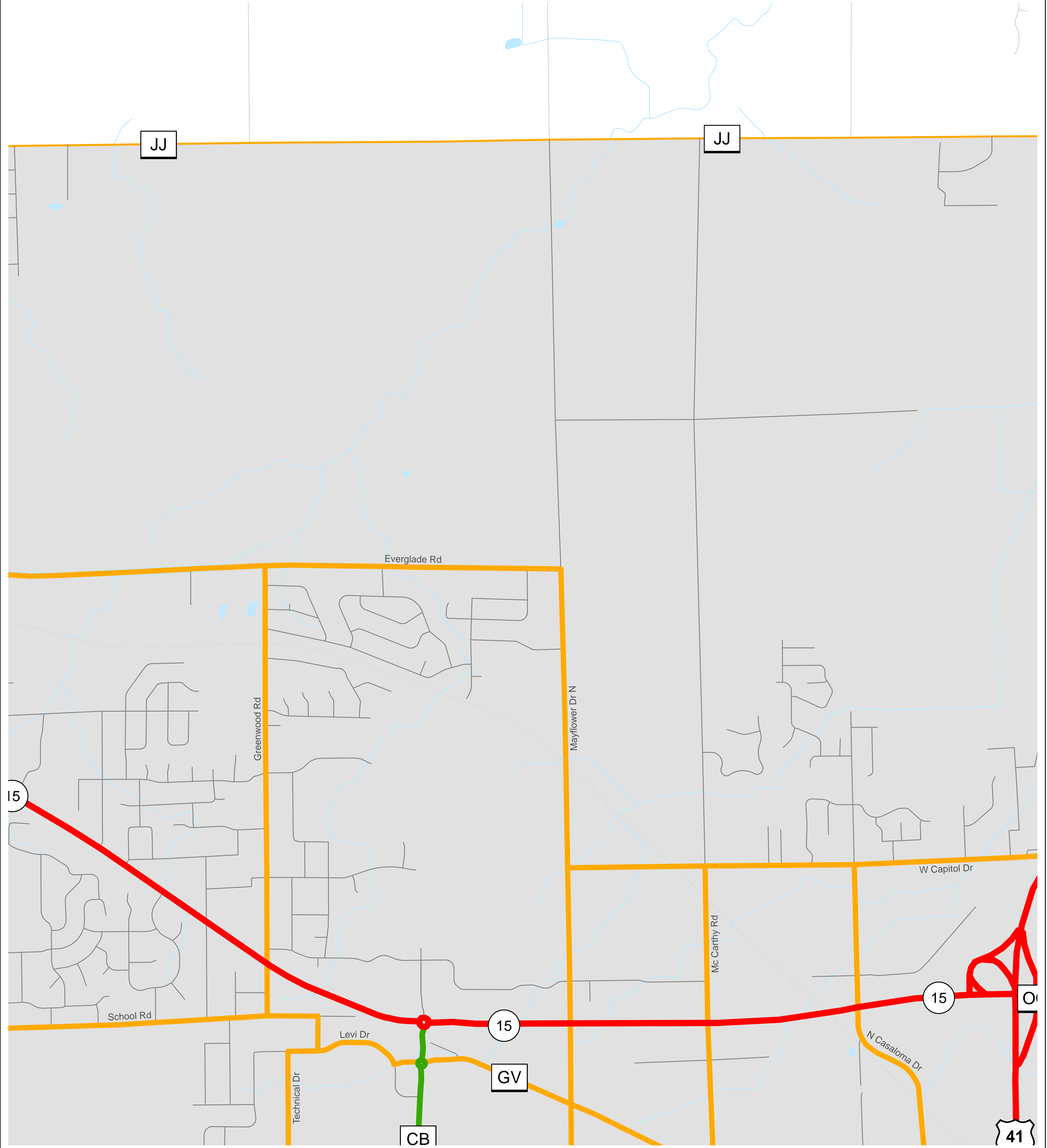
Page

- 3 CTH CB extension
- 4 S Eisenhower Dr extension

APPLETON (existing function detail: CTH CB extension)

Functional Classification 08/11/2016

APPLETON (existing function detail: CTH CB extension)



Legend		Other	
Existing	Planned*		
			Railroads
			Lakes, Rivers, Streams
			City/Village Boundary
			Urban(ized) Area
			Other surrounding urban(ized) area
			Rural Area
			County Boundary

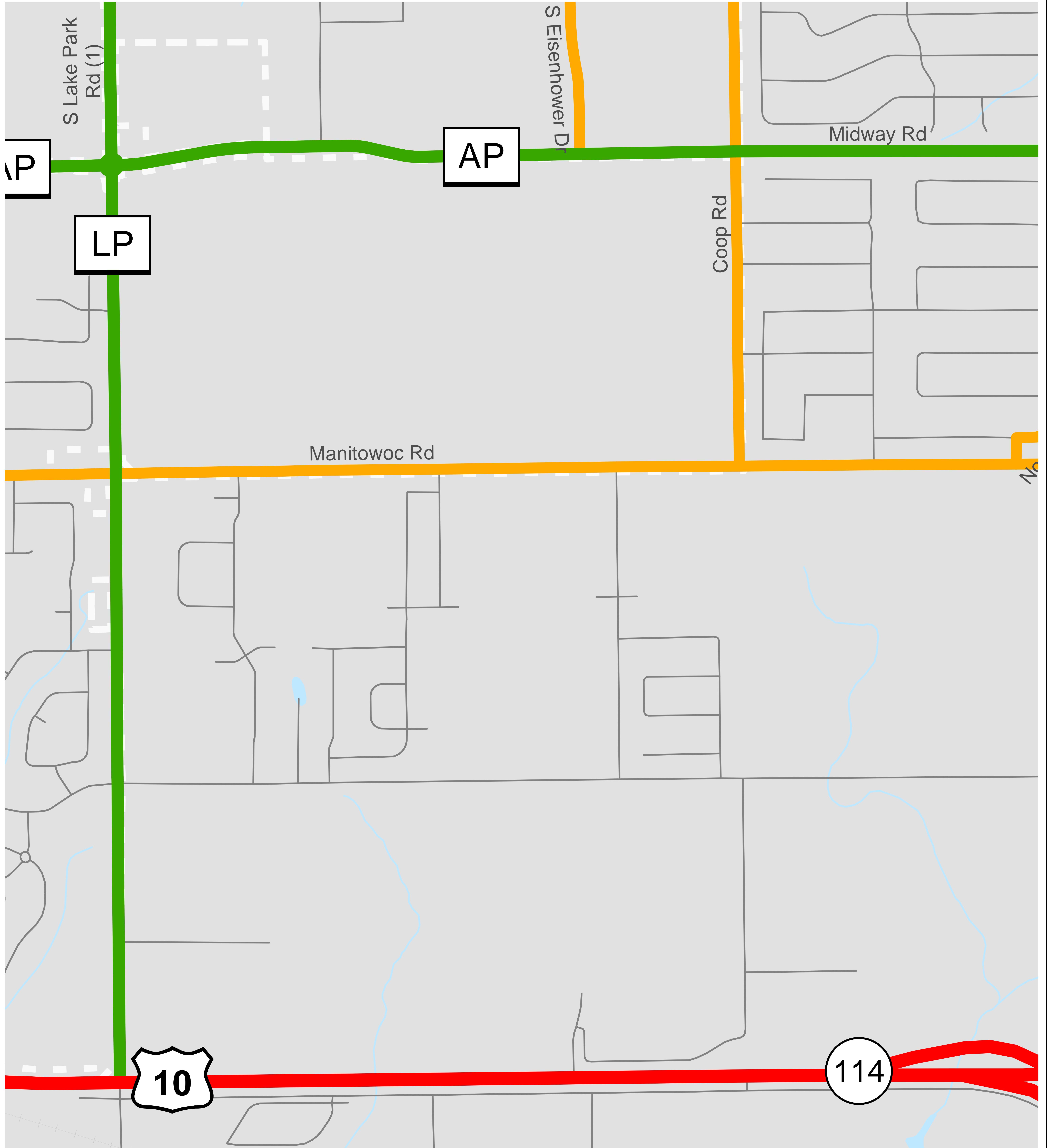
* NOTE: All planned route locations are approximations only.

The information on these maps and produced from these maps was created for the official use of the Wisconsin Department of Transportation (WisDOT). Any other use, while not prohibited, is the sole responsibility of the user. WisDOT expressly disclaims all liability regarding fitness of use of the information for other than official WisDOT business.

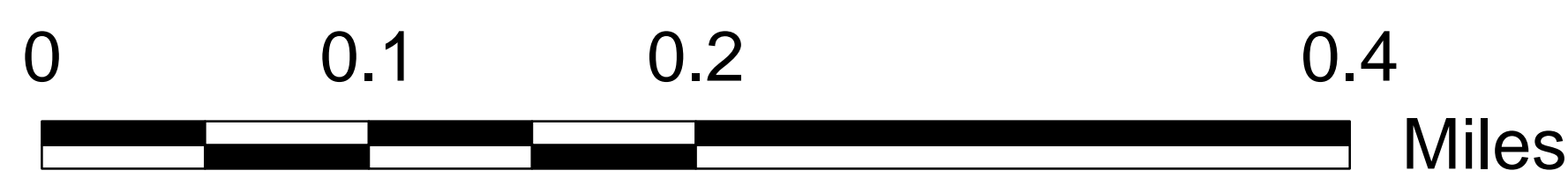
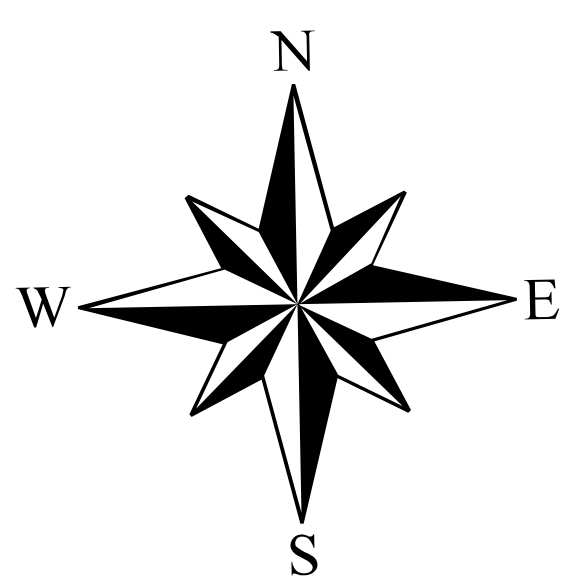
APPLETON (existing function detail: S Eisenhower Dr extension)

Functional Classification

08/11/2016



APPLETON (existing function detail: S Eisenhower Dr extension)



Legend	
Existing Planned*	
	Principal Arterial
	Minor Arterial
	Collector
	Local
Other	
	Railroads
	Lakes, Rivers, Streams
	City/Village Boundary
	Urban(ized) Area
	Other surrounding urban(ized) area
	Rural Area
	County Boundary

* NOTE: All planned route locations are approximations only.

ATTACHMENT Feedback Received via email as of 9/25/2024 5pm

Constituent input on the Lawe Street Truck Route.

Thank you!

Vered Meltzer

Aldersperson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
facebook.com/votevered

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From: Barb Weyenberg <weyengrif@charter.net>
Sent: Wednesday, September 13, 2023 9:39 AM
To: Vered Meltzer <District2@Appleton.org>
Subject: Re: Lawe Street Truck Route - Upcoming Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you for this opportunity to comment. I recommend no trucks south of Wisconsin Ave. in this neighborhood. I recommend removing the truck route designation IF it is not simply moved to Meade, Rankin or some other location south of Wisconsin Ave. That would not be acceptable. The noise carries all over this area and the trucks tear up the roads requiring continuous repair and cost to taxpayers. Trucks can go down Wisconsin Ave or OO and catch the 441 interchange near Little Chute to access the highway. Semi trucks in a residential area not good. These semi trucks are a hazard in nearby roundabouts in residential areas also. Barb Weyenberg

Sent from my iPad

On Sep 13, 2023, at 9:16 AM, Vered Meltzer <District2@appleton.org> wrote:

Greetings, District 2!

The Lawe Street truck route question will be reviewed at the Municipal Services Committee on September 25th at 4:30pm. Staff will bring forward a recommendation on whether or not to remove the truck route designation, and the committee will vote on that recommendation. This meeting is open to the public and there will be an opportunity for members of the public to speak. If you are unable to attend, please share your comments with me so that I can pass them along to staff and the committee.

Thank you!

Vered Meltzer
Aldersperson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
[facebook.com/votevered](https://www.facebook.com/votevered)

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More constituent feedback. Thank you!

Vered Meltzer
Alderson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
facebook.com/votevered

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From: Timothy Watson <timandpete@gmail.com>
Sent: Wednesday, September 13, 2023 10:16 AM
To: Vered Meltzer <District2@Appleton.org>
Subject: Re: Lawe Street Truck Route - Upcoming Meeting

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Thank you, Vered,

I will be out of town at the time of this meeting, but please note that I am in favor of removing the truck route designation from N Lawe Street, and making it more pedestrian and bicycle friendly.

Tim

Tim Watson
11 Bellaire Ct, Appleton, WI 54911
timandpete@gmail.com

On Wed, Sep 13, 2023 at 9:16 AM Vered Meltzer <District2@appleton.org> wrote:
Greetings, District 2!

The Lawe Street truck route question will be reviewed at the Municipal Services Committee on September 25th at 4:30pm. Staff will bring forward a recommendation on whether or not to remove the truck route designation, and the committee will vote on that recommendation. This meeting is open to the public and there will be an opportunity for members of the public to speak. If you are unable to attend, please share your comments with me so that I can pass them along to staff and the committee.

Thank you!

Vered Meltzer
Alderson, Appleton District 2

(Pronouns: he, him, his)
920-809-6669
[facebook.com/votevered](https://www.facebook.com/votevered)

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Constituent feedback on the Lawe Street Truck Route. Thank you!

Vered Meltzer
Alderson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
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From: Barbara Agness <babettebarbie@gmail.com>
Sent: Wednesday, September 13, 2023 10:25 AM
To: Vered Meltzer <District2@Appleton.org>
Subject: Re: Lawe Street Truck Route - Upcoming Meeting

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I should think that they could make the truck route, Wisconsin Ave and Richmond street. The little jog off of Wisconsin Ave, to Meade to the businesses that use trucks could be OK.

Thanks, Barb

On Sep 13, 2023, at 9:06 AM, Vered Meltzer <District2@Appleton.org> wrote:

Greetings, District 2!

The Lawe Street truck route question will be reviewed at the Municipal Services Committee on September 25th at 4:30pm. Staff will bring forward a recommendation on whether or not to remove the truck route designation, and the committee will vote on that recommendation. This meeting is open to the public and there will be an opportunity for members of the public to speak. If you are unable to attend, please share your comments with me so that I can pass them along to staff and the committee.

Thank you!

Vered Meltzer
Alderson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
[facebook.com/votevered](https://www.facebook.com/votevered)

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Lawe Street input.

Thank you!

Vered Meltzer

Aldersperson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
facebook.com/votevered

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From: webmaster@appleton.org <webmaster@appleton.org>

Sent: Saturday, September 23, 2023 5:29 PM

To: Vered Meltzer <District2@Appleton.org>

Subject: Appleton, WI: Contact Your Alderspersons email

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A new entry to a form/survey has been submitted.

Form Name: Contact US - Dist2
Date & Time: 09/23/2023 6:29 PM
Response #: 189
Submitter ID: 66696
IP address: 134.215.0.243
Time to complete: 10 min. , 41 sec.

Survey Details

Page 1
Email Address: vancen@gmail.com
First Name: Natalie
Last Name: Lewellyn
Address: 608 E Pacific St

City:

Appleton

State/Province:

Wisconsin

Zip Code:

54911

Phone Number:

(415) 816-3547

Fax Number:

Not answered

Comments/Questions:

Problem: there are too many cars and trucks going by on Lawe Street and they do not stop to let pedestrians cross. It is also hard for cars to cross that street.

Potential solutions: bump out the curbs at key intersections to slow traffic (like on Meade St), have the Appvion trucks go elsewhere, add stop signs at two intersections (just one intersection would make problems for that street), add crossing lights (like the ones for Lawrence across college) or actually do a campaign city-wide where people get tickets for not stopping to let pedestrians cross at crosswalks.

I would prefer to have there be fewer trucks on Lawe (make it not a trucking route). I think widening the street would cause people to go faster, even if the widening was adding a bike lane, and would make the problems worse. Narrowing the street at certain points by bumping the curb out would slow traffic.

Thank you,

Natalie Lewellyn

The Appleton Common Council consists of 15 elected Alderpersons. Currently the Council president is Alderperson Matthew Reed and vice-president is Alderperson Katie Van Zeeland. The Common Council meets the 1st and 3rd WEDNESDAY of the month at 7:00 p.m. in Council Chambers. If you wish to see a current week's schedule of meetings for the Council and its Committees, Commissions and Boards you can find that [here](#).

Weekly Aldermanic packets that are supplied to Alderpersons each Friday can be found [here](#).

To view a list of committees in the City of Appleton please click [here](#).

View [Council Attendance](#) information

Thank you,
Appleton, WI

This is an automated message generated by Granicus. Please do not reply directly to this email.

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More input on the truck route. Dani, can these emails that came in over the weekend be included in the packet for the committee on Monday?

Thank you!

Vered Meltzer
Aldersperson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
facebook.com/votevered

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From: Janet Scheibe <janetplannet1552@gmail.com>
Sent: Friday, September 22, 2023 3:39 PM
To: Vered Meltzer <District2@Appleton.org>
Subject: Re: Lawe Street Truck Route Update

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The proposed change in hours does not change any of the concerns expressed by citizens except for noise at night. The rights of private citizens should FAR outweigh those of Apvion. Is Apvion going to pay to repair the (ongoing) damage to the homes on Lawe Street? No. This is NOT acceptable. JL SCHEIBE

On Fri, Sep 22, 2023 at 12:18 PM Vered Meltzer <District2@appleton.org> wrote:
Greetings!

As you know, the Municipal Services Committee will be taking up the Lawe Street Truck Route question on Monday, Sept 25th at 4:30pm. (This meeting will be about the truck route only, not other design elements of the Lawe Street reconstruction. There will be future meetings on the design and reconstruction.)

I am attaching the materials that will be part of the agenda on Monday. There is a staff memo with a recommendation to approve the resolution with a compromise in the form of restricting the hours in which the trucks will use Lawe Street. There is a collection of relevant documents including a map of all the current truck routes. Finally, the input captured at the Listening Session is attached as well.

Please review these materials and let me know if you have any questions, or comments that you want shared with the Municipal Services Committee.

Thank you!

Vered Meltzer
Aldersperson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
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More Lawe Street input, but this is on the design, not the truck route.

Thank you!

Vered Meltzer

Aldersperson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
facebook.com/votevered

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From: Jane Parish Yang <jane.p.yang@lawrence.edu>
Sent: Friday, September 22, 2023 12:49 PM
To: Vered Meltzer <District2@Appleton.org>
Subject: Re: Lawe Street Truck Route Update

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Hello Vered,

I appreciate your keeping your constituents informed about the progress of this project and your working with Aldersperson Del Toro on behalf of the neighborhood around Lawe Street.

I hope the street is not widened and that viable trees can be saved. It is not important to designate such a high traffic street as a bike route-in fact, quite foolish to think every street needs this designation. There are safer streets nearby that can work for bike riders.

With thanks,
Jane Parish Yang,
1212 East Pacific Street

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From: Vered Meltzer <District2@Appleton.org>
Sent: Friday, September 22, 2023 12:12:55 PM
To: Vered Meltzer <District2@Appleton.org>
Subject: Lawe Street Truck Route Update

Greetings!

As you know, the Municipal Services Committee will be taking up the Lawe Street Truck Route question on Monday, Sept 25th at 4:30pm. (This meeting will be about the truck route only, not other design elements of the Lawe Street reconstruction. There will be future meetings on the design and reconstruction.)

I am attaching the materials that will be part of the agenda on Monday. There is a staff memo with a recommendation to approve the resolution with a compromise in the form of restricting the hours in which the trucks will use Lawe Street. There is a collection of relevant documents including a map of all the current truck routes. Finally, the input captured at the Listening Session is attached as well.

Please review these materials and let me know if you have any questions, or comments that you want shared with the Municipal Services Committee.

Thank you!

Vered Meltzer
Alderson, Appleton District 2
(Pronouns: he, him, his)
920-809-6669
[facebook.com/votevered](https://www.facebook.com/votevered)

FYI - Lawe Street!

Andy Anaam

Communications & Public Engagement Manager
Office of the Mayor, City of Appleton
Phone: (920) 832-5814
Email: anindita.anaam@appleton.org
<https://www.appleton.org/>



From: Kimberly Dickson <kimberly.dickson@lawrence.edu>
Sent: Monday, September 25, 2023 7:38 AM
To: Mayor <Mayor@Appleton.org>
Subject: Lawe St truck route

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Municipal Services Committee and Mayor Woodford,

I am a resident of Appleton and live at 610 E. Eldorado St. I am writing today to express my deep concern about the plans to develop Lawe St into a truck route *plus* a bike route. These plans for Lawe Street prioritize a corporation over the health, safety, and beauty of a historic Appleton neighborhood and its residents. Under no circumstances is a bike route combined with a truck route appropriate for a residential neighborhood.

As a parent, Lawe St. never felt like a safe street for my child to cross. Walking from our house to Edison School for basketball or to a friend's house was always a concern for me. Traffic is heavy, drivers are inattentive, and there is no way one of those massive trucks could stop in time if a child were to accidentally enter the road in front of it. Biking through the neighborhood requires strict adult supervision as well, especially for kids living around City Park and in the narrow strip of the neighborhood flanked by Drew and Lawe Streets. In other Appleton neighborhoods, I see young children riding their bikes through the streets during summer. They're protected from the main thoroughfares like Ballard Rd or College Ave. Our kids have not been so lucky – my daughter had to be much older to navigate the streets in our neighborhood. **Keeping the truck route through the City Park Neighborhood prioritizes a business over hundreds of residents and their families.**

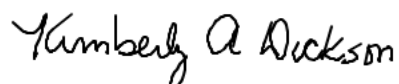
The construction proposed on Lawe St would not only continue to fracture the neighborhood and perpetuate a major safety concern, but would also come at an environmental and aesthetic cost. Removal of the trees along Lawe St to widen the road would cause homes to lose shade and noise reduction, and Appleton would lose 100+-year old beautiful oxygen-generating carbon sinks (aka, trees). While there are environmental concerns with either re-routing trucks (emissions) or with re-building a truck route (terrace and tree loss, massive use of concrete and greenhouse gas emission), only the Lawe

St. route brings semi trucks through a residential neighborhood. The aesthetic cost to the Lawe St. corridor is more severe. Picture yourself driving down the concrete jungle of Wisconsin Avenue. Lawe St will have a similar look when large established trees and green terraces are replaced with more concrete and small trees like the service berry trees planted on Eldorado St when it was redone ~6 years ago. **Property values will be harmed and the aesthetic of our historic downtown will be harmed if the truck route remains in place.** The Lawe St. corridor deserves better.

Finally, I'm not sure why adding a bike lane to Lawe St, and one with such potentially dangerous design, is necessary at all. I am an experienced cyclist and a regular bike commuter on the Drew St bike lane. Even though that street is not a truck route, I often feel unsafe on Drew St because of drivers on cell phones swerving into the bike lane. Lawe St would feel even more dangerous than Drew because of the trucks. Hitting a pothole and falling off my bike could cost me my life. I've ridden my bike down Franklin St hundreds of times, and I always fear the stretch of road near the bus depot. Some buses swing a little extra wide while making turns in to the bus station, and even when they don't there's barely enough room for the bike lane. It's very scary to navigate that stretch of road. Why one earth should anyone want to ride a bike next to a semi, and how would this provide a safe environment for children in the neighborhood?

While I understand that businesses are important to Appleton's ability to thrive, I also think that this a big opportunity to improve our city and make downtown an even more attractive place to live. Paper executives and this big corporation can afford to change and adapt to a new trucking route. They should support efforts to preserve the beauty and vibrancy of our neighborhood. In this time of a housing shortage, and influx of people to the Midwest in general, prioritizing the City Park neighborhood and Lawe St. corridor is a great forward-thinking investment. Please give our residents an even better place to live, maybe with a bike lane without trucks that could improve the quality of life (and attractiveness to new buyers). **I urge you to please OPPOSE the resolution to retain the Lawe St. truck route and refer the issue back to the City for a more thorough analysis.**

Thank you for your time.
Sincerely,



Kimberly Dickson
610 E. Eldorado St.

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Dear Ms. Block,

I am unable to attend tonight's meeting - I have been ill. However, I wrote my thoughts out a couple weeks ago in hopes between Lawe Street issues and the block of Lawrence homes decaying in the block south of City Park - well, that we might take prudent steps now to avoid urban 'core of city' decay and preserve and build up our historic, shared, definitive urban center instead - while we can.

Thank you very much!

Yours,

Anne Baruth

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Lawe Street Issues

Anne Baruth

August 2, 2023

Good afternoon. Thank you for this opportunity to voice observations and concerns regarding the City Park area and Lawe Street's truck traffic issues in particular.

We have lived in the City Park District since 1989. There are some key things that put our unique, core area of common history, community gathering, and city identity at risk. This includes the main truck thoroughfare along narrow, pedestrian rich, neighborhood-lined Lawe Street.

In 1989, my children were in late grade school at Edison Elementary. We were renting 217 North Union as we completed our Lawrence degrees. I remember the ongoing concern we had for our children who had to cross busy, nonstop Lawe Street to and from school every day. Add to that, they would visit friends east of Lawe.

Our concerns were heightened when a middle school friend of theirs was killed – turned into a flat pancake while on her bicycle - by a large truck near College and John Streets – an intersection of public concern that remained unheeded until the

tragedy. I say this to note areas of traffic concern can become areas of tragic reality.

While our children were young, the intersection on Lawe they most often frequented was Franklin. In winter it was sometimes too cold to readily go to the East North Street crossing guard corner.

In 2000, we moved to 507 E. Pacific Street and became well aware of the risks and concerns on the intersection of Lawe and Pacific.

Pedestrian traffic here includes Jacob's Market, Edison School, City Park, downtown, and many weekly and annual city events. Let me cite a few examples that demonstrate the need for review and long needed adjustment.

A former aging neighbor, always hunched over, had difficulty navigating the journey to Jacob's Market. Currently an older neighbor with a disabled husband awaits hip replacement. A heavy truck stopping in time – summer or winter – could imperil this woman.

While at Jacob's Market not long ago, a cheerful, middle-aged cashier, June, groceries in her arm, escorted an elderly customer very mindfully across Lawe Street to his car. Mind you, these things happen sleet or shine.

Just the other day we saw a car still angled off of Lawe Street stopped cold about two feet from hitting a very young child chasing a ball on Pacific Street. It is a crowded, bustling neighborhood anyway!

Personally, there have been numerous times when I've been delayed from crossing to Jacob's Market due to truck and truck enhanced traffic. The large trucks really do barrel down the street.

Our son and his children live two doors west of Lawe on Pacific. Noise is a problem as well.

Additionally, the heavy truck traffic makes that section of our core historic district undesirable. Houses lose value, get run down, other problems emerge.

My overall heart's desire for our district is that it would become a focus of positive, fortifying civic interest before it is too late.

We have the decaying infrastructure of irreplaceable historic homes south of City Park, increasing homeless issues in and around the park, and the safety and other concerns truck traffic on Lawe Street creates.

Will we be the next rotted out city (from the inner city out) as we grow? ... or will our community and leaders rise to this George Bailey (It's a Wonderful Life) moment to save what is of far greater worth than the extra mile profit of one large business?

Perhaps today we can step back, look at the big picture future, begin to work toward that greater good and better purpose ...



MEMORANDUM

TO: Municipal Services Committee
FROM: Andrew Dane, Lawrence-City Park Neighborhood Association
DATE: September 22, 2023
RE: Staff Report – Resolution #10-R-22 Lawe Street Truck Route Analysis

The purpose of this memo is to express concern regarding the conclusions reached in the DPW Staff Report – Resolution #10-R-22 Lawe Street Truck Route Analysis (Truck Route Analysis) dated September 20, 2023. The resolution called for staff to “explore removing the Truck Route designation between College Avenue and Hancock Street and finding an alternate route for truck traffic to travel north and south.”

The memo states that **“Staff does not recommend a new alternative truck route to replace Lawe Street”** and cites the following as evidence for drawing their conclusion:

- **Efficiency and Cost** – an alternative truck route could disrupt the efficiency of our transportation system, leading to increased travel time, congestion and additional fuel costs.
- **Safety Concerns** – the existing truck route network has been designed with safety in mind and appropriate truck turning accommodations.
- **Community Impact** – implementation of an alternative route could have a negative impact on a corridor that historically has not experienced measurable trucking volumes.
- **Environmental Considerations** – a modification to the truck route will likely have increased emission levels and travel time.

Most reasonable people would not take issue with the findings bulleted above. There are always significant **cons** associated with moving away from the status quo. However, a better analysis of an alternate route would include the **pros and cons of the status quo as well as the alternate route**, rather than be based primarily on the actual/perceived costs to Appvion (and the broader community) of **removing** the truck route. To put it bluntly we need to quantify the costs and benefits to the neighborhood of removing truck traffic in order to make an informed decision.

Therefore, please consider OPPOSING the resolution and referring the truck route analysis back to City staff for a more comprehensive estimate of the true costs and benefits of this decision.

Below is an attempt to present a useful framework for evaluating an alternate route. It should be noted that under the current logic, the items listed under CONS (red) are implicitly valued at less than \$205/day!

	PROS	CONS
STATUS QUO (Keep truck route as is)	+ lower fuel costs + less wear and tear on trucks + lower labor costs	-parents afraid to let their kids walk to City Park / Edison -pedestrian safety concerns including concentration of low to moderate income households and older residents -depressed property values -vehicle emissions -continued deterioration of City Park Historic District -inability to implement bike plan and safe routes to school without deliberately (and unnecessarily) mixing bicyclists, kids, and semi-trucks
*441 ALTERNATE (remove one short segment from the City's current truck route)	+ improved pedestrian safety + lower vehicle emissions + less vehicular pollution + enhance historic character of neighborhood + safely implement bike and safe routes to school plans	-Costs Appvion an additional \$75K/Year. (\$205/day) -Labor (\$37,550) -Fuel (\$18,195) -Wear (\$22,134)

*441 Alternate (Wisconson>Ballard>Northland>441)

** Assumptions:

1. 11,680 1-way trips (memo)
2. 33,792 additional miles (memo)
3. 751 additional hours driving time (memo)
4. \$50/HR truck driver salary
5. 6.5 MPG Average Semi fuel economy
6. \$3.50 per gallon diesel
7. \$.65/mile (wear & tear)

From: Israel Del Toro <District4@Appleton.org>
Sent: Saturday, September 23, 2023 7:08:51 PM
To: Katie Van Zeeland <District5@Appleton.org>
Subject: Lawe St. Resolution

Ald. Van Zeeland,

The municipal services committee will consider the recommendations of city staff regarding the redevelopment of Lawe street in the coming years. A major point of contention is the staff's recommendation in retaining the truck route on Lawe street. See the attached letter from Mr. Dane regarding the rebuttal of citizens from the City Park neighborhood.

I have my own rebuttal that highlights the overwhelming sentiment of the citizens whom I represent. We are thankful for city staff that made the effort and took the time to hold a genuine community listening lesson, where it was clear that the majority of constituents expressed opposition to retaining truck traffic on Lawe street. Notable concerns by constituents included damage to property caused by heavy truck traffic. Noise, speed and structural integrity concerns are the most alarming. As trucks use Lawe street their weight and speed results in noise and vibrations that affect constituents home siding, glass and foundations. A local real estate group estimates that Lawe street homeowner sale-prices can be affected as much as \$10,000, compared to similar properties because of their location along the truck route.

Recently we as a council used the city's comprehensive plan to delineate appropriate land use. In this instance I am hopeful that we can do the same in an effort to keep commercial traffic along commercial and industrial sectors of the city and away from residential neighborhoods. The current route taken by trucks travels along a 90% residential area. By shifting the truck route north to Wisconsin Ave, Ballard and Northland, the route will follow an 80% commercial route and interfere with far fewer residential lots. Lets keep the businesses on commercial routes and protect the residents of District 2, 3 and 4.

Further I find the suggestion of regulating a private business greenhouse gas (GHG) emissions as an inappropriate argument. I can think of no other business where is the city of Appleton is responsible for managing GHG emissions of a private industry. I commend these businesses for being aware of their GHG emissions but it is their private responsibility to regulate and offset it internally.

The final argument regards safe driving alternatives. The northbound alternative presented above is a safer, albeit longer alternative. According to the Federal Transportation Administration, left hand turns are responsible for the vast majority of turning accidents on the road, nationwide (accounting for 1 in 4 crashes nationwide). [Here's an interesting read in Popular Mechanics detailing this logic.](#) The current route consists of seven individual left-hand turns, while the proposed alternative reduces this number to only two.

In summary staff recommendation to not change this truck route includes these following points. My concerns are follow each statement

♣ Efficiency and Cost – an alternative truck route could disrupt the efficiency of our transportation system, leading to increased travel time, congestion and additional fuel costs.

There has been no formal analysis or data associated with this statement. I encourage the committee to request this formal traffic analysis to evaluate if congestion would actually increase along proposed alternative truck routes.

♣ Safety Concerns – the existing truck route network has been designed with safety in mind and appropriate truck turning accommodations.

As mentioned above the current truck route already has more safety concerns compared to the proposed north-bound route.

♣ Community Impact – implementation of an alternative route could have a negative impact on a corridor that historically has not experienced measurable trucking volumes.

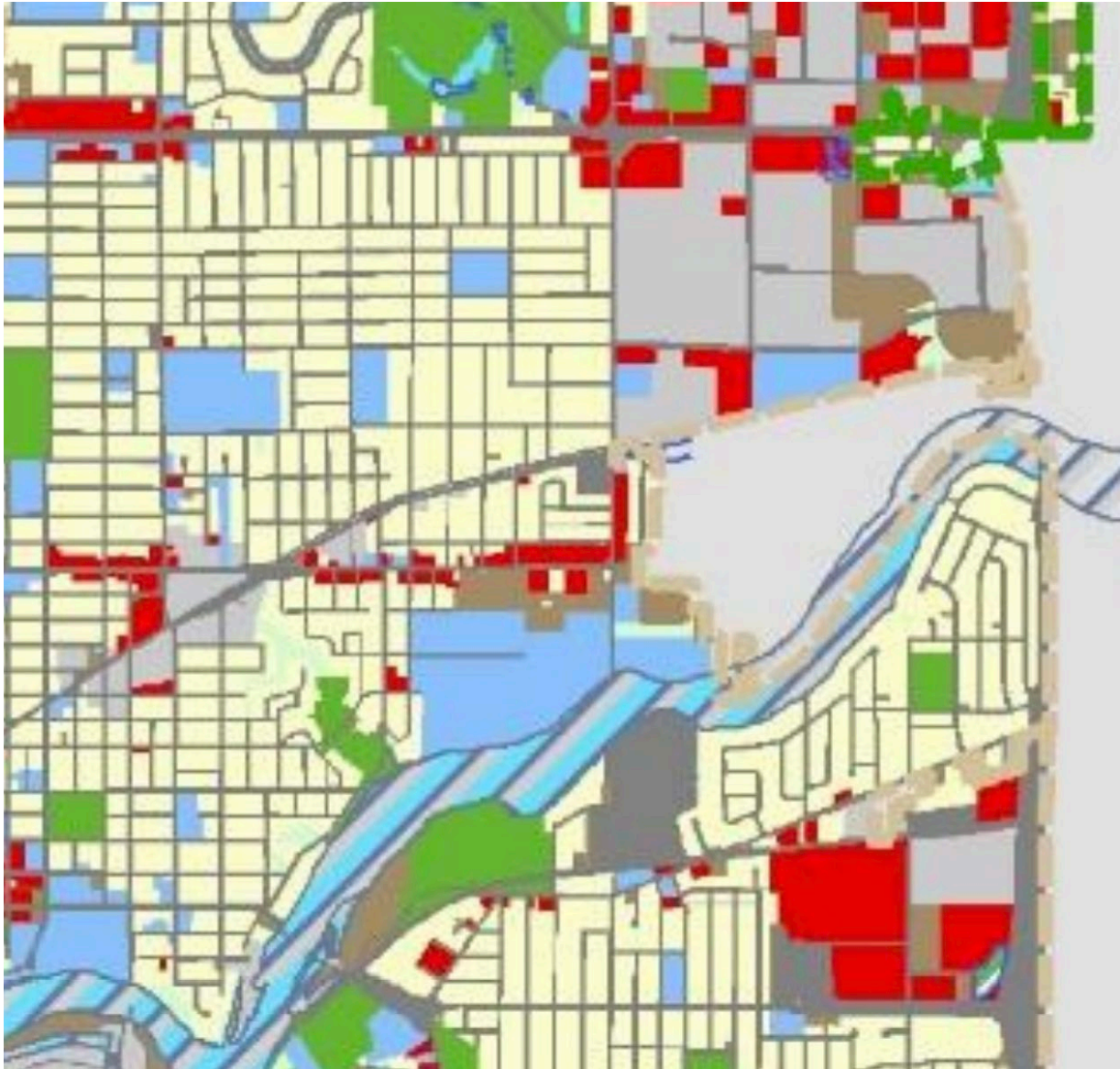
The continued use of Lawe by heavy trucks on a regular basis is what led to the deteriorating conditions in a residential neighborhood in the first place. The proposed alternative is largely designed for commercial and industrial use and moves traffic into more appropriate spaces. Again a formal traffic analysis should be conducted to fully address the statement above.

♣ Environmental Considerations – a modification to the truck route will likely have increased emission levels and travel time. o Based on these factors, staff does not recommend any alternative truck routes.

It is not the job of the city to implement GHG emissions mitigation strategies for private companies. This is the company's responsibility.

I am happy to continue the discussion about this resolution and my constituent's concerns.

Best,
Israel Del Toro
D4





REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: September 27, 2023

Common Council Public Hearing Meeting Date: October 18, 2023
(Public Hearing on Rezoning)

Item: Rezoning #7-23 – 4704 N. Ballard Road (Tax Id #31-1-8008-00) & adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00)

Case Manager: Lindsey Smith, Principal Planner

GENERAL INFORMATION

Applicant: Mark Boehlke of Hoffman Planning, Design & Construction

Owner: Prospera Credit Union, Sheila Schinke, CEO

Address/Parcel #: 4704 N. Ballard Road (Tax Id #31-1-8008-00) and adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00)

Petitioner's Request: The owner/applicant proposes to rezone the subject parcels from Temporary AG Agricultural District and R-1A Single-family District to C-2 General Commercial District. The proposed C-2 General Commercial District zoning classification is consistent with the current *Comprehensive Plan 2010-2030* Future Land Use Map and would allow the subject parcels to be developed in accordance with C-2 District Regulations.

BACKGROUND

The land locked parcel (Tax Id #31-1-8007-00) was annexed into the City of Appleton through the Van Handel Annexation on July 24, 1993, and the subject parcel officially came into the City with R-1A Single-family District zoning classification.

On September 6, 2023, the Common Council approved the 4704 N. Ballard Road Annexation Ordinance. The property was officially annexed to the City on September 12, 2023, at 12:01 a.m. The subject parcel officially came into the City with Temporary AG Agricultural District zoning classification. If the temporary zoning classification is not amended within 90 days, the zoning reverts to AG Agricultural District, per Section 23-65(e) of the Municipal Code.

STAFF ANALYSIS

Existing Site Conditions: The subject parcels total approximately 3.48 acres. 4704 N. Ballard Road has frontage on Ballard Road, which is classified as an arterial street on the City's Arterial/Collector Plan. 4704 N. Ballard Road is developed with a single-family residence. The adjacent land locked parcel directly to the east consists of vacant, undeveloped land.

Rezoning #7-23 – 4704 N. Ballard Road & adjacent land locked parcel

September 27, 2023

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Nonconforming Use: 4704 N. Ballard Road was zoned AGD Agriculture District in the Town of Grand Chute when the existing single-family residence was constructed. The proposed rezone to C-2 General Commercial District will create a legal, nonconforming use of the existing single-family residence. The legal, nonconforming use may be allowed to continue at this location pursuant to the applicable current requirements and subsequent amendments to Chapter 23 Zoning Ordinance. The owner/applicant has expressed their intent to remove the existing single-family residence, which will remove the legal, nonconforming use.

Surrounding Zoning Classification and Land Uses:

North: C-2 General Commercial District and R-3 Multi-family District. The adjacent land use is Prospera Credit Union Corporate Office and Latitude 44° Apartments Homes.

South: Town of Grand Chute and C-2 General Commercial District. The adjacent land use to the south is currently a single-family residence and Northwestern Mutual Financial Office.

East: PD/R-3 Planned Development/Multi-family Residential District. The adjacent land use to the east is currently Northbrook Crossing Condos.

West: R-2 Two-family Residential District. The adjacent land use to the west is currently agricultural land.

Proposed Zoning Classification: The purpose of the C-2 General Commercial District is intended for businesses which serve city and regional markets; provide goods and services to other businesses, as well as consumers; provide services to automobiles and serve the traveling public. Per Section 23-113(h) of the Municipal Code, the development standards for the C-2 District are listed below:

- 1) **Minimum lot area:** 14,000 square feet
- 2) **Maximum lot coverage:** 75%
- 3) **Minimum lot width:** 60 feet
- 4) **Minimum front yard:** 10 feet
- 5) **Minimum rear yard:** 20 feet
- 6) **Minimum side yard:** 0 feet, 10 feet if abutting a residentially zoned district
- 7) **Maximum building height:** 35 feet

Appleton Comprehensive Plan 2010-2030: The City of Appleton 2010-2030 Comprehensive Plan Map identifies the subject area as future commercial land use. 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 #7-23 – 4704 N. Ballard Road & adjacent land locked parcel

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Goal 8 – Economic Development

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

OBJECTIVE 9.5 Economic Development:

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

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

OBJECTIVE 10.2 Land Use:

Encourage redevelopment to meet the demand for a significant share of future growth, and to enhance the quality of existing neighborhoods.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

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

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

Rezoning #7-23 – 4704 N. Ballard Road & adjacent land locked parcel

September 27, 2023

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1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area can be served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
2. The effect of the proposed rezoning on surrounding uses. *Commercial uses are already established to the north and south of the subject area, while multi-family uses are located to the north and east, and single-family to the south. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding uses.*

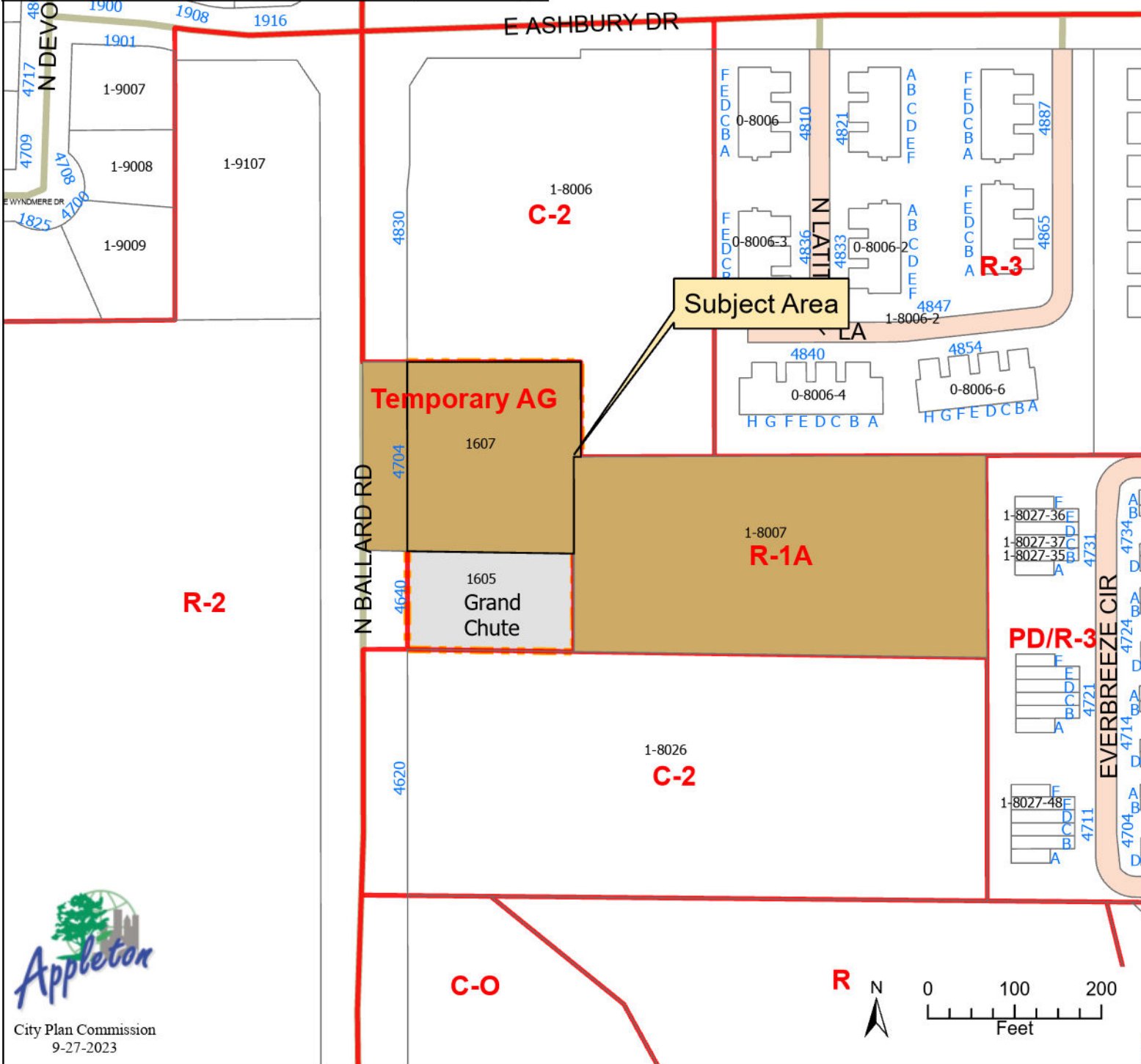
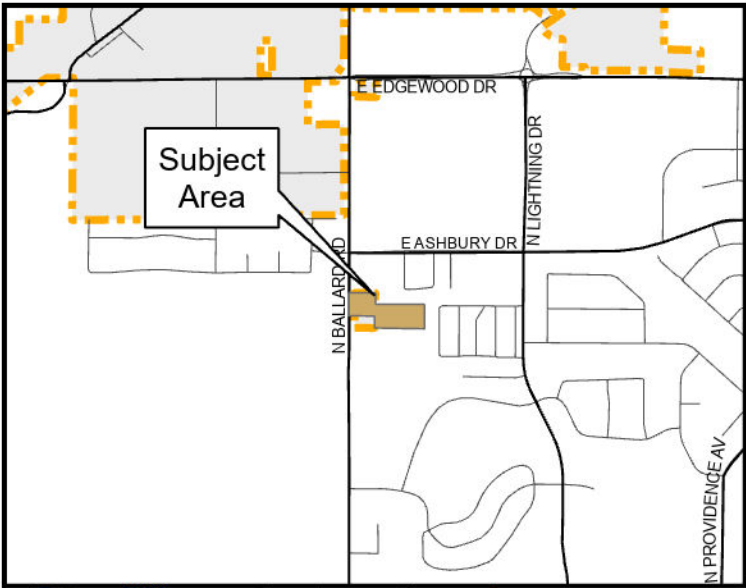
Review Criteria: Based upon the above analysis, it would appear the criteria established by Section 23-65(d)(3) Zoning Amendments has been satisfied.

Technical Review Group Report (TRG): This item appeared on the September 5, 2023 TRG Agenda. No negative comments were received from participating departments.

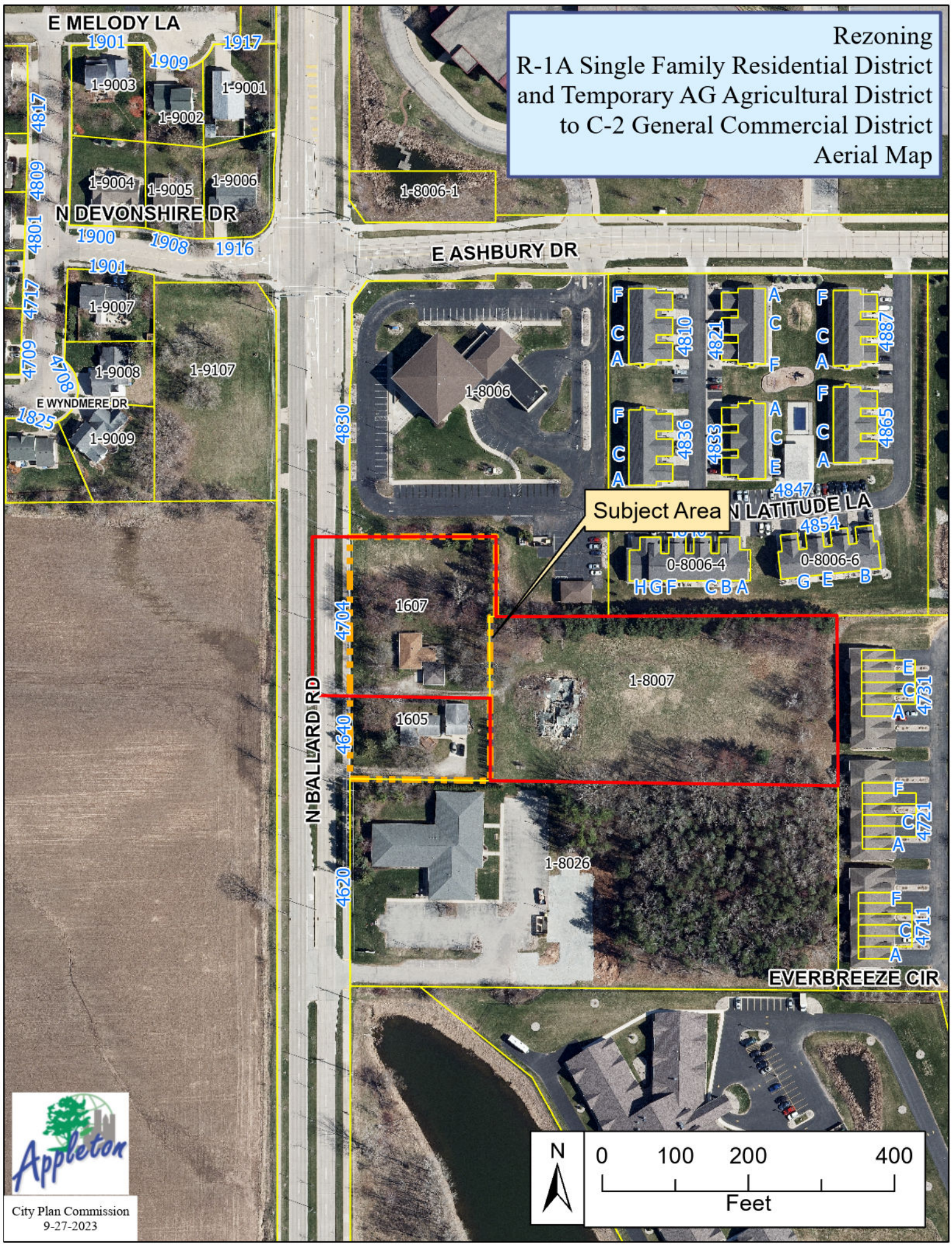
RECOMMENDATION

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #7-23 to rezone the subject parcels located at 4704 N. Ballard Road (Tax Id # 31-1-8008-00) and adjacent land locked parcel directly to the east (31-1-8007-00) from Temporary AG Agricultural District and R-1A Single-family Residential District to C-2 General Commercial District, including to the centerline of the adjacent right-of-way as shown on the attached maps, **BE APPROVED.**

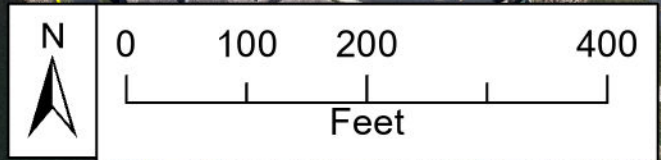
Rezoning
 R-1A Single Family Residential District
 and Temporary AG Agricultural District
 to C-2 General Commercial District
 Vicinity Map



Rezoning
 R-1A Single Family Residential District
 and Temporary AG Agricultural District
 to C-2 General Commercial District
 Aerial Map



Subject Area





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

**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

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

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 10/9/2023

RE: Action: Approve balance transfer of \$37,400 from the "2023 Jones Park Shade Project" to "2022 City Hall Remodel Project."

The City Hall Remodel Project experienced an unanticipated code compliance update that was not budgeted and was not anticipated. Upon removal of the escalators between the third and sixth floors, steel columns and beams were exposed. Current building codes require that all areas of exposed steel are protected with fire protection coatings in the event of a fire. The total cost of this change is \$37,400.

To cover this unanticipated cost I am requesting a budget transfer from the Jones Park Shade Project as that project came in under budget. Overall, no extra funding needs to be borrowed by reallocating this positive variance to cover this unanticipated expense.

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



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

MEMORANDUM

TO: Finance Committee

FROM: Kara Homan, AICP, Director of Community & Economic Development
Jeri Ohman, Director of Finance

DATE: October 16, 2023

RE: American Rescue Plan Act – Recommendation to Award Grant to
Thompson Center on Lourdes, Inc.

Pursuant to the potential partnership / sub-tenant relationship between Thompson Center on Lourdes (TCoL) and the City of Appleton / Appleton Public Library, the City began discussions in earnest about the potential to provide financial support to the Thompson Center on Lourdes, Inc. and their related Senior Center functions via American Rescue Plan Act (ARPA) funding.

TCoL submitted funding eligibility documentation, which was reviewed and vetted by the City's external ARPA consultant Booth Management Consulting (BMC) for completeness and ARPA program alignment/regulatory compliance. The City of Appleton, via BMC, has determined that the Thompson Center on Lourdes, Inc. (TCoL) is eligible to receive an ARPA grant via the US Treasury's Assistance to Non-Profits eligibility category. BMC has recommended providing the grant in the form of a Beneficiary Agreement.

Staff Recommendation:

City Finance Department and Community & Economic Development Department staff recommends **APPROVAL** of awarding the Thompson Center on Lourdes, Inc. an ARPA grant in the amount of \$1,000,000, from the following City of Appleton ARPA allocation categories:

- \$500,000 from the "Arts, Culture and Educational Institutions" category
- \$500,000 from the "Social Infrastructure, Belonging and Neighborhoods" category

The remaining funds for all allocation categories can be found on the next page, for reference.

Exhibit 1: Status of City of Appleton ARPA Allocation Categories

	Allocated	Obligated	Available
Arts, Culture and Educational Institutions: \$500,000	\$ 500,000		\$ -
<i>Thompson Center on Lourdes, Inc. (Proposed)</i>		\$ 500,000	
Community Wellness, Mental Health, Violence Prevention:	\$ 1,000,000		\$ 1,000,000
Social Infrastructure, Belonging and Neighborhood Resiliency:	\$ 1,000,000		\$ 500,000
<i>Thompson Center on Lourdes, Inc. (Proposed)</i>		\$ 500,000	
Local Economic Recovery:	\$ 1,000,000		\$ 1,000,000
Affordable Housing & Housing Support:	\$ 3,000,000		\$ 1,800,000
RISE Apartments, LLC		\$ 1,000,000	
Habitat for Humanity Fox Cities, Inc.		\$ 200,000	
Early Childhood Development, Child Care & Families	\$ 1,500,000		\$ 1,500,000

Cc: Colleen Rortvedt, Director, APL
 Dean Gazza, Director, PRFM



MEMORANDUM

TO: Community and Economic Development Committee

FROM: Matt Rehbein, Economic Development Specialist
David Kress, Deputy Director Community and Economic Development

DATE: October 11, 2023

RE: The Neighborhood Grant Program – Application Submitted by Historic Central Neighborhood

BACKGROUND:

The guidelines and approval process for the Neighborhood Grant Program (TNGP), as summarized below, were approved by Common Council on August 6, 2014.

TNGP is open to all Appleton registered neighborhoods that participate in the City's Neighborhood Program. The grants assist in strengthening and sustaining the social network of the Appleton community and may be applied to projects that enhance cultural, beautification, recreation, education, neighborhood cleanup, neighborhood safety and family/youth issues through resident-driven activities within each neighborhood. TNGP provides an opportunity for residents to partner with the City, promote the value of community, and support strong and stable neighborhoods throughout the City of Appleton.

Grant applications will be processed twice per year on August 1 and February 1. However, staff shall reserve the option, but not an obligation, to process applications at other times when warranted. Staff will perform an administrative review of each proposal and offer an analysis of all applications to be considered by Community and Economic Development Committee and Common Council.

Grant funds will not be provided directly to the neighborhood; funds will be paid to the provider of the service/materials directly upon submittal of the proper documentation. The City of Appleton Procurement Policy applies to all activities that involve the purchase of equipment, materials, supplies and/or services.

FUNDING REQUEST:

The Historic Central Neighborhood, in partnership with Appleton Area School District (AASD), is requesting \$80,000 from TNGP to add playground equipment and create

more green space at Columbus Elementary School.

PROPOSAL DETAILS:

Project Description: The Columbus Elementary playground is a unique space utilized by the school and surrounding neighborhood. It is centrally located within the neighborhood and used for both hosted events and impromptu meet ups. The proposal from Historic Central Neighborhood is seeking to make the playground safer, utilize the space more fully, and create a community gathering space for the neighborhood.

The playground is regularly used by neighborhood residents on the weekends and after school hours. During school hours, it is used by students at both Columbus Elementary and Appleton Bilingual School. The two schools serve populations with free or reduced lunch rates of 78% and 51%, respectively.

As proposed, the playground enhancement project would include removal of asphalt and replacement with grass and wood chips, installation of three bays of swings, installation of a shade structure, addition of play equipment designed for 2-year-olds and up, installation of an asphalt walkway to make an entrance more accessible, replacement of a dead tree, installation of two new varying height basketball hoops, and traction-enhanced painting on the asphalt. Further information on the proposed changes is described in the attached application document and illustrated on the attached concept plan.

Funding Sources and Estimated Budget: The total cost of the proposed project is estimated at \$91,500. However, that amount does not include labor by AASD staff to remove and install the various playground elements. The applicant requests \$80,000 from TNGP. Other funding sources include labor and time from AASD staff and potential funding from Appleton Education Foundation. The applicant worked closely with the AASD Facilities & Operations Department to identify estimated costs (at time of application), which are summarized below.

Asphalt removal	\$27,000
Wood chips	\$10,000
Shade cover over bench	\$7,200
Playground equipment	\$24,300
Asphalt walkway to entrance doors	\$7,500
Tree replacement	\$500
Sod (material and labor)	\$8,000
Basketball hoops	\$6,000
<u>Pavement paint for mural/maze</u>	<u>\$1,000</u>
Total	\$91,500

Estimated Timeline: If necessary funding is secured, the applicant proposes a timeline of June 8, 2024 - July 31, 2024 to complete the playground project.

STAFF ANALYSIS:

Registered Neighborhood: Only registered neighborhoods will be considered for TNGP. *This application meets this requirement, as the Historic Central Neighborhood has been a registered neighborhood since July 29, 2013. See attached map for neighborhood boundaries.*

Neighborhood Support: Each application must have a minimum of three households within the registered neighborhood “signed on” as supporters of the project. *This application meets this requirement, as nine households within the neighborhood have offered their support for the project. In addition, Mayor Woodford wrote a letter in support of the proposed project (see attached).*

Involvement in City’s Neighborhood Program: Preference will be given to neighborhoods that have actively participated in the programs offered by the City’s Neighborhood Program. *The Historic Central Neighborhood has been one of the more active registered neighborhoods. HCN frequently has multiple representatives at the City’s Spring and Fall Neighborhoods Meeting, has completed several neighborhood projects (with and without Neighborhood Grant funds), and has included staff in various activities within the neighborhood.*

Neighborhood Program Goals: Each application will be reviewed against how well it aligns with Neighborhood Program goals, such as strengthening and sustaining the social network of the Appleton community. *According to the applicant, creating a community gathering space is a priority in this neighborhood, where parks and other green space are in short supply. The proposed project would meet the needs of students during school hours and provide another recreation opportunity within the neighborhood.*

History with TNGP Projects: Consideration will be given to whether a neighborhood has received TNGP funds in the past and whether the project was completed as proposed. *The Historic Central Neighborhood was previously awarded TNGP funding to support Porchfest, neighborhood surveys, and other materials to connect neighbors.*

Community Development Block Grant (CDBG) Eligibility: Currently, the funds available for TNGP are administered through the CDBG Program. These funds come with restriction of use area and use type, as described below.

In Low-to-Moderate Income (LMI) Areas Only

- The attached LMI map indicates use areas within the City. In LMI areas, improvements to publicly accessible property, such as parks and schools, are eligible. Projects that qualify as an “area benefit” to all residents, such as infrastructure, are also eligible.

Spot Blight Removal (does not have to be in LMI area)

- Spot blight removal is an eligible activity. Examples include demolition of vacant/deteriorated buildings and site clearance.

The proposed project would qualify for CDBG funding, as it meets the LMI eligibility criteria. Although the Columbus Elementary School site is located outside of an LMI census block group, the proposed project would constitute an “area benefit” to serve nearby LMI families and/or individuals. The applicant also noted that the free or reduced lunch rate at Columbus Elementary School is 78%.

Comprehensive Plan 2010-2030: The Comprehensive Plan 2010-2030 establishes a vision for future land use, physical development, and quality of life in the City and provides a comprehensive set of goals, policies, and initiatives to achieve that vision. *Staff has reviewed this proposed project and determined it is compatible with Comprehensive Plan 2010-2030. Related excerpts are listed below.*

- *Goal 2 – Neighborhood Development
Appleton will preserve and enhance existing City neighborhoods, and require quality design in newly developed areas, to continue to provide an attractive setting for living and raising a family.*
- *Policy 5.4.2 Housing and Neighborhoods
Engage neighborhood areas to identify target activities on which residents and City government can partner to take action.*
- *Policy 7.3.1 Utilities and Community Facilities
Continue to collaborate with the Appleton School District and private schools on issues such as joint development and use of recreational fields, telecommunications infrastructure, bicycle and pedestrian safety, and similar issues.*

Funds Available: For the CDBG funding source, TNGP currently has a balance of \$79,999.73 that is available to award to qualifying projects. *The applicant’s request of \$80,000 slightly exceeds the current available balance. If the full \$79,999.73 is awarded, it would spend down CDBG funding that has been carried over for several years. Spending CDBG funding in a timely manner is important, as the U.S. Department of Housing and Urban Development checks the spend-down status on an annual basis. The Neighborhood Program anticipates requesting an additional \$40,000 in CDBG funding for the 2024 program year.*

RECOMMENDATION:

Based on staff analysis, the Neighborhood Grant Program request submitted by the Historic Central Neighborhood meets the established criteria and warrants consideration by the Community and Economic Development Committee.

Staff recommends approval of the Neighborhood Grant Program request submitted by the Historic Central Neighborhood and awarding of funds, in an amount not to exceed of \$79,999.73, for the proposed playground enhancement project.



THE NEIGHBORHOOD GRANT PROGRAM & APPLICATION

Updated May 27, 2022

Background and Overview

The Neighborhood Grant Program (TNGP) is open to all Appleton registered neighborhoods that participate in the City's Neighborhood Program. The grants assist in strengthening and sustaining the social network of the Appleton community and may be applied to projects that enhance cultural, beautification, recreation, education, neighborhood cleanup, neighborhood safety, and family/youth issues through resident-driven activities within each neighborhood. The grants encourage and support neighborhood groups to invest in and build on the existing strengths and assets of each neighborhood. Grants are intended to spur small, grassroots community efforts and improve the quality of life of each neighborhood through resident involvement. TNGP provides an opportunity for residents to partner with the City, promote the value of community, and support strong and stable neighborhoods throughout the City of Appleton.

How to Apply

Typically, the grant applications will be processed twice per year on August 1 and February 1. However, staff shall reserve the option, but not an obligation, to process applications at other times when warranted. Applications should be submitted to the Community and Economic Development Department (CEDD) by the target date, unless arrangements have been made with CEDD staff ahead of time. In the event a project takes more than six months to complete, the neighborhood will not have to re-apply unless substantial changes to the project are proposed. All grants will be subject to funding source(s) and availability.

Grant Requirements and Scoring Criteria

All grants will be subject to the requirements of the funding source (ex: Community Development Block Grant (CDBG), General Fund, partner businesses, etc.). The following are additional requirements and scoring criteria for award:

- Only registered neighborhoods will be considered for TNGP grants.
- Each application must have a minimum of three (3) households within the registered neighborhood “signed on” as supporters of the project. Preference will be given to those neighborhoods that have engaged a higher percentage of their residents.
- Preference will be given to neighborhoods that have actively participated in the programs offered by the City’s Neighborhood Program.
- Each grant will be reviewed against how well it would “assist in strengthening and sustaining the social network of the Appleton community.”
- Consideration to whether a neighborhood has received TNGP grants in the past and whether the project was completed as proposed will be given.
- Project cannot commence prior to approval of grant award.
- A pre-application meeting with CEDD staff is required.

Grant funds will not be provided directly to the neighborhood. Instead, funds will be paid to the provider of the service/materials directly upon submittal of the proper documentation to CEDD. The City of Appleton Procurement Policy applies to all CDBG and General Fund activities that involve the purchase of equipment, materials, supplies, and/or services. A copy of this policy will be distributed to all TNGP recipients.

Funding Sources

Funds available for TNGP are currently administered through two funding sources, the CDBG program and General Fund. The location and type of project may impact which source(s) could be utilized, as explained below.

Information Specific to the CDBG Program

Qualifying Projects: CDBG funds come with restriction of use area and use type. The attached low and moderate income (LMI) map indicates use areas. The following list is a summary of possible project types that could qualify.

In LMI Areas Only:

- Improvements to “Publically Accessible” property:
 - Publically accessible is typically a park, school, etc.
 - Examples: benches, lighting, signage, artwork, play equipment, plantings
- Projects that qualify as an “Area Benefit” to all residents of an LMI area:
 - Infrastructure

- Paving of streets/curb & gutter
- Neighborhood facilities
- Commercial facade improvements in primarily residential areas

Spot Blight Removal (does not have to be in LMI area):

- Spot blight removal includes:
 - Demolition of vacant/deteriorated and abandoned building(s)
 - Physical removal of environmental contaminants
 - Movement of structures to other sites
 - Rehabilitation, only to the extent necessary for safety
 - Historical preservation

***Eligibility for spot blight removal will be considered on a case by case basis. ***

Review Process: CEDD staff will perform a review of each application, in accordance with the rules and regulations of the funding source, and offer an analysis to be considered by Community & Economic Development Committee and Common Council. The Community & Economic Development Committee makes a recommendation to the Common Council who makes the final decision on the matter.

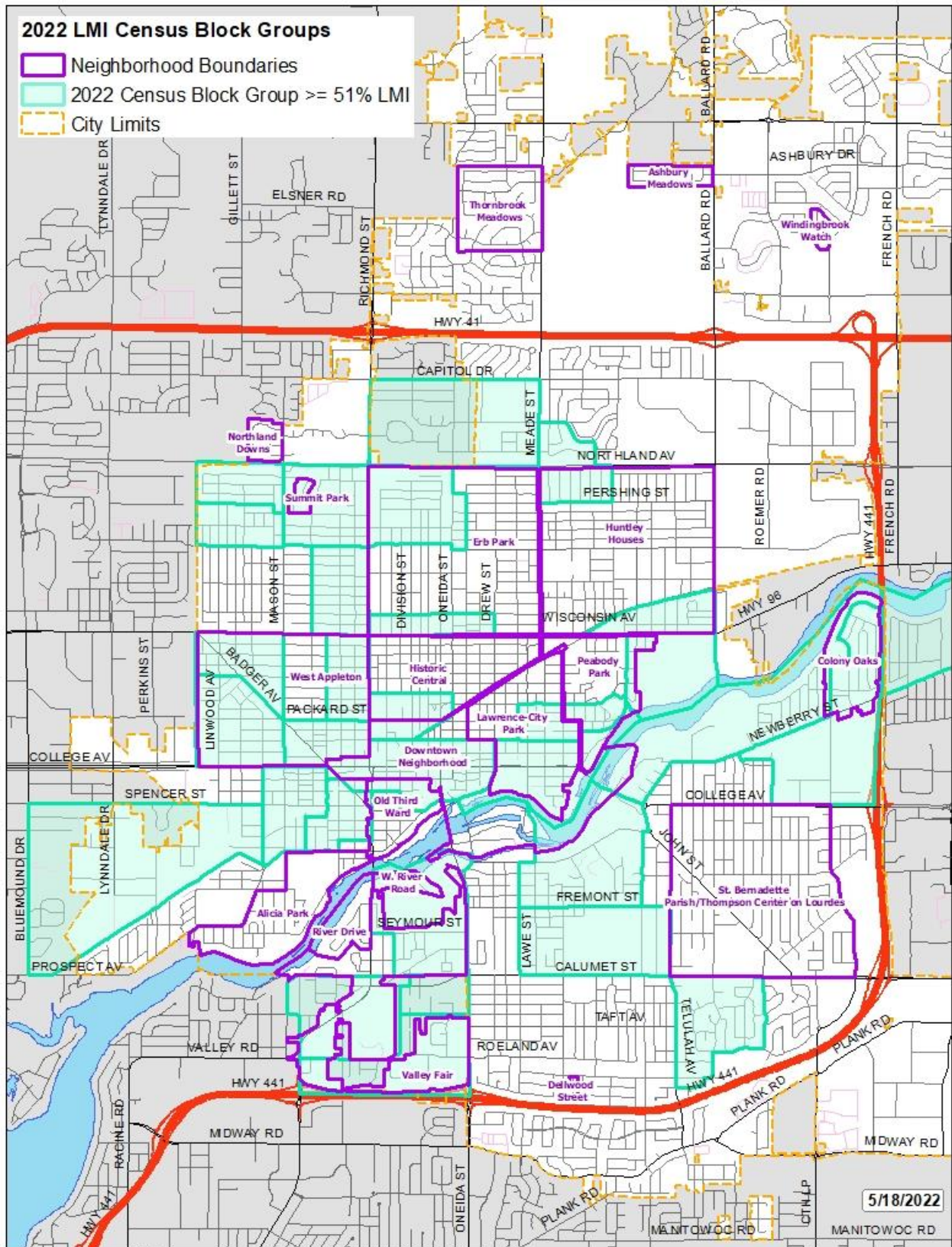
Information Specific to the General Fund

Qualifying Projects: Funding from the General Fund is available to all registered neighborhoods, not just those that meet restrictive CDBG criteria. To truly strengthen our entire City, neighborhoods need the tools to connect with their neighbors. Eligible projects could be:

- Polls/surveys of the neighborhood
- Community gatherings
- Other opportunities to promote communication and identify needs

Review Process: Applications will be administratively reviewed by CEDD staff, based on the criteria described above.

ATTACHMENT: Map detailing low and moderate income (LMI) areas.





Questions and completed applications can be directed to:

Matt Rehbein
Community & Economic
Development Department
100 N. Appleton Street
Appleton, WI 54911
(920) 832-6463
matthew.rehbein@appleton.org

David Kress
Community & Economic
Development Department
100 N. Appleton Street
Appleton, WI 54911
(920) 832-6428
david.kress@appleton.org

NEIGHBORHOOD GRANT PROGRAM APPLICATION

A pre-application meeting with CEDD staff is required.

1) Name of Registered Neighborhood:

Historic Central Neighborhood, Appleton

2) Applicant Name, Phone, E-Mail:

Brianne Connelly
918 625 5895
b.connelly26@gmail.com

3) Anticipated funding source(s):

CDBG: \$80,000
General Fund: \$0

4) Please list any Neighborhood Program activities in which representatives of this neighborhood have participated in:

Neighborhood Meetings (most recent May 22, 2023 meeting included 7 HCN residents of the total 12 attendees present)

Approximately 5 meetings to discuss the Neighborhood Program and how HCN can access the benefits of it by Brianne Connelly from State St. over the past year.

5) Describe, in detail, what your proposed project entails (provide map or sketch as appropriate):

See Appendix A for Columbus Renovation Image

Narrative Description: We are seeking to meet student and neighborhood needs through enhancement of the Columbus Elementary School Playground. This renovation includes (Area 1) the removal of asphalt, extension of wood chips,

installation of 3 bays of swings (6 swings), installation of a shade structure over an existing bench, addition of play equipment designated for 2 year olds and up, (Area 2) removal of one play structure, installation of an asphalt path from the asphalt yard to the northwest set of double doors directly off of the current wood-chipped play structure area, (Area 3) removal of asphalt, planting of grass seed and/or sod, removal of boulders currently making up outdoor classroom, removal of funnel ball topper, removal of one basketball pole, hoop and backboard, replacement of dead tree, (Area 4) installation of two new varying height basketball poles, hoops and backboards, and traction-enhanced painting on the asphalt.

List Description:

Remove asphalt in ~area 1
Install additional wood chips in ~area 1
Install swings in ~area 1
Install shade cover over bench in ~area 1
Install play equipment appropriate for kids ages 2 and up in ~area 1
Remove small playground in ~area 2
Lay new path to back doors in ~area 2
Remove asphalt in ~area 3
Plant grass and section off for approximately 1 year while the grass gets established in ~area 1
Remove and replace dead tree in ~area 3
Remove boulders in ~area 3
Remove funnel ball in ~area 3
Install 2 basketball poles, hoops, and backboards in ~area 4
Paint traction-enhanced maze/mural/visual design on asphalt in ~area 4

- 6) What is the project's anticipated "service area" (area that will benefit from the project)?

See Appendix B for three slightly different, yet overlapping service areas for consideration.

This project's service area includes the Historic Central Neighborhood, surrounding neighborhoods and the students, staff, and families at Columbus Elementary School and Appleton Bilingual School.

- 7) Describe how this project would assist in strengthening and sustaining the social network of the Appleton community:

The Columbus Elementary playground is a unique space utilized by the school and surrounding neighborhood. We are seeking to make the playground safer, utilize the space more fully, and create a community gathering space for the neighborhood.

The Columbus playground is regularly used by neighborhood residents on the weekends and after-school hours. It is used multiple hours of the day on school days by PreK-5th graders who attend Columbus and K-5th graders who attend school across the street at Appleton Bilingual School. Columbus serves a population that has a 78% free or reduced lunch rate. Appleton Bilingual School serves a population that has a 51% free or reduced lunch rate.

As the playground is currently majority asphalt, Columbus staff members report significant rates of student injury. Grass will provide students with a safe space to practice new gross motor skills, as well as increased water drainage for the site. Staff also report higher levels of student behavioral issues in Area 3 and 4 because there is little engagement for students in that area.

We are also seeking to enhance the suitability of the playground for all ages and abilities. An asphalt path to the back doors is necessary for accessibility.

Currently, that door is blocked by woodchips, yet used as a secondary entry for lunchtime and during inclement weather in the mornings. Columbus hosts a 3K program and there are currently no structures rated for pre-K. The addition of the Wobbly Web, Gaga Pit, other play structures and swings will give these young classes more opportunity to play and learn. Multiple varying height basketball hoops as well is suitable for all players, including disabled participants.

Finally, the playground additions and enhancements will further provide a gathering place for community members. The playground is a high-traffic neighborhood area for both hosted events and impromptu meet ups because it is more accessible and functional than the neighborhood park, Arbutus Park. The shade structure will be an asset to caregivers and the entire renovation will energize the community.

- 8) What is the estimated total cost of the project? How much is the neighborhood looking for from TNGP? Are there any funding sources other than TNGP? If so, please list other participating individuals/agencies.

The estimated total cost of the budget is \$80,000. HCN is asking for \$80,000 from TNGP. Other funding sources include labor and time from AASD staff and potential funding from Appleton Education Foundation.

- 9) Please include an itemized budget (attach price quotes as necessary).

Area 1

*Rip up asphalt by Davis Bacon contractor..... \$12,000
Additional wood chips....\$10,000
Installation of wood chips.....\$0

Shade cover over bench..... \$7,200
Installation of shade cover over bench....\$0
Wobbly Web.....\$8,582
Installation of Wobbly Web....\$0
3 bays of swings (6 swings).....\$4,600
Gaga Pit.....\$1,100
Installation of Gaga Pit....\$0
Additional play equipment....\$10,018
Installation of additional play equipment.....\$0
Total.....\$53,500
Total grant request.....\$53,500

*This amount includes bringing topsoil back in and rough grading it

Area 2

Removal of small playground....\$0
Asphalt and **district-contracted-out installation of new path to back
doors.....\$7,500
Total....\$7,500
Total grant request.....\$0

** This cost is not included in the grant request

Area 3

*Rip up asphalt by Davis Bacon contractor.....\$15,000
Removal of basketball pole, hoop, and backboard....\$0
Removal of dead tree.....\$0
Removal of boulders.....\$0
Removal of funnel ball.....\$0
Installation of new tree....\$0
New tree....\$500
Sod.....\$4,000
**District-contracted-out laying of sod.....\$4,000
Total.....\$23,500
Total grant request....\$19,500

*This amount includes bringing topsoil back in and rough grading it

** This cost is not included in the grant request

Area 4

2 new basketball poles and hoops.....\$6,000
Installation of 2 new basketball poles and hoops....\$0
Asphalt paint for mural/maze/etc.....\$1,000
Total....\$7,000
Total grant request.....\$7,000

Grand Total.....\$80,000

***If an amount of \$0 is indicated, it can be assumed that AASD staff will be supplying the contribution

10) Estimated start and completion dates:

Estimated Start Date: June 8, 2024

Estimated Completion Date: July 31, 2024

11) Please list residents by name/address that support this project (minimum three households must be represented, feel free to attach sheet with more):

Brianne Connelly and James Bacon, 1120 N. State St

Oliver and Rebecca Zornow, 1009 N. Oneida St.

Sandy and Richard Gibson, 808 N. Superior St.

Charisse Sylvester, 819 N. State St.

Amy Olson, 814 N. Superior St.

Keara Kelly and Woden Kusner, 809 N. Oneida St.

Anne Hemstock, 1115 N. Appleton St.

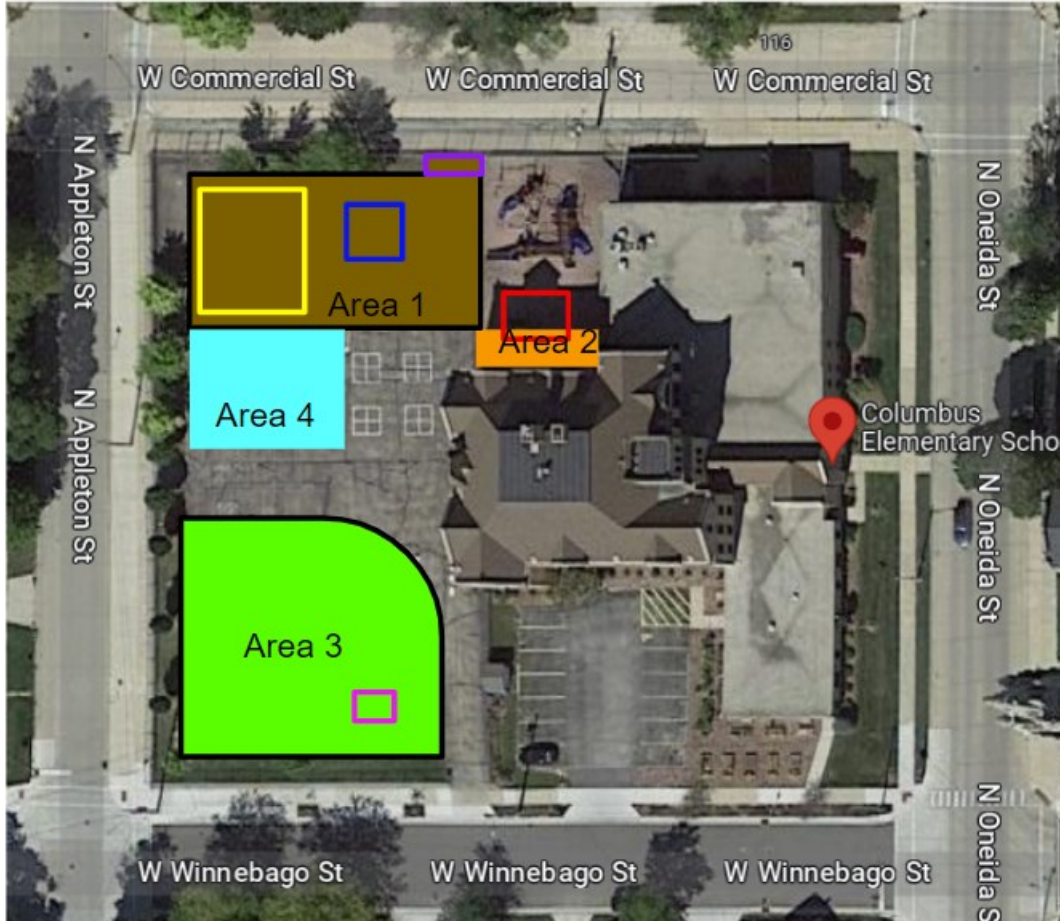
Cindy Carter, 1102 N. Superior St.

Traci Schultz, 123 E. Commercial St.

Brianne Connelly, July 14, 2023

Signature (s)

Date:



Proposed Layout

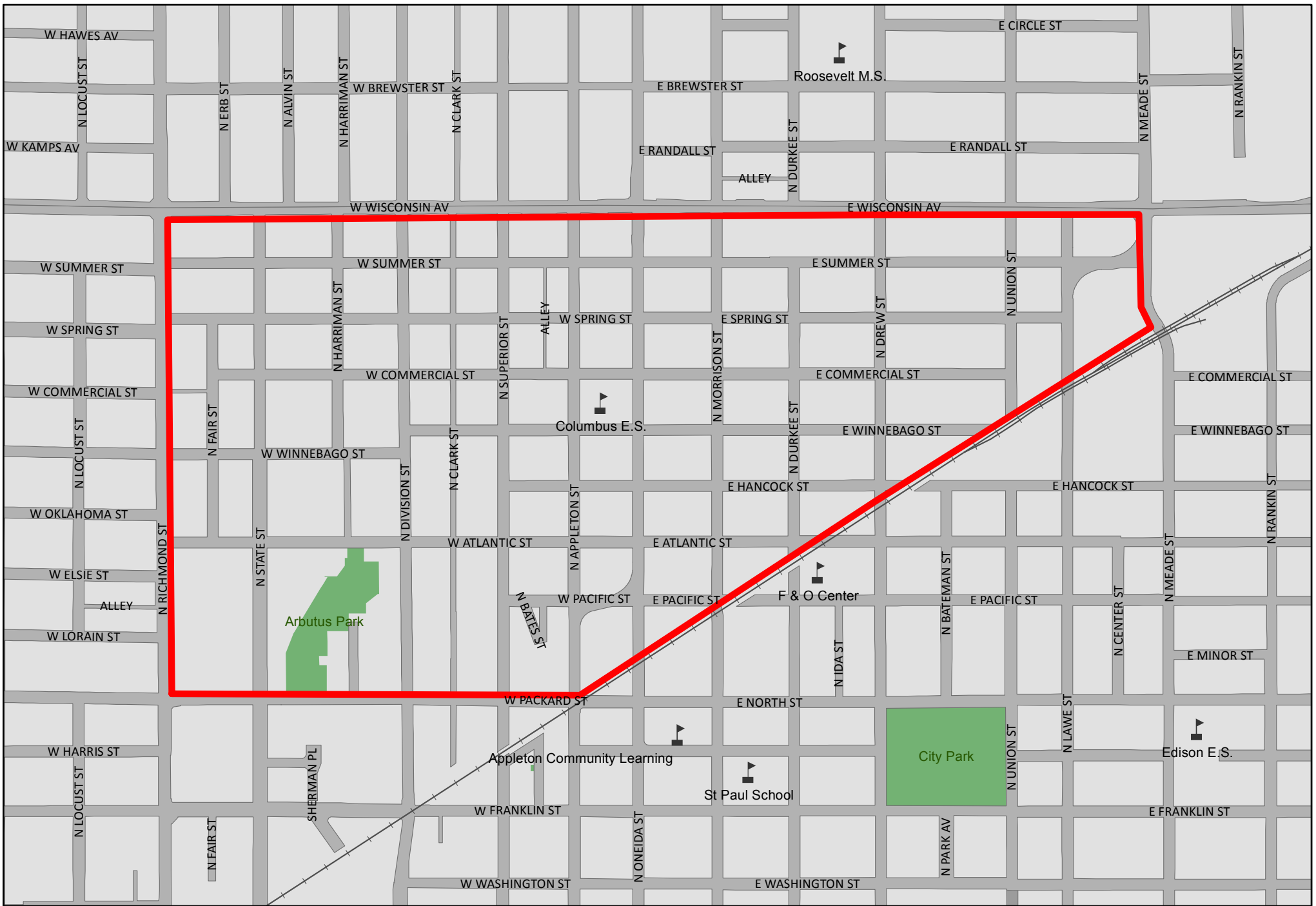
- Black outlines indicates asphalt removal
- Yellow outline indicates swings
- Purple outline indicates shade structure
- Blue outline indicates location of Wobbly Web
- Brown area indicates additional wood chips needed
- Green area indicates new grass area
- Red outline indicates small playground to be removed
- Pink outline indicates dead tree to be replaced

**Area 1 - play equipment*


**Area 2 - asphalt path to back doors*

**Area 3 - grass field*

**Area 4 - basketball*

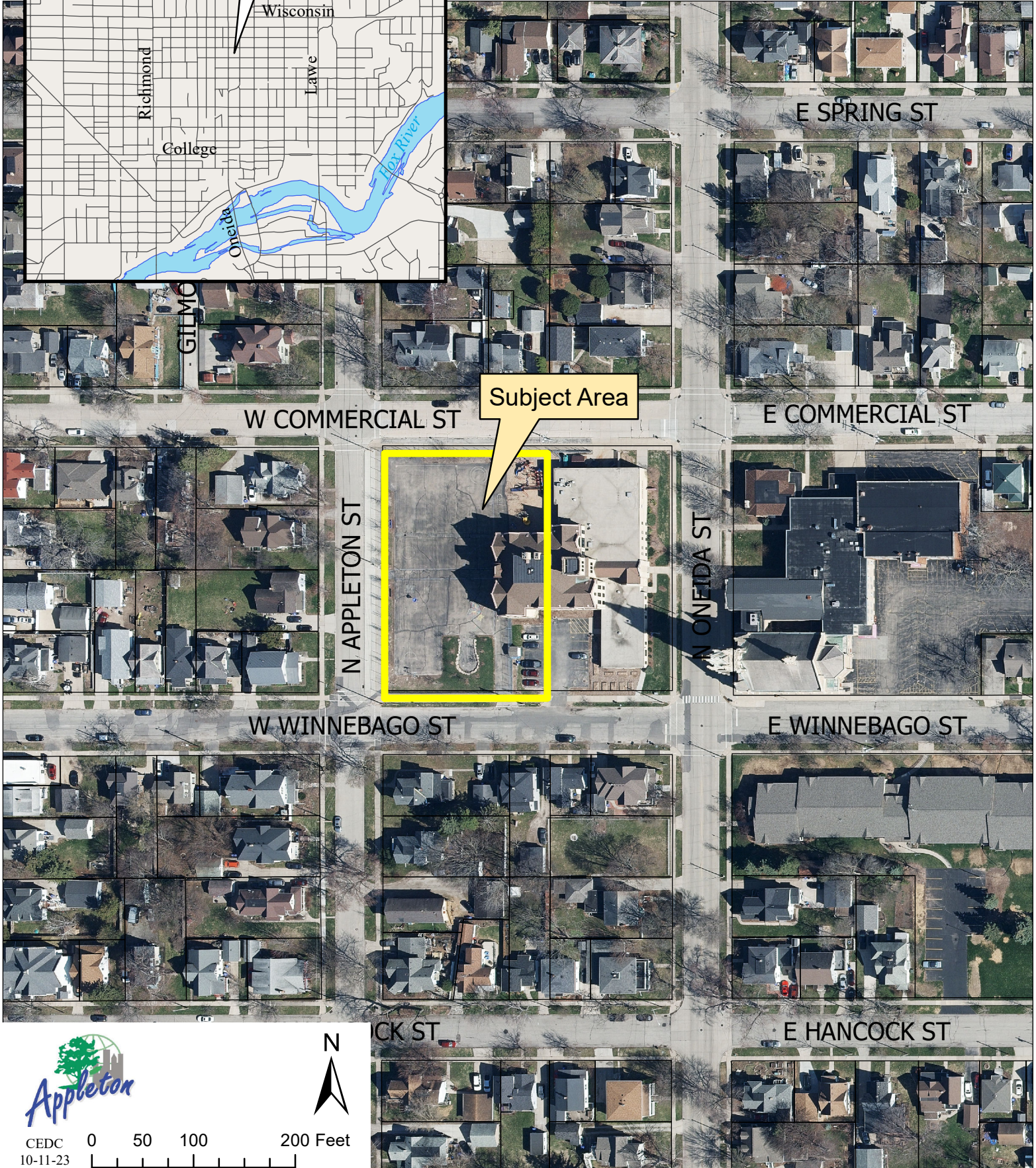
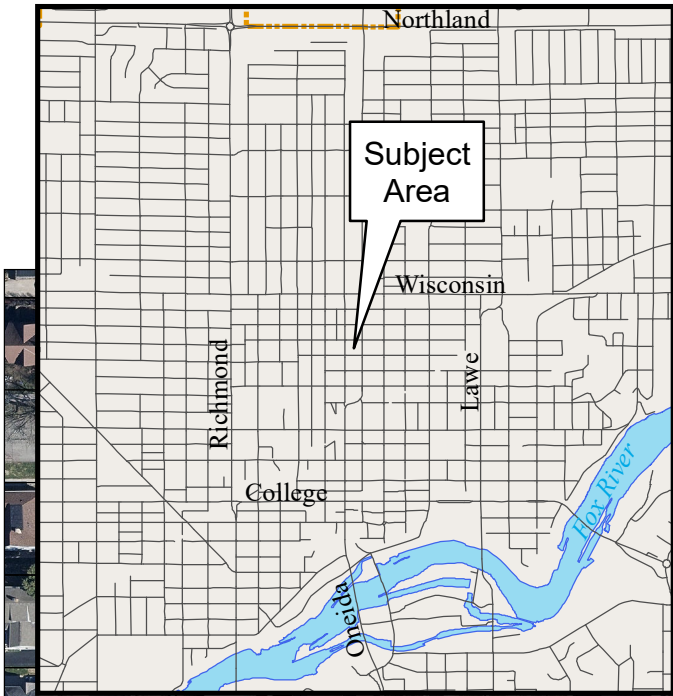


Historic Central Neighborhood

 Neighborhood Boundary



TNGP Application
Historic Central Neighborhood
Subject Area Map




CEDC 10-11-23 0 50 100 200 Feet



"...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: Community and Economic Development Committee
FROM: Mayor Jacob A. Woodford 
DATE: October 4, 2023
RE: Neighborhood Grant Program Request from Historic Central Neighborhood

I am pleased to express my support for the proposed playground enhancement project at Columbus Elementary School, as described in the grant application submitted by Historic Central Neighborhood. This project, which aims to create a community gathering space, aligns well with the goals of the City's Neighborhood Program. Initiatives like this help to build bonds, foster communication, and strengthen Appleton's neighborhoods.

By making the playground safer and removing a considerable amount of pavement, the project strives to create a usable green space for the entire neighborhood. This proposal is compatible with the City's Comprehensive Plan 2010-2030, which makes special mention of neighborhood initiatives in Chapter 5.

Among these recommendations are for neighborhoods to be engaged in identifying activities where residents and City government can work together. We also encourage partnerships between neighborhoods, non-profits and institutions, and builders to implement interventions that support the needs of residents. And, in furtherance of the great work the Historic Central Neighborhood has done to bolster a sense of community, the project aligns with our efforts to foster neighborhood identity through beautification and preservation.

The proposal provides an opportunity to invest in and build upon the existing assets in the neighborhood. It also represents a wonderful example of partnership and collaboration between the City, the neighborhood, and Appleton Area School District. I commend the Historic Central Neighborhood for its efforts to reimagine the playground and offer my support and encouragement for this project.

Department of Public Works – Engineering Division

MEMO

TO: Utilities Committee

FROM: Danielle Block, Director of Public Works
Pete Neuberger, Deputy Director/City Engineer

DATE: October 2, 2023

RE: Approval to single source and award 2023C stormwater consulting services contract for assistance with the Interstate 41 Reconstruction project to Brown and Caldwell in an amount not to exceed \$50,000.

The Department of Public Works is requesting approval to single source and award 2023C stormwater consulting services contract for assistance with the Interstate 41 Reconstruction project to Brown and Caldwell (BC) in an amount not to exceed \$50,000.

In 2022 BC was contracted to assist the City with the coordinating stormwater management with the Wisconsin Department of Transportation (WDOT) for the I41 Reconstruction. The 2023 approved budget includes \$50,000 for additional coordination and review of the WDOT stormwater management design on the City's behalf.

Over the past year BC has provided timely response to both City and WDOT inquiries for information, reports and models and met with both parties as needed. WDOT has not yet provided the stormwater management plan for the project and additional work is expected over the next several months.

Work under this contract will include:

- Assist the City with providing information requested by WDOT
- Communicate directly with WisDOT's consultant on the City's behalf
- Attend meetings with WisDOT's consultant as needed
- Review the proposed WDOT stormwater management plan on behalf of the City
- Provide clarity of the impact of WDOT plans on City TMDL requirements and the citywide stormwater management implementation plan
- Provide recommendations to the City on the WDOT proposed stormwater management plan

The 2022 contract award memo included the following language:

“The stormwater management plan for the Interstate 41 project may take several years to develop and additional contracts may be needed.”

Based on the work BC has already completed for the I41 reconstruction project, the Citywide Stormwater Management Plan and their performance on multiple current and past projects with the City, staff is recommending award of this project to BC.

Department of Public Works – Engineering Division

MEMO

TO: Utilities Committee

FROM: Danielle Block, Director of Public Works
Pete Neuberger, Deputy Director of Public Works/City Engineer

DATE: October 10, 2023

RE: Approve second amendment to 2023A Stormwater Management Plan Review contract with Brown and Caldwell by an increase of \$20,000 for a total contact amount not to exceed \$75,000.

The Department of Public Works is requesting a second amendment to the contract with Brown and Caldwell (BC) for 2023 Stormwater Management Plan Reviews by an increase of \$20,000 for a total contact amount not to exceed \$75,000.

The number of stormwater management plans submitted in 2023, the number of plans expected to be submitted yet this fall and the coordination needed for larger projects, the contract amount of \$55,000 is anticipated to be expended in the next two months.

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



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

Finance Department
100 N. Appleton Street
Appleton, WI 54912
920-832-6442

TO: Chairperson Vered Meltzer and Members of the Utilities Committee

FROM: Kelli Rindt, Enterprise Fund Accounting Manager

DATE: October 2, 2023

RE: *Approve wastewater rate increase of 7% for general service and special hauled waste service and increase compost fee to \$13/cu. yard to be effective January 1, 2024.*

BACKGROUND:

The Utility Department contracted with Trilogy Consulting in 2020 to complete a comprehensive rate study that reviewed cash flow needs and recommended rate increases through 2026 to fund operations and future capital improvements. The study also established rates for Phosphorus and TKN (Total Kjeldahl Nitrogen) processing for high-strength quantity and quality customers.

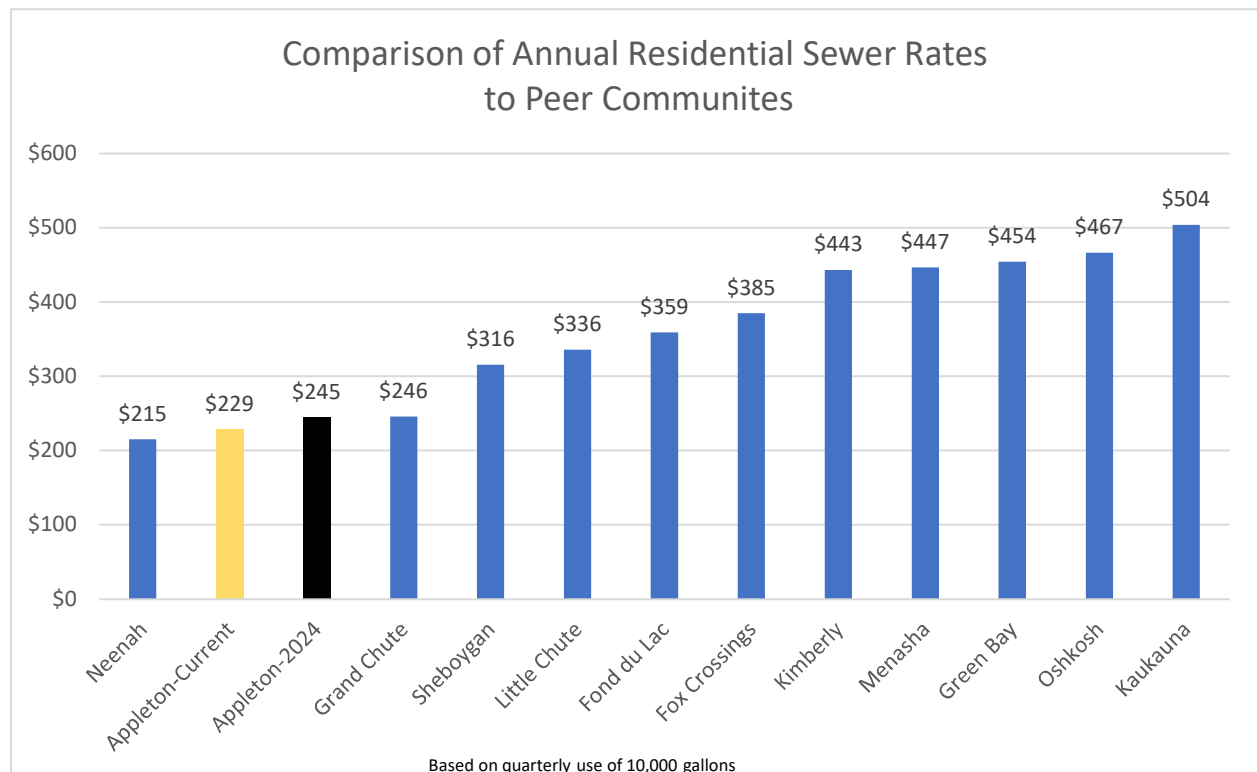
As part of the rate approval process in 2020 it was acknowledged, that future rate needs would be reviewed annually and would be presented to committee for approval. The planned rate increases of 4% for future years no longer provides the required revenue to meet cash flow needs and debt coverage. A rate increase of 4% was approved for January 1, 2022, and a 7% rate increase was approved for January 1, 2023.

FINANCIAL REVIEW:

The 2024 budget review has indicated the need to move forward with a 7% rate increase to meet cash flow and operating expense needs as presented in the proposed budget. The capital improvement plan continues to increase from the plan that was reviewed as part of the 2020 study. This increase is due to several reasons including: increased costs of projects, new projects for required replacement of aging equipment and the addition of a multi-year project to replace motor control equipment to ensure reliability of the power system at the treatment plant. In addition, costs for chemicals, supplies and repair parts continue to increase due to inflationary pressures.

The increase is projected to provide \$1.1M additional revenue in 2024 and continues to provide a reasonable rate for the service provided when compared to area communities. The average residential customer will see a quarterly increase of \$4 on the City service invoice.

Future rate increases will be reviewed annually and will be presented to committee for approval.



COMPOST RATE INCREASE:

The current compost rate of \$12 per cu. yard was effective January 1, 2023. The proposed fee increase to \$13 per cu. yard, will offset increased contractor fees to process compost and transport costs to deliver materials to the facility.

RECOMMENDATION:

Approve Wastewater rate increase of 7% as detailed on the attached rate sheet (attachment A) and increase compost fees from \$12 per cu. yard to \$13 per cu. yard. Should you have any questions regarding this project please contact me by phone: 832-6316.

City of Appleton - Proposed Wastewater Rates for 2024

Quarterly Minimum Charge	Meter Size	effective 1/1/2023	effective 1/1/2024
		Current Rate	Proposed Rate
	5/8	\$17.15	\$18.35
	3/4	\$17.15	\$18.35
	1	\$30.85	\$33.00
	1 1/4	\$42.50	\$45.50
	1 1/2	\$54.55	\$58.40
	2	\$83.75	\$89.60
	2 1/2	\$118.65	\$127.00
	3	\$145.30	\$155.50
	4	\$231.10	\$247.25
	6	\$437.75	\$468.40
	8	\$692.20	\$740.65
	10	\$1,012.35	\$1,083.25
	12	\$1,339.85	\$1,433.65
Volume Charge	per/1,000 gallons	\$4.00	\$4.28
	Units	Proposed Rate	Proposed Rate
Industrial Q/Q Rates			
Volume	per/1,000 gallons	\$2.60	\$2.80
BOD	per/100 lbs	\$37.60	\$40.25
TSS	per/100 lbs	\$12.70	\$13.60
Phosphorus	per/100 lbs	\$412.50	\$441.40
TKN	per/100 lbs	\$145.95	\$156.20
Sanitary Waste Haulers			
Volume - Septic Tank	per/ton	\$11.35	\$12.15
Volume - Holding Tank	per/ton	\$1.95	\$2.10
Per Load		\$12.55	\$13.45
Per Customer	per quarter	\$19.70	\$21.00
Hauled Waste Rates			
Tier 1	per/ton	\$6.40	\$6.85
Tier 2	per/ton	\$8.90	\$9.50
Tier 3	per/ton	\$14.65	\$15.70
Tier 4	per/ton	\$20.15	\$21.50
Tier 5	per/ton	\$26.75	\$28.60



POLICE DEPARTMENT

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

To: Alderperson Croatt, Safety and Licensing Committee Chairperson
Alderperson Hartzheim, HR/IT Committee Chairperson

From: Chief Polly Olson

Date: September 27, 2023

Subject: Informational Item – S&L
Action Item – HR/IT

We have received written notice of Captain Frisch retiring on January 3rd, 2024. There may be one – two additional supervisors leaving within the next few months. To sufficiently staff for adequate patrol supervision, we would like to promote Sgt. Edwards to lieutenant effective December 1st, 2023.

Our first-line supervisors are critical for our patrol response and day-to-day operations. It is important they receive the proper training, and with the amount of turnover and the challenges that are present, we are requesting to over hire for the one FTE position to continue to provide the level of service required.

The funds for this over hire would be from salary savings due to some unexpected officer vacancies which have happened throughout the year. The estimate is \$931 in 2023 and \$107 in 2024 = \$1,038 total in budget impact.



**CITY OF
APPLETON**

HUMAN RESOURCES DEPARTMENT
100 N. Appleton Street
Appleton, WI 54911
Phone: (920) 832-6458
Fax: (920) 832-5845

To: Human Resources/Information Technology Committee, and Appleton Common Council

From: Human Resources Director Jay Ratchman

Date: October 3, 2023

Re: Elected City of Appleton Attorney Compensation for new term starting May 2024

As you are aware, the elected City Attorney salary is set every four years based on the term dates of this position. The current salary is established through April 30, 2024. It is the role of the Human Resources/Information Technology Committee to set the compensation for this position by December 1 in the year prior to when the new term begins. The new term will begin on May 1, 2024.

My memo is intended to provide information on the current compensation for the position, along with contextual information to help provide some insights as you make your decision.

Here is the current status:

- The current salary for the City Attorney is set at \$139,018.
- This position received a 2% increase in each year of the current four-year term (total 8% increase).
- The City Attorney position is a Director level position and has a Deputy Director structure. This is the same structure as other City departments. In addition, this position serves on the City leadership team along with the other City Directors.
- The City Directors received a total of a 9% increase over the past three years, with a 3% increase being proposed in the 2024 budget.

In effort to keep parity with the City Attorney position and the Director team positions, I would recommend a 3% lift to the City Attorney salary at the start of the new term, along with annual increases. This would result in the following future compensation for the position:

Current salary		\$139,018.00	
Lift	3.00%	\$143,188.54	lift to match the Director team for the past three years
5/1/2024-4/30/2025	3.00%	\$147,484.20	raise proposed for the Director team in the 2024 budget
5/1/2025-4/30/2026	2.00%	\$150,433.88	
5/1/2026-4/30/2027	2.00%	\$153,442.56	
5/1/2027-4/30/2028	2.00%	\$156,511.41	

This recommended pay structure also keeps us aligned with comparable data from other Wisconsin communities (attached).

Thank you in advance for allowing me to provide this information to assist in your decision. If you have any questions, please let me know.

Sincerely,

Jay Ratchman
Human Resources Director

ATTORNEY

Municipality	City Attorney	Salary	# Reports	Benefits	Expense Account	Other	Updated
Aplleton	Elected	\$139,018	2	Health, Dental, Life, LTD, Pension	None	Oversee City Attorneys and Clerks Office. Total of 10 staff	October 2023
EauClaire	Appointed by City Manager	\$128,924 - \$150,268	3	Health, Dental, Life, LTD, Pension, Vision	None	\$2000/yr deferred comp match, \$230/mo auto allow	7/23
Green Bay	Appointed by Mayor	\$122,762	7	Health, Dental, Life, LTD, Pension	None		7/23
Janesville	Appointed by City Manager						
Kenosha	Non-Represented Employee	\$108,268-\$139,186	6	Health, Dental, Life, Pension, Sick Accural	None	None	
La Crosse	Non-Represented Employee	\$133,889.60	4	Health, Dental, Life, LTD, Pension	None	None	
Manitowoc	Non-Represented Employee	\$109,419-\$140,681	2	Health, Dental, Vision, Life, STD, LTD, Pensio	None	None	June 2023
Oshkosh	Appointed	\$143,130	2	Non-rep benefit plan	None	None	July 2023
Racine	Appointed						
Sheboygan	Elected	\$132,320	3.5	Same as non-reps, but no PTO	None	None	October 2023
Waukesha	Elected						
Wausau	Non-Represented Employee	91,395.20 - 137,051.20	4	Same as non-reps	None	None	Sept 2023
Grand Chure	through Herling Clark; approved by	Hourly rate	N/A	N/A	None	None	NA
De Pere	Appointed by Mayor	\$136,510	3	Same as non-reps	None	Mileage reimbursement at IRS rate	6/2023
Fond du lac	Non-Represented Employee	\$114,483.48 - 147,193.05	4	Same as non-reps	None		6/2023
Fitchburg	Non-Represented Employee	\$136,614.40	0	Same as non-reps	None	None	7/2023
Neenah	Non-Represented Employee	\$97,007.82-\$138,672.95	3	Same as non-reps	None	None	7/2023
Kaukauna	Elected	107,976	1	Same as non-reps	None	None	



CITY OF APPLETON

HUMAN RESOURCES DEPARTMENT
100 N. Appleton Street
Appleton, WI 54911
Phone: (920) 832-6458
Fax: (920) 832-5845

To: Human Resources/Information Technology Committee, and Appleton Common Council

From: Human Resources Director Jay Ratchman

Date: October 3, 2023

Re: City of Appleton Mayor Compensation for new term starting April 2024

The City of Appleton Mayor salary is set every four years based on the term dates of this position. The current salary is established through March 31, 2024. It is the role of the Human Resources/Information Technology Committee to set the compensation for this position by December 1 in the year prior to when the new term begins. The new term will begin on April 1, 2024.

My memo is intended to provide information on the current compensation for the position, along with contextual information to help provide some insights as you make your decision.

Here is the current status:

- The current salary for the City of Appleton Mayor is set at \$106,662.
- This position received a 1.5% increase in each year of the current four-year term (total 6% increase).
- The Mayor supervises all City Department Directors.
- The City Department Directors received a total of a 9% increase over the past three years, with a 3% increase being proposed in the 2024 budget.

Based on this information, I would recommend a 3% lift to the City of Appleton Mayor salary at the start of the new term, along with annual increases. This would result in the following future compensation for the position:

Current Salary		\$106,662.00	
Lift	3.00%	\$109,861.86	lift to match the proposed City Attorney position increase
4/1/2024-3/31/2025	3.00%	\$113,157.72	to match proposed raise for the Directors in the 2024 budget
4/1/2025-3/31/2026	2.00%	\$115,420.87	
4/1/2026-3/31/2027	2.00%	\$117,729.29	
4/1/2027-3/31/2028	2.00%	\$120,083.87	

This recommended pay structure also keeps us better aligned with comparable data from other Wisconsin communities (attached). This comparable data includes the positions of Mayor, City Administrators, and City Managers.

Thank you in advance for allowing me to provide this information to assist in your decision. If you have any questions, please let me know.

Sincerely,

Jay Ratchman
Human Resources Director

Municipality		Mayor		Population	Term	Salary	# Reports	Benefits	Expense Account	Other
Mayor Salary Survey										
Appleton	Mayor	74,653	2023-2024		\$106,662	15	Health, Dental, Life, LTD, Pension	None	None	None
Green Bay	Mayor	107,015	2023-2027		\$102,299	13	Health, Dental, Life, LTD, Pension	None	None	\$30/month mileage reimbursement
La Crosse	Mayor	51,834	2023		\$94,931	3	Health, Dental, Life, LTD, Pension	\$2,075.00		\$250/mo car allowance
Manitowoc	Mayor	32,697	2023		\$79,854.00	10	Health, Dental, Vision, Life, LTD, LTD, Pension	None	None	\$300/month vehicle allowance
Mensha			2023		\$80,000.00		Health, Dental, Vision, Flex Spending, Pension			
Kaukauna	Mayor	17,120	2022-2024		\$90,209.00	10	Health, Dental, Life, Pension, Flex Spending			Receives a \$450.00 auto allowance annually (\$37.50 per month), \$40.00 per month cell phone stipend
Neenah	Mayor	25,914	9-2022 ordinance (active Sept 2023)		\$81,630.00	12	Health, Dental, Life, LTD, Pension	None	None	
Wausau	Mayor	39,994	2020-2024		\$78,873.60	8	Health, Dental, Life, Pension, Sick Accrual	None	None	\$300 monthly vehicle allowance, \$50/month cell phone allowance
Kenosha	City Administrator	99,877			\$139,065-\$178,782	19	Health, Dental, Life, LTD, Pension	None	None	None
Racine	City Administrator	77,542	2023		\$151,548	Did not report #	Health, Dental, Life, LTD, Pension	None	None	None
Sheboygan	City Administrator	48,329	2023		\$150,000	18	Health, Dental, Life, LTD, Pension	None	None	None
Sheboygan	Mayor	48,329	2032		\$58,282					
Waukesha	Mayor	72,489								
EauClaire	City Manager	70,587			\$157,864	14	Health, Dental, Life, LTD, Pension, Vision	None	None	Deferred Comp 3%, \$500/mo auto allow, smart phone
Janesville	City Manager	64,359								
Oshkosh	City Manager	66,607			\$180,350	12	Non-rep benefits	None	None	None
City of De Pere	City Manager	25,525	2023 - 2024		\$26,649		EAP	None	None	Mileage reimbursement at IRS rate
Grand Chute	City Administrator	23,964	2023		\$126,817 - \$163,051	8	Health, Dental, Life, Vision, STD/LD, Sick, Vacation, Pension, EAP	None	None	Information is based on full-time Administrator - Cell Phone, Annual Conferences, Membership Dues
City of Fitchburg	City Administrator	31,000	N/A - treated as a non-rep		\$163,966.40	14	Same as non-reps	None	None	Same as non-reps
City of Fitchburg	Mayor	31,000	2023-2026		\$10,000	3	None	None	None	None



Appleton Health Department Procedures



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Title: Creation and Maintenance of Procedures				
Policy #: AHD002				
Creation Date: 09.27.2023		Last Approved Date:		Reviewed Annually
Description: This policy describes the system for creating, reviewing, and revising procedures.				
PHAB Domain/Standard/Measure (LINK): 10.2.1 A: Manage operational policies including those related to equity.				
Statutory Authority/Evidence Base/Links:				
Author(s)/Reviewer(s): Charles Sepers, Breanna Mekuly, Eric Maggio, Steve Kihl, Megan Ehlert				
Policy Approval Tracking				
Created/Reviewed/Revised Date	Legal Services Approval Date	Board of Health Approval Date	Council Approval Date	Health Officer or Designee Signature (Name/Title)
Created 09.27.2023	10.02.2023			

Purpose

This procedure describes the system for creating and reviewing procedures.

Procedure

Creating Procedures

1. Procedures created will follow Policy AHD002: Creation and Maintenance of Procedures, located within the [Policies](#) folder.
2. Staff developing procedure will record the new procedure information into the Policy and Procedure Index located within the [Policies](#) folder. This step assigns the procedure number.



Appleton Health Department Procedures



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3. Procedure numbering has two parts: Division Identifier and three-digit number. Each procedure name begins with the division identifier followed by the three-digit number assigned by the Policy and Procedure Index in sequential order. (Examples: PRO_WM014, PRO_EH018, PRO_EM011, PRO_N009, PRO_AHD001)

Divisions:

PRO_AHD All Health Department

PRO_CH Community Health

PRO_EH Environmental Health

PRO_EM Emergency Management

PRO_N Nursing

PRO_WM Weights and Measures

4. Procedures created will use the Procedure Template, located within the [Procedures](#) folder.
5. Procedure documents will follow a standard naming convention:
PRO_ProcedureNumber_Procedure Name_LastApprovedDate

(Example: PRO_AHD002_Creation and Maintenance of Procedures_07.26.2023)
6. The document file path should be listed in the footer of the documents.
7. Typed signatures may be used on procedure cover sheets.
8. The level of procedure approval is based on the requirements for the procedure. At a minimum, procedures should be reviewed and approved by the Division Supervisor responsible. Some procedures such as Nursing procedures may need the approval of the Department Medical Advisor. All procedures will be reviewed and approved by the Health Officer or designee.
9. Once a procedure has been approved, it will be filed in the appropriate Division folder located within the [Procedures](#) folder. If procedure has several addendums or attachments, a folder should be created using the standard naming convention and all documents stored within.
10. The frequency that procedures are to be reviewed is determined by the governing authority for each procedure, but no less than once per year.

Review and Revision of Procedures

1. The division will review and revise procedures yearly.
2. Each Division Supervisor is responsible for ensuring that the procedures for their areas are reviewed and/or revised within the frequency cycle. The Division Supervisor or designee will



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update the review/revision due dates in the Policy and Procedure Index located within the [Policies](#) folder.

3. Staff should not revise procedures directly in the official department procedures folder. A working copy should be created by staff updating the procedure.

(Example: PRO_AHD001_Creation and Maintenance of Procedures_DRAFT)

4. The updated version of the procedure will be saved in the appropriate Division folder. Be sure to update cover sheet and the file path in the footer. Procedure documents will follow a standard naming convention: PRO_ProcedureNumber_Procedure Name_LastApprovedDate

(Example: PRO_AHD001_Creation and Maintenance of Procedures_08.12.2023)

5. Typed signatures may be used on procedure cover sheets.
6. The staff updating the procedure will also update Policy and Procedure Index located within the [Policies](#) folder.
7. Once procedure update is completed and approved, the preceding official department procedure version will be moved to the archive folder located within the [Procedures](#) folder.
8. A copy of all procedures shall be maintained in accordance with the City of Appleton document [Retention Policy](#).

Definitions

A Procedure is a description of the operational processes necessary to implement a policy.

Attachments

Attachment 1: Procedure Template



Appleton Health Department Procedures



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Title:			
Procedure #:			
Creation Date:	Last Approved Date:		Reviewed Annually
Description:			
<u>PHAB Domain/ Standard/ Measure (LINK):</u>			
Statutory Authority/ Evidence Base/ Links:			
Author(s)/ Reviewer(s):			
Procedure Approval Tracking			
Created/ Reviewed/ Revised Date	Division Supervisor Signature	Department Medical Advisor (if required)	Health Officer or Designee Signature (Name/Title)
Created			

Purpose

Procedure

Definitions

Attachments

Resolution #9-R-23

Resolution Supporting Mental Health Awareness and Services in the City of Appleton

Submitted by: Alderperson Nate Wolff – District 12

Date: August 16, 2023

Referred To: Board of Health

Summary:

The resolution aims to address the urgent need to enhance mental health support and promote overall well-being in our community. Recognizing the rising prevalence of mental health disorders and their impact on individuals, families, and communities, this resolution acknowledges the significance of prioritizing mental health care as an integral part of public health.

WHEREAS, mental health is an essential component of overall health and well-being; and

WHEREAS, mental illness affects individuals of all ages, races, genders, and socio-economic backgrounds; and

WHEREAS, mental health disorders can lead to significant personal, social, and economic costs for individuals, families, and communities; and

WHEREAS, access to mental health services and support is critical for individuals to lead healthy and fulfilling lives; and

WHEREAS, the COVID-19 pandemic has highlighted the importance of mental health and the need for increased access to mental health services; and

WHEREAS, the city of Appleton recognizes the importance of promoting mental health awareness, reducing stigma associated with mental illness, and increasing access to mental health services;

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

Be it further resolved, the city of Appleton recognizes the importance of mental health and the impact of mental illness on individuals, families, and communities.

Be it further resolved, the city of Appleton commits to promoting mental health awareness and reducing stigma associated with mental illness through public education campaigns, community events, and partnerships with local mental health organizations.

Be it further resolved, the city of Appleton supports increased access to mental health services and encourages the expansion of mental health services, including telemedicine and other innovative approaches to increase access.

Be it further resolved, the city of Appleton will continue to work collaboratively with local mental health organizations and other stakeholders to identify gaps in mental health services and develop strategies to address those gaps.

Be it further resolved, the city of Appleton encourages employers and schools to provide mental health resources and support to their employees and students.

Be it further resolved, the city of Appleton encourages state and federal policymakers to prioritize mental health and increase funding for mental health services and research.

BE IT FURTHER RESOLVED, that the Clerk of the Common Council is directed to forward a copy of this resolution to the Mayor, local mental health organizations, the Wisconsin State Legislature, and members of congress in Wisconsin.

153-23

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 10-18-2023)

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 at 4704 North Ballard Road (Tax Id #31-1-8008-00), including to the centerline of the adjacent right-of-way, and the adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00) from Temporary AG Agricultural District and R-1A Single-family District to C-2 General Commercial District. (Rezoning #7-23 – Prospera Credit Union, owner and Mark Boehlke of Hoffman Planning, Design & Construction, applicant)

LEGAL DESCRIPTION:

Parcel Id #31-1-8008-00

A part of the South Fractional 1/2 of the Northwest 1/4 of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 0.98 Acres of land m/l and described as follows:

Commencing at the West 1/4 corner of said Section 7;

Thence North 00°03'10" West 397.00 feet along the West line of the Northwest 1/4 of said Section 7;

Thence South 89°11'07" East 50.01 feet to the East line of Ballard Road to the point of beginning;

Thence North 00°03'10" West 218.13 feet m/l to a South line of Lot 1 of C.S.M. No. 6239;

Thence North 89°57'00" East 200.00 feet along a South line of said Lot 1;

Thence South 00°03'10" East 109.43 feet along a West line of said Lot 1 to the most South line of said Lot 1;

Thence South 89°49'09" West 8.02 feet;

Thence South 00°03'10" East 111.58 feet;

Thence North 89°11'07" West 192.00 feet to the Point of Beginning, including to the center line of the right-of-way.

And

Parcel Id #31-1-8007-00

A part of the South fractional 1/2 of the Northwest 1/4 of Section 7, 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 7; thence North, along the West line of Section 7, 284 feet to a point; thence East, parallel with the South line of the South fractional 1/2, 242 feet to the point of beginning; thence North, parallel with the West line of Section 7, 224.7 feet to a point in the South line of Volume 509 Page 641; thence Easterly along the South line of Volume 509 Page 641, 476 feet to a point; thence South parallel with the west line of Section 7, 232.8 feet to a point; thence West, parallel with the South line of the South fractional 1/2, 476 feet to the point of beginning.

COMMON DESCRIPTION:

4704 North Ballard Road (Tax Id #31-1-8008-00), including to the centerline of the adjacent right-of-way, and the adjacent land locked parcel directly to the east (Tax Id #31-1-8007-00)

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.

154-23

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 – 10-04-2023)

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

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

Ord. 20-03: “Parking be restricted to two hours from 7:00 a.m. to 5:00 p.m., except Saturdays, Sundays and Holidays, on Arnold Street from Lawe Street to 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.

Dated: October 18, 2023