



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, April 3, 2024

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
[24-0360](#) Common Council Meeting Minutes of March 20, 2024

Attachments: [CC Minutes 3-20-24.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR
[24-0366](#) Board & Commission Appointments

Attachments: [April 3 2024 Council Appointments Memo.pdf](#)

- [24-0367](#) City of Appleton Brand Guidelines

- H. PUBLIC PARTICIPATION

- I. PUBLIC HEARINGS

- [24-0302](#) Public Hearing for Rezoning 1-24 207 N Green Bay Road from R-2 Two Family District to R-1B Single Family District

Attachments: [RZ #1-24 Notice of Public Hearing.pdf](#)

- J. SPECIAL RESOLUTIONS

- K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[24-0338](#)

Approve the Complete Streets Documents:

- a. Complete Streets Policy
- b. Pedestrian Crossing Improvements Policy
- c. Priority Project Locations
- d. Complete Streets Design Guide

Attachments: [Appleton Complete Streets Policy & Worksheet \(3-25-24 MSC\).pdf](#)
[Appleton Ped Crossing Improvement Policy with Map \(3-25-24 MSC\).pdf](#)
[Appleton CS Priority Locations \(3-25-24 MSC\).pdf](#)
[Appleton Complete Streets Design Guide \(3-25 MSC\).pdf](#)

Legislative History

3/25/24 Municipal Services recommended for approval
 Committee

[24-0339](#)

Approve the new roadway design parameters for Lumbini Estates Subdivision.

Attachments: [Lumbini Estates New Street Design.pdf](#)

Legislative History

3/25/24 Municipal Services recommended for approval
 Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0314](#)

Recommended Denial of an Operator License for Isaiah Nettles.

Attachments: [Isaiah Nettles Operator License Application.pdf](#)
[Isaiah Nettles PD Letter.pdf](#)
[Isaiah Nettles Clerk Letter.pdf](#)
[Isaiah Nettles Supporting Documentation.pdf](#)
[Isaiah Nettles Follow Up Memo 03-28-2024.pdf](#)

Legislative History

3/27/24 Safety and Licensing recommended for approval
 Committee

Isaiah Nettles appeared and addressed the Committee.

Stacy Knaack, owner of Glass Nickel Pizza, appeared and addressed the Committee.

The recommendation to deny the operator license was approved.

[24-0327](#) Recommended Denial of an Operator License for Miguel Hulke.

Attachments: [Miguel Hulke Operator License Application.pdf](#)
[Miguel Hulke PD Letter.pdf](#)
[Miguel Hulke Clerk Letter.pdf](#)
[Miguel Hulke Supporting Documentation.pdf](#)

Legislative History

3/27/24 Safety and Licensing Committee recommended for denial
 Miguel Hulke appeared and addressed the Committee.
 Sarah Gregory, owner of Sangria's, appeared and addressed the Committee.

Motion was made to approve the Operator License based upon documents submitted by the applicant showing rehabilitation. The Operator License was recommended for approval and the recommended denial of the license (as presented on the agenda) was denied.

[24-0320](#) Municipal Code Revision Re: Open Flame Effect Display

Attachments: [2024_OFED-Chapter_6_Memo.pdf](#)
[Chapter_6_Fire_OFED_Revisions.pdf](#)
[AFD_Fee_Schedule.pdf](#)

Legislative History

3/27/24 Safety and Licensing Committee recommended for approval

[24-0342](#) Class "A" Beer License Change of Agent application for Kwik Trip Inc. d/b/a Tobacco Outlet Plus Grocery 556, New Agent, Jennifer J. Ross, located at 1342 W. Prospect Avenue

Attachments: [Tobacco Outlet Plus Grocery 556 Change of Agent.pdf](#)

Legislative History

3/27/24 Safety and Licensing Committee recommended for approval

3. MINUTES OF THE CITY PLAN COMMISSION[24-0246](#) Request to approve Rezoning #1-24 for the subject parcel located at 207 N. Green Bay Road (Tax Id #31-1-0738-00), including to the centerline of the adjacent street right-of-way, as shown on the attached maps, from R-2 Two-Family District to R-1B Single-Family District

Attachments: [StaffReport_Mevis_Rezoning_For3-13-24.pdf](#)

Legislative History

3/13/24 City Plan Commission recommended for approval
Proceeds to Council on April 3, 2024.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[24-0345](#) Request to award Unit J-24 Mini Storm Sewer Construction to M&E Construction in a total amount not to exceed \$250,000.

Attachments: [Contract Award Form Unit J-24.pdf](#)
[J-24 bid tab.pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

[24-0346](#) Request to award Unit C-24 Sidewalk Sawcutting to ASTI Sawing, Inc. in a total amount not to exceed \$30,000.

Attachments: [Contract Award Form Unit C-24.pdf](#)
[C-24 bid tab.pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

[24-0347](#) Request to accept Signals and ITS Standalone Program Grant funding from the Wisconsin DOT to replace signal equipment at controlled intersections. (This item shows as an action item on both Municipal Services Committee and Finance Committee Agendas)

Attachments: [2024.03.25 SISP Grant Request.pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

3/25/24 Municipal Services Committee recommended for approval

[24-0348](#) Request to award the City of Appleton AWWTP 2024 Light Fixture Replacement purchase order to Werner Electric Supply, Co. in the amount of \$81,467.14

Attachments: [2024 AWWTP Light Fixtures.pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

[24-0349](#) Request to award the 2024 AWWTP Roof Replacement Project contract to Crafts, Inc. in the amount of \$1,107,734 with a 6% contingency of \$66,464 for a project total not to exceed \$1,174,198.

Attachments: [2024 AWWTP Roofing Project .pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

[24-0350](#)

Request to award the Fire Station #6 and Fire Station #1 HVAC Upgrades Project contract to AMA Heating & Air Conditioning, Inc. in the amount of \$467,042 with an 8% contingency of \$37,364 for a project total not to exceed \$504,406, along with the following budget amendment (2/3 vote of Council required):

2024 Telulah Park Pavilion Renovation Project	- \$50,000
2024 Fire Station #1 HVAC Upgrades Project	+\$50,000

Attachments: [2024 Fire Station #1 and #6 HVAC Upgrades with Budegt Transfer.pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

[24-0351](#)

CEA Review Committee Report

Attachments: [CEA Minutes 3-11-24 CEA.pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

[24-0352](#)

Request to approve the execution of MOUs for the following projects using ARPA funding, thus obligating the funds per ARPA requirements:

Safe and Secure Cities Program	\$ 40,000
Neighborhood Watch Programming Integration	\$ 50,000
APD Basic Needs Team Space Remodel	\$ 50,000
Traffic Signal Control Safety Enhancements	\$ 360,000
Downtown Lighting Enhancements	\$ 15,000
Comprehensive Plan Updates & Sub-area Planning	\$ 400,000
Neighborhood Leadership Academy	\$ 100,000
Appleton Transit Center Renovation	\$ 1,800,000

Attachments: [ARPA MOU Memo.pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

[24-0353](#)

Request to approve the 2023-2024 Budget carryover appropriations (2/3 vote of Council required):

1. Items not under contract \$28,495,054
2. Items requesting special consideration \$1,309,601

Attachments: [Not Under Contract 2023-2024 Carryover.pdf](#)

[Special Consideration 2023-2024 Carryover.pdf](#)

[Special Consideration 2023-2024 Carryover - Corrected 3-25-24.pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval
The committee noted an error within the group headings on the special consideration list, the heading of Legal Services should have been Community & Economic Development.

[24-0354](#)

Request to approve the following 2024 Budget amendments:

Facilities Capital Projects

Donations & Materials	+\$279,800
Land Improvements	+\$279,800

To record donation from Goodwill to cover 100% costs to remove existing surface and replace with a new ADA rubber surface at the Miracle League Field in Memorial Park. Agreement with Goodwill was approved at the May 3, 2023 Common Council meeting (2/3 vote of Council required).

Attachments: [2023 Miracle League Field \(1\).pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

[24-0356](#)

Request to approve the following 2023 Budget amendments:

Community Development Block Grant Fund

Federal Grants	+ \$102,294
Grant Payments	+ \$102,294

to record additional federal funds received in the Community Development Block Grant program (2/3 vote of Council required)

Police Grants Fund

Federal Grant	+ \$ 63,232
Misc State Aids	+ \$101,641
Misc Local Govt Aids	+ \$ 29,977
Overtime Wages	+ \$136,139
Training/Conferences	+ \$ 22,479
Other Misc Supplies	+ \$ 4,998
Protective Clothing	+ \$ 4,760
Misc Equipment	+ \$ 26,474

to record additional funds received for Police Grant programs (2/3 vote of Council required)

Room Tax Administration Fund

Room Taxes	+ \$76,608
Other Contracts/Obligation	+ \$76,608

to record additional room taxes received (2/3 vote of Council required)

Wheel Tax Fund

Wheel Tax	+ \$29,821
Transfer Out - General Fund	+ \$29,821

to record wheel taxes received (2/3 vote of Council required)

Health COVID-19 ELC Grant Fund

Health Grants	+ \$11,458
Salaries/Fringe	+ \$11,458

to record additional COVID-19 ELC Grant funds received (2/3 vote of Council required)

Health COVID-19 PHEP Workforce Grant Fund

Health Grants	+ \$19,021
Salaries/Fringe	+ \$19,021

to record additional COVID-19 PHEP Workforce Grant funds received (2/3 vote of Council required)

Debt Service Fund

Premium on Debt Issue	+ \$41,862
Consulting Services	+ \$41,862

to record additional expense related to the 2023 debt issue (2/3 vote of Council required)

TIF #12 Fund

Fund Balance Applied	+ \$60,323
Other Contracts/Obligations	+ \$60,323

to record payment required by developer agreement (2/3 vote of Council required)

TIF #13 Fund

Sale of City Property	+ \$28,364
Recording Fees	+ \$ 1,000
Salaries/Fringe	+ \$26,864
Streets	+ \$ 500

to record expense for recording fees, salary and fringe costs, and infrastructure after creation of TID (2/3 vote of Council required)

General Fund

Salaries/Fringe Benefits-Human Resources	+ \$ 41,797
Salaries/Fringe Benefits-Parks & Rec	+ \$130,993
Wage Reserve	- \$172,790

to allocate wage reserve funds (2/3 vote of Council required)

Legislative History

3/25/24 Finance Committee recommended for approval

[24-0359](#)

Request to approve the following transfers of ARPA grant funds to the Library project (2/3 vote of council required)

ARPA Grant Fund

Transfer Out - General Fund	+ \$2,000,000
Fund Balance Applied	+ \$2,000,000

General Fund

Transfer In - ARPA Grant Fund	+ \$2,000,000
Transfer Out - Facilities Capital Projects	+ \$2,000,000

Facilities Capital Projects Fund

Transfer In - General Fund	+ \$2,000,000
Library Project	+ \$2,000,000

Attachments: [Finance Committee - 2024 Library Project ARPA.pdf](#)

Legislative History

3/25/24 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[24-0325](#) Award of Turbidity Instrument Purchase to Hach Company in the amount of \$36,469.08 with a 15% contingency of \$5,470.36 for a total not to exceed \$41,939.44.

Attachments: [240315_UC Memo_HachTurbidimeterPurchase.pdf](#)

Legislative History

3/26/24 Utilities Committee recommended for approval

[24-0358](#) Sole Source Purchase Award of Wash Press #3 Auger Assembly Replacement Equipment from Vulcan Industries in the amount of \$25,666 with a 10% contingency of \$2,566 for a project total not to exceed \$28,232.

Attachments: [240322_UCMemo_Sole Source Purchase_VulcanWashPressParts.pdf](#)

Legislative History

3/26/24 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

[24-0332](#) Change Order Authorization for Furniture Purchase

Attachments: [FCTC Memo Furniture PO increase.pdf](#)

Legislative History

3/26/24 Fox Cities Transit Commission recommended for approval

[24-0333](#) Authorization to Award a five-year Contract with three one-year options to Ecolane USA Inc. for the Provision of Paratransit Scheduling & Dispatch Software

Attachments: [FCTC Award Recommendation Memo_Ecolane 2024.pdf](#)

Legislative History

3/26/24 Fox Cities Transit Commission recommended for approval

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[24-0363](#) Ordinances #13-24 to #18-24

Attachments: [Ordinances to Council 4-3-24.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

[24-0370](#) Farewell to Departing Alders

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

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Appleton, WI 54911-4799
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Meeting Minutes - Final Common Council

Wednesday, March 20, 2024

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 Hartzheim.

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

[24-0301](#)

Common Council Meeting Minutes of March 6, 2024

Attachments: [CC Minutes 3-6-24.pdf](#)

Alderperson Hartzheim moved, seconded by Alderperson Del Toro, 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

H. PUBLIC PARTICIPATION

The following individuals spoke regarding Item# 24-0279 Rye Restaurant Planter Boxes:
Danielle Weyenberg, 310 W College Ave
Nathan Weyenberg, 310 W College Ave
Nick Morse, 308 W College Ave
Mackenzie Vandenberg, 308 W College Ave

The following spoke regarding Item# 24-0269 USV Development Agreement:
Jennifer Stephany, 333 W College Ave
Mercedes Bereza, 425 Better Way
James Fenlon, 425 Better Way

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[24-0279](#)

Approve request from RYE Restaurant for an annual street occupancy permit along 308 W. College Avenue for a window box overhang/obstruction.

Attachments: [RYE Window Planter - Amenity.pdf](#)

Aldersperson Van Zeeland moved, seconded by Aldersperson Schultz, that the Item be amended to place a contingency on the approval of the Street Occupancy Permit for modifications to the Special Use Permit to make the planter boxes ADA compliant. 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

Aldersperson Alfheim moved, seconded by Aldersperson Fenton, that the Street Occupancy Permit be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, 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

Nay: 2 - Alderperson Vered Meltzer and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[24-0259](#)

Award Single Source K-24 Native Landscape Management Contract to NES Ecological Services - A Division of Robert E. Lee & Associates, in an amount not to exceed \$192,345.12.

Attachments: [K-24 contract award util memo 03-12-2024 Final.pdf](#)

Alderperson Fenton moved, seconded by Alderperson Croatt, that the Contract award be approved. Roll Call. Motion carried by the following vote:

Aye: 11 - Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Joss Thyssen, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 4 - Alderperson William Siebers, Alderperson Israel Del Toro, Alderperson Alex Schultz and Alderperson Nate Wolff

Abstained: 1 - Mayor Jake Woodford

[24-0313](#)

The Common Council may go into closed session according to State Statute §19.85(1)(e) for the purposes of deliberating or negotiating the purchasing of public properties and the investing of public funds, regarding the U.S. Venture development project and then reconvene into open session.

Prior to action on Item #24-0269 the Common Council convened into Closed Session.

Alderperson Hartzheim moved, seconded by Alderperson Van Zeeland, that the Common Council convene into Closed Session at 7:52 p.m. 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

[24-0269](#)

Request to approve the Development Incentive Agreement with USV 222, LLC for improvements and redevelopment of the property located at 222 W. College Avenue (Tax Id #31-2-0257-00) in Tax Increment Financing District No. 11

Attachments: [USVMemo_MemoCEDC_030152024_Final.pdf](#)
[2024.03.15_FinalDraft_Clean_USV_222_Bldg - Dev Agrm - Final.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Croatt, that the Common Council rise and report and reconvene into open session at 8:33 p.m. Roll Call. Motion carried 15/0.

Aldersperson Croatt moved, seconded by Aldersperson Van Zeeland, that the Development Incentive Agreement 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 Joss Thyssen, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim and Aldersperson Christopher Croatt

Nay: 1 - Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Hartzheim moved, Aldersperson Hayden 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

[24-0276](#)

Approve the installation of all-way stop control at the intersection of Capitol Drive and Conkey Street. Follow up to a six month trial period.

Attachments: [Conkey Capitol \(post 6-mo eval for 2-way stop to all-way stop\).pdf](#)

This Report Action Item was approved.

[24-0277](#)

Approve the proposed parking change on Drew Street, north of North Street. Follow up to a six month trial period.

Attachments: [Drew n-o North \(post 6-mo eval\).pdf](#)

This Report Action Item was approved.

[24-0278](#)

Approve request from Northcentral Construction Corporation for a temporary street occupancy permit within Oneida Street and Harris Street for the construction of Rise Apartment for a period ending on June 30, 2024.

Attachments: [Rise Apartments 24-025-T.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0319](#)

Municipal Code Revisions Re: Alarm Fees

Attachments: [Revised Alarm Fees Memo.pdf](#)

[Revised Alarm Fees Municipal Code.pdf](#)

This Report Action Item was approved.

[24-0227](#)

Class "A" Beer/"Class A" Liquor License application for Thapa Petroleum LLC, d/b/a Appleton Clark, Ganesh Thapa, Agent, located at 1200 W Wisconsin Avenue, contingent upon approval from the Health and Fire Departments.

Attachments: [Thapa Petroleum LLC_Redacted.pdf](#)

This Report Action Item was approved.

[24-0233](#)

Class "B" Beer/"Class B" Liquor License application for Sonys Bistro LLC d/b/a Meade Street Bistro, Synona Meyer, Agent, located at 2729 N. Meade Street, contingent upon approval from the Health, Public Works, and Police Departments.

Attachments: [Meade Street Bistro Application_Redacted.pdf](#)

This Report Action Item was approved.

[24-0304](#)

Class "A" Beer & "Class A" Liquor License Change of Agent application for Aldi Inc Wisconsin d/b/a Aldi #86, New Agent, Chris Ryan Subert, located at 2702 N. Richmond Street

Attachments: [Aldi #86 Change of Agent.pdf](#)

This Report Action Item was approved.

[24-0305](#)

Class "A" Beer & "Class A" Liquor License Change of Agent application for Aldi Inc Wisconsin d/b/a Aldi #68, New Agent, Brittney Ann Wagner, located at 116 N Linwood Avenue

Attachments: [Aldi #68 Change of Agent.pdf](#)

This Report Action Item was approved.

[24-0311](#)

Class "B" Beer and "Class B" Liquor Premise Amendment application for Antojitos Mexicanos LLC d/b/a Antojitos Mexicanos, Fernando Almanza, Agent, located at 204 E College Ave, contingent upon approval from the Finance Department.

Attachments: [Antojitos Mexicanos LLC - Premise Amendment.pdf](#)

This Report Action Item was approved.

[24-0300](#)

Class "B" Beer Premise Amendment application for Appleton Axe LLC d/b/a Appleton Axe, Patrick Van Abel, Agent, located at 1400 W College Ave, contingent upon approval from the Community Development, Fire, Health and Inspections Departments.

Attachments: [Appleton Axe LLC - Premise Amendment.pdf](#)

This Report Action Item was approved.

[24-0247](#)

Cigarette, Tobacco, and Electronic Vaping Device Retail License application for Thapa Petroleum LLC d/b/a Appleton Clark, Ganesh Thapa, Agent, located at 1200 W Wisconsin Ave.

Attachments: [Thapa Petroleum LLC - CTV.pdf](#)

This Report Action Item was approved.

[24-0248](#)

Tobacco, and Electronic Vaping Device Retail License application for Top Dogz Vape Shop LLC d/b/a Top Dogz, Jennifer Peters, Agent, located at 1347 W Wisconsin Ave.

Attachments: [Top Dogz Vape Shop LLC - CTV.pdf](#)

This Report Action Item was approved.

[24-0266](#)

Cigarette, Tobacco, and Electronic Vaping Device Retail License application for Indianhead Oil Co LLC d/b/a Circle K #2746526, Brad Larson, Agent, located at 1935 E Calumet St.

Attachments: [Indianhead Oil Co. LLC - CTV.pdf](#)

This Report Action Item was approved.

[24-0288](#)

Electronic Vaping Device Retail License application for Good Nature EVAPOR LLC, Benjamin Grothe, Agent, located at 420 E. Northland Ave, Ste E.

Attachments: [Good Nature EVAPOR LLC - CTV.pdf](#)

This Report Action Item was approved.

3. **MINUTES OF THE CITY PLAN COMMISSION**
4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**
5. **MINUTES OF THE FINANCE COMMITTEE**

[24-0284](#)

Request to award Unit G-24 Southpoint Commerce Park Sewer & Water, Grade & Gravel to Carl Bowers & Sons Inc in the amount of \$2,301,282.52 with a 2.8% contingency of \$65,000 for a project total not to exceed \$2,366,282.52.

Attachments: [Contract Award Form Unit G-24.pdf](#)
[G-24 bid tab.pdf](#)

This Report Action Item was approved.

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

[24-0251](#)

Request to approve the City of Appleton maintain its current selling prices for business/industrial park land and hold option fees as described in the attached documents

Attachments: [Business-Industrial Park Land Value Memo to CEDC 3-13-24.pdf](#)
[Exhibit A-Ind Land Sales Comparison.pdf](#)
[Exhibit B-Ind Land Sales Ask Price Comparison.pdf](#)
[Southpoint Commerce Park Map 9 2023.pdf](#)

This Report Action Item was approved.

Request to approve the Development Incentive Agreement with USV 222, LLC for improvements and redevelopment of the property located at 222 W. College Avenue (Tax Id #31-2-0257-00) in Tax Increment Financing District No. 11

Request to approve the Development Incentive Agreement with USV 222, LLC for improvements and redevelopment of the property located at 222 W. College Avenue (Tax Id #31-2-0257-00) in Tax Increment Financing District No. 11

[24-0269](#)

Request to approve the Development Incentive Agreement with USV 222, LLC for improvements and redevelopment of the property located at 222 W. College Avenue (Tax Id #31-2-0257-00) in Tax Increment Financing District No. 11

Attachments: [USVMemo_MemoCEDC_030152024_Final.pdf](#)
[2024.03.15_FinalDraft_Clean_USV_222_Bldg_-_Dev_Agrm_-_Final.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[24-0258](#)

Approve 2023 Annual Stormwater Report to DNR.

Attachments: [2023 MS4 Annual Report_03-12-2024 Util Committee.pdf](#)

This Report Action Item was approved.

[24-0263](#)

Award the 2024 Ash Tree Removal Contract to Foley's Tree Service, LLC in an amount not to exceed \$375,000.

Attachments: [Ash Tree Removal Contract Award.pdf](#)

This Report Action Item was approved.

[24-0265](#) Award Appleton Water Treatment Facility Clearwell Repairs Project Base Bid to August Winter and Sons, Inc. in the amount of \$242,000 with 20% contingency of \$48,400 for a project total not to exceed \$290,400.

Attachments: [240308_UC Memo AWTF Clearwell Repair Award_AWS.pdf](#)

This Report Action Item was approved.

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

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

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

1. [24-0241](#) Environmental Health Pool Fees

Attachments: [2024.03.06_EHPoolMemo_0.pdf](#)

This Report Action Item was approved.

2. [24-0249](#) Amendment to Rodent Control Article III

Attachments: [2024.03.07_Amendment to Rodent Control Article III_0.pdf](#)
[0103 - Rodent Control Article III \(2024 update\).pdf](#)

This Report Action Item was approved.

M. **CONSOLIDATED ACTION ITEMS**

N. **ITEMS HELD**

O. **ORDINANCES**

P. **LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION**

Q. **RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION**

[24-0340](#) Resolution #3-R-24 Environmental Education Resolution

Attachments: [#3-R-24 Environmental Education Resolution.pdf](#)

[24-0341](#) Resolution #4-R-24 Sustainable Use of Pesticides

Attachments: [#4-R-23 Sustainable Use of Pesticides.pdf](#)

R. OTHER COUNCIL BUSINESS

[24-0312](#) Request to Reconsider Item #24-0214 Glendale & Whitman Yard Waste Site Hours of Operation

Aldersperson Hartzheim moved, seconded by Aldersperson Van Zeeland, that Item# 24-0214 be Reconsidered. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, 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

Nay: 2 - Aldersperson Israel Del Toro and Aldersperson Joss Thyssen

Abstained: 1 - Mayor Jake Woodford

[24-0214](#) Approve the proposed modification to the Glendale and Whitman Yard Waste Site hours of operation.

Motion to approve on 3/6/24 failed 6/6

Attachments: [2024.02.26_Yard Sites Schedule Proposal.pdf](#)

Aldersperson Meltzer moved, seconded by Aldersperson Wolff, that the Item be amended to change the proposal of the Winter hours at the Glendale site to be open the last Saturday of the month for the months: November, January, February & March. Roll Call. Motion failed by the following vote:

Aye: 3 - Aldersperson Vered Meltzer, Aldersperson Patrick Hayden and Aldersperson Alex Schultz

Nay: 12 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Israel Del Toro, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Joss Thyssen, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Abstained: 1 - Mayor Jake Woodford

Aldersperson Hartzheim moved, seconded by Aldersperson Fenton, that the Modifications of the Yard Waste Site Hours be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, 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

Nay: 1 - Alderperson Vered Meltzer

Abstained: 1 - Mayor Jake Woodford

S. CLOSED SESSION

The Closed Session was taken up prior to action on Item # 24-0269

T. ADJOURN

Alderperson Fenton moved, seconded by Alderperson Hartzheim, that the meeting be adjourned at 9:18 p.m. 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

Kami Lynch, City Clerk



CITY OF APPLETON

Date: April 3, 2024
To: Members of the Common Council
From: Mayor Jacob A. Woodford
Subject: Confirmation of Appointments

It is with pleasure that I present the following recommendations for your confirmation at the April 3, 2024, Common Council meeting.

Board of Health

Deborah Werth	Term Ends April 2026
Kathleen Fuchs	Term Ends April 2026
Cathy Spears	Term Ends April 2026

Board of Review

Kyle Lobner	Term Ends April 2025
Linda Marx	Term Ends April 2025
Sean Morgan	Term Ends April 2025

Board of Zoning Appeals

Scott Engstrom	Term Ends May 2027
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City Plan Commission

Adrienne Palm	Term Ends April 2027
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Fox Cities Area Room Tax Commission

Kara Homan	Term Ends May 2025
Jeri Ohman	Term Ends May 2025
Peter Rank	Term Ends May 2025

Fox Cities Transit Commission

Dianne Dexter	Term Ends April 2027
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Library Board of Trustees

Nanette Bunnow	Term Ends June 2027
John Keller	Term Ends June 2027
Jason Brozek	Term Ends June 2027

NOTICE OF PUBLIC HEARING

#1-24

RE: Proposed Zone Change

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on Wednesday, April 3, 2024, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zone change:

Rezoning #1-24: A rezoning request has been initiated by Ian Mevis and Maggie Mormor, owners, in the matter of amending Chapter 23 (Zoning Ordinance) of the Municipal Code of the City of Appleton for the below-described real estate, which is currently zoned R-2 Two-Family District. The owners propose to rezone the property to R-1B Single-Family District. The R-1B Single-Family District is intended to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses.

Legal Description:

207 N. Green Bay Road, Appleton, WI 54911 – 31-1-0738-00

LAWSBURG PLAT 1WD THAT PRT LOTS 4, 5, 15 & 16 LYG SOUTH OF LINE IN 671R114 OF BLK D; SUBJ TO SHARED DRIVEWAY AGREEMENT PER DOC #2193366, INCLUDING TO THE CENTERLINE OF THE ADJACENT STREET RIGHT-OF-WAY, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

March 14, 2024

RUN: March 19, 2024
March 26, 2024

KAMI LYNCH
City Clerk

Vision

Appleton will strategically use resources to plan, design, build and maintain a multi-modal network of streets so that community gathering and traveling by walking, rolling, biking, transit, and driving is a safe and positive experience for people of all backgrounds, ages and abilities, supporting Appleton's local economy, health and environment.

Scope

The Complete Streets Policy applies to all transportation projects, including new construction, reconstruction, rehabilitation and maintenance projects and street projects related to land subdivision or development. Safety and mobility for the most vulnerable road users will be prioritized in planning, project scoping, design, implementation, and maintenance, while all modes are considered. Examples of vulnerable road users can include people walking, rolling or on bicycle, people with disabilities, children or elderly people and people with economic or other barriers that limit their transportation options.

During construction projects and repair work, accommodations will be provided for pedestrians, cyclists, transit users and motor vehicles to provide safe and comfortable temporary access or detours. Private development that affects access to the public right-of-way must provide accommodations or detours for all users.

Deviations

The Complete Streets Policy allows City staff to draw from the best-known practices available and is not intended to limit discretion in City decision-making. Deviations from the Complete Streets Policy are anticipated under the following circumstances:

- Accommodation for the specified users is prohibited, such as on interstate freeways
- The cost of accommodation is excessively disproportionate to the need or probable use, or there is a documented absence of current and future need as specified by adopted long-range plans, including local and regional comprehensive and transportation plans
- A project along the same corridor is programmed in the future to provide accommodations for specific user groups
- The project is an emergency repair such as a broken water main. Temporary accommodations for all modes currently served by the corridor should still be made when feasible.

The Director of Public Works shall provide in writing the rationale for deviations from the Complete Streets Policy when requested by the Common Council.

Design Guidelines

The Appleton Complete Street Design Guidelines and Downtown Streetscape Design Guide will serve as primary design guidance. Appleton will continually look to best practices in national design guidance.

Design decisions will be documented using the Complete Streets Checklist.

Supervisors in the Department of Public Works and the Community & Economic Development Department will be encouraged to provide or make available training on the Complete Streets Policy and

Design Guidelines for all staff who are responsible for site and road improvements, operations and maintenance and for external partners including partner agency staff and private land developers, to support implementation of the policy.

Land Use and Context

Transportation projects will reflect the needs of the surrounding context, including existing and planned future development, specialized land uses such as parks or schools, and the presence of vulnerable users such as youth, seniors, people with disabilities, and low-income residents or workers.

New or revised land use policies, land use and transportation plans and zoning ordinances will be required to reflect and align with the Complete Streets policy.

Coordination

The Department of Public Works will be responsible for coordinating an inter-agency Complete Streets Policy approach as appropriate with internal city departments, East Central Wisconsin Regional Plan Commission, Outagamie County, Calumet County, Winnebago County, Wisconsin Department of Transportation, neighboring municipalities, and other internal and external stakeholders as appropriate. The Community & Economic Development Department and Public Works Department will be responsible for working with private developers to implement the Complete Streets policy through new subdivision or land development.

Implementation

This policy will be implemented by leveraging and prioritizing existing resources as well as seeking additional funding that supports safety and mobility for all users.

Appleton will review the annual capital budgeting process for opportunities to implement this policy. Opportunities include:

- Prioritize reconstruction and rehabilitation projects that meet the goals of the Complete Streets policy by filling in a gap in a user network (pedestrian, bicycle, transit, auto)
- Prioritize reconstruction and rehabilitation projects that serve vulnerable users, such as youth, seniors, people with disabilities and low-income residents or workers
- Prioritize reconstruction and rehabilitation projects that serve areas of the city with high potential for active trips, or that meet other city-adopted mobility goals
- Set aside funding for specific network priorities, such as closing pedestrian or bicycle network gaps or making stand-alone crossing improvements
- Set aside funding for Complete Streets demonstration and quick build projects

The Public Works Department will proactively share the Complete Streets policy with other road authorities, including Outagamie County, Calumet County, Winnebago County, and Wisconsin Department of Transportation, and will encourage agency partners to implement the Complete Streets policy on roadways within city limits.

The Public Works Department and Community and Economic Development Department will seek funding from outside sources to implement the Complete Streets policy.

Reporting and Evaluation

The Department of Public Works will provide an annual update on implementation of the Complete Streets policy, including:

- Infrastructure: a summary of infrastructure improvements aimed at improving safety and mobility, including pedestrian and bicycle infrastructure improvements
- Safety: Updated severe and fatal crash statistics for all modes of transportation, including demographic data as available, using data from the Wisconsin Department of Transportation

This policy will be reviewed for consistency with other City policies no less than every ten years.

Project Overview

Street name:

Project extent:

Funding source / potential grant opportunities:

Construction Year:

Partner road authority agencies / bordering communities:

Aldermanic District:

Context

This section summarizes the context for the street project. For more background information on the street context questions, see pages 7-11 of the Appleton Complete Streets Design Guide.

What type of project is this?

Reconstruction | Resurfacing | Spot Improvements | New Streets / Urbanizing Streets | Quick Build

What is the official class designation of the street?

Local | Collector | Arterial

What is the existing land use context?

Residential | Commercial | Mixed-Use | Industrial / Business Park | Park / School

Are there any anticipated land use or development changes in the future?

Is any part of the segment on a priority network?

Bike Network | Transit Network | Other

Does this project fall within an area of highest equity concern (in the top 20%)?

Yes | No

Are there any known equity considerations for the area served by this street project, i.e., priority populations in the project area, or destinations that serve priority populations?

Complete Streets Design Process: Layout

This section documents the design process for layout decisions. For more background information on the street layout questions, see pages 12-25 of the Appleton Complete Streets Design Guide.

What preferred cross section did you use as a starting point?

Are the preferred widths met for all street elements?

If any widths did not meet the preferred width, please document why:

Complete Streets Design Process: Traffic Calming and Multimodal Street Improvements

This section documents the design process for layout decisions. For more background information on the traffic calming, see pages 27-63 of the Appleton Complete Streets Design Guide.

What are the primary conflicts between modes that cause safety or mobility barriers?

Wide ROW | Wide Travel lanes | Long Crossing Distance | Large turning radius | High Travel Speeds | Limited Sight Lines | Heaving Volume of Turning Vehicles | High Speeds of Turning Vehicles | Known Crash History | High Demand Area for Walking and Bicycling | Impervious Surface Reduction | Maintenance Vehicle Turning Movements

Which conflicts most affect vulnerable road users who are walking, rolling, or bicycling?

Wide ROW | Wide Travel lanes | Long Crossing Distance | Large turning radius | High Travel Speeds | Limited Sight Lines | Known Crash History | Turning Conflicts

Which traffic calming features are used to address the identified issues?

Is there a traffic calming feature on every block segment and intersection? If no, please document why not:

Community Engagement Summary

How was the community engaged in this design process?

If equity priority populations have been identified, how were individuals from this population engaged?

What themes were heard from the community?

Pedestrian Crossing Improvement Policy, Appleton, Wisconsin

March 20, 2024

Vision

To improve access to destinations, the City of Appleton will invest in pedestrian crossing improvements using a consistent prioritization process grounded in the latest evidence on roadway safety treatments that are aligned with the Complete Streets Policy and Complete Streets Design Guide.

Definitions

Pedestrian crossings include marked and unmarked crosswalks at the intersections of two streets. A mid-block crosswalk shall be defined as any marked crosswalk that is not located within an intersection.

All marked crosswalks shall lead from one safe landing zone to another. A safe landing zone is considered as an area where a pedestrian is safe from vehicle conflict while waiting to cross or when finished crossing. This may include curb and gutter modifications and a concrete ramp installation meeting Proposed Right of Way Accessibility Guidelines (PROWAG) requirements.

Crosswalks shall be placed in areas where there is sufficient stopping sight distance for the posted speed limit and lighting for nighttime use on higher functional classification streets.

In all cases, intersection crosswalks shall be signed and marked in compliance with the Manual on Uniform Traffic Control Devices (MUTCD) and the Wisconsin Supplement to the MUTCD.

Implementation of Pedestrian Crossing Improvements

Pedestrian crossings shall be evaluated for safety improvements and enhanced as needed as part of programmed street maintenance projects in accordance with the Complete Streets Policy.

Pedestrian crossing improvements shall be prioritized based on the attached methodology, considering safety, potential for walking trips, equity and proximity to parks, schools, commercial areas, trails, transit stops and major barriers, such as the river or railroad. Corridors with multiple priority intersections may be considered for a corridor improvement study.

Projects identified through the prioritization methodology will be considered for inclusion in the recommended annual Capital Improvement Program. The Traffic Section will recommend projects that may include: 1) corridor improvement studies, 2) corridor pilot projects, 3) intersection demonstration projects, 4) intersection capital projects.

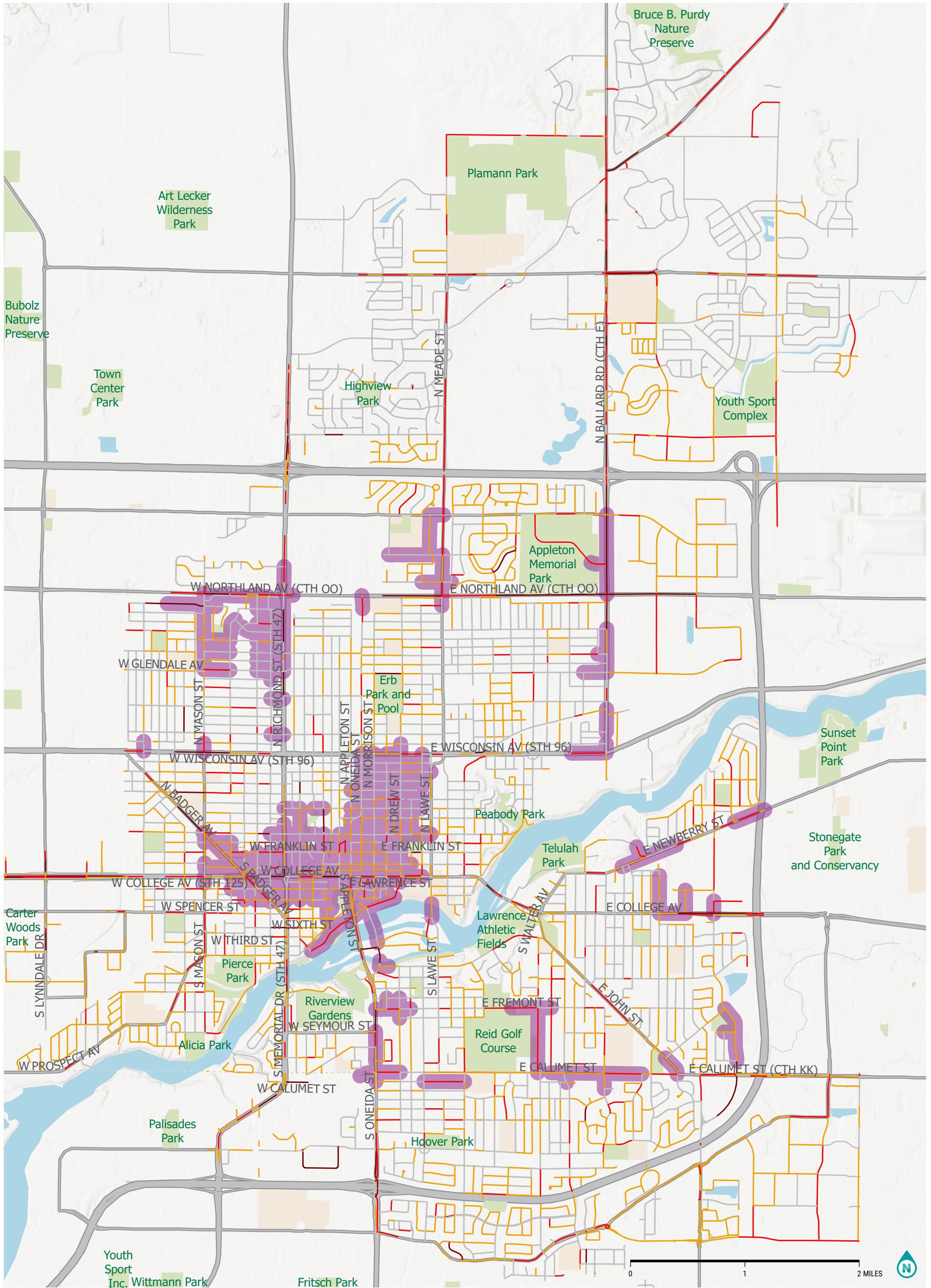
It is recommended that the prioritization methodology dataset be reviewed and updated every 5 years.

All requests to implement a pedestrian crossing improvement outside of the capital improvement program will be reviewed by the Traffic Section. Any requests that are administratively denied may appeal the decision to the Common Council through the Municipal Services Committee.

Crossing Improvement Prioritization Methodology

Crossings will be prioritized based on the following criteria, as shown on the attached map:

- On the Comprehensive Safety Analysis Plan (CSAP) crash analysis model provided by the East Central Wisconsin Regional Planning Commission
- Within the highest 10% of active trip potential areas
- Within the highest 10% of areas of high equity concern
- Located within 100 feet of a parcel zoned as a park or school, trail, transit stop, or parcel zoned for commercial use
- Crossing of major barriers: major roadways, the Fox River, and railroads



CROSSING PRIORITIZATION

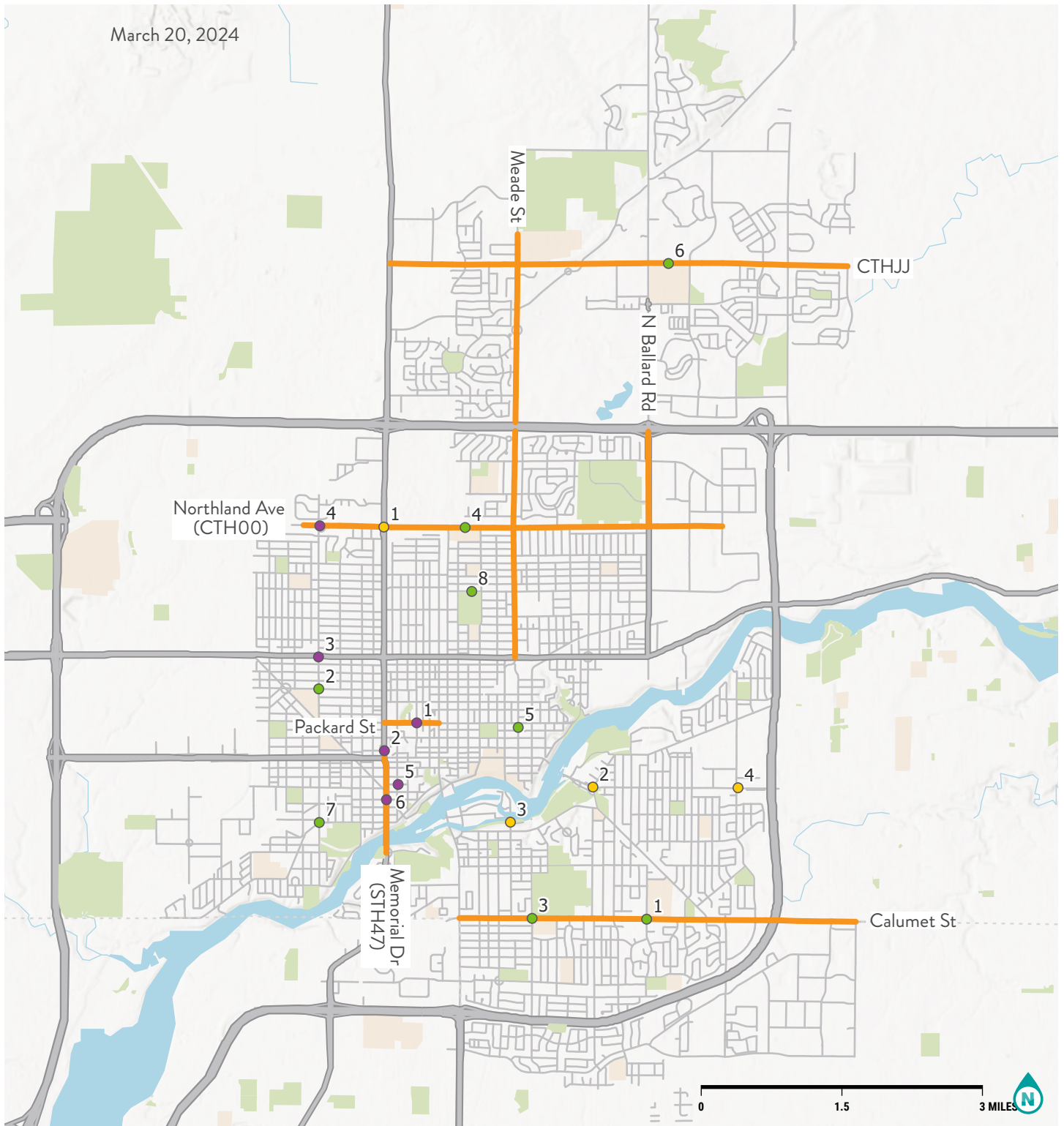
CITY OF APPLETON
COMPLETE STREETS STUDY

- Top 10% Community Priorities Score*
- Street Segment Crash Analysis Rank****
- Top 100
- 100 - 499
- 500 - 2499
- 2500+

*Equity and density of trips combined account for 75% of the Community Priorities Score (37.5% each) and the remaining factors account for 25% of the score (5% each for crossing a major barrier, proximity to parks/schools, commercial areas, trails and transit)

**Crash Analysis Rank comes from the East Central Wisconsin Regional Planning Commission's Comprehensive Safety Action Plan and includes risk factors like speed and right of way width as well as crash data.

March 20, 2024



DRAFT PRIORITY PROJECT LOCATIONS

CITY OF APPLETON
COMPLETE STREETS STUDY

Potential Project Category

- Downtown/High Active Trip Potential
- School/Park
- Other Spot Location
- Priority Arterial or Collector



See accompanying spreadsheet for project number key

Corridors

1. Calumet St - S Oneida St to E John St
2. Meade St - Wisconsin Ave (STH96) to north city limits
3. Northland Ave (CTH00) - west city limit to east city limit
4. CTHJJ - west city limit to east city limit
5. W Packard St - N Richmond St (STH47) to N Appleton St
6. Memorial Dr (STH47) - River Road to W College Ave
7. N Ballard Rd - Northland Ave (CTH00) to STH41

Unique Hazards

1. W Northland Ave (CTH00) and N Richmond St (STH47) Roundabout
2. E College Ave and E John St Roundabout
3. Newberry Trail Crossing at Lawe St
4. E College Ave and S Kensington Dr

School and Park Crossings

1. E Calumet St and S Schaefer St
2. W Winnebago St and N Mason St
3. E Calumet St and S Carpenter St
4. E Northland Ave (CTH00) at N Oneida St or N Meade St
5. N Meade St at E North St or E Eldorado St
6. Edgewood Dr at North High School
7. W Prospect Ave and S Mason St
8. E Glendale Ave at N Morrison St or N Drew St

Downtown / High Active Trip Areas

1. W Packard St and N Division St
2. W Washington St and N Richmond St (STH47)
3. W Wisconsin Ave (STH96) and N Mason St
4. W Northland Ave (CTH00) and N Mason St
5. W Seventh St and S State St
6. W Fifth St and S Memorial Dr (STH47)

Note: Projects are not listed in order of priority

COMPLETE STREETS DESIGN GUIDE

City of Appleton, WI

03.2024 **alta**

DOCUMENT OVERVIEW

What is a Complete Street?

Complete streets are multi-faceted and holistic streets that support multimodal transportation, active commerce, and vibrant communities. They meet the needs of a growing and thriving city by improving safety, enhancing access, and leading to even more growth in the community.

This design guide is an evolution and update of ongoing efforts over the past 15 years. Appleton adopted its first Complete Streets policy in 2006 and has been incorporating Complete Streets practices into street design beginning in the early 2010s.

Complete street elements or designs have been implemented on a number of Appleton Streets, including:

- Badger Ave (Packard to Wisconsin)
- John St (College to Calumet)
- Newberry St (Schaefer to STH 441)
- Prospect Ave (Haskell to W city limits)
- Glendale Ave (Richmond to Mason)
- Madison St / Maple St intersection
- Linwood Ave (College to Badger)
- Evergreen Dr (Richmond to Haymeadow)

How can the Design Guide be used?

This design guide should be used to support City of Appleton staff in identifying and implementing complete street design solutions from initial concept through final engineering. The design guide is intended to support and augment existing street design policies and standards, including the most recent complete streets policy.

The three sections of the design guide, as included in the table of contents, provide a framework for incorporating complete street elements into a broad array of contexts and project budgets.

TABLE OF CONTENTS

01

COMPLETE STREET CROSS-SECTIONS

6

Recommended street configurations and widths based on street class and context. Use this section as the starting point for any street design or resurfacing.

02

DESIGN GUIDE TOOLKIT

26

A comprehensive toolkit of design elements for complete streets. Includes street design elements along the street, mid-block, and at intersections.

03

TRAFFIC CALMING RETROFIT PROGRAM

64

An overview of quick-build traffic calming and sample approach for a typical neighborhood. Includes recommendations for quick-build interventions of recommendations in Sections 01 and 02.

WHAT ARE THE COSTS AND BENEFITS OF COMPLETE STREETS?

COSTS



Cost

In most locations, the cost of constructing complete streets is comparable to conventional streets.

BENEFITS



Economy

Complete streets support greater business access and walkability, and have been shown to support new businesses and increased employment.



Safety

Complete street designs result in fewer crashes, injuries, and deaths for people walking, biking, and driving.



Mobility

Complete streets designed for all modes of travel expand the capacity of streets as well as individuals' mobility choices.



Health

Complete streets encourage people to walk and bike, which is associated with improved health outcomes for people at all stages of life.



Environment

Complete streets make the built environment more accessible for non-motorized modes, reducing the impact of travel on the environment. They can also provide more space for plants and wildlife habitat.

HOW LONG WILL IT TAKE?



200+ Years at the Current Rate

A complete build-out of Appleton's streets would take over 200 years given current rates of funding for street reconstruction or resurfacing.



Accelerator #1: Quick-build

Quick-build techniques utilize relatively inexpensive materials such as paint and flex posts to add traffic calming to existing roadways.

Reference traffic calming retrofit program and policy in Section 3.



Accelerator #2: Diversified Implementation and Funding Strategies

Diversifying federal, state, and local funding streams will allow for increased complete street projects.

Reference funding information on pg. 69.

01

COMPLETE STREET CROSS-SECTIONS

WHAT FACTORS INFLUENCE COMPLETE STREET DESIGN?

For any complete street project, four primary factors should be considered.

1. **Type of Street Project:** What is the nature of the street construction project and how much of the street is being reconstructed? This will determine whether or not the entire right of way (ROW) or a portion of it is being reconstructed.
2. **Street Classification:** What is the functional classification of the street?
3. **Context:** What is the surrounding context for the street? This has a major impact on the character and function of the complete street design.
4. **Priority Street:** Is this street a part of a larger regional network for mobility, such as a regional bike or transit network?

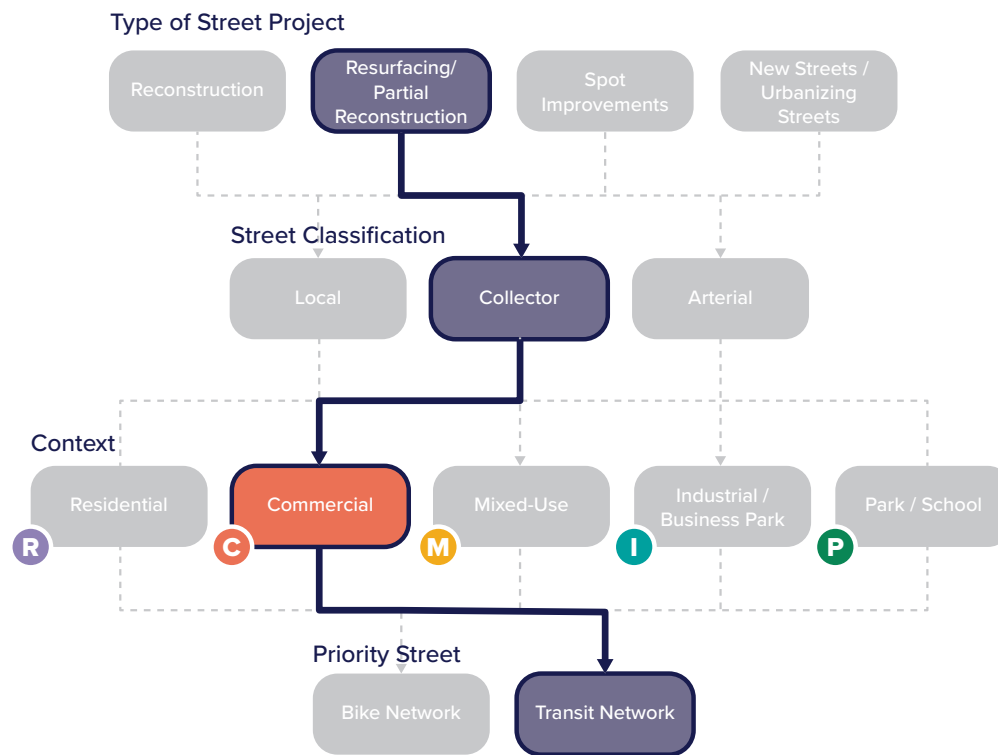


Figure 1: Decision making flowchart to guide the complete street design. An example set of attributes is shown, but almost any combination is feasible.

TYPES OF STREET PROJECTS

Every street construction project will fall into one or more of the following categories. Each project type may have different impacts to existing ROW and street width.



Full reconstruction

Full reconstruction involves completely tearing out an existing roadway and installing a new stone base layer as well as a new paved driving surface, often with all new concrete curb and gutter. These types of projects provide the opportunity to adjust street width.

Full reconstruction projects maintain the existing ROW.



Resurfacing/ Partial Reconstruction

Resurfacing/partial reconstruction projects maintain the original base layer, but apply a new pavement overlay. Portions of the concrete curb & gutter may be replaced.

While resurfacing projects maintain the existing street width, they do provide an opportunity to re-stripe a roadway and make minor geometric changes.



Spot improvements

Spot improvements are typically added to address a specific issue along a roadway, such as frequent speeding, unsafe crossings, or high traffic volumes.

Spot improvements can be independent of complete street redesign, and tend to be located at intersections or mid-block.



New street

A new street can be added to create a new connection where there previously was not a street. Adding a street will involve the installation of a base layer and pavement overlay, which allows for many design possibilities for the new street.

New streets are typically established when new and redevelopment projects occur. The ROW width is determined at that time.

STREET CLASSIFICATION

Appleton's street network is made up of local, collector, and arterial streets. These classifications are set by the City and differ from Wisconsin DOT classifications. This study does not include private roads or streets outside of the public ROW.



Local

Local roadways feature lower speed limits and a greater frequency of stop-controlled intersections. The primary role of local roadways to provide direct access to homes and businesses throughout the community.

70.2% of all public streets in Appleton

247.3 miles in length

55% of local streets in Appleton feature a 60ft ROW and 32ft Face to Face (F-F) width.



Collector

Collectors are low to moderate capacity roadways that connect local roadways and arterials. These roadways vary greatly between different contexts and typically feature moderate speed limits, multiple travel lanes, and relatively high-volumes of transit and bike traffic.

15.1% of all public streets in Appleton

53.4 miles in length

29.3% of collectors in Appleton feature with a 66ft ROW and 36ft F-F width.



Arterial

Arterials feature the greatest vehicular speed limits, traffic volumes, and number of lanes. These roadways provide long-distance and uninterrupted travel. Arterial roadways frequently extend beyond Appleton and into other jurisdictions.






14.7% of all public streets in Appleton

52.0 miles in length

Arterials are the least consistent street class in Appleton with highly variable ROW and street widths.

CONTEXT

The complete street design needs to respond to the nearby land-use context. This ensures that the street reflects the character and function to support the adjacent community. It should be noted that context may vary along a singular corridor, and it can change over time with new development or redevelopment.

Context	Description	Key Features
 Residential	Quiet residential streets with relatively low traffic volumes and speeds. Though they have lower activity levels relative to other street types, they play a key role in supporting the character and comfort of a neighborhood.	<ul style="list-style-type: none"> • Traffic calming for slow streets • Ample street terrace for urban greening
 Commercial	Corridors with large amounts of adjacent commercial land uses that often include retail and office uses. Commercial corridors feature significant day-time and weekend demand, and require a full suite of multimodal access options.	<ul style="list-style-type: none"> • Wide sidewalk and space for amenities • Traffic calming • Multimodal infrastructure
 Mixed-Use	Corridors with a blend of commercial, residential, and other land uses. Mixed-Use corridors typically feature significant demand and need to serve a wide range of modes of transportation and functional uses of the street.	<ul style="list-style-type: none"> • Wide sidewalk and space for amenities • Traffic calming • Multimodal infrastructure
 Industrial or Business Park	Industrial or business parks are employment hubs and need to be able to serve a broad range of vehicle traffic, including personal vehicle and freight traffic, as well as multimodal access for commuters and transit users.	<ul style="list-style-type: none"> • Maintain roadway function to support large businesses • Provide sidewalks, sidepaths, and urban greening for employees
 Park or School	Parks or schools serve high levels of bike and pedestrian traffic. Safety is critical, as these land uses serve higher percentages of vulnerable street users such as youth and seniors. Ample traffic calming is essential to these land uses.	<ul style="list-style-type: none"> • Wide sidewalk • Ample traffic calming with safe crossings

PRIORITY STREET CONSIDERATIONS

The complete street design needs to align with the multimodal goals and ongoing planning efforts of the region, in particular the existing local and regional bike and transit planning.



Bike and Trail Network. Outagamie County has recently drafted a Bicycle and Pedestrian plan including recommendations for the growth of Appleton's bike network. Appleton has also established a Downtown Streetscape Design Guide, which recommends various street types in Appleton's downtown, many of which contain bike facilities.

Reference plans:

- Outagamie County Bicycle and Pedestrian Plan (pending adoption, 2023)
- ECWRPC Bike & Pedestrian Plan (2021)
- Appleton Trails Master Plan (2017)
- City of Appleton On-Street Bike Lane Plan (2010)



Transit. Appleton worked with Valley Transit (VT) to establish a Transit Development Plan (TDP) in 2020 to evaluate Valley Transit's vision/mission statements, short and long term goals, and reevaluate its transportation programs to ensure effective and efficient transportation to its clientele.

Reference plans:

- City of Appleton Transit Development Plan (2020)



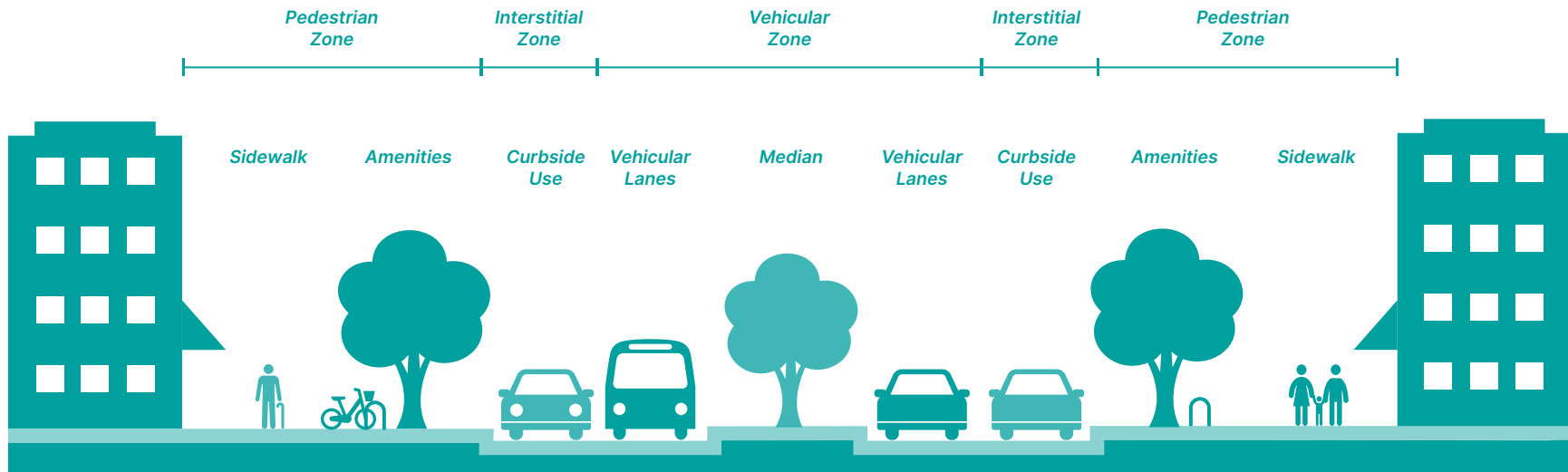
Additional Plans. Many other plans include content that impacts or overlaps with this guide, including aspects of street design, school-specific recommendations, or policies.

Reference plans:

- City of Appleton Downtown Streetscape Design Guide (2021)
- ECWRPC Complete Streets Policy (2018)

WHAT GOES INTO A STREET?

The figure below highlights the typical complete street cross-sections included in this guide. While this list is not exhaustive, it presents a starting place for most streets in Appleton*.



*Any street design and development project needs to consider utilities

Pedestrian Zone:

- **Sidewalk:** A designated, paved space for pedestrian travel.
- **Sidepath:** A designated, paved space for pedestrians, bicyclists, and users of other mobility devices.
- **Amenity Zone:** A space along the sidewalk that can contain amenities such as seating, bike racks, plants, transit stops, and more.

Interstitial Zone:

- **Curb & Gutter:** A space designed to prevent the roadway or pedestrian zone from flooding by allowing for drainage.
- **Parking:** A space designated for vehicle parking.
- **On-Street Bike Infrastructure:** A designated facility for those using a bicycle, scooter, or other mobility device.

Vehicular Zone:

- **Vehicular lanes:** A space for vehicles to travel.
- **Center turn lane:** A lane for vehicles that will be turning left across the opposite travel lane.
- **Median:** A physical element that divides the two directions of travel; it can contain plants, public art, and can serve as a pedestrian crossing refuge.

Figure 2: Elements of a typical complete street cross-section.

DESIGN STANDARDS

Table 1 below indicates typical dimensions for street elements based on street classification and context*.

All width dimensions are in feet, and organized as:

Preferred - Minimum - Maximum

Zone	Name	Local				Collector				Arterial			
		R	C M	P	I	R	C M	P	I	R	C M	P	I
Pedestrian Zone	Sidewalk	5-5-6	8-5-10	5-5-6	6-5-6	5-5-6	8-5-10	5-5-6	6-5-6	5-5-6	8-5-10	5-5-6	6-5-6
	Sidewalk at back of curb	7-7-8	10-7-12	7-7-8	8-7-8	7-7-8	10-7-12	7-7-8	8-7-8	7-7-8	10-7-12	7-7-8	8-7-8
	Sidepath**	N/A			10-8-12. For high-usage routes, a 5ft parallel walkway is recommended.								
	Amenity (café seating)	N/A	6-5-8	N/A	N/A		6-5-8		N/A		6-5-8		N/A
	Amenity (parkway with trees)	5 to 8+ -5-8+. Along arterials or roadways without a curbside parking lane, additional width is highly recommended.											
Interstitial Zone	Curb	0.5-0.5-1. Wider curbs may be more common in downtown areas.											
	Gutter	1-1-2+. For bike lanes, a widened integral gutter should be used whenever possible.											
	Bike Lane**	N/A				6-5-6. Where space allows, buffered or protected bike lanes are preferred.							
	Buffered Bike Lane**	N/A				8-7-8+. For arterial roads, protected bike lanes are preferred.							
	Protected Bike Lane**	N/A				8-7-8+							
Vehicular Zone	Parking	7-7-7.5	7.5-7.5-8		8-7.5-9								
	Vehicle Lane (excluding gutter)	9-9-10	10-10-12										
	Median	N/A				Varies-6-10+. 6ft is the minimum recommended width for pedestrian refuge islands at crossings. Wider medians allow for trees.							
	Bus Lane / Truck Route	10-10-11	11-11-12										

*The preferred widths on all cross-sections represent a starting point for design. Specific site conditions may result in min or max dimensions being more appropriate.

**Bike infrastructure may vary and selection of infrastructure type will depend upon context and available right-of-way.

Table 1: Design standards for complete street cross-section elements.

TYPICAL CROSS-SECTIONS

Table 2 below highlights the typical complete street cross-sections included in this guide. While this list is not exhaustive, it presents a starting place for most streets in Appleton. The cross sections on the following pages illustrate a variety of preferred cross sections. When the requirements for a preferred cross section cannot be met, the minimum widths for the complete street can be explored.

	ID	Pg	Name	Description	Contexts	When to use*
Local	L.1	16	Residential Traditional Local	Residential local street with parking along both sides.	R	• High parking demand
	L.2	16	Residential Smart Local	Residential local street with parking along one side.	R	• Average to low parking demand • Constrained ROW
	L.3	17	Generic Traditional Local	Local street with parking along both sides.	C M P I	• High parking demand
	L.4	17	Generic Smart Local	Local street with parking along one side.	C M P	• Average to low parking demand • Constrained ROW
	L.5	18	Industrial Smart Local with Sidepath	Industrial local street with parking along one side and a sidepath.	I	• Average to low parking demand • Critical corridor for bike connectivity
Collector	C.1	19	Low-Density Residential Collector	Residential collector street with parking along one side and a sidepath.	R P I	• Residential low-density neighborhoods • Medium to low parking demand
	C.2	19	Bike Priority Collector	Residential collector street with buffered bike lanes on both sides.	R P I	• Critical corridor for bike connectivity • Average to low parking demand
	C.3	20	Multimodal Collector	Commercial collector with parking along one side and bike lanes along both sides.	C M P I	• Critical corridor for bike connectivity • Average to low parking demand
	C.4	20	Generic Traditional Collector	Adaptable collector with parking along both sides.	R C M P I	• High parking demand areas only, particularly in commercial areas
	C.5	21	Generic Smart Collector	Adaptable collector with parking along one side.	R C M P I	• Average to low parking demand
Arterial	A.1	22	Boulevard	Arterial with center median and protected bike lanes.	R P I	• Critical corridor for bike connectivity • Road diet and impervious surface reduction
	A.2	22	Multimodal Arterial	Arterial with parking on one side and protected bike lanes.	C M P I	• Critical corridor for bike connectivity • High to average parking demand
	A.3	23	Constrained Arterial	Arterial with protected bike lanes.	R C M P I	• Critical corridor for bike connectivity • Constrained ROW
	A.4	24	Multi-Lane Commercial Destination	Multi-lane arterial with parking on both sides and wide street terrace.	C M	• Only for commercial areas where multiple lanes and parking is necessary
	A.5	25	Multi-Lane Boulevard	Multi-lane arterial with center median and sidepaths.	C M P I	• Only appropriate for outlying areas where multiple lanes is necessary

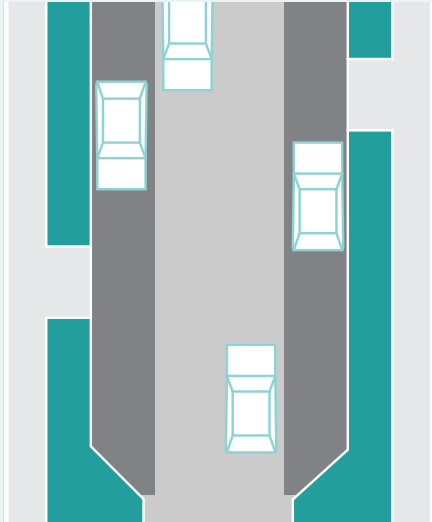
*Using parking demand to inform an appropriate cross-section should consider existing parking use as well as future land-use decisions and expectations.

Table 2: Typical cross-section reference table.

LOCAL STREETS

Local streets make up the majority of the street network. The preferred local street cross-section varies based on parking demand, ROW constraints, and desired impervious surface reduction, per Figure 3.

Figure 3: Local street parking strategy.

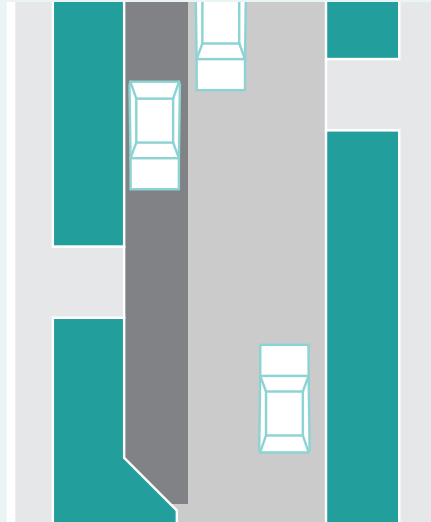


Traditional (L.1/L.3)

- Parking both sides
- 32ft to 36ft street width based on context

Applications:

- High parking demand

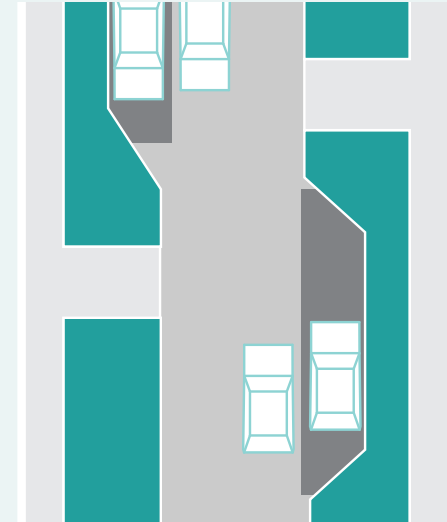


Smart Street (L.2/L.4/L.5)

- Parking one side, may present challenges if along street with alternating overnight parking restrictions
- 26ft to 29ft street width based on context
- 50% parking capacity and up to 13% less impervious surface than parking on both sides

Applications:

- Average to low parking demand
- Constrained space due to narrow ROW, utilities, or existing street trees



Alternating Smart Street

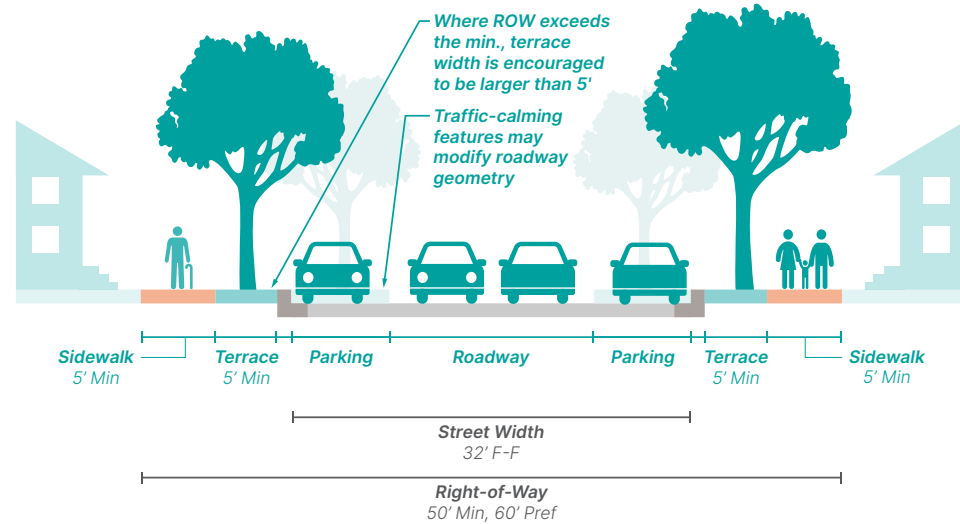
- Modified version of the Smart Street with alternating parking on both sides
- 25% to 50% parking capacity and up to 19% less impervious surface than parking on both sides

Applications:

- Low parking demand
- Locations where parking is desired on both sides

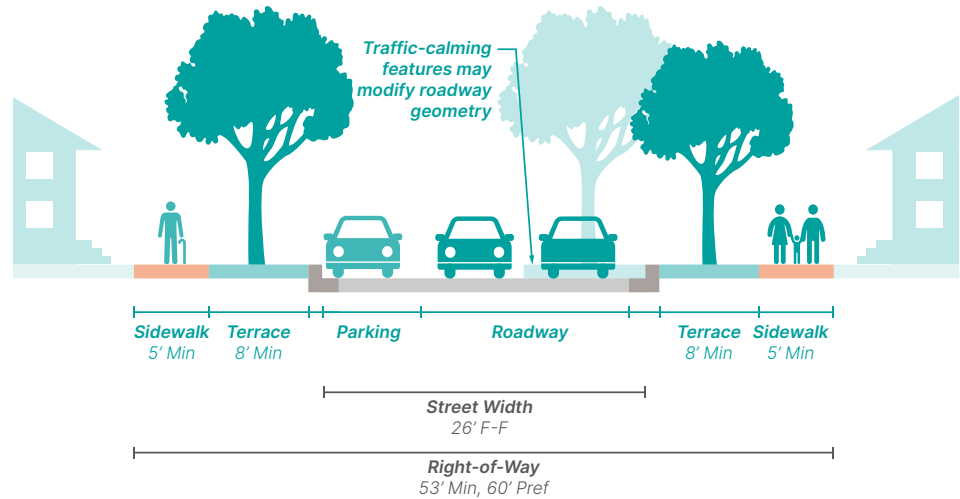
L.1 Residential Traditional Local

Street Width	32ft F-F
ROW	50ft Min, 60ft Preferred
Parking	2 sides
Context	R
Description	Residential local street with parking along both sides.
Use	<ul style="list-style-type: none"> High parking demand on both sides of the street
Traffic Calming Features	<ul style="list-style-type: none"> Curb extensions Pinch points Speed humps Speed tables Street trees



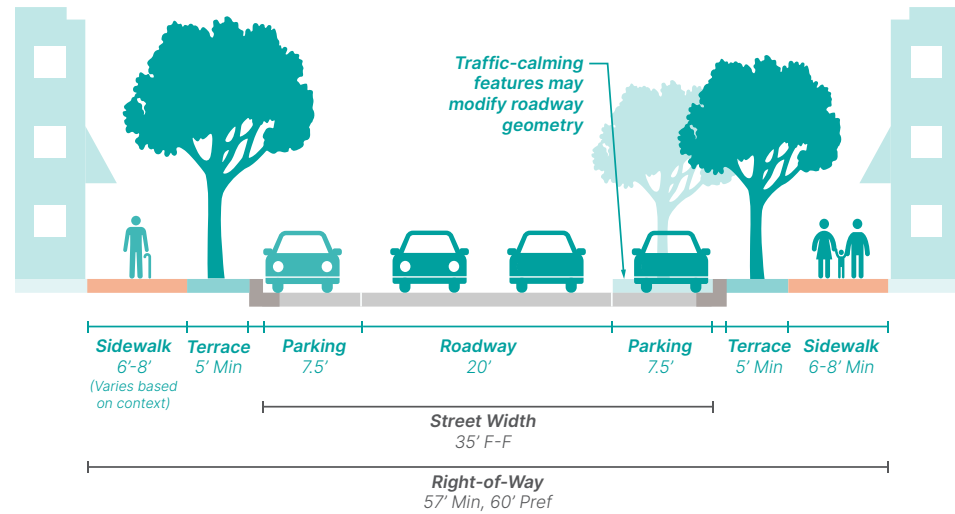
L.2 Residential Smart Local

Street Width	26ft F-F
ROW	53ft Min, 60ft Preferred
Parking	1 side
Context	R
Description	Residential local street with parking along one side. Cross-section features widened tree terraces and reduced impervious surface.
Use	<ul style="list-style-type: none"> Average to low parking demand Constrained space due to narrow ROW, utilities, or existing street trees
Traffic Calming Features	<ul style="list-style-type: none"> Curb extensions Pinch points Chicanes Speed humps Speed tables Street trees



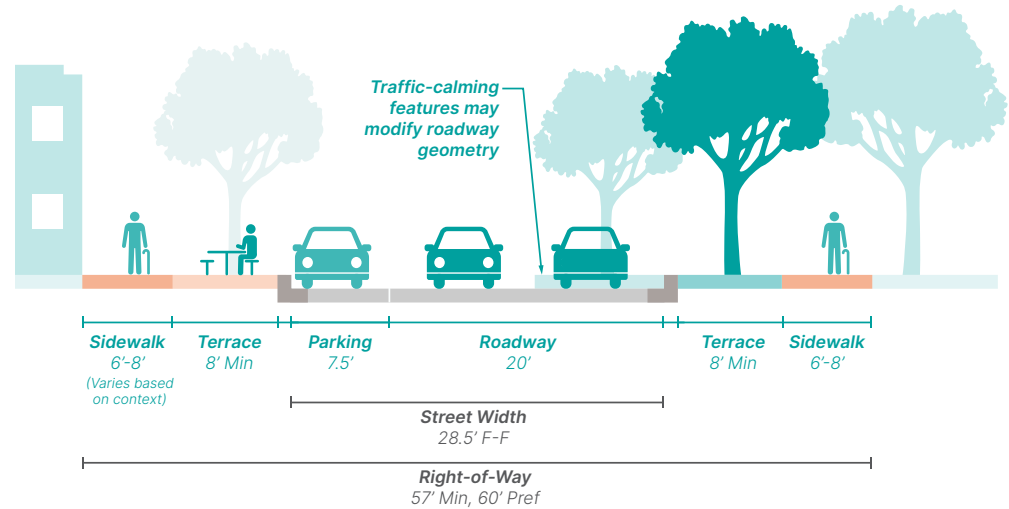
L.3 Generic Traditional Local

Street Width	35ft F-F
ROW	57ft Min, 60ft Preferred
Parking	2 sides
Context	C M P I
Description	Local street with parking along both sides.
Use	<ul style="list-style-type: none"> High parking demand on both sides of the street
Traffic Calming Features	<ul style="list-style-type: none"> Curb extensions Pinch points Speed humps Speed tables Street trees



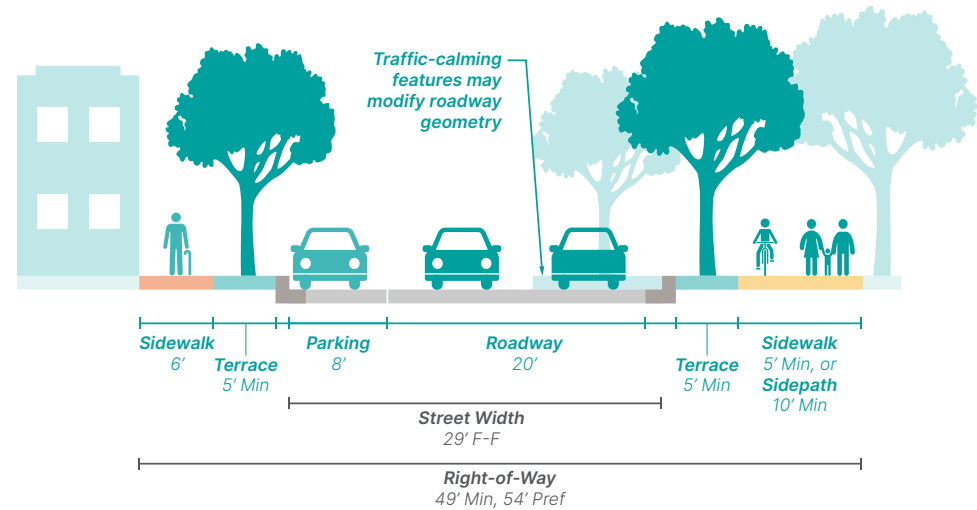
L.4 Generic Smart Local

Street Width	28.5ft F-F
ROW	57ft, 60ft Preferred
Parking	1 side
Context	C M P
Description	Local street with parking along one side. Cross-section features widened tree terraces and reduced impervious surface.
Use	<ul style="list-style-type: none"> Average to low parking demand Constrained space due to narrow ROW, utilities, or existing street trees
Traffic Calming Features	<ul style="list-style-type: none"> Curb extensions Pinch points Chicanes Speed humps Speed tables Street trees



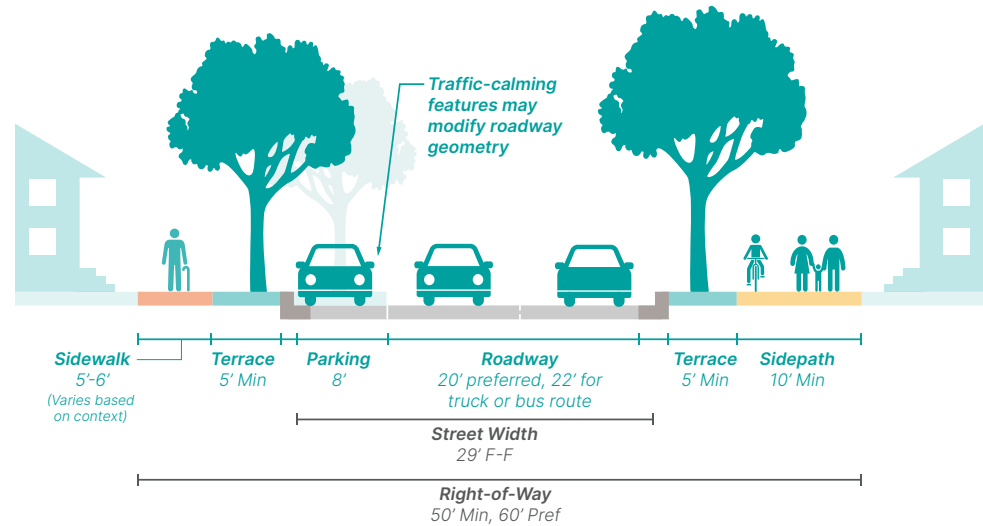
L.5 Industrial Smart Local with Sidepath

Street Width	29ft F-F
ROW	49ft, 54ft Preferred
Parking	1 side
Context	I
Description	Industrial local street with parking along one side. Cross-section features widened tree terraces and reduced impervious surface.
Use	<ul style="list-style-type: none"> • Average to low parking demand • Constrained space due to narrow ROW, utilities, or existing street trees • Critical corridor for bike connectivity
Traffic Calming Features	<ul style="list-style-type: none"> • Curb extensions • Pinch points • Chicanes • Speed humps • Speed tables • Street trees



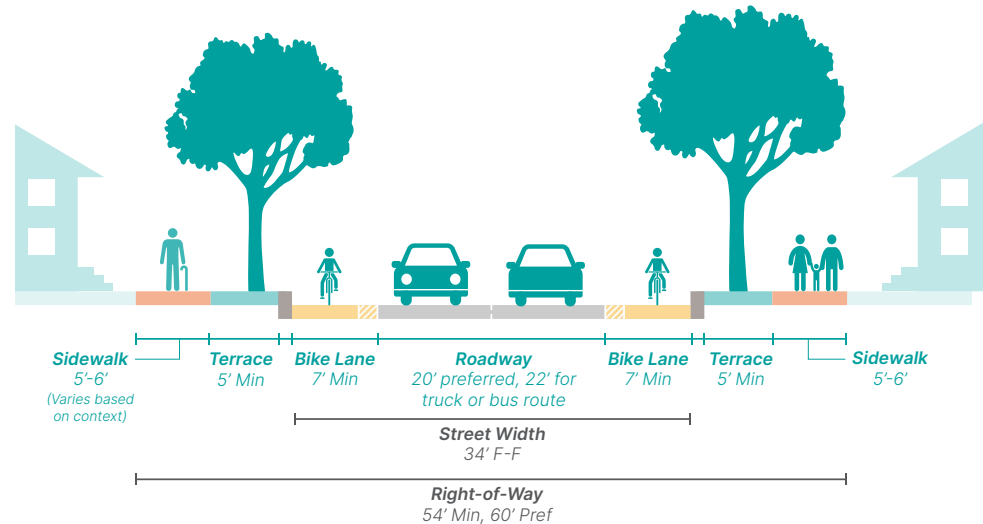
C.1 Low-Density Residential Collector

Street Width	29ft F-F
ROW	50ft Min, 60ft Preferred
Parking	1 side
Context	R P I
Description	Residential collector street with parking along one side and a sidepath along the opposite side.
Use	<ul style="list-style-type: none"> Residential collectors in outlying lower-density neighborhoods Low parking demand May also apply to park/school and industrial contexts in outlying areas
Traffic Calming Features	<ul style="list-style-type: none"> Curb extensions Mid-block crossings Street trees



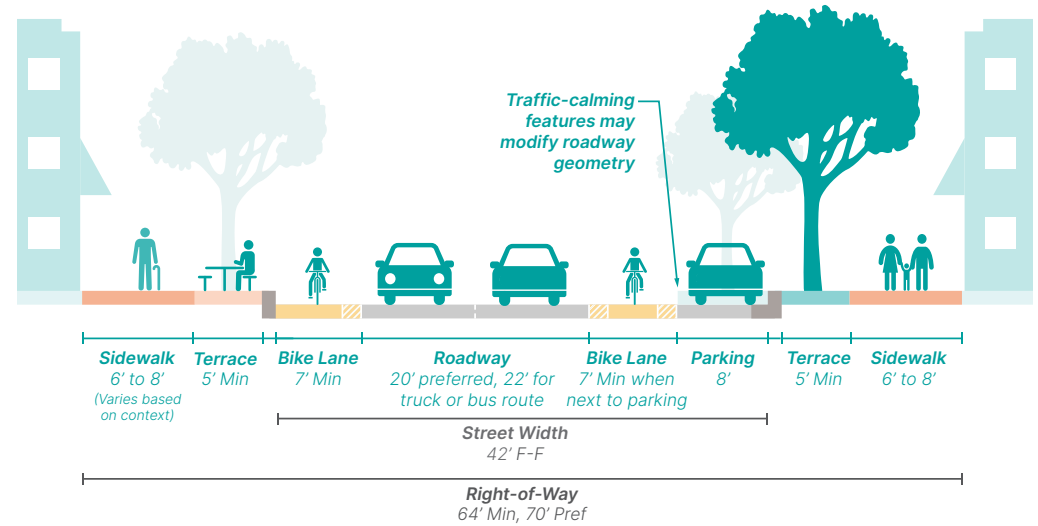
C.2 Bike Priority Collector

Street Width	34ft F-F
ROW	54ft Min, 60ft Preferred
Parking	None
Context	R P I
Description	Residential collector street with buffered bike lanes on both sides. Cross-section features widened tree terraces and reduced impervious surface.
Use	<ul style="list-style-type: none"> Critical corridor for bike connectivity Average to low parking demand
Traffic Calming Features	<ul style="list-style-type: none"> Speed tables Mid-block crossings Street trees



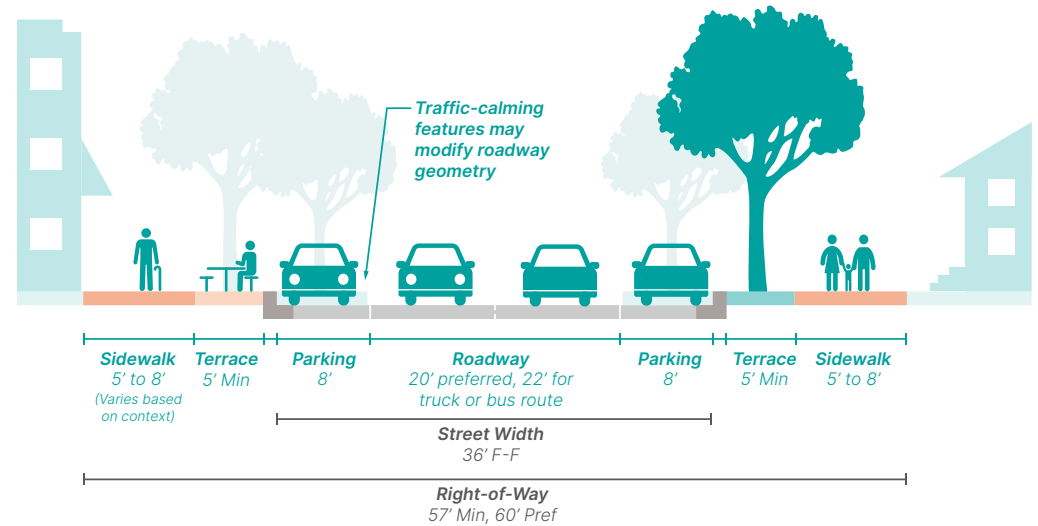
C.3 Multimodal Collector

Street Width	42ft F-F
ROW	64ft Min, 70ft Preferred
Parking	1 side
Context	C M P I
Description	Commercial collector with parking along one side and bike lanes along both sides.
Use	<ul style="list-style-type: none"> • Critical corridor for bike connectivity • Average to low parking demand
Traffic Calming Features	<ul style="list-style-type: none"> • Curb extensions • Speed tables • Mid-block crossings • Street trees



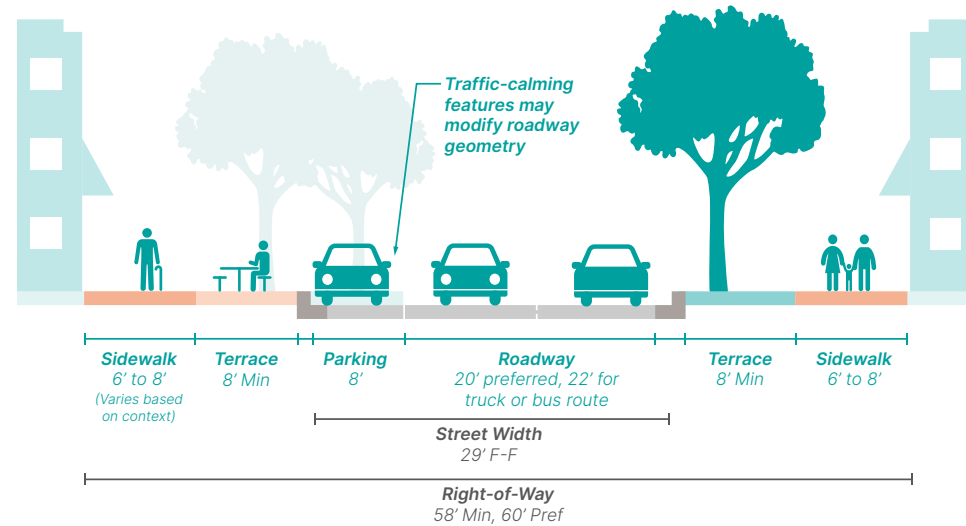
C.4 Generic Traditional Collector

Street Width	36ft F-F
ROW	57ft Min, 60ft Preferred
Parking	2 sides
Context	R C M P I
Description	Adaptable collector with parking along both sides. Cross-section can be adapted to multiple contexts.
Use	<ul style="list-style-type: none"> • High parking demand areas only, particularly in commercial or mixed-use areas
Traffic Calming Features	<ul style="list-style-type: none"> • Curb extensions • Pinch points • Speed tables • Mid-block crossings • Speed tables, Street trees



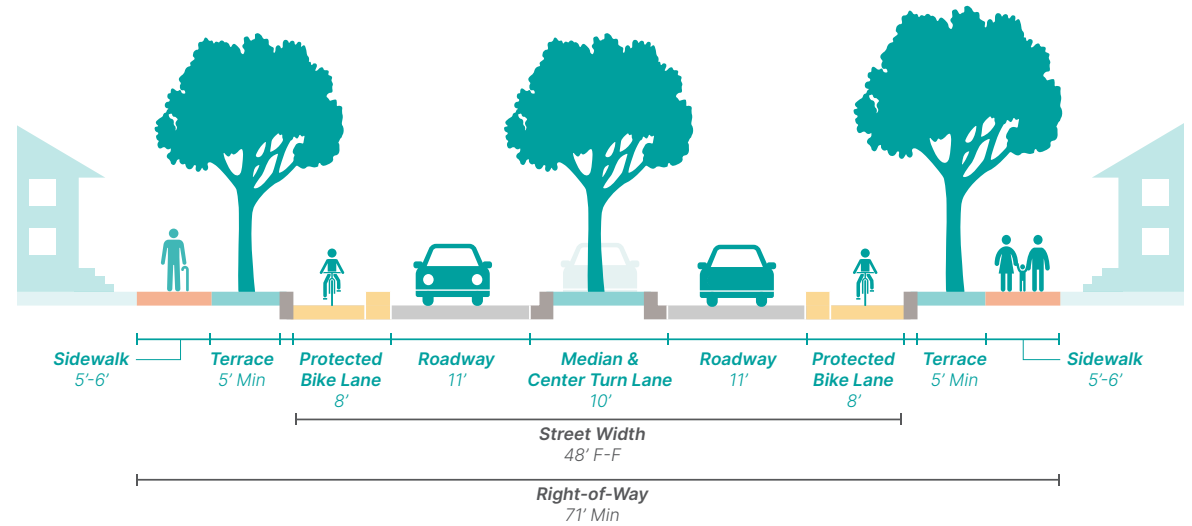
C.5 Generic Smart Collector

Street Width	29ft F-F
ROW	58ft Min, 60ft Preferred
Parking	1 side
Context	R C M P I
Description	Adaptable collector with parking along one side. Cross-section features widened tree terraces and reduced impervious surface, and can be adapted to multiple contexts.
Use	<ul style="list-style-type: none"> • Corridors that are not critical for bike connectivity • Average to low parking demand • Commercial or mixed-use streets with demand for widened amenity zone
Traffic Calming Features	<ul style="list-style-type: none"> • Curb extensions • Chicane • Speed tables • Mid-block crossings • Street trees



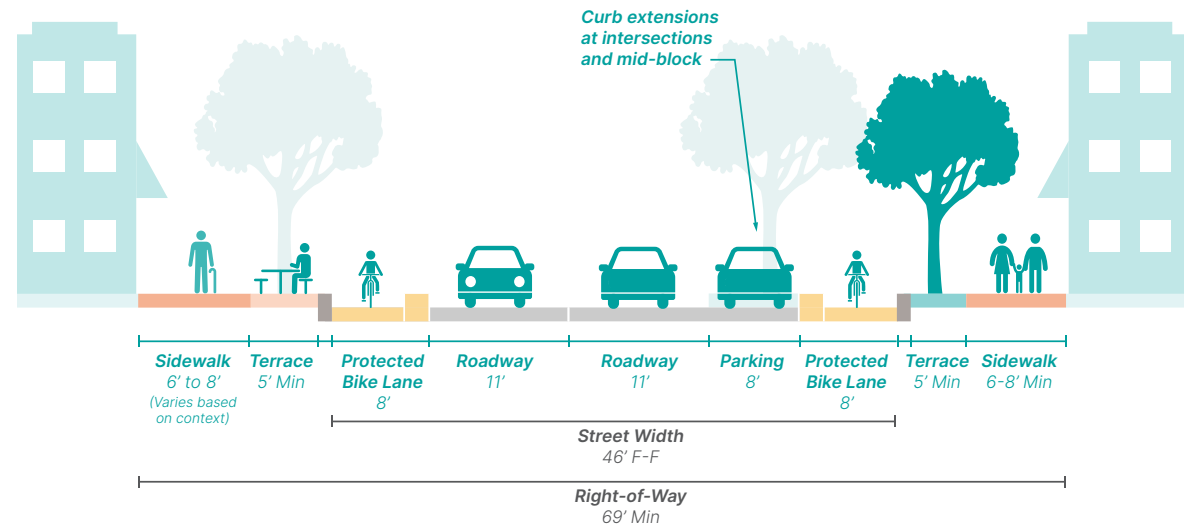
A.1 Boulevard

Street Width	48ft F-F
ROW	71ft Min
Parking	None
Context	R P I
Description	Arterial with center median and protected bike lanes.
Use	<ul style="list-style-type: none"> • Critical corridor for bike connectivity • Road diet and impervious surface reduction
Traffic Calming Features	<ul style="list-style-type: none"> • 4 to 3 road diet • Mid-block crossings • Median • Street trees



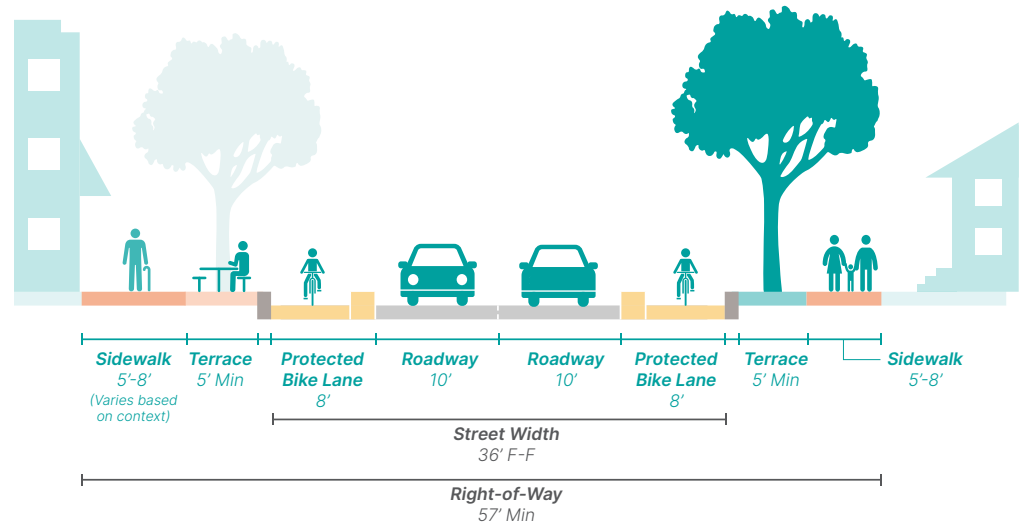
A.2 Multimodal Arterial

Street Width	46ft F-F
ROW	69ft Min
Parking	1 side
Context	C M P I
Description	Arterial with parking on one side and protected bike lanes.
Use	<ul style="list-style-type: none"> • Critical corridor for bike connectivity • High to average parking demand, particularly in commercial, mixed-use, or school contexts
Options Traffic Calming Features	<ul style="list-style-type: none"> • Curb extensions • Mid-block crossings • Street trees



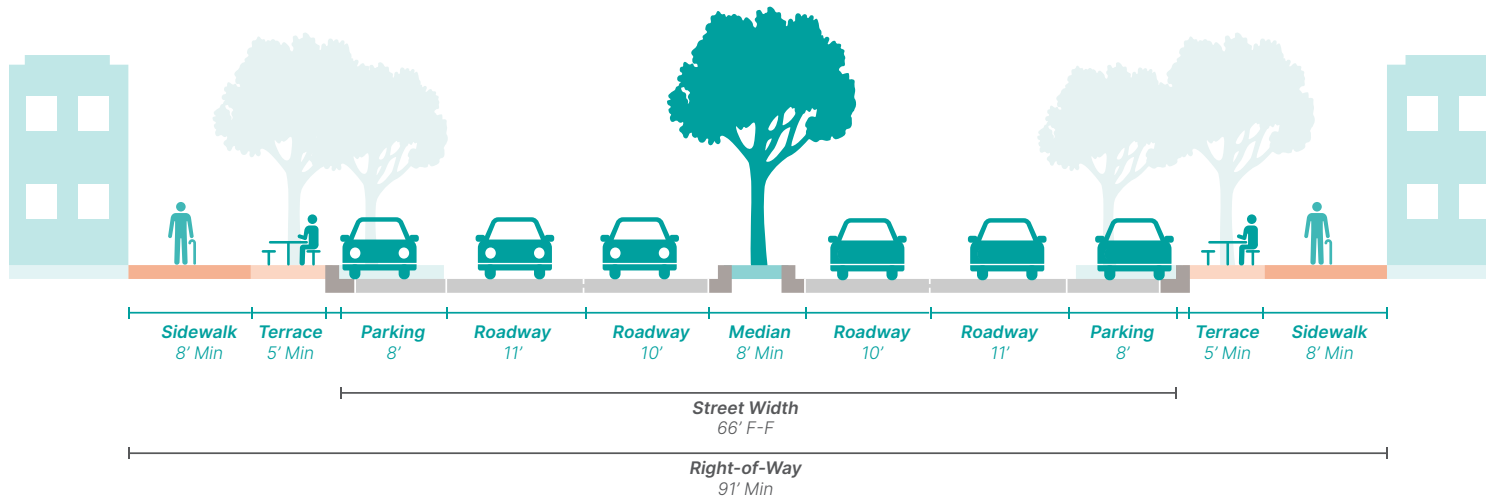
A.3 Constrained Arterial

Street Width	36ft F-F
ROW	57ft Min
Parking	None
Context	R C M P I
Description	Arterial with protected bike lanes.
Use	<ul style="list-style-type: none"> • Critical corridor for bike connectivity • Constrained ROW
Traffic Calming Features	<ul style="list-style-type: none"> • Mid-block crossings • Street trees



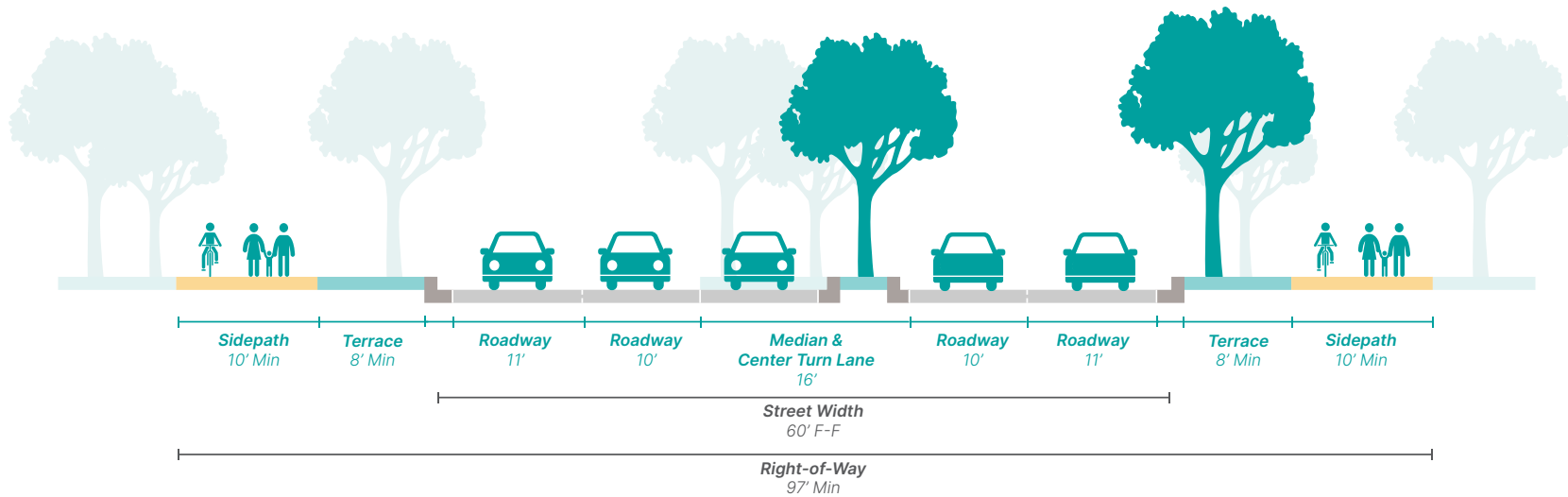
A.4 Multi-Lane Commercial Destination

Street Width	66ft F-F
ROW	91ft Min
Parking	2 sides
Context	C M
Description	Multi-lane arterial with parking on both sides and wide street terrace.
Use	<ul style="list-style-type: none"> • Multi-lane arterials should be minimized • Only appropriate for commercial areas where multiple lanes are necessary • Only appropriate for areas with wide ROW • High parking demand for commercial services
Traffic Calming Features	<ul style="list-style-type: none"> • Curb extensions • Median • Pedestrian refuge island • Street Trees



A.5 Multi-Lane Boulevard

Street Width	60ft F-F
ROW	97ft Min
Parking	None
Context	C M P I
Description	Multi-lane arterial with center median and sidepaths.
Use	<ul style="list-style-type: none"> • Multi-lane arterials should be minimized • Only appropriate for outlying areas where multiple lanes are necessary • Only appropriate for areas with wide ROW
Traffic Calming Features	<ul style="list-style-type: none"> • Median • Pedestrian refuge island • Street Trees



02

DESIGN GUIDE TOOLKIT

HOW TO USE THE DESIGN GUIDE TOOLKIT

Traffic calming elements slow drivers and improve the street function and experience for all users.

This chapter includes detailed cutsheets for a wide range of traffic calming elements. There is no one-size-fits-all approach to traffic calming, and each element has specific locations for use, design features, and maintenance considerations. Traffic calming features are organized by:

1. **General Traffic Calming Treatments:** Geometric traffic calming features that feature a wide range of uses along a street.
2. **Intersection & Mid-block Crossing Treatments:** Geometric modifications for intersections and mid-block crossings.
3. **Multimodal Street Improvements:** Street infrastructure for bikes and transit.
4. **Intersection Operations & Signal Modifications:** Signal and operational modifications to intersections and mid-block crossings.



DESIGN ELEMENTS OVERVIEW

Table 3 below highlights the design elements that can be used in complete street cross-sections. While this list is not exhaustive, it presents a starting place for most streets in Appleton.

Category	Design Element	Pg	Location	Classifications	Quick-Build Option
General Traffic Calming Treatments	Curb Extensions	34	Segment, Intersection	Arterial, Collector, Local	Yes
	Speed Tables	35	Segment	Collector, Local	-
	Speed Humps	36	Segment	Collector, Local	-
	Speed Cushions	37	Segment	Collector, Local	-
	Median Chokers	38	Segment	Collector, Local	Yes
	Pinchpoints	39	Segment, Intersection	Collector, Local	Yes
	Chicanes	40	Segment	Collector, Local	Yes
	Four- to Three-Lane Conversion	41	Segment, Intersection	Arterial, Collector	-
	Street Trees	42	Segment	Arterial, Collector, Local	-
Intersection & Mid-block Crossing Treatments	Corner Radii Design	44	Intersection	Arterial, Collector, Local	Yes
	Raised Crosswalks	45	Segment, Intersection	Collector, Local	Yes
	Raised intersections	46	Segment, Intersection	Collector, Local	Yes
	Mini Traffic Circles	47	Intersection	Local	Yes
	Mountable Truck Aprons	48	Intersection	Arterial, Collector, Local	-
	Pedestrian Refuge Islands	49	Segment, Intersection	Arterial, Collector	Yes
	One-way Diverter	50	Intersection	Arterial, Collector, Local	Yes
	Diagonal Diverter	51	Intersection	Collector, Local	Yes
Multimodal Street Improvements	Bus Stops	53	Segment, Intersection	Arterial, Collector, Local	Yes
	Bicycle Boulevard	54	Segment, Intersection	Collector, Local	Yes
	Bike Lanes	55	Segment, Intersection	Arterial, Collector	Yes
	Protected Bike Lanes	56	Segment, Intersection	Arterial, Collector	Yes
	Sidewalk	57	Segment, Intersection	Arterial, Collector, Local	-
Intersection Operations & Signal Modifications	No Right Turn on Red	59	Intersection	Arterial, Collector, Local	-
	Rectangular Rapid Flashing Beacon (RRFB)	60	Segment, Intersection	Arterial, Collector	-
	Pedestrian Hybrid Beacon (PHB)	61	Segment, Intersection	Arterial, Collector	-
	Hardened Left Turns	62	Intersection	Arterial, Collector	Yes
	Exclusive Pedestrian Phase	63	Intersection	Arterial, Collector	-

Table 3: Design elements reference guide.

APPLICATION OF DESIGN ELEMENTS

The design elements in this section can be utilized to address specific challenges, as illustrated in Table 4.

The specific distribution and application of design elements will vary based on a variety of factors including context and project budget.

Design Element	Traffic calming and high-speed reduction	Increase pedestrian priority and reduce crossing distances	Expand multimodal access & mobility	Increase pervious surfaces and urban greening
Curb Extensions	Yes	Yes		Yes
Speed Tables	Yes	Yes		
Speed Humps	Yes			
Speed Cushions	Yes			
Median Chokers	Yes			Yes
Pinchpoints	Yes	Yes		Yes
Chicanes	Yes			Yes
Four- to Three-Lane Conversion	Yes	Yes		Yes
Street Trees	Yes			Yes
Corner Radii Design	Yes	Yes		
Raised Crosswalks	Yes	Yes		
Raised intersections	Yes	Yes		
Pedestrian Refuge Islands	Yes	Yes		Yes
Mini Traffic Circles	Yes			Yes
Mountable Truck Aprons			Yes	
One-way Diverter	Yes			
Diagonal Diverter	Yes			
Bus Stops			Yes	
Bicycle Boulevard			Yes	
Bike Lanes			Yes	
Protected Bike Lanes	Yes		Yes	
Sidepath			Yes	
No Right Turn on Red		Yes		
Hardened Left Turns		Yes		
Rectangular Rapid Flashing Beacon (RRFB)		Yes		
Pedestrian Hybrid Beacon (PHB)		Yes		
Exclusive Pedestrian Phase		Yes		

Table 4: Design elements application guide.

WINTER MAINTENANCE

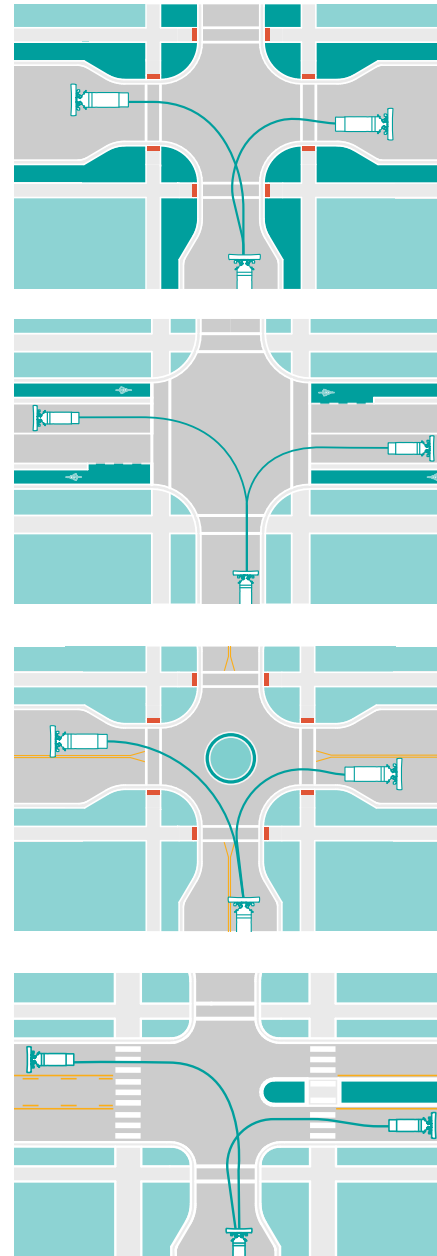
Elements of complete streets may increase equipment and labor costs associated with snow removal. In general, standard maintenance equipment (e.g. large truck-mounted plows) moving in a straight line represent the least-cost conditions for snow removal. For complete street elements that modify the roadway geometry, plows may need to slow down to avoid causing damage to curb heads or other infrastructure.

Some complete streets elements, such as sidepaths, are too narrow to use the most cost-efficient large-scale equipment for snow removal. These elements may also limit the space available to store snow while maintaining pedestrian and bike access. This can result in a greater need for snow hauling, and associated labor and equipment cost increases.

MAINTENANCE VEHICLES

As mentioned above, complete street traffic calming features may present new challenges for winter maintenance. Turning movements of winter maintenance vehicles are critical to consider in all complete street designs, and have been factored into the guidance of each element.

Figure 4: Turning movements for 3-axle snow plow, based on auto-turn analysis.



Assumptions:

At local intersections, plows may curve outside of their lane when making left or right turns. Reference corner radii design on pg. 44.

At most collector and arterial intersections, streets should be design for plows to turn without impacting oncoming travel lanes. Reference corner radii design on pg. 44.

At traffic circles, it is expected that plows will be allowed to short-cut the circuit when making a left turn. Reference traffic circles on pg. 47.

At pedestrian refuge islands on narrow arterials or collectors, it is expected that plows turning right from a local street may curve outside of their lane. Reference pedestrian refuge islands on pg. 49.

WINTER MAINTENANCE CONSIDERATIONS



Snow on mini traffic circle. Post Crescent.



Recessed thermoplastic bike lane symbol. Alta.



Snow stored in ROW. Minnesota Dept. of Health.

Navigating Traffic Calming Features

Various traffic calming features in this section modify the horizontal and vertical geometry of the roadway. Features should be designed with slopes, grades, and radii that ensure that winter maintenance can occur. Maintenance considerations have been included for each traffic calming element in the design guide beginning on page 33, where applicable.

Recessed Thermoplastic Pavement Markings

Milling the area of pavement 3mm in depth where durable pavement markings are applied has shown to be effective in reducing damage as a result of snowplows. This method increases installation costs but reduces long-term maintenance costs and maintains roadway function.

Plan Roadways with Sufficient Right of Way

On new roadways or full reconstructions, the street design should provide adequate for snow storage space. Street designs should provide street terraces or buffers for snow storage to ensure that plows can clear the entire roadway, bike lanes, and sidewalks.



Striping, paint, and curb cues. SF Bike Coalition.



Snow stored in bike lane buffer. Henry Pan.



Cycle track plowing. Streets.mn.

Edge-of-roadway Visual Cues

Pavement markings, striping, curbs, and other visual cues at ground-level are indicators of a bicycle travel way when the ground is clear, but they lose their utility, and can become hazardous after snow. For these reasons, it is important to provide alternative visual cues. Piling snow in the buffer of protected bikeways to deter parking in protected bike lanes, and along the sidewalk furnishing zone helps visually define path of travel and helps snow plow operators identify curb lines. This is especially critical when a bike facility bends in/ out around curb extensions, median islands or other transitions.

Store Snow in The Bike Lane Buffer

Where bike lanes have a wide, painted buffer, snow may be able to be stored in the buffer between the motor vehicle lane and bike lane. This requires the roadway plow to plow snow to the right, and the bike lane plow to plow snow to the left. This method may be useful where there is insufficient snow storage areas between the bike lane and the sidewalk. While this method creates a de-facto protected bike lane, snow melt should be considered. During the day, stored snow can melt and flow across the bike lane, resulting in an icy bikeway surface condition. This needs to be countered with a deicing operation.

Small Snow Plow Vehicles

Many cities use specialized plows referred to as 'downsized street maintenance vehicles'. These smaller vehicles are able to clear confined travelways such as separated bike lanes, sidewalks, and trails. Cities can also use existing maintenance vehicles with mounted snow blades as a more cost-effective and time-efficient solution.

GENERAL TRAFFIC CALMING TREATMENTS

A variety of geometric interventions can be added to a roadway to slow traffic while also improving the look, feel, and function of the roadway. These treatments include both horizontal and vertical treatments and both physically and psychologically encourage slower traffic speeds. Treatments include:

Curb Extensions

Curb extensions are a traffic calming & pedestrian safety measure that help delineate parking and shorten crossing distance.

Speed Tables

Speed tables share the same characteristics as raised crossings, but are placed mid-block instead of at an intersection.

Speed Humps

Speed humps provide vertical deflection to slow vehicles down and facilitate uninterrupted bicycle and emergency vehicle access.

Speed Cushions

Speed cushions are speed humps with cut-throughs that allow emergency vehicles to pass through while still requiring standard vehicles to slow down.

Median Chokers

Median chokers are horizontal traffic calming devices that narrow or deflect vehicle paths to reduce speed.

Pinchpoints

Pinchpoints narrow the roadway, restricting motorists from operating at high speeds when driving on local streets while providing a widened pedestrian realm along the street.

Chicanes

Chicanes are a series of raised/delineated curb extensions or parking bays on alternating sides of a street forming an S-shaped travel way to reduce motor vehicle speeds.

Four-lane to Three-Lane Conversion

A four-lane to three-lane conversion, also commonly referred to as completing a “Road Diet” or “right-sizing the road” is generally described as the removal of travel lanes from a roadway to utilize the space for other uses or travel modes.

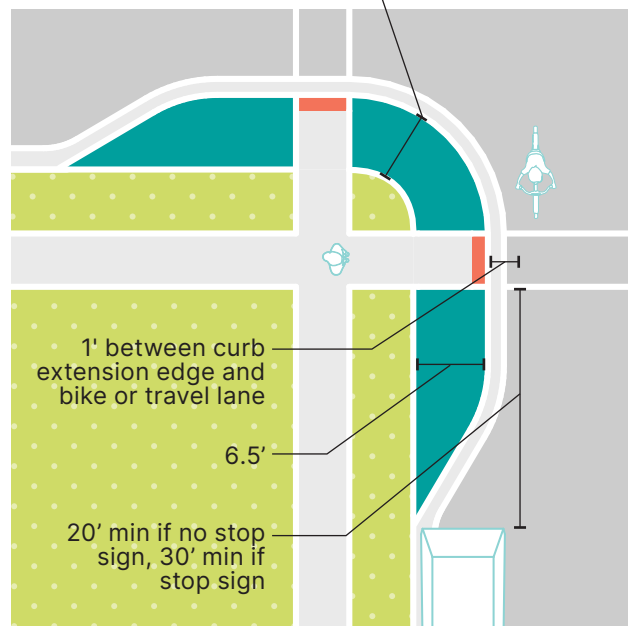
Street Trees

While street trees increase pedestrian comfort by providing shade and a barrier to moving traffic, they also encourage motorists to slow down as they make the roadway feel narrower.

CURB EXTENSIONS

Curb Extensions are a traffic calming and pedestrian safety measure that help delineate parking, maximize landscaping, and shorten crossing distance, giving pedestrians and bicyclists a better chance to see and be seen before committing to crossing. In addition to shortening crossing distances and slowing traffic, they protect parked cars and provide space for trash receptacles and other amenities without blocking the sidewalk.

Curb Radius varies by street classification, context, and vehicle types - Reference "Corner Radii Design"(pg.44)



Typical Application

- Arterial, Collector, and Local Roads.
- May be placed mid-block or at an intersection.
- May be combined with crossing treatments.
- Most effective on streets with parking lanes.

Features

- In most cases, the curb extensions should be designed to transition between the extended curb and the running curb to approximately match the existing no parking/no standing area design standards.
- Curb extensions are most appropriate where there is an on-street parking lane and where transit and bicyclists would be traveling outside the curb edge for the length of the street.
- The turning needs of larger vehicles, such as school buses or emergency vehicles, need to be considered in curb extension design at intersections. For curb radii requirements, reference Table 6 (on page 44).
- Curb extensions should not block bicycle lanes or shoulders being used by bicyclists. In locations with protected bike lanes next to a parking lane, the curb extension begins at the inside edge of the bike lane and occupies the parking lane.
- Curb extensions can contain grass, landscaping, decorative concrete, public art, and tree grates in larger curb extensions.

Quick-Build Option

- Quick-build implementation with paint, traffic tape, and flexible posts.

Maintenance Considerations

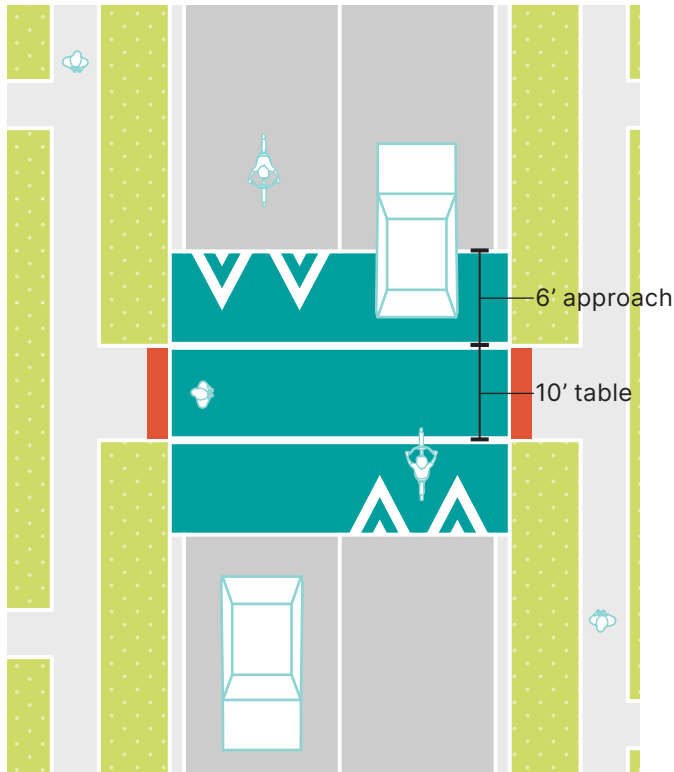
- For efficient street sweeping and snow plowing, minimum radius for the reverse curves of the transition is 10 feet and the two radii should be balanced to be nearly equal.

SOURCES

NACTO Urban Street Design Guide: curb-extensions
 FHWA Pedestrian Safety Guide and Countermeasure Selection System
 Appleton Downtown Streetscape Design Guide

SPEED TABLE

Speed tables share the same characteristics as raised crossings, but are placed mid-block instead of at an intersection. With this placement, they are often applied in conjunction with curb extensions. They work by raising the entire wheelbase of a vehicle to reduce its traffic speed. Speed tables may be used on collector streets and/or transit and emergency response routes.



Typical Application

- Collector, Local and in some circumstances, Arterial Roads.
- Applied mid-block to reduce vehicle traffic speed.
- May be used on collector streets.

Features

- Speed tables should be designed to the following criteria:
 - » Slopes should not exceed 1:10 or be less steep than 1:25
 - » Speed tables may be built at 3-6" in height, with 3-4" most commonly recommended
- Speed tables should not be applied on streets wider than 50 feet. If applied on two-way streets, speed tables may be applied in both directions.
- Locate vertical speed control elements where sufficient visibility and lighting is available.
- Speed tables can be installed using unit pavers or other differentiating materials as a strategy to help highlight and define the speed table for motorists, bicyclists, and pedestrians.
- Speed tables shall be accompanied by a warning sign (MUTCD W17-1).

Maintenance Considerations

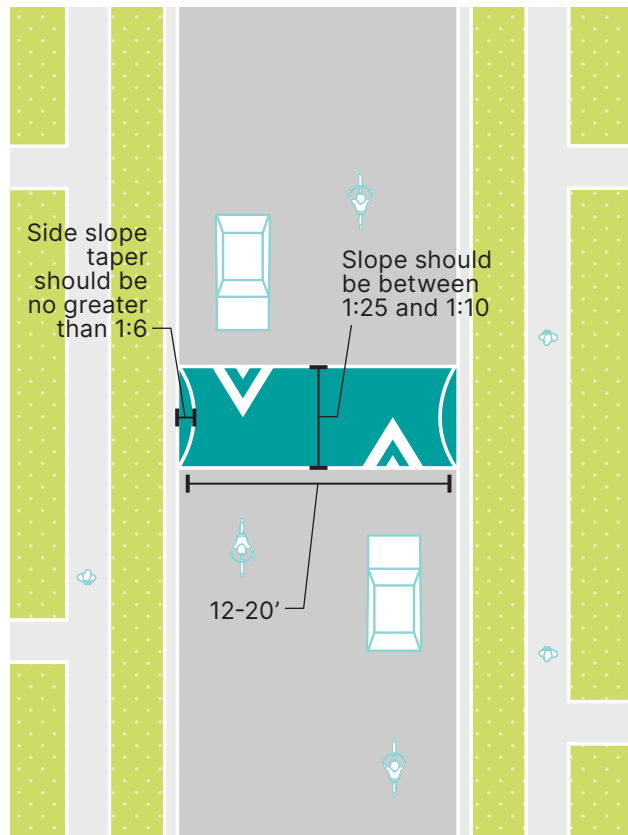
- Use of differentiating materials, such as unit pavers, may require additional maintenance responsibilities.

SOURCES

- NACTO Urban Street Design Guide: Speed Table
FHWA Pedestrian Safety Guide and Countermeasure Selection System: Speed Table/
Humps/Cushions
FHWA Traffic Calming ePrimer: Module 3: Toolbox of Individual Traffic Calming
Measures Part 2: Speed Table

SPEED HUMP

Speed humps provide vertical deflection requiring vehicles to slow down. They facilitate uninterrupted bicycle travel & emergency vehicle access.



Typical Application

- Residential Local Street or any street where the primary function is to provide access to abutting residential property, school, park, or community center.
- Also appropriate for Residential Collectors.
- Along roadways where speed management is needed.

Features

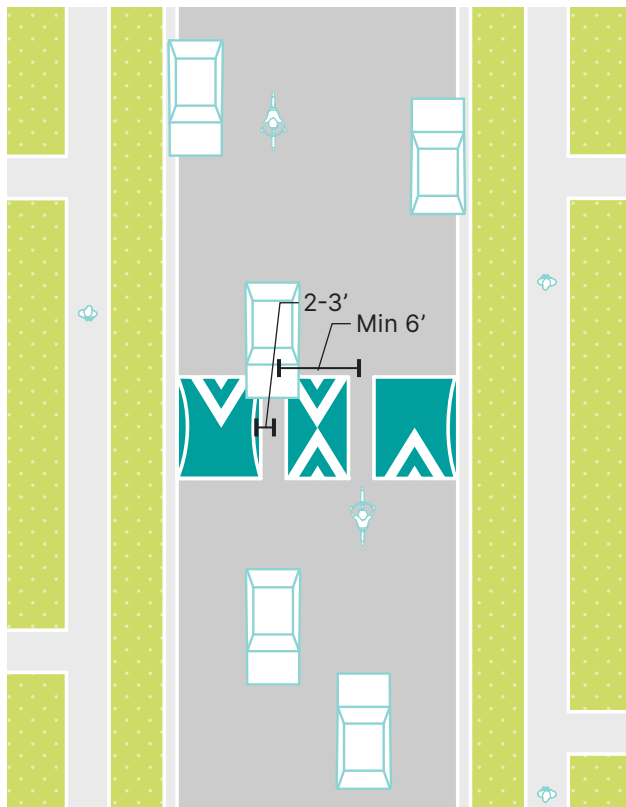
- Speed Humps should be designed to the following criteria:
 - » Slopes should not exceed 1:10 or be less steep than 1:25
 - » Side slopes on tapers should be no greater than 1:6
- Speed humps are elongated mounds with a parabolic cross section.
- Spacing to be determined based on individual project constraints and target speeds. Humps should be spaced no more than a max 500' apart to achieve an 85th percentile speed of 25-35mph.
- Vertical speed devices may be paired with curb extensions or chokers that also narrow the traversable roadway for greater impact.
- Design is an elongated mound in the street that is between 12 and 20 feet in length and 3-4 inches tall.
- Vertical speed devices are typically designed with sides that taper off at the gutter for drainage. This design may be modified to end the taper further from the gutter to create a wide, flat surface for a bicycle bypass lane, if desired.
- Avoid placement in sharp horizontal or vertical curves.
- Speed humps should be paired with warning signage (MUTCD W17-1).

SOURCES

- NACTO Urban Street Design Guide: Speed Hump
- FHWA Pedestrian Safety Guide and Countermeasure Selection System: Speed Table/Humps/Cushions
- FHWA Traffic Calming ePrimer: Module 3: Toolbox of Individual Traffic Calming Measures Part 2: Speed Hump

SPEED CUSHION

Speed cushions are speed humps with cut-throughs that allow emergency vehicles to pass through unimpeded while still requiring typical passenger vehicles to slow down (emergency vehicles have wider wheel bases than typical cars). Speed cushions provide vertical deflection that forces vehicles to slow down.



Typical Application

- Collector and Local Roads.
- Along roadways where speed management is needed.
- As a preferred alternative to a speed hump on a primary emergency response route or on a transit route with frequent service.
- Locate speed cushions where there is sufficient lighting and clear visibility.

Features

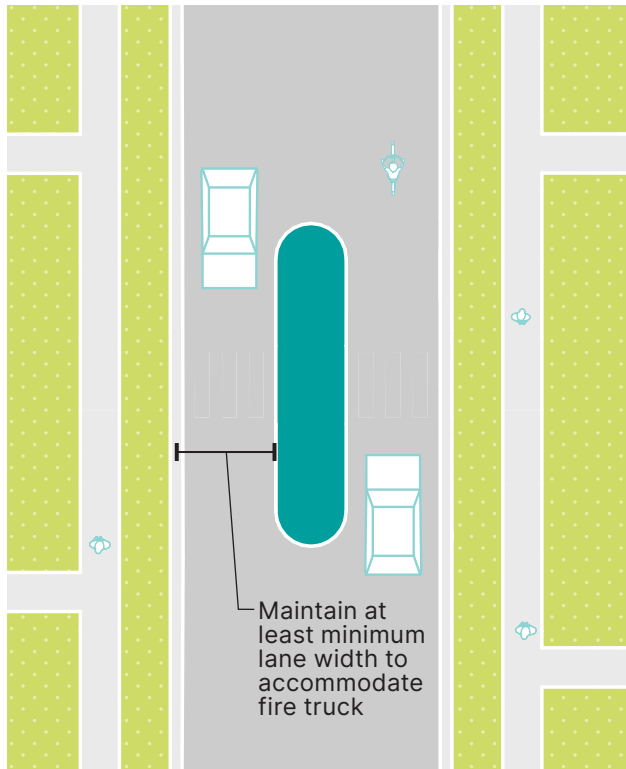
- Speed Cushions should be designed to the following criteria:
 - » Slopes should not exceed 1:10 or be less steep than 1:25
 - » Side slopes on tapers should be no greater than 1:6
- Cutouts in the speed cushions are positioned such that a passenger vehicle cannot pass it without traveling over a portion of the raised pavement.
- Short centerlines and/or traversable features such as flexposts will allow emergency vehicle passage while preserving the full impact of the hump to non-emergency vehicles.
- Speed cushions may be paired with curb extensions or chokers that also narrow the traversable roadway for greater impact.
- A speed cushion is typically designed with sides that taper off at the gutter for drainage. This design may be modified to end the taper further from the gutter to create a wide, flat surface for a bicycle bypass lane, if desired.
- Speed cushions should be paired with warning signage (MUTCD W17-1.)

SOURCES

NACTO Urban Street Design Guide: Speed Cushion
FHWA Pedestrian Safety Guide and Countermeasure Selection System: Speed Table/
Humps/Cushions
FHWA Traffic Calming ePrimer: Module 3: Toolbox of Individual Traffic Calming Measures
Part 2: Speed Cushion

MEDIAN CHOKER

Median chokers are horizontal traffic calming devices that narrow or deflects vehicle paths to reduce speed. They can be combined with a pedestrian crossing to allow pedestrians and/or bicyclists to cross a roadway in stages, reducing exposure, increasing visibility and improving overall safety. Additionally, trees/landscaping can be integrated within medians to improve the appearance of the roadway.



Typical Application

- Arterial, Collector, and Local Roads.
- As traffic calming along roadway, possibly where excess width is present.
- As a mid-block or a “gateway” treatment from a collector or arterial street to a lower speed neighborhood street.
- Can be used as a pedestrian refuge if placed at a crosswalk.

Features

- Lane widths should be wide enough to accommodate emergency vehicles.
- May require removal of some on-street parking to accommodate median and horizontal shifts.
- Can be combined with raised crosswalks/curb extensions to improve speed reduction.
- Avoid blocking driveway access with this treatment.
- May be painted or constructed from temporary materials, but they are most effective when defined by a raised curb and landscaped.
- May be partially or fully mountable in some cases. See “Mountable Aprons” on pg. 48.
- May be continuous through an intersection and configured to allow pedestrian and bicycle traffic to pass but divert motor vehicles as a volume control method. See “One-Way Diverter” on pg. 50.
- Generally will not impact roadway drainage as main feature is in the center.

Quick-Build Option

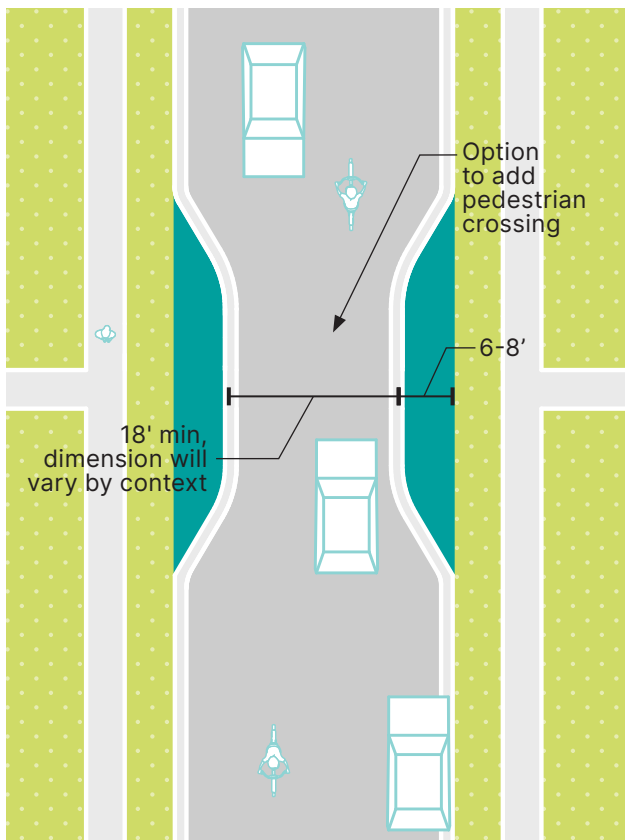
- Quick-build implementation with paint, traffic tape, and flexible posts.

SOURCES

NACTO Urban Street Design Guide: Speed Reduction Mechanisms
FHWA Traffic Calming ePrimer - Module 3: Median Island

PINCHPOINT

When used as a traffic-calming treatment, mid-block curb extensions are often referred to as “pinchpoints” or “chokers.” Pinchpoints narrow the roadway, restricting motorists from operating at high speeds when driving on local streets while providing a widened pedestrian realm/opportunity for the addition of trees/landscaping along the street.



Typical Application

- Arterial, Collector, and Local Roads.
- Can be spaced along the roadway as needed.
- Can be used on a one-lane or two-lane two-way street.
- Can be used on arterial, collector, or local streets in an urban or suburban setting at all levels of traffic volume.
- Can be used to facilitate mid-block pedestrian crossings of low-volume streets. These crossings don't need to be marked unless volumes exceed 3,000 vehicles per day, or if mid-block destinations warrant a more visible treatment.

Features

- The goal of a pinchpoint is to narrow the road, effectively reducing vehicle speeds.
- Width of pinchpoint will vary based on street context and classification. For two-way roads, the width of pinchpoint should align with lane width minimums. For example, a local residential minimum width is 18ft.
- A pinchpoint can be created using roadside islands that do not connect to the curb.
- Street trees can be planted in curb extensions that are aligned with the parking lane of a roadway to narrow the profile of the road. Bike racks can be added in curb extensions.
- In some cases on wider roadways, pinchpoints can be paired with a median to reduce the possibility of opposing vehicle conflicts.

Quick-Build Option

- Quick-build implementation with paint, traffic tape, and flexible posts.

Maintenance Considerations

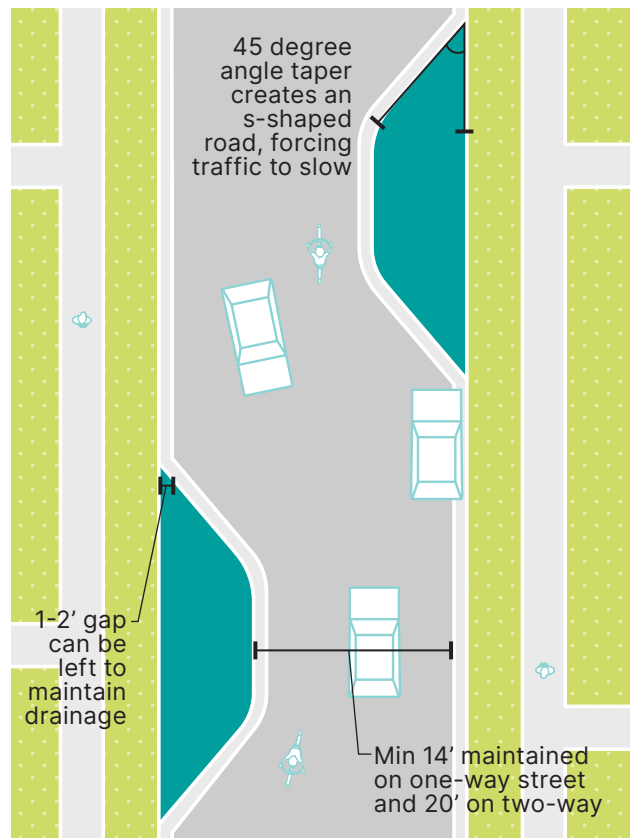
- For efficient street sweeping and snow plowing, minimum radius for the curves and reverse curves of the transition is 10 feet.

SOURCES

NACTO Urban Street Design Guide: Pinchpoint
NACTO Urban Street Design Guide: Speed Reduction Mechanisms
FHWA Traffic Calming ePrimer: Module 3: Toolbox of Individual Traffic Calming Measures
Part 2: Choker

CHICANE

Chicanes are a series of raised/delineated curb extensions, or parking bays on alternating sides of a street forming an S-shaped travel way. Speed is reduced for motor vehicles by requiring drivers to shift horizontally through narrowed travel lanes. Chicanes can allow for both directions of traffic to pass at a time or just one direction. Trees/landscaping can also be added to chicanes.



Typical Application

- Local or low-volume Collector Roads.
- As a traffic-calming treatment option along a mid-block section of a low-volume roadway.
- Can be used on a one-lane or two-lane, two-way road.
- Can be installed with urban (curb/gutter) or rural (ditch) contexts.
- Chicanes could include stormwater collection features.

Features

- On wider streets, bicycle bypasses in one or both directions can be added to the outside.
- The turning needs of larger vehicles, such as school buses or emergency vehicles, may need to be considered through the chicane. Mountable curbs may be necessary.
- Curb extensions (if used) must be designed to provide adequate drainage. Floating islands may be used to maintain existing drainage.
- Crosswalks should not be integrated with this treatment as motorists should be only concerned with horizontal deflection.
- May impact on-street parking if curb extensions displace parking.

Quick-Build Option

- Quick-build implementation with paint, traffic tape, and flexible posts.

Maintenance Considerations

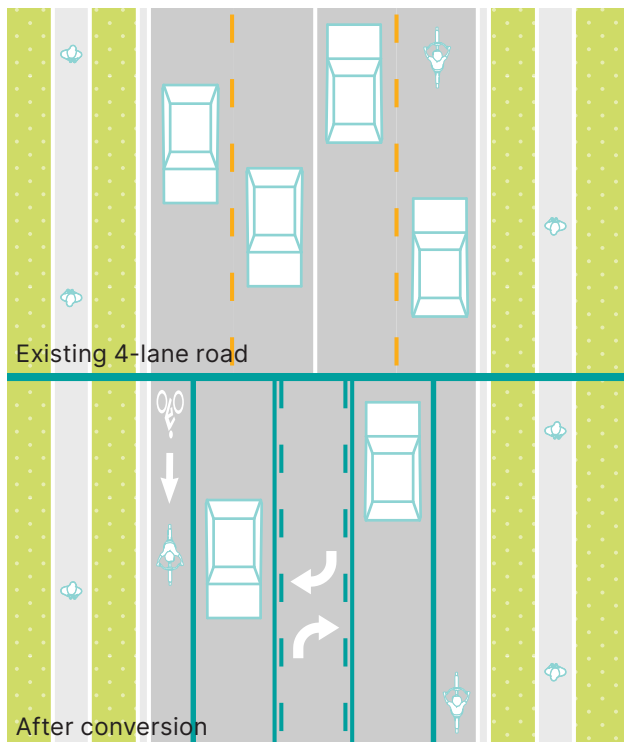
- For efficient street sweeping and snow plowing, minimum radius for the curves and reverse curves of the transition is 10 feet.

SOURCES

NACTO Urban Street Design Guide: Chicane
FHWA Pedestrian Safety Guide and Countermeasure Selection System: Chicanes

4-LANE TO 3-LANE CONVERSION

A four-lane to three-lane conversion, also commonly referred to as completing a “Road Diet” or “right-sizing the road” is generally described as the removal of travel lanes from a roadway to utilize the space for other uses or travel modes. This most commonly takes the form of a conversion of an undivided four lane roadway to a three-lane undivided roadway made up of two through lanes and a center two-way left-turn lane (TWLTL). The reduction of lanes allows the roadway cross section to be reallocated for other uses such as bike lanes, pedestrian refuge islands, transit uses, and/or parking.



Typical Application

- Arterial, Collector, and Local Roads.
- This treatment can be applied on four-lane undivided roads, including along transit and emergency response routes. The following volumes can be considered:
 - » Less than 10,000 ADT: Great candidate in most cases. Capacity most likely will not be affected.
 - » 10,000-15,000 ADT: Good candidate in many cases. Intersection analyses should be conducted and signal re-timing should be considered in conjunction with implementation.
 - » 15,000-20,000 ADT: Good candidate in some instances; however, capacity could be affected depending on conditions. A corridor analysis should be conducted before implementing.
 - » Greater than 20,000 ADT: A feasibility study should be completed to determine if the location is a good candidate. Some agencies have had success with these conversions on high-volume roads.

Features

- Conversion may create additional space for bike lanes, wider sidewalks or amenity zones, or add street parking (if not previously existing).
- If street parking is existing, a conversion won't necessarily impact it.
- Factors that must be considered before completing a conversion:
 - » Speeds, Level of Service (LOS)
 - » Quality of Service (perceived level of safety)
 - » ADT
 - » Peak hour and peak direction
 - » Turning volumes and patterns
 - » Vehicle traffic that is frequently stopping/moving slow

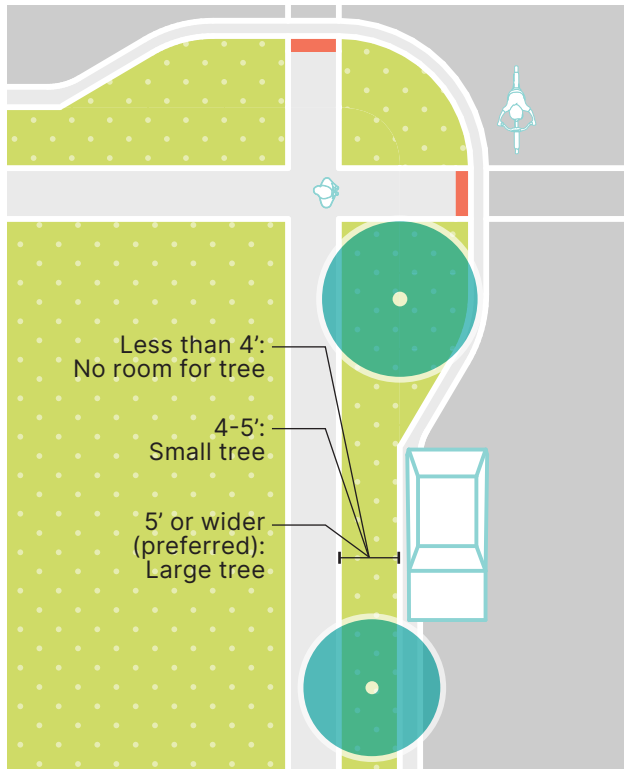
SOURCES

FHWA Highway Safety Program - Proven Safety Countermeasures: Road Diets (Roadway Configuration)

FHWA Safety Program - Road Diet Informational Guide

STREET TREES

Street trees (managed through the Stormwater Utility) can increase comfort for pedestrians and bicyclists by lowering temperatures, filtering air and water, and helping with stormwater management. The presence of trees can make walking and biking facilities feel more comfortable and appealing, contributing to mode shift and reducing greenhouse gas emissions. On tree-lined streets people tend to drive more slowly, reducing the risk of collisions.



Typical Application

- Trees may be planted in the right-of-way if they do not negatively impact sight lines and where adequate soil volume is available.

Features

- Provide as much soil volume as feasible to extend life/increase health of street trees. As a rule of thumb, a small tree (20-30ft), medium tree (30-60ft), and large tree (60ft+), should be provided a minimum of 600, 900, and 1200 cubic feet respectively of high-quality rootable (loose, aerated, water storing) soil.
- In commercial areas, tree grates and raised planters may be considered to provide additional space for amenities. In most other locations, tree grates are discouraged due to the reduction in tree health, needed maintenance, and lack of accessible pedestrian space provided.
- The City Forester will determine suitable tree species.

Maintenance Considerations

- Irrigate if feasible to help trees survive drought or heat stress.
- Salt spray can damage trees. Injury to evergreen trees is apparent in the late winter, while it takes longer to manifest in deciduous trees. Avoid salt damage by selecting salt-tolerant trees, using road salt alternatives, and covering smaller trees in burlap.
- Select trees that won't interfere with overhead lines.

SOURCES

Wisconsin DNR Urban Tree Planting Resources
 Minneapolis Street Design Guide: Boulevards and Furnishing: Street Trees

INTERSECTION & MID-BLOCK CROSSING TREATMENTS

Modifications at intersections and mid-block crossings provide safer pedestrian and bike crossings, and encourage slower speeds by vehicles. These treatments modify intersection and mid-block geometry to shorten crossing distances, make pedestrians more visible to vehicles, and control vehicular turning movements. Treatments include:

Corner Radii Design

A smaller curb radius provides more pedestrian area at the corner, allows more flexibility in the placement of curb ramps, results in a shorter crossing distance and requires vehicles to slow more on the intersection approach.

Raised Crosswalks

Raised crosswalks allow pedestrians and bicyclists to cross at sidewalk level while forcing vehicles to slow down.

Raised Intersections

Raised intersections provide vertical deflection at an entire intersection, forcing vehicles to slow down.

Pedestrian Refuge Islands

Pedestrian refuge islands are used at mid-block crossings or at intersections that allow pedestrians/bicyclists to cross a roadway in stages, reducing exposure and increasing visibility while providing the same traffic-calming effects as a median choker.

Mini Traffic Circles

Mini traffic circles are raised or delineated islands placed at minor street intersections to encourage slower vehicle movements and manage conflicts at the intersection.

Mountable Aprons

Mountable aprons limit turning speed for passenger vehicles while still allowing larger vehicles to complete the turn.

One-way Diverter

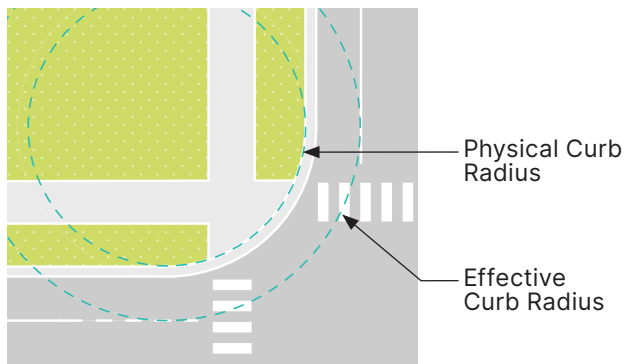
One-way diverters, also known as “half closures,” block vehicle travel for motor vehicles in one direction while preserving two-way bicyclist access.

Diagonal Diverter

Diagonal diverters may be placed at a local road to local road four-way intersection and require all motor vehicle traffic to turn, while allowing bicyclist and pedestrian through movements.

CORNER RADII DESIGN

The size of a curb’s radius can have a significant impact on pedestrian comfort and safety. A smaller curb radius provides more pedestrian area at the corner, allows more flexibility in the placement of curb ramps, results in a shorter crossing distance and requires vehicles to slow more on the intersection approach. During the design phase, the chosen radius should be the smallest possible for the circumstances and consider the effective radius in any design vehicle turning calculations.



Intersection Type	Minimum Effective Curb Radius (ft)
No turning movement	2
Local-Local	12
Local-Collector	15
Collector-Collector	18
Collector-Arterial	18
Arterial-Arterial	18

Table 5: Effective corner radii reference table

Typical Application

- All corners have a radius, but size varies on context. Size is related directly to the length of the crosswalk.
- Standard curb radii are 10-15 ft, but the curb radius may be as small as 2 ft where there are no turning movements.
- Wide outside travel lanes, on-street parking and bike lanes create a larger effective turning radius and therefore allow a smaller physical curb radius.
- Turning speeds should be limited to 15mph or less.
- Minimize effective turning radius by employing of the following techniques:
 - » Select smallest possible design vehicle
 - » Accommodate trucks and buses on designated truck/bus routes
 - » Restrict right turn on red to minimize interaction between turning vehicles and crossing pedestrians and cyclists. Reference "No Right Turn on Red", page 59
 - » Design so emergency vehicles may use full intersection to turn

Features

- Corners have two critical dimensions which must be considered together.
 - » The physical radius controls the pedestrian experience.
 - » The effective radius is the widest turning arc that a vehicle can take through the corner and is larger than the physical radius.
 - » Curb radius choice involves desired pedestrian area of the corner, street classifications, design vehicle turning radius, intersection geometry, and if on-street parking/bike lane (or both) are between the travel lane and curb.

Quick-Build Option

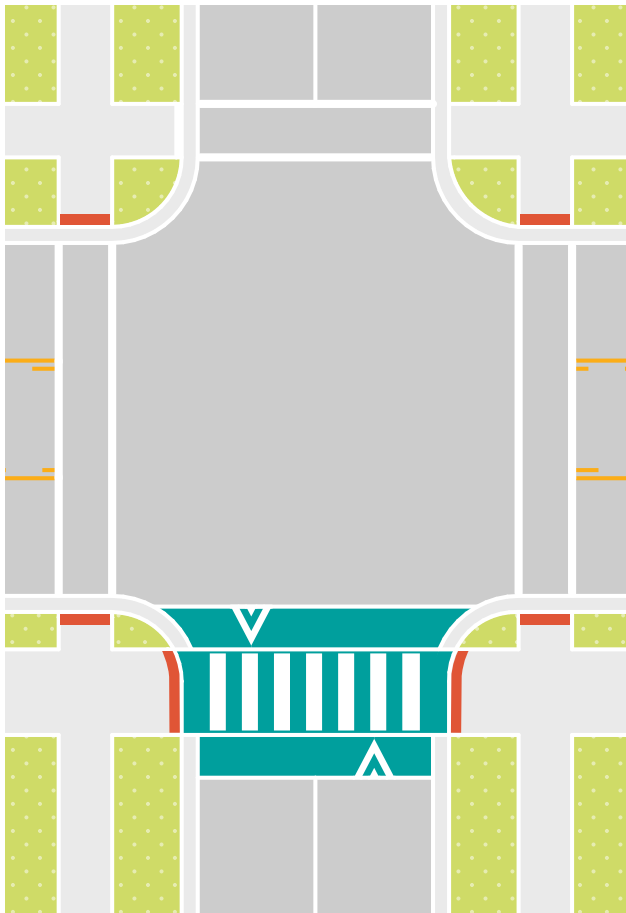
- Quick-build implementation with paint, traffic tape, and flexible posts.

SOURCES

NACTO Urban Street Design Guide: Corner Radii
Global Street Design Guide: Corner Radii

RAISED CROSSWALK

Raised Crosswalks give priority to pedestrians and bicyclists, allowing them to cross at sidewalk level, and require vehicles to slow down. They can be implemented at mid-block crossings, intersections, or along the major street at side streets.



Typical Application

- Residential Collector and Local Roads. Can be applied on a low-speed Arterial Road through a commercial district.
- Along roadways where speed management is needed.
- At an intersection within a school zone, local business district or on a walking route.
- Can be placed mid-block or at an intersection.
- May not be appropriate for primary emergency vehicle routes or streets that provide access to emergency medical services.
- Appropriate for bus transit routes if speeds are low.
- Avoid using raised crosswalks on steep streets as they can act as ramps for bicyclists and vehicles.

Features

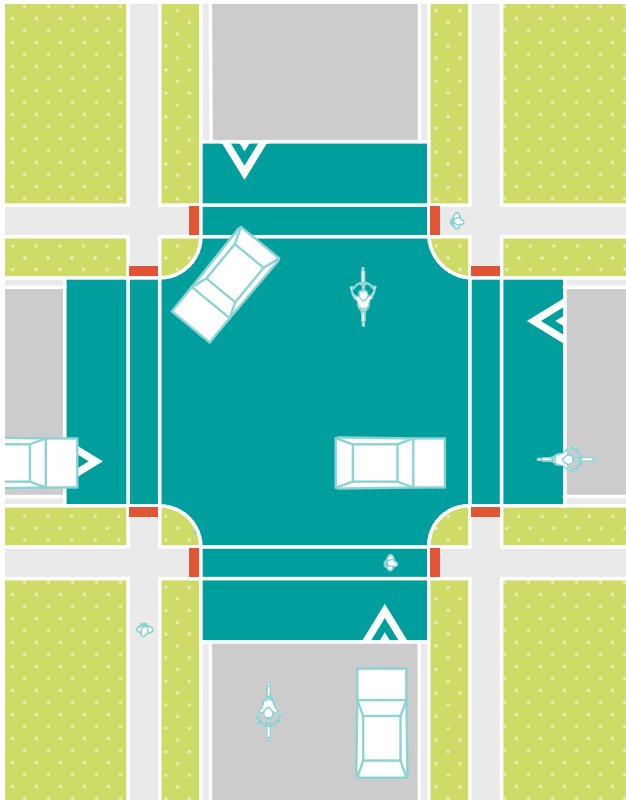
- Crosswalk markings will depend on context.
- In most cases, vertical transition will be designed similar to a speed table with heights of 3-6".
- Drainage must be adequately accommodated through inlet relocation or open channels along the sides. These designs allow for a fully raised crosswalk, which is preferable for pedestrians with disabilities.
- Raised crosswalks can also be provided with an open section on the sides utilizing a conventional curb ramp though this design does not provide all of the benefits of the fully raised design.
- Raised crosswalks may be paired with curb extensions or chokers that also narrow the traversable roadway and provide improved sight distance to pedestrians.

SOURCES

NACTO Urban Street Design Guide: Intersections of major and minor streets
FHWA Traffic Calming e-Primer: speed management/traffic calming

RAISED INTERSECTIONS

Raised intersections provide vertical deflection at an entire intersection requiring vehicles to slow down. The road level is raised to the sidewalk level and the surface can be built with a variety of materials such as asphalt, concrete, or pavers. The crosswalks are also elevated. The pedestrian space is often differentiated with bollards, materials, and detectable warnings.



Typical Application

- Intersections of Collector and Local Roads. Can be applied on a low-speed Arterial Road in a business district with significant pedestrian activity.
- At smaller signalized, or unsignalized intersections.
- At residential and smaller business district contexts.
- At offset intersections as a shared lane/street treatment.
- At junctions of multiple bicycle boulevards where slowing vehicles in all directions is desirable.
- At an intersection within a school zone on a walking route.

Features

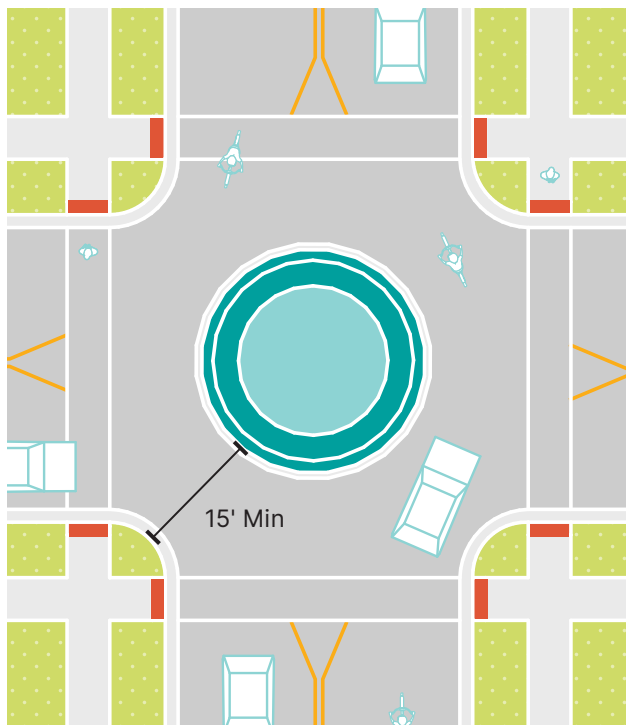
- Raised intersections are typically raised to be flush with the sidewalk, typically between 3-6".
- Crosswalks do not need to be marked, however this is recommended.
- Bollards may be used at corners to keep motorists from crossing into the pedestrian space. Bollards should be strategically placed to avoid impacting the movement of pedestrians and cyclists.
- To make the division between the raised intersection and the sidewalk clear, contrasting colors and/or materials from the sidewalk should be used to construct the raised crosswalk.
- Users with visual impairments may have trouble if they cannot detect the edge of the pedestrian space; therefore, truncated domes should be used.
- The turning needs of larger vehicles, such as school buses or emergency vehicles, may need to be considered in raised intersection design, especially at intersections with significant truck/bus traffic.
- The raised transitions must be designed to provide adequate drainage.
- The vertical transition will be designed similar to a speed table.

SOURCES

NACTO Urban Street Design Guide: Raised Intersections
 NACTO Urban Bikeway Design Guide: Major Street Crossings
 FHWA Traffic Calming e-Primer: Raised Intersection

MINI TRAFFIC CIRCLES

Mini Traffic Circles are raised or delineated islands placed at minor street intersections. They encourage slower vehicle movements and manage conflicts at the intersection so that users may enter in all directions with a yield on entry control. Raised island design can vary and may include mountable curbs or aprons, landscaping, and signage.



Typical Application

- Junction of two Local Roads or of a Local and Collector Road.
- At low-volume uncontrolled intersections that may not justify signalization.
- At junctions of multiple bicycle boulevards where slowing vehicles in all directions is desirable.
- Where it is desirable to maintain bicycle momentum and a stop sign would otherwise be needed.

Features

- Maintain 15' min clear from the corner to the edge of the circle.
- Crosswalks not needed at most local road to local road intersections.
- Signage is not required. For traffic circles with specific safety issues, an MUTCD warning sign may be placed in the middle.
- Traffic circles may include a mountable apron to accommodate the turning radii of larger vehicles like fire trucks or school buses (see pg. 48). The island may be fully mountable if needed at constrained intersections.
- Consider drainage and if there is a valley gutter along one of the streets, this may make the vehicle path uncomfortable.
- Non-mountable portion of traffic circle may include landscape, public art, and permanent signage, contingent on meeting required horizontal offsets and maintaining sight triangles.
- Shared lane markings may be provided within the intersection in the center of the circulating lane to encourage proper bicyclist lane positioning and discourage vehicle passing.

Quick-Build Option

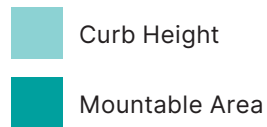
- Quick-build implementation with paint, traffic tape, flexible posts, and/or plastic or rubber curbs.

SOURCES

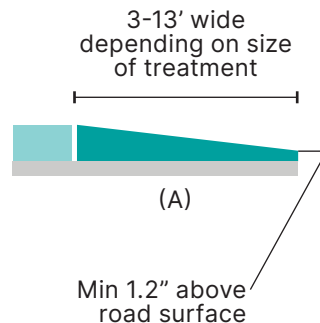
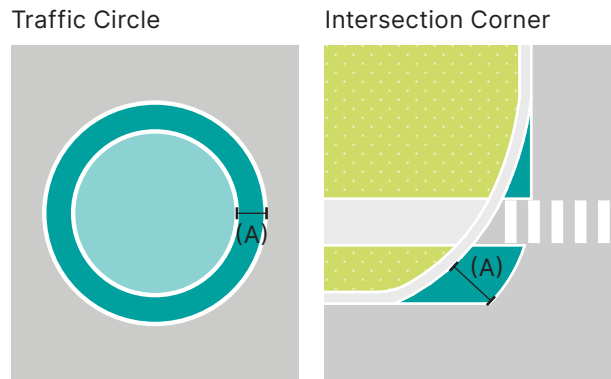
Bikesafe Bicycle Safety Guide and Countermeasure Selection System: Mini-Circles

MOUNTABLE APRONS

Mountable aprons limit turning speed for passenger vehicles while still allowing larger vehicles to complete the turn. This creates a tighter effective radius for smaller vehicles while still accommodating large trucks without endangering other road users.



Mountable Apron Examples:



Typical Application

- Single radius curb aprons with mountable zone are designed to be usable for the vast majority of vehicles. Only vehicles such as fire trucks or design vehicles (e.g., DL-23 delivery truck) are expected to mount the curbs. Dual radius curb aprons with a defined apron area are intended for encroachment by larger vehicles on a more frequent basis, while providing a tighter radius for managed vehicles.

Features

- To be effective as a pedestrian safety measure, a truck apron must:
 - » Deter smaller vehicles from turning across it
 - » Clearly convey to drivers of larger control vehicles that it is traversable
 - » Be traversable by large vehicles without threatening stability
 - » Deter pedestrians and bicyclists from stopping or queuing on it
- A surface the same color as the sidewalk reinforces distinction from the roadway for drivers, but may encourage pedestrians to stand on it. A more differentiated apron distinguishes it from the roadway and sidewalk, but if the surface looks too “nice” it may be unclear that it can be driven over.
- For raised aprons, the profile of the edge of the mountable element determines how easily a vehicle can mount it.
- A **traversable curb** is better for the stability of larger design and control vehicles, but may not provide enough deterrence for some managed passenger vehicles. A **mountable curb** typically has a steeper bevel, providing more deterrence to passenger vehicles.

Maintenance Considerations

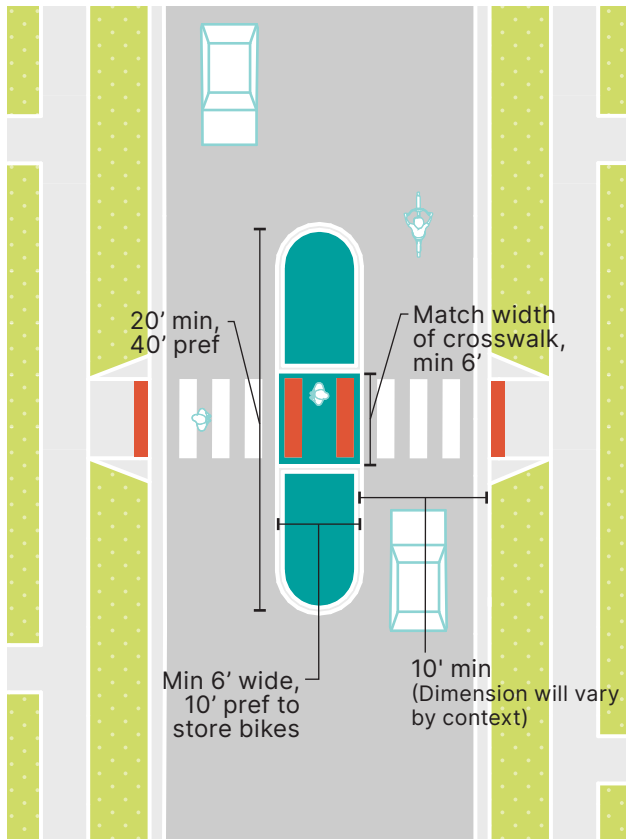
- The ability of the apron to function during and after snow events and its compatibility with snow removal equipment should be considered in design.

SOURCES

Corner Design for All Users - Alta
 USDOT Roundabouts: An Informational Guide
 NACTO - Don't Give Up at the Intersection

PEDESTRIAN REFUGE ISLANDS

Pedestrian Refuges or “islands” are protected areas across a roadway or in an intersection that allow pedestrians and/or bicyclists to cross a roadway in stages, reducing exposure, increasing visibility and improving overall safety. They also slow traffic down as cars navigate between the median and the curb, and provide a space for trees/landscaping.



Typical Application

- Arterial, Collector, and Local Roads.
- Applied on roadways with center turn lanes or medians that are at least 6' wide (to accommodate wheelchair users), at least 20' long (40' preferred), and are appropriate at signalized or unsignalized crosswalks.
- At low-volume uncontrolled intersections that may not justify signalization but would benefit from additional gaps by breaking the crossing into two stages.
- Where center turn lanes or existing raised medians already exist.

Features

- One goal of a pedestrian refuge island is to narrow the road, effectively reducing vehicle speeds.
- For bicycles, 10' of storage is desirable as some bikes may be longer than 6'. Angled refuges may be used to increase storage length.
- For pedestrians, the refuge island must be accessible, preferably with an at-grade passage through the island rather than ramps and landings.
- Narrow medians with bicycle/pedestrian cut-throughs can be used on streets without turn lanes to provide volume reduction without acting as a refuge.
- Refuge Islands should be paired with crosswalks, and include advance pedestrian warning signage if installed at uncontrolled crossings.
- When crossing multi-lane roadways, consider configuration with overhead RRFBs for improved yielding compliance.
- Turning vehicles should be able to navigate around the refuge without mounting it.

Quick-Build Option

- Quick-build implementation with paint, traffic tape, signs, and flexible posts.

SOURCES

NACTO Urban Street Design Guide: Pedestrian Safety Islands
FHWA Bicycle Safety Guide and Countermeasure Selection System: Medians and Crossing Islands

ONE-WAY TRAFFIC DIVERTER

One-way diverters also known as “half closures” block vehicle travel for motor vehicles in one direction while preserving two-way bicyclist access. This treatment may help reduce motor vehicle volumes where they exceed target volumes. Through this treatment, pedestrian exposure while crossing is reduced and comfort/priority is increased for bicyclists.



Typical Application

- Local Roads, or Local Road/Collector or Arterial Road intersection.
- Where motor vehicle volume reduction may be desirable to meet thresholds.
- To increase comfort and bicycle priority along a designated bike route, like a bicycle boulevard.

Features

- Crosswalk markings will depend on context.
- The island or curb extension may be partially or fully mountable if needed at constrained intersections.
- May be combined with an optional median diverter on the major street to further physically restrict vehicle access.
- May include a large curb extension or a median island to channelize entering bicyclists and exiting vehicles.
- Emergency response vehicles can maneuver around a one-way diverter when responding to an emergency.
- Consider width of opening and type of access in design to ensure motorists comply with restrictions.
- May shift traffic to adjacent streets.

Quick-Build Option

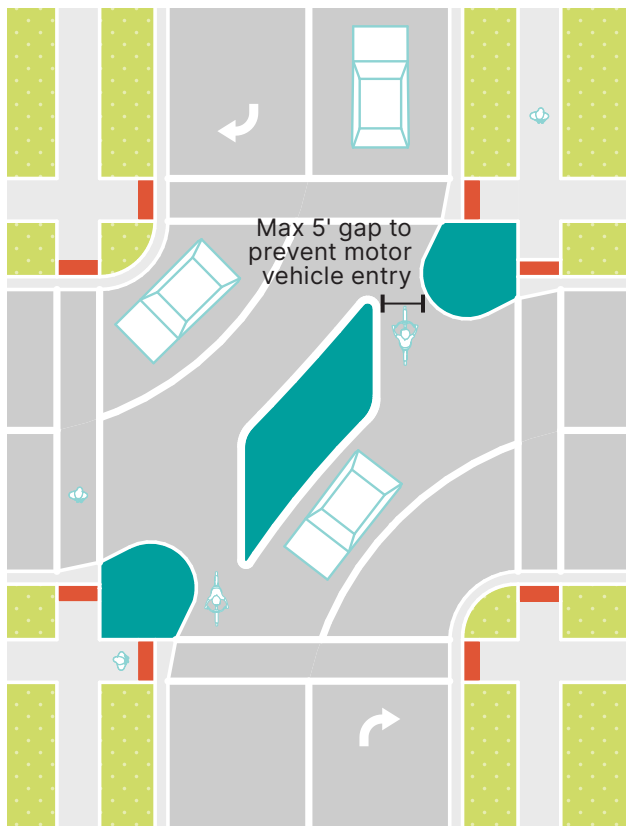
- Quick-build implementation with paint, traffic tape, signage, and flexible posts.

SOURCES

FHWA Traffic Management: Diverters
NACTO Urban Bikeway Design Guide: Volume Management

DIAGONAL DIVERTER

Diagonal diverters may be placed at a local road to local road four-way intersection and require all motor vehicle traffic to turn, while allowing bicyclist and pedestrian through movements. This treatment creates two smaller unconnected intersections. Diverters provide an opportunity for landscaping, stormwater management, benches, or other streetscape features.



Typical Application

- Minor Collector and Local Roads.
- Also appropriate for Subdivision Roads.
- At intersections of two designated bike routes, like bicycle boulevards where traffic diversion is desirable.
- Where motor vehicle volume reduction may be desirable to meet thresholds.

Features

- Crosswalk markings (if provided) will depend on context.
- Stop controlled approaches recommended in all directions for safety.
- Integrate trees/landscaping to improve appearance of the roadway.
- May include a large curb extension or a median island to channelize entering bicyclists and exiting vehicles.
- Bike access channels may be designed to be traversable by emergency response vehicles.
- Bicyclist access may be directional on the sides or central in the middle through diverter and can be level with the road or ramped to curb level.
- May shift traffic to adjacent streets.
- Diverter reduces overall network connectivity for motor vehicles.
- Vehicle lane widths should not be narrowed to more than 10 feet with larger widths preferred to accommodate larger turning vehicles.

Quick-Build Option

- Quick-build implementation with paint, traffic tape, signage, and flexible posts.

SOURCES

FHWA Traffic Management: Diverters
NACTO Urban Bikeway Design Guide: Volume Management

MULTIMODAL STREET IMPROVEMENTS

Complete streets aim to make transportation feel comfortable for all roadway users. This means alternative modes to cars, such as bicycles and buses should also be accommodated.

Common multimodal street improvements include:

Bus Stops

Bus stops with space and amenities to provide a safe and comfortable user experience for transit users. May require additional coordination with federal and regional (Valley Transit) agencies.

Bicycle Boulevard

Bicycle boulevards are quiet neighborhood streets with low vehicle volumes & speeds.

Bike Lanes (Standard and Buffered)

On-street bike lanes designate an exclusive space for bicyclists through the use of striping, pavement markings, and signage.

Protected Bike Lanes

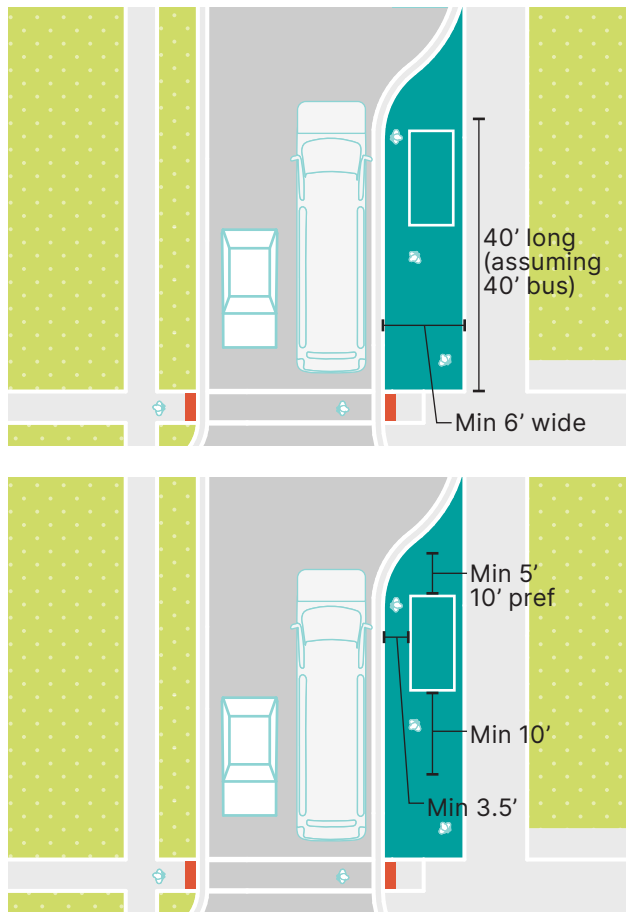
Protected bike lanes are on-street bikeways that are physically separated from vehicle traffic by a vertical element between the bikeway and the vehicular travel lane.

Sidepath

Sidepaths provide a travel area separate from motorized traffic for bicyclists, pedestrians, skaters, wheelchair users, joggers, and other users.

BUS STOPS

Design of bus stops involves thinking about specific placement/location as well as site-specific design features. Bus stops should be planned based on federal and regional (Valley Transit) standards and processes. Specific features may require additional coordination with Valley Transit.



Typical Application

- Along transit routes - standard bus or Bus Rapid Transit (BRT) routes.

Features

- Shelters should be provided on routes with high boarding numbers.
- Bus bulbs should be used if offset bus lanes are provided, where merging into traffic may be difficult, or where passengers could benefit from a designated waiting area. If included at the same height as the sidewalk, they should be 40' long and at least 6' wide. If there is a step up to the sidewalk, they should extend at least 10' wide to accommodate a ramp.
- Three categories of bus stop locations:
 - » Far Side Bus Stop: most common type, allows pedestrians to cross the street behind the bus instead of in front. This style also increases the visibility of crossing pedestrians on multi-lane roadways.
 - » Near-Side: Used on long blocks where near-side stop connects well with pedestrian destinations like parks or schools, on one-way, one-lane streets where passing is not allowed, where traffic-calming features, parking, or driveways restrict the potential for far-side stops.
 - » Mid-block Bus Stop: On long blocks with many destinations or at major transit stops with multiple buses queuing.
- Bus stops must be easily accessible by sidewalk, and appropriate street crossings should be included nearby. They must meet ADA standards (landing pads, curb heights) and include sufficient lighting.
- Space around bus stop should meet intended demand/ridership.

Maintenance Considerations

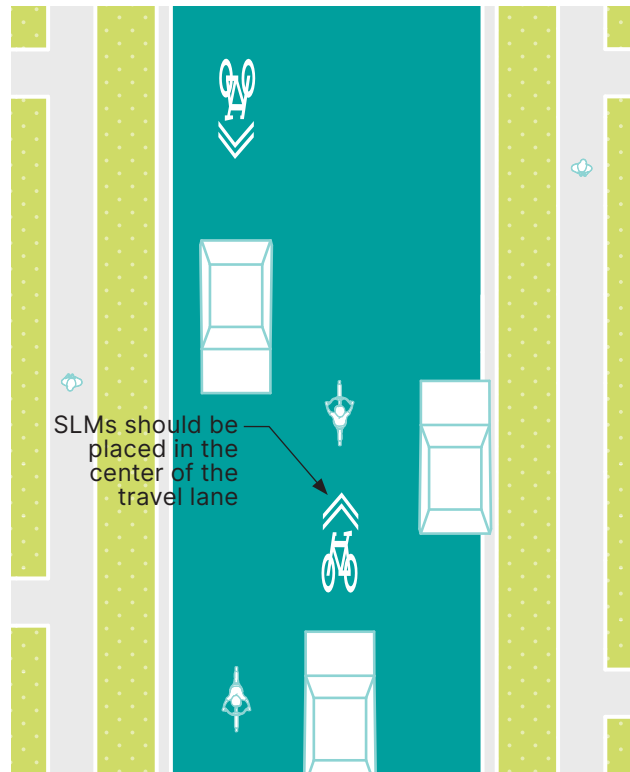
- Shelters should be composed primarily of steel and with few moving parts; Construct shelter with graffiti, weather, salt, and rust resistant materials.
- Place trash receptacles at/near bus shelters to maintain a clean area.

SOURCES

NACTO Urban Street Design Guide: Bus Stops
Project for Public Spaces: Bus Shelters

BICYCLE BOULEVARD

Bicycle boulevards are quiet neighborhood streets with low vehicle volumes & speeds. Bicyclists and pedestrians are prioritized by managing vehicle speeds and volumes (traffic calming elements). Signage and pavement markings are also incorporated. Bicycle boulevard features should be determined on a case-by-case basis, using engineering judgment to achieve appropriate vehicle speeds and volumes.



Typical Application

- Local Roads.
- Low-volume, low-speed streets. Utilize traffic calming to maintain or establish low volumes and discourage vehicle cut through/speeding.
- Continuous routes that make direct connections, including parallel routes to arterials and collectors that are less suitable for low-stress bikeways.

Features

- Signs, shared lane markings (SLMs), and traffic calming elements as needed to achieve appropriate vehicle speeds and volumes are the minimum treatments necessary to designate a street as a bicycle boulevard.
- SLMs, also commonly referred to as “sharrows”, have been proven to impact bicyclist riding position. Keep them outside of the “door zone” of parked cars by positioning them in the center of the lane.
- Intersection crossings should be designed to enhance comfort and minimize delay for bicyclists and pedestrians of diverse skills and abilities.
- R4-11 “May Use Full Lane” sign is recommended along the route.
- Use engineering judgment to determine appropriate traffic calming measures.
- Greening, stormwater management, and a robust street tree canopy can contribute to traffic calming and bicyclist & pedestrian comfort.

Quick-Build Option

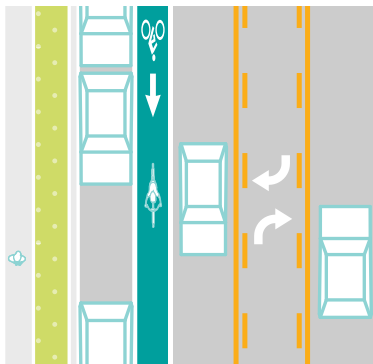
- Quick-build implementation with stencils and signage; option to add other traffic-calming quick-build elements (such as curb extensions, mini traffic circles, etc.)

SOURCES

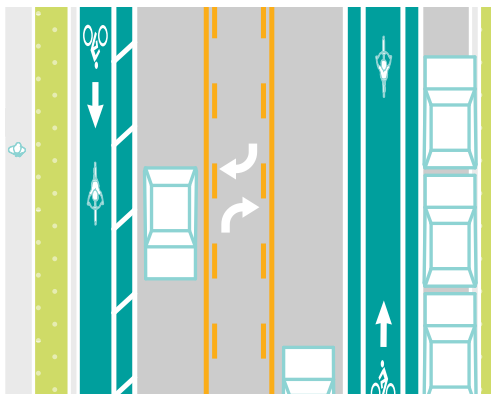
NACTO Urban Bikeway Design Guide: Bicycle Boulevards

BIKE LANES

On-street bike lanes designate an exclusive space for bicyclists through the use of striping, pavement markings, and signage. Bike lanes are located directly adjacent to motor vehicle travel lanes and are typically used in the same direction as motor vehicle traffic. A buffer of 2' at minimum is recommended to add space between bicycle and motor vehicle traffic.



Standard Bike Lane



Buffered Bike Lane (shown with and without parking lane)

Typical Application

- Bike lanes may be used on any street with adequate space, but are most effective on streets with moderate traffic volumes 3,000-5,000.
- Appropriate for skilled adult riders on most streets. May be appropriate for children when configured as 6+ ft wide lanes on lower-speed, lower-volume streets with one lane in each direction.

Features

- Buffered bike lanes features a buffer width of 2' minimum, 3' preferred. A buffer is especially important when parking has high turnover. In general, standard bike lanes should be used in only constrained ROW.
- Minimum width of the bike lane is 5'. However, 7' is preferred to facilitate safe passing behavior. These widths do not include the gutter pan or buffer.
- Include a bicycle lane pavement legend at the beginning of the bike lane, beginning and end of bike lane pockets, approaches and far side of arterial crossings, and major changes in direction. MUTCD recommends every 80 ft - 1,000 ft depending on land use context. Place markings to minimize wear from turning motor vehicles.
- The R3-17 "Bike Lane" sign is optional, but recommended in most contexts.

Maintenance Considerations

- Bike lane striping and markings will require higher maintenance where vehicles frequently traverse over them at intersections, driveways, parking lanes, and along curved or constrained segments of roadway.
- Bike lanes should be maintained so there are no pot holes, cracks, uneven surfaces or debris. Manhole covers within bike lanes should be adjusted to be flush with the pavement when repaving occurs.

Quick-Build Option

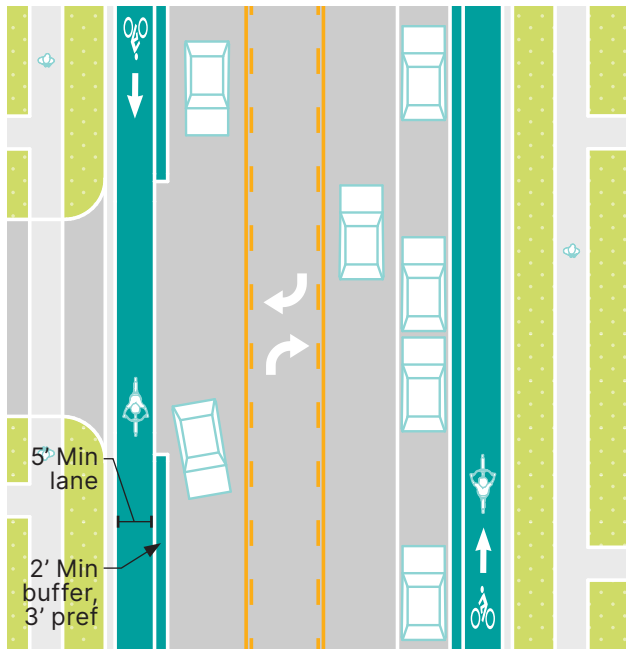
- Quick-build implementation with paint, traffic tape, and signs.

SOURCES

NACTO Urban Bikeway Design Guide: Conventional Bike Lanes
FHWA Pedestrian Safety Guide and Countermeasure Selection System

PROTECTED BIKE LANES

Protected bike lanes are on-street bikeways that are physically separated from vehicle traffic by a vertical element between the bikeway and the vehicular travel lane. Protected bike lanes typically share the same elevation as adjacent travel lanes, but the bikeway could also be raised above street level, either below or equivalent to sidewalk level.



Typical Application

- Along streets on which conventional bicycle lanes would be stressful because of multiple lanes, high traffic volumes (10,000-15,000 ADT), high traffic speeds (35+ mph), high incidence of double parking, higher truck traffic (10% of total ADT) and high parking turnover.

Features

- Pavement markings, symbols and/or arrow markings must be placed at the beginning of the bikeway and at intervals along the facility.
- Maximize effective operating space by placing curbs or delineator posts as far from the through bikeway space as practicable.
- Include green conflict marks at crossing points like intersections/driveways.
- Use wide bikeway (7'+) in high bicycle traffic areas to allow passing.
- Protected bike lanes may be designed at the street level, at curb level, or at an interim elevation between the top of the curb and street.
- Parking should be prohibited 30' in advance of intersections and driveways to improve visibility. Clearly mark parking prohibition through red curbs & signage.
- Vehicular turning movement restrictions are strongly encouraged where applicable, including No Right Turn on Red (see pg.58) and dedicated left turn phases.

Maintenance Considerations

- Bike lane striping and markings will require higher maintenance where vehicles frequently traverse over them.
- Access points along the facility should be provided for street sweeper vehicles to enter/exit the separated bikeway.
- Construct plow-compatible noses when using concrete curb barriers.

Quick-Build Option

- Quick-build implementation with paint, traffic tape, signage, and flexible posts.

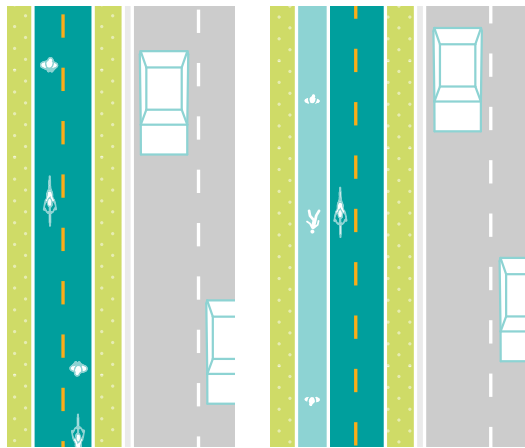
SOURCES

FHWA Separated Bike Lane Planning and Design Guide
NACTO One-Way Protected Cycle Tracks

SIDEPATH

Sidepaths provide a travel area separate from motorized traffic for bicyclists, pedestrians, skaters, wheelchair users, joggers, and other users. They are desirable for bicyclists of all skill levels preferring separation from traffic.

Treatment	Scenario	Min Width
Shared-Use Path	Occasional mix of users	10' Path
Separated-Use Path	High concentration of users	10' Cycle Track, 5' Pedestrian Track



Shared-Use Path

Separated-Use Path

Typical Application

- Adjacent to roadways, especially higher volume, higher speed corridors and roadways that are in close proximity to schools.

Features

- 10' minimum width. Additional width is recommended along corridors with higher concentration of bicyclists and pedestrians. Consider separate pedestrian track (5' minimum width) in high-traffic areas.
- 5' minimum buffer measured from edge of sidepath and edge of roadway.
- Overhead clearance should be 8' minimum, 10' recommended.
- A 2' or greater shoulder on both sides of the path should be provided.
- Provide solid centerlines on tight/blind corners and transitions, on approaches to roadway crossings, or where visibility concerns exist.
- Sidepaths utilize pedestrian walk signals. Vehicular turning movement restrictions are strongly encouraged where applicable, including No Right Turn on Red (see pg. 59) and dedicated left turn phases.

Maintenance Considerations

- Can be plowed just as a sidewalk would be plowed.
- Per Appleton policy, snow removal on sidepaths is the responsibility of the adjacent residential property owner.

SOURCES

NACTO Urban Street Design Guide: Intersections of major and minor streets
FHWA Traffic Calming e-Primer: speed management/traffic calming

INTERSECTION OPERATIONS & SIGNAL MODIFICATIONS

To calm traffic on roadways, sometimes physical changes are not needed, but rather, signal improvements can be added to improve the flow and safety of traffic on an existing roadway.

No Right Turn on Red

Eliminating right turn on red allows pedestrians to cross the street safely during their designated phase without worrying about a motorist pulling out in front of them.

Rectangular Rapid Flashing Beacon (RRFB)

RRFBs are generally used on streets with two to three lanes and flash when activated by bicyclists or pedestrians to increase awareness that drivers must yield to crosswalk users.

Hardened Left Turns

Left-turn hardening involves the use of modular curbs, vertical delineators, and striping at intersections to slow left-turning vehicles and to prevent “corner cutting.”

Pedestrian Hybrid Beacon (PHB)

PHBs, also called High-intensity Activated Crosswalks (HAWKs), are used to improve non-motorized crossings at major roadways.

Exclusive Pedestrian Phase

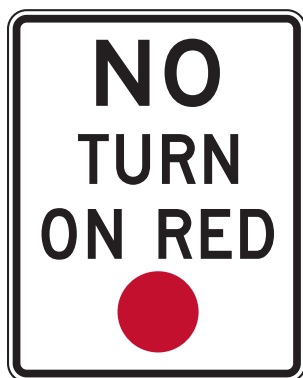
An exclusive pedestrian phase at a signalized crossing, also called a “pedestrian scramble” stops all vehicular movement and gives pedestrians crossing the intersection in all directions a chance to cross.

Accessible Pedestrian Signal (APS)

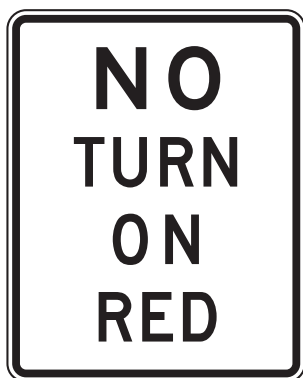
Accessible pedestrian signals are devices that communicate information about the crossing intervals at signalized intersections to pedestrians who are low vision, blind, or have hearing loss through audible, visual, or vibrotactile methods.

NO RIGHT TURN ON RED

Allowing Right Turn on Red (RTOR) at a signalized intersection makes it so motorists can turn right on a red light so long as the roadway is clear of traffic moving to the right. While this treatment allows for flow of traffic, it has had a negative effect on pedestrians and cyclists legally crossing the roadway. Motorists tend to be focused on watching for traffic approaching from the left and often fail to pay attention to pedestrians and cyclists to their right. Drivers turning right on red tend to pull fully into the crosswalk in order to get a full view of oncoming traffic from the left. Despite the law requiring motorists to come to a full stop and yield to cross street traffic and pedestrians before turning right, many roll through the crosswalk without stopping.



R10-11



R10-11a

Typical Application

- RTOR restrictions should be strongly considered in areas with high pedestrian traffic volumes. This includes areas like downtowns, school zones, near parks, or in residential neighborhoods.
- RTOR restrictions should be used at all school crossings.
- RTOR should also be banned at intersections with sidepaths or shared use paths.
- Part-time RTOR prohibitions during the busiest times of the day may be sufficient to address the problem. Blankout signs could be used in this instance.

Features

- The No Turn on Red with the red ball (R10-11) may draw more attention to the sign than the sign with only text (R10-11a or b).

SOURCES

FHWA Signs and Signal: Right Turn on Red Restrictions
Pedestrian Safety Guide and Countermeasure Selection System: Right Turn on Red Restrictions

RECTANGULAR RAPID FLASHING BEACON (RRFB)

Rectangular Rapid Flashing Beacons (RRFBs) are placed as a supplemental feature to a combined bicycle/pedestrian crossing, and are generally used on streets with two to three lanes. The beacons are activated by a push button, and flash when activated to increase awareness that drivers must yield to crosswalk users.



Typical Application

- May be considered at mid-block crossings and intersections where signalization is not warranted.
- May also be considered to cross lower speed (<35mph) streets with up to two travel lanes in each direction with the presence of a median refuge.

Features

- Bicyclists are directed to mount the corner using a dedicated bicycle ramp and to cross using the existing crosswalk.
- Bicyclists and pedestrians use the same push button.
- Median refuge islands may be paired with RRFB crossings.
- Passive detection may be added to the RRFB system to activate the warning lights even if the button is not pressed.

SOURCES

NACTO Urban Bikeway Design Guide: Active Warning Beacon for Bike Route at Unsignalized Intersection
Pedestrian Safety Guide and Countermeasure Selection System: Rectangular Rapid Flashing Beacon (RRFB)

PEDESTRIAN HYBRID BEACON (PHB)

Pedestrian Hybrid Beacons, also called High-intensity Activated Crosswalks (HAWKs), are used to improve non-motorized crossings at major roadways. They also provide a lower-cost signalization option than a full signal.



Typical Application

- At existing uncontrolled intersections with enough complexity that stopping traffic to provide safe crossings is desirable.
- Existing pedestrian oriented half signals may be modified to Hybrid Beacons to meet current FHWA guidance.
- To provide pedestrian and bicycle priority at a minor street crossing without incentivizing or attracting additional through vehicle traffic.
- At an intersection within a school zone on a walking route.

Features

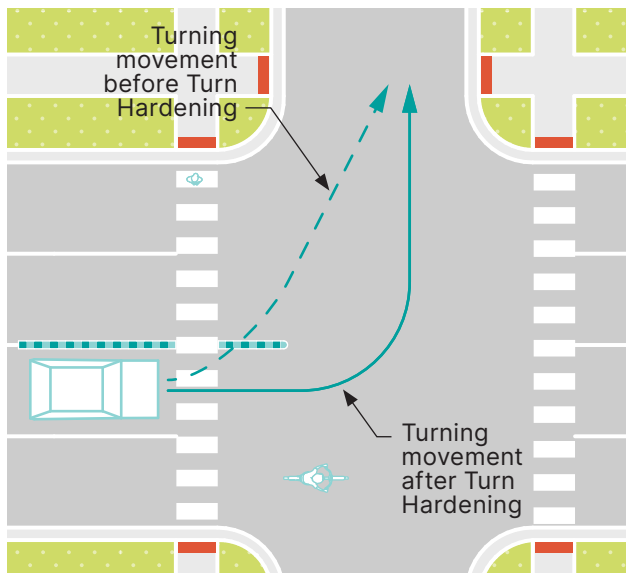
- Vehicles on the cross-street will not receive any signal indication and are controlled by a stop sign.
- Bicycle crossings are typically directional and adjacent to the curb; however, it is also possible to consolidate both directions of bicycle travel to one side of the intersection if geometry is advantageous.
- Per the FHWA, bicycle signals may not be combined with a Hybrid Beacon. Bicycles must use the pedestrian signal indication.
- Blankout signs that restrict conflicting vehicle movements from the minor cross-street are recommended to be present and active during beacon operation to reduce potential conflicts.
- Pedestrian crossings may be included on both sides of the street.

SOURCES

NACTO Urban Bikeway Design Guide: Hybrid Beacon for Bike Route Crossing of Major Streets
Pedestrian Safety Guide and Countermeasure Selection System: Pedestrian Hybrid Beacon (PHB)

HARDENED LEFT TURNS

Left-turn hardening involves the use of modular curbs, vertical delineators, and striping at intersections to slow left-turning vehicles and to prevent “corner cutting.” Two common treatments are centerline hardening, or placing modular curbs where the centerline meets the intersection, and slow turn wedges, which involve striping and delineators at intersection corners to slow left-turning vehicles at intersections between two one-way streets. These treatments enhance the separation between travel directions, help to guide vehicles into the proper receiving lane, and slow vehicle speeds as the complete a turn.



Typical Application

- Left-turn hardening is typically installed at intersections where a minor street intersects with a major street, with the elements addressing left-turns from the minor street onto the major street. It is most useful at intersections with high volumes of pedestrians and where high-speed left turns made by vehicles are a major issue.
- Two types:
 - » Hardened centerlines, typically installed using modular curbs and vertical delineators, are installed in line with the centerline approaching an intersection. The installation may extend to the stop bar, crosswalk, or even further into the intersection.
 - » Slow turn wedges are installed at corners of an intersection in line with on-street parking and on the far side of crosswalks. Their installation typically involves pavement markings and vertical delineators.

Features

- Hardening elements may be installed with different heights of vertical elements to accommodate larger vehicles/different sight lines.
- Elements could include rubber parking stops and/or flex posts.

Quick-Build Option

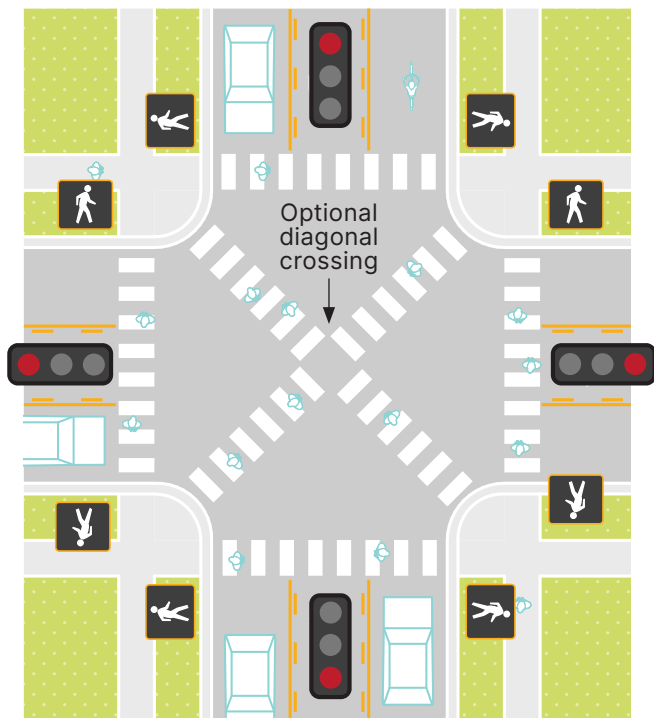
- Quick-build implementation traffic tape and rubber parking stops, flexible posts, and/or plastic curbs.

SOURCES

NACTO Don't Give Up at the Intersection
VDOT Left-Turn Hardening Brochure

EXCLUSIVE PEDESTRIAN PHASE

An exclusive pedestrian phase at a signalized crossing, also called a “pedestrian scramble” stops all vehicular movement and gives pedestrians crossing the intersection in all directions a chance to cross, even the opportunity to cross diagonally. Because exclusive pedestrian phasing causes all traffic to stop moving through the intersection, the safety benefit to pedestrians from this technology can be significant due to the elimination of pedestrian-vehicle conflicts.



Typical Application

- An exclusive pedestrian phase is an established safety measure for downtown areas with high pedestrian crossing movements.
- Exclusive pedestrian phasing, compared with concurrent signal phasing or none at all, yields measurable reductions in collisions only when pedestrian volume exceeds 1,200 persons per day.
- Exclusive phasing is appropriate for intersections where the time ratio of combined through-traffic phases to pedestrian phases is lower than 0.5.
- An alternative to this concept is to prohibit left and right turning vehicles moving in parallel to the crosswalk from turning when a pedestrian is detected in the crosswalk by a passive pedestrian sensor. This system activates LED turn prohibition signs when pedestrians are detected.

Features

- Prohibiting turning vehicles from moving across the crosswalks when pedestrians are detected using passive pedestrian sensors would decrease the impact on congestion (no queued cars waiting for an opportunity to turn) and eliminate the pedestrian-vehicle conflict that may occur during pedestrian non-scramble phases.
- A UConn study published in 2017 has shown that while the overall number of crashes is reduced with this intervention, crashes involving pedestrians at intersections with exclusive pedestrian phasing tend to be more severe. This is because pedestrians may be unwilling to wait through all the vehicle phases to cross during the pedestrian phase, leading to collisions.

SOURCES

FHWA Pedestrian Safety - Report to Congress: Assessment of Developmental and Pre-Deployment Advanced Technologies
T2 Center Traffic Signal Brief: Concurrent Pedestrian Phasing and Leading Pedestrian Interval (LPI)

03

TRAFFIC CALMING RETROFIT PROGRAM

HOW TO USE THE TRAFFIC CALMING RETROFIT PROGRAM?

The traffic calming retrofit program provides strategies for implementing low-cost and high-impact traffic calming features on an accelerated timeline.

Traffic calming retrofit, often referred to as "quick-build" or "demonstration projects", utilizes inexpensive materials such as paint, flex posts, planters, and prefabricated traffic control devices to allow for quick implementation of many of the traffic calming elements outlined in Chapter 2. This chapter includes:

1. **Program Overview:** An overview of what quick-build projects are and the process, funding, and staffing needed to guide implementation.
2. **Neighborhood Traffic Calming Study:** Geometric modifications for intersections and mid-block crossings.



PROGRAM OVERVIEW

WHAT IS QUICK-BUILD?

Quick-build projects are shorter-term, low-cost, and temporary roadway projects used to improve complete streets for walking, bicycling, and community safety. There are a wide range of street and spot improvement projects that may be considered for quick-build, outlined on pg. 28.

Project Materials

Common project materials include:

- White and/or yellow traffic paint
- Temporary pavement marking tape
- Stencils
- Signage
- Colorful paint
- Flexible posts
- Plastic curbs
- Planters, boulders, and barriers
- Spot improvements to curbs

WHAT ARE THE BENEFITS?

Quick to build. Quick-build projects have significantly shorter timelines to implement than conventional complete street construction projects; some smaller quick-build projects take less than 24 hours.

Short-term to long-term. Quick-build projects can be in place for anywhere from one day to multiple years, depending on the intended purpose and materials used. Longer projects such as those that are in place for multiple years may be more focused on providing long-term traffic calming benefits or for evaluating the success of various complete street elements.

Low cost. Quick-build projects are generally a fraction of the cost of conventional complete street construction projects. The cost of quick-build projects will vary depending on the type, size and duration of the project as well as the materials used. In general, material costs range from \$100 to \$10,000 per installation.

Desired Outcomes. Quick-build projects allow communities to evaluate potential infrastructure improvements before investing in permanent changes. Benefits of using a quick-build approach include:

- Test improvements before investing in permanent changes.
- Inspire action, build support for project implementation, and increase public engagement by inviting stakeholders to test out projects.
- Increase understanding of various transportation needs in the community.
- Encourage people to work together in new ways, strengthening relationships between government agencies, elected officials, non-profit organizations, local businesses, and community residents.
- Gather data from real-world use of streets and public spaces.



WHAT IS THE PROCESS FOR IMPLEMENTING QUICK-BUILD PROJECTS?

The process for installing a quick-build project will differ from project to project, but the following timeline in Figure 5 below provides a standard approach for success.

ARE DEDICATED STAFF REQUIRED TO MANAGE THE PROGRAM?

Implementing a traffic calming retrofit program will require additional staff to be hired to manage the program. These hires will create new ongoing costs.

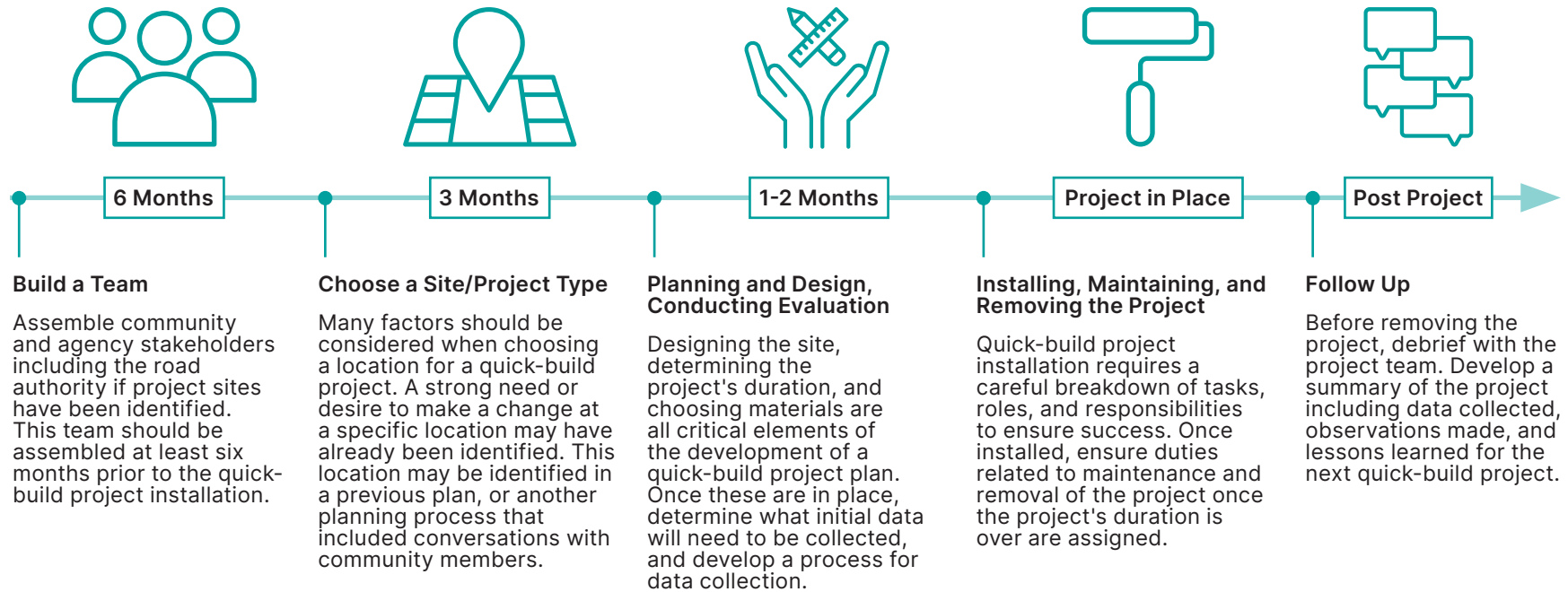


Figure 5: Typical quick-build project process

WHAT ARE THE FUNDING STRATEGIES FOR QUICK-BUILD PROJECTS?

Funding for quick-build projects may be available from a range of local, state, and federal agencies or non-profit organizations. Many of these funding sources can be used for other types of complete street reconstruction projects in addition to quick-build.

Non-Profit Sources

People for Bikes Community Grants

Agency: People for Bikes

Funding for projects that make bicycling better. Up to \$10,000.

AARP Community Challenge Grant

Agency: AARP

Provides small grants to fund quick-action projects that can help communities become more livable for people of all ages. The 2023 rounds of funding included demonstration grants aimed at advancing solutions that build capacity toward Transportation Systems Change. These grant opportunities range from approximately \$30,000 to \$50,000 per project.

Local and State Sources

Local and Regional Funding

Local and regional funds such as general fund, sales tax revenue, and Air Quality District funds are often the best sources.

Community Development Block Grant

(Wisconsin Department of Administration Division of Energy, Housing and Community Resources)

Public facilities funds support infrastructure and facility projects for communities. Examples of eligible projects include improvements, repairs, or expansions of streets, drainage systems, water and sewer systems, sidewalks, and community centers. Up to \$1 million.

State Infrastructure Bank Program

(WISDOT)

Loans for transportation infrastructure improvements that preserve, promote, and encourage economic development or promote transportation efficiency, safety, and mobility. Loans can be used in conjunction with other federal or state programs, or to finance an entire project.

Federal Sources: FHWA has provided a matrix of funding programs for bicycle and pedestrian project, see [Pedestrian and Bicycle Funding Opportunities: U.S. Department of Transportation Transit, Safety, and Highway Funds](#).

SS4A/Safe Streets for All (FHWA)

Competitive grant; 5-year program at \$1 billion/year.

Active Transportation Infrastructure Investment (FHWA)

\$1 billion over 5 years (\$200 million/year); funding for active transportation projects.

Reconnecting Communities (FHWA)

\$500 million (and up to \$1 billion in future appropriation); competitive grant program for planning or construction.

RAISE (FHWA)

\$1 billion over 5 years (\$200 million/year); funding for active transportation projects.

Transportation Alternatives Program (TAP) Grant (WisDOT)

Reimbursement program (80% federally funded, 20% match); funding for active transportation projects.

NEIGHBORHOOD TRAFFIC CALMING STUDY

The following pages illustrate diagrams of quick-build implementation for a 6×6 block neighborhood in Appleton. The recommendations illustrate appropriate applications of complete street elements along streets and at intersections, including local, collector, and arterial streets.

The recommendations are intended to provide general guidance on the types and locations for common quick-build elements. These diagrams may be used as a starting point for designing quick-build interventions for a neighborhood or street, but should be noted that recommendations may vary based on specific context, intended use, and cost limitations.

The following pages include the following:

- Overview Diagram: An entire 6×6 neighborhood including a range of contexts as well as local, collector, and arterial streets. (pg. 71)
- Local Street Diagram: A zoom-in of quick-build interventions for a local street. (pg. 72)
- Collector Street Diagram: A zoom-in of quick-build interventions for a collector street. (pg. 73)
- Arterial Street Diagram: A zoom-in of quick-build interventions for an arterial street. (pg. 74)



OVERVIEW TRAFFIC CALMING RETROFIT DIAGRAM

LEGEND:

- 1 Curb extensions
- 2 Traffic circle
- 3 Pinchpoint with mid-block crossings
- 4 Pedestrian refuge island
- 5 Buffered bike lanes
- 6 Protected bike lanes
- 7 4-lane to 3-lane conversion
- 8 No right turn on red
- 9 Exclusive pedestrian phase

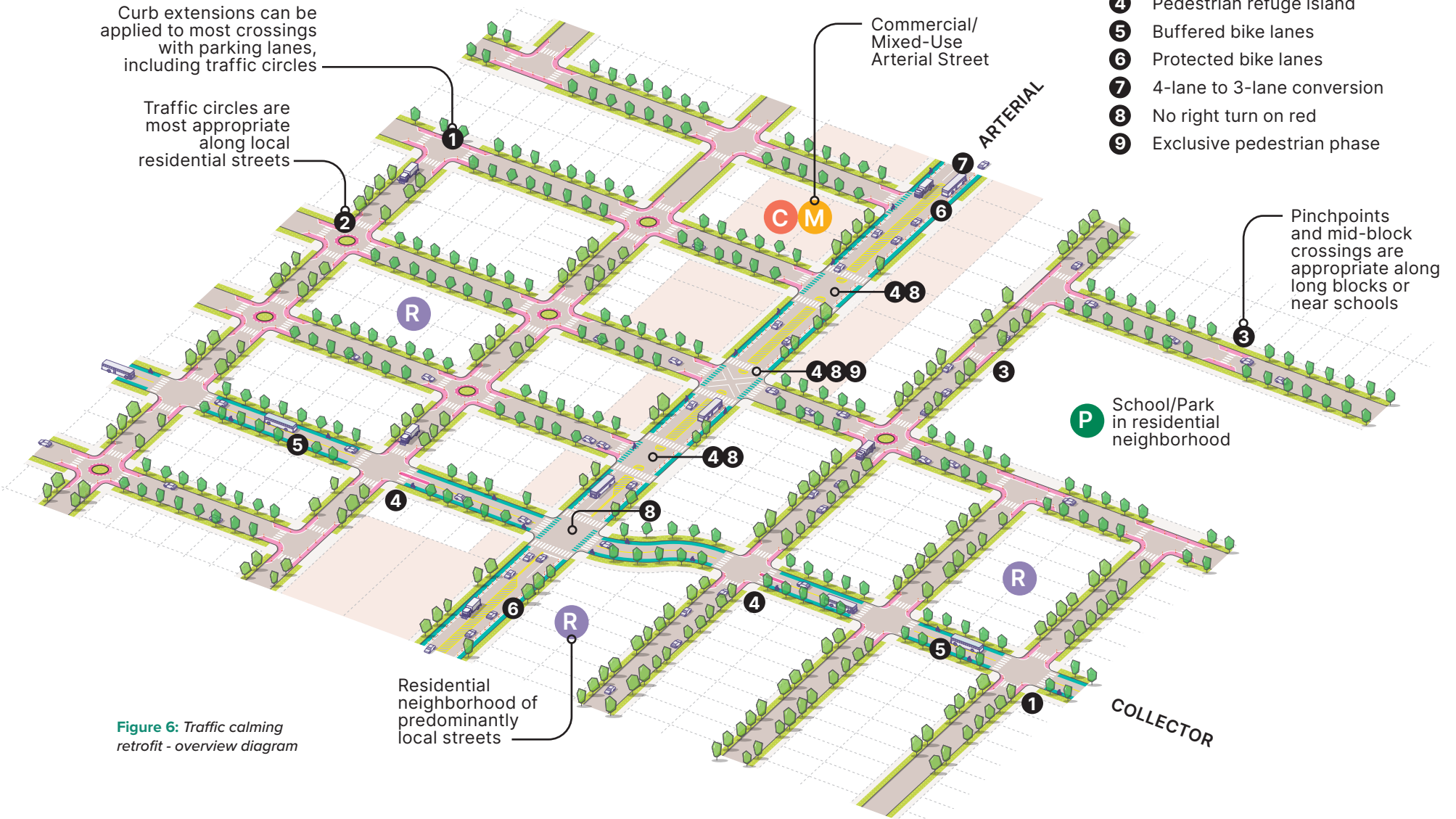


Figure 6: Traffic calming retrofit - overview diagram

LOCAL STREET TRAFFIC CALMING RETROFIT

Traffic calming retrofit for local streets emphasizes safe routes to parks and schools, as well as elements that slow vehicular speeds and prevent cut-through traffic, such as curb extensions or mini traffic circles. Where local streets meet arterials or collectors, additional elements such as pedestrian refuge islands and turning restrictions may be considered.

At collector or arterial intersections with no parking lane, curb extensions should only be located on the local street legs

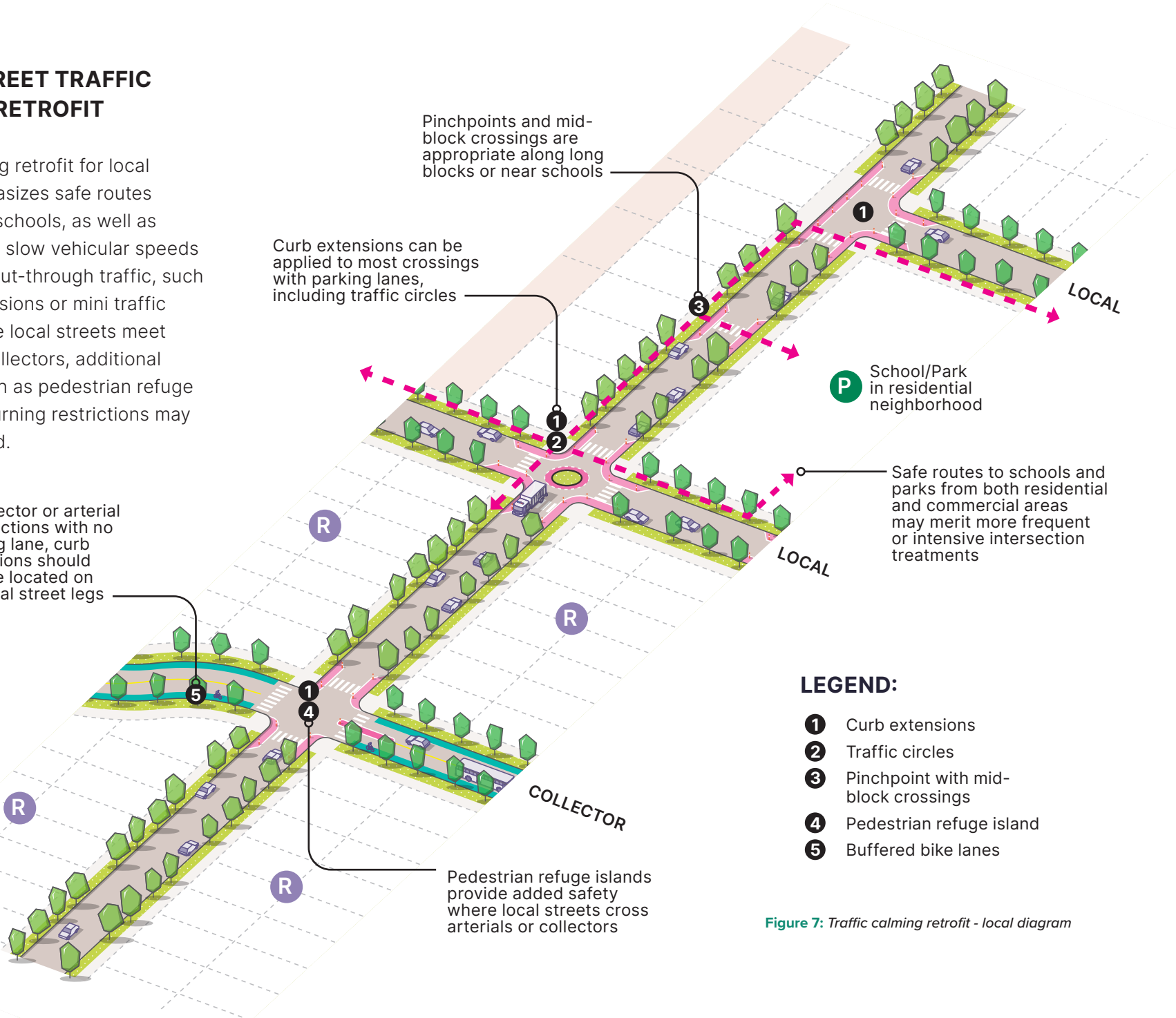
Pinchpoints and mid-block crossings are appropriate along long blocks or near schools

Curb extensions can be applied to most crossings with parking lanes, including traffic circles

P School/Park in residential neighborhood

Safe routes to schools and parks from both residential and commercial areas may merit more frequent or intensive intersection treatments

Pedestrian refuge islands provide added safety where local streets cross arterials or collectors



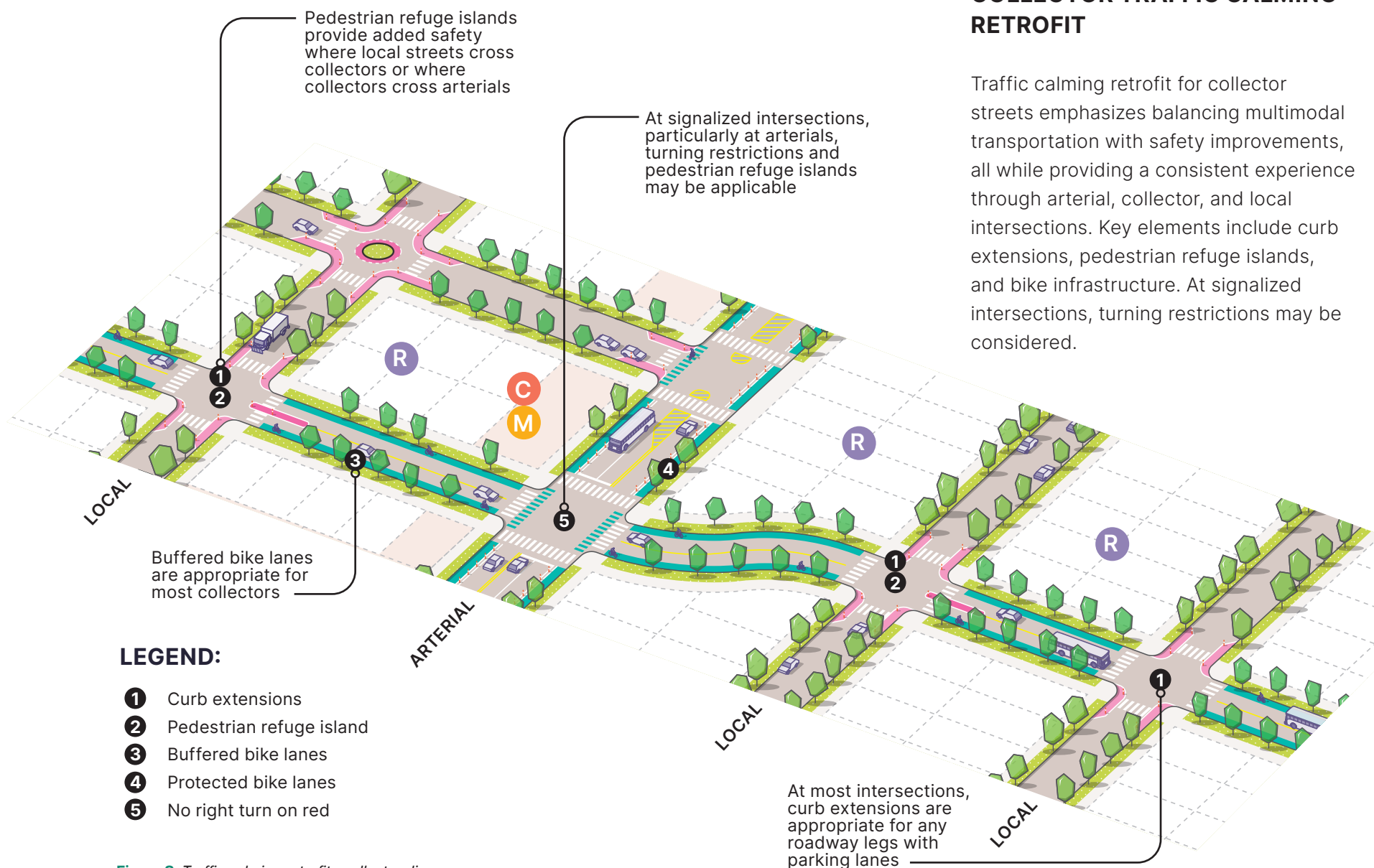
LEGEND:

- 1** Curb extensions
- 2** Traffic circles
- 3** Pinchpoint with mid-block crossings
- 4** Pedestrian refuge island
- 5** Buffered bike lanes

Figure 7: Traffic calming retrofit - local diagram

COLLECTOR TRAFFIC CALMING RETROFIT

Traffic calming retrofit for collector streets emphasizes balancing multimodal transportation with safety improvements, all while providing a consistent experience through arterial, collector, and local intersections. Key elements include curb extensions, pedestrian refuge islands, and bike infrastructure. At signalized intersections, turning restrictions may be considered.



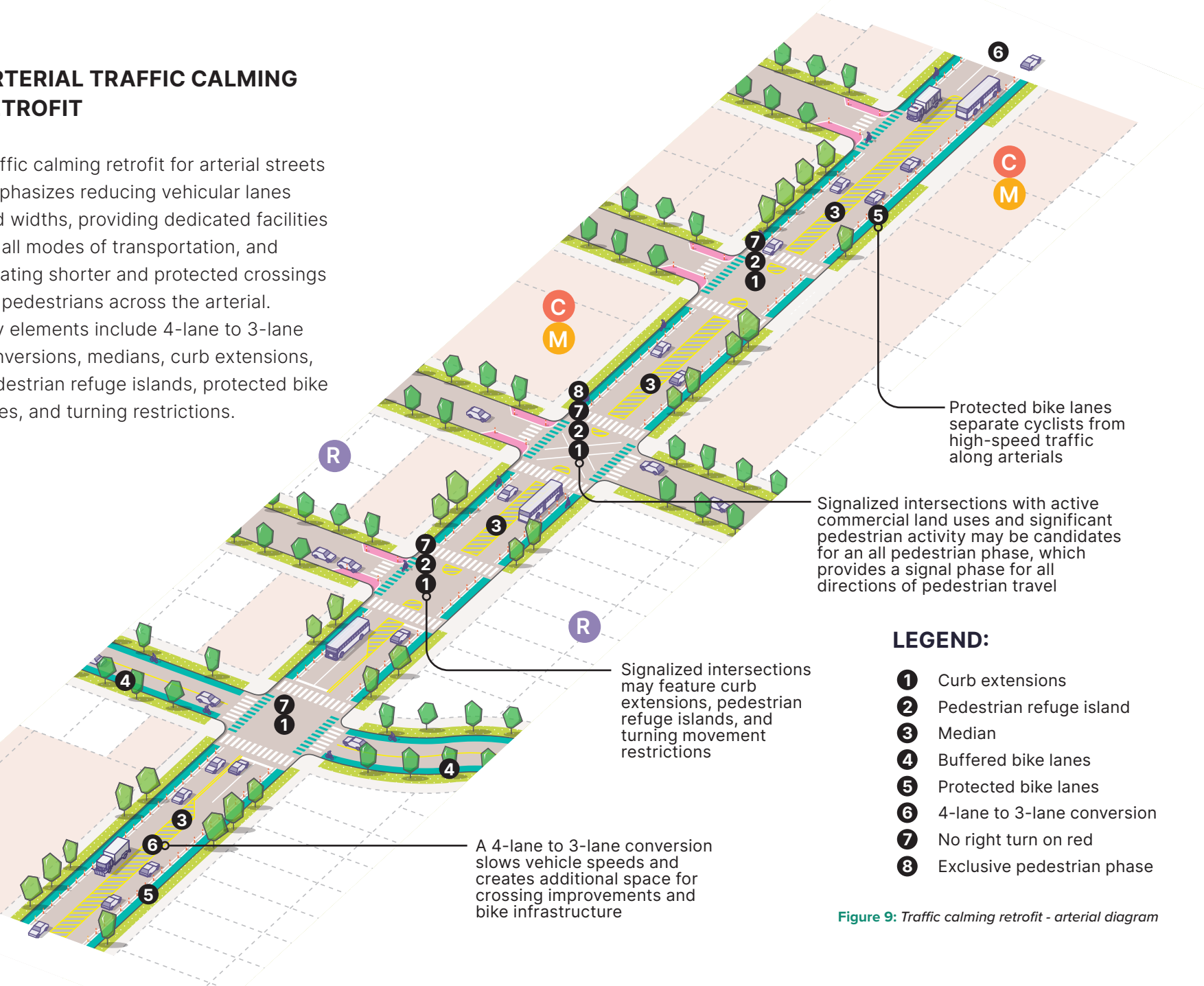
LEGEND:

- ① Curb extensions
- ② Pedestrian refuge island
- ③ Buffered bike lanes
- ④ Protected bike lanes
- ⑤ No right turn on red

Figure 8: Traffic calming retrofit - collector diagram

ARTERIAL TRAFFIC CALMING RETROFIT

Traffic calming retrofit for arterial streets emphasizes reducing vehicular lanes and widths, providing dedicated facilities for all modes of transportation, and creating shorter and protected crossings for pedestrians across the arterial. Key elements include 4-lane to 3-lane conversions, medians, curb extensions, pedestrian refuge islands, protected bike lanes, and turning restrictions.



Protected bike lanes separate cyclists from high-speed traffic along arterials

Signalized intersections with active commercial land uses and significant pedestrian activity may be candidates for an all pedestrian phase, which provides a signal phase for all directions of pedestrian travel

Signalized intersections may feature curb extensions, pedestrian refuge islands, and turning movement restrictions

A 4-lane to 3-lane conversion slows vehicle speeds and creates additional space for crossing improvements and bike infrastructure

LEGEND:

- 1 Curb extensions
- 2 Pedestrian refuge island
- 3 Median
- 4 Buffered bike lanes
- 5 Protected bike lanes
- 6 4-lane to 3-lane conversion
- 7 No right turn on red
- 8 Exclusive pedestrian phase

Figure 9: Traffic calming retrofit - arterial diagram



DEPARTMENT OF
**PUBLIC
WORKS**

MEMORANDUM

Date: 3/25/24

To: Municipal Services Committee

From: Danielle Block, Director of Public Works

Pete Neuberger, City Engineer

Eric Lom, City Traffic Engineer

Subject: Lumbini Estates Subdivision – new street design

As a process improvement, the Department of Public Works will be bringing new street design criteria to Municipal Services Committee for approval prior to the final plat and corresponding Development Agreements. The street criteria approval process will provide the necessary documentation to proceed with the development discussions, ensure that roadway design elements are transparent and constructed per plan in future years.

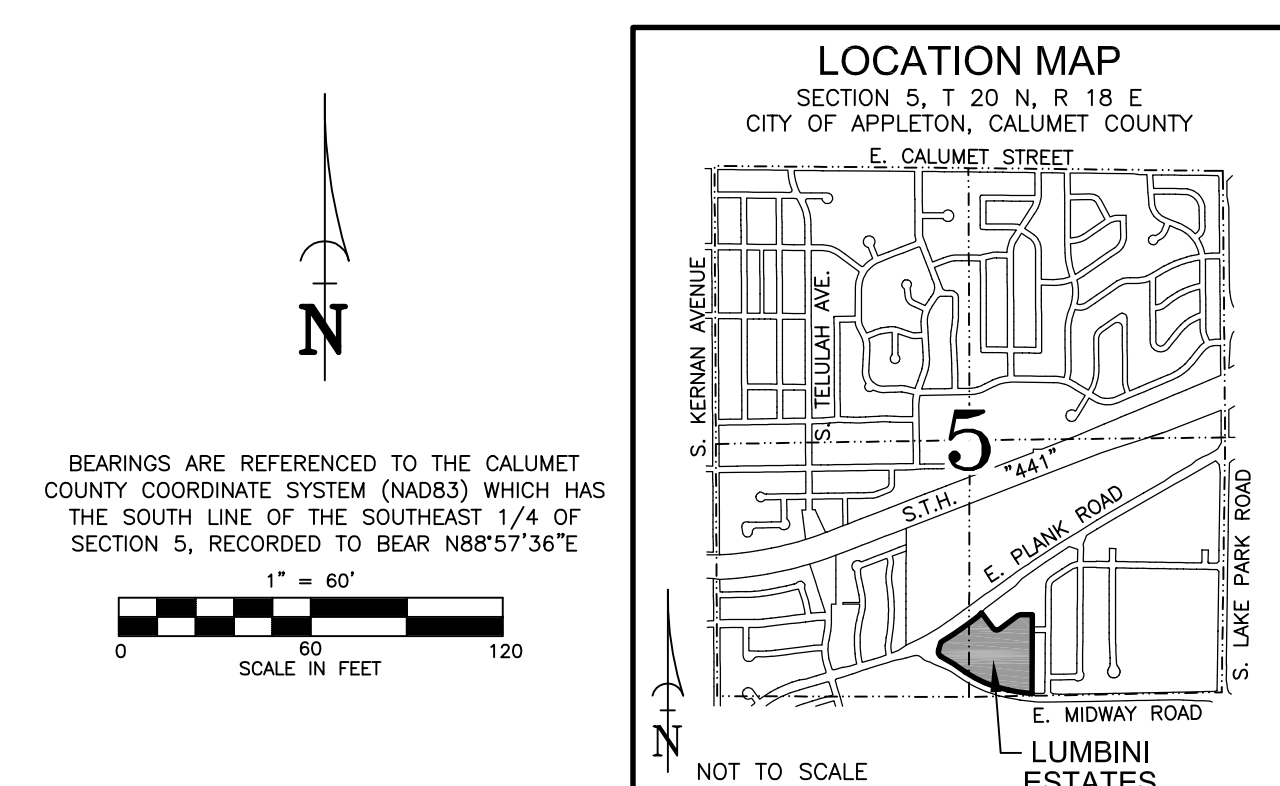
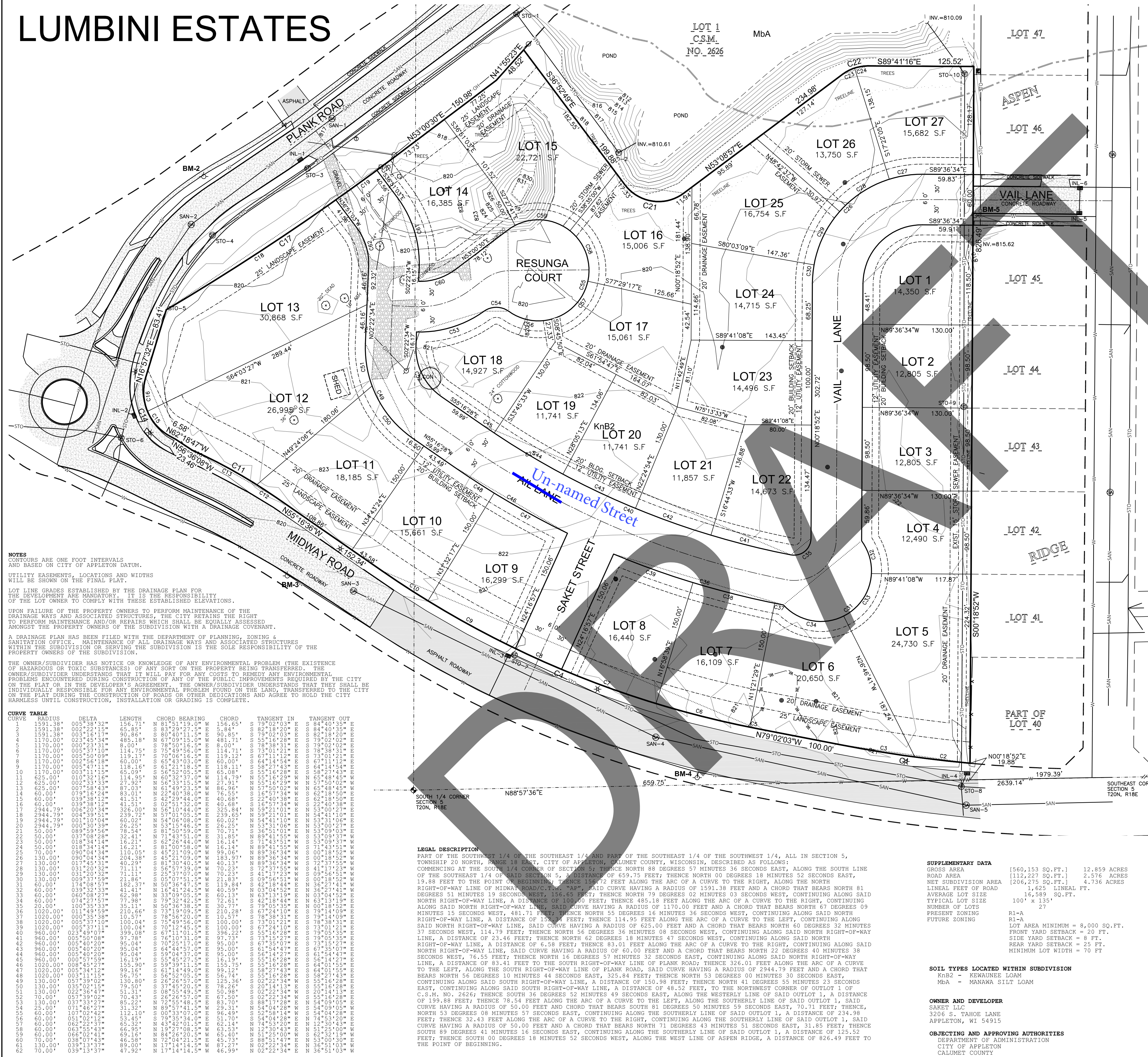
Action Item:

Approve the roadway design parameters for the proposed streets in the proposed Lumbini Estates Subdivision:

- Resunga Court from Un-named street to cul-de-sac:
 - Local street
 - 60' right of way.
 - Construct new road with the width of future concrete pavement to be 26' from face of curb to face of curb with the radius of the cul-de-sac bulb to be 44.5' to the face of curb.
 - 5' concrete sidewalks on both sides.
 - Parking allowed on one side only.
- Saket Street from Midway Road to Un-named street:
 - Local street
 - 60' right of way.
 - Construct new road with the width of future concrete pavement to be 26' from face of curb to face of curb.
 - 5' concrete sidewalks on both sides.
 - Parking allowed on one side only.
- Vail Lane from west of Solitude Lane to Un-named street:
 - Local street
 - 60' right of way.
 - Construct new road with the width of future concrete pavement to be 26' from face of curb to face of curb.
 - 5' concrete sidewalks on both sides.
 - Parking allowed on only one side.

- Un-named street from Plank Road to Vail Lane:
 - Local street
 - 60' right of way.
 - Construct new road with the width of future concrete pavement to be 26' from face of curb to face of curb.
 - 5' concrete sidewalks on both sides.
 - Parking allowed on only one side.

LUMBINI ESTATES



LEGEND	
○	3/4" REBAR FOUND
□	GRAVEL
▨	CONCRETE PAVEMENT
▩	ASPHALT PAVEMENT
⊙	CONFERRUS TREE
⊘	DECIDUOUS TREE
⊚	EXIST. WOODS LINE
⊛	SOIL BORING
⊜	DELIMITED WETLANDS
⊝	DELIMITED WETLAND LINE
⊞	EXIST. FENCE LINE
—	OVERHEAD POWER LINES
—	UNDERGROUND ELECTRIC
—	UNDERGROUND TELEPHONE
—	UNDERGROUND GAS
—	CATV
⊙	POWER POLE
⊙	GUY
⊙	LIGHT POLE
⊙	TELEPHONE PEDESTAL
⊙	TELEPHONE MANHOLE
⊙	ELECTRIC PEDESTAL
⊙	CABLE PEDESTAL
⊙	EXIST. HYDRANT
⊙	WATER VALVE
⊙	WATER STOP BOX
⊙	GAS VALVE
⊙	EXIST. STORM MANHOLE
⊙	STORM INLET
⊙	CATCH BASIN
⊙	EXIST. SANITARY MANHOLE
⊙	EXIST. SAN. SEWER
⊙	EXIST. STO. SEWER
⊙	EXIST. WATER MAIN
⊙	CONTOUR W/ ELEVATION
⊙	CORPORATE LIMITS
⊙	SOIL TYPE DEMARCATION LINE

BENCHMARK DATA		
I.D.	DESCRIPTION	ELEVATION
BM-1	HYDRANT ELEVATION ON TOP SHOULDER, CITY NO. 2791	819.26
BM-2	HYDRANT ELEVATION ON TOP SHOULDER, CITY NO. 2792	820.87
BM-3	HYDRANT ELEVATION ON TOP SHOULDER, CITY NO. 3168	823.10
BM-4	HYDRANT ELEVATION ON TOP SHOULDER, CITY NO. 3169	823.91
BM-5	HYDRANT ELEVATION ON ARROW ON FLANGE, CITY NO. 2862	823.03

EXISTING SANITARY SCHEDULE			
STRUCTURE ID#	RIM ELEVATION	INVERT ELEVATION	STRUCTURE DEPTH (FT.)
SAN-1	817.04	8" SW/NE = 801.94	15.10
SAN-2	817.78		
SAN-3	821.32	10" E = 811.94	9.38 ASBUILT
SAN-4	821.13	10" W/E = 810.38	10.75 ASBUILT
SAN-5	819.93	10" W/E = 808.83	11.10 ASBUILT

EXISTING STORM SCHEDULE			
STRUCTURE ID#	RIM ELEVATION	INVERT ELEVATION	STRUCTURE DEPTH (FT.)
STO-1	816.62	SE/SW = 811.50	15.10
STO-2	816.87	NE/NW = 810.87	6.00
STO-3	817.50	SW/NE = 812.22	5.28
STO-4	818.10	FROZEN SHUT	FROZEN SHUT
STO-5	818.52	SW/NE = 812.92	5.60
STO-6	818.92		
STO-7	820.18	W/SE = 816.33	3.85
STO-8	820.12	N/W/NE = 813.72	6.40
STO-9	820.63	N/S = 811.98	8.65
STO-10	817.90	S/NW = 810.50	7.40
INL-1	816.90	SE = 813.40	3.50
INL-2	818.27		
INL-3	819.72	E/SW 816.42	3.30
INL-4	819.58		
INL-5	817.84		
INL-6	817.85		

NOTES
 CONTOURS ARE ONE FOOT INTERVALS AND BASED ON CITY OF APPLETON DATUM.
 UTILITY EASEMENTS, LOCATIONS AND WIDTHS WILL BE SHOWN ON THE FINAL PLAN.
 LOT LINE GRADES ESTABLISHED BY THE DRAINAGE PLAN FOR THE DEVELOPMENT ARE MANDATORY. IT IS THE RESPONSIBILITY OF THE LOT OWNER TO COMPLY WITH THESE ESTABLISHED ELEVATIONS.
 UPON FAILURE OF THE PROPERTY OWNERS TO PERFORM MAINTENANCE OF THE DRAINAGE WAYS AND ASSOCIATED STRUCTURES, THE CITY RETAINS THE RIGHT TO PERFORM MAINTENANCE AND/OR REPAIRS WHICH SHALL BE SOLELY ASSESSED AMONGST THE PROPERTY OWNERS OF THE SUBDIVISION WITH A DRAINAGE COVENANT.
 A DRAINAGE PLAN HAS BEEN FILED WITH THE DEPARTMENT OF PLANNING, ZONING & SANITATION OFFICE. MAINTENANCE OF ALL DRAINAGE WAYS AND ASSOCIATED STRUCTURES WITHIN THE SUBDIVISION OR SERVING THE SUBDIVISION IS THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS OF THE SUBDIVISION.
 THE OWNER/SUBDIVIDER HAS NOTICE OR KNOWLEDGE OF ANY ENVIRONMENTAL PROBLEM (THE EXISTENCE OF HAZARDOUS OR TOXIC SUBSTANCES) OF ANY SORT ON THE PROPERTY BEING TRANSFERRED. THE OWNER/SUBDIVIDER UNDERSTANDS THAT IT WILL PAY FOR ANY COSTS TO REMEDY ANY ENVIRONMENTAL PROBLEMS ENCOUNTERED DURING CONSTRUCTION OF ANY OF THE PUBLIC IMPROVEMENTS REQUIRED BY THE CITY ON THE LOT OR IN THE DEVELOPER'S AGREEMENT. THE OWNER/SUBDIVIDER UNDERSTANDS THAT THEY SHALL BE INDIVIDUALLY RESPONSIBLE FOR ANY ENVIRONMENTAL PROBLEMS FOUND ON THE LAND, TRANSFERRED BY THE CITY ON THE LOT DURING THE CONSTRUCTION OF ROADS OR OTHER DEDICATIONS AND AGREE TO HOLD THE CITY HARMLESS UNLESS CONSTRUCTION, INSTALLATION OR GRADING IS COMPLETE.

CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING	CHORD	TANGENT IN	TANGENT OUT
1	1591.38	005°38'32"	156.71	81.51	19.00	156.65	79°02'03"	84°40'35"
2	1591.38	002°16'17"	65.85	88.29	11.50	5.84	82°14'22"	84°40'35"
3	1170.00	023°45'34"	485.18	67.09	15.00	481.71	55°16'26"	79°02'02"
4	1170.00	005°37'10"	114.75	75.49	56.00	114.75	73°01'23"	78°38'31"
5	1170.00	002°56'18"	60.00	65.43	03.00	60.00	64°14'58"	67°11'12"
6	1170.00	003°11'16"	65.09	56.52	05.25	65.09	55°16'26"	67°11'12"
7	625.00	010°30'30"	114.95	60.32	37.00	114.79	55°16'26"	65°48'45"
8	625.00	007°58'43"	87.03	61.49	23.25	86.96	57°50'00"	65°48'45"
9	625.00	079°10'24"	33.01	22.40	58.00	33.01	16°55'13"	62°18'58"
10	60.00	039°38'12"	41.21	32.29	44.00	40.68	22°40'38"	62°18'58"
11	60.00	039°38'12"	41.21	32.29	44.00	40.68	22°40'38"	62°18'58"
12	2944.79	006°20'34"	326.00	156.10	44.00	325.84	59°21'01"	55°00'27"
13	2944.79	004°35'21"	239.72	57.01	05.50	239.65	59°21'01"	55°00'27"
14	2944.79	001°10'04"	50.92	84.06	15.00	50.92	59°21'01"	55°00'27"
15	2944.79	000°30'39"	26.25	81.54	46.50	26.25	53°33'06"	55°00'27"
16	50.00	089°50'56"	18.54	81.46	55.00	18.54	36°51'01"	55°09'03"
17	50.00	037°08'28"	32.41	71.43	51.00	31.85	39°41'55"	53°09'37"
18	50.00	018°34'14"	16.21	81.00	58.00	16.14	71°43'51"	53°09'37"
19	70.00	090°04'34"	20.03	45.21	09.00	19.96	00°18'52"	50°18'52"
20	70.00	017°45'31"	40.29	81.30	40.50	40.13	89°36'34"	52°37'55"
21	70.00	002°50'21"	27.98	70.25	15.00	27.98	78°05'38"	41°17'23"
22	70.00	031°20'35"	71.11	25.37	07.00	70.23	41°17'23"	09°56'53"
23	130.00	008°46'20"	35.04	88.25	57.00	35.04	03°07'42"	61°14'42"
24	130.00	005°57'59"	16.19	55.45	27.25	16.19	55°16'26"	36°27'41"
25	130.00	034°53'21"	85.22	32.55	48.50	85.22	03°07'42"	61°14'42"
26	1020.00	005°34'12"	99.16	61.14	49.00	99.12	58°27'43"	64°01'45"
27	1020.00	003°20'15"	16.75	60.33	57.00	16.75	55°16'26"	64°01'45"
28	130.00	023°36'47"	71.11	88.25	57.00	71.11	02°22'34"	55°16'26"
29	130.00	057°39'02"	70.43	26.26	57.00	70.43	02°22'34"	55°16'26"
30	60.00	034°53'21"	85.22	32.55	48.50	85.22	03°07'42"	61°14'42"
31	60.00	071°46'27"	31.32	89.57	41.50	29.31	54°04'26"	54°09'05"
32	60.00	013°55'21"	12.10	60.33	34.00	12.10	54°04'26"	54°09'05"
33	60.00	051°02'12"	53.45	79.35	34.00	51.70	54°04'26"	54°09'05"
34	60.00	062°22'31"	65.32	43.42	01.50	62.14	74°30'41"	51°30'41"
35	60.00	013°55'21"	12.10	60.33	34.00	12.10	54°04'26"	54°09'05"
36	60.00	062°02'41"	69.16	84.26	20.50	65.40	51°25'00"	62°32'19"
37	60.00	039°13'37"	89.00	17.14	14.50	87.27	02°22'34"	36°51'03"
38	70.00	039°13'37"	47.92	17.14	14.50	46.99	02°22'34"	36°51'03"

LEGAL DESCRIPTION
 PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 5, TOWNSHIP 20 NORTH, RANGE 18 EAST, CITY OF APPLETON, CALUMET COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST 1/4 CORNER OF SECTION 5, TOWNSHIP 20 NORTH, RANGE 18 EAST, CITY OF APPLETON, CALUMET COUNTY, WISCONSIN, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 5, A DISTANCE OF 659.75 FEET; THENCE NORTH 00 DEGREES 18 MINUTES 52 SECONDS EAST, 19.88 FEET TO THE POINT OF BEGINNING; THENCE 158°72 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, SAID CURVE HAVING A RADIUS OF 1591.38 FEET AND A CHORD THAT BEARS NORTH 81 DEGREES 51 MINUTES 19 SECONDS WEST, 156.65 FEET; THENCE NORTH 79 DEGREES 02 MINUTES 03 SECONDS WEST, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1000.00 FEET; THENCE 485.18 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, SAID CURVE HAVING A RADIUS OF 1170.00 FEET AND A CHORD THAT BEARS NORTH 57 DEGREES 09 MINUTES 15 SECONDS WEST, 481.71 FEET; THENCE NORTH 55 DEGREES 16 MINUTES 36 SECONDS WEST, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 114.75 FEET; THENCE 114.95 FEET ALONG THE ARC OF A CURVE TO THE LEFT, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, SAID CURVE HAVING A RADIUS OF 625.00 FEET AND A CHORD THAT BEARS NORTH 60 DEGREES 37 SECONDS WEST, 114.79 FEET; THENCE NORTH 16 DEGREES 57 MINUTES 32 SECONDS EAST, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET; THENCE NORTH 03 DEGREES 11 MINUTES 16 SECONDS WEST, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, SAID CURVE HAVING A RADIUS OF 1170.00 FEET AND A CHORD THAT BEARS NORTH 55 DEGREES 16 MINUTES 36 SECONDS WEST, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 23.46 FEET; THENCE NORTH 62 DEGREES 18 MINUTES 47 SECONDS WEST, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, SAID CURVE HAVING A RADIUS OF 60.00 FEET AND A CHORD THAT BEARS NORTH 22 DEGREES 40 MINUTES 38 SECONDS WEST, 76.55 FEET; THENCE NORTH 16 DEGREES 57 MINUTES 32 SECONDS EAST, CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 83.41 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF PLANK ROAD; THENCE 326.01 FEET ALONG THE ARC OF A CURVE TO THE LEFT, ALONG THE SOUTH RIGHT-OF-WAY LINE OF PLANK ROAD, SAID CURVE HAVING A RADIUS OF 2944.79 FEET AND A CHORD THAT BEARS NORTH 56 DEGREES 10 MINUTES 44 SECONDS EAST, 325.84 FEET; THENCE NORTH 53 DEGREES 00 MINUTES 30 SECONDS EAST, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 150.98 FEET; THENCE NORTH 41 DEGREES 55 MINUTES 23 SECONDS EAST, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 48.52 FEET, TO THE NORTHWEST CORNER OF OUTLOT 1 OF C.S.M. NO. 2626; THENCE SOUTH 36 DEGREES 52 MINUTES 49 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID OUTLOT 1, A DISTANCE OF 199.88 FEET; THENCE 18.54 FEET ALONG THE ARC OF A CURVE TO THE LEFT, ALONG THE SOUTHERLY LINE OF SAID OUTLOT 1, SAID CURVE HAVING A RADIUS OF 50.00 FEET AND CHORD THAT BEARS NORTH 81 DEGREES 50 MINUTES 59 SECONDS EAST, 70.71 FEET; THENCE, NORTH 53 DEGREES 08 MINUTES 15 SECONDS EAST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID OUTLOT 1, A DISTANCE OF 234.98 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 52 SECONDS WEST, ALONG THE WEST LINE OF ASPEN RIDGE, A DISTANCE OF 826.49 FEET TO THE POINT OF BEGINNING.

SUPPLEMENTARY DATA

GROSS AREA	[560,153 SQ.FT.]	12,859 ACRES
ROAD AREA	[112,227 SQ.FT.]	2,576 ACRES
NET SUBDIVISION AREA	[206,275 SQ.FT.]	4,736 ACRES
LINEAL FEET OF ROAD	1,465	LINEAL FT.
AVERAGE LOT SIZE	16,589	SQ.FT.
TYPICAL LOT SIZE	100' x 135'	
NUMBER OF LOTS	27	
PRESENT ZONING	R1-A	
FUTURE ZONING	R1-A	
LOT AREA MINIMUM	8,000	SQ.FT.
FRONT YARD SETBACK	20	FT.
SIDE YARD SETBACK	8	FT.
REAR YARD SETBACK	25	FT.
MINIMUM LOT WIDTH	70	FT.

SOIL TYPES LOCATED WITHIN SUBDIVISION
 Nb2 - KEWAUNEE LOAM
 MbA - MANAWA SILT LOAM

OWNER AND DEVELOPER
 SAKET LLC
 3206 S. TAHOE LANE
 APPLETON, WI 54915

OBJECTING AND APPROVING AUTHORITIES
 DEPARTMENT OF ADMINISTRATION
 CITY OF APPLETON
 CALUMET COUNTY

SURVEYOR'S CERTIFICATE
 I, GARY A. ZAHNINGER, HEREBY CERTIFY THAT THIS PRELIMINARY PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING LAND DIVISIONS AND FEATURES, AND THAT I HAVE COMPLIED WITH THE PROVISIONS OF THE CITY OF APPLETON SUBDIVISION ORDINANCE.

DATED THIS _____ DAY OF _____, 2024

GARY A. ZAHNINGER,
 PROFESSIONAL LAND SURVEYOR NO. S-2098

SCALE: 1" = 60'
 DATE: Feb. 2024
 COMPUTER FILE: 1-1720-001pp.dwg

DRAWING NO. 1-1720-001

Martenson & Eisele, Inc.
 Planning
 1377 Midway Road
 Menasha, WI 54952
 Environmental
 Surveying
 Engineering
 Architecture
 www.martenson-eisele.com
 info@martenson-eisele.com
 920.731.0381 1.800.236.0381

PRELIMINARY PLAN
 SAKET LLC DEVELOPMENT
 PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 5, TOWNSHIP 20 NORTH, RANGE 18 EAST, CITY OF APPLETON, CALUMET COUNTY, WISCONSIN

DRAWN BY	DATE	CHECKED	DATE	APPROVED	DATE
GAZ		GAZ		GAZ	
REVISION		REVISION		REVISION	

Application for Operator's/Bartender's License

CASH OR CHECK ONLY!



New Applicant

Renewal License
#: _____

FEES ARE NON-REFUNDABLE

- Operator License - \$67.00
- Operator License plus a provisional - \$82.00

Date Received: FEB 15 2024

Receipt #: 6325-02

Note: Please allow approximately 3 weeks for application processing.

SECTION 1 - APPLICANT INFORMATION

Legal Name (First name, MI, Last name) <u>Isaiah T Nettles</u>		Maiden or Previous	
Street Address <u>1756 North Gillett Street</u>		City <u>Appleton</u>	State <u>WI</u>
Zip <u>54912</u>		State License Issued In: <u>WI</u>	
Date of Birth:	Gender: <u>M</u>	Phone #:	Email Address:

Name and Address of Establishment you will be selling alcohol:
Glauz Nickel Pizza 2120 W. College Ave

SECTION 2 - NEW APPLICANT ONLY: You are required to list each and every violation and/or offense for which you have been convicted in or out of state. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? YES NO
If Yes; which Municipality and what year? _____

Have you EVER been convicted of a felony? YES NO
If Yes; when, where and what type of violation? (Please be specific) WI Manufacture / Delivery Methamphetamine, possession of Methamphetamine, 3rd degree Sexual Assault

Have you EVER been convicted of a misdemeanor or ordinance violation? YES NO
If Yes; when, where and what type of violation? (Example: speeding, OWI) WI Battery, disorderly conduct, tailgating, possession of THC, possession of drug paraphernalia

SECTION 3 - RENEWAL APPLICANT ONLY: List any pending charges, citations, tickets, and all convictions since last license application in or out of state. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? YES NO
If Yes; where? _____

Have you been convicted of a felony since last license application? YES NO
If Yes; when, where and what type of violation? (Please be specific) _____

Have you been convicted of a misdemeanor or ordinance violation since last license application? YES NO
If Yes; when, where and what type of violation? (Example: speeding, OWI) _____

SECTION 4 - NEW APPLICANT ONLY

Must provide proof of completion of a Responsible Beverage Server Course.

SECTION 5 - PENALTY NOTICE

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

Signature: Isaiah Nettles

FOR OFFICE USE ONLY

Current License in Other Municipality?	Class Completion Date: <u>2, 14, 24</u>	Date Sent to Appleton Police Department: <u>FEB 15 2024</u>
Date Approved: ____/____/____	Issue Date: ____/____/____	Expiration Date: ____/____/____
		License Number:



LEARN 2 SERVE

CERTIFICATE OF COMPLETION

This certifies that

Isaiah Nettles

is awarded this certificate for

Wisconsin Responsible Beverage Server Training




Completion Date
02/14/2024



Expiration Date
02/13/2026



Certificate #
WI-00621864


Official Signature

This certificate is non-transferable and represents the successful completion of an approved

Wisconsin Department of Revenue Responsible Beverage Server Course in compliance with secs. 125.04(5)(a)5., 125.17(6), and 134.66(2m), Wis. Stats.

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | www.360training.com



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

TO: Safety and Licensing Committee
Common Council

FROM: Lt. Ben Goodin

DATE: 2/20/2024

RE: Police Department's Recommendation for Denial of Isaiah Nettles's Bartender License Application

Committee Members:

The police department is requesting that the Safety and Licensing Committee recommend to the Common Council to deny Isaiah Nettles's application for a Bartender license.

Pursuant to Wis. Stat. §111.335(2)(b) and (3)(a), it is not employment discrimination for a licensing agency to deny an applicant based on an arrest or conviction record where the circumstances of the conviction substantially relate to the circumstances of the particular licensed activity.

Pursuant to Wis. Stat. §125.04(5)(a)1., no license or permit related to alcohol beverages may be issued to an individual with an arrest or conviction record where the circumstances of the record(s) substantially relate to the circumstances of the particular licensed activity.

Pursuant to Wis. Stat. §125.04(5)(b), no license or permit related to alcohol beverages may be issued to a "habitual law offender" where the circumstances of the habitual law offenses substantially relate to the circumstances of the particular licensed activity.

Also pursuant to Wis. Stat. §111.335(4)(c), if the licensing agency refuses to license an individual based upon arrest or conviction record, the applicant is allowed an opportunity to show "evidence of rehabilitation and fitness to engage in the licensed activity," *unless the conviction(s) are for "exempt offenses."* Wis. Stat. §111.335(4)(d) provides the following options that the applicant may produce to conclusively demonstrate their rehabilitation and fitness from a given conviction:

A copy of the local, state, or federal release document; and either

(1) a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or

(2) other evidence that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime along with

evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

Additionally, the licensing agency must consider any of the following evidence if presented by the individual:

- (1) Evidence of the nature and seriousness of any offense of which he or she was convicted.
- (2) Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- (3) The age of the individual at the time the offense was committed.
- (4) The length of time that has elapsed since the offense was committed.
- (5) Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- (6) All other relevant evidence of rehabilitation and present fitness presented.

STATEMENT ON SUBSTANTIAL RELATIONSHIP

Because Mr. Nettles was convicted of 3rd Degree Sexual Assault, a criminal felony offense, in Outagamie County case # 2020CF000878 and Battery, a criminal misdemeanor offense, in Outagamie County case number 2011CF000184, and because these convictions are "exempt offenses" under Wis. Stat. §111.335(1m)(b), there is no requirement for the licensing agency to state the substantial relationship between the circumstances of the offense(s) and the licensed activity in writing, or to allow the individual an opportunity to show rehabilitation and fitness to engage in the licensed activity. Based upon these records alone, Mr. Nettles does not meet the statutory eligibility criteria to be granted an operator/bartender license.

As part of any denial of licensing, the police department must determine if crimes are substantially related to selling alcoholic beverages. Aside from the exempt offenses listed above, Mr. Nettles was also convicted of:

Possession of Methamphetamine [Modifiers: Repeater] in Outagamie County case # 2021CF000270. This is a criminal, felony offense.

Two counts of Manufacture/Deliver Amphetamine (<=3g) in Outagamie County case # 2017CF000822. This is a criminal, felony offense.

Possession of Methamphetamine in Winnebago County case # 2017CF000070. This is a criminal, felony offense.

Possess Drug Paraphernalia [Modifiers: Repeater] in Brown County case # 2016CM001626. This is a criminal, misdemeanor offense.

Resisting or Obstructing an Officer [Modifiers: Repeater] in Outagamie case # 2012CM001250. This is a criminal, misdemeanor offense.

Possession of THC and Drug Paraphernalia in Outagamie County case # 2011CM000177. This

is a criminal, misdemeanor offense.

Possess Drug Paraphernalia in Outagamie County case # 2010CM001353. This is a criminal, misdemeanor offense.

These convictions are substantially related to the sale of alcoholic beverages. His drug usage history has escalated from Misdemeanor Possession of Paraphernalia to THC Possession, Methamphetamine Possession, two counts of Dealing Methamphetamine, followed by another Methamphetamine Possession. The associated conviction history qualifies him as a habitual law offender.

The service of alcohol includes coming into contact with individuals in a very vulnerable state. A licensed operator bartender will likely find themselves in the position of needing to determine when someone is too intoxicated to be served more alcohol. While the convictions noted above do not involve the use of alcohol, they involve the unlawful use and distribution of other intoxicating substances. These offenses relate to one's ability and willingness to follow rules related to distribution of intoxicated substances, and the judgement and desire to do so in only a safe manner. Safe and lawful sale / distribution of an intoxicating substance is primary demand of those licensed for alcohol sales; nothing could be more substantially related. Based upon the above record and reasoning disqualifying Mr. Nettles from license eligibility, it is recommended that his application be denied.

Very Respectfully:

Lt. Ben Goodin
Appleton Police Department



LEGAL SERVICES DEPARTMENT

Office of the City Clerk

Kami Lynch, Clerk

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6443

Fax: 920/832-5823

February 26th, 2024

CERTIFIED MAIL

Isaiah Nettles
1736 N Gillett St
Appleton, WI 54912

This letter is to notify you that we are in receipt of your application for an Operator's License. Upon review of your application, the Police Department has recommended that your application for an Operator's License be denied due to your history of civil and/or criminal convictions.

You have the right to appear before the Safety and Licensing Committee to contest this recommendation. To do so, **please contact the City Clerk's Office within 30 days** of receipt of this letter in order to be placed on the Agenda of the Safety and Licensing Committee. Failure to contact the City Clerk's Office within 30 days will result in your license being denied.

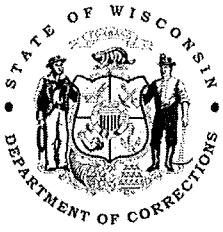
Regular meetings of the Safety and Licensing Committee take place on the second and fourth Wednesday of each month at 5:30 p.m. in the Council Chambers, 6th floor of City Hall, 100 N Appleton St., Appleton, Wisconsin.

Again, should you choose not to appeal this recommendation, your application will be considered denied and an Operator's License will not be issued.

If you have specific questions relating to this matter, please contact Lt. Ben Goodin APD, at 920-832-5500.

Sincerely,

Kami Lynch
City Clerk



WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers

3/21/24,

To Whom It May Concern:

On 03/28/23, Mr. Nettles released from prison and has been on Extended Supervision. In the time since his release, Mr. Nettles has not had any known violations. Mr. Nettles currently reports for appointments every 14 days. He has also been compliant with his drug testing. He has maintained employment and has maintained compliance with his supervision expectations and AODA programming. I have no concerns with Mr. Nettles having a bartending license as this is for employment purposes for his current employer.

Respectfully,

Ryan Hartfield

Agent Ryan Hartfield 41503
Probation/Parole Agent
5600 W. Grande Market Drive Ste. A
Appleton, WI 54913



**Ascension
St. Elizabeth
Hospital**

Ascension St. Elizabeth's Hospital
Behavioral Health- Outpatient- Substance Use
1531 S. Madison Street
Appleton, WI 54915
Phone: (920) 738-2257
Fax: (920) 738-2021

3/18/24

RE: Substance Abuse Treatment

Isaiah Nettles was seen in this office on 5/11/23 for an initial assessment regarding their substance use. Since that time he has been seen weekly in this office.

Please contact this office if you have any questions or concerns.

Sincerely,

Brandi Andrews, CSAC

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal regulations (42 CFR Part 2) prohibit you from making any further disclosure of it without the specific written consent of the individual to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is not sufficient for this purpose.

Ascension Behavioral Health AODA Out Pt
1531 S Madison St
Appleton, WI 54915

920-223-8570
ascension.org

Listening to you, caring for you.®

Ascension NE Wisconsin



LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

To: Safety and Licensing Committee
Members of the Common Council

From: ACA Zak Buruin

Date: March 28, 2024

Re: Operator License Application of Isaiah Nettles

Members of the Committee and Council:

During the March 27, 2024, meeting of the Safety and Licensing Committee, Mr. Nettles advised the Committee that he was told by his probation agent that he was able to obtain an operator's (bartender) license. This assessment conflicts with the City's understanding of the relevant statutes. In response to the confusion and frustration brought on by the apparently conflicting information with which Mr. Nettles was provided, I was asked by members of the Committee to speak with Mr. Nettles' probation agent.

I have reached out to Agent Ryan Hartfield of the Wisconsin Department of Corrections, Division of Community Corrections. Agent Hartfield confirmed that he is the supervising agent for Mr. Nettles. I advised him of the situation and summarized Mr. Nettles' presentation to the Committee. I asked him about the communication he had with Mr. Nettles regarding obtaining a bartender's license. Agent Hartfield indicated that he was unaware of the statutory requirements for obtaining such a license and that he would not have been able to provide Mr. Nettles guidance on that. He did indicate that in his role as a Mr. Nettles' supervising agent, he had no issues or concerns with Mr. Nettles seeking the license or being granted it if he was eligible. He had no reason to prevent Mr. Nettles from seeking the license and he advised Mr. Nettles of this. He generally seemed supportive of Mr. Nettles' efforts to advance in the workplace.

Based upon this conversation, it appears the information Mr. Nettles was provided by his probation agent was regarding probation expectations, rules, and requirements. It was not based upon a differing interpretation of the relevant statutes, nor upon awareness of any other overriding provisions.

If you have any questions or need additional information, please let me know.

Christopher R. Behrens
City Attorney

Amanda K. Abshire
Deputy City Attorney

Darrin M. Glad
Assistant City Attorney

Zak Buruin
Assistant City Attorney

Application for Operator's/Bartender's License

CASH OR CHECK ONLY!



New Applicant
 Renewal License #: _____

FEES ARE NON-REFUNDABLE

- Operator License - \$72.00
- Operator License plus a provisional - \$87.00

Date Received: 2/12/24

Receipt #: 6304-01

Note: Please allow approximately 3 weeks for application processing.

SECTION 1 - APPLICANT INFORMATION

Legal Name (First name, MI, Last name) <u>Miguel E. Hulke</u>			Maiden or Previous	
Street Address <u>525 1/2 W. College Ave Apt 2</u>		City <u>Appleton</u>	State <u>WI</u>	Zip <u>54911</u>
Driver's License Number/State/Identification Number			Driver's License State <u>WI</u>	
Date of Birth	Gender <u>M</u>	Phone # (Required)	Email Address:	

Name and Address of Establishment you will be selling alcohol - *(verify establishment is within City of Appleton limits)*
Sangrias Mexican Restaurant, 215 S. Memorial Dr. Appleton

SECTION 2 - NEW APPLICANT ONLY: You are required to list each and every violation and/or offense for which you have been convicted in or out of state. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? YES NO

If Yes; which Municipality and what year? _____

Have you EVER been convicted of a felony? YES NO

If Yes; when, where and what type of violation? (Please be specific) 06 2019 DWI

Have you EVER been convicted of a misdemeanor or ordinance violation? YES NO

If Yes; when, where and what type of violation? (Example: speeding, OWI) _____

SECTION 3 - RENEWAL APPLICANT ONLY: List any pending charges, citations, tickets, and all convictions since last license application in or out of state. Failure to provide complete answers may result in a denial of your application.

Have you EVER had an Operator's (Bartender's) License? YES NO

If Yes; where? _____

Have you been convicted of a felony since last license application? YES NO

If Yes; when, where and what type of violation? (Please be specific) _____

Have you been convicted of a misdemeanor or ordinance violation since last license application? YES NO

If Yes; when, where and what type of violation? (Example: speeding, OWI) _____

SECTION 4 - NEW APPLICANT ONLY

Must provide proof of completion of a Responsible Beverage Server Course.

SECTION 5- PENALTY NOTICE

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

Signature: [Signature] Date: 02/12/24

FOR OFFICE USE ONLY

Current License in Other Municipality?	Class Completion Date: <u>2/10/24</u>	Date Sent to Appleton Police Department: <u>FEB/12/2024</u>
Date Approved: _____	Issue Date: _____	Expiration Date: _____
License Number: _____		



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

TO: Safety and Licensing Committee
Common Council

FROM: Lt. Ben Goodin

DATE: 2/20/2024

RE: Police Department's Recommendation for Denial of Miguel Hulke's Bartender License Application

Committee Members:

The police department is requesting that the Safety and Licensing Committee recommend to the Common Council to deny Miguel Hulke's application for a bartender license based upon his criminal and / or arrest record, his unpardoned felony conviction(s), and his status as a "habitual law offender."

Pursuant to Wis. Stat. §111.335(2)(b) and (3)(a), it is not employment discrimination for a licensing agency to deny an applicant based on an arrest or conviction record where the circumstances of the conviction substantially relate to the circumstances of the particular licensed activity.

Pursuant to Wis. Stat. §125.04(5)(a)1., no license or permit related to alcohol beverages may be issued to an individual with an arrest or conviction record where the circumstances of the record(s) substantially relate to the circumstances of the particular licensed activity.

Pursuant to Wis. Stat. §125.04(5)(b), no license or permit related to alcohol beverages may be issued to a "habitual law offender" where the circumstances of the habitual law offenses substantially relate to the circumstances of the particular licensed activity.

Also pursuant to Wis. Stat. §111.335(4)(c), if the licensing agency refuses to license an individual based upon arrest or conviction record, the applicant is allowed an opportunity to show "evidence of rehabilitation and fitness to engage in the licensed activity," *unless the conviction(s) are for "exempt offenses."* Wis. Stat. §111.335(4)(d) provides the following options that the applicant may produce to conclusively demonstrate their rehabilitation and fitness from a given conviction:

- A copy of the local, state, or federal release document; and either
- (1) a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or

(2) other evidence that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

Additionally, the licensing agency must consider any of the following evidence if presented by the individual:

- (1) Evidence of the nature and seriousness of any offense of which he or she was convicted.
- (2) Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- (3) The age of the individual at the time the offense was committed.
- (4) The length of time that has elapsed since the offense was committed.
- (5) Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- (6) All other relevant evidence of rehabilitation and present fitness presented.

STATEMENT ON SUBSTANTIAL RELATIONSHIP

As part of any denial of licensing, the police department must determine if crimes are substantially related to the sale of alcohol. Mr. Hulke has been convicted of the following:

Operating While Intoxicated (5th or 6th) in Outagamie County case # 2019CF000451. This is a felony offense.

Operating While Intoxicated (4th within 5 years) in Outagamie County case # 2013CF000502. This is a felony offense.

Operating While Intoxicated (3rd) in Winnebago County case # 2011CT000865. This is a misdemeanor, criminal offense.

Operating While Intoxicated (2nd) in Outagamie County case # 2011CT000236. This is a misdemeanor, criminal offense.

Operating While Intoxicated in Outagamie County case # 2009TR004031. This is a non-criminal, civil offense.

The convictions for Operating While Intoxicated are substantially related to the sale of alcohol for several reasons. Mr. Hulke has shown a pattern of poor decision-making by getting arrested for Operating While Intoxicated four times in a five-year span; then a fifth time six years later. The convictions for OWI 4th and OWI 5th are felonies. Drunk driving is a serious offense and a major problem not only in Wisconsin but across the entire country. Mr. Hulke has not shown the ability to make sound decisions by understanding when he has had too much to drink and is unsafe to operate a motor vehicle. A person serving alcohol to members of the public must be aware of when a patron has had enough to drink and should not be served any longer.

As a person who wants to be responsible to serve alcohol, Mr. Hulke has not shown the ability to make good decisions related to his own sobriety. The service of alcohol includes coming into contact with individuals in a very vulnerable state, people for whom a bartender may be called upon to refuse service due to their level of intoxication. The circumstances of Mr. Hulke's criminal and felony convictions substantially relate to the ability and willingness to meet this legal obligation associated with the licensed service of alcohol.

Based upon the information provided, at this time Mr. Hulke does not meet statutory eligibility requirements to be granted an Operator/Bartender license. It is therefore recommended that his application be denied.

Very Respectfully:

Lt. Ben Goodin
Appleton Police Department



LEGAL SERVICES DEPARTMENT

Office of the City Clerk

Kami Lynch, Clerk

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6443

Fax: 920/832-5823

February 26th, 2024

CERTIFIED MAIL

Miguel Hulke
525 ½ W College Ave Apt 2
Appleton, WI 54911

This letter is to notify you that we are in receipt of your application for an Operator's License. Upon review of your application, the Police Department has recommended that your application for an Operator's License be denied due to your history of civil and/or criminal convictions.

You have the right to appear before the Safety and Licensing Committee to contest this recommendation. To do so, **please contact the City Clerk's Office within 30 days** of receipt of this letter in order to be placed on the Agenda of the Safety and Licensing Committee. Failure to contact the City Clerk's Office within 30 days will result in your license being denied.

Regular meetings of the Safety and Licensing Committee take place on the second and fourth Wednesday of each month at 5:30 p.m. in the Council Chambers, 6th floor of City Hall, 100 N Appleton St., Appleton, Wisconsin.

Again, should you choose not to appeal this recommendation, your application will be considered denied and an Operator's License will not be issued.

If you have specific questions relating to this matter, please contact Lt. Ben Goodin APD, at 920-832-5500.

Sincerely,

Kami Lynch
City Clerk

From: Niemuth, Chelsea A. Chelsea.Niemuth@outagamie.org
Subject: MRT Completion
Date: Mar 27, 2024 at 11:04:14 AM
To: Miguel Hulke miquelhulke00@gmail.com

Good Afternoon – I am writing this email to provide verification that Miguel Hulke completed Moral Reconciliation Therapy (MRT) on 08/22/23. Please let me know if you need any additional information. Thank you

Chelsea Niemuth
Veteran Treatment Court Coordinator
Mental Health Court Coordinator
Outagamie County Criminal Justice Treatment Services
320 S Walnut Street, Appleton WI 54911

(920) 968-4175 Fax

Name: HULKE, MIGUEL E.

DOC #: 613713 PID #: 1106759

OTCS020A

Court Commitments

Tuesday March 26, 2024 02:27:13 PM

Court Commitments (1 - 2 of 2)

<u>Prefix</u>	<u>JOC Seq.#</u>	<u>Rvk. Prob. Prior Cmt.</u>	<u>County</u>	<u>Case#</u>	<u>Supv. Ref. Linking Date</u>	<u>Prison Ref. Linking Date</u>	<u>Scheduled Discharge/ Termination Date</u>	<u>Status</u>	<u>Effective Date</u>	<u>Sex Offense</u>
<u>02</u>	001		Outagamie	19CF451	12/03/2019		12/03/2024	Closed	03/21/2024	No
<u>01</u>	001		Outagamie	13CF502	02/21/2014		02/21/2017	Closed	02/21/2017	No

Certificate of Completion

Options Treatment Programs, Inc.


On this day, the 24th day of June, 2022
We present this certificate to

Miguel Hulke

In recognition of successful completion of

Cognitive Behavioral Interventions for Substance Abuse


Katie Vanderheiden, MA, SAC-IT


Allison M Portiz, MS LPC SAC CS-IT



CITY OF APPLETON

MEMORANDUM

Date: March 19, 2024
To: Safety & Licensing Committee
From: Jeremy Hansen, Fire Chief
Subject: Appleton Municipal Code, Chapter 6 Revision

A change is needed to the fee structure and section 6-43 (b) (12) of the Appleton Municipal Code. Section 6-43 (b) (12) covers fireworks and pyrotechnic displays. The needed change is to add 'open flame effects' to this section. This change recognizes the differences between full fireworks/pyrotechnics displays and an open flame effect display. With this modification, a recommended fee of \$400 is proposed for the permit.

For open flame effect displays, the review process is very similar to that of pyrotechnics or fireworks displays. The review includes a detailed plan for the show, including performer information, fuel types, fire watch, fire resistance of costumes, and a detailed layout. The performer is also required to provide certificates of insurance. As each display is different, each must undergo the same level of scrutiny to ensure a safe show is provided. These reviews typically take four hours to complete and require access to NFPA codes for reference. The major difference between a firework/pyrotechnic display and an open flame effect display is that the fire department does not provide staff for an open flame effect display. For firework/pyrotechnic displays, the fire department provides inspectors from setup through the firing of the show, whereas for open flame effect displays, the onus falls to the operator to provide the fire watch.

FIRE PREVENTION AND PROTECTION

Chapter 6

Fire Prevention and Protection

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Editor’s Note: Chapter 6, Fire Prevention and Protection, was repealed and recreated by Ord 23-09, adopted by the Common Council on January 7, 2009 and becoming effective January 13, 2009.

Editor’s Note: Chapter 6, Fire Prevention and Protection, was repealed and recreated by Ord 25-18, adopted by the Common Council on February 21, 2018 and becoming effective February 27, 2018.

State law reference(s)--Fires and fire protection, W.S.A. §§101.09, 101.14 et seq.

FIRE PREVENTION AND PROTECTION

ARTICLE I. IN GENERAL

Sec. 6-1. Intent of chapter.

It is the intent of this chapter to prescribe regulations consistent with the nationally recognized standard practice for the safeguarding, to a reasonable degree, of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, from conditions hazardous to life and property in the use or occupancy of buildings or premises, and the adequacy of exit systems. (Code 1965, §19.01; Ord 1-91, §1(19.01), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-2. Fire equipment.

(a) No person shall molest, tamper with, damage or otherwise disturb any apparatus, equipment or appurtenance belonging to or under the supervision and control of the Fire Department without authority from the Chief or his/her authorized representative.

(b) No person shall remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of this code, except for the purpose of extinguishing fires, training purposes, recharging or making necessary repairs or when permitted by the Fire Department. Whenever a fire appliance is removed as permitted herein, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. No person shall use or operate any hydrant or other valves installed on any water system intended for use by the Fire Chief for fire suppression purpose, and which is accessible to any public highway, alley or private way open to or generally used by the public, unless such person first secures permission from the Fire Department. This section does not apply to the use of a hydrant or other valves by a person employed by and authorized to make such use by the Water Department which supplies water to such hydrants or other valves.

(c) No person shall place or keep any post, fence, vehicle, growth, trash, storage or other material near any fire hydrant, Fire Department connection or fire protection system control valve that would prevent such equipment or hydrant from being immediately discernible or in any other manner deter or hinder the Fire Department from gaining immediate access to the equipment or hydrant. A minimum three- (3-) foot clear space shall be maintained around the circumference of the fire hydrants except as otherwise required or approved by the Fire Chief.

(d) Where on-site fire hydrants are required on private property, the City shall annually inspect, flush

and, if necessary, paint said hydrants for the fee per hydrant on file with the City Clerk's Office. The owner shall be notified of any repairs or maintenance necessary, and it shall be the owner's responsibility to see that any repair or maintenance is performed in accordance with the National Fire Protection Association Standard 25, the City Water Utility's standard operating procedures and the American Water Works Standards for fire hydrant maintenance. The property owner or agent must call between April 1 and October 1 of each year to schedule the annual flush and inspection.

(e) The property owner or agent shall keep and maintain records indicating when the hydrants are flushed, painted and maintained. These records shall be made available to the City upon request.

(Code 1965, §19.14; Ord 1-91, §1(19-14), 1-9-91; Ord 59-91, §1, 6-20-91, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 34-11, §1, 2-8-11, Ord 25-18, §1, 2-27-18)

Sec. 6-3. Enforcement by Fire Chief.

The Fire Chief shall be responsible for fire protection. This chapter shall be enforced by the Fire Chief, designated by the City and the State as the "authority having jurisdiction", in all matters concerning this chapter and related fire prevention activities. The Fire Chief may appoint a Fire Marshal or other designee who will act on the Chief's behalf in matters concerning fire prevention. (Code 1965, §19.03(1); Ord 1-91, §1(19.03), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-4. Police assistance.

Whenever requested to do so by the Fire Chief or his/her designee, the Chief of Police shall assign such available police officers as in his/her discretion may be necessary to assist the Fire Department in enforcing the provisions of this chapter.

(Code 1965, §19.03(5); Ord 1-91, § 1(19.03(5)), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-5. Right of entry.

(a) For purposes of this section, the authorized representative shall include all members of the Fire Prevention Program and all officers of the Fire Department.

(b) Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the Fire Chief or his/her authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises unsafe, the Fire Chief or his/her authorized representative may enter such building or premises at all reasonable times to inspect the building or premises or to perform any duty imposed upon the Fire

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Chief by this chapter.

(c) If such building or premises is occupied, the Fire Chief or authorized representative shall first present proper credentials and demand entry. If such building or premises is unoccupied, he/she shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the Fire Chief or his/her authorized representative, shall have recourse to every remedy provided by law to secure entry.

(d) If the owner or occupant denies entry, the Fire Chief or his/her authorized representative shall obtain a proper inspection warrant or other remedy provided by law to secure entry. No owner or occupant or any other persons having charge, care or control of any building or premises, shall fail or neglect, after proper request is made as provided herein, to promptly permit entry therein by the Fire Chief or his/her authorized representative for the purpose of inspection and examination pursuant to this chapter.
(Code 1965, §19.03(5); Ord 1-91, §1(19.03(5)), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-6. Removal of fire hazards.

(a) Whenever an inspection by the Fire Chief reveals a fire hazard, the Fire Chief may provide a notice, in writing, upon the owner or occupant of the property giving the owner or occupant sufficient time in which to remove the hazard. If the fire hazard is not removed within the time prescribed, it shall be deemed a nuisance and the Fire Chief shall have the hazard removed by the City and the cost of removal reported to the Director of Finance and spread on the tax roll as a special charge against the property, as prescribed in §12-32 et seq.

(b) Within ninety (90) days after the removal of any flammable/combustible liquids tank, all barreled sludge or liquids must be removed from the property.
(Code 1965, §19.03(2); Ord 1-91, §1(19.03(2)), 1-9-91; Ord 4-93, §1, 1-6-93; Ord 6-95, §1, 2-1-95; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-7. Vacation of buildings.

(a) The Fire Chief is hereby empowered to close any building or structure, and order it vacated wherein violations of any regulations of this chapter are found and not abated within a reasonable time stipulated by him.

(b) Where the public is exposed to immediate danger, the Fire Chief is hereby empowered and directed to order the immediate closing and vacating of the building or structure.
(Code 1965, §19.03(4); Ord 1-91, §1(19.03(4)), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Cross reference(s)--Unsafe buildings, §4-181 et seq.

Sec. 6-8. Investigation of fires.

The Fire Department shall promptly investigate the origin, cause, and circumstances of all fires occurring in the jurisdiction of the City. If it appears that the cause of the fire may be the result of a criminal act, the Fire Department shall inform the Police Department and seek their assistance in determining the origin and cause of the fire.
(Code 1965, §19.03(6); Ord 1-91, §1(19.03(6)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-9. Inspections generally.

The Fire Chief or his/her designee shall provide for the inspection of every public building and place of employment in accordance with W.S.A. §101.14 and shall comply with the provisions thereof. The Fire Chief shall, on a time schedule to be determined by the Common Council, report information regarding these inspections. Violations identified during inspections shall be recorded and kept on file in accordance with W.S.A. §101.14. Owners or occupants who do not show for a scheduled inspection appointment may be charged a fee. Repeated inspections or re-inspections resulting from continued non-compliance may subject an occupancy or property to a re-inspection fee and/or remedies as outlined in §6-75 "Repeat violation rule".
(Code 1965, §19.03(3); Ord 1-91, §1(19.03(3)), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

Sec. 6-10. Fire inspection required before occupancy.

No person shall occupy or change the occupancy of a building or structure covered under Wisconsin Administrative Code, SPS Chapters 350-365 the Wisconsin Commercial Building Code, or the locally adopted International Fire Code used by or for public assembly, industrial, institutional, multifamily, office, or mercantile purposes until such building or structure has been inspected by the Fire Department.
(Ord 25-18, §1, 2-27-18)

Sec. 6-11. Burning trash, rubbish, garbage, yard waste, etc.

(a) No person shall build, maintain or allow to be operated or maintained on a premises controlled by him/her, any waste burner, refuse burner, trash burner or other similar appliance unless such device is permitted with the approval of the Inspections Supervisor and the Fire Chief, or his/her designee.

(b) No person shall operate an outside incinerator, burn garbage, or leaves within the City.
(Code 1965, §19.04; Ord 1-91, §1(19.04), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-12, §1, 3-7-12, Ord 25-18, §1, 2-

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Sec. 6-12. Open outdoor fires, outdoor fireplaces, cooking fires and barbecue grills, kettles and outdoor hibachis.

(a) No open outdoor fires, including fires confined within outdoor fireplaces and outdoor cooking fires, with the exception of fires fueled by natural gas, propane or charcoal in commercially manufactured appliances or a non-commercially manufactured appliance approved by the Fire Chief or his/her designee, shall be started by any person unless a permit is first obtained from the Fire Department. No permit shall be granted for open burning for multifamily occupancies without separate private yards for each tenant, nor without the property owner's permission, in a public right-of-way, alley or other public thoroughfare.

- (1) Daily permits are available for bonfires, brush burns, wildland management burns, outdoor fireplaces and cooking fires.
- (2) Annual permits are available for recreational fires in outdoor fireplace appliances. (January 1 through December 31).
- (3) Annual and single day permits are valid 6:00 a.m. to 10:00 p.m. Sunday through Thursday, 6:00 a.m. to 12:00 a.m. Friday, Saturday, and any day/evening preceding a federal holiday.
- (4) No permit will be issued for any fire within ten (10) feet of any building, structure, fence, combustible material or property line.
- (5) Only those fuels and appliances approved by the Fire Chief or his/her designee shall be used.
- (6) Burning is to be attended at all times by a person at least eighteen (18) years of age, with an approved means of extinguishing the fire available for use at the location of the fire.

(b) Barbecue grills, kettles, outdoor hibachis.

- (1) Charcoal burners and other open-flame devices shall not be operated on combustible balconies or within ten (10) feet of combustible construction in all dwellings. Exceptions:
 - a. One and Two family dwellings.
 - b. Permanently piped natural gas fired

barbecue grills, where dwellings, balconies, and decks are protected by automatic sprinkler system.

- (2) Cylinders having water capacities greater than 2½ lb. (1 kg) [nominal 1 lb. (0.5 kg) LP-Gas capacity] shall not be located on balconies above the first floor that are attached to a multiple family dwelling of three (3) or more living units.

(c) No person shall install, use or maintain a woodfire furnace, stove or boiler that is not located within a building intended for habitation by humans within the City limits. This prohibition shall apply to furnaces, stoves or boilers installed after the effective date of this ordinance.

(d) The Fire Chief or his/her designee shall have the authority to prohibit any and all open burning when atmospheric conditions or local circumstances make such fire hazardous. No burning will be allowed if wind conditions will cause smoke, embers or other burning materials to be carried towards any building or other combustible material, nor anytime the wind is in excess of nine miles per hour (9 m.p.h.) as measured by the Outagamie County Emergency Communication Center. (Code 1965, §19.05(2); Ord 1-91, §1(19.05(2)), 1-9-91, Ord 136-01, §1, 8-20-01; Ord 135-05, §1, 11-22-05; Ord 23-09, §1, 1-13-09; Ord 55-16, §1, 8-9-16, Ord 25-18, §1, 2-27-18)

Sec. 6-13. Careless smoking prohibited.

(a) It is unlawful for any person, by reason of careless, willful or wanton conduct in smoking or in the use of lighters or matches in smoking to set fire to any bedding, carpet, curtains, draperies, furniture, household equipment or other goods or chattels or to any building.

(b) A plainly printed notice of the provisions of this section shall be posted in a conspicuous place in every sleeping room of every place renting rooms for the accommodations of the public. Such printed notices shall also be posted in any place of public assembly where smoking is permitted. (Code 1965, §19.06(1), (2); Ord 1-91, §1(19.06(1), (2)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-15. Fire Department signs.

It shall be illegal for anyone to remove, mutilate or destroy any legally required sign posted by the Fire Department or required sign to be posted by the owner, manager or operator of any occupancy open to the public. (Ord 1-91, §1(19.22), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

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Sec. 6-16. Fire alarms.

(a) Every public building, dwelling or place of employment containing either a manual, sprinkler activated or fire detector activated alarm system shall comply with this section.

(b) New or upgraded fire alarm systems at large buildings or buildings with multiple occupancies shall provide outside strobe lights indicating the occupancy or area of fire alarm activation and if applicable, the location of the Fire Department connection. The location of these strobe lights is to be determined by the Fire Chief or designee.

(c) The Fire Department will be contacted immediately upon activation of an alarm by on-site personnel or a monitoring agency so not to cause a delay in alarm. Any monitoring agency shall be licensed or approved by either Factory Mutual (FM) or Underwriters Laboratories (U.L.). All systems shall be maintained in operable condition as specified in the International Fire Code. If the alarm or fire sprinkler system becomes inoperative for any reason, the Fire Department shall be notified and the provisions of the International Fire Code, Section 901.7 and subsequent revisions shall apply.

(d) False alarms and fees.

- (1) Words and phrases defined in §12-121 are used in the same sense in this section unless a different definition is specifically provided.
- (2) If the Fire Department responds to a false alarm, the party responsible for the false alarm shall pay the city a fee according to the schedule of fees kept on file with the City Clerk's Office.
- (3) If the Fire Department is cancelled by the emergency communications center while responding to an alarm, the party responsible for causing the alarm may still be assessed the false alarm fee.
- (4) Any fees payable to the City which are delinquent may be assessed against the property involved as a special charge for current service, without notice, pursuant to Wisconsin Statutes Annotated §66.0627.
- (5) The party responsible or the alarm user may appeal the assessment of a false alarm fee by submitting written documentation to the Fire Chief or designee within ten (10) business days after notification of the assessment of a fee. The Chief or designee must inform the

alarm user of the decision in writing. If the alarm user further contests the Chief or designee's decision, within ten (10) days of receiving the Chief or designee's decision, the alarm user may seek review by the Safety and Licensing Committee by submitting a written notification to the City Clerk's Office.

(Ord 1-91, §1(19.25), 1-9-91; Ord 7-95, §1, 2-1-95, Ord 65-99, §1, 9-19-99; Ord 117-06, §1, 1-1-07; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-17. Malls.

The mall manager or designee shall notify the Fire Department prior to any use of a mall common space for any intended use other than exiting. Examples of other uses would be trade shows, exhibitions, or public assemblies.

(Ord 1-91, §1(19.27), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-18. Violations.

It is unlawful for any person to violate any provision of this chapter or to fail to obey any rule, regulation or order of the Fire Chief or his/her designees.

(Ord 1-91, §1(19.28), 1-9-91; Ord 23-09, §1, 1-13-09, Ord 25-18, §1, 2-27-18)

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

Secs. 6-19 – 6-30. Reserved.

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ARTICLE II. FIRE DEPARTMENT

Sec. 6-31. Generally.

The Fire Department shall be a paid department, consisting of such officers and members as the Common Council may establish from time to time. The Department shall be charged with providing response to fires, hazardous material spills, medical emergencies, rescue of people in distress and other dangerous conditions. The Department shall also provide for fire investigation, prevention, inspection, code compliance, and other services designed to maintain fire and life safety within the community.

(Code 1965, §4.08; Ord 23-09, §1, 1-13-09)

Sec. 6-32. Duties of Fire Chief.

It shall be the duty of the Fire Chief to:

- (1) Direct the operation of the Fire Department subject to the rules and regulations which may be adopted by the Common Council or the Police and Fire Commission;
- (2) Issue and enforce such orders as in his/her judgment may be best for the protection of property and the extinguishing of fires;
- (3) Enforce all ordinances, rules and regulations of the Common Council governing the Fire Department;
- (4) Report the condition of the Fire Department at the end of each year and make further reports when ordered to do so by the Common Council or the Police and Fire Commission;
- (5) Report promptly to the Police and Fire Commission any member of the Fire Department who may have disobeyed his/her order or violated any of the laws or rules governing the Department;
- (6) Keep a record and report to the Police and Fire Commission the absence of any member of the Fire Department from fires, together with any dereliction of duty or violation of any of the rules and regulations of the Department.

In the absence or disability of the Fire Chief, the Deputy Chief shall perform his/her duties.

(Code 1965, §4.09, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-33. Wearing of name tag and badge.

The members of the Fire Department of the City, when on duty, shall wear the badge or insignia and name tag of the office on the outside of the outermost garment, conspicuously displaying the badge and name tag so the entire surface thereof may be seen, except when caution may dictate that the badge and name tag should not be exposed.

(Code 1965, §4.04; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Secs. 6-34 – 6-42. Reserved.

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ARTICLE III. PERMITS

Sec. 6-43. Required.

(a) It shall be unlawful for any person to use a building or premises or engage in any activities for which a permit is required by this code, without first having obtained such permit.

(b) Permits are required for the following:

- (1) **Floor finishing** (required for floor finishing or surfacing operations exceeding three hundred fifty (350) square feet using Class I or Class II liquids).
- (2) **Lumber yards** (where more than one hundred thousand (100,000) board feet of lumber is to be stored or used inside of the facility);
- (3) **Vehicle tire rebuilding plants** (for any tire recapping or rebuilding operation);
- (4) **Magnesium use** (for the melting, casting, heat treating machining or grinding of more than ten (10) pounds of magnesium per working day);
- (5) **Cryogenic liquids** (for the production, storage or sale of cryogenic liquids);
- (6) **Combustible fibers** (for the storage and handling of combustible fibers in quantities in excess of one hundred (100) cubic feet);
- (7) **Dust explosion hazard** (for the operation of any grain elevator or bleacher, flour, starch or feed mill, malt house, wood flour manufacturing plant, or plant pulverizing aluminum, coal, cocoa magnesium, spices, sugar or other material producing dust which, if mixed with air in the proper portions becomes explosive and may be ignited by flame or spark);
- (8) **Fumigation and thermal insecticidal fogging** (this process is not to start without a permit);
- (9) **Flammable and combustible bulk storage** (storage in excess of fifty-five (55) gallons on permanent basis above or below ground);
- (10) **Open burning** (where permits are required by the State or this code, §6-12);
- (11) **Tents, membrane structure, canopies** (to

operate or erect a tent or membrane structure or canopy in excess of two hundred (200) square feet unless it is used exclusively for camping or on the premises of a one- (1-) or two- (2-) family dwelling which is not covered under this Code);

(12) **Fireworks/pyrotechnic/open flame effect displays** (for the discharge of any fireworks as defined by W.S.A. §167.10. Such discharge shall conform to any state law or this code and any regulations);

(13) **Explosives**

- a. Any person conducting blasting operations in the City shall notify the Fire Department of the time and location of the blast. Notification shall be made on proper forms provided by the State. A permit shall be obtained after notification and prior to blasting;
- b. Any person storing explosive materials, as defined in Wisconsin Administrative Code, International Fire Code, Section 3302.1, in the city shall obtain a permit. Such explosives shall be stored in an approved manner;

(14) **Cellulose nitrate plastics:**

- a. All retailers, jobbers and wholesalers storing or handling more than twenty-five (25) pounds of cellulose nitrate plastics shall obtain a permit from the Fire Chief;
- b. A permit shall be obtained from the Fire Chief for the manufacture of articles of cellulose nitrate plastics, including the use of cellulose nitrate plastics in the manufacture or assembling of other articles;
- c. Cellulose nitrate motion picture film (a person may not store, handle, or keep on hand more than twenty-five (25) pounds without obtaining a permit. A person may not sell, lease or otherwise dispose of any cellulose nitrate film to any person not having a permit issued by the Fire Chief or his/her designee to handle, use or display the film);

(15) **Recyclables storage** (any outside storage area, or warehouse used for the bulk storage of paper for sale or recycling);

Commented [DJH1]: This change recognizes the difference between fireworks/pyrotechnics and open flame effects.

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(16) *Storage tanks*

- a. Removal of underground storage tanks (UST) or above ground storage tanks (AST) in either commercial or residential properties as required by Wisconsin Administrative Code, SPS 310;
- b. Upgrades of underground storage tanks (UST) or above ground storage tanks (AST) flammable/combustible liquid storage systems;

(17) Installation, storage or use of liquid petroleum gases systems with a cumulative total of one hundred twenty-five (125) gallons or larger water capacity.

(Ord 17-90, 2-21-90; Ord 1-91, §1(19.26), 1-9-91; Ord 8-95, §1, 2-1-95; Ord 9-95, §§1, 2, 2-1-95, Ord 65-99, §1, 9-19-99, Ord 137-01, §1, 8-20-01; Ord 23-09, §1, 1-13-09; Ord 25-12, §1, 3-7-12; Ord 25-18, §1, 2-27-18)

Sec. 6-44. Temporary special permits.

When a temporary hazardous situation is anticipated for conditions not otherwise regulated by this code, the Fire Chief is authorized, based on applicable data, to issue a temporary special permit for the duration of the hazard. (Ord 1-91, §1(19.26(2)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-45. Application.

Applications for permits shall be made to the Fire Chief and shall include the applicant's answers in full to inquiries set forth on such forms. Applications for permits shall be accompanied by such data as required by the Fire Chief and fees as may be required by his/her jurisdiction. (Ord 1-91, §1(19.26(3)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-46. Fees.

Fees shall be established for the permits, certificates, approvals and other functions performed under this code and shall be payable to the City. Such fees shall accompany each application for such permit, approval, certificate or other fee-related code provision. The fee amount for the required permits, certificates, approvals and other functions performed under this Code shall be maintained on a schedule filed with the City Clerk. (Ord 1-91, §1(19.26(6)), 1-9-91; Ord 108-92, §1, 10-7-92; Ord 10-95, §1, 2-1-95, Ord 65-99, §1, 9-19-99, Ord 138-01, §1, 8-20-01; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-47. Issuance and posting.

(a) The Fire Chief or his/her designee shall review all applications submitted and determine compliance with applicable provisions of this code and issue or revoke permits based on his/her findings as required.

(b) A copy of the permit shall be posted or otherwise readily accessible at each place of operation or carried by the permit holder as specified by the Fire Department. (Ord 1-91, §1(19.26(4), (5)), 1-9-91; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-48. Fee for failure to obtain permit.

The fee for failure to obtain a permit required under §6-43 of this Code is triple the permit fee described in that section when a permit is obtained. Payment of any fee shall not relieve any person of the penalties that may be imposed for violation of this chapter. (Ord 11-95, §1, 2-1-95; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-49. Non-resident fees for Fire Department services.

When the Fire Department is called upon to extinguish a vehicle fire or extricate a person, and where the subject vehicle is registered to an owner with a permanent address located outside of the Appleton city limits, the registered owner shall pay a service fee to the City, the amount of which shall be on file with the City Clerk. (Ord 17-06, §1, 2-21-06; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-50. Recovery of costs associated with technical rescue responses.

(a) *Technical rescue reimbursement for costs of emergency services response.* A technical rescue response includes, but is not limited to, structural collapse, confined space, trench rescue, water rescue, ice rescue, or rope rescue. Emergency service response includes, but is not limited to, fire service, emergency medical service and law enforcement. Any person or property owner who necessitates a technical rescue response may be responsible for reimbursement to the responding agencies for the actual and necessary expenses incurred in carrying out their duties under this article. Actual and necessary expenses may include, but not be limited to, replacement of equipment, maintenance of the equipment specific to the incident, costs incurred in the procurement and use of specialized equipment specific to the incident, and charges associated with personnel and equipment necessary for the technical rescue response.

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(b) *Appeal*. A person or property owner has the right to appeal the assessment of charges for an emergency service response. Any person or property owner appealing the assessment of charges shall file a written objection with the Fire Chief within thirty (30) days of receiving the bill. Upon receipt of the written objection, the matter shall be placed on the Agenda for the Safety and Licensing Committee at its next regularly scheduled meeting. The Safety and Licensing Committee shall make a recommendation to the Common Council, which shall grant or deny the request.
(Ord 142-11, §1, 6-7-11; Ord 25-18, §1, 2-27-18)

Secs. 6-51 – 6-55. Reserved.

ARTICLE IV. STANDARDS AND REQUIREMENTS

Sec. 6-56. Adoption of codes and standards.

(a) The state codes listed in this section are hereby adopted by reference and made a part of the City Fire Prevention Code. For the purposes of this section, these provisions are adopted to enable the Fire Department to note any violations of such codes and to report those violations to the appropriate community service inspectors. The Fire Inspectors shall have the authority to cite such violations on fire inspections.

- (1) General Hazard on Fire Prevention, Wisconsin Administrative Code, SPS chapter 314;
- (2) General Orders on Existing Buildings, Wisconsin Administrative Code, SPS chapters 375 to 379;
- (3) Wisconsin Administrative Code, Wisconsin State Electrical Code, SPS Chapter 316;
- (4) Wisconsin Administrative Code, Wisconsin Commercial Building Code, SPS Chapters 361 - 366;
- (5) Elevator Code, Wisconsin Administrative Code, SPS chapter 318;
- (6) Existing Building Code, Wisconsin Administrative Code, SPS chapter 370;
- (7) Flammable and Combustible Liquids Code, Wisconsin Administrative Code, SPS 310.

Overall enforcement responsibility is equally shared by the Building Inspection Division and the Fire Department. Primary responsibility for particular sections of the above provisions shall be as indicated in the Wisconsin Administrative Code.

(b) The International Fire Code 2021 Edition, hereinafter "IFC" is hereby adopted as though fully set forth herein, with the following exceptions:

- (1) Chapter 1 and Chapter 57 are not included in the adoption of the 2021 edition of the IFC.
- (2) Appendices A, J, K, L, and M are not included as part of the adoption of the 2021 IFC.

Delete this section

(c) Any fire prevention issue not herein addressed by

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code or adopted standards will be addressed on the basis of current accepted National Fire Protection Association Standards.

(Ord 1-91, §1(19.02), 1-9-91; Ord 12-95, §1, 2-1-95, Ord 65-99, §1, 9-19-99, Ord 181-01, §1, 10-22-01, Ord 96-02, §1, 6-25-02; Ord 23-09, §1, 1-13-09; Ord 124-11, §1, 4-26-11; Ord 25-12, §1, 3-7-12; Ord 25-18, §1, 2-27-18; Ord 70-18, §1, 8-7-18; Ord 12-21, §1, 4-21-21)

Cross reference(s) – Buildings and building regulations, Chapter 4.

Sec. 6-57. Automatic sprinkler systems.

(a) **Intent of section.** The intent of this section is to provide a means for the automatic extinguishment of fires in buildings or parts of buildings which because of their size, construction or occupancy or lack of suitable protection equipment, constitute a special fire hazard to life or property and an excessive burden upon the fire extinguishing facilities of the Fire Department.

(b) **Definitions.** For the purpose of this section, the following definitions shall be applicable:

Approved shall mean that the material, workmanship and installation of the sprinkler system complies with the regulations as set down in the National Fire Protection Association standards for the installation of automatic sprinkler systems in effect at the date of installation and approved by Fire Chief.

Area shall mean the gross ground floor area of a building or when a building is divided by approved firewalls, each section so divided shall be considered an area.

Authority having jurisdiction shall be the Fire Chief or whomever the Chief designates to enforce this chapter, the laws of the state pertaining to the prevention of fires and public safety and approving equipment, installation or procedure as outlined in National Fire Protection Association Codes and Standards.

Automatic sprinkler equipment shall mean a system of water supply pipes and orifices to apply water to a fire when activated by an automatic, manual or remote control device.

Fire-resistive construction shall mean a building is of fire resistive construction if all the walls, partitions, piers, columns, floors, ceilings, roof and stairs are built of noncombustible materials as specified in Wisconsin Commercial Building Code.

Housing for the elderly shall mean a residential occupancy building where the occupancy is limited to primarily elderly people meeting specific age criteria as specified by the financing or owning agency.

Institutional buildings shall mean and include convents, monasteries, children's homes, homes for the aged, nursing homes, convalescent homes, asylums, mental hospitals and jails.

(c) **Buildings and areas where required.** Every building constructed or structurally altered shall have an approved automatic sprinkler system installed and maintained when occupied in whole or part for the following purposes:

- (1) Multifamily dwellings of three (3) units or more exceeding four thousand eight hundred (4,800) square feet per floor and dormitories, except housing for the elderly, shall include the protection of all areas within the building by an automatic fire sprinkler system complying with Standard 13 of the National Fire Protection Association and equipped with residential type sprinkler heads in the living units.
- (2) Educational Group E occupancies:
 - a. In basements, kitchens, shops and other spaces where combustibles are stored or handled.
 - b. In other than fire resistive buildings.
 1. Ten thousand (10,000) square feet or over.
 2. Two (2) stories and up exceeding six thousand (6,000) square feet in area.
 3. Three (3) stories and up in height.

(d) **Application to existing buildings.** Where the Fire Chief finds that by reason of construction or highly combustible occupancy, existing buildings constitute a severe fire hazard to its occupants or to adjoining property, the provisions of this section will apply.

(e) **System types and approval of plans.** Approved automatic sprinkler equipment shall be installed, connected to an adequate water supply with sprinkler heads, valves and auxiliary equipment of standard types suitable for the individual building to be protected as determined by adopted Standard 13, of the National Fire Prevention Association. Automatic sprinkler systems shall be designed with a minimum five (5) psi water supply safety factor. No automatic sprinkler equipment shall be installed or altered in a building until plans have been submitted to fire prevention and reviewed. Electronic plans, including specification sheets and calculations as necessary, shall be submitted in an approved format to the Fire Department for

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review. Once reviewed and conditionally approved, plans shall be electronically signed and returned to the requesting party.

(f) **Alternative materials and methods.**

- (1) The Fire Chief, on notice to the Inspections Supervisor, may approve any alternate material or method, provided he/she finds that the proposed design, use or operation satisfactorily complies with the intent of this code and that the material, method of work performance or operation is, for the purpose intended at least the equivalent of that prescribed in this section in quality, strength, effectiveness, fire resistance, durability and safety, provided, however, that any approval under the authority herein contained shall be subject to the approval of the building official whenever the alternate material or method involves matters regulated by the Wisconsin Administrative Code.
- (2) The Fire Chief may require tests as proof of compliance with the intent of this section, such tests to be made by an approved agency at the expense of the person requesting approval of the alternate material or method of construction.
- (3) If technical expertise is unavailable within the Department because of new technology, process, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the Department, the Fire Chief may require the owner or the person in possession or control of the building or premises to provide without charge to the Department, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire-safety organization acceptable to the Fire Chief and the owner and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, and prescribe the necessary recommended changes.

(g) **Inspection.** Every automatic sprinkler system required under this section shall be tested and inspected upon installation, according to the National Fire Protection Association Standards in effect at time of installation.

(h) **Maintenance.**

- (1) The owner or occupant of a building containing the required automatic sprinkler system shall maintain the system in an operative condition at all times. The occupant of the building shall notify the Fire Department prior to interrupting this system for any reason or at the time it is withdrawn or its service interrupted or curtailed. Testing and maintenance of such systems shall be performed according to Standard 25, of the National Fire Protection Association. Copies of all tests results shall be furnished to the Fire Chief of the Fire Department.

(i) **Water.** Where an automatic sprinkler system is required, the supply shall be from the city water supply. Testing of the water supply shall be conducted by using the two (2) hydrants closest to the property being sprinkled. Tests over two (2) years old will not be accepted unless approved by the Fire Chief after taking into consideration growth, size and changes in the general area. The sprinkler contractor will take all readings with the Director of Public Works approval and assistance in hydrant use. The Fire Chief will be informed of all testing twenty-four (24) hours in advance and be given an opportunity to observe testing. (Code 1965, §19.10; Ord 1-91, §1(19.10), 1-9-91; Ord 176-93, §1, 10-19-93; Ord 13-95, §1, 2-1-95; Ord 14-95, §1, 2-1-95; Ord 120-96, §1, 12-18-96, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-60. Smoke alarms.

(a) **Definitions.** For purposes of this section, the following definitions shall apply:

Dwelling shall mean a structure or part of a structure providing complete, independent living facilities for one (1) or more persons, including permanent provisions for sleeping, eating, cooking and sanitation.

Sleeping area shall mean the area of the unit in which the bedrooms or sleeping rooms are located. Bedrooms or sleeping rooms separated by another use area such as a kitchen or living room are separate sleeping areas, but bedrooms or sleeping rooms separated by a bathroom are not separate sleeping areas.

Smoke alarm shall mean a device which detects particles or products of combustion other than heat.

(b) **Location and installation of smoke alarms.**

- (1) Each dwelling unit shall be provided with a minimum of one (1) approved smoke alarm installed in a manner and location consistent

FIRE PREVENTION AND PROTECTION

with its listing. The Fire Department Fire Prevention Division can be contacted for recommendations when an owner is concerned about the installation and number of smoke alarms.

- (2) All existing dwelling units must meet the requirement of the State of Wisconsin Uniform Dwelling Code, Wisconsin Administrative Code, SPS 321.09 and 328.01 Smoke Detectors. Each dwelling unit shall be provided with a minimum of one (1) approved, listed and labeled smoke alarm sensing visible or invisible particles of combustion, installed in a manner and location consistent with its listing.

(c) **Approval.** A smoke alarm or heat detector required under this section shall be approved by Underwriter's Laboratories, Factory Mutual or any other comparable testing firm.

(d) **Department inspection and order.** Inspection of new construction will be carried out by the Division of Inspections at its final inspection.

(e) **Conveyance of property.** No person shall convey any real property which includes a dwelling unit to another unless there are installed in the dwelling unit approved smoke alarms in accordance with (d) above. Any purchaser of real property found not to be in compliance with this subsection may bring an action in circuit court for damages. A violation of the provisions of this subsection shall not affect the conveyance of title or possession to the affected property.

(Code 1965, §19.12; Ord 1-91, §1(19.12), 1-9-91; Ord 176-93, §1, 10-19-93; Ord 120-96, §1, 12-18-96, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-12, §1, 3-7-12; Ord 25-18, §1, 2-27-18)

Sec. 6-61. Discharge of hazardous materials.

(a) **Prohibited discharges.** No person shall discharge or cause to be discharged, leaked, leached or spilled upon any public or private street, alley, public or private property, or onto the ground, surface waters, subsurface waters, or aquifers, or within the city, except those areas specifically licensed for waste disposal or landfill activities and to receive such material, any explosive, flammable or combustible solid, liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.

(b) **Spill notification.** Immediately upon discovery of a discharge involving any explosive, flammable or

combustible solid, liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment the property owner, equipment operator, or discovering person shall notify the Appleton Fire Department of the discharge of a hazardous material.

(c) **Responsibility for containment, cleanup and restoration.** Any person in violation of (a) above shall, upon direction of any Fire Department officer, begin immediate actions to contain, cleanup and remove to an approved repository the offending material(s) and restore the site to its original condition, with the offending person being responsible for all expenses incurred. If any person fails to engage the necessary men and equipment to comply or to complete the requirements of this section, the office of the Fire Chief may order the required actions to be taken by public or private sources and allow the recovery of any and all costs incurred by the City as required by (d) below.

(d) **Reimbursement for costs of emergency services response.** Emergency service response includes, but is not limited to, fire service, emergency medical service and law enforcement. A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall be responsible for reimbursement to the responding agencies for the actual and necessary expenses incurred in carrying out their duties under this article. Actual and necessary expenses may include, but not be limited to, replacement of equipment damaged by the hazardous material, cleaning, decontamination and maintenance of the equipment specific to the incident, costs incurred in the procurement and use of specialized equipment specific to the incident, specific laboratory expenses incurred in the recognition and identification of hazardous substances in the evaluation of response, decontamination, cleanup and medical surveillance, and incurred costs in future medical surveillance of response personnel as required by the responding agency's medical advisor.

(e) **Site access.** Access to any site, public or private, where a prohibited discharge is indicated or suspected will be provided to Fire Department officers and staff and to Police Department personnel for the purpose of evaluating the threat to the public and monitoring containment, cleanup and restoration activities.

(f) **Public protection.** If any prohibited discharge occurs that threatens the life, safety or health of the public at, near or around the site of a prohibited discharge, and the situation is so critical that immediate steps must be taken to protect life and limb, the Fire Chief, his/her assistant or the senior police official on the scene of the emergency may order an evacuation of the area or take other appropriate steps for a period of time until the Common Council can

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take appropriate action.

(g) **Enforcement.** The Fire Chief, as well as the police officers, shall have authority to issue citations or complaints under this section.

(h) **Civil liability.** Any person in violation of this section shall be liable to the City for any expenses incurred by the City or loss or damage sustained by the City by reason of such violations.

(Code 1965, §19.13; Ord 1-91, §1(19.13), 1-9-91; Ord 34-92, §1, 3-18-92, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

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

Sec. 6-63. Fireworks and pyrotechnic devices.

(a) Definition: For the purpose of this section the following definition shall be applicable:

“Fireworks shall include all items under W.S.A. sec. 167.10(1) (intro), (e), (f), (i), (j), (k), (l), (m) and (n).”

(b) The provisions in this section shall apply to places where fireworks are stored or handled. Such premises shall be adequately equipped with fire extinguisher approved by the Fire Chief. Smoking is prohibited where fireworks are stored or handled.

(c) Every wholesaler, dealer or jobber keeping, storing, or handling fireworks of any description within the City shall notify the Fire Chief immediately upon receipt of such fireworks for the removal thereof from one (1) location to another and shall indicate the location where such fireworks are stored. No such fireworks shall be stored in any building used for dwelling purposes or in any building situated within fifty (50) feet of any building used for dwelling purposes, or in any place of public assemblage, or within fifty (50) feet of any gasoline pump, gasoline filling station, or gasoline bulk station, or in any building in which gasoline or flammable liquid is sold in quantities in excess of one (1) gallon. The storage buildings for fireworks shall conform to Standard 1124 of the National Fire Protection Association Standards and Codes.

(d) This section shall prohibit the use of any pyrotechnic device indoors of an occupancy without a permit from the Fire Chief. Such permits shall not be issued for any event in an unsprinkled occupancy. Permit applications will be made in writing seven (7) days in advance of the date of the display.

(e) The use of the pyrotechnic device shall be handled by a competent adult operator and shall be of

such composition, character and be located, discharged or fired as in the opinion of the Fire Chief shall not be hazardous to property or endanger any persons.

(f) The display, storage and discharge of fireworks shall be regulated by and comply with all IFC, NFPA, state and local codes and nationally recognized standards.

(g) The outdoor use of pyrotechnic devices shall be regulated by §10-5 of this Code and W.S.A. §167.10.

(Ord 1-91, §1(19.18), 1-9-91; Ord 34-92, §2, 3-18-92; Ord 17-95, §1, 2-1-95, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-64. Posted occupant load.

(a) Every room or space that is an assembly occupancy shall comply with International Fire Code.

(b) The number of persons in any building or portion thereof shall not exceed the amount determined as specified in the State building code, as surveyed by the Supervisor of Inspections, the Fire Chief, or his/her designee.

(c) No person shall permit overcrowding or admittance of any person beyond the approved capacity of any place of public assemblage as specified above. The Fire Chief, upon finding any overcrowding conditions or obstruction in aisles, passageways or other means of egress or upon finding any condition which constitutes a serious menace to life, shall cause the performance, presentation, spectacle or entertainment to be stopped with the assistance of the Police Department until such condition or obstruction is corrected. The manager or person in charge of the premises shall be responsible for preventing overcrowding.

(Ord 1-91, §1(19.19), 1-9-91; Ord 174-93, §1, 10-19-93; Ord 120-96, §1, 12-18-96, Ord 65-99, §1, 9-19-99; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-67. Working plans of suppression/detection and control systems.

(a) Working plans of all fire suppression, detection and control systems shall be submitted to the Fire Department Prevention Division in an approved electronic format for review prior to any installation of new equipment or modification to existing equipment. Deviation from approved plans shall require permission of the authority having jurisdiction.

(b) Fire protection system plans shall be drawn to an indicated scale of not less than 1/8” on sheets of uniform size with a plan of each floor or section. Plans must be easily duplicated and shall show all pertinent information as required by NFPA standards for plan submittals.

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(Ord 1-91, §1(19.24), 1-9-91; Ord 126-01, §1, 7-18-01; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-68. Plan review fee structure and requirements.

A schedule of plan review fees shall be maintained in the City Clerk's Office. This schedule specifies the fees for plan examination and approval for projects located within the city of Appleton.

Note: If the property is subject to state plan review, the additional fee required under Wisconsin Administrative Code, SPS Table 302.31-3 will be added to the appropriate municipal fee.

- (1) **Miscellaneous fee.** The miscellaneous fee shall apply to any fire protection system that is not a fire sprinkler system as defined in section 903 of the International Fire Code or a fire alarm system as defined in section 907 of the International Fire Code. For standpipe systems as defined in section 905 of the International Fire Code, the miscellaneous fee shall not apply if the standpipe plans were submitted as part of a fire sprinkler system. The miscellaneous fee shall also apply to the following.
 - a. *Fire protection systems that include a fire pump*
 - b. *Fire protection systems for buildings that exceed five (5) stories in height, with an additional miscellaneous fee for every five (5) stories thereafter.*
- (2)
- (3)
- (4) **Fire doors/shutters.** Fire door/shutter plan review and inspection shall be assessed an initial minimum fee as indicated on the fee schedule for the first fire door/shutter and as indicated on the fee schedule for each additional door/shutter. This fee does not apply to fire doors/shutters already reviewed as part of an ongoing project.
- (5) **Re-submission fee.** A fee shall be assessed for review of plans submitted following denial of plan approval.
- (6) **Re-inspection fee.** The inspection of work performed under an approved plan is included in the fee for plan reviews. This fee does not include any re-inspections required because the inspected work failed

to pass inspection. A re-inspection fee equaling twenty-five percent (25%) of the original plan review fee, two-hundred and fifty dollars (\$250.00) minimum, shall be assessed due to system failure during the initial inspection.

- (7) **Fee for initiation without a permit.** Penalty for failure to obtain a permit before starting work shall automatically triple the applicable fees, and all work shall cease until the proper permits have been attained.

(Ord 126-01, §1, 7-18-01; Ord 23-09, §1, 1-13-09; Ord 25-12, §1, 3-7-12; Ord 25-18, §1, 2-27-18)

Sec. 6-69. Maintenance, approval and registration of installed fire protection systems.

(a) **Maintenance.** All sprinkler systems, fire hydrant systems, standpipe systems, fire alarm systems, portable fire extinguishers, smoke and heat ventilators, smoke-removal systems and other fire protection or extinguishing systems or appliances shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. Fire-protection or extinguishing systems coverage, spacing and specifications shall be maintained in accordance with recognized standards at all times. Such systems shall be extended, altered or augmented as necessary to maintain and continue protection whenever any building so equipped is altered, remodeled, added to or changes occupancy hazard. All additional, repairs, alterations and servicing shall be in accordance with recognized standards and copies of such work sent to Fire Prevention of the Fire Department.

(b) **Approvals.** All fire protection systems shall be tested and approved in accordance with their respective National Fire Protection Association standards and shall be subject to periodic tests as may be required. A copy of all test results of the above systems must be provided to the Fire Chief or his/her designee upon completion of the testing. The location and size of all Fire Department hose connections shall be approved by the Fire Chief or his/her designee.

(c) (1)

- (2) A fee may be assessed to any installer and/or monitoring agent deemed responsible for causing a false alarm. Said fee will be billed to the responsible party, if not the alarm user, and will be that amount indicated in the false alarm fee schedule. Failure to pay fees could result in failure to obtain permit(s) for future work. An appeal of a false alarm assessment can be made by writing the Fire Chief or his/her designee within ten (10) business days after notification of the fee. Contesting the

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Chief's decision involves a review by the Safety and Licensing Committee by submitting a written notification to the City Clerk's Office.

(Ord 65-99, §1, 9-19-99; Ord 126-01, §1, 7-18-01; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-70. Notification of special public assembly events.

(a) For the purpose of this section, public assembly is defined as an event which exceeds one hundred (100) people.

(b) Except as provided in (d), notification must be provided to the Department within five (5) business days prior to the holding of special public assembly events which involves the use of buildings or spaces not approved for public assembly in accordance with the Wisconsin State Building Code and the IFC.

(c) Except as provided in (d), notification must be provided to the Department within five (5) business days prior to the holding of special public assembly events which involves the placement of temporary seating in an area not otherwise approved for such seating.

(d) Notification is not required if a plan indicating occupancy capacity, seating arrangements, location and width of exit ways and aisles is submitted to the Fire Department and pre-approved by the Fire Chief or his/her designee.

Note: Building owners may pre-approve a building or space within the building for special events by submitting an approved plan. This exception allows for multiple special events.
(Ord 65-99, §1, 9-19-99; Ord 126-01, §1, 7-18-01; Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

Sec. 6-72. Repeat violation rule.

Whenever the Fire Chief or his/her designee shall find in any building, upon inspections or re-inspections, a repeat violation involving a fire detection, life safety component, or suppression system which is defective, inoperative, improperly maintained or operated the Fire Chief or designee may order the following remedies and/or a re-inspection fee.

(a) If the system includes one (1) or more exit light(s) which have not been illuminated during inspections, it may be ordered that any or all of the exit lights in such premises be equipped with self-illuminating lights or light equipped with light emitting diodes (LEDs).

(b) If the system includes one (1) or more self-closing fire door(s), any of which have been found to have

been held open with non-approved hold open devices during inspections, it may be ordered that any or all of the fire doors in such premises be equipped with an automatic closing device.

(c) If the system includes one (1) or more battery operated smoke detector(s) which have been found to be inoperative during inspections, it may be ordered that the premises be equipped with long life (5 – 10 year battery life) smoke detectors.

(1) If the same occupancy is subsequently found to have inoperative smoke detector(s) it may be ordered that the smoke detectors be hardwired into the electrical service of the premises.

(2) If the premise is found to have no operable smoke detectors, the Fire Department may install smoke detectors and may charge the owner for the actual cost of the detectors and installation.

(d) If the system includes emergency exit doors which, during hours of occupancy, have been found to be secured or locked with bolts, bars, chains, padlocks, or locking devices other than the primary locks, it may be ordered that such bolts, bars, chains, padlocks, or additional locking devices be immediately removed; and it may be further ordered that all emergency exit doors within the premises be equipped with panic door release hardware.

(e) This subsection shall not be construed as a limitation upon the powers of the Chief or his designee to issue orders for corrections of violations nor shall this subsection be construed as a limitation upon any of the powers of the Chief under any applicable provision of the City of Appleton Municipal Code, Wisconsin Administrative Code or the Wisconsin Statutes.
(Ord 23-09, §1, 1-13-09; Ord 25-18, §1, 2-27-18)

(The next page is 491.)

Appleton Fire Department Fee Schedule

Plan Review Fees		
Area (Square Feet)	Fire Alarm System Plans	Fire Suppression System Plans
Less than 2,500	\$150	\$150
2,501-5,000	\$190	\$190
5,001-10,000	\$225	\$225
10,001-20,000	\$255	\$255
20,001-30,000	\$290	\$290
30,001-40,000	\$335	\$335
40,001-50,000	\$375	\$375
50,001-75,000	\$420	\$420
75,001-100,000	\$475	\$475
100,001-200,000	\$600	\$600
200,001-300,000	\$700	\$700
300,001-400,000	\$800	\$800
400,001-500,000	\$900	\$900
Over 500,000	\$1000	\$1000
Miscellaneous fee (see Chapter 6, 6-68) \$250		
The miscellaneous fee is required for each alternative fire protection system, system with a fire pump, and building that is five or more stories in height. An additional fee is required for every additional five stories.		
Fire doors/shutters fees (see Chapter 6, 6-68) \$100 for first door and \$25 each additional door; minimum of \$100		
Re-submission fee (see Chapter 6, 6-68) \$250		
Re-inspection fee (see Chapter 6, 6-68) 25% of the original plan review fee; minimum of \$250.		
Fee for work without a permit (see Chapter 6, 6-68) triple the applicable plan review fee. Contact Fire Department Fire Prevention Division for approval and fee.		
Permit Fees (see Chapter 6, 6-43, 6-44, 6-46, and 6-48)		
Permit	Fees	
Floor finishing	\$100, per event	
Lumber yards	\$100, 1 st event or significant change	
Vehicle tire rebuilding	\$100, 1 st event or significant change	
Magnesium	\$100, 1 st event or significant change	
Cryogenic liquids	\$100, 1 st event or significant change	
Combustible fibers	\$100, 1 st event or significant change	
Dust explosion hazard	\$100, 1 st event or significant change	
Fumigation/thermal/insecticidal fogging	\$100, per event	
Flammable/combustible bulk storage	\$200, 1 st event or significant change	
Bonfires/brush/wildland burns	\$200, per event	
Open burning/outdoor fireplace/cooking fires (for recreational purposes)	Daily \$15 Annual \$30	
Tents/air supported structures/canopies	\$100 (Up to two tents at the same site.) \$250 (3 or more at same site)	

Appleton Fire Department Fee Schedule

Fireworks/pyrotechnic/flame effect displays	\$1000 (Firework/pyrotechnic displays) \$400 (Flame effect displays)
Blasting and explosives	\$250
Cellulose nitrate plastics	\$100, 1 st event or significant change
Recyclables storage	\$100, 1 st event or significant change
Failure to obtain a required permit	Triple the permit fee
Permit re-inspection fee	\$100
Temporary special permits	\$250
Other Inspection fees	
Routine and special re-inspection fees; Missed inspection appointments	\$250
Smoke Detectors	
FD smoke detector installation	Time and materials*
False Alarm Fees	
First to fourth false alarm occurrence	\$200
Fifth to seventh false alarm occurrence	\$300
Eight to eleventh false alarm occurrence	\$500
Twelfth and subsequent false alarm occurrence	\$800
Fire Extinguisher Training	
Classroom and practical training	\$100 per class (minimum charge) or \$10 per student, whichever is highest plus the cost of materials. Maximum class size of 25.
Classroom only	\$50, Maximum class size of 25.
Hazardous Materials Incidents	
	Time and materials*
Extrication Incidents	
Fee is charged when registered vehicle owner is not a City of Appleton resident.	\$500
Vehicle Fires	
Fee is charged when registered vehicle owner is not a City of Appleton resident.	\$500

* Vehicle rates are based on current Federal Emergency Management Agency (FEMA) rates which can be found at <http://www.fema.gov/government/grant/pa/eqrates.shtm>.

Reviewed: 03-20-2024

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

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

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

The undersigned duly authorized officer/member/manager of KWIK TRIP, INC.
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Tobacco Outlet Plus Grocery 556

located at 1342 W. Prospect Ave., Appleton, WI 54914
(Trade Name)

appoints Jennifer J. Ross
(Name of Appointed Agent)
2115 S. 9th St., Manitowoc, WI 54220
(Home Address of Appointed Agent)

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

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

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? Since 1995

Place of residence last year 2115 S. 9th St., Manitowoc, WI 54220

For: KWIK TRIP, INC.
(Name of Corporation / Organization / Limited Liability Company)

By: Scott P. Zittler
(Signature of Officer / Member / Manager)

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

ACCEPTANCE BY AGENT

I, Jennifer J. Ross, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

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

Jennifer J. Ross 3.18.24
(Signature of Agent) (Date)
2115 S. 9th St., Manitowoc, WI 54220
(Home Address of Agent)
Agent's age
Date of birth

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

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

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

**Alcohol Beverage License Application
Supplemental Questionnaire**

Date 2.22.24

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

Part A: Premises/Business Information	
1. Registered Entity Name (or individual name if sole proprietor) Kwik Trip, Inc.	
2. Trade Name or DBA Tobacco Outlet Plus Grocery 556	
3. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	

Part B: Individual Information			
1. Name (Last, First, M.I.) Ross, Jennifer J.			
2. Relationship to Registered Entity (Title) Agent		3. Email [REDACTED]	4. Phone [REDACTED]
5. Home Address W6615 E. Midway Rd., #13			
6. City Appleton		7. State WI	8. Zip Code 54915
9. Date of Birth [REDACTED]		10. Drivers License/State ID Number [REDACTED]	
11. Drivers License/State ID State of Issuance WI			

Part C: Address History	
List in chronological order your last two residence addresses within the last 5 years.	
Previous Address 1 111 E. Water St., #313	
Previous City, State, Zip Appleton, WI 54911	Dates (MM/YYYY - MM/YYYY) 11/2021 - 7/2022
Previous Address 2 1718 Schaefer Cir.	
Previous City, State, Zip Appleton, WI 54915	Dates (MM/YYYY - MM/YYYY) 12/7/2005 - 11/2021

Part D: Employment History	
List in chronological order your last two employers within the last 5 years.	
Employer's Name Kwik Trip, Inc.	
Employer's Address 1626 Oak St., La Crosse, WI 54603	Dates Employed (MM/YYYY - MM/YYYY) 3/2017 - Present
Employer's Name Athleta	
Employer's Address Fox River Mall, Appleton, WI	Dates Employed (MM/YYYY - MM/YYYY) 8/2018 - 6/2022

Part E: Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? Yes No
 If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Trial Date
Penalty Imposed	Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Trial Date
Penalty Imposed	Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses currently pending against you (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? Yes No
 If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part F: Questions

1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in the space below. If no, continue to question 2. Yes No
 Michigan

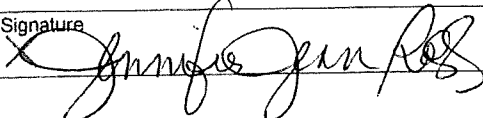
2. How long have you continuously lived in Wisconsin prior to the date of application?

Years	Months
Since 1995	

3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g. brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets as needed. Yes No

Part G: Attestation

READ CAREFULLY BEFORE SIGNING: I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature 	Date X 2-27-24
--	-------------------



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Hearing Meeting Date: March 13, 2024

Common Council Public Hearing Meeting Date: April 3, 2024 (Public Hearing on Rezoning)

Item: Rezoning #1-24 – 207 N. Green Bay Road

Case Manager: Jessica Titel, Principal Planner

GENERAL INFORMATION

Applicant/Owner: Ian Mevis and Maggie Marmor

Address/Parcel #: 207 N. Green Bay Road, Parcel #31-1-0738-00

Petitioner's Request: The owner/applicant proposes to rezone the subject parcel from R-2 Two-Family District to R-1B Single-Family District to facilitate a lot combination to accommodate an accessory structure. The rezoning will result in consistent zoning between two common ownership parcels and allow them to be combined into one parcel.

BACKGROUND

The existing home was constructed in 1895. It appears the two properties have been utilized as one parcel for many years. Parcel #31-1-0738-00 (subject site) is currently zoned R-2 Two-Family District and Parcel #31-1-0740-01 is currently zoned R-1B Single-Family District. The home currently crosses the existing property line and both properties are under common ownership.

The property owner is proposing to construct a new garage and is not able to meet setback requirements unless the existing two parcels are combined to create one lot.

Per Zoning Code Section 23-40(b), a parcel of land cannot include more than one zoning district, therefore, the rezoning is necessary to combine the two lots.

The home is listed in Wisconsin Architecture & Historical Society Inventory (reference number: 40523) for being one of the finest Italianate style homes in Appleton.

STAFF ANALYSIS

Existing Site Conditions: The subject area is 8,640 square feet in size and contains a single-family home.

Surrounding Zoning Classification and Land Uses:

North: R-2 Two-Family District. The adjacent land use to the north is currently residential.

South: R-1B Single Family Residential. The adjacent land use to the south is currently residential.

Rezoning #1-24 – 207 N. Green Bay Road

March 13, 2024

Page 2

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

West: R-1B Single Family Residential. The adjacent land use to the west is currently residential.

Proposed Zoning Classification: The purpose of the R-1B Single-family District is to provide for and maintain residential areas characterized predominately by single-family, detached dwellings on medium sized lots while protecting residential neighborhoods from the intrusion of incompatible non-residential uses. Per Section 23-93(g) of the Municipal Code, the development standards for the R-1B District are listed below:

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

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

Goal 1 – Community Growth

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

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

- a. Prior to making a recommendation on a proposed rezoning, the Plan Commission shall make a finding to determine if the following conditions exist. No rezoning of land shall be approved prior to finding at least one of the following:
 1. The request for a zone change is in conformance with the Comprehensive Plan for the City of Appleton. *The rezoning request is in conformance with the Comprehensive Plan 2010-2030 goals and objectives stated above and the Future Land Use Map, which identifies this area for future one and two family residential land uses.*
 2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map, is inadequate to meet the demands for such development.

Rezoning #1-24 – 207 N. Green Bay Road

March 13, 2024

Page 3

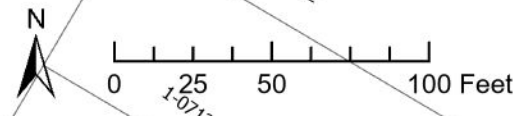
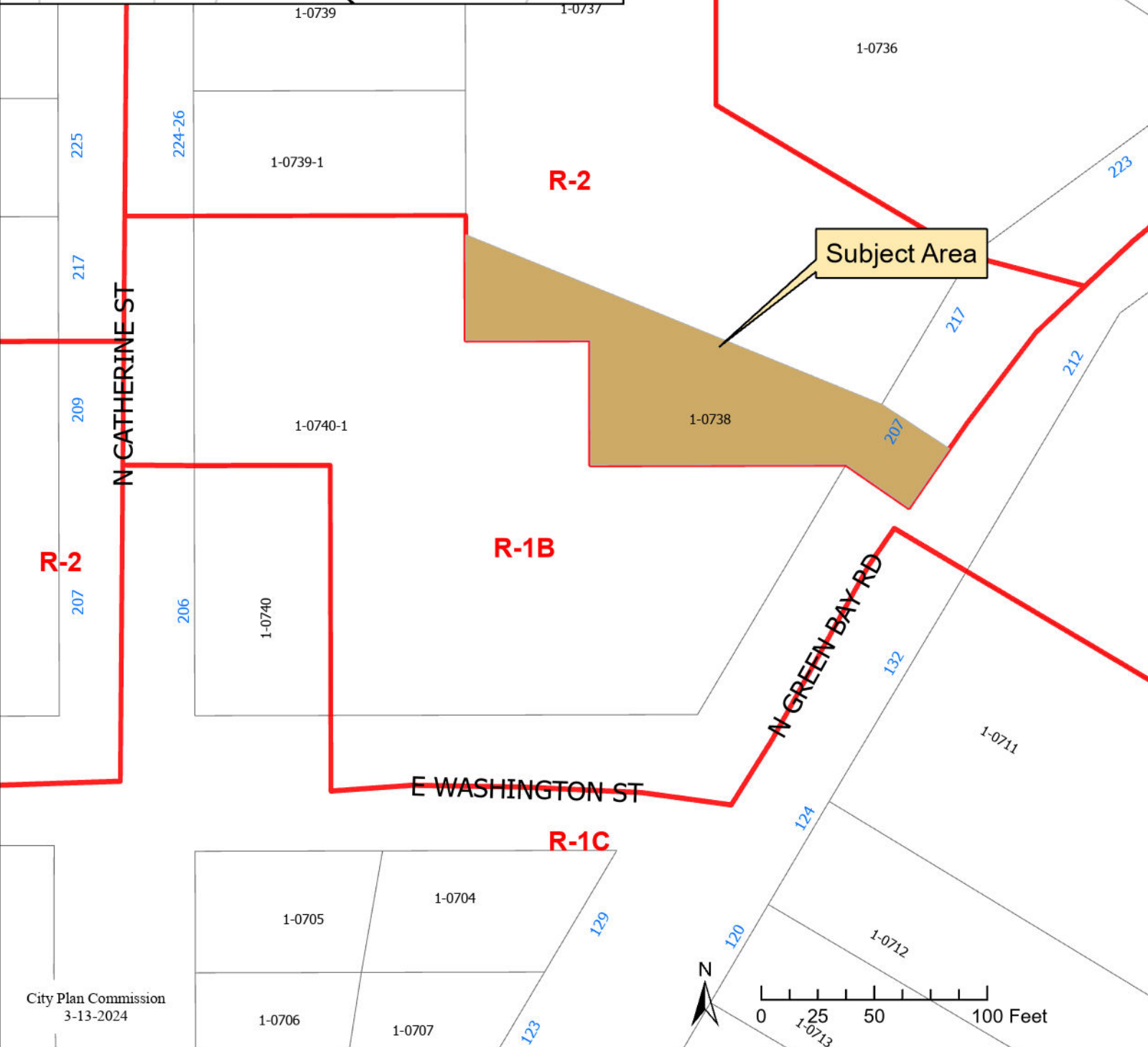
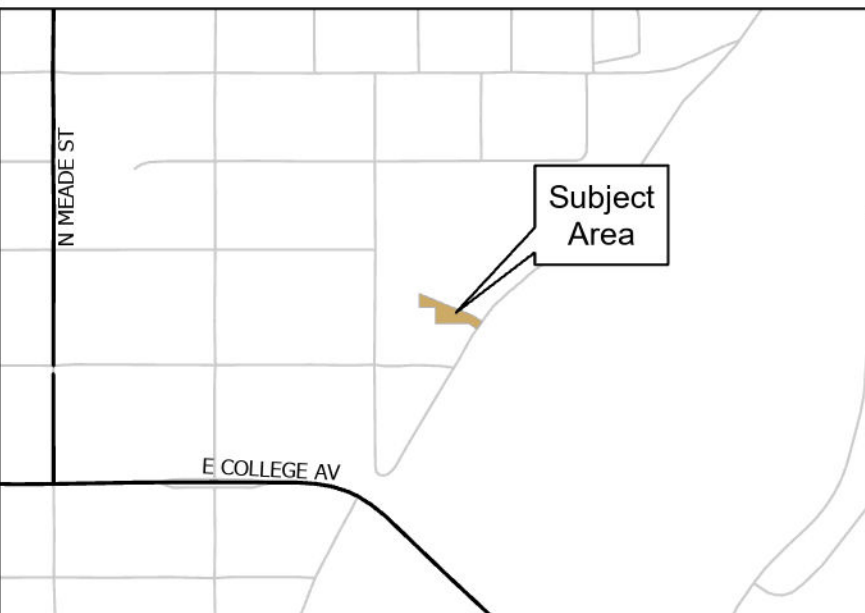
3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
 4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *The subject area is served by existing infrastructure, and the transportation network should be able to accommodate the proposed rezoning.*
 2. The effect of the proposed rezoning on surrounding uses. *Single-family residential uses are already located in this area of the City. Therefore, the proposed rezoning request is unlikely to create adverse impacts in the surrounding uses.*

Technical Review Group Report (TRG): This item appeared on the March 5, 2024 TRG Agenda. No negative comments were received from participating departments.

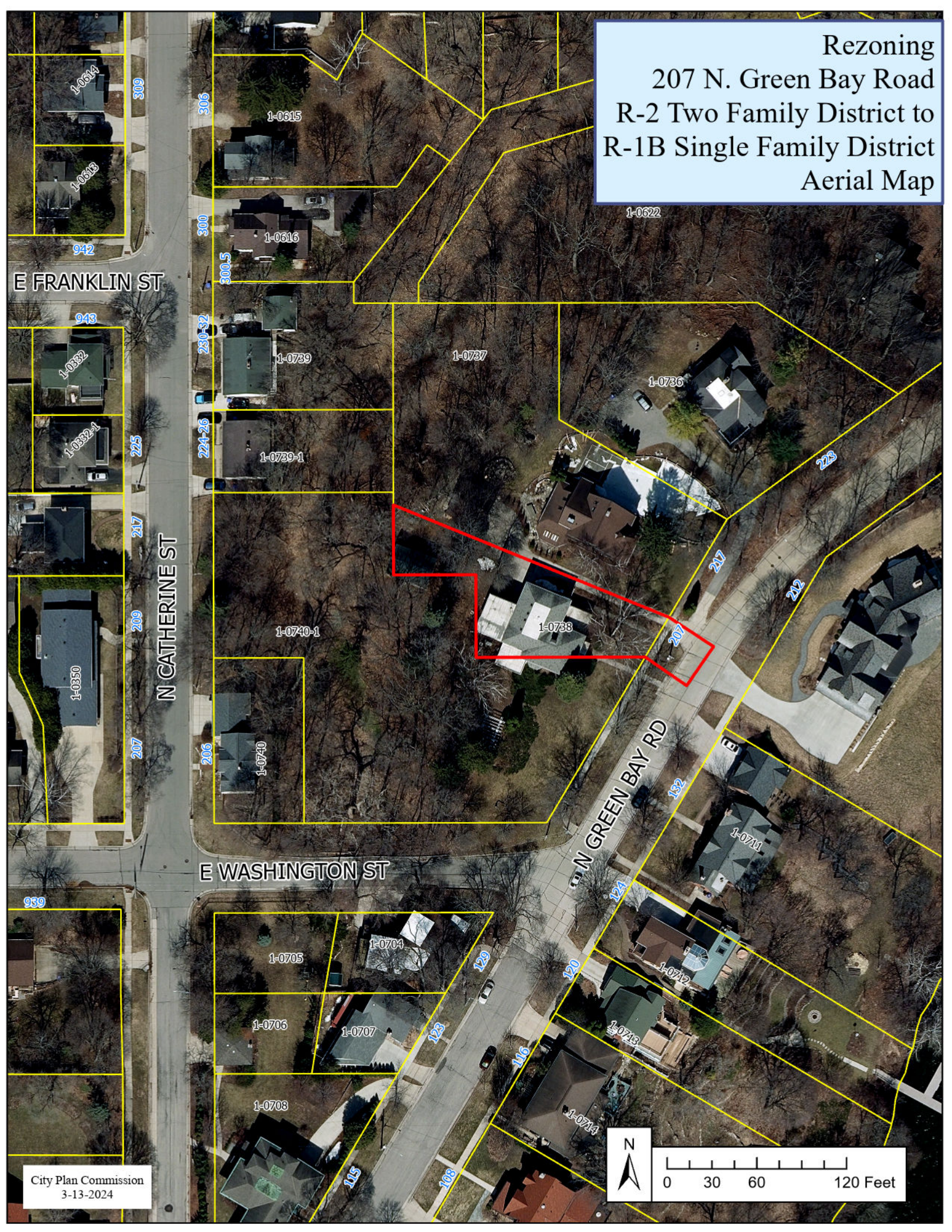
RECOMMENDATION

Staff recommends, based upon the standards for map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning Application #1-24 to rezone the subject property located at 207 N. Green Bay Road (Parcel #31-1-0738-00) from R-2 Two-Family District to R-1B Single-Family District, including to the centerline of the adjacent right-of-way, as shown on the attached maps, **BE APPROVED**.

**Rezoning
207 N. Green Bay Road
R-2 Two Family District to
R-1B Single Family District**



Rezoning
207 N. Green Bay Road
R-2 Two Family District to
R-1B Single Family District
Aerial Map



Legal Description of 207 N. Green Bay Road, Appleton, WI 54911 – 31-1-0738-00

LAWSBURG PLAT 1WD THAT PRT LOTS 4, 5, 15 & 16 LYG SOUTH OF LINE IN 671R114 OF BLK D; SUBJ TO SHARED DRIVEWAY AGREEMENT PER DOC #2193366, INCLUDING TO THE CENTERLINE OF THE ADJACENT STREET RIGHT-OF-WAY, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

CITY OF APPLETON
Department of Public Works
MEMORANDUM

TO: **Finance Committee**
 Municipal Services Committee
 Utilities Committee

SUBJECT: Award of Contract

The Department of Public Works recommends that the following described work:
Unit J-24 Mini Storm Sewer Construction

Be awarded to:

Name: M&E Construction LLC
Address: N3748 Uni Drive
Freedom, WI 54130

In the amount of : _____

With a 3.5 % contingency of : _____

For a project total not to exceed : _____ \$0.00

**** OR ****

In an amount Not To Exceed : _____ \$250,000.00

Budget: _____ \$250,000.00
Estimate: _____ \$250,000.00
Committee Date: _____ 03/25/24
Council Date: _____ 04/03/24

J-24 Mini Storm Sewer Construction (#8982817)

Owner: Appleton WI, City of

Solicitor: Appleton WI, City of

03/11/2024 01:45 PM CDT

Section Title	Line Item	Item Description	UofM	Quantity	M & E Construction LLC		Alfson Excavating LLC		Scott Lamers Costuction LLC	
					Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
J-24 BASE BID						\$213,150.00		\$222,660.00		\$334,379.65
	1	Flowable Fill	CU. YD.	5	\$120.00	\$600.00	\$100.00	\$500.00	\$145.00	\$725.00
	2	Furnish and Install 6" Storm Sewer	LIN. FT.	2712	\$40.00	\$108,480.00	\$42.00	\$113,904.00	\$68.00	\$184,416.00
	3	Furnish and Install 4" Riser Pipe	LIN. FT.	348	\$30.00	\$10,440.00	\$38.00	\$13,224.00	\$133.00	\$46,284.00
	4	Furnish and Install 6" Riser Pipe	LIN. FT.	1204	\$45.00	\$54,180.00	\$45.00	\$54,180.00	\$68.00	\$81,872.00
	5	Sump Pump Connection	EACH	1	\$250.00	\$250.00	\$100.00	\$100.00	\$100.00	\$100.00
	6	Furnish and Construct PVC Yard Drain	EACH	8	\$500.00	\$4,000.00	\$750.00	\$6,000.00	\$1,200.00	\$9,600.00
	7	Furnish and Install 6" Storm Lateral	LIN. FT.	91	\$50.00	\$4,550.00	\$47.00	\$4,277.00	\$125.00	\$11,375.00
	8	Augering	LIN. FT.	760	\$40.00	\$30,400.00	\$40.00	\$30,400.00	\$0.01	\$7.60
	9	Removal of Contaminated Soils	CU. YD.	5	\$50.00	\$250.00	\$15.00	\$75.00	\$0.01	\$0.05
Base Bid Total:						\$213,150.00		\$222,660.00		\$334,379.65

CITY OF APPLETON
Department of Public Works
MEMORANDUM

TO: **Finance Committee**
 Municipal Services Committee
 Utilities Committee

SUBJECT: Award of Contract

The Department of Public Works recommends that the following described work:
Unit C-24 Sidewalk Sawcutting

Be awarded to:

Name: ASTI Sawing Inc
Address: 7454 USHWY 18-151
Barneveld, WI 53507

In the amount of : _____

With a 3.5 % contingency of : _____

For a project total not to exceed : _____ \$0.00

**** OR ****

In an amount Not To Exceed : _____ \$30,000.00

Budget: _____ \$30,000.00
Estimate: _____ \$30,000.00
Committee Date: _____ 03/25/24
Council Date: _____ 04/03/24

C-24 Concrete Sidewalk Sawcutting (#8999182)

Owner: Appleton WI, City of

Solicitor: Appleton WI, City of

03/18/2024 01:45 PM CDT

Section Title	Line Item	Item Description	UofM	Quantity	ASTI Sawing, Inc.	
					Unit Price	Extension
C-24 BASE BID						\$40,599.00
	1	2024 Sawcut Sidewalk	inch-ft	1700	\$18.31	\$31,127.00
	2	2024 Sawcut Sidewalk (Miscellaneous Log	inch-ft	400	\$23.68	\$9,472.00
Base Bid Total:						\$40,599.00



DEPARTMENT OF
**PUBLIC
WORKS**

MEMORANDUM

Date: March 20, 2024
To: Municipal Services Committee
Finance Committee
From: Mike Hardy, Assistant City Traffic Engineer
Subject: Grant Acceptance Request – Signals and ITS Standalone Program

At the August 21, 2023, Municipal Services Committee (MSC) meeting, approval was given to apply for grant funds through the Wisconsin Department of Transportation (WisDOT) Signals and ITS Standalone Program (SISP). The City owns and maintains 82 signal-controlled intersections. This grant would procure the majority of the software/licensing needs for the City (prorated cost structure), and about 25% of the intersection controllers. The grant would replace 21 existing traffic signal computers/controllers and software along WisDOT connecting highways through Appleton (STH 47 and STH 96). The total estimated cost is \$220,750, of which the City's cost share would be 10% (\$22,075). The Department of Public Works (DPW) received notice on January 11, 2024, that our entire amount requested was approved by WisDOT.

During the month of January, DPW also reviewed 2023 account balances and had discussions with the Community and Economic Development Department regarding the potential to fund all traffic signal controllers/software in year 2024 through ARPA Funds. On January 22, 2024, the Finance Committee reviewed the ARPA fund designation in the amount of \$360,000 to upgrade the traffic equipment. Completing all related work in 2024 is critical to avoid cost increases and to allow coordination of procurement between both funding streams.

DPW is now requesting the approval of:

1. Acceptance of the SISP grant funds in the amount of \$198,675.
 - a. This grant will replace 21 existing traffic signal computers/controllers and software along WisDOT connecting highways through the City of Appleton. The total estimated cost is \$220,750, of which the City's cost share would be 10% (\$22,075).

Below are other funding aspects related to this project that fall under separate Finance Committee Action Items:

1. ARPA MOU in the amount of \$360,000.
 - a. The ARPA funds would allow for the procurement of 61 traffic signal controllers and the related software.
2. Spending authority in the amount of \$22,075 – 2023 Carryover Request.
 - a. Approval of this Special Consideration Carryover Request allows for the project to be completed in one year (2024). The request utilizes unused Capital Projects Funds from 2023.

With acceptance of the grant funding, the entirety of the City's traffic signal controllers and software will be replaced in 2024. The net cost to the City will be \$22,075. This item shows as an action item on both Municipal Services Committee and Finance Committee Agendas.



**Original
STATE/MUNICIPAL FINANCIAL
AGREEMENT FOR A SIGNALS &
ITS STANDALONE PROGRAM
PROJECT**

Date: January 4, 2024
 I.D.: 3700-30-62
 Road Name: STH 47, 96, 125
 Title: City of Appleton
 Limits: STH 47, 96, and 125 connecting highway
 County: Outagamie
 Roadway Length: 0.01 mile

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 affect the highway or street improvement hereinafter described.

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

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request: The existing signals is outdated and obsolete.

Proposed Improvement - Nature of work: This project will replace the 21 existing controllers with Econolite controllers and Centrac control software. These 21 locations are along the existing Connecting Highway routes within the Appleton. The existing locations are Siemens controllers with Tactics control software. This project is to address the combination of aged equipment and shortcoming for Siemens products, equivalent to Wisconsin DOT's recent transitions to Econolite in the Regions.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:

Phase	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
ID 3700-30-62	\$ 220,750	\$ 198,675	90%	\$ 22,075	10%
Total Cost Distribution	\$ 220,750	\$ 198,675	90%	\$ 22,075	10%

*Construction **ID 3700-30-62** state funding is limited to \$198,675 (State fiscal year 2025)

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages 2 – 4); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State, and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial 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 Financial Agreement.

Signed for and in behalf of the city of Appleton (please sign in blue ink)	
Name (print)	Title
Signature	Date
Signed for and in behalf of the State (please sign in blue ink)	
Name	Title
Signature	Date

TERMS AND CONDITIONS:

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds federal/state financing commitments or are ineligible for federal/state financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order 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 General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.
2. Funding of each project phase is subject to inclusion in an approved program and per the State’s Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
 - (a) Design engineering and state review services.
 - (b) Real Estate necessitated for the improvement.
 - (c) Compensable utility adjustment and railroad force work necessitated for the project.
 - (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.
 - (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
 - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.
 - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.

- (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
 - (i) Replacement of existing driveways, in kind, necessitated by the project.
 - (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
3. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
- (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) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.
 - (c) Coordinate, clean up, and fund any hazardous materials encountered during construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.
 - (d) Damages to abutting property due to change in street or sidewalk widths, grades, or drainage.
 - (e) Conditioning, if required, and maintenance of detour routes.
 - (f) Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
 - (g) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the state and shall make ample provision for such maintenance each year.
 - (h) Use the WisDOT Utility Accommodation Policy unless the Municipality adopts a policy which has equal or more restrictive controls.
4. State Disbursements:
- (a) Payment by the State to the Municipality shall be made on a regular basis upon presentation of vouchers for expenditures incurred during prior periods of the project duration subject to the allowable maximum payment. Exceptions to this schedule will be made as appropriate. In general, State reimbursements will be made after sufficient proof of payment is sent to the State.
 - (b) A final adjustment of state payments will be made upon completion of the State's audit of the project. If the State's audit establishes that the State paid more than its share of the eligible project costs, the Municipality shall refund to the State upon demand a sum equal to the overpayment.
5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
6. The Municipality shall assume general responsibility for all public information and public relations for the project and to make a 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 projects.
7. Basis for local participation:
- (a) Construction: Cost for construction are 90% Federal/State and 10% Municipal up to a maximum of \$220,750. Any overages shall be funded by the Municipality.

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated

or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.



DEPARTMENT OF
**PARKS, RECREATION
& FACILITIES
MANAGEMENT**

CITY OF APPLETON
1819 East Witzke Blvd.
Appleton, WI 54911
920-832-5572
appletonparkandrec.org

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 3/25/2024

RE: Action: Award the City of Appleton “AWWTP 2024 Light Fixture Replacement” purchase order to Werner Electric Supply, Co. in the amount of \$81,467.14

The 2024 Capital Improvement Plan includes \$150,000 to replace the lighting fixtures at Appleton Wastewater Treatment Plant. This request includes ordering replacement light fixtures for all lights in the V2 and V3 Buildings. PRFMD solicited quotes from three lighting distributors to direct purchase the fixtures only. The installation of the purchased fixtures will be part of another contract.

The quotes were received as follows:

Werner Electric Supply Co. (low)	\$81,467.14
Crescent Electric Supply Co.	\$84,196.40
Viking Electric Supply Co	\$95,879.65

The Parks, Recreation, and Facilities Management Department has reviewed the bids and recommends awarding a purchase order to Werner Electric Supply Co. in the amount of \$81,467.14.

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



"...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: 3/25/2024

RE: Action: Award the "2024 AWWTP Roof Replacement Project" contract to Crafts, Inc. in the amount of \$1,107,734 with a contingency of 6% for a project total not to exceed \$1,174,198.

PRFMD has identified roof sections on A, S, and V Buildings at the Wastewater Treatment Plant that are in need of immediate replacement and this project was initiated to address those needs. The 2024 AWWTP Capital Improvement budget includes \$950,000, 2023 carryover amount of \$192,487, and special consideration request from the Sludge Storage Building positive budget variance of \$90,000 for a total budget of \$1,232,487. Of that amount \$58,100 has been utilized for design, leaving a balance of \$1,174,387 for construction. The metal roof sections on A, S, and V Buildings identified in this project are over 50 years old and are in urgent need of replacement.

The bids received were as follows:

Crafts, Inc. (Low Bid)	\$1,107,734
Weinert Roofing, Inc.	\$1,255,266

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to Crafts, Inc. The Parks, Recreation, and Facilities Management Department has also reviewed the bids and is in agreement with the engineer's recommendation. Therefore, we recommend awarding the contract to Crafts, Inc. in the amount of \$1,107,198 plus a contingency of 6% only to be utilized as needed.

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



DEPARTMENT OF
**PARKS, RECREATION
& FACILITIES
MANAGEMENT**

CITY OF APPLETON
1819 East Witzke Blvd.
Appleton, WI 54911
920-832-5572
appletonparkandrec.org

TO: Finance Committee

FROM: Dean R. Gazza

DATE: 3/25/2024

RE: Action: Award the “Fire Station #6 and Fire Station #1 HVAC Upgrades Project” contract to AMA Heating & Air Conditioning, Inc. in the amount of \$467,042 with a contingency of 8% for a project total not to exceed \$504,406.

Action: Approve budget transfer of \$50,000 from the “2024 Telulah Park Pavilion Renovation Project” to “2024 Fire Station #1 HVAC Upgrades Project.”

The 2023 Capital Improvement Plan includes \$275,000 to upgrade the HVAC system at Fire Station #6 and the 2024 Capital improvement Plan includes \$225,000 to upgrade the HVAC system at Fire Station #1. Of that amount \$42,980 has been utilized for design leaving a balance of \$457,020 for construction. Both projects were bid as a single package to get economy of scale and to reduce redundancy for both professional services and construction. The HVAC System at both facilities is at the end of their useful life and needs replacement.

The bids received were as follows:

AMA Heating & Air Conditioning, Inc. (Low Bid)	\$467,042
Great Lakes Mechanical, Inc.	\$492,000
Southport Engineered Systems, Inc.	\$581,500

We are requesting a \$50,000 budget transfer from the 2024 Telulah Park Pavilion Renovation Project. The 2024 Telulah Park Pavilion Renovation Project bid under the estimated budget and has a positive balance that can be transferred to the Fire Station #1 HVAC Upgrades Project.

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to AMA Heating & Air Conditioning, Inc. The Parks, Recreation, and Facilities Management Department has also reviewed the bids and is in agreement with the engineer’s recommendation. Therefore, we recommend awarding the contract to AMA Heating & Air Conditioning, Inc. in the amount of \$467,042 plus a contingency of 8% only to be utilized as needed.

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



City of Appleton

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

Meeting Minutes - Final CEA Review Committee

Monday, March 11, 2024

3:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Pledge of Allegiance
3. Roll call of membership

Deputy Finance Director Katie Demeny acted as a substitute for Finance Director Ohman.

Present: 2 - Public Works Director Block and Van Zeeland

Excused: 2 - Ohman and Doran

4. Approval of minutes from previous meeting

[24-0252](#)

Minutes from June 12, 2023

Attachments: [6-12-23 CEA Meeting Minutes.pdf](#)

Public Works Director Block moved, seconded by Demeny, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 3 - Public Works Director Block, Van Zeeland and Demeny

Excused: 2 - Ohman and Doran

5. **Public Hearing/Appearances**

6. **Action Items**

[24-0253](#)

Election of Chair

Public Works Director Block moved, seconded by Demeny, to approve Alder Van Zeeland as Chair. Roll Call. Motion carried by the following vote:

Aye: 3 - Public Works Director Block, Van Zeeland and Demeny

Excused: 2 - Ohman and Doran

[24-0254](#)

Election of Vice Chair

Public Works Director Block moved, seconded by Demeny, to approve Alder Doran as Vice Chair. Roll Call. Motion carried by the following vote:

Aye: 3 - Public Works Director Block, Van Zeeland and Demeny

Excused: 2 - Ohman and Doran

[24-0255](#)

Approve the 2024 CEA Seasonal Vehicle Requests

Attachments: [Seasonal Vehicle Request 2024.pdf](#)

Public Works Director Block moved, seconded by Demeny, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 3 - Public Works Director Block, Van Zeeland and Demeny

Excused: 2 - Ohman and Doran

[24-0256](#)

Approve the 2025 Equipment Replacement Plan

Attachments: [2025 CEA Equipment Replacement.pdf](#)

Public Works Director Block moved, seconded by Demeny, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 3 - Public Works Director Block, Van Zeeland and Demeny

Excused: 2 - Ohman and Doran

7. Information Items

[24-0260](#)

2023 Equipment Purchase Log

Attachments: [2023 Equipment Purchase Log.pdf](#)

[24-0261](#)

2024 Equipment Purchase Log

Attachments: [2024 Equipment Purchase Log.pdf](#)

8. Adjournment

Public Works Director Block moved, seconded by Demeny, that the meeting be adjourned. Roll Call. Motion carried by the following vote:

Aye: 3 - Public Works Director Block, Van Zeeland and Demeny

Excused: 2 - Ohman and Doran



MEMORANDUM

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

TO: City of Appleton Finance Committee
FROM: Kara Homan, AICP, Director, Community and Economic Development
Olivia Galyon, Community Development Specialist
DATE: March 25, 2024
RE: American Rescue Plan Act (ARPA) Memorandum of Understanding Agreements

Background:

The American Rescue Plan Act (ARPA), passed in March 2021, provided the City of Appleton with \$14,891,841 for projects related to recovery from the COVID-19 pandemic. Appleton’s Common Council set aside \$8,000,000 for internal and external programmatic areas of focus. The remainder was reserved for revenue recovery to supplement decreased tax revenue. City staff is responsible for identifying and recommending potential projects within the programmatic areas of focus. Common Council designated the following categories and allocation amounts for the available \$8,000,000:

- Arts, Culture, and Educational Institutions (\$500,000)
- Community Wellness, Mental Health, and Violence Prevention (\$1,000,000)
- Social Infrastructure, Belonging, and Neighborhood Resiliency (\$1,000,000)
- Local Economic Recovery (\$1,000,000)
- Affordable Housing and Housing Support (\$3,000,000)
- Early Childhood Development, Child Care, and Families (\$1,500,000).

ARPA dollars must be obligated by December 31, 2024, and spent by December 31, 2026. The City has contracted with Booth Management and Consulting to oversee the administration of ARPA funding, including assistance in identifying and qualifying projects for eligibility and risk assessment. City staff has worked with BMC to identify and qualify multiple projects, both internal and external, that are eligible uses of ARPA funds. Funds are then obligated through a formal contract between the City and the project partners.

For internal department projects, a Memorandum of Understanding (MOU) agreement between the City and the department carrying out the project constitutes the obligation of funds to a project. Projects requiring an RFP for services over \$25,000 will be brought before Common Council again prior to the contracts being awarded (post bid or RFP). There are eight projects in progress that are ready for or approaching the obligation phase and will require MOU approval by Common Council to be considered obligated. Exhibit 1 outlines the current projects that require MOU approval to continue implementation.

Staff **recommend approval** for common council to authorize execution of MOUs for the projects outlined in Exhibit 1, and thus “obligating” funds per ARPA regulations.

Exhibit 1: Projects requiring MOU Agreement for Implementation

City of Appleton ARPA Internal Department Projects				
Project Name	Project Category	Funded Amount	Lead Department	Brief Project Description
Safe and Secure Cities Program	Community Wellness, Mental Health, and Violence Prevention	\$40,000	Police Department	Multiple methods of community engagement and outreach including community mural creation in collaboration with a local artist and youth, targeted outreach and educational workshops on crime prevention, partnership with local businesses and non-profit organizations, and community events for informal engagement opportunities.
Neighborhood Watch Programming Integration	Community Wellness, Mental Health, and Violence Prevention	\$50,000	Police Department, Community & Economic Development	Integrate APD's existing Neighborhood Watch programming with the City's Neighborhood Program, to increase education on safety efforts and align branding and marketing between the programs and to City's new branding standards.
APD Basic Needs Team Space Remodel	Community Wellness, Mental Health, and Violence Prevention	\$50,000	APD/PRFM/PH	Add two individual offices within the Police Department for members of the Basic Needs Team, who require space to privately meet with clients in crisis.
Traffic Signal Control Safety Enhancements	Community Wellness, Mental Health, and Violence Prevention	\$360,000	Department of Public Works	Replace existing traffic control signal hardware and software at 80 intersections. This will increase reliability, functionality, and safety on the roadways.
Downtown Lighting Enhancements	Local Economic Recovery	\$15,000	Department of Public Works, APD	Upgrades and additions of street lighting on 100N and 100S blocks of Walnut Street to improve safety conditions at night and deter crime.
Comprehensive Plan Updates & Sub-area	Social Infrastructure, Belonging, and	\$400,000	Community and Economic Development	Provide updated data and goals and vision sections within Comp Plan; Create a vision for development and future improvements in multiple commercial sub-

Planning	Neighborhood Resiliency			area nodes that are high traffic but experience less investment compared to Downtown.
Neighborhood Leadership Academy	Social Infrastructure, Belonging, and Neighborhood Resiliency	\$100,000	Community and Economic Development	Educational and organizing opportunity for neighborhood leaders on increasing effectiveness of a neighborhood organization, developing organizational and project management skills, and identifying aspects of Asset Based Community Development (ABCD) in their neighborhoods.
Appleton Transit Center Renovation	Affordable Housing and Housing Support	\$1,800,000	Valley Transit	Supplement Valley Transit's RAISE grant (awaiting decision) to update the existing Valley Transit Center in downtown Appleton; expect for private developer to create multi-family housing above the Transit Center once renovations are completed.

2023 - 2024 Budget Carryover Requests - Not Under Contract

		Vendor	Description	Amount	Justification
ARPA					
2800 & 2801	Various		Various projects	9,552,865	Unspent ARPA funds
				9,552,865	
TIF #11					
4141	659900		TID #11 Business Enhancement Grants	42,500	Uncommitted TID #11 grant funds from FY2023
4142	632503		Downtown Tree Plantings	3,000	Work nearly completed, to be completed in 2024 by Operations staff
4142	680902		Durkee Street sidewalk and amenity strip	70,000	Work was in A-23 but delayed due to WE Energies Coordination. Rebid with A-24
				115,500	
TIF #12					
4151	659900		TIF #12 Business Enhancement Grants	35,000	Uncommitted TID #12 grant funds from FY2023
				35,000	
Facilities Capital Project Fund					
Facilities	HVAC		Fire Station #6 HVAC	240,120	Project is out to bid and will be finished in 2024
				240,120	
Parking Utility					
5123	642400	TAPCO	TIBA Software Cloud Migration	25,000	Quotes rec'd in 2023. Purchase requires combined 2023 and 2024 budgets
				25,000	
Stormwater Utility					
5210	640400		3001 Glendale Stormwater Design	20,000	Required site plan and stormwater update
5230	680100		Ballard Rd Reconstruction land for BMP	75,000	Pushed to 2024 based on County coordination
5230	680100		Edgewood Dr 600' e/o Lightning to French BMP	240,000	Pushed to 2024 based on County coordination
5230	640400		Odyssey Development Site Investigation	22,384	Odyssey Development (Former Blue Ramp) Contamination investigation & cleanup Phase 2
				357,384	
Water Utility					
53206730	680905		Coolidge and Johnson Relays under Z-24	89,432	Use 2023 remaining funds to award this Z-24 bid work (bids over 2024 budget)
53206730	680905		I-41/Ballard Interchange 24-inch water main relocation	225,000	WisDOT prelim plans show new SE quad onramp built over existing main in 2025
53346720	640800		Clearwell Repair	350,000	Construction will start summer 2024
WTRUTL	CORROCONTR		Corrosion Control - Phosphoric	339,520	Balance on project budget held until testing of system is complete
WTRUTL	CORROCONTR		Corrosion Control - Phosphoric	9,875	Balance on project budget held until testing of system is complete
WTRUTL	CHEMSTORAG		Water CO2 Chemical Storage	125,000	Preliminary consulting in progress, construction management to be bid later in 2024
WTRUTL	CHEMSTORAG		Water CO2 Chemical Storage	400,000	Construction to start after consultant secured for construction management
WTRUTL	INSTRUMENT		Instrumentation Replacements	47,800	Balance of project budget to be used for Phase 2 to be bid spring 2024
WTRUTL	MCC		MCC Fire Protection	16,000	Project is needed, working with FMD to determine next steps
WTRUTL	MCC		MCC Fire Protection	472,000	Project is needed, working with FMD to determine next steps
WTRUTL	PUMPING		Check Valve Replacement	22,247	Scope of project needs to be finalized
WTRUTL	PUMPING		Check Valve Replacement	141,078	Scope of project needs to be finalized
WTRTOWERS	MATTHIAS		Matthias Tower	45,000	Project on hold for SE Distribution Master Plan results
WTRTOWERS	MATTHIAS		Matthias Tower	210,000	Project on hold for SE Distribution Master Plan results
WTRFMDFAC	HVAC		Kathabar Dehumidification	600,000	Project was bid and will be completed in 2024
				3,092,952	
Wastewater Utility					
5431	640400		Glacier Ridge LS abandonment	25,000	Wetland delineations to be completed in 2024
WWLIFT	LIFTSTAT		Lift Station PLC Upgrade	7,500	Waiting for completion of SCADA Assessment report from Donohue.
WWLIFT	LIFTSTAT		Lift Station PLC Upgrade	50,000	Waiting for completion of SCADA Assessment report from Donohue.
WWUTL	BELTFILTER		Belt Filter (Solids Dewatering)	113,700	Balance of budget to be used for Phase 2 project costs

		Vendor	Description	Amount	Justification
WWUTL		BELTFILTER	Belt Filter (Solids Dewatering) Phase 2	4,600,300	Phase 2 construction to bid later in 2024, estimated completion summer 2025
WWUTL		CHEMSYS	DAF Polymer Feed System	25,000	Planning to bid later in 2024, consulting engineers not available in 2023 to quote
WWUTL		CHEMSYS	DAF Polymer Feed System	200,000	Planning to bid later in 2024, consulting engineers not available in 2023 to quote
WWUTL		NETWORK	WW Network Upgrade	300,000	Working with Information Technology Department to determine next steps
WWUTL		PIPING	2019 Piping Improvement Project	14,018	Final drawings are still needed, working with consultant to complete
WWUTL		PROCEQUIP	Blended Pipe Heat Ex Rplcmt	279,125	Construction has been bid, to be approved March 2024, construction to start summer 2024
WWUTL		PROCEQUIP	Blended Pipe Heat Ex Rplcmt	3,801,195	Construction has been bid, to be approved March 2024, construction to start summer 2024
WWUTL		PUMPS	Final Clarifier Tank Underdrain	70,213	Budget for electrical and safety work still needed
WWUTL		PUMPS	Final Clarifier Tank Underdrain	312,187	Budget for electrical and safety work still needed
WWUTL		PUMPS	Grit System & Raw Sludge Pump Rplcmt	9,038	Balance of project budget, construction to be completed summer 2024
WWUTL		SLUDGESTOR	Sludge Storage Addition	456,289	Stormwater filter to be constructed in 2024 as part of the FMD hardscape project
WWUTL		SLUDGESTOR	Sludge Storage Addition	861,250	Final completion summer 2024, holding budget until complete
WWFMD		BUILDING	F-1 Bldg	14,790	Ramp project and additional design to be bid in 2024
WWFMD		GRANTGEN	AWWTP Waste Heat-to-power Generators	78,742	Construction of equipment started, install later in 2024
WWFMD		GRANTGEN	AWWTP Waste Heat-to-power Generators	396,014	Equipment install to bid in 2024, equipment is construction is started
WWFMD		GRANTGEN	AWWTP Waste Heat-to-power Generators	32,267	Construction of equipment started, install later in 2024
WWFMD		HARDSCAPE		32,273	Balance of project budget, funding needed for future projects
WWFMD		LIGHTING		12,121	Balance of project budget to be used for 2024 projects
WWFMD		ROOFREPLCE		192,487	Balance of project budget to be used for 2024 projects
				11,883,509	
General Administration - General Fund					
12020	664000		State Aid contingency	812,267	Carry forward balance
12020	664000		Fuel Price contingency	137,315	Carry forward balance
12020	664000		Operating contingency	402,298	Carry forward balance
12020	664100		Wage Reserve	1,104,159	Carry forward balance
Information Technology					
13030	640400		Network Security and Systems Remediation	341,000	Ongoing network and systems remediation
Human Resources					
14010	640400		Staffing Study	4,950	Police Department staffing study
Legal					
14510	620100		Training/Conference	5,000	Additional attorneys to attend the 2024 mid-year IMLA conferences in Washington DC and potentially the annual conference in September.
14521	640400		Outside Counsel	5,800	There are pending matters where services of outside counsel are, or may be, engaged in 2024 and these carryover funds will help offset those services.
DPW					
17032	640800		Bascule Bridge Structural/Electrical/Painting Maint. Project	323,000	Project budgeted over multiple years for construction proposed in 2025
Police					
17541	631603		Community Service Funds	3,000	Unspent parking funds for community service needs
Library					
LIB-ROR	MULTIPLE		Reach Out & Read	53,935	Reach Out & Read Clinics funds held by APL for use of purchasing materials
Total General Fund				3,192,724	
Grand Total - Not Under Contract				28,495,054	

2023 - 2024 Budget Carryover Requests - Special Consideration

Subdivision	Vendor	Description	Amount	Justification
4010	680901	Apple Tree Appleton Four LLC Development Agreement	156,199	Payment for development agreement
			156,199	
Information Technology - Capital Projects				
ITCAP	SWITCHES	Endpoint Switches	250,000	New endpoint switch purchase will follow 2024 network remediation
			250,000	
Public Works - Capital Project				
4240	680901	2024 Signal and ITS Standalone Program (SISP) Citywide	22,075	The project was originally planned for 2025. City received notice of grant award from WisDOT in 2024. In order to complete this project most economically and efficiently, the scope of all City existing traffic signal computers/controller and software replacement work should be completed in 2024.
			22,075	
Facilities Capital Project				
FACILITIES	PARKDEVL	Lundgaard Park	11,000	Purchase signage and pavilion equipment
FACILITIES	TRAILDEVEL	Update Comprehensive Outdoor Recreation Park Plan	30,000	DNR requirement every 5 years
FACILITIES	TRAILDEVEL	River Trail Development	28,000	Continue planning and design for river trail development
			69,000	
Parking Utility				
5123	632700	TAPCO	Chip & Tap Readers for Ramps	Quote was received in 2023 after budget submittal. Old technology is unreliable and should not wait until 2025 if avoidable
			100,000	
Stormwater Utility				
5230	680100		Land Dedication Agreement - Apple Tree Appleton Four LL	Payment for agreement - Land Dedication Agreement/Lightning Drive
5230	680901		Apple Tree Appleton Four LLC Development Agreement	Payment for agreement - Development Agreement Apple Ridge
			432,949	
Water Utility				
5320660	640400	TBD by RFP	SE Pressure Zone Study	Continuation of AECOM Distribution Study.
			100,000	
Wastewater Utility				
5427	640400	Aqualis	Sewer Spot Repairs	Retainage for Final close out materials
WWFMD	ROOFREPLCE	Rhode Brothe	B-Bldg HVAC Construction	Amendment to fund full contingency amount of contract approved January 2024
WWUTL	SLUDGESTOR		Roof Replacement Project	Transfer positive variance from Sludge Storage Building Project to Roof Replacement
			116,128	
Legal Services				
15030	630300		Housing Taskforce Implementation	Development services process improvement
15040	640400		Housing Taskforce Implementation	Consulting re: Process Improvement, Communication & Marketing, etc.
DPW				
17022	632800		Sign Shop modernization	Digital Printing System
Parks				
16532	502000		Pierce Park	Donation that donor wants specifically spent at Pierce Park on amenities

16532	502000		Memorial Benches	3,750	Memorial bench donations for Appleton Memorial, Erb, and City Parks
Total General Fund				63,250	
Grand Total - Special Consideration				1,309,601	

2023 - 2024 Budget Carryover Requests - Special Consideration

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Stormwater Utility				
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Community & Economic Development				
15030	630300		Housing Taskforce Implementation	Development services process improvement
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Total General Fund				63,250	
Grand Total - Special Consideration				1,309,601	



"...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: 4/24/2023

RE: Action: Approve an agreement with Goodwill Industries for its funding of the Miracle Field Upgrades at Memorial Park.

The Miracle Field was constructed in 2010 at Memorial Park by The Miracle League of the Fox Valley and upgrades are beginning to be needed. After several years of use, the Miracle League Field needs renovations that include replacing the rubberized playing surface, fencing around the field and some leveling of the subsurface.

Goodwill Industries of North Central Wisconsin, Inc. has secured funding for these renovations anticipated not to exceed \$185,650. Because the City of Appleton owns the property the City of Appleton will bid and provide project management for these upgrades. All costs are being paid for by Goodwill Industries of North Central Wisconsin, Inc. The parties are in the process of entering a Memorandum of Understanding outlining details of this funding and process.

We are very appreciative to Goodwill Industries of North Central Wisconsin, Inc. for partnering with the City of Appleton to maintain this wonderful community asset.

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



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

TO: Finance Committee
FROM: Jeri A. Ohman, Finance Director
DATE: March 25, 2024
RE: Request to approve transfers of ARPA funds to the Library project

In 2021, Common Council approved the use of ARPA funds in the amount of \$2,000,000 for the Library project. The following transfers are necessary to allocate the funds to the project following guidance from both our ARPA consultant and the auditors to remain compliant with ARPA guidelines.

ARPA Grant Fund

Transfer Out – General Fund	+ \$2,000,000
Fund Balance Applied	+ \$2,000,000

General Fund

Transfer In – ARPA Grant Fund	+ \$2,000,000
Transfer Out – Facilities Capital Projects	+ \$2,000,000

Facilities Capital Projects Fund

Transfer In – General Fund	+ \$2,000,000
Library Project	+ \$2,000,000

Staff is recommending approval of these transfers. Please feel free to contact me if you have questions.



DEPARTMENT OF
UTILITIES

Department of Utilities
Water Treatment Facility
2281 Manitowoc Rd.
Menasha, WI 54952
p: 920-997-4200
f: 920-997-3240

www.appleton.org/government/utilities

MEMORANDUM

Date: March 15, 2024
To: Chairperson Vered Meltzer
CC: Chris Stempa, Utilities Director
John Pograd, Water Operations Supervisor
From: Michael Suha, Technical Services Manager
Subject: **Utilities Committee Action: Award of Turbidity Instrument Purchase to Hach Company in the amount of \$36,469.08 with a 15% contingency of \$5,470.36 for a total not to exceed \$41,939.44**

BACKGROUND:

A turbidimeter, also known as a turbidity meter, is a device used to measure the turbidity of drinking water, particularly in the context of water quality assessment. Turbidity refers to the cloudiness or haziness of the water caused by the presence of suspended particles such as sediment, silt, and other fine particles. Turbidity can be an important parameter to monitor as it can affect the water's clarity and potentially indicate the presence of contaminants.

Wisconsin Department of Natural Resources, the regulatory agency sets turbidity limits for drinking water to safeguard public health and ensure the water meets specified quality standards. Online turbidimeters play a crucial role in helping water treatment staff comply with these regulations and maintain the integrity of the drinking water supply.

At present, the turbidity instruments are at the end of service life. The manufacturer has discontinued support for the equipment and obtaining spare parts and technical assistance is becoming difficult. This poses a significant risk to our ability to maintain consistent and reliable operations. Replacing the equipment will alleviate these challenges and provide access to support services and preventative maintenance parts.

QUOTE RESULTS:

Comparative information and instrument quotes were obtained from instrument companies. See table below:

Company	Real-time Monitoring and Trending	USEPA Compliant	Instrument Quote
In Situ	Yes	Pending	\$58,050.00
ATI	Yes	Yes	\$41,711.00
HACH	Yes	Yes	\$36,469.08

RECOMMENDATION:

After careful internal review and consideration, the HACH Company (Hach) Turbidimeter is recommended for purchase. The Hach turbidimeter is a reliable and cost-effective solution for accurate turbidity measurements. It offers ease of use and maintenance, making it suitable for a wide range of applications within the water treatment plant. The instruments competitive pricing, reliability, and user-friendly interface made it the top choice. Moreover, the existing turbidimeters are also Hach units making them familiar to staff.

In summary, it is recommended to award the purchase of the new turbidity instruments to Hach Company in the amount of \$36,469.08 with a 15% contingency of \$5,470.36 for a total not to exceed \$41,939.44.

If you have any questions regarding this project, please contact Michael Suha or Chris Stempa at 920-832-5945.



DEPARTMENT OF
UTILITIES

Department of Utilities
Wastewater Treatment Plant
2006 East Newberry Street
Appleton, WI 54915
p: 920-832-5945
f: 920-832-5949

www.appleton.org/government/utilities

MEMORANDUM

Date: March 22, 2024

To: Chairperson Vered Meltzer

CC: Ryan Rice, Utilities Deputy Director / Interim Wastewater Operations Supervisor

From: Chris Stempa, Utilities Director

Subject: Utilities Committee Action: Sole Source Purchase Award of Wash Press #3 Auger Assembly Replacement Equipment from Vulcan Industries in the amount of \$25,666 with a 10% contingency of \$2,566 for a project total not to exceed \$28,232

BACKGROUND:

The first step in wastewater treatment is normally the removal of solids from the wastewater flow by some type of screening process. The mechanical fine screen equipment used at the Appleton Wastewater Treatment Plant (AWWTP) are designed to remove objects larger than 1/4 inch in diameter from raw wastewater entering the facility which protects downstream equipment and processes. The material removed from the fine screen is then conveyed to an integral wash press unit where it is flushed using reclaimed final effluent. That step removes organics which are further treated in downstream processes. The washed screenings are then compacted to dewater prior to being conveyed to a large roll off box which is ultimately sent to a landfill for final disposal.

In December 2022, the gear reducer on the #3 wash press unit failed. Maintenance staff discovered during the removal of the failed gear reducer that the auger assembly was also damaged. A replacement gear reducer was purchased in 2023 and a replacement auger assembly quote was solicited from Vulcan Industries. The lead time for a replacement auger assembly was 40 weeks at the time the quote was solicited while the associated replacement gear reducer was significantly less than that. Based on the excessive lead time of the auger, the decision was made to evaluate repair alternatives in lieu of procuring a new assembly. In October 2023 staff replaced the gear reducer and installed the repaired auger assembly to return the mechanical screen and wash press to service.

In February 2024, water was found leaking from the auger assembly. The investigation performed by Maintenance Specialist staff revealed a crack in the repaired auger shaft. Immediate steps were taken to remove and repair the auger assembly again, but the repairs were found to be short-lived. The auger shaft was found leaking water a second time the week of March 18th which is indicative that the repair failed again. The second failure demonstrates that the forces being applied to the auger during wash cycles exceed the tolerances of what a welded repair can support.

JUSTIFICATION

Vulcan Industries is the Original Equipment manufacturer (OEM) of the AWWTP wash press equipment. The replacement components being sought are specifically engineered for this wash press. No known alternative parts suppliers are available. Wash Press #3 is installed on the second largest capacity mechanical fine screen unit and critical to operations during high influent flow events. AWWTP staff desire to expedite appropriate repairs with OEM components to mitigate the potential risk of high influent flow hydraulic excursions to downstream treatment equipment and processes.

RECOMMENDATION:

I am requesting a sole source purchase award of wash press auger assembly replacement equipment from Vulcan Industries in the amount of \$25,666 with a 10% contingency of \$2,566 for a project total not to exceed \$28,232. Funding for the purchase would come from the AWWTP general O&M budget.

If you have any questions regarding this project, please contact Chris Stempa at 920-832-5945.

Encl: Finance Department Sole Source Request Form



SOLE SOURCE REQUEST

The undersigned certifies that the commodity/service shown below qualifies as a sole source request and meets one or more of the following requirements. The department has demonstrated, and the Purchasing Manager concurs that only one source exists, the price is equitable, and/or noncompetitive negotiation is in the best interests of the City.

- Unique, proprietary, or one-of-a-kind:** Specific commodity/service is required and available from only one source, giving the City a superior and necessary benefit that cannot be obtained from other sources.
- Inadequate competition:** Purchasing solicitation (bid, proposal, or quote) did not result in any qualified vendor responses and competition is determined to be inadequate.
- Health or Safety Concern:** When a health or safety concern exists that is **not** an immediate threat but needs to be addressed in a period that does not allow for formal competitive procurement procedures.
- Continuity of design:** Consistency with current commodity or service.
- Emergency procurement:** A risk of human suffering or substantial damage to real or personal property exists requiring immediate attention.
- Cooperative purchase:** Purchase from another governmental unit contract or state approved purchasing association.
- Other:** Description provided below

PROPOSED DETAILS
Requesting dept: Wastewater Treatment Plant
Product/service: Auger assembly
Vendor name: Vulcan Industries
Total cost: \$25,666

Justification and price quotation provided by the department, for the items to be considered and approved as a sole source purchase attached for review.

Jenifer Huss

3/21/2024

Purchasing Manager

Date



March 19, 2024

To: Fox Cities Transit Commission

From: Ronald C. McDonald, General Manager

Subject: Change Order Authorization for Furniture Purchase

Background:

Valley transit broke ground on the Whitman Ave. construction project in August 2023. The Fox Cities Transit Commission approved Valley Transit's request to issue a purchase order to Building Services Incorporated (BSI) for office furniture in September 2023. The purchase order is for furniture necessary for the project and was issued for \$259,187; \$236,533.77 plus contingency (10%) \$23,653.23.

Valley Transit is using Federal Section 5310 funds for a portion of the Whitman construction project that is designated office space for Valley Transit's Mobility Manager, Travel Trainer and future expansion of a demand response ADA dispatch. Furniture for this area was not included in the original purchase order because it was considered future expansion. As recommended by the Federal Transit Administration, Valley Transit will utilize its lapsing 5310 funding to support facility expenses, like furniture, related to the mobility management and paratransit functional areas of the facility renovation project.

Valley Transit is authorized to purchase office furniture through the State of Wisconsin competitive procurement, 505ENT-M20-OFFFURNITUR. BSI is an eligible dealer within the state contract. BSI provided a proposal for the additional furniture which exceeds the contingency included in the existing purchase order.

Fiscal Impact:

BSI proposed furniture to cost \$45,652.43, including delivery and installation. Valley Transit has grant funds and has budgeted sufficiently to purchase this furniture.

Recommendation:

Staff recommends increasing Purchase Order #230721 to include labor and materials to furnish the new offices space for Valley Transit's Mobility Manager and Travel Trainer.



February 26, 2024

To: Fox Cities Transit Commission
City of Appleton Common Council

From: Ron McDonald, General Manger

Subject: Award Recommendation for Paratransit Scheduling & Dispatch Software (ADA & Ancillary)

BACKGROUND

Valley Transit owns software to assist with the scheduling and dispatch of demand response rides provided by our service contractor (Running Inc). Running Inc staff use the software to manages rides provided under six transportation services/programs: Valley Transit II; Senior Transportation Service; VT Connector; Northern Winnebago Dial A Ride; Outagamie County Rural; and Outagamie County Human Services Transportation. The software helps Running Inc. staff to determine the eligibility of each requested trip, record trip reservations, produce daily manifests for each vehicle, monitor on-time performance, track vehicles, and other operational support. Valley Transit staff use the software to enter eligible riders, access data from each ride, and monitor services provided by Running Inc. The current software was purchased from a vendor named Ecolane in 2019. Valley Transit's 5-year contract with Ecolane expires on July 8, 2024.

In preparation for this procurement, Valley Transit staff developed a request for proposal (RFP) to solicit contractors to provide a scheduling and dispatch software product. The scope of work included required features of the existing software and considered lessons learned from the previous software vendors. City of Appleton IT staff provided input on the data security and storage elements of the scope.

The RFP document was sent directly to vendors who were known scheduling and dispatch software suppliers; posted on the State of Wisconsin's Vendornet system; and advertised online with the *Post-Crescent*, *Oshkosh Northwestern* and *Green Bay Press Gazette*. Proposals were due on January 26, 2024. Six proposals were received. The proposing vendors included: Ecolane USA, Inc. (Wayne, PA); CTS (Swansboro, NC); HBSS (Lowell, MA); IT Curves (Gaithersburg, MD); Spare Labs (Vancouver, BC); and Via Mobility, LLC (New York, NY). All proposals were deemed responsive by meeting the mandatory requirements cited in the RFP.

ANALYSIS

Each proposal was reviewed by the evaluation team based on the proposed solution, experience/qualifications, technical support, training & price. The evaluation team unanimously agreed that the proposals from Ecolane and Via should move forward with the evaluation. Both Ecolane and Via were invited to a demonstration and interview held on February 28, 2024. After

considering all factors, the evaluation team unanimously concluded that Ecolane USA, Inc. (Wayne, PA) had proposed the best value for Valley Transit.

Ecolane's scheduling and dispatch software is used by over 300 agencies in the United States, including several transit properties in Wisconsin. All references provided positive comments and all cited a track record of continual improvements resulting from use of Ecolane's software.

A summary of the tools & features of the new system includes: intuitive and effective scheduling; ability to handle multiple programs with complex service boundaries; cloud-based server; data security measures; effective training & support; web interface for all browsers; detailed client screen; GTFS interface (displays when bus is better option); vehicle tracking; detailed reports & ability to create ad-hoc reports; data integration with Valley Transit's TransTrack database; administrative software with custom user permissions; access to data in established reports or raw format; and proven success at similar sized transit systems. Valley Transit currently uses Ecolane's legacy software product and will transition to Ecolane's new product, called EVOLUTION, this spring.

Since Ecolane is Valley Transit's current provider, there will be no need to purchase new hardware (tablets, power cords or mounting) for Running's fleet of vehicles.

FISCAL IMPACT

The project will have a total year-one fiscal impact of \$27,520, which is within the 2024 budget line item for this software service. The software's annual service fee remains at \$27,520 for years 2-8 of the contract.

RECOMMENDATION

Staff recommends authorization for Valley Transit to enter into an 8-year contract with Ecolane USA, Inc. to provide Scheduling & Dispatch Software according to the amounts listed above.

13-24

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

(Municipal Services Committee 3-20-2024)

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

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

INSTALL ALL-WAY STOP CONTROL at:

Capitol Drive / Conkey Street intersection

Section 2: This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication, the Traffic Engineer is authorized and directed to erect and maintain the appropriate standard traffic signs, signals and markings, giving notice of the provisions of this Ordinance.

14-24

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 3-20-2024)

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

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

Parking be prohibited on the west side of Drew Street from North Street to a point 64 feet north of North 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.

15-24

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 4-3-2024)

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 207 North Green Bay Road (Tax Id #31-1-0738-00), including to the center line of the adjacent street right-of-way from R-2 Two-Family District to R-1B Single-Family District. (Rezoning #1-24 – 207 N. Green Bay Road)

LEGAL DESCRIPTION:

LAWSBURG PLAT 1WD THAT PRT LOTS 4, 5, 15 & 16 LYG SOUTH OF LINE IN 671R114 OF BLK D; SUBJ TO SHARED DRIVEWAY AGREEMENT PER DOC #2193366, INCLUDING TO THE CENTERLINE OF THE ADJACENT STREET RIGHT-OF-WAY, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

COMMON DESCRIPTION:

207 North Green Bay Road (Tax Id #31-1-0738-00), including to the center line of the adjacent street right-of-way

Section 2: This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map

in accordance with this Ordinance.

16-24

AN ORDINANCE AMENDING SECTION 12-127 OF CHAPTER 12 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO FALSE ALARM FEE.

(Safety and Licensing Committee – 3-20-2024)

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

Section 1: That Section 12-127 of Chapter 12 of the Municipal Code of the City of Appleton, relating to false alarm fee, is hereby amended to read as follows:

Sec. 12-127. False alarm fee.

(a) Any fees payable to the City which are delinquent may be assessed against the property involved as a special charge for current service, without notice, pursuant to Wisconsin Statutes Annotated §66.0627.

(b) If the Police Department responds to a false alarm, the alarm user shall pay the City a fee according to the following schedule of fees for any false alarm occurring in a calendar year:

- (1) First false alarm..... No charge
- (2) Second false alarm\$50.00
- (3) Third, fourth and fifth false alarms\$100.00
- (4) Sixth, seventh and eighth false alarms\$200.00
- (5) Ninth, tenth, and eleventh false alarms\$300.00
- (6) Twelfth and subsequent false alarm.....\$600.00

(c) Discontinuance of response.

(1) If the Police Department is cancelled by the emergency communications center while responding to an alarm, the alarm user may still be assessed a fee for a false alarm.

(2) In cases where the alarm user has twelve (12) or more false alarms within a

six- (6-) month period the Police Department may suspend response after the Chief of Police or designee sends written notification to the alarm user. In order to lift the suspension, the alarm user shall submit written confirmation to the Chief of Police or designee that the alarm system has been inspected and repaired, if necessary, and/or additional measures have been taken to reduce the number of false alarms at that location. If the Chief of Police or designee determines that the actions taken are likely to prevent the occurrence of additional false alarms, the Police Department shall lift the suspension.

(d) Exceptions and appeals.

(1) A fee shall not be charged if any of the following apply:

- a. The alarm was activated by criminal activity or a legitimate emergency.
- b. The alarm was activated after a power outage that lasted more than four (4) hours.
- c. The alarm was activated after the premises was damaged by weather conditions.
- d. The Fire Department has assessed a fee for a false fire alarm.
- e. The Police Department was cancelled prior to arriving at the premises and documentation is provided that enhanced call verification or verified response was properly utilized.

(2) An alarm user may appeal the assessment of a false alarm fee by submitting written documentation to the Police Chief or designee within ten (10) business days after notification of the assessment of a fee. The Chief or designee must inform the alarm user of the decision in writing. If the alarm user further contests the Chief or designee's decision within ten (10) days of receiving the Chief or designee's decision, the alarm user may seek review by the Safety and Licensing Committee by submitting a written notification to the City Clerk's Office.

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

17-24

AN ORDINANCE AMENDING SECTION 7-70 OF CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO EXTERMINATION.

(Board of Health – 3-20-2024)

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

Section 1: That Section 7-70 of Chapter 7 of the Municipal Code of the City of Appleton, relating to extermination, is hereby amended to read as follows:

Sec. 7-70. Extermination.

(a) ***Residential premises.*** Whenever rat holes, burrows, or other evidence of rat infestation are found on any residential premises within the city, the Health Department shall be notified of existing conditions. Upon verification of such conditions, the Health Officer, or designee, shall notify the owner or owners of the infested premises of the infestation and make such orders as necessary to exterminate the rats.

(b) ***Other premises.*** Whenever rat holes, burrows, or other evidence of rat infestation are found on any premises or building within the city that is not included in subsection (a), the owner or manager of such property shall exterminate the rats. Within fourteen (14) days after extermination, the owner or manager shall cause all of the rat holes or burrows in the ground to be filled with earth or other suitable material.

(c) ***Penalty for violation of this section.*** Any person who violates any provision of this section, including any lawful orders issued by the Health Officer or designee, shall forfeit not less than \$50, plus the cost of the action. Each violation and each day that a violation continues or occurs shall constitute a separate offense. Nothing in this subsection shall preclude the City from maintaining any other appropriate action or actions to prevent and/or remove a violation of this article.

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

18-24

AN ORDINANCE CREATING SECTION 7-71 OF CHAPTER 7 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO INTERPRETATION OF ARTICLE.

(Board of Health – 3-20-2024)

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

Section 1: That Section 7-71 of Chapter 7 of the Municipal Code of the City of Appleton, relating to interpretation of article, is hereby created to read as follows:

Sec. 7-71. Interpretation of article.

Nothing in this article shall be construed or interpreted to in any way impair or limit the authority of the City to define or declare nuisances or of the Inspection Supervisor or the Health Department to cause the removal or abatement of nuisances, summary proceedings, or other applicable orders or proceedings.

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