



# City of Appleton

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

## Meeting Agenda - Final Common Council

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Wednesday, July 17, 2024

7:00 PM

Council Chambers

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- 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  
[24-0867](#) Common Council Meeting Minutes of June 19, 2024

**Attachments:** [CC Minutes 6-19-24.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR  
[24-0924](#) Flag Day Parade Award Winners

- [24-0925](#) Proclamations
  - Make Music Day
  - Childrens Week
  - Glioblastoma Awareness Day
  - Parks & Recreation Month

**Attachments:** [Make Music Day 2024.pdf](#)

[Childrens Week Proclamation 2024.pdf](#)

[Glioblastoma Awareness Day Proclamation 2024.pdf](#)

[Parks and Recreation Month Proclamation 2024.pdf](#)

- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS

[24-0784](#) Public Hearing for Rezoning #5-24 1313 E. Amelia Street and 1319 N. Owaissa Street from R-1B Single Family District to R-1C Central City Residential District

**Attachments:** [RZ #5-24 Notice of Public Hearing.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[24-0766](#) Resolution #7-R-24 To Rescind the No Mow May Ordinance Language

**Attachments:** [#7-R-24 Rescind No Mow May.pdf](#)

[WeedComplaintData\\_MSC\\_Memo06062024.pdf](#)

[No Mow May Resolution Resident Handout.pdf](#)

[No Mow May Resolution Substitute AS AMENDED.pdf](#)

**Legislative History**

6/10/24	Municipal Services Committee	held
	<i>Hold until next scheduled meeting.</i>	
6/24/24	Municipal Services Committee	recommended for approval
6/24/24	Municipal Services Committee	amended
	<i>Amended by substitution (as attached).</i>	
6/24/24	Municipal Services Committee	amended
6/24/24	Municipal Services Committee	amended
	<i>Amended the amendment from 12" to 10".</i>	

[24-0754](#) Approve the request from Lil Taco for a street occupancy permit to place tables and chairs at 106 S. State Street.

**Attachments:** [4 Lil Taco Tables & Chairs Permit.pdf](#)

[24-0754 Lil Taco Occupancy Permit App - Comments for 06-24-24 MSC Mtg Mi](#)

**Legislative History**

6/10/24	Municipal Services Committee	held
	<i>Hold until next scheduled meeting.</i>	
6/24/24	Municipal Services Committee	recommended for approval

[24-0838](#)

Approve the request from Rise Apartments, LLC for a permanent street occupancy permit at 113 W. Harris Street for two door swing areas and two associated concrete stoops to extend into the Harris Street right-of-way a maximum of 4 feet.

**Attachments:** [Rise Apartments LLC - Permanent Occupancy Permit App MSC 06-24-2024.pdf](#)

**Legislative History**

6/24/24	Municipal Services Committee	recommended for approval
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[24-0839](#)

Approve the request to extend street occupancy permit 24-027-T from The Boldt Company for a street occupancy permit for the Fox Commons City Center Plaza project along College Avenue from City Center East to the entrance of City Center West for a period ending on August 15, 2024.

**Attachments:** [Boldt College Ave Occupancy Permit Extension MSC final 06-24-2024 .pdf](#)

**Legislative History**

6/24/24	Municipal Services Committee	recommended for approval
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## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0834](#)

Non-Renewal of the Class "B" Fermented Malt Beverage & "Class B" Liquor License for Corner Pub, 1123 N Mason Street. Kim Williams, Agent.

**Attachments:** [Corner Pub Alcohol Lic Non-Renewal MEMO - Atty.pdf](#)  
[2024 Corner Pub Non-Renewal Hearing Notice.pdf](#)  
[2023 Non-Use of License Letter- Corner Pub.pdf](#)  
[CORNER\\_PUB 2023 Inspection Report.pdf](#)  
[CORNER\\_PUB 2024 Inspection Report.pdf](#)  
[Corner Pub 2024.2025 Renewal.pdf](#)  
[Kim Williams-inspection letter.pdf](#)  
[Inspections S&L Memo- Corner Pub 7-9-2024.pdf](#)  
[7-10-24 - Corner Pub- Report of S&L to Common Council.pdf](#)

**Legislative History**

6/26/24	Safety and Licensing Committee <i>Kim Williams addressed the committee</i>	held
7/10/24	Safety and Licensing Committee <i>Motion failed 2/3</i>	recommended for approval

- 7/10/24 Safety and Licensing Committee recommended for approval  
*Approve a 60 day extension (commencing July 10th) for the licensee to complete remaining work to reopen the business and for the alcohol license to no longer be deemed abandoned.  
 Motion failed 2/3.*
- 7/10/24 Safety and Licensing Committee recommended for approval  
*Approve the non-renewal of the alcohol license in accordance with the findings of the attached report.  
 Motion carried 3/2.*

[24-0879](#)

Police Department Sole Source Memo for TimeClock Plus LLC Contract.

**Attachments:** [Aladtec Sole Source - SL 2024.pdf](#)  
[Q032584 - Appleton Police Department\\_preview \(1\) \(1\).pdf](#)

**Legislative History**

- 7/10/24 Safety and Licensing Committee recommended for approval

[24-0835](#)

Hop Yard Ale Works Full-Service Retail Outlet Permit for Flicks & Sips on 8/16/2024 in Jones Park.

**Attachments:** [Ab-105 Flicks Sips\\_Redacted.pdf](#)

**Legislative History**

- 6/26/24 Safety and Licensing Committee recommended for approval

[24-0808](#)

Mobile Home Park License Renewal Application for Fox Valley Estates, located at 106 Primrose Lane, contingent on approval from the Inspections and Finance departments.

**Attachments:** [Fox Valley Estates- Mobile Home Park Renewal.pdf](#)

**Legislative History**

- 6/26/24 Safety and Licensing Committee recommended for approval

[24-0821](#)

"Class C" Wine License application for Bowinator LLC d/b/a Ukiyo, Corbin Schiedermayer, Agent, located at 207 W. College Ave., contingent upon approval from the Inspections and Public Works departments.

**Attachments:** [Bowinator LLC Ukiyo Class C App Redacted.pdf](#)

**Legislative History**

- 6/26/24 Safety and Licensing Committee recommended for approval

[24-0822](#) Class "B" Beer & Reserve "Class B" Liquor License application for Mondo Wine LLC d/b/a Mondo on the River, David Oliver, Agent, located at 425 W. Water St, Ste 100, contingent upon approval from Health and Inspections departments.

**Attachments:** [Mondo Wine LLC Class B Beer.Reserve Class B Liquor 2024 Redacted.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0825](#) Class "A" Beer and "Class A" Liquor License application for Walgreen Co. d/b/a Walgreens #12693, Andrew Krueger, Agent, located at 729 W. Northland Ave.

**Attachments:** [Walgreens 12693 Redacted.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0826](#) Class "A" Beer and "Class A" Liquor License application for Walgreen Co. d/b/a Walgreens #07323, Garrette Kersten, Agent, located at 3330 E. Calumet St.

**Attachments:** [Walgreens 12693 Redacted.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0827](#) Class "A" Beer and "Class A" Liquor License application for Walgreen Co. d/b/a Walgreens #12019, Amber Janssen, Agent, located at 2803 N. Meade St.

**Attachments:** [Walgreens 12019 Redacted.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0828](#) Class "A" Beer and "Class A" Liquor License application for Walgreen Co. d/b/a Walgreens #02921, Stephanie Schroeder, Agent, located at 1901 S. Oneida St.

**Attachments:** [Walgreens 2921 Redacted.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0829](#) Class "B" Beer and Reserve "Class B" Liquor License application for Dairyland Brewing Co LLC d/b/a Dairyland Brew Pub, Dorri Schmidt, Agent, located at 1216 E. Wisconsin Ave, contingent upon approval from the Finance department.

**Attachments:** [Dairyland Brew Pub Redacted.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0830](#) Cigarette, Tobacco, and Electronic Vaping Device License application for 1619 College Ave LLC d/b/a Nanglo Momos And Curry, Sandip Bhandari, Agent, located at 1619 W. College Ave.

**Attachments:** [Nanglo Momos & Curry Tobacco Redacted.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0831](#) Cigarette, Tobacco, and Electronic Vaping Device License application for Richmond Smokeys Tobacco Inc, Hussein Alobaidi, Agent, located at 2828 N. Richmond St Unit 2.

**Attachments:** [Richmond Smokeys Tobacco Inc Redacted.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0832](#) 2024-2025 Late Late Alcohol License Renewal applications, contingent upon approval from all departments by 12:00 p.m. on June 28, 2024.

**Attachments:** [Late 2024-25 Alcohol License Renewals S&L.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0833](#) 2024-2025 Late Cigarette, Tobacco, and Vaping Device License renewal applications.

**Attachments:** [2024-2025 Late C.T.V Renewals 3rd Round.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0840](#) Class "A" Beer and "Class A" Liquor License application for Walgreen Co. d/b/a Walgreens #05102, Sarah Loeck, Agent, located at 700 W. College Ave.

**Attachments:** [Walgreens 5102 Redacted.pdf](#)

**Legislative History**

6/26/24 Safety and Licensing Committee recommended for approval

[24-0855](#) Cigarette, Tobacco, and Electronic Vaping Device License renewal application for D8D by 4H4 LLC d/b/a The Dispensary, William Nething, Agent, located at 3020 E. College Ave Ste N.

**Attachments:** [Dispensary Tobacco App Redacted.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing Committee recommended for approval

[24-0857](#) Class "B" Beer & Reserve "Class B" Liquor License application for 1619 College Ave LLC d/b/a Nanglo Momos And Curry, Sandip Bhandari, Agent, located at 1619 W. College Ave, contingent upon approval from the Health and Inspections departments.

**Attachments:** [Nanglo Momos & Curry Class B Beer.Reserve Class B Liquor App Redacted.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing Committee recommended for approval

[24-0858](#) Salvage Dealer Renewal application for Golper Supply Co Inc, David Golper, Applicant, located at 1810 W. Edgewood Dr, contingent upon approval from the Inspections department.

**Attachments:** [Golper Supply Co Inc 2024 Renewal Redacted.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing Committee recommended for approval

[24-0859](#) Salvage Dealer Renewal application for Mach IV Motors LLC, Kara Tullberg, Applicant, located at 600 E. Hancock St, contingent upon approval from the Inspections department.

**Attachments:** [Mach IV Motors LLC 2024 Renewal Redacted.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing Committee recommended for approval

[24-0860](#) Class "B" Beer and "Class B" Liquor Temporary Premise Amendment application for Spats Food and Spirits LLC d/b/a Spats Food and Spirits, Nicholas Kapleim, Agent, located at 733 W. College Ave., from August 1-August 4, 2024 for Special Event, contingent upon approval from the Inspections and Finance Departments.

**Attachments:** [Spats Temp Premise Amendment 2024.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing recommended for approval  
Committee

[24-0861](#) Class "B" Beer and "Class B" Liquor Temporary Premise Amendment application for TNE Inc d/b/a Emmett's Bar & Grill, Sharon Reader, Agent, located at 139 N. Richmond St., from August 1-August 4, 2024 for Mile of Music Event, contingent upon approval from the Police, Health, Inspections, Public Works, and Finance Departments.

**Attachments:** [Emmetts Premise Amend. 8.1.24.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing recommended for approval  
Committee

[24-0864](#) Cigarette, Tobacco, and Vaping Device License renewal application for Family Dollar Stores of Wisconsin, LLC d/b/a Family Dollar #23800, Joshua Nigbor, Agent, located at 808 W. Wisconsin Ave.

**Attachments:** [Family Dollar 23800 Redacted.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing recommended for approval  
Committee

[24-0865](#) Cigarette, Tobacco, and Vaping Device License renewal application for Indianhead Oil Co., LLC d/b/a Circle K #2746526, Brad Larson, Agent, located at 1935 E. Calumet St.

**Attachments:** [Circle K Tobacco Redacted.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing recommended for approval  
Committee

[24-0866](#) Class "A" Beer & "Class A" Liquor License application for Indianhead Oil Co., LLC d/b/a Circle K #2746526, Brad Larson, Agent, located at 1935 E. Calumet St, contingent upon approval from the Finance Department.

**Attachments:** [Indianhead Oil LLC Class A Beer.Liquor App Redacted.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing recommended for approval  
Committee



- [24-0869](#) Class "A" Beer & "Class A" Liquor License application for Lindo Michoacan Mexican Restaurant LLC d/b/a Lindo Michoacan, Pedro Juarez, Agent, located at 211 N. Richmond St.  
**Attachments:** [Lindo Michoacan Class A Combo App Redacted.pdf](#)
- Legislative History**
- |         |                                |                          |
|---------|--------------------------------|--------------------------|
| 7/10/24 | Safety and Licensing Committee | recommended for approval |
|---------|--------------------------------|--------------------------|
- [24-0870](#) Class "B" Beer & Reserve "Class B" Liquor License application for Lindo Michoacan Mexican Restaurant LLC d/b/a Lindo Michoacan, Pedro Juarez, Agent, located at 207 N. Richmond St.  
**Attachments:** [Lindo Michoacan Class B Reserve Combo App Redacted.pdf](#)
- Legislative History**
- |         |                                |                          |
|---------|--------------------------------|--------------------------|
| 7/10/24 | Safety and Licensing Committee | recommended for approval |
|---------|--------------------------------|--------------------------|
- [24-0871](#) Class "B" Beer and "Class B" Liquor Temporary Premise Amendment application for Wooden Nickel Restaurant & Lounge, Inc d/b/a Wooden Nickel Sports Bar and Grill, Anthony Mueller, Agent, located at 217 E. College Ave., from 11 a.m. to 12 a.m. August 1-August 4, 2024 for Mile of Music, contingent upon approval from all Departments.  
**Attachments:** [Wooden Nickel Temp Premise Amend. 8.1.24.pdf](#)
- Legislative History**
- |         |                                |                          |
|---------|--------------------------------|--------------------------|
| 7/10/24 | Safety and Licensing Committee | recommended for approval |
|---------|--------------------------------|--------------------------|
- [24-0872](#) Class "B" Beer and "Class B" Liquor Temporary Premise Amendment application for DDCT, Inc d/b/a Jim's Place, Stacy Hoffman, Agent, located at 223 E. College Ave., from 11 a.m. to 12 a.m. August 1-August 4, 2024 for Mile of Music, contingent upon approval from all Departments.  
**Attachments:** [Jim's Place Temp Premise Amend. 8.1.24.pdf](#)
- Legislative History**
- |         |                                |                          |
|---------|--------------------------------|--------------------------|
| 7/10/24 | Safety and Licensing Committee | recommended for approval |
|---------|--------------------------------|--------------------------|
- [24-0874](#) Pet Store renewal application for Wild Habitats, Brady Bartel, Applicant, located at 1350 W. College Ave, contingent upon approval from all departments.  
**Attachments:** [Wild Habitats 2024 Renewal Redacted.pdf](#)
- Legislative History**
- |         |                                |                          |
|---------|--------------------------------|--------------------------|
| 7/10/24 | Safety and Licensing Committee | recommended for approval |
|---------|--------------------------------|--------------------------|

[24-0882](#) Class "B" Beer & Reserve "Class B" Liquor License application for DCMX LLC d/b/a Gingerootz, Mylee Xiong, Agent, located at 2920 N. Ballard Rd Ste A, contingent upon approval from the Finance Department.

**Attachments:** [Gingerootz Class B Combo App Redacted.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing Committee recommended for approval

[24-0891](#) Class "B" Beer and "Class C" Wine License application for Moon Water Cafe LLC d/b/a Moon Water Cafe, Shannon Boegh, Agent, located at 606 North Lawe St.

**Attachments:** [Moon Water Cafe App Redacted.pdf](#)

**Legislative History**

7/10/24 Safety and Licensing Committee recommended for approval

### 3. MINUTES OF THE CITY PLAN COMMISSION

[24-0738](#) Request to approve Rezoning #5-24 for the subject parcels located at 1313 East Amelia Street (Tax Id #31-1-1926-00) and 1319 North Owaissa Street (Tax Id #31-1-1927-00), including to the centerline of the adjacent street right-of-way, as shown on the attached maps, from R-1B Single-Family District to R-1C Central City Residential District

**Attachments:** [StaffReport\\_1313Amelia+1319Owaissa\\_Rezoning\\_For06-12-24.pdf](#)

**Legislative History**

6/12/24 City Plan Commission recommended for approval  
*Proceeds to Council on July 17, 2024.*

[24-0851](#) Request to approve the Lumbini Estates Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

**Attachments:** [StaffReport\\_LumbiniEstates\\_FinalPlat\\_For7-10-24.pdf](#)

**Legislative History**

7/10/24 City Plan Commission recommended for approval

### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

### 5. MINUTES OF THE FINANCE COMMITTEE

[24-0842](#) Request to approve the 2025 Special Assessment Policy

**Attachments:** [2025 Assessment Policy Finance Memo 06-24-2024.pdf](#)

[2025 Assessment Policy - 7-17-24.pdf](#)

**Legislative History**

6/24/24 Finance Committee recommended for approval

[24-0844](#) Request to award AWWTP Phase II Belt Filter Press Equipment Upgrades Project Base Bid with Alternate Bid to Staab Construction in the amount of \$4,627,000 with 4.65% contingency of \$215,119 for a project total not to exceed \$4,842,119.

**Attachments:** [Phase 2 BFP Equip Upgrades Project Bid Award Staab.pdf](#)

**Legislative History**

6/24/24 Finance Committee recommended for approval

[24-0845](#) Request to approve Change Order #8 to Staab Construction contract as part of the AWWTP Phase I Belt Filter Press Equipment Upgrades Project totaling \$66,293 resulting in a decrease in contingency from \$675,538 to \$609,245.

**Attachments:** [Change Order 8 Staab.pdf](#)

**Legislative History**

6/24/24 Finance Committee recommended for approval

[24-0887](#) Request to approve Transportation Project Plat and Relocation Order for the Olde Oneida Street Bridge over South Mill Race Project.

**Attachments:** [49840121\\_TPP\\_6.25.24\\_signed.pdf](#)

**Legislative History**

7/8/24 Finance Committee recommended for approval

[24-0889](#) Request to approve the following 2024 Budget amendment:

**Public Works Capital Project Fund**

Public Safety Camera Program	+ \$110,904
Fund Balance Applied	+ \$110,904

To fund Public Safety Camera project costs.

**Attachments:** [Public Safety Camera Budget Amendment.pdf](#)

**Legislative History**

7/8/24 Finance Committee recommended for approval

[24-0898](#) Request to award the City of Appleton's 2024 Park Pavilions Roof Replacement Project contract to Schulze Exteriors, LLC in the amount of \$45,775 with a 15% contingency of \$7,000 for a project total not to exceed \$52,775.

**Attachments:** [2024 Parks Pavilion Roof Replacement.pdf](#)

**Legislative History**

7/8/24 Finance Committee recommended for approval

[24-0900](#)

Request to approve **AUDIT AGREEMENT FOR PAYMENT FOR LANDS OR INTERESTS IN LANDS ACQUIRED FROM PUBLIC UTILITY** needed for the City to be reimbursed by WisDOT for relocating water main in conjunction with the 2025 I-41/Ballard Road interchange reconstruction project.

**Attachments:** [DT1541 CoA WATR 1130-65-76 1130-65-41.pdf](#)

**Legislative History**

7/8/24 Finance Committee recommended for approval

## 6. MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE

[24-0690](#)

Request to award the contract for updating Appleton's Comprehensive Plan and Sub-Area Plans to SmithGroup in the amount of \$359,000 with a contingency of \$16,000 for a project total not to exceed \$375,000

**Attachments:** [AwardMemo\\_CompPlanUpdate+SubAreaPlanning\\_For7-10-24.pdf](#)

[RFP\\_CompPlanUpdate\\_SubAreaPlanning\\_Final\\_4-12-24.pdf](#)

[SmithGroup\\_Proposal\\_CompPlanUpdate+SubAreaPlanning\\_7-2-24.pdf](#)

**Legislative History**

7/10/24 Community Development Committee recommended for approval

[24-0691](#)

Request to award the contract for the Neighborhood Leadership Academy Program to NeighborWorks Green Bay in the amount of \$76,250 with a contingency of \$3,750 for a project total not to exceed \$80,000

**Attachments:** [AwardMemo\\_NeighborhoodLeadershipAcademy\\_For7-10-24.pdf](#)

[RFP\\_NeighborhoodLeadershipAcademy\\_4-12-24.pdf](#)

[NeighborWorksGreenBayProposal\\_NeighborhoodLeadershipAcademy\\_FINAL](#)

**Legislative History**

7/10/24 Community Development Committee recommended for approval

[24-0892](#)

Request to approve the First Amendment to the Offer to Purchase from F Street Manager 3, LLC to extend the inspection date and modify the purchase price for the approximately 14 acres located at the southwest corner of E. Vantage Drive and S. Eisenhower Drive in Southpoint Commerce Park Plat No. 3 (Tax Id #31-9-5712-00)

**Attachments:** [OTP Amendment FStreet Memo to CDC 7-10-24.pdf](#)

[1st Amendment to OTP\\_FStreet.pdf](#)

[BuyerSignedOTP+Addendum\\_AdjacentExcessLand\\_14Acres\\_FStreetManager](#)

[FStreet14 acre-Exhibit A.pdf](#)

**Legislative History**

7/10/24 Community Development Committee recommended for approval

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

[24-0897](#) Request to Approve Endpoint Switches for \$256,000.

**Attachments:** [Request to Approve Endpoint Switches for \\$256,000.pdf](#)  
[Endpoint Switches Sole source.pdf](#)

**Legislative History**

7/10/24	Human Resources & Information Technology Committee	recommended for approval
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**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION****10. MINUTES OF THE BOARD OF HEALTH**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[24-0868](#) Ordinances #96-24, #97-24, and #98-24 (Wheel Tax)

**Attachments:** [Ordinances to Council 7-17-24.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

S. ADJOURN

Kami Lynch, City Clerk

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

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



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, June 19, 2024

7:00 PM

Council Chambers

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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 Meltzer.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

*Alderperson Smith appeared virtually.*

**Present:** 16 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Patti Heffernan, 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

[24-0785](#)

Common Council Meeting Minutes of June 5, 2024

**Attachments:** [CC Minutes 6-5-24.pdf](#)

**Alderperson Hayden moved, seconded by Alderperson Meltzer, 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 Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Patti Heffernan, 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

[24-0816](#) Refugee Day Proclamation

**Attachments:** [Refugee Day 2024.pdf](#)

[24-0817](#) AZCO Recognition - Yellow Ramp Skywalk Improvements

**The recognition was presented to AZCO CEO, Earle Cianchette.**

[24-0818](#) Victim Services Officer - Facility K9 Overview

*Sgt. Lori Duven and K9 Edison presented the overview.*

[24-0819](#) Confirmation of Appointments

**Attachments:** [June 19 2024 Council Appointments Memo.pdf](#)

**Aldersperson Croatt moved, seconded by Aldersperson Alfheim, that the Appointments be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Patti Heffernan, 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

H. PUBLIC PARTICIPATION

*The following spoke regarding Item 24-0585 Resolution Increasing the Wheel Tax:  
Walter Blank, 2623 E Sundance Dr.  
Debra Blank, 2623 E Sundance Dr.*

*The following spoke regarding Item 24-0341 Resolution regarding the Sustainable Use of Pesticides:  
Israel Del Toro, 826 E South St.  
Relena Ribbons, 826 E Washington St.*

I. PUBLIC HEARINGS

[24-0673](#)

Public Hearing for Rezoning 4-24 841 W. Lawrence Street from C-2 General Commercial District to R-2 Two-Family District

**Attachments:** [RZ #4-24 Notice of Public Hearing.pdf](#)

*The Public Hearing was held. No one spoke during the hearing.*

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[24-0341](#)

Resolution #4-R-24 Sustainable Use of Pesticides

**Attachments:** [#4-R-23 Sustainable Use of Pesticides.pdf](#)  
[Memo RE 4.R.24 Sustainable Use of Pesticides Response.pdf](#)

**Aldersperson Meltzer moved, seconded by Aldersperson Wolff, that the Resolution be amended to add:**

**Let it be further resolved, that the City will share the list of pesticides used by posting it on the new City website. Roll Call. Motion failed by the following vote:**

**Aye:** 6 - Aldersperson Vered Meltzer, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Patti Heffernan, Aldersperson Alex Schultz and Aldersperson Nate Wolff

**Nay:** 9 - Aldersperson William Siebers, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

**Aldersperson Van Zeeland moved, seconded by Aldersperson Meltzer, that the Resolution be amended by substitution to read:**

**The record keeping of pesticides will be built into the Turf Management Policy so that when a pesticide is applied, a record is kept of what type of pesticide is applied and where the pesticide was applied.**

**Roll Call. Motion carried by the following vote:**

**Aye:** 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Patti Heffernan, 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



*This item was also referred to the Municipal Services Committee who held the item on 6/10/2024. Since Council has acted on the item (as reported by the Parks & Recreation Committee), the item will not come back before Municipal Services Committee.*

**Aldersperson Meltzer moved, seconded by Aldersperson Hartzheim, that the Resolution be approved as amended by substitution.**

**Roll Call. Motion carried by the following vote:**

**Aye:** 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Patti Heffernan, 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

[24-0768](#)

Adopt Resolution #2024-02 for the Wisconsin DNR IRA Urban Forestry Grant

**Attachments:** [WI DNR IRA Urban Forestry Grant Memo.pdf](#)

**Aldersperson Hartzheim moved, seconded by Aldersperson Croatt, that the Grant Resolution be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 15 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Patti Heffernan, 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

[24-0760](#)

Continue negotiations with Bird Rides for a 2024 Memorandum of Understanding.

**Attachments:** [10 2024 Bird MOU Recommendation.pdf](#)

**Aldersperson Fenton moved, seconded by Aldersperson Hartzheim, that the discontinuation of negotiations with Bird Rides be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Patti Heffernan, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Nay:** 1 - Aldersperson Alex Schultz

**Abstained:** 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

**Balance of the action items on the agenda.**

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

**Aye:** 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Martyn Smith, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Patti Heffernan, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[24-0750](#)

Approve the updated roadway design parameters for planned 2025 street reconstruction: Morrison Street, from Glendale Avenue to Pershing Street (1,480 ft), be reconstructed with asphalt pavement and concrete curb and gutter. The details of the proposed Morrison Street reconstruction project are as follows:

- ELIMINATE previously approved curb extensions (narrowing of the pavement) at Marquette St to serve as traffic calming.
- New asphalt pavement and concrete curb and gutter constructed to a width of 27' from back of curb to back of curb, which is 6' narrower than the existing street (33') within this portion of the project. UNCHANGED from previous design approval.
- Traffic calming circle constructed at the intersection with Lindbergh Street. UNCHANGED from previous design approval.
- Existing on-street parking would be restricted along the west side of Morrison Street, within the project limits. UNCHANGED from previous design approval.

DPW staff recommend the above change based on the new Complete Streets Design Guide standards, which were adopted after the referenced design recommendation was made at November 20, 2023 Municipal Services Committee.

**Attachments:** [1 Morrison St Informational Letter \(Modified Design Proposal\) 05-29-24.pdf](#)

**This Report Action Item was approved.**

[24-0752](#)

Approve the request from J.H. Findorff & Son Inc for a street occupancy permit for the Fox Commons City Center Plaza construction material loading, partial closure of College Avenue on Mondays and Wednesdays starting July 1, 2024 through November 15, 2024.

**Attachments:** [2 J.H Findorff & Son Inc 7-1-24 to 11-15-24.pdf](#)

**This Report Action Item was approved.**

[24-0753](#)

Approve the request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale on Friday August 2, Saturday August 3 and Sunday August 4, 2024 from 10:00am to 6:00 pm (during Mile of Music) on the College Avenue beautification strip from 900 W. College Avenue to 300 E. College Avenue.

**Attachments:** [3 Appleton Downton Inc and Mile of Music - 8-2 to 8-4-24.pdf](#)

**This Report Action Item was approved.**

[24-0755](#)

Approve the permanent street occupancy permit for brick veneer extending no more than 4-inches into the right-of-way at Jack's Apple Pub located at 535 W. College Avenue.

**Attachments:** [5 Jacks ApplePub - Brick Veneer.pdf](#)

**This Report Action Item was approved.**

[24-0756](#)

Approve the permanent street occupancy permit for building awning projecting 4-feet maximum into the right-of-way with a minimum clearance of 10-feet at Jack's Apple Pub located at 535 W. College Avenue.

**Attachments:** [6 Jacks ApplePub - Awning.pdf](#)

**This Report Action Item was approved.**

[24-0757](#)

Approve the temporary street occupancy permit for a sidewalk closure related to building façade improvement at Jack's Apple Pub located at 535 W. College Avenue.

**Attachments:** [7 Jacks ApplePub-Mason Doctor Sidewalk Closure.pdf](#)

**This Report Action Item was approved.**

[24-0758](#)

Approve the award of Service Contract for Traffic Signal Control and Management Software.

**Attachments:** [8 SISP Contract Award.pdf](#)

**This Report Action Item was approved.**

[24-0759](#)

Approve the award of the Unit Q-24 Pavement Marking Maintenance Contract (Paint).

**Attachments:** [9 Q-24 Pavement Marking Contract Award.pdf](#)

**This Report Action Item was approved.**

[24-0761](#)

Create an ordinance prohibiting short-term rental of electric scooters to the general public.

**This Report Action Item was approved.**

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0743](#)

Fire Department Automatic Aid Agreement with the Village of Fox Crossing Fire Department.

**Attachments:** [AFD Auto Aid Fox Crossing 2024.pdf](#)

**This Report Action Item was approved.**

[24-0748](#)

2024-2025 Late Alcohol License Renewal applications, contingent upon approval from all departments by 12:00 p.m. on June 28, 2024

**Attachments:** [Late 2024-25 Alcohol License Renewals.pdf](#)

**This Report Action Item was approved.**

[24-0749](#)

2024-2025 Late Cigarette, Tobacco, and Vapor Product License Renewals

**Attachments:** [2024-2025 Late C.T.V Renewals.pdf](#)

**This Report Action Item was approved.**

[24-0663](#)

Taxicab Company License Renewal Application for Dynasty Limousine Service LLC, Owner, Diana Wolters, 1900 Vandenberg Ln, Kaukauna, WI 54130.

**Attachments:** [Dynasty Limousine Service LLC - Taxicab Co Renewal.pdf](#)

**This Report Action Item was approved.**

[24-0683](#)

Class "B" Beer and "Class B" Liquor License application for Mauthe Ventures LLC d/b/a No Idea Bar, Jennifer Mauthe, Agent, located at 109 W College Ave, contingent upon approval from the Health department.

**Attachments:** [Mauthe Ventures LLC No Idea Bar App Redacted.pdf](#)

**This Report Action Item was approved.**

[24-0684](#)

Class "B" Beer and "Class B" Liquor License application for Mauthe Ventures LLC d/b/a Bazil's Pub & Provisions, Jennifer Mauthe, Agent, located at 109 W College Ave, contingent upon approval from the Health department.

**Attachments:** [Mauthe Ventures LLC Bazil's Pub App Redacted.pdf](#)

**This Report Action Item was approved.**

[24-0685](#)

Class "B" Beer and Reserve "Class B" Liquor License application for Mauthe Ventures LLC d/b/a Olde Town Tavern, Jennifer Mauthe, Agent, located at 107 W College Ave, contingent upon approval from the Health department.

**Attachments:** [Mauthe Ventures LLC Olde Town Tavern App Redacted.pdf](#)

**This Report Action Item was approved.**

[24-0699](#)

Salvage Dealer Renewal application for Mr C's Motorcycles LLC, Janet Ristau, Applicant, located at 724 S. Outagamie St, contingent upon approval from the Inspections department.

**Attachments:** [Mr. Cs Motorcycles LLC 2024 Renewal Redacted.pdf](#)

**This Report Action Item was approved.**

[24-0702](#)

Pet Store renewal application for Just Pets, Craig Weborg, Applicant, located at 2009 N. Richmond St, contingent upon approval from the Inspection and Community Development departments.

**Attachments:** [Just Pets 2024 Renewal Redacted.pdf](#)

**This Report Action Item was approved.**

[24-0704](#)

Class "B" Beer and "Class B" Liquor Temporary Premises Amendment application for S C Carrow Corp d/b/a Rookies Sports Bar & Grill, Steven C. Carrow, Agent, located at 325 N. Appleton St, from 11 a.m. to 2 a.m., August 1-4, 2024 for Mile of Music Event, contingent upon approval from the Health Department.

**Attachments:** [Rookies Sports Bar Temp Premise Amend. for 8.2024.pdf](#)

**This Report Action Item was approved.**

[24-0708](#)

Taxicab Company License Application for Z's Overflow LLC d/b/a Phoenix Transportation, Owner, Zonea Mims, 1280 S. Van Dyke Rd. #3, Appleton, WI 54914, contingent upon approval from the Inspections department.

**Attachments:** [Z's Overflow LLC - Taxicab Co Application.pdf](#)

**This Report Action Item was approved.**

[24-0751](#)

Pet Store renewal application for Fish Cave LLC, Ton Vang, Applicant, located at 2110 S Memorial Dr, contingent upon approval from the Inspection and Community Development departments.

**Attachments:** [Fish Cave LLC Renewal 2024 Redacted.pdf](#)

**This Report Action Item was approved.**

### 3. MINUTES OF THE CITY PLAN COMMISSION

[24-0632](#)

Request to approve Rezoning #4-24 for the subject parcel located at 841 West Lawrence Street (Tax Id #31-3-0899-01), including to the centerline of the adjacent railroad line and the adjacent one-half (1/2) right-of-way of West Lawrence Street, South Badger Avenue and South Pierce Avenue, as shown on the attached maps, from C-2 General Commercial District to R-2 Two-Family District

**Attachments:** [StaffReport\\_841WLawrenceSt\\_Rezoning\\_For05-22-24.pdf](#)

**This Report Action Item was approved.**

[24-0739](#)

Request to approve the wetland restriction modification for Lots 90 - 97 of North Edgewood Estates 3 (Tax Id #31-1-7612-20, #31-1-7612-21, #31-1-7612-22, #31-1-7612-23, #31-1-7612-24, #31-1-7612-25, #31-1-7612-26, and #31-1-7612-27) as requested and shown on the attached documents and subject to the condition in the attached memo

**Attachments:** [StaffMemo\\_NorthEdgewoodEstates3\\_RestrictionModification\\_For06-12-24.pdf](#)  
[AffidavitOfCorrection\\_NorthEdgewoodEstates3\\_RestrictionModification.pdf](#)  
[WetlandDelineationMap\\_NorthEdgewoodEstates3\\_RestrictionModification.pdf](#)  
[RecordedPlat2021\\_NorthEdgewoodEstates3\\_RestrictionModification.pdf](#)

**This Report Action Item was approved.**

[24-0740](#)

Resolution #2024-03 - Supporting and Approving of the New Appleton (Fox Cities) Metropolitan Planning Organization (MPO) Policy Board Structure and Re-designation Agreement

**Attachments:** [MPOPolicyBoardStructure+RedesignationAgreement\\_Memo\\_6-5-24.pdf](#)  
[Resolution\\_NewAppleton\(FoxCities\)MPOPolicyBoardStructure+RedesignationAgreement.pdf](#)

**This Report Action Item was approved.**

### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[24-0701](#)

Request to Approve an amendment to the Houdini Plaza Lease Agreement

**Attachments:** [Houdini Plaza Lease Agreement Memo.pdf](#)

**This Report Action Item was approved.**

[24-0767](#)

Adopt the Proposed Revised Agreements for Stormwater Ponds at Memorial Park and Reid Golf Course

**Attachments:** [Reid and Memorial Park Stormwater Pond Agreements Memo.pdf](#)  
[Memorial Park Stormwater Agreement - Amended - CLEAN - 05-30-2024.pdf](#)  
[Memorial Park Stormwater Agreement - Amended - REDLINE - 05-30-2024.pdf](#)  
[Reid Stormwater Pond Agreement - Amended - CLEAN - 05-30-2024.pdf](#)  
[Reid Stormwater Pond Agreement - Amended - REDLINED - 05-30-2024.pdf](#)  
[2024 Stormwater Pond Market Value Analysis.pdf](#)

**This Report Action Item was approved.**

[24-0776](#)

Approve updated Park Pavilions and Special Areas Policy

**Attachments:** [Park Pavilions and Special Areas Memo.pdf](#)  
[2024 Pavilion Special Areas Policy - Redline - 6-5-2024\\_1.pdf](#)

**This Report Action Item was approved.**

## 5. MINUTES OF THE FINANCE COMMITTEE

[24-0779](#)

Request from the Appleton Police Department to paint a mural to be located on the east-facing concrete wall, between the lower garage and the upper parking deck, located at 222 S. Walnut Street as described in the attached documents and subject to the conditions in the attached staff memo.

**Attachments:** [PDMural\\_PublicArtsCommitteeRecommendation.pdf](#)

**This Report Action Item was approved.**

[24-0780](#)

Request to apply for a Safe Drinking Water Loan and to approve a Resolution declaring official intent to reimburse expenditures for loan disbursement payments.

**Attachments:** [Memo Resolution Intent to Reimburse.pdf](#)  
[Resolution 2024-04 - Intent to Reimburse.pdf](#)

**This Report Action Item was approved.**



[24-0781](#)

Request to award AWWTP Mix Liquor Channel Blower Replacement Project Base Bid Plus Alternative to Sabel Mechanical, in the amount of \$392,100 with 15% contingency of \$58,815 for a project total not to exceed \$450,915.

**Attachments:** [BidAward ML Channel Blower Sabel Contract.pdf](#)  
[AWWTP ML Blower Replacement Recommendation Bid Tab.pdf](#)

**This Report Action Item was approved.**

[24-0782](#)

Request to award the 2024 Lutz Park Trail and Shoreline Development Project contract to Vinton Construction Company in the amount of \$496,345.35 with a 20% contingency of \$99,269 for a project not to exceed \$595,614.35.

**Attachments:** [Lutz Park Trail and Shoreline Project Finance Memo.pdf](#)

**This Report Action Item was approved.**

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

[24-0688](#)

Request to approve the 2023 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program

**Attachments:** [CAPER Memo to CDC\\_6-12-24.pdf](#)  
[Appleton 2023PY CDBG CAPER Draft For Public Comment\\_05-17-24.pdf](#)

**This Report Action Item was approved.**

[24-0689](#)

Request to approve the REVISED 2024-2025PY (Program Year) Community Development Block Grant (CDBG) allocations as specified in the attached documents

**Attachments:** [CDBG 2024PY Final Allocation Memo to CDC\\_6-12-24.pdf](#)  
[Exhibit1 CDBG Final Allocations Project Descriptions 6-12-24.pdf](#)

**This Report Action Item was approved.**

[24-0770](#)

Request to approve a waiver to the Declaration of Covenants and Restrictions, Item 4.B for Southpoint Commerce Park allowing maximum lot coverage over 70% located at 3351 S. Eisenhower Drive (Tax Id #31-9-5714-01) subject to the conditions in the attached memo

**Attachments:**    [Waiver Request Encapsys Memo to CDC 6-12-24.pdf](#)  
[Waiver Request Email From Boldt Encapsys 5-28-24.pdf](#)  
[Subject Area Map Encapsys Southpoint Commerce Park.pdf](#)  
[SPCP Covenants.pdf](#)

**This Report Action Item was approved.**

## 7. MINUTES OF THE UTILITIES COMMITTEE

[24-0745](#)

Request Approval of the Electronic Compliance Maintenance Annual Report (eCMAR) for 2023 and Request the following Resolution be presented to Common Council for approval:

Whereas, the City of Appleton manages, operates, and maintains a sewer collection system and wastewater treatment plant; and

Whereas, treatment efforts produce a liquid effluent and a biosolids that are returned to the environment; and

Whereas, the State of Wisconsin evaluates wastewater utilities throughout the State of Wisconsin through an electronic Compliance Maintenance Annual Report (eCMAR); and

Whereas, Appleton received a score of 4.0 GPA; and

Whereas, the State of Wisconsin requests the Common Council pass a resolution accepting the eCMAR report;

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

Article 1. Continue supporting the treatment and maintenance programs at the utility

Article 2. Continue planning efforts that will address and promote long term performance results at the facility.

**Attachments:**    [2023 eCMAR Validated.pdf](#)

**This Report Action Item was approved.**

[24-0746](#)

Adopt the Proposed Revised Agreements for Stormwater Ponds at Memorial Park and Reid Golf Course

**Attachments:** [Reid and Memorial Park Stormwater Pond Agreements.pdf](#)  
[0821 - Memorial Park Stormwater Agrm - Amended - REDLINE - 05-30-2024.pdf](#)  
[0821 - Memorial Park Stormwater Agrm - Amended - CLEAN - 05-30-2024.pdf](#)  
[0820 - Reid Stormwater Pond Agrm - Amended - REDLINED - 05-30-2024.pdf](#)  
[0820 - Reid Stormwater Pond Agrm - Amended - CLEAN - 05-30-2024.pdf](#)

This Report Action Item was approved.

[24-0765](#)

Amend 2024A Stormwater Management Plan Review contract with Brown and Caldwell by an increase of \$25,000 for a total contract amount not to exceed \$75,000.

**Attachments:** [2024A Stormwater Plan Review amendment #1 UC Memo.pdf](#)

This Report Action Item was approved.

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

[24-0729](#)

Request to add 1.0 FTE Environmental Health Technician Position.

**Attachments:** [Health Re-org 2024 Memo.pdf](#)  
[Health Re-org 2024 JD.pdf](#)  
[Health TO Update TO.pdf](#)  
[OperationsSupervisorHealth.pdf](#)

This Report Action Item was approved.

[24-0730](#)

Request to Increase Public Health Nursing FTE from 4.0 to 4.1.

**Attachments:** [Nursing TO Change 2024.pdf](#)

This Report Action Item was approved.

[24-0731](#)

Request to Approve Metafile Conversion for \$43,571.

**Attachments:** [2024 Request to Approve \\$43,571 for Metafile Conversion.pdf](#)

This Report Action Item was approved.

[24-0742](#)

Police Department Table of Organization Modification Request and Addition of Police Officer Position.

**Attachments:** [APD Reorg Memo 2024.pdf](#)  
[APD reorg TO 2024.pdf](#)  
[APD Reorg Traffic Report.pdf](#)

This Report Action Item was approved.

## 9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[24-0773](#)

Approve Resolution No. 2024-03 Supporting and Approving of the New Appleton (Fox Cities) MPO Policy Board Structure and Redesignation Agreement

**Attachments:** [Resolution Memo.pdf](#)  
[COA Resolution No 2024-03.pdf](#)

This Report Action Item was approved.

## 10. MINUTES OF THE BOARD OF HEALTH

[24-0722](#)

Policy Review: N204 Tuberculosis Screening

**Attachments:** [POL\\_N204\\_TuberculosisScreening\\_06.05.2024.pdf](#)

This Report Action Item was approved.

## M. CONSOLIDATED ACTION ITEMS

[24-0815](#)

Consolidated Action Items:

**24-0740 City Plan Commission** (Resolution 2024-03) *recommended for approval*

**24-0773 Fox Cities Transit Commission** (Resolution 2024-03) *recommended for approval*

**Alderson Hartzheim moved, seconded by Alderson Fenton, that the Consolidated Action Items be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Martyn Smith, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Patti Heffernan, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

## N. ITEMS HELD

[24-0585](#)

Resolution #5-R-24 Increasing the Wheel Tax

**Attachments:** [#5-R-24 Resolution to Increase the Wheel Tax.pdf](#)  
[DPW Wheel Tax Res Memo.pdf](#)

**Aldersperson Van Zeeland moved, seconded by Aldersperson Jones, that the Resolution be amended to implement the increase in January of 2025. Roll Call. Motion carried by the following vote:**

**Aye:** 10 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patti Heffernan, Aldersperson Vaya Jones, Aldersperson Nate Wolff and Aldersperson Christopher Croatt

**Nay:** 4 - Aldersperson Patrick Hayden, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim and Aldersperson Chad Doran

**Absent:** 1 - Aldersperson Alex Schultz

**Abstained:** 1 - Mayor Jake Woodford

**Aldersperson Doran moved, seconded by Aldersperson Hartzheim, that the Resolution be amended to:  
Council directs staff to find offsetting costs in the 2025 budget to remove the wheel tax beginning January 2025.  
Roll Call. Motion failed by the following vote:**

**Aye:** 3 - Aldersperson Patti Heffernan, Aldersperson Sheri Hartzheim and Aldersperson Chad Doran

**Nay:** 11 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim and Aldersperson Christopher Croatt

**Absent:** 1 - Aldersperson Nate Wolff

**Abstained:** 1 - Mayor Jake Woodford

**Aldersperson Fenton moved, seconded by Aldersperson Wolff, that the Resolution be approved as amended. Roll Call. Motion carried by the following vote:**

**Aye:** 8 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Martyn Smith, Aldersperson Denise Fenton, Aldersperson Patti Heffernan, Aldersperson Alex Schultz and Aldersperson Nate Wolff

**Nay:** 7 - Aldersperson Katie Van Zeeland, Aldersperson Patrick Hayden, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

**Abstained:** 1 - Mayor Jake Woodford

## O. ORDINANCES

[24-0807](#)

Ordinances #92-24 to #95-24 (Responsible Bidder Policy)

**Attachments:** [Ordinances to Council 6-19-24.pdf](#)**Alderson Hartzheim moved, seconded by Alderson Van Zeeland, that the Ordinances be approved. Roll Call. Motion carried by the following vote:****Aye:** 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Martyn Smith, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Patti Heffernan, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran**Abstained:** 1 - Mayor Jake Woodford

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

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

## R. OTHER COUNCIL BUSINESS

## S. ADJOURN

**Alderson Siebers moved, seconded by Alderson Van Zeeland, that the meeting be adjourned at 9:31 p.m. Roll Call. Motion carried by the following vote:****Aye:** 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Martyn Smith, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Patrick Hayden, Alderson Patti Heffernan, Alderson Alex Schultz, Alderson Vaya Jones, Alderson Kristin Alfheim, Alderson Nate Wolff, Alderson Sheri Hartzheim, Alderson Christopher Croatt and Alderson Chad Doran**Abstained:** 1 - Mayor Jake Woodford

Kami Lynch, City Clerk

# PROCLAMATION



## Office of the Mayor

**WHEREAS**, on Friday, June 21, Appleton joins over 1000 cities across the globe participating in Make Music Day with a celebration of music taking place on streets, sidewalks, and in parks throughout downtown Appleton; and

**WHEREAS**, Make Music Day was introduced in France in 1982 as a way for communities everywhere to enjoy music in all different forms, and has expanded to include 120 countries, encouraging people of every age and experience level to come together and share music with free, live performances and other music-making opportunities; and

**WHEREAS**, Make Music Day Appleton is celebrated by Heid Music, Appleton Area School District Music Educators, Creative Downtown, Fox Cities Performing Arts Center, Lawrence University, Mile of Music Education Team, and Willems Marketing, takes place on the longest day of the year and the official start to summer, and invites musicians of all backgrounds to participate in local organized activities; and

**WHEREAS**, one of the goals of Make Music Day Appleton is to create a greater awareness of the value music brings and to showcase some of the thriving musical organizations and performers in the surrounding communities, as music has been shown to have a positive impact, including strengthening social connectivity; and

**WHEREAS**, by nurturing a strong music scene, cities can cultivate a vibrant creative economy that attracts talent, fuels innovation, and fosters a strong sense of community. Event organizers are excited to offer another way for the community to explore music-making and to play an active role in it.

**NOW THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD**, Mayor of the City of Appleton, Wisconsin, do hereby proclaim Friday, June 21, 2024, as

## Make Music Day Appleton

and encourage all residents to join in the celebration of this event.



Signed and sealed this 17th day of June 2024.

**JACOB A. WOODFORD**  
MAYOR OF APPLETON

# PROCLAMATION



## Office of the Mayor

**WHEREAS**, childhood is a time to live, play, and learn; and

**WHEREAS**, it's important to build children's imagination, creativity, and confidence; and

**WHEREAS**, Children's Week is recognized in Appleton to show children how special they are to their families, how city government connects to their everyday lives, and how important they are to the future of our communities; and

**WHEREAS**, the City of Appleton demonstrates its appreciation of children and families in our communities by promoting a safe and healthy environment for our children; and

**WHEREAS**, all Children's Week activities are provided for little or no cost by City departments, community volunteers, and local business sponsors to thousands of children each year including swimming, sports activities, carnival games/amusements, Library events, Children's Parade, special events at parks, and much more; and

**WHEREAS**, Children's Week serves to reinforce the City's appreciation of volunteerism, educates children about relevant services, and connects children to City staff and local community members and volunteers.

**NOW THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD**, Mayor of the City of Appleton, Wisconsin, do hereby proclaim July 21 – July 27, 2024, as

## Children's Week

in Appleton and urge all citizens to support efforts and attend events to celebrate the children of our communities.

Signed and sealed this 20th day of June 2024.



**JACOB A. WOODFORD**  
MAYOR OF APPLETON



# PROCLAMATION



## Office of the Mayor

**WHEREAS**, Glioblastoma (GBM) is a highly aggressive tumor that devastates the brain, which controls cognition, mood, behavior, and personality, as well as every function of each organ and body part; and

**WHEREAS**, GBM is one of the most complex and deadliest types of brain cancer. With treatment, the average survival is only 8 months from diagnosis, and only 6.9% of glioblastoma patients live more than five years; and

**WHEREAS**, GBM affects individuals of all ages and backgrounds, profoundly impacting patients and their families, friends, and communities; and

**WHEREAS**, increased public awareness about GBM is crucial for driving advancements in research, treatment, and patient support; and

**WHEREAS**, The National Brain Tumor Society (NBTS) and other organizations are dedicated to funding cutting-edge research and providing critical resources to glioblastoma patients and their families; and

**WHEREAS**, the establishment of GBM Awareness Day serves as an important opportunity to educate the public, honor those affected by this disease, and advocate for greater investment in research and care. Our community stands in solidarity with those affected, recognizing their courage and resilience in the face of this challenging diagnosis.

**NOW THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD**, Mayor of the City of Appleton, Wisconsin, do hereby proclaim July 17, 2024, as

## Glioblastoma Awareness Day

in Appleton and urge all citizens to increase their understanding of glioblastoma, support efforts to find a cure, and offer compassion to those impacted by this disease.

Signed and sealed this 20th day of June 2024.

**JACOB A. WOODFORD**  
MAYOR OF APPLETON



# PROCLAMATION



## Office of the Mayor

**WHEREAS**, parks and recreation services are an integral part of communities throughout this country, including the City of Appleton, and are important for establishing and maintaining quality of life, ensuring the health of citizens, and contributing to the economic and environmental well-being of a community and region; and

**WHEREAS**, parks and recreation services build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation for those with different abilities, and improve the mental and emotional health of all residents; and

**WHEREAS**, parks and recreation services increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, attraction and retention of businesses, and crime reduction; and

**WHEREAS**, parks and natural recreation areas are fundamental to the environmental well-being of communities as they improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

**WHEREAS**, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

**WHEREAS**, as the U.S. House of Representatives has designated July as Parks and Recreation Month, the City of Appleton also recognizes the benefits derived from parks and recreation resources.

**NOW THEREFORE, BE IT RESOLVED, THAT I, JACOB A. WOODFORD**, Mayor of the City of Appleton, Wisconsin, do hereby proclaim the month of July 2024 as

## Parks and Recreation Month

in Appleton and urge all citizens to join with other communities in recognizing that parks and recreation services are essential to the quality of life not only in July, but throughout the entire year.



Signed and sealed this 20th day of June 2024.

**JACOB A. WOODFORD**  
MAYOR OF APPLETON

## NOTICE OF PUBLIC HEARING

#5-24

### RE: Proposed Zone Change

A public hearing will be held in the Council Chambers, City Hall, Appleton, Wisconsin, on Wednesday, July 17, 2024, at 7:00 P.M., or as soon thereafter as can be heard, to consider the following proposed zone change:

**Rezoning #5-24:** A rezoning request has been initiated by Terry Adams, owner, and David Hebert of Hebert Associates, Inc., applicant, 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-1B Single-Family District. The owner and applicant propose to rezone the property to R-1C Central City Residential District. The R-1C district is intended to provide for the conservation and revitalization of residential areas located in the oldest parts of the City characterized predominately by single-family, detached dwellings on small sized lots of record while protecting residential neighborhoods from the intrusion of incompatible non-residential uses.

#### **Legal Description:**

Parcel 31-1-1926-00: North 60 feet of Lot 5 and Lot 7 of Ullman's Addition, City of Appleton, Outagamie County, Wisconsin, including to the center line of the adjacent public right-of-way.

Parcel 31-1-1927-00: South 60 feet of Lot 5 and Lot 7 of Ullman's Addition, City of Appleton, Outagamie County, Wisconsin, including to the center line of the adjacent public right-of-way.

**KAMI LYNCH**  
City Clerk

June 13, 2024

RUN: June 18, 2024  
June 25, 2024

**Resolution #7-R-24**  
**Resolution to Rescind No Mow May Ordinance Language**

*Date:* Wednesday June 5th, 2024

*Submitted By:* Alderperson Christopher Croatt – District 14, Alderperson Hayden – District 7

*Referred To:* Municipal Services Committee

RESOLUTION SUMMARY

A resolution to act on discontinuing the No Mow May program in the City of Appleton. The full resolution specifies action on rescinding the ordinance language directly related to the No Mow May program as it relates to tall grass and weeds which is found in Section 12-58 of the City Code and restore that section to the form it was in prior to April 6th, 2022.

FULL RESOLUTION

**Whereas** the No Mow May initiative was made a permanent part of the city’s ordinances in 2022, largely based on the data provided in a study looking at the quantity of bees and other pollinators found in mowed vs. non-mowed lawns, and;

**Whereas** the study to support the new program was presented in 2022 to the Common Council as proof that non-mowed lawns in fact did show higher levels of bee richness and abundance, leading to the program being permanently adopted by Appleton and later by numerous other municipalities around Wisconsin, and;

**Whereas** in November of 2022 the study was retracted by the authors of the paper as well as the publisher of the journal in which it appeared, and;

**Whereas** the editor of the journal noted the findings of the study are “unreliable and could impact the results”, and;

**Whereas** the retraction guidelines for the journal note that a paper should be retracted if the findings are unreliable, or the result of fabrication or falsification, and;

**Whereas** as the basis for adoption of No Mow May, the science behind the study has been proven to be unreliable with faulty conclusions, and other apiologists who study bees have said that long grass provides no discernible benefit for bees and other pollinators, and;

**Whereas** other Wisconsin communities such as neighboring Fox Crossing have rescinded their No Mow May initiative based on a recommendation from a sustainability committee, and;

**Whereas** a UW-Madison Professor Emeritus recently attended a Village Board meeting in Waunakee and stated, “My take on it (No Mow May) is that it is well intentioned, but it’s probably

having little impact”, he also stated typical vegetation in a midwestern lawn is not necessarily beneficial for pollinators and suggested other, better options exist, and;

**Whereas** there are negative impacts of No Mow May on our neighborhoods for those that choose not to participate in it, there is some research that shows mowing actions immediately after No Mow May can have a negative impact on other insect populations, there is some research and opinion that excessively tall grass and weeds increases the likelihood of rodent/pest populations in our urban neighborhoods, and;

**Whereas** there is an impact to the City of Appleton Inspections Division. This impact is directly related to addressing non-compliance post No Mow May through increased workload in June of every year.

**Whereas** this resolution shall not be construed as a lack of support for helping pollinators. Pollinators are important and there are many other ways residents can contribute to helping pollinators and increase the livelihood and abundance of the bee population inside Appleton. The past couple of years shows many that participated in No Mow May are not taking any other significant actions to help the bee population, now;

**Therefore, Be It Resolved** that based on a lack of scientific evidence to support the No Mow May program and based on other Wisconsin communities’ recent actions rescinding their ordinances related to it, the City of Appleton Common Council hereby takes formal action to remove the language in the current code and rescinds the No Mow May program for 2025. This includes making it more permanent by working with the City Attorney’s Office to repeal Ordinance 26-22 adopted on April 6, 2022, and restore Section 12-58 to its form prior to that date in order to enforce the city’s long grass ordinance during the entire growing season, including the month of May.



# CITY OF APPLETON

## MEMORANDUM

**Date:** June 6, 2024

**To:** Municipal Services Committee

**From:** Kara Homan, AICP, Director of Community Development  
Kurt Craanen, Inspections Supervisor

**Subject:** Comparative Data, Pre and Post “No Mow May” Weed Complaints

At the request of Chair Fenton, we have prepared data related to Weed Complaints logged by the Inspections Division, pre- and post- implementation of “No Mow May,” as illustrated in Table 1, below.

**Table 1. City of Appleton | Average Weed Complaints, 2014-2019 and 2020-2023; and Annual Weed Complaints 2020-2023**

	Pre - "No Mow May"	Post - "No Mow May"	Actual Weed Complaints			
	Average Weed Complaints	Average Weed Complaints				
	2014-2019 Average	2020 - 2023 Average	2020	2021	2022	2023
January	0.0	0.0	0	0	0	0
February	0.0	0.0	0	0	0	0
March	0.0	0.0	0	0	0	0
April	0.0	0.0	0	0	0	0
May	69.2	0.0	0	0	0	0
June	85.2	116.3	106	93	115	151
July	58.2	61.0	56	75	55	58
August	44.3	44.5	34	47	61	36
September	38.0	28.0	21	47	18	26
October	14.5	11.0	14	15	11	4
November	3.0	2.8	1	6	3	1
December	0.0	0.0	0	0	0	0

Source: City of Appleton, iSeries Database

June 10, 2024

**To: Members of the City of Appleton Municipal Services Committee**

- Alderperson Denise Fenton - Chair
  - Alderperson Chad Doran
  - Alderperson Vered Meltzer
  - Alderperson William Siebers
  - Alderperson Brad Firkus
- cc: Alderperson Chris Croat and Alderperson Patrick Hayden

**From: Nancy J. Jones**, 1125 N. Briarcliff Dr., Appleton 54915

**Re: Repeal of No Mow May language in Municipal Code 12.58**

Good Afternoon, I am here to speak about the resolution to remove the No Mow May language from the Municipal Code and offer a suggestion for your consideration. I want to begin by acknowledging the many examples of good environmental stewardship undertaken by the City of Appleton and thanking the Council and staff for their efforts.

My husband and I were early adopters of No Mow May out of concern for the natural environment, the loss of pollinators and after becoming aware of the sharp decline in bird populations. Our property includes a ravine that is part of the natural watershed of the Fox River.

I'd like to share with you **what No Mow May has meant on our property.**

We do not use herbicides or pesticides in our yard, but we **do actively control weeds**. We hand dig dandelions and never allow weeds to go to seed. By delaying the start of mowing for a few weeks, we have actually learned more about both native and invasive plants growing in the lawn areas of our yard. As a result, we now more actively work to eliminate more invasives like Black Medic, Creeping Charlie, and White Clover. They are much easier to identify in May when not yet mowed. We have also dug many Common Buckthorn seedlings that have germinated or been mowed the previous season.

At the same time, **we've become aware of more native plants that thrive despite mowing and foot traffic**. The rabbits munching our state flower, the Common Violet, in the lawn is much preferred to them chewing down the plants we started from seed for the vegetable garden or the native perennials in the flower garden beds that support pollinators throughout the year.

Thanks to No Mow May, I've discovered several of the **native species in our managed landscape beds "volunteer" in the lawn areas**, and I have transplanted dozens from the grassy areas to beds or potted them to share with family members and neighbors. One in particular, the Calico Aster, is considered a keystone plant for our eco-region.

Our household uses a mulching mower to recycle nutrients and preserve moisture. Since we do not use artificial fertilizer, **our lawn does not get excessively long in May**. The grass gets the longest on a narrow strip of the east side of our yard where the fertilizer our neighbor spreads spills onto our property. Our multi-species lawn areas have stayed much greener than surrounding lawns during periods of drought in recent years.

**Now let's consider, the effects of lawns and mowing in our neighborhood.**

As we walk in our neighborhood, which unfortunately has no sidewalks, we **observe fertilizer and pesticide applications in the street as a regular occurrence** and often by the commercial lawn services. These nutrients and toxic chemicals are washing into the storm sewer and **into the Fox River**.

We also see that many residents mow in a manner which sends the **grass clippings into the street** adding more problems for water quality.

**Then there is the noise pollution.** There are lawn services I can identify in my neighborhood by their volume level. Perhaps no one piece of their arsenal of power tools violates the city's noise nuisance ordinance, but the lawn services run multiple pieces of equipment simultaneously, and the noise is disturbing and disruptive.

**Neighbors who fertilize and water their lawns are mowing 2-3 times per week. The soundtrack of the suburbs has become a constant roar.** We have come to time our walks to coincide with the need to escape incredible din of gas-powered lawn mowers and leaf blowers, which are in the 80-85 decibel level range even if used one at a time. according to a chart from the Center for Disease Control and Prevention. Our city's noise ordinance caps noise at 70 decibels in residential areas.

**A growing number of communities have moved to prohibit the use of gas-powered leaf blowers due to their negative health impacts from both high emissions and dangerous level of noise.** I encourage the City of Appleton to get involved with Quiet Communities organization. <https://www.quietcommunities.org/membership>

I understand that the study cited as part of the basis for the 2022 code changes was later criticized; however, there are 5 other studies referenced on the Bee City USA No Mow May webpage hosted by the Xerces Society for Invertebrate conservation (See attached). I agree with the resolution, that No Mow May does not accomplish pollinator support with monoculture lawns. I understand that some Council members may feel they received information they no longer completely trust. But let's zoom out and realize how terrible the information that a carpet-like lawn is an ideal landscape is! Monoculture lawns waste tremendous amounts of energy, water, time and money and inflict steep costs to the environment in the way of air, water and noise pollution.

Please take some time to read the article by Doug Tallamy I have brought for your reference titled , "4 Universal Landscape Goals."

My questions for the authors of the resolution and for the committee members as you take up this resolution include:

1. How will our city address air, water and noise pollution and the loss of pollinators and birds in a more comprehensive way?
2. Will the City of Appleton get more serious about the detrimental health effects of our increasingly noisy community and lawn care as a huge contributor to noise pollution?
3. With Appleton having both Bee CityUSA and Bird City USA designations, could the City provide better guidance and resources to community members who would like to support pollinators in spring and throughout the year?

**I suggest refinement of the code and/or published guidance that instructs residents that No Now May should not mean letting your dandelions go to seed or letting the burdock get firmly established.** (Burdock is specifically mentioned as a noxious weed in the code and added to the list of noxious weed species from the state statute, but I see it all over the neighborhood. )

**Could the City Guide have a regular feature about the invasive species specific to our area, like Dame's Rocket, and effective strategies for their elimination?**

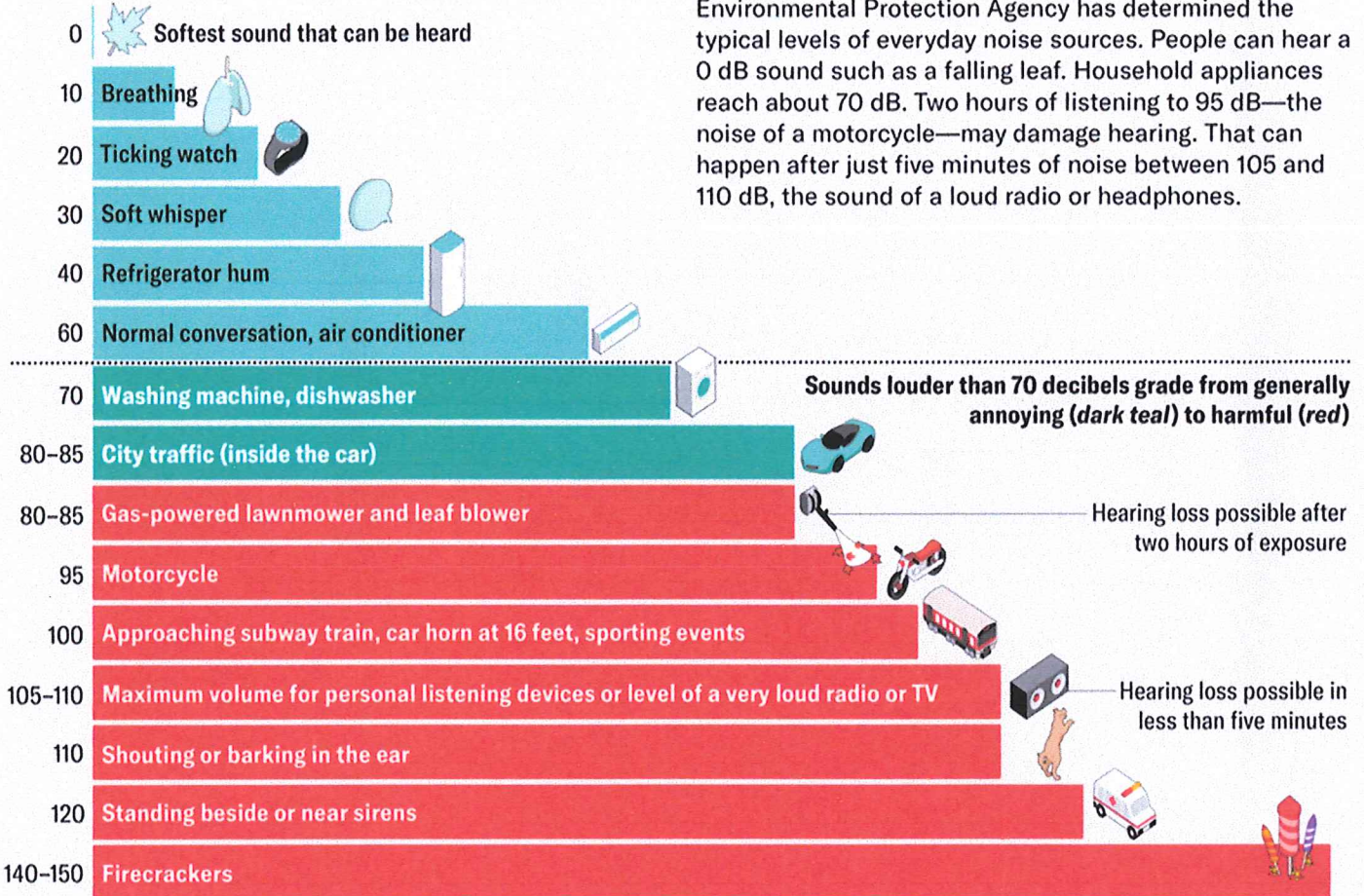
**I encourage you to move to deny or, at the very least, delay this resolution, and urge a more proactive approach that encourages responsible No Mow or Low Mow May practices and gives our city time to devise strategies to engage residents in opportunities to become better caretakers of our shared environment.**

Thank you.



**EVERYDAY SOUNDS AND NOISES MEASURED IN DECIBELS**

**Decibels**



**Unhealthy Sound Levels**

Sounds are measured in decibel (dB) units, and the Environmental Protection Agency has determined the typical levels of everyday noise sources. People can hear a 0 dB sound such as a falling leaf. Household appliances reach about 70 dB. Two hours of listening to 95 dB—the noise of a motorcycle—may damage hearing. That can happen after just five minutes of noise between 105 and 110 dB, the sound of a loud radio or headphones.



[beecityusa.org](https://beecityusa.org)

# Summaries of Published Studies of Conservation Benefits of Reduced Mowing - Bee City USA

3–4 minutes

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[Larson et al \(2014\)](#): Pollinators were recorded visiting dandelions (*Taraxacum officinale*) and white clover (*Trifolium repens*) in urban and suburban lawns in central Kentucky. The primary study period was May and early June, though some surveys of white clover were done in August. In total, 26 bee species were recorded. The dandelions had 20 species, of which nine were early emerging mining bees (*Andrena*, also called [tickle bees](#)) and the clover had 12. For butterflies, dandelions were visited by one species and the clover by six. The authors highlight the risk from insecticides, and note that “awareness of the diverse pollinator assemblages of flowering lawn weeds” might encourage a move toward more pollinator-friendly and sustainable gardening.

[Lerman et al \(2018\)](#): This study explored whether different lawn mowing frequencies (every week, every two weeks, and every three weeks) influenced bee abundance and diversity in suburban yards in Massachusetts. Mowing every three weeks resulted in more than double the number of flowers available in lawns, and increased bee diversity—yet lowered overall bee abundance versus the every-two-weeks strategy. Lerman and her colleagues documented a staggering 93 species of bees, with supplemental observations bringing the total number to 111 bee species—nearly a quarter of all bee species native to the area!

[Proske et al \(2022\)](#): This paper was a meta-analysis that looked at results of many published and unpublished studies from Europe and North America. They found a significant increase in both abundance and species richness of butterflies and bees, as well as other insect groups (grasshoppers, crickets, and true bugs) in less-frequently mowed lawns. They also found a decrease in abundance of centipedes, millipedes, spiders, and ticks and mites, and noted, “manicured lawns disproportionately favor the abundance of ‘pest’ species.” For greatest benefit, the authors recommended that grass and meadows should only be mowed once or twice a year, and the first mowing is delayed until July—which may be far later and less frequent than most people are comfortable with! However, they also found that the size of the site had no influence on the benefits of reduced mowing. Even small patches had greater diversity.

[Wastian et al \(2016\)](#): By comparing intensely mowed lawns (mowed 12 times per year) with meadows under reduced maintenance (mowed only twice per year), the authors found that the number of bee species visiting the intensely mowed lawns was significantly lower. Of the 43 species of bees recorded, only 22 were on intensely mowed lawns, and of the six at-risk species observed, none were on frequently mowed lawns.

[Watson et al \(2019\)](#): Another meta-analysis of numerous studies from North America and Europe that looked at the effects of mowing on various insect groups. The conclusions were that increased mowing intensity resulted in a significant negative effect on plant diversity and insect diversity, and a moderate increase in pest abundance. It also found that by reducing mowing frequency from 15 to 10 times per year, park managers may have cost savings of up to 36%.

## 4 Universal Landscape Goals - By Doug Tallamy



There are four ecological functions every landscape must perform if we are to achieve a sustainable relationship with the natural world that supports us (and continuing to insist on landscapes that do not sustain mother nature is not and has never been a realistic option). It's really very simple; our landscapes must do the things that enable ecosystems to produce the life support we and every other species requires.

### Four Landscape Ecological Goals

1. They must support a diverse community of pollinators throughout the growing season.
2. They must provide energy for the local food web.
3. They must manage the watershed in which they lie.
4. They must remove carbon from the atmosphere where it is wreaking havoc on the earth's climate.

**How well a landscape accomplishes these goals depends on how well we, as landscape managers, choose and deploy the plants on our landscapes.**

*Lawns fail at these 4 goals:*

If we plant most or all of our property in lawn, none of these goals will be met. More often than not, lawn degrades the local watershed by discouraging infiltration, facilitating stormwater runoff, and adding nitrogen, phosphorous, herbicides, and insecticides to the nearest stream or river. Today's cultural standard for lawn supports no pollinators and does not nourish the insects that enable birds, reptiles, amphibians and, many mammals to reproduce. And when it comes to carbon capture, turf grass is our worst plant choice.

Yes, lawn grasses do build their tissues out of carbon they have pulled from the atmosphere, but every time we mow the lawn, we release that carbon back into the air. Grass roots, like the roots of other plants, do leak some carbon into the soil, but grass roots are very short, and almost any other plant species deposits more carbon into surrounding soils than does grass. Finally, every time we mow, we belch carbon from fossil fuels into the atmosphere.

*Native Plants **succeed** at these 4 goals:*

We can help our yards meet their ecological responsibilities by planting the plants that are good at supporting pollinators, good at sharing some of the energy they have harnessed from the sun with the local animals that run our ecosystems, good at building their tissues out of carbon and holding it within their structures, out of harm's way, for decades or even centuries; and good at producing glomalin on root hairs, a carbon-based structure that deposits so much carbon in soil that it becomes brown or black. We can also choose plants with large canopies that soften the impact of pounding rain, and that support large root systems that encourage rainwater infiltration and thus hold tons of water on site after a storm event.

Transforming our yards into these ecological gold mines is a process, one that can unfold over months, years, or even decades. Every time we plant a native perennial that nourishes specialist bees, we have helped all local pollinators, for generalist bees can use those plants as well. Every time we add a native oak, willow, cherry, birch, cottonwood, alder, maple, etc. to our yard, we have reduced the ecological dead zone we call lawn and increased the ability of our yard to support breeding birds by supplying the host plants for the caterpillars on which those birds rely. Moreover, such plantings have vastly improved our yard's watershed management and carbon sequestration potential.

We don't need exact measures to know we are moving in the right direction. Simple estimates can help us evaluate the progress we have made and the amount of life support we have enabled our local ecosystem to produce, not just for us and the other species in our yards, but for all of our neighbors as well. How much lawn have we eliminated? How many trees have we added? How many new flowerbeds or simply beds mulched with leaf litter have we built? How many invasive plants have we identified on our property and targeted for removal? How many birds, butterflies, and bees have we seen taking up residence in our yards? These are all measures of success and noting any of them will motivate us to do more.

The path to sustainability lies along a continuum, with low (or no) ecological function at one end and a vibrant, ecological machine churning out ecosystem services every minute of every day at the other. Every time you take action, your landscape moves closer to becoming a positive ecological force rather than a negative one. Our current landscaping paradigm has been making withdrawals from the ecological bank account that supports us for far too long. By helping our properties reach the four ecological goals described above, we can finally start making life-saving deposits.

## No Mow May Resolution Substitute

**Whereas** the No-Mow-May initiative was made a permanent part of the city's ordinances in 2022, based on the data provided in a study looking at the quantity of bees and other pollinators found in mowed vs. non-mowed lawns, and;

**Whereas** the initially challenged data in the study presented in 2022 to the Common Council as evidence that non-mowed lawns showed higher levels of bee diversity and abundance, specifically the accuracy of visual species identification, was subsequently rectified and bolstered with follow-up research that led to the program being permanently adopted by Appleton and hundreds of other municipalities in Wisconsin and around the United States who followed Appleton's lead, and;

**Whereas** the No-Mow-May initiative has had a significant and lasting impact upon the communities it has been adopted in leading to, among other things; lowered frequencies of mowing, reduced greenhouse gas emissions from 2-cycle mower engines, reduced use of non-organic and harmful chemical pesticides, reduced organic matter and chemical fertilizer uptake into watersheds from surface runoff, increases in insect populations supporting a more stable and resilient urban wildlife food web, increases in song bird and raptor populations, proliferation of early flowering non-grass species, and significant engagement with citizens who are more cognizant of the impacts lawn management practices have on their own lawn micro-environments, and

**Whereas** many of the communities which adopted the simple "No-Mow" model of allowing turf grasses to grow unattended until the implied target date of June 1<sup>st</sup> for enforcement are increasingly challenged with an earlier growing season and many participating homeowners committed to reaching that target date, resulting in grass lengths far exceeding the intended beneficial turf heights and duration of the natural lawn "awakening" period which leads to necessary stressing of managed lawns, increased use of pesticide controls, and potentially problematic increases in populations of unwanted pests and noxious weeds in our urban neighborhoods, and;

**Whereas** many communities across the United States are now pivoting toward, or fully adopting, a "Slow-Mow" model, extending the narrative to include the entire growing season.

**Whereas** the authors of the original resolution recognize that continued refinement of the No Mow May ordinance is part of evolving the best practices in pollinator conservation, and continued climatic environmental change is expected to impact growing season length and

**Whereas**, best practices in pollinator conservation require a balanced approach that satisfies environmental needs with community aesthetic needs;

**Be It Resolved** that the City of Appleton Common Council remove the adopted language from 2022 from municipal code which allowed for weed ordinance to be suspended and unenforceable during the month of May, and

**Be It Further Resolved**, the Council direct staff to amend Section 12-58 of the city's long grass ordinance by increasing the acceptable lawn height to ~~12"~~10"\* for both residential and commercial lawns for the entire growing season, including the month of May.

*\*Amended at committee from twelve (12) inches to ten (10) inches.*





# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : \_\_\_\_\_  
 Effective Date: \_\_\_\_\_  
 Expiration Date: \_\_\_\_\_  
 Non-Refundable Fee: \$40.00  
 Paid (yes or no): yes/156510505

Rev. 10-05-2023

### Applicant Information

Name (print): Julia Ning Gomez Company: Lil Taco  
 Address: 1625 Coolidge Ct. Telephone: 920) 358-3119  
Appleton, WY 82401 E-mail: Julianing3900@gmail.com  
 Applicant Signature: \_\_\_\_\_ Date: 05/20/24

### Occupancy Information

General Description: Tables + Chairs  
 Street Address: 106 S. State St. Sidewalk/roadway obstruction requested  Y or  N  
 - or -  
 Multiple Streets: \_\_\_\_\_  
 Date(s) From: 2024 To: 2025 35 days or <  35 days or >   
 (Requires Committee and Council Approval)

(Department use only)

### Occupancy Type

- Permanent - Obstruction (\$40)
- Temporary - Obstruction (\$40)
- Amenity/Annual (\$40)
- Blanket/Annual (\$250)
- Block Party (\$15)

### Sub-Type

- Awning
- Dumpster
- Sign
- Obstruction / Other
- POD / Container

### Location

- Sidewalk
- Terrace
- Roadway

### Additional Requirements

- Plan/Sketch
- Certificate of Insurance
- Bond
- Other : \_\_\_\_\_

### Traffic Control Requirements

Type of Street: \_\_\_\_\_ Proposed Traffic Control: N/A  
 Arterial/CBD  City Manual Page(s) \_\_\_\_\_  
 Collector  State Manual Page(s) \_\_\_\_\_  
 Local  Other (attach plan) \_\_\_\_\_

Contact Traffic Division (920-832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure.  
 Additional Requirements: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

This permit approval is subject to the following conditions:

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

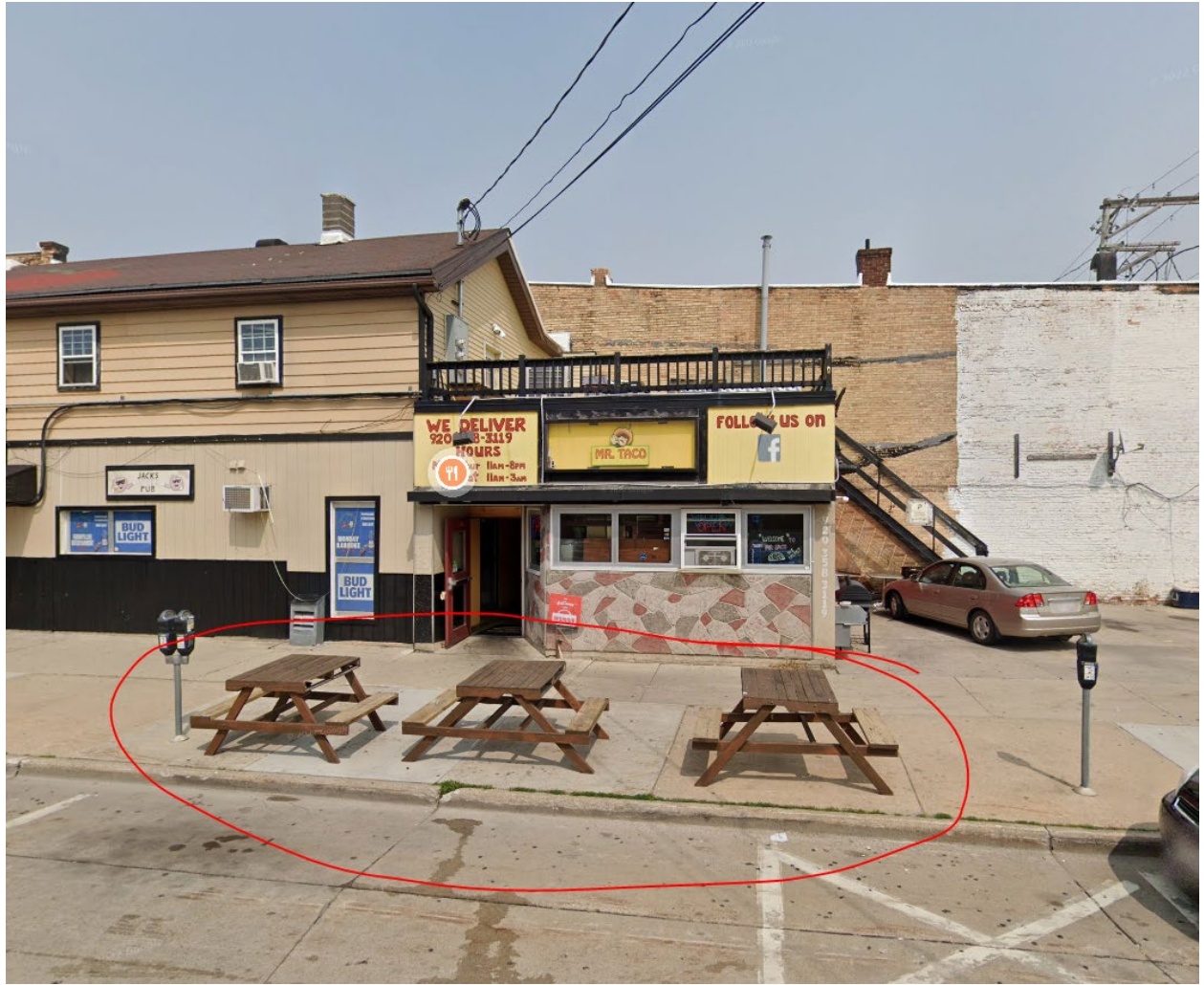
This permit is issued to the applicant upon payment of the permit fee and is expressly limited to the location and type described herein. The applicant, in exchange for receiving this permit, warrants that all street occupancies will be performed in conformity to City ordinances, standards and policies,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

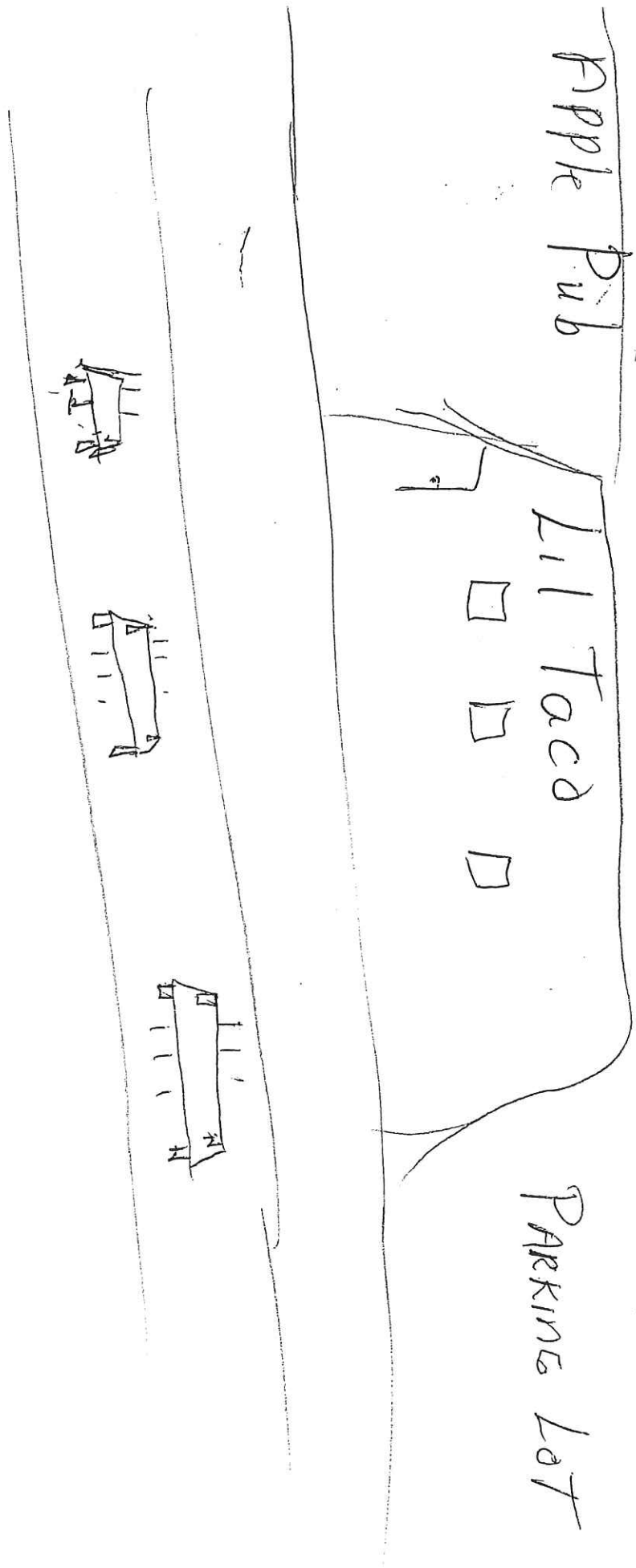
The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them. The Grantee shall assume complete and full liability and responsibility, in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

APPROVED BY: \_\_\_\_\_

(Department of Public Works)

DATE: \_\_\_\_\_





## Statement of Insurance Coverage

### Insurance Coverage:

Insurance Carrier: Pekins Insurance  
Insurance Agent Name and Phone Number: Rich 920)685-0900  
Policy Number: 006136043  
Policy Period: 07/25/23 To 07/25/24

### Bond Coverage:

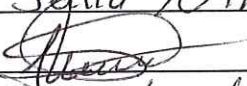
\* Bond Carrier: \_\_\_\_\_  
\* Bond Agent Name and Phone Number: \_\_\_\_\_  
\* Bond Number: \_\_\_\_\_  
\* Bond Period: \_\_\_\_\_

I confirm that I have the authority to sign and certify the information contained herein as the permittee/licensee or duly authorized representative of the entity obtaining this permit/license.

I have reviewed and understand the insurance and bonding requirements of the City of Appleton. I hereby certify that I, or the company I represent have insurance and a bond in the amounts required to obtain this permit/license. I have named the City of Appleton as an additional insured for purposes of this permit/license and have provided the name of my insurance and bond carriers, the policy numbers and policy periods above.

Further, I agree to maintain appropriate insurance coverage for the duration of this permit/license and to indemnify against any and all liability, loss, damage and expenses and costs including attorneys' fees arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant, anyone directly or indirectly employed by any of them, which may arise from the use of city right of way or property under this permit or license.

I certify that this application, and all information and documentation provided therein, is true and accurate.

Company Name: Lil Taco  
Print Name: Julia Nino Gomez  
Signature:   
Date: 05/20/24

\* Bonds are required for the following types of work only:

- Plumbing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-265)
- Demolition of Buildings: \$5,000.00 Permit Bond (Code Section 4-188(a)(2))
- Sewer lateral sealing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-188(c))
- Moving of Buildings: \$5,000.00 Permit Bond (Code Section 4-207(5))
- Cement Finisher's License: \$5,000.00 License Bond (Municipal Code Section 9-33)
- Excavation or place facilities in the public right-of-way: \$5,000.00 Permit Bond (Code Section 16-110)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
05/21/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER  ALLIANCE INS. & FINANCIAL SERVICES, LLC 08600-A00 103 W MAIN ST OMRO, WI 54963	CONTACT NAME: RICHARD L. CHRISTL		
	PHONE (A/C, No, Ext): (920) 685-0900	FAX (A/C, No): (920) 685-0444	
	E-MAIL ADDRESS :		
	PRODUCER CUSTOMER ID #:		
	INSURER(S) AFFORDING COVERAGE		
INSURED  JECHU LLC DBA LIL TACO 106 S STATE ST APPLETON, WI 54911-5841	INSURER A:	PEKIN INSURANCE COMPANY	NAIC # 24228
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:
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THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS				
A	GENERAL LIABILITY			006136043	07/25/2023	07/25/2024	EACH OCCURRENCE	\$ 1,000,000			
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000			
	<input type="checkbox"/> CLAIMS - MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 5,000			
	GEN'L AGGREGATE LIMIT APPLIES PER:							PERSONAL & ADV INJURY	\$ 1,000,000		
	<input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						GENERAL AGGREGATE	\$ 2,000,000			
								PRODUCTS - COMP/OP AGG	\$ 2,000,000		
									\$		
	AUTOMOBILE LIABILITY									COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO									BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS									BODILY INJURY (Per accident)	\$
<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	\$				
<input type="checkbox"/> HIRED AUTOS											
<input type="checkbox"/> NON-OWNED AUTOS											
	UMBRELLA LIAB						EACH OCCURRENCE	\$			
	<input type="checkbox"/> OCCUR						AGGREGATE	\$			
	EXCESS LIAB							\$			
	<input type="checkbox"/> CLAIMS-MADE							\$			
DEDUCTIBLE											
RETENTION \$											
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			006136051	07/25/2023	07/25/2024	X WC STATUTORY LIMITS		OTHER		
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N							E.L. EACH ACCIDENT	\$ 100,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below	<input checked="" type="checkbox"/> N	N/A						E.L. DISEASE - EA EMPLOYEE	\$ 500,000	
									E.L. DISEASE - POLICY LIMIT	\$ 100,000	
	BUSINESSOWNERS						EACH OCCURRENCE	\$			
							PROD & COMP OPS AGGREGATE	\$			
							GENERAL AGGREGATE	\$			
	GARAGE LIABILITY						EACH ACCIDENT (AUTO ONLY)	\$			
							EACH ACCIDENT (OTHER THAN AUTO ONLY)	\$			
							AGGREGATE	\$			
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)											

**CERTIFICATE HOLDER**

CITY OF APPLETON 100 N APPLETON STREET APPLETON, WISCONSIN 54911

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ALLIANCE INS. & FINANCIAL SERVICES, LLC - 08600-A00

**Payment Entry Form****Result: Payment Authorized**  
**Confirmation Number: 156510505**

Your payment has been authorized successfully and payment will be processed.

The City of Appleton Inspections thanks you for your payment. For questions about your account, please call 920-832-6413. Thank you for using our bill payment services.

Please save or print a copy of this receipt for record keeping purposes.

**My Bills**

Description	Amount
Street Occupancy Permit payment of \$40.00 on Number And StreetName 106 S STATE ST	\$40.00
<b>Customer Information</b>	
Subtotal:	\$40.00
Convenience Fee:	\$1.50
<b>Total Payment:</b>	<b>\$41.50</b>

**Customer Information**

First Name: JULIA  
 Last Name: NINO GOMEZ  
 Address Line 1:  
 Address Line 2:  
 City:  
 State:  
 Zip Code:  
 Phone Number:  
 Email Address:  
 Estimated Costs: 40

**Payment Information**

Payment Date: 05/21/2024  
 Card Type: Visa  
 Card Number: \*\*\*\*\*3267

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

By signing this receipt you agree to the terms and conditions of this service.

You will see one line item on your credit or debit card statement indicating the amount you paid and will be identified as *City of Appleton GOV*. If you have any questions about the charges please call 1-888-891-6064.

**From:** Peter Neuberger <[Peter.Neuberger@Appleton.org](mailto:Peter.Neuberger@Appleton.org)>  
**Sent:** Monday, June 17, 2024 3:28 PM  
**To:** Denise Fenton <[District6@Appleton.org](mailto:District6@Appleton.org)>  
**Subject:** Municipal Services Committee Held Item - Occupancy Permit Lil Taco Tables & Chairs

Good Afternoon Alder Fenton,

This email is provided to you and to the other Municipal Services Committee members in response to discussion at the 06-10-2024 MSC meeting concerning the street occupancy permit application for tables and chairs at Lil Taco, 106 South State Street, for the remainder of the 2024 calendar year.

During deliberations, committee members offered the following line of comments and questions needing further investigation by staff:

- The use of picnic tables as proposed does not seem conducive to the owner removing the tables from the right-of-way after normal business hours. Might the after-hours presence of such tables at this location contribute to behaviors of concern to APD? The committee would like to hear from APD on this.
- Is it appropriate to consider placing limitations on the time of day/night during which tables and chair may be operated within the right-of-way? Is it appropriate to consider the portability of tables and chairs for purposes of their ability to be removed from the right-of-way during certain hours?

DPW offers the following information for the members' consideration per the above topics.

### **Applicable Code Language**

The permit application falls under the Sidewalk Cafés section of the municipal code, Secs 9-256 to 9-265, attached for reference.

Noteworthy sections regarding the above topics:

- 9-257 Requires that sidewalk cafés obtain a Street Occupancy Permit from DPW.
- 9-261 and 9-262 *Restrictions on Use of Permit and Conduct of Business Generally*. DPW did not identify any time-of-day-related restrictions specified by code, other than those associated with serving of alcohol per 9-262(b).
- 9-262(a)(6) states the following requirement, "A minimum width of twelve (12) feet between the back of curb and the building face must exist; with a minimum of eight (8) feet available for pedestrian traffic". DPW has confirmed the necessary clearance is available.
- 9-262(c) states, "The Chief of Police or designee may close a sidewalk café at any time the health, safety, welfare, or good order of the City is threatened."



## **Appleton Police Department**

DPW consulted with Police Chief [Olson] on the above topics. Chief [Olson] indicated based on practical experience that if behaviors of concern were to occur within the proposed sidewalk café, such behaviors would likely occur during operational hours of the establishment, not after close. Therefore, a theoretical requirement that tables and chairs be removed from the right-of-way after business hours is unlikely to significantly impact behaviors of concern, positively or negatively. Chief [Olson] further added that if the permit is granted, the Police Department would monitor this situation closely and would bring any concerns to the committee's attention.

## **Sidewalk Café History at this Location**

Under previous management and under the name Mr. Taco, this location first received an occupancy permit for tables and chairs in 2016. On March 1, 2017, Common Council approved a street occupancy permit application for tables and chairs at this location. After 2017, Mr. Taco renewed their permit with DPW annually through 2021. After 2021, it appears the site began operating under new management using the name Lil Taco. DPW received no occupancy permit applications for tables and chairs after 2021, until receiving the permit application under current consideration, although it appears operation of the sidewalk café area continued uninterrupted since 2021.

## **DPW Administration of Other Sidewalk Café Permits**

DPW currently administers numerous sidewalk café occupancy permits. DPW's research did not identify instances of a permit for which DPW had placed a time-of-day restriction on the placement of tables and chairs, although some permittees appear to voluntarily remove tables and chairs at certain times and days.

Thank you and please let me know if I can be of further assistance regarding this application.

Pete



### **Peter J. Neuberger**

Deputy Director of Public Works / City Engineer  
City of Appleton, Department of Public Works  
100 N. Appleton St. Fl 5, Appleton, WI 54911-4702  
O: 920-832-6485 | [peter.neuberger@appleton.org](mailto:peter.neuberger@appleton.org)  
[Facebook](#) | [Appleton.org](http://Appleton.org)



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit #: Effective Date: Expiration Date: Non-Refundable Fee: \$40.00 Paid (yes or no): yes/157554362

Rev. 05-2024

Applicant Information

Name (print): Tom Klister Company: Rise Apartments LLC Address: 229 E Washington St Telephone: 920-284-9094 E-mail: tklister@foreinvestmentgroup.com Applicant Signature: [Signature] Date: 6/12/2024

Occupancy Information

General Description/Reason: Front door swings out onto public ROW (Sidewalk) since the property is zero lot line. Having an outswing door will be more safe in case of fire or other reason for rapid evacuation. Street Address: 113 W Harris St Sidewalk/roadway obstruction requested [X] Y or [ ] N Date(s) From: To: 35 days or < [ ] 35 days or > [X] (Requires Committee and Council Approval)

(Department use only)

Occupancy Type

- Permanent - Obstruction (\$40) Temporary - Obstruction (\$40) Amenity/Annual (\$40) Blanket/Annual (\$250) Block Party (\$15)

Sub-Type

- Awning Dumpster Sign Obstruction / Other POD / Container

Location

- Sidewalk Terrace Roadway

Additional Requirements

Plan/Sketch Certificate of Insurance Bond Committee and Council Approval Date: Other :

Traffic Control Requirements

Type of Street: Arterial/CBD Collector Local Proposed Traffic Control: City Manual Page(s) State Manual Page(s) Other (attach plan)

Contact Traffic Division (920-832-2379) 1 business day prior to any lane closure, or 2 business days prior to a full road closure. Additional Requirements:

Approved by: Date:

This permit approval is subject to the following conditions:

- 1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy. 2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application. 3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL CITATION if conditions of the permit are not met. 4. This permit is subject to IMMEDIATE REVOCATION if unfavorable traffic conditions develop during the period the occupancy is permitted. 5. Dumpsters/PODs/Containers shall be located within 12" of face of curb. 6.

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

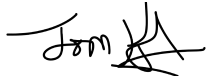
The Grantee shall guarantee at their expense, the repair or replacement of pavement, sidewalk and any other facilities within the public right-of-way damaged or destroyed by the Grantee or any sub-contractor working for them.

APPROVED BY: DATE: (Department of Public Works)

Dear Pete Neuberger and Dan Meisner,

This letter is to provide our word as a statement of good faith that we will work with the City to execute an Operations and Maintenance agreement with the City of Appleton in perpetuity for us as the owner to maintain the concrete stoops and the common joint between the stoops and adjacent City sidewalk per City standards.

Tom Klister  
Member

A handwritten signature in black ink, appearing to read "Tom Klister". The signature is stylized with a large, sweeping initial "T" and "K".



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/14/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> M3 Insurance Solutions, Inc. 828 JOHN NOLEN DR MADISON WI 53713	<b>CONTACT NAME:</b> Mikayla Urban <b>PHONE (A/C No. Ext):</b> 6083278896 <b>E-MAIL ADDRESS:</b> mikayla.urban@m3ins.com		<b>FAX (A/C, No):</b> 608-273-1725
	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURED</b> Rise Apartments, LLC 229 E Washington Street Appleton WI 54911	<b>INSURER A :</b> Auto-Owners Insurance Company	18988	
	<b>INSURER B :</b>		
	<b>INSURER C :</b>		
	<b>INSURER D :</b>		
	<b>INSURER E :</b>		
	<b>INSURER F :</b>		

**COVERAGES**

CERTIFICATE NUMBER: 2053985731

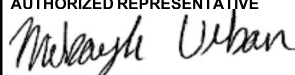
REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b>  <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y		61522421	5/30/2024	5/30/2025	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 30,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			5452243500	5/30/2024	5/30/2025	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
City of Appleton is an Additional Insured with respect to General Liability when required by written contract.

**CERTIFICATE HOLDER****CANCELLATION**

City of Appleton 100 N Appleton St. Fl 5 Appleton WI 54911	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  <b>AUTHORIZED REPRESENTATIVE</b> 
--	--

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# Statement of Insurance Coverage

## Insurance Coverage:

Insurance Carrier: **Auto Owners Insurance**  
Insurance Agent Name and Phone Number: **Nate Troyer 608-288-2860**  
Policy Number: **61522421**  
Policy Period: **5/30/24 - 5/30/25**

## Bond Coverage:

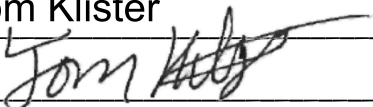
\* Bond Carrier: \_\_\_\_\_  
\* Bond Agent Name and Phone Number: \_\_\_\_\_  
\* Bond Number: \_\_\_\_\_  
\* Bond Period: \_\_\_\_\_

I confirm that I have the authority to sign and certify the information contained herein as the permittee/licensee or duly authorized representative of the entity obtaining this permit/license.

I have reviewed and understand the insurance and bonding requirements of the City of Appleton. I hereby certify that I, or the company I represent have insurance and a bond in the amounts required to obtain this permit/license. I have named the City of Appleton as an additional insured for purposes of this permit/license and have provided the name of my insurance and bond carriers, the policy numbers and policy periods above.

Further, I agree to maintain appropriate insurance coverage for the duration of this permit/license and to indemnify against any and all liability, loss, damage and expenses and costs including attorneys' fees arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant, anyone directly or indirectly employed by any of them, which may arise from the use of city right of way or property under this permit or license.

I certify that this application, and all information and documentation provided therein, is true and accurate.

Company Name: **MF Housing Partners**  
Print Name: **Tom Klister**  
Signature:   
Date: **6/15/2024**

\* Bonds are required for the following types of work only:

- Plumbing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-265)
- Demolition of Buildings: \$5,000.00 Permit Bond (Code Section 4-188(a)(2))
- Sewer lateral sealing in the public right-of-way: \$5,000.00 Permit Bond (Code Section 4-188(c))
- Moving of Buildings: \$5,000.00 Permit Bond (Code Section 4-207(5))
- Cement Finisher's License: \$5,000.00 License Bond (Municipal Code Section 9-33)
- Excavation or place facilities in the public right-of-way: \$5,000.00 Permit Bond (Code Section 16-110)

**From:** [support@pointandpay.com](mailto:support@pointandpay.com)  
**To:** [tklister@foreinvestmentgroup.com](mailto:tklister@foreinvestmentgroup.com)  
**Subject:** Your Receipt  
**Date:** Wednesday, June 12, 2024 9:28:08 PM

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Greetings,

The City of Appleton thanks you for your payment. For questions about your account, please call 920-832-6474

Your payment ID is: 157554362

Items Paid For:

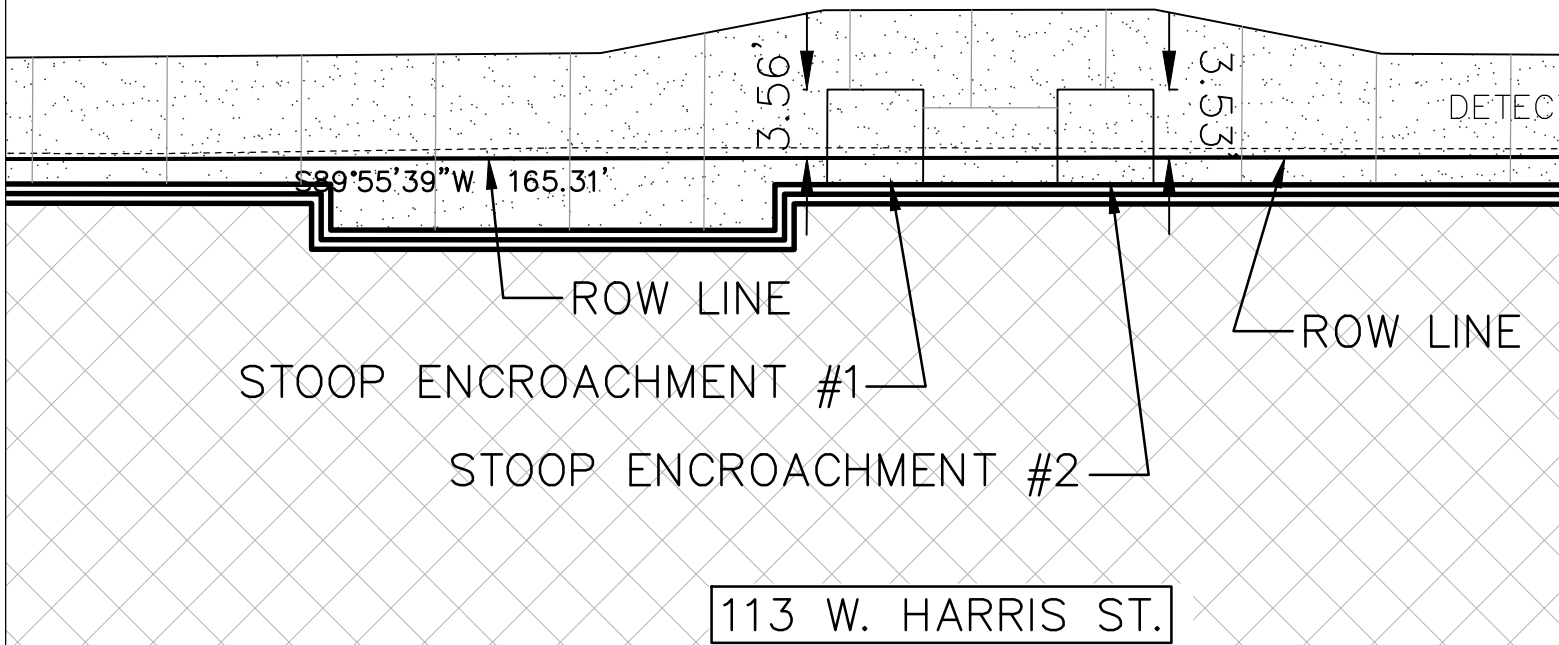
Description: Street Occupancy  
Amount Paid: \$40.00  
PermitDescription: Permanent - \$40  
Project Address: 113 W Harris St  
Customer Information:

First Name: Thomas  
Last Name: Klister  
Address Line 1: 229 E Washington St  
Address Line 2:  
City: Appleton  
State: Wisconsin  
Zip Code: 54911  
Phone Number: 9202849094  
Email Address: [tklister@foreinvestmentgroup.com](mailto:tklister@foreinvestmentgroup.com)

Payment Information:

Subtotal: \$40.00  
Fee Total: \$1.50  
Total: \$41.50  
Datetime: 06/12/2024 21:28:01

W. HARRIS STREET



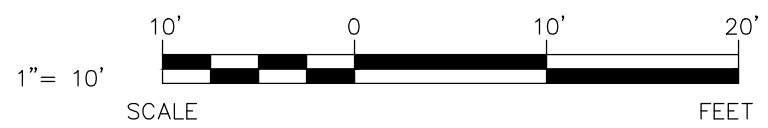
STOOP ENCROACHMENT #1

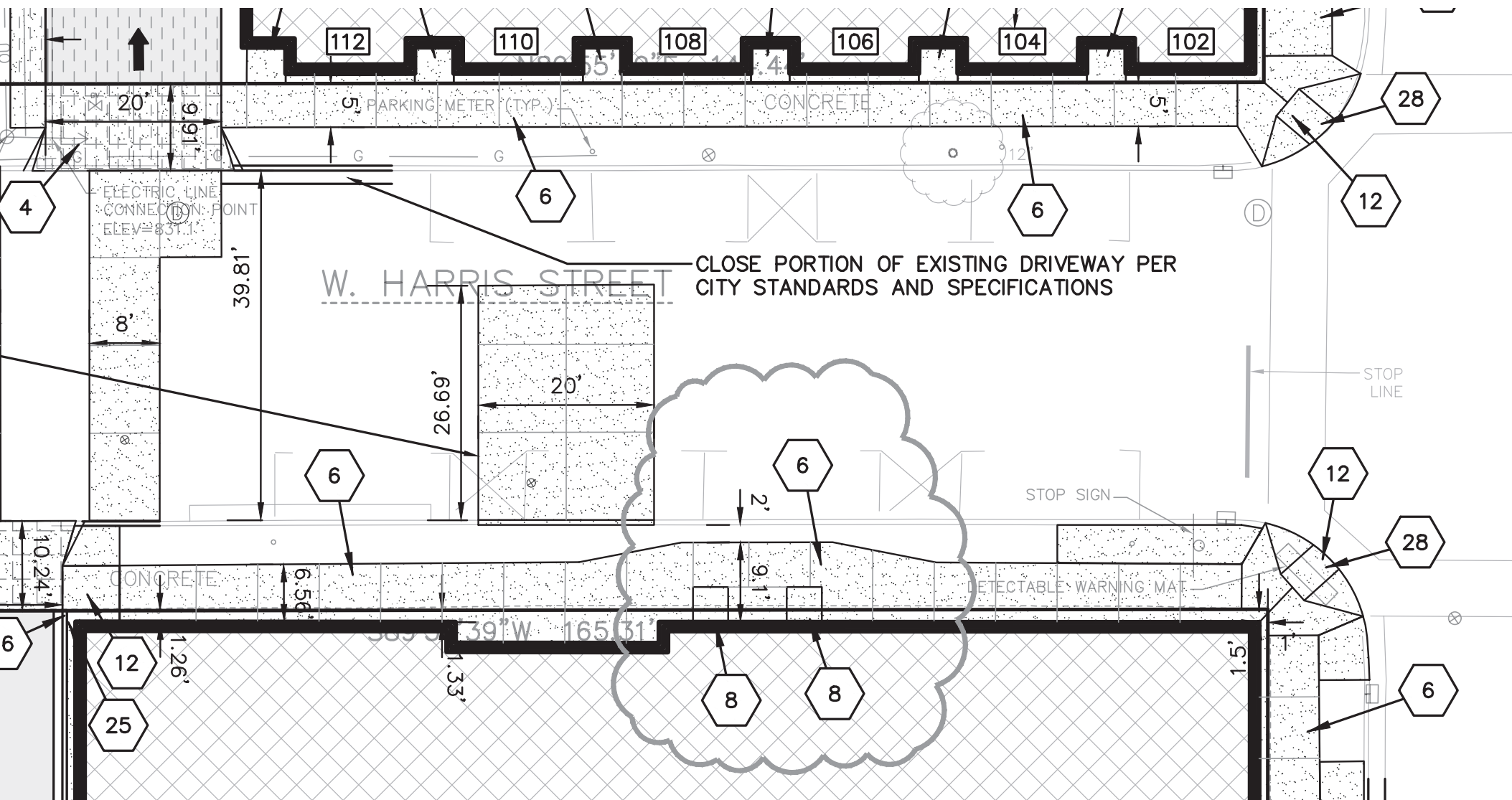
STOOP ENCROACHMENT #2

113 W. HARRIS ST.

PROPOSED MID-RISE BUILDING  
12,521 SF  
FF= 789.00  
ARCH FF=100.00

STOOP ENCROACHMENT EXHIBIT









# PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

Permit # : 24-027-T extension  
Effective Date: 3/7/2024  
Expiration Date: 7/01/2024  
Non-Refundable Fee: \$40.00  
Paid (yes or no): yes/6281-0003

Rev. 10-05-2023

### Applicant Information

Name (print): BRYCE BARRONE Company: BOLDT  
Address: 2525 N ROEMER RD Telephone: 920-841-4743  
APPLETON, WI 54911 E-mail: \_\_\_\_\_  
Applicant Signature: \_\_\_\_\_ Date: 5/1/2024

### Occupancy Information

General Description: SIDEWALK CLOSURE - OCCUPANCY FROM END OF CITY CENTER EAST TO START OF CITY CENTER WEST. TO UPDATE THE FACADE OF THE FOX COMMONS. THIS IS FOR THE NORTH SIDEWALK OF COLLEGE AVE ONLY.  
Street Address: 10 E COLLEGE AVE Sidewalk/roadway obstruction requested  Y or  N  
- or -  
Multiple Streets: Oneida St and College Ave  
Date(s) From: 3/7/2024 To: 7/01/2024 35 days or <  35 days or >   
08/15/2024 (Requires Committee and Council Approval)

(Department use only)

### Occupancy Type

- Permanent - Obstruction (\$40)  
 Temporary - Obstruction (\$40)  
 Amenity/Annual (\$40)  
 Blanket/Annual (\$250)  
 Block Party (\$15)

### Sub-Type

- Awning  
 Dumpster  
 Sign  
 Obstruction / Other  
 POD / Container

### Location

- Sidewalk  
 Terrace  
 Roadway

### Additional Requirements

- Plan/Sketch  Certificate of Insurance  Bond  
 Other : \_\_\_\_\_

### Traffic Control Requirements

Type of Street:  Arterial/CBD  Collector  Local  
Proposed Traffic Control:  City Manual Page(s) \_\_\_\_\_  
 State Manual Page(s) \_\_\_\_\_  
 Other (attach plan)

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

SEE ATTACHED

Snow removal along the sidewalk's detoured path in the parking lane will be Boldt's responsibility.

Approved by: MIKE HARKY Date: 2/8/24

This permit approval is subject to the following conditions:

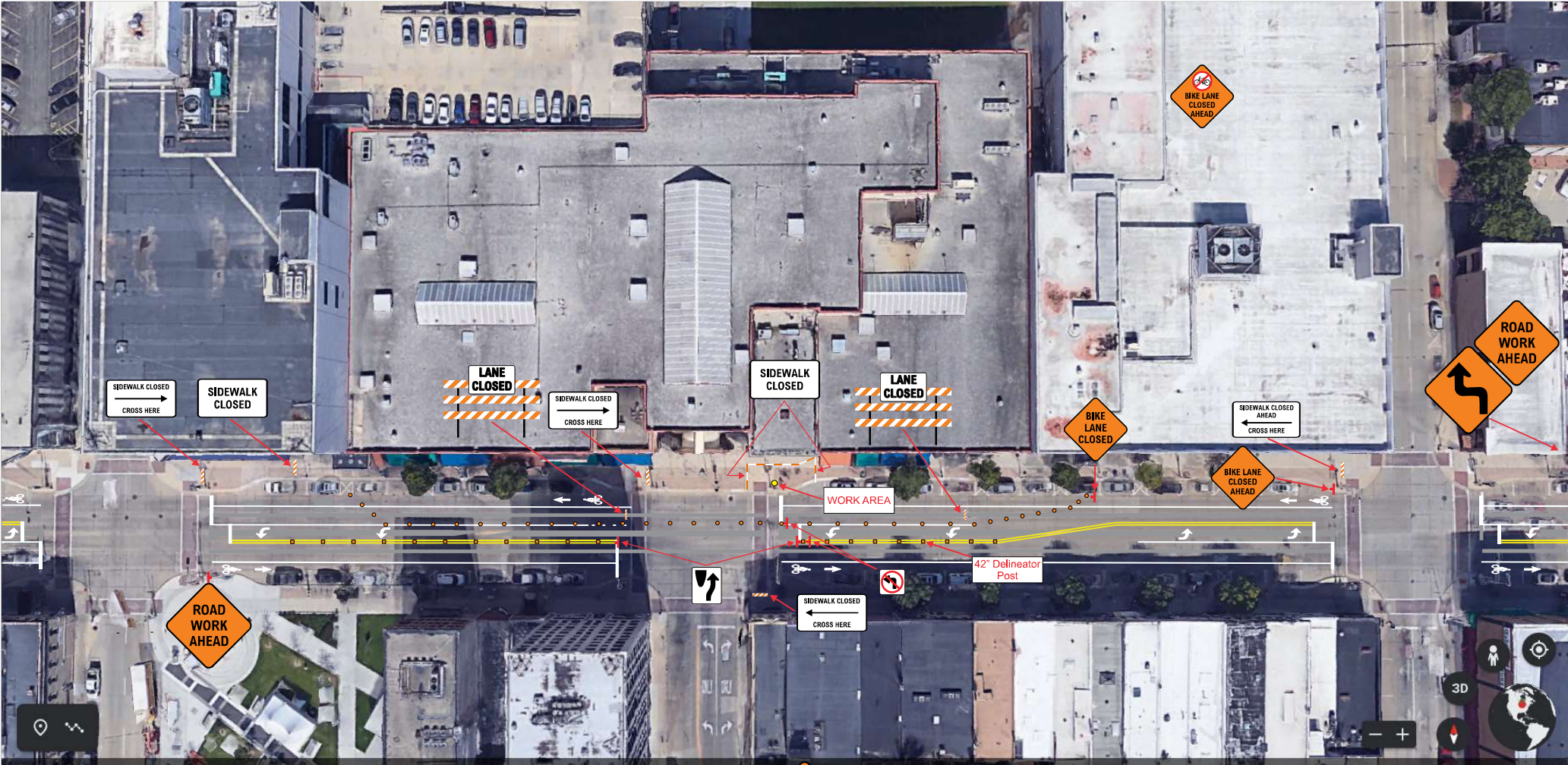
1. Permittee is responsible to obtain any further permits that may be required as part of this occupancy.
2. Permittee shall adhere to any plan(s) that were submitted to the City of Appleton as part of this application.
3. This permit is subject to IMMEDIATE REVOCATION and/or issuance of a MUNICIPAL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

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

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

APPROVED BY: \_\_\_\_\_  
(Department of Public Works)

DATE: \_\_\_\_\_



Lane closure detail for barrier wall installation and removal.  
 Sidewalk relocation with barrier wall and ADA pedestrian barricades to be installed after this work.



**Warning Lites**  
 TRAFFIC SAFETY & SUPPLY  
 City of Appleton, Inc.  
 1-920-725-0757  
 "Safety Is Our Business"  
 920-725-0757 www.warningliteswi.com

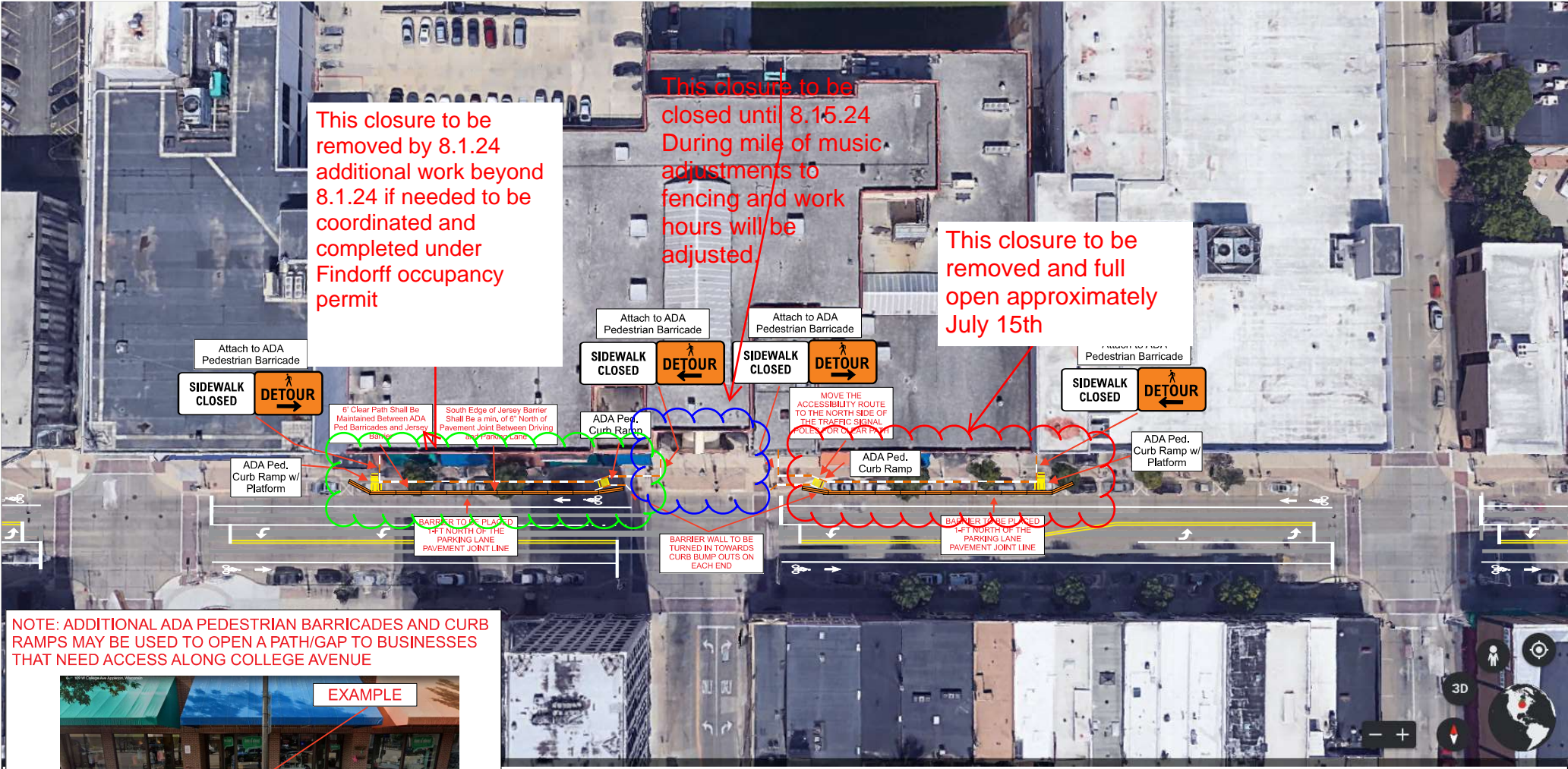
START DATE & TIME  
 DURATION:

**GENERAL NOTES:**  
 THIS TRAFFIC CONTROL PLAN IS FOR INFORMATIONAL PURPOSES ONLY. TRAFFIC CONTROL PLAN IS NOT TO SCALE. WARNING LITES OF APPLETON, INC. ASSUMES NO LIABILITY FOR LAYOUT & SETUP OF ACCEPTED TRAFFIC CONTROL PLAN. THE CITY OF APPLETON DECIDES FINAL APPROVAL OF TRAFFIC CONTROL PLAN. ADVANCED WARNING SIGNS WILL BE MOUNTED ON PORTABLE SUPPORTS. THE EXACT NUMBER, LOCATION, AND SPACING OF ALL SIGNS AND DEVICES, SHALL BE ADJUSTED TO FIT FIELD CONDITIONS AS APPROVED BY THE ENGINEER.

**LEGEND**

- 🚧 SIGN SYMBOL
- 🟡 CHANNELIZER DRUM
- 🚧 TYPE III BARRICADE
- ➡ DIRECTION OF TRAFFIC
- 🟡 42" DELINEATOR CONE

<b>Owner</b>		CITY OF APPLETON	
<b>Project Name</b>		City Center Plaza	
<b>Project Number</b>		N/A	
<b>Prime Contractor</b>		<b>Traffic Control Contractor</b>	
Boldt Companies		Warning Lites of Appleton, Inc.	
<b>Phone</b>	<b>Sheet Number</b>	<b>Date</b>	
920-725-0757	1	08/06/2023	
<b>Prepared By</b>		Lance G Mauel	



NOTE: ADDITIONAL ADA PEDESTRIAN BARRICADES AND CURB RAMP MAY BE USED TO OPEN A PATH/GAP TO BUSINESSES THAT NEED ACCESS ALONG COLLEGE AVENUE



### Sidewalk relocation with barrier wall and ADA pedestrian barricades

**Warning Lites**  
 Of Appleton, Inc.  
 TRAFFIC SAFETY & SUPPLY  
 1-920-725-0757  
 "Safety Is Our Business"  
 920-725-0757 www.warningliteswi.com

START DATE & TIME  
 DURATION:

**GENERAL NOTES:**  
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<b>Owner</b>	CITY OF APPLETON		
<b>Project Name</b>	City Center Plaza	<b>Project Number</b>	N/A
<b>Prime Contractor</b>	Boldt Companies	<b>Traffic Control Contractor</b>	Warning Lites of Appleton, Inc.
<b>Phone</b>	920-725-0757	<b>Sheet Number</b>	2
<b>Prepared By</b>	Lance G Mauel	<b>Date</b>	08/06/2023



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 8/17/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement.

PRODUCER: Robertson Ryan - Milwaukee; CONTACT NAME: Shari Smith; PHONE: (414) 221-0362; FAX: (414) 271-0196; E-MAIL ADDRESS: ssmith@robertsonryan.com; INSURER(S): SENTRY INSURANCE COMPANY; NAIC #: 24988

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSD, SUBR WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Includes Commercial General Liability, Automobile Liability, Umbrella Liability, and Workers Compensation.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) RE: City of Appleton, Wisconsin; Additional Insured/Primary & Non-Contributory: City of Appleton.

CERTIFICATE HOLDER

CANCELLATION

Certificate holder information: City of Appleton, 100 N. Appleton St., Appleton, WI 54911. Cancellation notice: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**From:** Jennifer Stephany <[jennifer@appleondowntown.org](mailto:jennifer@appleondowntown.org)>  
**Sent:** Monday, June 17, 2024 11:19 AM  
**To:** Brad Hechimovich <[Brad.Hechimovich@boldt.com](mailto:Brad.Hechimovich@boldt.com)>  
**Cc:** Cole Alsbach <[cole@darkhorsedevelopmentllc.com](mailto:cole@darkhorsedevelopmentllc.com)>  
**Subject:** Re: Fox Commons Sidewalk Closure and work Beyond July 1

We greatly appreciate the communication and cooperation. We support the extension and will continue to work with Dark Horse and the Boldt team to coordinate our power needs for July 19<sup>th</sup> Light the Night Market and Farm Market each Saturday.

Thank you for your partnership.

Jennifer Stephany

Pronouns: she, her, hers

Executive Director

Appleton Downtown Inc.

920.954.9112

[appleondowntown.org](http://appleondowntown.org)

**From:** Ethan Buechel <ebuechel@findorff.com>

**Sent:** Friday, June 14, 2024 2:02 PM

**To:** Brad Hechimovich <Brad.Hechimovich@boldt.com>; Peter Neuberger <Peter.Neuberger@Appleton.org>; Michael Hardy <Michael.Hardy@Appleton.org>; Joe Grueneberg <jgrueneberg@findorff.com>

**Cc:** Chuck Yohanek <Chuck.Yohanek@boldt.com>; Collin Krueger <Collin.Krueger@boldt.com>; traffic.engineering@appleton.org; Matt Femal <mfemal@findorff.com>; Mackenzie Beck <mbeck@findorff.com>; Michael Hoier <mhoier@findorff.com>

**Subject:** RE: Fox Commons Sidewalk Closure and work Beyond July 1

Brad –

Findorff agrees to the plan you have discussed with the City. The following are the only two comments I have:

- As we get closer to ceasing use of the 2<sup>nd</sup> floor overhead doors, can you please confirm that Boldt will be able to get the bedroom watertight in a timely manner?
- When will the concrete be installed for access to the freight elevator?

Thank you and enjoy your weekend,

**Ethan Buechel**

Assistant Project Manager

**FINDORFF**

**Building & Beyond**

226890 Harrier Ave | Wausau, Wisconsin 54401

Direct: 715.803.2226 | Cell: 715.323.3337 | Main: 715.803.2222

[findorff.com](http://findorff.com)

## Revised Schedule – Boldt College Ave Temp Occupancy Permit Extension

- The existing setup will remain thru July 15<sup>th</sup>.
  - Findorff continues their operation exclusively from the back side.
- July 15<sup>th</sup> - East of Oneida Street intersection will open completely. Jersey barrier removed, meter bags removed, sidewalk fully open.
  - Findorff continues their operation exclusively from the back side.
- August 1<sup>st</sup> – West of Oneida Street intersection will open completely. Jersey barrier removed, meter bags removed, sidewalk fully open.
  - Part of sidewalk at the old mall entrance north of the Oneida Street intersection will remain closed. There is still ample walkable space to get around this (like today).
    - Work on in this area will cease late morning during Mile of Music event days, the fencing will be pulled back to create more sidewalk space.
  - Findorff begins the Monday thru Wednesday operation as part of their permanent occupancy permit.
- August 15<sup>th</sup> – Last of Boldt’s sidewalk obstruction is removed.

Brad will contact ADI to update them on all this for Farmers Marking and other events. Plan to be implemented sporadically to remove jersey barrier/fencing and support construction operations of the old mall entrance area (permitted weekdays prior to 2PM, except during Mile of Music event days).



DEPARTMENT OF  
**LEGAL AND  
ADMINISTRATIVE  
SERVICES**

**CITY ATTORNEY'S OFFICE**  
100 North Appleton Street  
Appleton, WI 54911  
p: 920.832.6423  
f: 920.832.5962  
www.appleton.org

TO: Safety and Licensing Committee, Common Council

From: ACA Zak Buruin

Date: 6/21/24

RE: Corner Pub, Alcohol Beverage Abandonment and Non-Renewal

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Wisconsin Statutes §125.12(3) and (2)(ag) authorize an issuing municipality to refuse to renew an alcohol beverage license where the licensee has violated a local regulation adopted under §125.10. Appleton Code §9-52 is such a regulation.

Appleton Code §9-52(9) provides that abandonment of an alcohol beverage license shall be sufficient grounds for revocation or non-renewal of such license. It defines “abandonment” as “continuing refusal or failure of the licensee to use the license for the purpose for which the license was granted by the city council for a period of one (1) year.” The Common Council may extend such period if good cause is shown.

On May 30, 2023, the Appleton Health Department conducted an inspection of the Corner Pub, an alcohol beverage licensed establishment located at 1123 N. Mason Street in Appleton. The inspection was prompted by a broken water pipe in the rental unit above the bar, resulting in significant damage to the licensed premises. The inspection report noted several significant areas of concern and several city departments that would need to approve of the repairs and conditions of the bar before it would be able to reopen.

On July 28, 2023, license holder Kim Williams was notified of the situation via a letter from Clerk Lynch. The letter advised Ms. Williams that if her business was not reopened by May 30, 2024, would result in grounds for her alcohol beverage license(s) to be revoked or not renewed. It advised that the letter was intended to provide her ample notice of the potential loss of her alcohol beverage license and to remedy the situation by reopening the business.

On May 30, 2024, the given deadline to reopen, the Appleton Health Department conducted an inspection to determine if the premises was compliant with requirements to reopen. The inspection report noted that the bar area was not complete, and the business did not look as though it was ready to open. It was further noted that multiple city departments were unable to confirm that the establishment was able to resume



operation. The Health, Fire, and Inspections departments had not been able to approve the condition of the premises due to necessary additional work. The establishment could not reopen.

The following day, Clerk Lynch provided written notice to Ms. Williams of the intent to not renew her alcohol beverage license(s) based upon abandonment. The letter provided her with the required opportunity to be heard on the issue of the non-renewal of her alcohol beverage license at the meeting of the Safety and Licensing Committee of the Appleton Common Council on June 26 at 5:30 PM, The same letter advised her of the option to withdraw the renewal application and have the associated license fee refunded.

Based upon the above, the alcohol license in question is considered “abandoned” and is therefore subject to revocation or non-renewal under Appleton Code §9-52(9).



# CITY OF APPLETON

## OFFICE OF THE CITY CLERK

100 N Appleton Street  
Appleton, WI 54911  
p: 920.832.6443  
f: 920.832.5823  
[www.appleton.org](http://www.appleton.org)

**May 31, 2024**

**Kim Williams  
200 E Harding Drive  
Appleton, WI 54915**

**Re: Notice of Non-renewal of Alcohol License for Corner Pub**

Ms. Williams,

The purpose of this letter is to inform you of the status of your alcohol license application for Corner Pub, located at 1123 N Mason Street. On July 28<sup>th</sup>, 2023, you were sent a letter regarding the abandonment/non-use of your alcohol license. A copy of this letter is enclosed. Pursuant to 9-52(9) of the City of Appleton Municipal Code any licensee granted or issued a license to sell alcohol beverages that abandons such business shall forfeit any right or preference the licensee may have to the holding or renewal of such license. Abandonment shall be sufficient grounds for revocation or non-renewal of any alcohol beverage license. The referenced letter informed you of this and provided that your business must be operational by May 30, 2024 to avoid non-renewal or revocation of your alcohol license. The following departments confirmed on May 30<sup>th</sup> that your business was not operational and additional work is required before you would be able to re-open: health, fire and inspections.

A hearing for the non-renewal of your alcohol license has been scheduled for Wednesday, June 26<sup>th</sup>, 2024, before the Safety & Licensing Committee. The hearing will take place at 5:30 p.m. in the Council Chambers – 6<sup>th</sup> floor at City Hall, 100 N Appleton St., Appleton, WI 54911.

In lieu of the hearing you may surrender your alcohol license by sending an email to [kami.lynch@appletonwi.gov](mailto:kami.lynch@appletonwi.gov) stating your intent to surrender the license and withdraw your renewal application. This option allows you to receive a refund for the alcohol license fee.

If you have any questions related to this matter, please contact me at 920-832-6443.

Respectfully,

Kami Lynch, City Clerk

*Encl: Abandonment/Non-use of Alcohol License Letter*



LEGAL & ADMINISTRATIVE  
SERVICES DEPARTMENT

Office of the City Clerk

**Kami Lynch, Clerk**

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6443

---

July 28, 2023

**Kim Williams**

200 E Harding Drive

Appleton, WI 54915

Re: Abandonment/Non-Use of Alcohol License

Appleton Municipal Code Section 9-52 (9) states that an alcohol license may be revoked or non-renewed for failure to use the license for the purpose in which it was granted for a period of 1 (one) year. As of May 30, 2023 your establishment with the trade name, Corner Pub, located at 1123 N Mason St. has remained closed to the public, and your Class "B" Fermented Malt Beverage & "Class B" Liquor License have not been used. Failure to open your business and use your alcohol license for the intended purpose of a bar/tavern by May 30, 2024 may be grounds for license revocation or non-renewal. This letter is to provide you ample notice of potential non-renewal or revocation should the business not be operational by the time specified.

If you have any questions regarding this matter, please do not hesitate to contact me at the number listed above.

Respectfully,

Kami Lynch  
City Clerk

## Retail Food Establishment Inspection Report

<b>Establishment Information</b>	
Facility Name <b>CORNER PUB</b>	Facility Type <b>Retail Food - Serving Meals</b>
Facility ID # <b>HSAT-7QWT54</b>	Facility Telephone # <b>920 073-1097</b>
Facility Address <b>1123 N MASON ST APPLETON , WI 54914</b>	
Licensee Name <b>KIM-RICK WILLIAMS</b>	Licensee Address <b>1123 N MASON ST APPLETON , WI 54914</b>

<b>Inspection Information</b>		
Inspection Type <b>Routine</b>	Inspection Date <b>May 30, 2023</b>	Total Time Spent

<b>Equipment Temperatures</b>	
Description walkin beer cooler pizza freezer	Temperature (Fahrenheit)

<b>Warewashing Info</b>					
Machine Name	Sanitization Method	Thermo Label	PPM	Sanitizer Name	Sanitizer Type
manual	bleach				

**OPERATOR** - The violations in operating procedure or physical arrangement indicated below must be corrected by the next routine inspection or by a date specified in this report.

<b>Comments:</b>
<p style="color: blue;">Water pipe broke in rental over bar. Ceiling down to rafters, walls have stud exposed. Can lighting hanging down. Bar needs to be essentially put back together and have all departments sign off prior to reopening. Fire, HVAC, Building, Plumbing, Electrical and Health will all need to come through and inspection prior to opening back up for business.</p> <p style="color: blue;">Re attach the faucet on the 4 compartment sink. (Faucet is onsite)</p> <p style="color: blue;">Report will be mailed to 200 E. Harding Drive 54915</p>

Any operator aggrieved by an order of this department under this chapter may request a hearing as provided in ch.227 statute, if state licensed, or a local ordinance if licensed by an agent health department.

Person in Charge

Sanitarian

Rick Williams

**Rick Williams**

Michelle Roberts

**Michelle Roberts**  
**(920) 832-6429**

## Retail Food Establishment Inspection Report

<b>Establishment Information</b>	
Facility Name <b>CORNER PUB</b>	Facility Type <b>Retail Food - Serving Meals</b>
Facility ID # <b>HSAT-7QWT54</b>	Facility Telephone # <b>920 730-1097</b>
Facility Address <b>1123 N MASON ST APPLETON, WI 54914</b>	
Licensee Name <b>KIM-RICK WILLIAMS</b>	Licensee Address <b>200 E HARDING DR APPLETON, WI 54915</b>

<b>Inspection Information</b>		
Inspection Type <b>Routine</b>	Inspection Date <b>May 30, 2024</b>	Total Time Spent

<b>Equipment Temperatures</b>	
Description <b>walkin beer cooler pizza freezer</b>	Temperature (Fahrenheit)

<b>Warewashing Info</b>					
Machine Name	Sanitization Method	Thermo Label	PPM	Sanitizer Name	Sanitizer Type
<b>manual</b>	<b>bleach</b>				

**OPERATOR** - The violations in operating procedure or physical arrangement indicated below must be corrected by the next routine inspection or by a date specified in this report.

<b>Comments:</b>
<p><a href="#">Hold from Fire, Electrical, HVAC. Building and Plumbing not onsite to recheck. Inspections will create a CSR with all the notes. No storage under stairs.</a></p> <p><a href="#">4 compartment sink installed. Bar still not completed and looking ready to open. Bar can not be reopened at this time. Final approvals needed from Fire, Electrical, HVAC, Plumbing and Building. Also Health needs to come back and bar should look like it is ready to open.</a></p> <p><a href="#">Report emailed to <a href="mailto:crystal.k.denton@gmail.com">crystal.k.denton@gmail.com</a></a></p>

Any operator aggrieved by an order of this department under this chapter may request a hearing as provided in ch.227 statute, if state licensed, or a local ordinance if licensed by an agent health department.

Person in Charge

Sanitarian

  
**Kim Williams**

  
**Michelle Roberts**  
 (920) 832-6429

Form  
AT-115

## Renewal Alcohol Beverage License Application

FOR CLERKS ONLY
Municipality City of Appleton
License Period 2024-2025

**License(s) Requested**

- |   |   |
|---|---|
| <input type="checkbox"/> Class "A" Beer . . . . . \$ _____            | <input type="checkbox"/> "Class A" Liquor . . . . . \$ _____            |
| <input checked="" type="checkbox"/> Class "B" Beer . . . . . \$ _____ | <input checked="" type="checkbox"/> "Class B" Liquor . . . . . \$ _____ |
| <input type="checkbox"/> "Class C" Wine . . . . . \$ _____            | <input type="checkbox"/> "Class A" Liquor (Cider Only) \$ _____         |
| <input type="checkbox"/> Reserve "Class B" Liquor \$ _____            | <input type="checkbox"/> "Class B" (Wine Only) Winery \$ _____          |

License Fees	\$ 500
Publication Fee	\$ 20
Background Check	\$ 7
<b>Total Fees</b>	<b>\$ 527</b>

Part A: Premises/Business Information		
1. Legal Business Name (registered entity name or individual's name if sole proprietorship) <b>Kim Williams</b>		
2. Trade Name or DBA <b>Corner Pub</b>		
3. Premises Address <b>1123 N. Mason St. Appleton WI 54914</b>		
4. County <b>Outagamie</b>	5. Municipality <b>Appleton</b>	6. Aldermanic District <b>10</b>
7. Mailing Address (if different from premises address) <b>200 E Harding Dr. Appleton WI 54915</b>		
8. FEIN <b>456-0002312585-03</b>	9. Wisconsin Seller's Permit Number <b>456-0002312585-03</b>	
10. Premises Phone <b>920-450-8456</b>	11. Premises Email <b>NONE</b>	
12. Entity Type (check one) <input checked="" type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization		
13. Describe your premises in detail. Attach a floor plan if possible. If you do not want to change your premises description, use the same language previously approved by your municipality, which may be found on your most recent license certificate. Requested changes to the premises description must be approved by the municipal governing body.  <b>1123 North Mason Street - 110x230 sq ft. Tavern - 40x40 sq ft Basement storage</b>		

Part B: Questions		
1. Have you added or removed any partners, officers, directors, or managing members since your most recent application was submitted? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes to question 1, please list the names, titles, and phone numbers of any changed persons, and attach Form AT-103 for all NEW members.		
First Name	Last Name	
Phone	Title	<input type="checkbox"/> Add <input type="checkbox"/> Remove
First Name	Last Name	
Phone	Title	<input type="checkbox"/> Add <input type="checkbox"/> Remove
First Name	Last Name	
Phone	Title	<input type="checkbox"/> Add <input type="checkbox"/> Remove

**Part B: Questions Cont.**

2. Has any partner, officer, director, managing member, or agent had any changes to their most recently filed Form AT-103 including updated contact information, changes in address, criminal history, interest restrictions, etc? If yes, attach a new Form AT-103 reflecting the updated information .....  Yes  No

3. Does the licensee or any of its officers, directors, managing members, or agent hold any direct or indirect interest in any other alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets if necessary .....  Yes  No

4. Have the partners, agent, or sole proprietor, satisfied the responsible beverage server training requirement for this license period? .....  Yes  No

5. Is the person or business identified in Part A, the genuine seller of alcohol beverages and operator of the business (e.g., reporter of profit/loss from the sale of alcohol beverages on their income tax return, holder of the seller's permit for the business location, payer of employees, taxes, utilities, and other expenses for the business, etc.)?  Yes  No

6. Is the business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? .....  Yes  No

7. Does the applicant owe municipal property taxes, assessments, or other fees? .....  Yes  No

**Part C: For Corporate/LLC Applicants Only:**

1. Has your designated agent changed since your most recent application? If yes, list the new agent name below and attach Form AT-103 for that person and a Form AT-104. ....  Yes  No

2. Agent Last Name	Agent First Name	Agent Phone Number
--------------------	------------------	--------------------

**Part D: Attestation**

Who must sign this application?

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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 <i>Kim Williams</i>	Date <i>3-11-24</i>	
Name (Last, First, M.I.) <i>Kim M. Williams</i>		
Title <i>owner</i>	Email	Phone <i>920-450-8456</i>

**Part E: For Clerk Use Only**

Date application was filed with clerk <i>3/11/2024</i>	Date reported to governing body	Date provisional license issued (if applicable)
Date license granted	License number	Date license issued
Signature of Clerk/Deputy Clerk		

## Nathan Williams

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**From:** Crystal Williams <crystal.k.denton@gmail.com>  
**Sent:** Tuesday, June 4, 2024 3:02 PM  
**To:** Nathan Williams  
**Subject:** Fwd: Corner Pub  
**Attachments:** image001.jpg; Inspection-Letter\_05-30-2024.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

----- Forwarded message -----

**From:** Michelle Roberts <Michelle.Roberts@appleton.org>  
**Date:** Mon, Jun 3, 2024, 10:29  
**Subject:** Corner Pub  
**To:** crystal.k.denton@gmail.com <crystal.k.denton@gmail.com>

Attached is the notes from Electrical and Fire

Below is the list of violations that I noticed at the Corner Pub on 1123 N Mason. A licensed electrical contractor will need to apply for a permit and perform the work. Once Kurt creates a CSR I will put the notes in. Let me know if you have any questions.

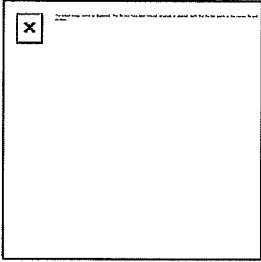
- Boxes without covers – 314.25
- Open splices – 300.15
- Flex conduit not connected to the light fixtures – 300.12
- Lights not secured to the grid – 410.36(B)
- GFCI protection within 6' of sink – 210.8(B)(5)
- GFCI in unfinished basement – 210.(B)(10)
- NM not secured at panel – 334.30
- EMT conduit not properly secured – 358.30
- Damaged receptacles and covers – 110.12(B)



-Box extensions needed – 314.20

-Box fill – 314.16

Thank you,



**Timothy Meyer**

Electrical Inspector

City of Appleton, Community Development Department

100 N. Appleton Street, Appleton, WI 54911

O: 920-832-5806 | [timothy.meyer@appletonwi.gov](mailto:timothy.meyer@appletonwi.gov)

[Appleton.org](http://Appleton.org)



**Appleton Fire Department Inspection Report**

**Business Information**

**Occupant Name:** Corner Bar **Date Completed:** 05/30/2024  
**Address:** 1123 N MASON ST **IFC Classification:** A2 - Assembly  
**Business Phone:**  
**Occupant Suite:**  
**City:** APPLETON **State:** WI **Postal Code:** 54914

**Contact Information**

**First Name** Kim **Last Name** Williams  
**Cell Phone** 920-450-8456

**Inspection Information**

**Inspection Type:** Routine

**Violations**

<b>Complaint Reported Date</b>	<b>Violation Code</b>	<b>Violation Status</b>	<b>Re-Inspection Date</b>	<b>Description</b>	<b>Comments</b>
12:29:26	603.2.2	Violation Noted - Schedule Recheck	06/26/2024	Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.	Multiple junction boxes open, no expose wiring allowed
12:32:31	703.1.3	Violation Noted - Schedule Recheck	06/26/2024	Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80.	Breach of fire walls different locations
12:35:07	NFPA 1:14.13.2 .1.1	Violation Noted - Schedule Recheck	06/26/2024	Emergency Lighting – Shall be function tested monthly for not less than 30 seconds and annually function tested for a minimum of 90 minutes. A written record of visual inspections and tests shall be kept for inspection.	Emergency light not working

For a list of companies that may complete this service, please copy the below link and paste it in your browser. Please be aware that this is not a complete list of vendors and is provided as a courtesy.

<https://drive.google.com/open?id=1hXhLNNiIR34frMu-pNc-wLhFRqAnuxd6>

For an example test record, please copy the link and paste it in your browser.

[https://drive.google.com/open?id=1MBznFpMIwiBixVvi4et2T-\\_0bvi8qAAe](https://drive.google.com/open?id=1MBznFpMIwiBixVvi4et2T-_0bvi8qAAe)

**Inspected by:** DETERT, JEREMIAH

**Date Completed:** 05/30/2024

12:35:33	315.3.3	Violation Noted - Schedule Recheck	06/26/202 4	Combustible material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms or in fire command centers as specified in Section 508.1.5.	No storage allowed under the stairway to basement unless is protected by sprinkler system
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**Violation Documents**

Document File Not Found.

Document File Not Found.

Document File Not Found.

Document File Not Found.

**Order to Comply**

As such conditions are contrary to law, you are hereby required to correct said violations upon receipt of this notice. An inspection to determine whether or not you have complied with this notice will be conducted approximately on or around the date listed above. Failure to comply before the reinspection date may render you liable to the penalties provided by law for such violations, and reinspection or missed appointment fees.



# CITY OF APPLETON

## MEMORANDUM

**Date:** 7/10/24  
**To:** Safety and Licensing Committee  
**From:** Kurt W. Craanen, Inspection Supervisor  
**Subject:** 1123 N. Mason St, - Corner Pub

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On May 30, 2024, an inspection was conducted at the owner's request at the Corner Pub, 1123 N. Mason St. This type of scheduled inspection, involving staff from the Health, Community Dev. and Fire Department staff, is common.

The condition of the property on May 30, 2024, was such that it was not a habitable building. Inspections staff noted multiple life safety violations. The owner was instructed to hire licensed contractors to correct the code violations.

On June 6, 2024, an electrical permit was issued to Alan's Electric to correct electrical violations.

An inspection was scheduled for July 8, 2024. Staff from Community Dev., Health and Fire conducted inspections. Staff found multiple violations still existing at the property. These violations include:

- The ceiling has openings and gaps in several places that need to be properly sealed with gypsum board and fire caulk.
- Areas of walls and at door opening, have exposed wood studs.
- HVAC vent openings at wall lack grilles.
- Partitions in men's restroom lack support.
- No grab bars at toilets in restrooms.
- The gas furnace must be enclosed with a 2-hour rated ceiling and surrounding walls.
- Door to furnace room must be 1 ½ hour rated with a closer.

Based on the condition of the property and the multiple violations that still exist, staff does not support the renewal of the liquor license.

c: Zak Buruin

**IN THE CITY OF APPLETON,  
OUTAGAMIE COUNTY, STATE OF  
WISCONSIN, BEFORE THE  
SAFETY AND LICENSING COMMITTEE**

---

**IN RE THE ALCOHOL LICENSE OF KIM WILLIAMS**

d/b/a Corner Pub  
1123 North Mason Street  
Appleton, WI 54914

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**REPORT OF THE SAFETY AND LICENSING COMMITTEE  
TO THE COMMON COUNCIL OF THE CITY OF APPLETON**

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The above matter came before the Safety and Licensing Committee of the Common Council of the City of Appleton on June 26, 2024, as a hearing on the refusal to renew the alcohol beverage license of Kim Williams. That hearing was continued on July 10, 2024.

A copy of this report shall be given to the licensee. If the licensee files an objection to this report with the City Clerk prior to the matter being decided by the Common Council, they will have an opportunity to present arguments supporting the objection to the Common Council, who shall determine whether the arguments shall be presented orally or in writing or both.

**FINDINGS OF FACT**

1. Kim Williams (“Licensee”), doing business as Corner Pub, has a premises licensed by the City of Appleton for retail alcohol beverage sales located at 1123 North Mason Street in the city of Appleton, Wisconsin.
2. Licensee was granted a Combination Retail License for Class “B” Fermented Malt Beverages and “Class B” Intoxicating Liquors for the 2023-24 alcohol licensing year.
3. On May 30, 2023, Appleton Health Department inspected the Corner Pub and found several significant areas in need of repairs that required multiple other city departments to

inspect and approve before the premises could be open to the public for the sale of alcohol beverages.

4. On July 28, 2023, Licensee was sent a letter from the City of Appleton Clerk regarding the potential of non-renewal based on failure to use the alcohol license for the purpose in which it was granted for a period of one (1) year from May 30, 2023, if the business is not open to the public.
5. On March 11, 2024, Licensee applied to renew the aforementioned Combination Retail License for the 2024-25 alcohol licensing year.
6. On May 30, 2024, Appleton Health Department inspected the Corner Pub and reported that the business appeared to not be open to the public and noted that Fire and Inspections Departments have not approved the business to reopen.
7. On or about May 31, 2024, notice of intention to refuse to renew the alcohol license (“Notice”) for Corner Pub was sent to Licensee.
8. The Notice provided Licensee that the reason for non-renewal is that “Pursuant to 9-52(9) of the City of Appleton Municipal Code any licensee granted or issued a license to sell alcohol beverages that abandons such business shall forfeit any right or preference the licensee may have to the holding or renewal of such license. Abandonment shall be sufficient grounds for revocation or non-renewal of any alcohol beverage license.”
9. The Notice provided Licensee an opportunity for a hearing on the non-renewal of their alcohol license on June 26, 2024, at 5:30 p.m.
10. The Hearing occurred on June 26, 2024 and was continued on July 10, 2024
11. For the one (1) year period of time between May 30, 2023, and May 30, 2024, the licensed premises known as the Corner Pub was closed to the public.
12. As of July 10, 2024, the licensed premises known as the Corner Pub continued to be closed to the public.
13. While the Corner Pub was closed to the public, no retail sales of alcohol beverages occurred.

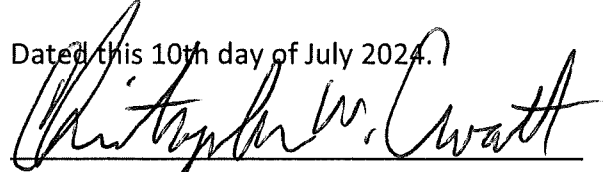
## CONCLUSIONS OF LAW

1. The Safety and Licensing Committee of the Common Council of the City of Appleton has proper jurisdiction to conduct hearing for refusal to renew alcohol beverage licenses based on noncompliance with Section 9-52(9) of the Municipal Code of the City of Appleton and Wis. Stat. §125.12.
2. A violation of Section 9-52(9) of the Municipal Code of the City of Appleton is a municipal regulation adopted under Wis. Stat. §125.10 and is therefore a basis for refusing to renew an alcohol beverage license under Wis. Stat. §125.12.
3. The Safety and Licensing Committee concludes that the Licensee was not using its license to sell alcohol for the purpose of selling alcohol when it was closed to the public.
4. The Safety and Licensing Committee concludes that the Licensee d/b/a Corner Pub has ABANDONED their Combination Retail License in violation of Section 9-52(9) of the Municipal Code of the City of Appleton.

## RECOMMENDATION

Based on the above Findings of Fact and Conclusions of Law, the Safety and Licensing Committee recommends that the Common Council of the City of Appleton **REFUSE TO RENEW** the Combination Retail License for Class “B” Fermented Malt Beverages and “Class B” Intoxicating Liquors issued to Kim Williams for the establishment known as the Corner Pub.

Dated this 10th day of July 2024.



Aldersperson Chris Croatt  
Chairperson, Safety and Licensing  
Committee



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

## POLICE DEPARTMENT

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

TO: Alderperson Croatt – Chairperson Safety & Licensing Committee

FROM: Chief Polly Olson

DATE: July 10th, 2024

RE: Sole Source Memo for TimeClock Plus, LLC Contract – Action Item

The Police Department is requesting approval of a five-year contract with TimeClock Plus, LLC, (TCP) which is the Aladtec Scheduling Program currently used by the Appleton Police Department.

In 2016, the Department began using the Aladtec Scheduling Software as it provided a streamline process for managing schedules and was accessible online by all staff. In October 2021, TCP acquired Aladtec Scheduling Software and continues to service our account. With increasing annual rates at 10% we began to research other options for scheduling software.

In the research process, our Scheduling Team explored other software to determine: 1) if there was a similar product at a reduced cost, 2) if there were other scheduling features that we should consider, and 3) if other police agencies were using the software. Our research included meeting with other agencies to view their scheduling software, meeting virtually with vendors, and reviewing products on our own. Unfortunately, there is an "Hourly Editor" feature in Aladtec that has not been replicated by other software products. The feature provides flexibility and ease of use when changing, adding, and deleting schedules and is used daily by staff.

In 2024, TCP offered a five-year contract (2025-2029) at a reduced annual increase of 4%, 3%, 2%, 2%, 1% respectively. With TCP contract proposal we will be guaranteed no price changes for five years. We are asking the Safety & Licensing Committee to approve this five-year contract as a sole source provider.





**CLIENT INFORMATION**

Purchased for: Appleton Police Department  
 Bill To: Appleton Police Department

Contract Contact Name: Chief Polly Olson

Contract Contact Email: polly.olson@appleton.org

Billing Address: 222 S. Walnut St., Appleton, WI 54911

Billing Contact Name: Sue Ann Teer

Support Contact Name:

Billing Contact Email: sueann.teer@appleton.org

Support Contact Email:

Billing Contact Phone: 920-832-5530

Support Contact Phone:

Shipping Method: N/A

Start day of week:

**BILLING TERMS**

INITIAL TERM	RENEWAL TERM	PAYMENT TERM	PAYMENT METHOD
60 MONTHS	60 MONTHS	NET 45	CHECK

ITEM DESCRIPTION	PRICE PER UNIT	QUANTITY	CHARGE TYPE	ORDER TOTAL
*ALADTEC SUBSCRIPTION - ANNUAL	\$76.86	160	RECURRING	\$12,297.60

SUBTOTAL	<b>\$12,297.60</b>
TAXES	<b>\$0.00</b>
GRAND TOTAL	<b>\$12,297.60</b>
CURRENCY	USD

QUOTE EXPIRATION DATE : 09/01/2024

SPECIAL TERMS: YR1|\$76.86|160|\$12,297.60  
 YR2|\$79.16|160|\$12,665.60  
 YR3|\$80.74|160|\$12,918.40  
 YR4|\$82.35|160|\$13,176.00  
 YR5|\$83.17|160|\$13,307.20

# SERVICE TERMS & CONDITIONS

TimeClock Plus, LLC ("TCP"), a Delaware limited liability company, will provide Client and its authorized Employees and Users access to the Services during the Initial Service Term in accordance with the complete terms and conditions (collectively the "Licensing Agreement") found at: <https://www.tcpsoftware.com/legal>

TCP reserves the right to modify the Licensing Agreement at TCP's sole discretion provided that changes shall not materially decrease the Services features and functionalities that Client has subscribed to during the then-current term. Should TCP make any modifications to the Licensing Agreement, TCP will post the amended terms on the applicable URL link and will update the "Last Updated Date" within such documents to notify Client of said changes.

This Order Form is entered into as of the Contract Start Date contained herein (the "Effective Date") by and between TimeClock Plus, LLC and the entity named in the Bill To section herein (the "Client"), and is subject to the Licensing Agreement. In the event of any conflict between the Order Form and the Terms and Conditions (as applicable), the terms of the Order Form shall control.

Client shall pay all fees or charges in accordance with those outlined on the Order Form. Except for cases of TCP breach, all fees are committed and non-cancelable during the term of the agreement.

The individuals executing this Agreement on behalf of each Party represent and warrant to the other Party that they are fully authorized and legally capable of executing this Agreement on behalf of such Party and that such execution is binding upon such Party.

Accepted by:

Client

TimeClock Plus, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Form  
**AB-105**

**Producer Full-Service Retail Sales Application**

Date  
**5-29-24**

<b>Part A: Producer Information</b>			
1. Business Legal Name (individual name if sole proprietor) Hop Yard Ale Works, LLC			
2. Business Name or DBA Hop Yard Ale Works		3. Agent Name Amy Behm	
4. FEIN 85- [REDACTED]		5. Wisconsin Seller's Permit Number 456-1030505526-04	
6. Wisconsin Producer Permit Number BR-WI 21258		7. Producer Type <input checked="" type="checkbox"/> Brewery <input type="checkbox"/> Winery <input type="checkbox"/> Liquor Manufacturer/Rectifier	
8. Contact Person's First Name Amy		9. Last Name Behm	10. M.I.
11. Contact Person's Phone [REDACTED]		12. Contact Person's Email [REDACTED]	

<b>Part B: Production Quantity</b>		
<p><b>Note:</b> Check appropriate quantity for permit held (see instructions). If you hold more than one producer permit, check the total aggregate quantity produced for each type of permit. Enter the highest quantity produced in any of the last three calendar years.</p>		
<b>Brewery</b>	<b>Manufacturer/Rectifier</b>	<b>Winery</b>
<input type="checkbox"/> Less than 250 barrels <input checked="" type="checkbox"/> 250 - 2,499 barrels <input type="checkbox"/> 2,500 - 7,499 barrels <input type="checkbox"/> 7,500 or more barrels	<input type="checkbox"/> Less than 1,500 liters <input type="checkbox"/> 1,500 - 4,999 liters <input type="checkbox"/> 5,000 - 34,999 liters <input type="checkbox"/> 35,000 or more liters	<input type="checkbox"/> Less than 1,000 gallons <input type="checkbox"/> 1,000 - 4,999 gallons <input type="checkbox"/> 5,000 - 24,999 gallons <input type="checkbox"/> 25,000 or more gallons
Calendar year: 2023	Calendar year:	Calendar year:
Quantity: 305	Quantity:	Quantity:

**Complete only ONE of Part C, D or E.**

<b>Part C: Request for Full-Service Retail Sales at the Production Premises</b>			
1. Start Date		2. Production Premises Address	
3. City		4. State	5. Zip Code
6. County		7. Governing Municipality <input type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: _____	

<b>Part D: Request for Fixed Full-Service Retail Outlet</b>			
1. Are you transferring one fixed full-service retail outlet to a new location? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete boxes 2 through 9.			
2. Current Outlet Name			
3. Current Outlet Premises Address			
4. City		5. State	6. Zip Code
7. County	8. Governing Municipality <input type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: _____		9. Premises Phone Number

*Continued* →

Part D: Request for Fixed Full-Service Retail Outlet (Cont.)			
New Fixed Retail Outlet Information (complete boxes 10 through 23)			
10. Start Date	11. New Outlet Name		
12. New Outlet Premises Address			
13. City	14. State	15. Zip Code	
16. County	17. Governing Municipality <input type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of _____		18. Premises Phone Number
19. Premises Description - Describe the building or buildings and any outside areas where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.			
20. Will you operate a restaurant on the premises? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No			
21. What alcohol beverages will be offered for sale? (check all that apply) ..... <input type="checkbox"/> Beer <input type="checkbox"/> Wine <input type="checkbox"/> Intoxicating Liquor (other than wine)			
22. What alcohol beverages does the permittee produce? (check all that apply) <input type="checkbox"/> Beer <input type="checkbox"/> Wine <input type="checkbox"/> Intoxicating Liquor (other than wine)			
23. How will customers be served? (check all that apply) ... <input type="checkbox"/> Samples <input type="checkbox"/> On-premises consumption <input type="checkbox"/> Off-premises consumption			

Part E: Request for Unlimited Transfer Full-Service Retail Outlet			
1. Name of Event (if applicable) Flicks & Sips			
2. Dates of Operation (attach a schedule, if necessary) Friday August 16		3. Hours of Operation 5:30 - 11:00p	
4. Premises Address Jones Park - 301 W Lawrence St			
5. City Appleton	6. State WI	7. Zip Code 54911	
8. County outagamie	9. Governing Municipality <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of <u>appleton</u>		
10. Organizer of Event (if not the named applicant) Elizabeth Konrath		11. Email and/or Phone Number for Organizer of Event Elizabeth.Konrath@appleton.org	
12. Organizer Website n/a <u>Appleton Park &amp; Rec</u>		13. Event Website n/a	
14. Premises Description - Describe the building or buildings and any outside areas where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.  Hop Yard will be offering beer, seltzer and soda offerings out of a tap trailer. ID check/wrist bands & tickets sales in separate tent, all situated under the bridge at Jones park. Signs will be posted at all exits that no alcohol is allowed beyond the park.			
15. On-Site Contact (Last Name, First Name) Amy Behm	16. On-Site Contact Phone [REDACTED]	17. On-Site Contact Email [REDACTED]	
18. Will you operate a restaurant on the premises? ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
19. What alcohol beverages will be offered for sale? (check all that apply) ..... <input checked="" type="checkbox"/> Beer <input type="checkbox"/> Wine <input type="checkbox"/> Intoxicating Liquor (other than wine)			
20. What alcohol beverages does the permittee produce? (check all that apply) <input checked="" type="checkbox"/> Beer <input type="checkbox"/> Wine <input type="checkbox"/> Intoxicating Liquor (other than wine)			
21. How will customers be served? (check all that apply) ... <input type="checkbox"/> Samples <input checked="" type="checkbox"/> On-premises consumption <input type="checkbox"/> Off-premises consumption			

**Part F: Attestation**

Who must sign this application?

- sole proprietor      • general partner of a partnership      • corporate officer      • member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following

- I will not operate this location outside of the dates and times approved by the municipality and Division of Alcohol Beverages.
- I will operate this location according to municipal ordinance and restrictions imposed as a condition of receiving this authorization.
- I will purchase alcohol beverages I do not produce from an authorized source, such as a Wisconsin-permitted wholesaler.
- I will operate this location according to Wisconsin law and administrative regulation including but not limited to: underage restrictions, closing hours, licensed operators, and record keeping requirements.

Further, under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the authorization. Further, I agree that the rights and responsibilities conferred by the authorization, if granted, will not be assigned to another individual or entity. I understand that lack of access to any portion of a premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this authorization. I understand that any authorization issued contrary to Wis. Stats. Chapter 125 shall be void under penalty of Wisconsin 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 <i>Amy Behm</i>		Date 5-29-24
Last Name Behm	First Name Amy	M.I.
Title Owner	Email [REDACTED]	Phone [REDACTED]

**Part G: For Municipal Use Only (Complete if Requesting Authorization in Part D or E)**

1. Will the municipality limit the scope of alcohol beverages offered for sale? .....  Yes  No

2. Will the municipality impose any requirements or restrictions for the full-service retail outlet? .....  Yes  No

3. Describe municipal restrictions indicated in questions 1 or 2 above

4. Last Name of Municipal Official	5. First Name	6. M.I.
7. Signature of Municipal Official		8. Date
9. Date Application was Filed with Clerk	10. Date Full-Service Retail Outlet Approved by Governing Body	

24-0808



# Application for Mobile Home Park License

CASH OR CHECK ONLY!

**LICENSE PERIOD IS FROM**  
**JULY 1<sup>ST</sup> - JUNE 30<sup>TH</sup>**

<b>FEES ARE NON-REFUNDABLE</b>	
Date Rec'd	6/7/24
Mobile Home Park (CLMOBL) \$132.00	Total \$ 132.00
	Receipt #: 6954-4

Note: Please allow approximately 3 weeks for application processing

### SECTION 1 - COMPANY INFORMATION - Answer all questions completely. Please PRINT clearly.

Name of Company Holding License  
**FOX VALLEY ESTATES**

Company Street Address <b>330 E JUNIPER LN</b>	City <b>APPLETON</b>	State <b>WI</b>	Zip <b>54915</b>
Company Telephone Number <b>218-310-2979</b>	<i>In addition, no person shall conduct a business or operate a mobile home park as defined by Wisconsin Administrative Code 177.02 without obtaining a Health Department License from the Health Department in accordance with Wisconsin Administrative Code Chapter 177.</i>		
Company Email Address <b>FOXVALLEYESTATES@GMAIL.COM</b>			

### SECTION 2 - CONTACT INFORMATION

Name of Contact applying for license (First, MI, Last)  
**SCOTT R MOORE**

Date of Birth

Contact Home Street Address <b>4349 TARNOWSKI RD</b>	City <b>DULUTH</b>	State <b>MINN</b>	Zip <b>55803</b>
Contact Phone Number [REQUIRED]	Contact Email Address [REQUIRED]		

### SECTION 3 - LOCATION

Location of Mobile Home Park:  
**106 E PRIMROSE LN, APPLETON**

Total Number of Units: <b>78</b>	Number of Units Occupied: <b>77</b>	Number of Units Unoccupied: <b>1</b>
-------------------------------------	--	---

### SECTION 4 - PENALTY NOTICE

I hereby certify that I/we have familiarized myself/ourselves with Chapter 11 of the City of Appleton Municipal Code as it relates to Mobile Home Parks and that I/we will comply with said code.

Signature of Applicant: Scott Moore Date: 6/7/2024

### FOR OFFICE USE ONLY

Department	Approve	Deny	Staff Member	Reasoning
Police	X		B. Woodin	6-11-2024
Fire	X		D. Henson	6-10-2024
Public Works	X		P. Mubayer	JUN 18 2024
Inspections				
Community Development	X		D. Hany	JUN 10 2024
Finance				
Health	X		S. Kiri	JUN 19 2024
Safety and Licensing				
Common Council				
Date sent for approval <b>JUN 07 2024</b>	Approved date	Issued Date	Expiration Date	License Number

Form  
**AB-200**

## Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- |   |  |
|---|--|
| <input type="checkbox"/> Class "A" Beer ..... \$ _____                            | <input type="checkbox"/> Class "B" Beer ..... \$ _____     |
| <input type="checkbox"/> "Class A" Liquor ..... \$ _____                          | <input type="checkbox"/> "Class B" Liquor ..... \$ _____   |
| <input type="checkbox"/> "Class A" Liquor (cider only) \$ _____                   | <input type="checkbox"/> Reserve "Class B" Liquor \$ _____ |
| <input checked="" type="checkbox"/> "Class C" Liquor (wine only) \$ <u>100.00</u> |  |

Fees	
License Fees	\$ <u>100.00</u>
Background Check Fee	\$
Publication Fee	\$ <u>60.00</u>
<b>Total Fees</b>	<b>\$ <u>160</u></b>

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <u>Bowinator LLC</u>			
2. Business Trade Name or DBA <u>Ukiyo</u>			
3. FEIN		4. Wisconsin Seller's Permit Number <u>456-1031197907-04</u>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <u>Wisconsin</u>		7. Date of Organization <u>12/1/22</u>	8. Wisconsin DFI Registration Number
9. Premises Address <u>207 W. College Ave</u>			
10. City <u>Appleton WI</u>		11. State <u>WI</u>	12. Zip Code <u>54911</u>
13. County <u>Outagamie</u>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>		15. Aldermanic District
16. Premises Phone <u>(920) 903-4959</u>	17. Premises Email <u>N/A</u>	18. Website <u>N/A</u>	
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.  <u>All alcohol would be served, sold, and stored within the front portion of the building only for this business for private events.</u>			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, list the details of violation below. Attach additional sheets if necessary.		
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No  
 beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No  
 6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No  
 7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Schiedermayer	Colbin	Owner/Operator	

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name Schiedermayer	First Name Colbin	M.I.
Title Owner	Email	Phone
Signature 		Date 6/9/24

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	





# City of Appleton

## Alcohol License Questionnaire

1. Name of Applicant: Carbin Schiederwanger

2. Name of Business: Ukijo

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

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

3. Address of Business: 207 W. Colley Ave, Appleton, WI 54911

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

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

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

<u>Carbin</u>		<u>Schiederwanger</u>	
First name	M.I.	Last name	Date of Birth
			/ /

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

Name: Ron Tosler

First name Middle Initial Last name

Address: 207 W. College Ave Appleton WI 54911

City State ZIP

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

Name: Fika Tea Bar

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

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

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

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

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

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

\_\_\_\_\_ months ago.

10. Seating capacity: Inside 25 Outside N/A

11. Operating hours (Inside the building): By appointment only  
Operating hours (Outdoor seating areas): N/A

12. Employees/Staff

Number of floor personnel 1 Number of door checkers 1

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

a. Gross floor building area of the premises to be licensed: 1000 square feet.

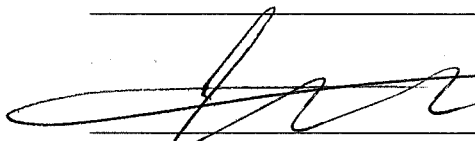
b. Gross outdoor seating areas of the premises to be licensed: N/A square feet.

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

Business is only open for private events

seating up to 20 people maximum.

\_\_\_\_\_  
\_\_\_\_\_

  
Signature

6/10/24  
Date

## Alcohol Beverage Appointment of Agent

<b>Agent Type</b> <i>(check one)</i>	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (Individual name if sole proprietor) <u>Rowinator LLC</u>	
2. Business Trade Name or DBA <u>Ukiyo</u>	
3. Entity Type <i>(check one)</i> <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization <i>(check one)</i> <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	


<b>Part B: Agent Information</b>			
1. Last Name <u>Schiedermaier</u>	2. First Name <u>Corbin</u>	3. M.I.	
4. Email		5. Phone	
6. Home Address <u>928 W. Hayes Ave</u>			
7. City <u>Appleton</u>	8. State <u>WI</u>	9. Zip Code <u>54914</u>	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? ..... Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? ..... Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? ..... See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

*Continued* →

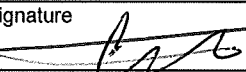
**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name <i>Schiedermayer</i>		First Name <i>Carbin</i>	M.I.
Title <i>Owner</i>	Email	Phone	
Signature 		Date <i>6/9/24</i>	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name <i>Schiedermayer</i>		First Name <i>Carbin</i>	M.I.
Signature 		Date <i>6/9/24</i>	

# Alcohol Beverage Individual Questionnaire

Date 6/9/24

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all partners of a partnership
- all officers, directors, and agent of a corporation or nonprofit organization
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information	
1. Legal Business Name (individual name if sole proprietor)	<u>Bovinator LLC</u>
2. Business Trade Name or DBA	<u>Ukiyo</u>
3. Entity Type (check one)	
<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	

Part B: Individual Information			
1. Last Name	2. First Name	3. M.I.	
<u>Schiedermaier</u>	<u>Colbin</u>		
4. Relationship to Business (Title)	5. Email	6. Phone	
<u>Owner</u>			
7. Home Address			
<u>928 W. Hayes Ave</u>			
8. City	9. State	10. Zip Code	11. Date of Birth
<u>Appleton</u>	<u>WI</u>	<u>54914</u>	
12. Drivers License/State ID Number		13. Drivers License/State ID State of Issuance	

Part C: Address History							
1. Do you currently reside in Wisconsin? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
If yes to 1 above, how long have you continuously lived in Wisconsin prior to the date of application? . . . .			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Years</td> <td style="width: 50%; padding: 5px;">Months</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><u>5</u></td> <td style="padding: 5px;"></td> </tr> </table>	Years	Months	<u>5</u>	
Years	Months						
<u>5</u>							
2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.							
Previous Address 1	City	State	Zip Code				
<u>928 W. Hayes Ave</u>	<u>Appleton</u>	<u>WI</u>	<u>54914</u>				
Previous Address 2	City	State	Zip Code				
Previous Address 3	City	State	Zip Code				
Previous Address 4	City	State	Zip Code				
Previous Address 5	City	State	Zip Code				
3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.							
State	County	State	County				
State	County	State	County				

Continued →

**Part D: Criminal History**

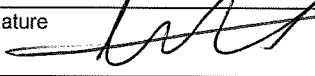
1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? . . . . .  Yes  No  
 If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related 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 E: Attestation**

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. 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 *6/9/24*

Form  
**AB-200**

## Alcohol Beverage License Application

For Municipal Use Only
Municipality <b>Appleton</b>
License Period <b>24-25</b>

**License(s) Requested:** (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_      Class "B" Beer ..... \$ 100  
 "Class A" Liquor ..... \$ \_\_\_\_\_      "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_      Reserve "Class B" Liquor \$ 10,500  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$ <u>10,600</u>
Background Check Fee	\$ <u>—</u>
Publication Fee	\$ <u>60</u>
<b>Total Fees</b>	<b>\$ <u>10,660</u></b>

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <b>Mondo Wine LLC</b>			
2. Business Trade Name or DBA <b>Mondo on the River</b>			
3. FEIN		4. Wisconsin Seller's Permit Number <b>456-1029752052-02</b>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <b>WI</b>		7. Date of Organization <b>07/05/2017</b>	8. Wisconsin DFI Registration Number <b>M099633</b>
9. Premises Address <b>425 W. Water Street, Suite 100</b>			
10. City <b>Appleton</b>		11. State <b>WI</b>	12. Zip Code <b>54911</b>
13. County <b>Outagamie</b>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <b>Appleton</b>		15. Aldermanic District <b>11</b>
16. Premises Phone <b>(920) 903-1787</b>	17. Premises Email <b>david@mondowinebar.com</b>		18. Website <b>mondowinebar.com</b>
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.  <b>Premise Description: 425 WEST WATER STREET SUITE 100 - APPROX 4,600 SQ. FT., FIRST FLOOR CAFÉ AREA WITH A 900 SQ. FT. DECK, 500 SQ. FT. PATIO AREA AND BASEMENT STORAGE. TO COMPLY WITH STIPULATIONS OF SPECIAL USE PERMIT #1-06.</b>			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.     Yes     No  
If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No  
 6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No  
 7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.


Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Oliver	David	President	
Oliver	Jane	Vie President	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name	First Name	M.I.
Oliver	David	J
Title	Email	Phone
President		
Signature	Date	
	05/24/24	

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	





# City of Appleton Alcohol License Questionnaire

1. Name of Applicant: David Oliver

2. Name of Business: Mondo Wine LLC (DBA: Mondo on the River)

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

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

3. Address of Business: 425 W. Water Street, Suite 100, Appleton, WI 54911

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

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

David J. Oliver			
First name	M.I.	Last name	Date of Birth
Jane E. Oliver			
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth

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

Name: Randall Stadtmueller / Atlas Mill LLC

First name Middle Initial Last name

Address: P.O. Box 544 Neenah, WI 54957

City State ZIP

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

**Name:** Wild River Cafe

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

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

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

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

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

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

**10. Seating capacity:** Inside 202 Outside 52

**11. Operating hours** (Inside the building): 3-8pm Tuesday, Wednesday, 3-9pm Thursday, Saturday, 3-10pm Friday  
**Operating hours** (Outdoor seating areas): Same as above

**12. Employees/Staff**  
Number of floor personnel 3 Number of door checkers \_\_\_\_\_

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

- a. Gross floor building area of the premises to be licensed: 4,600 square feet.
- b. Gross outdoor seating areas of the premises to be licensed: 1,400 square feet.
- c. Below, identify the operational details of the proposed establishment:

Combination cafe, wine bar and retail wine shop.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



Signature

5/24/2024

Date

## Alcohol Beverage Appointment of Agent

Date
------

<b>Agent Type</b> (check one)	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) Mondo Wine LLC	
2. Business Trade Name or DBA Mondo on the River	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

<b>Part B: Agent Information</b>			
1. Last Name Oliver	2. First Name David	3. M.I. J	
4. Email		5. Phone	
6. Home Address 833 E. Franklin Street			
7. City Appleton	8. State WI	9. Zip Code 54911	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? . . . . . Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? . . . . . Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? . . . . . See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

*Continued* →


**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name Oliver		First Name David		M.I. J
Title President	Email		Phone	
Signature			Date 05/24/24	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name Oliver		First Name David		M.I. J
Signature 			Date 05/24/24	

Form  
**AB-200**

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

**License(s) Requested:** (up to two boxes may be checked)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Class "A" Beer ..... \$ <u>250</u>   | <input type="checkbox"/> Class "B" Beer ..... \$ _____     |
| <input checked="" type="checkbox"/> "Class A" Liquor ..... \$ <u>450</u> | <input type="checkbox"/> "Class B" Liquor ..... \$ _____   |
| <input type="checkbox"/> "Class A" Liquor (cider only) \$ _____          | <input type="checkbox"/> Reserve "Class B" Liquor \$ _____ |
| <input type="checkbox"/> "Class C" Liquor (wine only) \$ _____           |  |

Fees	
License Fees	\$ <u>700</u>
Background Check Fee	\$ <u>7</u>
Publication Fee	\$ <u>20</u>
<b>Total Fees</b>	<b>\$ <u>727</u></b>

+ \$100 Cigarettes

<b>Part A: Premises/Business Information</b>			
1. Legal Business Name (individual name if sole proprietorship)		WALGREEN CO	
2. Business Trade Name or DBA		WALGREENS #12693	
3. FEIN		4. Wisconsin Seller's Permit Number 004-0000455404-01	
5. 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			
6. State of Organization		7. Date of Organization	8. Wisconsin DFI Registration Number
ILLINOIS		02/15/1909	W0466585
9. Premises Address			
729 W NORTHLAND AVE			
10. City		11. State	12. Zip Code
Appleton		WI	54914-1426
13. County		14. Governing Municipality:	15. Aldermanic District
Outagamie		<input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>	
16. Premises Phone		17. Premises Email	18. Website
(920) 954-8100		mgr.12693@store.walgreens.com	WWW.WALGREENS.COM
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.			
Retail drug store with sundries in a one-story building of 12,926 Sq Ft *see attached sheet			
20. Mailing Address (if different from premises address)			
PO BOX 901			
21. City		22. State	23. Zip Code
DEERFIELD		IL	60015

<b>Part B: Questions</b>		
1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, list the details of violation below. Attach additional sheets if necessary.		
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No  
 beverages.

If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity WALGREENS BOOTS ALLIANCE INC	4b. Business Entity FFIN
---	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
SEE ATTACHED RIDERS			

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name BROWN	First Name BRIAN	M.I. R
Title VICE PRESIDENT AND TREASURER	Email	Phone
Signature <i>B. B. Brown</i>	Date 4-30-24	

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk			Date Provisional License Issued (if applicable)

## Alcohol Beverage Appointment of Agent

Date 4-4-2024

<b>Agent Type</b> <i>(check one)</i>	
<input type="checkbox"/> Original (no fee)	<input checked="" type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) <span style="float: right;">WALGREEN CO</span>	
2. Business Trade Name or DBA <span style="float: right;">WALGREENS #12693</span>	
3. Entity Type <i>(check one)</i> <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization <i>(check one)</i> <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	


<b>Part B: Agent Information</b>			
1. Last Name <u>Krueger</u>	2. First Name <u>Andrew</u>	3. M.I. <u>S</u>	
4. Email		5. Phone	
6. Home Address <u>836. E. John St.</u>			
7. City <u>Appleton</u>	8. State <u>WI</u>	9. Zip Code <u>54911</u>	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? ..... Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? ..... Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? ..... See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →


**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name	BROWN	First Name	BRIAN	M.I.	R
Title	VICE PRESIDENT AND TREASURER	Email		Phone	
Signature		Date	4-30-24		

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name	Knepper	First Name	Andrew	M.I.	S
Signature		Date	4-4-2024		



Form  
**AB-200**

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

**License(s) Requested:** (up to two boxes may be checked)

- Class "A" Beer ..... \$ 250      Class "B" Beer ..... \$ \_\_\_\_\_  
 "Class A" Liquor ..... \$ 450      "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_      Reserve "Class B" Liquor \$ \_\_\_\_\_  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$ <u>700</u>
Background Check Fee	\$ <u>7</u>
Publication Fee	\$ <u>20</u>
<b>Total Fees</b>	<b>\$ <u>727</u></b>

*+ \$100 Cigarettes*

<b>Part A: Premises/Business Information</b>			
1. Legal Business Name (individual name if sole proprietorship)		WALGREEN CO	
2. Business Trade Name or DBA		WALGREENS #12693	
3. FEIN		4. Wisconsin Seller's Permit Number 004-0000455404-01	
5. 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			
6. State of Organization ILLINOIS		7. Date of Organization 02/15/1909	8. Wisconsin DFI Registration Number WDL12585
9. Premises Address 729 W NORTHLAND AVE			
10. City Appleton		11. State WI	12. Zip Code 54914-1426
13. County Outagamie		14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>	15. Aldermanic District
16. Premises Phone (920) 954-8100		17. Premises Email mgr.12693@store.walgreens.com	18. Website WWW.WALGREENS.COM
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.  <i>Retail drug store with sundries in a one-story building of 12,926 sq ft *see attached sheet</i>			
20. Mailing Address (if different from premises address) PO BOX 901			
21. City DEERFIELD		22. State IL	23. Zip Code 60015

<b>Part B: Questions</b>			
1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the details of violation below. Attach additional sheets if necessary.			
Law/Ordinance Violated		Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated		Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No  
 beverages.

If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity WALGREENS BOOTS ALLIANCE INC	4b. Business Entity FFIN
---	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
SEE ATTACHED RIDERS			

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name BROWN	First Name BRIAN	M.I. R
Title VICE PRESIDENT AND TREASURER	Email	Phone
Signature <i>B. B. Brown</i>	Date 4-30-24	

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk			Date Provisional License Issued (if applicable)

# Alcohol Beverage Appointment of Agent

Date 4-4-2024

**Agent Type** (check one)

- Original (no fee)       Successor (\$10 fee for municipal licensees only)

**Part A: Business Information**

1. Legal Business Name (individual name if sole proprietor)		WALGREEN CO	
2. Business Trade Name or DBA		WALGREENS #12693	
3. Entity Type (check one)			
<input type="checkbox"/> Limited Liability Company		<input checked="" type="checkbox"/> Corporation	
<input type="checkbox"/> Nonprofit Organization			
4. Alcohol Beverage Business Authorization (check one)		5. If successor agent, provide State Permit or Municipal Retail License Number	
<input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit			
6. Describe the reason for appointing a successor agent, if successor is checked above.			

**Part B: Agent Information**

1. Last Name		2. First Name		3. M.I.	
Krueger		Andrew		S	
4. Email			5. Phone		
6. Home Address					
836. E. John St.					
7. City		8. State	9. Zip Code		10. Age
Appleton		WI	54911		
11. Drivers License/State ID Number			12. Drivers License/State ID State of Issuance		


**Part C: Agent Questions**

1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion.		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2. Have you completed Form AB-100, Alcohol Beverage Individual Questionnaire? Submit a completed Form AB-100 with this form.		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions.		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Continued →


**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name BROWN	First Name BRIAN	M.I. R
Title VICE PRESIDENT AND TREASURER	Email	Phone
Signature 	Date 4-30-24	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name Knepper	First Name Andrew	M.I. S
Signature 	Date 4-4-2024	

Form  
AB-200

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ 250     Class "B" Beer ..... \$ \_\_\_\_\_
- "Class A" Liquor ..... \$ 450     "Class B" Liquor ..... \$ \_\_\_\_\_
- "Class A" Liquor (cider only) \$ \_\_\_\_\_     Reserve "Class B" Liquor \$ \_\_\_\_\_
- "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$ <u>700</u>
Background Check Fee	\$ <u>7</u>
Publication Fee	\$ <u>20</u>
<b>Total Fees</b>	\$ <u>727</u>

+ \$100 - cigarettes

## Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship)		WALGREEN CO	
2. Business Trade Name or DBA		WALGREENS #12019	
3. FEIN	4. Wisconsin Seller's Permit Number 004-0000455404-01		
5. 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			
6. State of Organization	ILLINOIS	7. Date of Organization	02/15/1909
8. Wisconsin DFI Registration Number		W066585	
9. Premises Address 2803 N MEADE ST			
10. City	Appleton	11. State	WI
12. Zip Code		54911-1507	
13. County	Outagamie	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village	15. Aldermanic District
of: <u>Appleton</u>			
16. Premises Phone	(920) 830-6985	17. Premises Email	mgr.12019@store.walgreens.com
18. Website		WWW.WALGREENS.COM	
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. <u>Retail drugstore with sundries in a one-story building of 15,555 sq ft</u> <u>*see attached sheet</u>			
20. Mailing Address (if different from premises address)		PO BOX 901	
21. City	DEERFIELD	22. State	IL
23. Zip Code		60015	

## Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.     Yes     No

If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No  
 beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity WALGREENS BOOTS ALLIANCE INC	4b. Business Entity FEIN
---	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No  
 6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No  
 7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.


Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
SEE ATTACHED RIDERS			

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name BROWN	First Name BRIAN	M.I. R
Title VICE PRESIDENT AND TREASURER	Email	Phone
Signature 	Date 11-4-2024	

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

**Agent Type (check one)**

Original (no fee)       Successor (\$10 fee for municipal licensees only)

**Part A: Business Information**

1. Legal Business Name (individual name if sole proprietor)      WALGREEN CO

2. Business Trade Name or DBA      WALGREENS #12019

3. Entity Type (check one)       Limited Liability Company       Corporation       Nonprofit Organization

4. Alcohol Beverage Business Authorization (check one)      5. If successor agent, provide State Permit or Municipal Retail License Number

Municipal Retail License       State Permit

6. Describe the reason for appointing a successor agent, if successor is checked above.

**Part B: Agent Information**

1. Last Name      Janssen      2. First Name      Amber      3. M.I.      E

4. Email      5. Phone

6. Home Address      1710 E Overland Rd

7. City      Appleton      8. State      WI      9. Zip Code      54911      10. Age      44

11. Drivers License/State ID Number      12. Drivers License/State ID State of Issuance

**Part C: Agent Questions**

1. Have you satisfied the responsible beverage server training requirement? .....  Yes       No  
Submit proof of completion.


2. Have you completed Form AB-100, Alcohol Beverage Individual Questionnaire? .....  Yes       No  
Submit a completed Form AB-100 with this form.

3. Have you been a Wisconsin resident for at least 90 continuous days? .....  Yes       No  
See instructions for exceptions.

Continued →

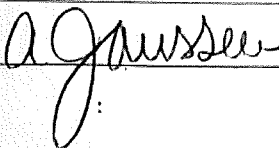
**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name BROWN		First Name BRIAN		M.I. R
Title VICE PRESIDENT AND TREASURER	Email	Phone		
Signature 			Date 4-30-24	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name Janssen		First Name Amber		M.I. E
Signature 			Date 4/1/24	



Form  
**AB-200**

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ 250     Class "B" Beer ..... \$ \_\_\_\_\_  
 "Class A" Liquor ..... \$ 450     "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_     Reserve "Class B" Liquor \$ \_\_\_\_\_  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$ <u>700</u>
Background Check Fee	\$ <u>4</u>
Publication Fee	\$ <u>20</u>
<b>Total Fees</b>	<b>\$ <u>724</u></b>

*+ \$ 100 cigarette*

<b>Part A: Premises/Business Information</b>			
1. Legal Business Name (individual name if sole proprietorship)		WALGREEN CO	
2. Business Trade Name or DBA		WALGREENS #02921	
3. FEIN	4. Wisconsin Seller's Permit Number 004-0000455404-01		
5. 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			
6. State of Organization	ILLINOIS	7. Date of Organization	02/15/1909
8. Wisconsin DFI Registration Number		W066585	
9. Premises Address 1901 S ONEIDA ST			
10. City	Appleton	11. State	WI
12. Zip Code		54915-1834	
13. County	Outagamie	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village	15. Aldermanic District
of: <u>Appleton</u>			
16. Premises Phone	(920) 739-7321	17. Premises Email	mgr.02921@store.walgreens.com
18. Website		WWW.WALGREENS.COM	
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.  <div style="font-size: 1.2em; font-family: cursive;">           Detail drugstore with sundries in a one story building of 13,000 sq ft            *see attached sheet         </div>			
20. Mailing Address (if different from premises address) PO BOX 901			
21. City	DEERFIELD	22. State	IL
23. Zip Code		60015	

<b>Part B: Questions</b>			
1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, list the details of violation below. Attach additional sheets if necessary.			
Law/Ordinance Violated	Location	Trial Date	
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No		
Law/Ordinance Violated	Location	Trial Date	
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No		

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity WALGREENS BOOTS ALLIANCE INC	4b. Business Entity FEIN
---	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.


Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
SEE ATTACHED RIDERS			

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name BROWN	First Name BRIAN	M.I. R
Title VICE PRESIDENT AND TREASURER	Email	Phone
Signature 	Date 9-30-24	

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

Form  
**AB-101**

## Alcohol Beverage Appointment of Agent

Date  
**5-29-24**

<b>Agent Type (check one)</b>	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) <span style="float: right;">WALGREEN CO</span>	
2. Business Trade Name or DBA <span style="float: right;">WALGREENS #02921</span>	
3. Entity Type (check one) <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

<b>Part B: Agent Information</b>			
1. Last Name <b>Schroeder</b>	2. First Name <b>Stephanie</b>	3. M.I. <b>S</b>	
4. Email		5. Phone	
6. Home Address <b>215 W. Wilson Ave.</b>			
7. City <b>Appleton</b>	8. State <b>WI</b>	9. Zip Code <b>54915</b>	10. Age <b>41</b>
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

*Continued* →

<b>Part D: Business Attestation</b>			
<p>READ CAREFULLY BEFORE SIGNING: I, the <b>Undersigned</b>, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.</p>			
Last Name	BROWN	First Name	BRIAN
		M.I.	R
Title	VICE PRESIDENT AND TREASURER	Email	Phone
Signature	<i>B.R. Brown</i>		Date
			5-24-24

<b>Part E: Agent Attestation</b>			
<p>READ CAREFULLY BEFORE SIGNING: I, the <b>Agent</b>, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.</p>			
Last Name	Schroeder	First Name	Stephanie
		M.I.	S
Signature	<i>Stephanie Schroeder</i>		Date
			5-23-24

Form  
AB-200

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	
License Period	

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_      Class "B" Beer ..... \$ \_\_\_\_\_  
 "Class A" Liquor ..... \$ \_\_\_\_\_      "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_      Reserve "Class B" Liquor \$ \_\_\_\_\_  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$
Background Check Fee	\$
Publication Fee	\$
<b>Total Fees</b>	<b>\$</b>

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <i>Dairyland Brewing Co LLC</i>			
2. Business Trade Name or DBA <i>Dairyland Brew Pub</i>			
3. FEIN		4. Wisconsin Seller's Permit Number <i>456-1029179989-02</i>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input checked="" type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <i>Wisconsin</i>		7. Date of Organization <i>2015</i>	8. Wisconsin DFI Registration Number <i>456-1029179989-02</i>
9. Premises Address <i>1216 E Wisconsin</i>			
10. City <i>Appleton</i>		11. State <i>WI</i>	12. Zip Code <i>54911</i>
13. County <i>Outagamie</i>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <i>Appleton</i>		15. Aldermanic District
16. Premises Phone <i>920-441-1103</i>	17. Premises Email <i>dairylandbrewpub@gmail.com</i>		18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. <i>4200 Sq Foot Restaurant - bar 1/3 restaurant seating     *see attached sheet 1/3 bar     1/3 kitchen</i>			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.      Yes      No

If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . .  Yes  No  
 beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No  
 6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No  
 7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Schmidt	Dorri	owner	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name Schmidt	First Name Dorri	M.I. M
Title owner	Email	Pho.
Signature 	Date 6-7-24	

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

# Alcohol Beverage Appointment of Agent

Date 6-7-24

<b>Agent Type</b> (check one)	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) <u>Dairyland Brewing Co LLC</u>	
2. Business Trade Name or DBA <u>Dairyland Brew Pub</u>	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

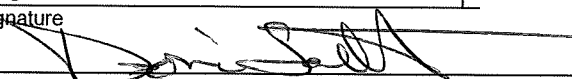
<b>Part B: Agent Information</b>			
1. Last Name <u>Schmidt</u>	2. First Name <u>Dorri</u>	3. M.I. <u>M</u>	
4. Email		5. Phone	
6. Home Address <u>1225 E Amelia</u>			
7. City <u>Appleton</u>	8. State <u>WI</u>	9. Zip Code <u>54911</u>	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? ..... Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? ..... Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? ..... See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →

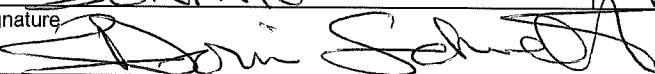
**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name Schmidt		First Name Dorri		M.I. M
Title owner	Email		Phone	
Signature 			Date 6/7/24	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name Schmidt		First Name Dorri		M.I. M
Signature 			Date 6-7-24	



Form  
CTV-100

# Cigarette, Tobacco, and Electronic Vaping Device Retail License Application

FOR CLERKS ONLY	
Municipality	Appleton
License Period	24-25

## Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietor) 1619 College Ave LLC		
2. Business Trade Name or DBA NANULO MOMOS AND CURRY		
3. FEIN	4. Wisconsin Seller's Permit Number AS6-1031766751-04	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
6. State of Organization WISCONSIN	7. Date of Organization 08/03/2023	8. Wisconsin DFI Registration Number 0043347
9. Premises Address (do not use PO Box) 1619 W College Ave		
10. City Appleton	11. State WI	12. Zip Code 54914
13. County Outagamie	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: Appleton	15. Aldermanic District
16. Mailing Address (if different from premises address)		
17. City	18. State	19. Zip Code
20. Premises Phone	21. Premises Email	22. Website
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible.  Under the counter shelving, glass racks, overhead rack.		

## Part B: Questions

1. What products will be sold at this business location? (check all that apply) <input checked="" type="checkbox"/> Cigarettes <input checked="" type="checkbox"/> Tobacco Products <input checked="" type="checkbox"/> Electronic Vaping Devices		
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply) <input checked="" type="checkbox"/> Over the counter <input type="checkbox"/> Vending machine		
3. Is the applicant business owned by another business entity? ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers.		
3a. Name of Parent Company: _____		
3b. FEIN of Parent Company: _____		

**Part C: Individual Information**

An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
GURUNG	LAXMAN	member	
GURUNG	GAGAN K.	member	
BHANDARI	SANDIP	member	

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following:

- I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.
- I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.
- I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<https://witobaccocheck.org>).
- I will not sell single cigarettes.
- I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.
- I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.
- I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.

Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Signature Sandip Date 06/23/2024

Name (Last, First, M.I.) BHANDARI, SANDIP

Title member Email \_\_\_\_\_ Phone \_\_\_\_\_

**Part E: For Clerk Use Only**

Date application was filed with clerk	Date license issued	Date license expires	License number
<u>6/18/24</u>			
License fees <u>100</u>	Signature of Clerk/Deputy Clerk		

Form  
CTV-102

# Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

Date

Agent Type (check one):  Original  Change

## Part A: Agent Information

1. Last Name BHANDARI	2. First Name SANDIP	3. M.I.
4. Email	5. Phone	
6. Home Address 809 INDIANA AVENUE		
7. City SHEBOYAN	8. State WI	9. Zip Code 53081
10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance

## Part B: Questions


1. Have you completed Form CTV-101, *Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire*? Submit a completed Form CTV-101 with this form. ....  Yes  No
2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.

## Part C: Business Information


1. Legal Business Name (individual name if sole proprietor) 1619 College Avenue LLC		
2. Business Trade Name or DBA NANHO MOMOS AND CURRY		
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
4. Premises Address 1619W College Ave		
5. City Appleton	6. State WI	7. Zip Code 54914

## Part D: Attestations

**READ CAREFULLY BEFORE SIGNING:** I, the Licensee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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 of Licensee (officer, member, or authorized signatory) 	Date 06/23/2024
Name of Person Signing for Licensee SANDIP BHANDARI	Title Member

**READ CAREFULLY BEFORE SIGNING:** I, the Agent, hereby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.

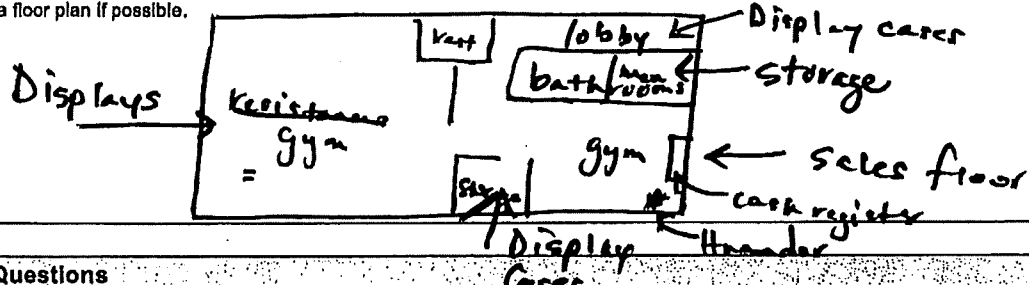
Signature of Agent 	Date 06/23/2024
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**Cigarette, Tobacco, and Electronic Vaping  
Device Retail License Application**

FOR CLERKS ONLY	
Municipality	Appleton
License Period	24-25

**Part A: Premises/Business Information**

1. Legal Business Name (individual name if sole proprietor) <b>RICHMOND SMOKE VS TOBACCO INC</b>		
2. Business Trade Name or DBA		
3. FEIN	4. Wisconsin Seller's Permit Number <b>456-1031774002-04</b>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation		
6. State of Organization <b>WISCONSIN</b>	7. Date of Organization <b>5/21/2024</b>	8. Wisconsin DFI Registration Number <b>R090319</b>
9. Premises Address (do not use PO Box) <b>2828 N RICHMOND ST UNIT 2</b>		
10. City <b>APPLETON</b>	11. State <b>WI</b>	12. Zip Code <b>54911</b>
13. County <b>OUTAGAMIE</b>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <b>APPLETON</b>	15. Aldermanic District
16. Mailing Address (if different from premises address) <b>2716 103RD CT NE</b>		
17. City <b>BLAINE</b>	18. State <b>MN</b>	19. Zip Code <b>55449</b>
20. Premises Phone <b>612-735-9359</b>	21. Premises Email <b>hussein.ahaidi1991@yahoo.com</b>	22. Website
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible.		



**Part B: Questions**

1. What products will be sold at this business location? (check all that apply): <input checked="" type="checkbox"/> Cigarettes <input checked="" type="checkbox"/> Tobacco Products <input checked="" type="checkbox"/> Electronic Vaping Devices		
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply) <input checked="" type="checkbox"/> Over the counter <input type="checkbox"/> Vending machine		
3. Is the applicant business owned by another business entity? ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers. 3a. Name of Parent Company: _____ 3b. FEIN of Parent Company: _____		

**Part C: Individual Information**

An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
ALBAIDI	HUSSEIN	PRESIDENT	

**Part D: Attestation**


One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following:

- I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.
- I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.
- I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<https://witobaccocheck.org>).
- I will not sell single cigarettes.
- I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.
- I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.
- I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.

Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Signature 	Date 5/31/2024
Name (Last, First, M.I.) Alabaidi, Hussein	
Title President	Email
	Phone

**Part E: For Clerk Use Only**

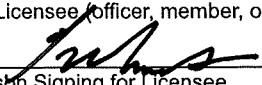
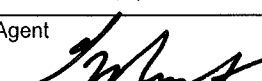
Date application was filed with clerk 6/11/24	Date license issued	Date license expires	License number
License fees 107	Signature of Clerk/Deputy Clerk		

Agent Type (check one):  Original  Change

Part A: Agent Information		
1. Last Name <b>Alobaidi</b>	2. First Name <b>Hussein</b>	3. M.I.
4. Email	5. Phone	
6. Home Address <b>2716 103RD CT NE</b>		
7. City <b>BLAINE</b>	8. State <b>MN</b>	9. Zip Code <b>55449</b>
10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance

Part B: Questions
1. Have you completed Form CTV-101, Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire? Submit a completed Form CTV-101 with this form. .... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.

Part C: Business Information		
1. Legal Business Name (individual name if sole proprietor) <b>RICHMOND SMOKEYS TOBACCO INC</b>		
2. Business Trade Name or DBA		
3. Entity Type (check one) <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation		
4. Premises Address <b>2828 N RICHMOND ST UNIT 2</b>		
5. City <b>APPLETON</b>	6. State <b>WI</b>	7. Zip Code <b>54911</b>

Part D: Attestations	
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Licensee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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 of Licensee (officer, member, or authorized signatory) 	Date <b>5/31/2024</b>
Name of Person Signing for Licensee <b>Hussein Alobaidi</b>	Title <b>President</b>
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Agent, hereby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.	
Signature of Agent 	Date <b>5/31/2024</b>

**2024-2025 RENEWALS**

**CLASS “A” FERMENTED MALT BEVERAGE & “CLASS A” LIQUOR LICENSE**

<b><u>NAME</u></b>	<b><u>TRADE NAME</u></b>	<b><u>ADDRESS</u></b>
Appleton Liquor LLC Heidi Guta, Agent, 1325 E Overland Rd, Appleton WI 54911	Appleton Liquor	2727 N Meade St
Swami LLC Kanu B. Patel, Agent, 420 W Northland Ave, Appleton WI 54911	Northland Amoco	800 E Northland Ave
BSS Corporation Buddi S. Subedi, Agent, 3045 Winnipeg St, Menasha WI 54952	Richmond Mobil	3401 N Richmond St

**CLASS “B” FERMENTED MALT BEVERAGE & “CLASS B” LIQUOR LICENSE**

<b><u>NAME</u></b>	<b><u>TRADE NAME</u></b>	<b><u>ADDRESS</u></b>
Santino LLC Katelyn E. James, Agent, 200 E James St, Appleton WI 54915	Houdini’s Escape	1216 S Oneida St
Fox Valley Rentals & Investments LLC Brian M. Tomaszewski, Agent, 1459 Mera Ln, Kaukauna WI 54130	M.T. Pockets	2906 E Newberry St
Harvath LLC Terrill J. Harvath, Agent, 3997 N Trailway Ln, Appleton WI 54913	The Wishing Well	2709 E Newberry St
Gregg Vandinter Gregg Vandinter, Sole Proprietor, W6227 Wisconsin Ave, Greenville WI 54942	Union Jacks	812 S Olde Oneida St

June 19, 2024

**KAMI LYNCH  
CITY CLERK**

2024-2025 Late Cigarette/Tobacco/Electronic Vaping Device Renewals

TRADE NAME	BUSINESS NAME	ADDRESS
APPLETON HILTON	DRIFTWOOD SPECIAL SERVICING, LLC	333 W COLLEGE AVE
WALGREENS #02921	WALGREEN CO.	1901 S ONEIDA ST
WALGREENS #05102	WALGREEN CO.	700 W COLLEGE AVE
WALGREENS #07323	WALGREEN CO.	3330 E CALUMET ST
WALGREENS #12019	WALGREEN CO.	2803 M MEADE ST
WALGREENS #12693	WALGREEN CO.	729 W NORTHLAND AVE



Form  
**AB-200**

## Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ 250     Class "B" Beer ..... \$ \_\_\_\_\_  
 "Class A" Liquor ..... \$ 450     "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_     Reserve "Class B" Liquor \$ \_\_\_\_\_  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$ <u>700</u>
Background Check Fee	\$ <u>7</u>
Publication Fee	\$ <u>20</u>
<b>Total Fees</b>	<b>\$ <u>727</u></b>

+ \$100 - Cigarettes

**Part A: Premises/Business Information**

1. Legal Business Name (individual name if sole proprietorship) <span style="float: right;">WALGREEN CO</span>			
2. Business Trade Name or DBA <span style="float: right;">WALGREENS #05102</span>			
3. FEIN		4. Wisconsin Seller's Permit Number 004-0000455404-01	
5. 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			
6. State of Organization ILLINOIS		7. Date of Organization 02/15/1909	8. Wisconsin DFI Registration Number <u>W006585</u>
9. Premises Address 700 W COLLEGE AVE			
10. City Appleton		11. State WI	12. Zip Code 54914-5265
13. County Outagamie		14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>	15. Aldermanic District
16. Premises Phone (920) 733-6599		17. Premises Email mgr.05102@store.walgreens.com	18. Website WWW.WALGREENS.COM

19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.

Retail drugstore with sundries in a one-story building at 14, 511 sq ft  
\*see attached sheet

20. Mailing Address (if different from premises address) <span style="float: right;">PO BOX 901</span>			
21. City DEERFIELD		22. State IL	23. Zip Code 60015

**Part B: Questions**

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.     Yes     No

If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No

If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity WALGREENS BOOTS ALLIANCE INC	4b. Business Entity FEIN
---	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
SEE ATTACHED RIDERS			

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name BROWN	First Name BRIAN	M.I. R
Title VICE PRESIDENT AND TREASURER	Email	Phone
Signature <i>B.R. Brown</i>	Date 4-30-24	

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk			Date Provisional License Issued (if applicable)

## Alcohol Beverage Appointment of Agent

Date  
4-5-24

<b>Agent Type (check one)</b>	
<input type="checkbox"/> Original (no fee)	<input checked="" type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (Individual name if sole proprietor) <span style="float: right;">WALGREEN CO</span>	
2. Business Trade Name or DBA <span style="float: right;">WALGREENS #05102</span>	
3. Entity Type (check one) <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

<b>Part B: Agent Information</b>			
1. Last Name Loeck	2. First Name Sarah	3. M.I. N	
4. Email		5. Phone	
6. Home Address 11055 S. Nicolet Rd			
7. City Appleton	8. State WI	9. Zip Code 54914	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? ..... Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, Alcohol Beverage Individual Questionnaire? ..... Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? ..... See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →

**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name BROWN	First Name BRIAN	M.I. R
Title VICE PRESIDENT AND TREASURER	Email	Phone
Signature <i>B.R.B.</i>	Date 5-20-24	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability business and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name LUECK	First Name Sarah	M.I. N
Signature <i>Sarah Lueck</i>	Date 4-5-24	

**Cigarette, Tobacco, and Electronic Vaping  
Device Retail License Application**

FOR CLERKS ONLY
Municipality <b>Appleton</b>
License Period <b>24-25</b>

<b>Part A: Premises/Business Information</b>					
1. Legal Business Name (individual name if sole proprietor) D8D BY H4H LLC					
2. Business Trade Name or DBA THE DISPENSARY					
3. FEIN			4. Wisconsin Seller's Permit Number 456-1030500809-04		
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation					
6. State of Organization WISCONSIN		7. Date of Organization 11/18/2020		8. Wisconsin DFI Registration Number D067990	
9. Premises Address (do not use PO Box) 3020 E COLLEGE AVE STE N					
10. City APPLETON			11. State WI	12. Zip Code 54915	
13. County Outagamie	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>			15. Aldermanic District	
16. Mailing Address (if different from premises address) 2247 Ullmer Ct					
17. City Howard			18. State WI	19. Zip Code 54303	
20. Premises Phone (920) 903-8705		21. Premises Email willn@h4hwi.com		22. Website www.thed8dispensary.com	
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible.  *All electronic devices are stored on the retail store floor. They are in the display cabinet and cannot be reached by customer. *The building is a strip mall and upon entrance the customer enters the sales floor. There is a door separating the customer from the staff area. Staff is behind the counter for sale and ID purposes of any products in our store. We are a 21+ facility and check all ID's upon entry. Our total store size is 1500sq. feet.					

<b>Part B: Questions</b>	
1. What products will be sold at this business location? (check all that apply) <input type="checkbox"/> Cigarettes <input type="checkbox"/> Tobacco Products <input checked="" type="checkbox"/> Electronic Vaping Devices	
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply) <input checked="" type="checkbox"/> Over the counter <input type="checkbox"/> Vending machine	
3. Is the applicant business owned by another business entity? ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers.  3a. Name of Parent Company: _____  3b. FEIN of Parent Company: _____	

**Part C: Individual Information**

An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
Nething	William	CEO	
Caulfield	Mary	CFO	

**Part D: Attestation**

One of the following must sign and attest to this application:

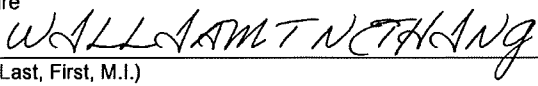
- sole proprietor
- one general partner of a partnership
- one corporate officer
- one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following:

- I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.
- I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.
- I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<https://witobaccocheck.org>).
- I will not sell single cigarettes.
- I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.
- I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.
- I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.

Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Signature 	Date 06/10/2024	
Name (Last, First, M.I.) Nething, William, T		
Title CEO	Email	Phone

**Part E: For Clerk Use Only**

Date application was filed with clerk	Date license issued	Date license expires	License number
License fees	Signature of Clerk/Deputy Clerk		

# Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

Date  
06/10/2024

Agent Type (check one):  Original       Change

<b>Part A: Agent Information</b>		
1. Last Name NETHING	2. First Name WILLIAM	3. M.I. T
4. Email		5. Phone
6. Home Address 3175 OPEN GATE TRL		
7. City GREEN BAY		8. State WI
		9. Zip Code 54313
10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance

<b>Part B: Questions</b>	
1. Have you completed Form CTV-101, <i>Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire</i> ? Submit a completed Form CTV-101 with this form. .... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.	

<b>Part C: Business Information</b>		
1. Legal Business Name (individual name if sole proprietor) D8D BY H4H LLC		
2. Business Trade Name or DBA THE DISPENSARY		
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
4. Premises Address 3020 E COLLEGE AVE STE N		
5. City APPLETON		6. State WI
		7. Zip Code 54915

<b>Part D: Attestations</b>	
<p><b>READ CAREFULLY BEFORE SIGNING:</b> I, the Licensee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.</p>	
Signature of Licensee (officer, member, or authorized signatory) <i>WILLIAM T NETHING</i>	Date 06/10/2024
Name of Person Signing for Licensee WILLIAM T NETHING	Title CEO

<p><b>READ CAREFULLY BEFORE SIGNING:</b> I, the Agent, herby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.</p>	
Signature of Agent <i>WILLIAM T NETHING</i>	Date 06/10/2024

Form  
AB-200

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_   
  Class "B" Beer ..... \$ 100  
 "Class A" Liquor ..... \$ \_\_\_\_\_   
 "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_   
  Reserve "Class B" Liquor \$ 10,560  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$10,600
Background Check Fee	\$ 21
Publication Fee	\$ 60
<b>Total Fees</b>	<b>\$10,681</b>

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <u>1619 college Ave LLC</u>			
2. Business Trade Name or DBA <u>NANULO MOMOS AND CURRY</u>			
3. FEIN		4. Wisconsin Seller's Permit Number <u>456-1031766751-04</u>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <u>WISCONSIN</u>		7. Date of Organization <u>08/03/2023</u>	8. Wisconsin DFI Registration Number <u>0043347</u>
9. Premises Address <u>1619 West college Ave</u>			
10. City <u>Appleton</u>		11. State <u>WI</u>	12. Zip Code <u>54914</u>
13. County <u>Outagamie</u>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>		15. Aldermanic District
16. Premises Phone <u>920-257-7807</u>	17. Premises Email		18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. <u>Approx 6600 sq ft</u> <u>Under the counter cooler and stand alone cooler in a bar.</u> <u>5 feet 33"44 serving to Dinning on the table's for customers.</u>			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.  Yes  No  
If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	



2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . .  Yes  No beverages.

If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . .  Yes  No  
If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
GURUNG	LAXMAN	Member	
GURUNG	GAHAN K.	Member	
BHANDARI	SANDIP	Member	

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name BHANDARI	First Name SANDIP	M.I.
Title Member	Email	Phone
Signature <i>Sandip</i>		Date

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk			Date Provisional License Issued (if applicable)



# City of Appleton

## Alcohol License Questionnaire

1. Name of Applicant: Manglo momos of Curry

2. Name of Business: \_\_\_\_\_

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

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

3. Address of Business: 1619 Wedolleg Ave

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

AND/OR been convicted of a felony? Yes \_\_\_\_\_ No

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

<u>GAGAN</u>	<u>K</u>	<u>GURUNG</u>	
First name	M.I.	Last name	Date of Birth
<u>LAXMAN</u>		<u>GURUNG</u>	
First name	M.I.	Last name	Date of Birth
<u>Sandip</u>		<u>Bhandari</u>	
First name	M.I.	Last name	Date of Birth
First name	M.I.	Last name	Date of Birth

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

Name: \_\_\_\_\_  
 First name Middle Initial Last name

Address: \_\_\_\_\_  
 City State ZIP

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

Name: \_\_\_\_\_

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

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

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

Yes NO If yes, please contact the Community and Economic Development Department at 832-6468 about obtaining a copy of an existing Special Use Permit and related requirements that may run with property.

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

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

NO months ago.

10. Seating capacity: Inside 40 Outside NO

11. Operating hours (Inside the building): 11 am  
Operating hours (Outdoor seating areas): 10 pm


**12. Employees/Staff**

Number of floor personnel 2/3 Kitchen Number of door checkers 1

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

- a. Gross floor building area of the premises to be licensed: 2750 <sup>6</sup>feet square feet.  
b. Gross outdoor seating areas of the premises to be licensed: N/A square feet.  
c. Below, identify the operational details of the proposed establishment:

This Restaurant for Nepali & Indian food with alcohol  
beverages and non alcohol.

  
\_\_\_\_\_  
Signature

06/18/2024  
\_\_\_\_\_  
Date

# Alcohol Beverage Appointment of Agent

Date
------

<b>Agent Type</b> (check one)	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) <p style="text-align: center;">1619 College Ave LLC</p>	
2. Business Trade Name or DBA <p style="text-align: center;">NANU LO MOMOS AND CURRY</p>	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input type="checkbox"/> Municipal Retail License <input checked="" type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

<b>Part B: Agent Information</b>			
1. Last Name <p style="text-align: center;">BHANDARI</p>	2. First Name <p style="text-align: center;">SANDIP</p>	3. M.I.	
4. Email		5. Phone	
6. Home Address <p style="text-align: center;">809 INDIANA AVENUE</p>			
7. City <p style="text-align: center;">SHEBOYGAN</p>	8. State <p style="text-align: center;">WI</p>	9. Zip Code <p style="text-align: center;">53081</p>	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? ..... Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? ..... Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? ..... See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →

**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name BHANDART		First Name SANDIP		M.I.
Title Member	Email		Phone	
Signature <i>Sandip</i>			Date 06/23/24	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name BHANDART		First Name SANDIP		M.I.
Signature <i>Sandip</i>			Date 06/23/24	



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

## APPLICATION for SALVAGE DEALER'S LICENSE

<b>FEES ARE NON-REFUNDABLE</b>		Date Recv'd <u>6/10/24</u>
License Fee - Local	\$200.00	Acct. CLSALV
License Fee - Out of City	\$ 75.00	Acct. CLSALV
Investigation Fee	+ 7.00	Acct. CLCPIF
Total Amount Paid	<u>82</u>	Receipt <u>6968-2</u>
License period July 1 to June 30		

\*Please allow 4 weeks for processing\*

<b>SECTION 1 – BUSINESS INFORMATION – Answer all questions completely. Please PRINT clearly</b>											
Business Name <u>Golper Supply Co Inc</u>											
Business Street Address <u>1810 W. Edgewood Drive</u>					City <u>Appleton</u>		State <u>WI</u>		Zip <u>54913</u>		
Business Telephone Number <u>920-731-3266</u>											
<b>SECTION 2 – APPLICANT INFORMATION</b>											
Name <u>David Golper</u>											
Home Street Address <u>930 Pleasant Avenue</u>					City <u>Highland Park</u>		State <u>IL</u>		Zip <u>60035</u>		
Date of Birth			Male		Female		Telephone Number				
<b>SECTION 3 – CORPORATION INFORMATION – List names, addresses and dates of birth of all officers.</b>											
President		Last <u>Golper</u>		First <u>David</u>		Middle Initial <u>D</u>		Date of Birth		Male	Female
Address <u>930 Pleasant Avenue</u>					City <u>Highland Park</u>		State <u>IL</u>		Zip <u>60035</u>		
Vice President		Last		First		Middle Initial		Date of Birth		Male	Female
Address					City		State		Zip		
Secretary		Last		First		Middle Initial		Date of Birth		Male	Female
Address					City		State		Zip		
Treasurer		Last		First		Middle Initial		Date of Birth		Male	Female
Address					City		State		Zip		
<b>SECTION 4 – PENALTY NOTICE</b>											
I certify that I am familiar with Section 9.386 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council. 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 of Applicant: <u>David P Golper</u>											
<b>FOR OFFICE USE ONLY</b>											
Dept.	Approve	Deny	By			Reason					
Police											
Fire											
City Sealer											
Inspection											
S&L		Council		Date Issued		Exp. Date		License Number			

9-24-19

Return application to: City Clerk, 100 North Appleton Street, Appleton, WI 54911-4799



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

# APPLICATION for SALVAGE DEALER'S LICENSE

<b>FEES ARE NON-REFUNDABLE</b>		Date Recv'd <u>6/10/24</u>
License Fee - Local	\$200.00	Acct. CLSALV
License Fee - Out of City	\$ 75.00	Acct. CLSALV
Investigation Fee	+ 7.00	Acct. CLCPIF
Total Amount Paid	<u>207</u>	Receipt <u>6968-3</u>
License period July 1 to June 30		

\*Please allow 4 weeks for processing\*

**SECTION 1 – BUSINESS INFORMATION – Answer all questions completely. Please PRINT clearly**

Business Name <u>Mach IV Motors LLC</u>			
Business Street Address <u>600 E Hancock St</u>	City <u>Appleton</u>	State <u>WI</u>	Zip <u>54911</u>
Business Telephone Number <u>920.202.2201</u>			

**SECTION 2 – APPLICANT INFORMATION**

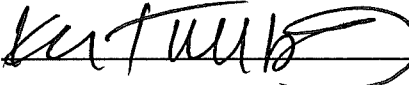
Name <u>Kara Tullberg</u>			
Home Street Address <u>98 Estherbrook Ct</u>	City <u>Appleton</u>	State <u>WI</u>	Zip <u>54915</u>
Date of Birth	Male	Female <input checked="" type="checkbox"/>	Telephone Number <u>920.540.9090</u>

**SECTION 3 – CORPORATION INFORMATION – List names, addresses and dates of birth of all officers.**

President	Last <u>Tullberg</u>	First <u>Charles</u>	Middle Initial <u>D</u>	Date of Birth	Male <input checked="" type="checkbox"/>	Female
Address	<u>98 Estherbrook Ct</u>		City <u>Appleton</u>	State <u>WI</u>	Zip <u>54915</u>	
Vice President	Last <u>Tullberg</u>	First <u>Kara</u>	Middle Initial <u>L</u>	Date of Birth	Male	Female <input checked="" type="checkbox"/>
Address	<u>98 Estherbrook Ct</u>		City <u>Appleton</u>	State <u>WI</u>	Zip <u>54915</u>	
Secretary	Last	First	Middle Initial	Date of Birth	Male	Female
Address			City	State	Zip	
Treasurer	Last	First	Middle Initial	Date of Birth	Male	Female
Address			City	State	Zip	

**SECTION 4 – PENALTY NOTICE**

I certify that I am familiar with Section 9.386 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.  
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 of Applicant: 

**FOR OFFICE USE ONLY**

Dept.	Approve	Deny	By	Reason
Police				
Fire				
City Sealer				
Inspection				
S&L	Council	Date Issued	Exp. Date	License Number



# Alcohol License Premises Amendment Request Form

CASH OR CHECK ONLY!

\*Please allow 4 weeks for application processing\*

### FEES ARE NON-REFUNDABLE

Date Recv'd 6/3/24

License Fee - \$10.00/event  
(CLCAGP)

Total \$ 10

Receipt #: 6932-1

## SECTION 1 - ESTABLISHMENT INFORMATION

Name of Establishment <u>Spats</u>	Establishment Phone Number <u>920-738-7111</u>
Address of Establishment <u>733 W College Ave</u>	
Agent Name <u>Nicholas Kaptein</u>	Agent Phone Number (Required) <u>920-213-7168</u>

## SECTION 2 - PREMISES AMENDMENT - *A drawing/diagram of the proposed area must be submitted with this application*

Is this Premises Amendment Permanent?  YES  NO

Please describe the change in premises: We would like to serve beer in our parking lot for wine & music today.

If temporary, please specify the reason for the amendment: Special Event

If temporary, please list the date(s) and time(s) that this premises amendment will be utilized: 8/1/24 - 8/4/24

## SECTION 3 - PENALTY NOTICE

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.

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 of Applicant: [Signature] Date: 6/3/2024

## FOR OFFICE USE ONLY

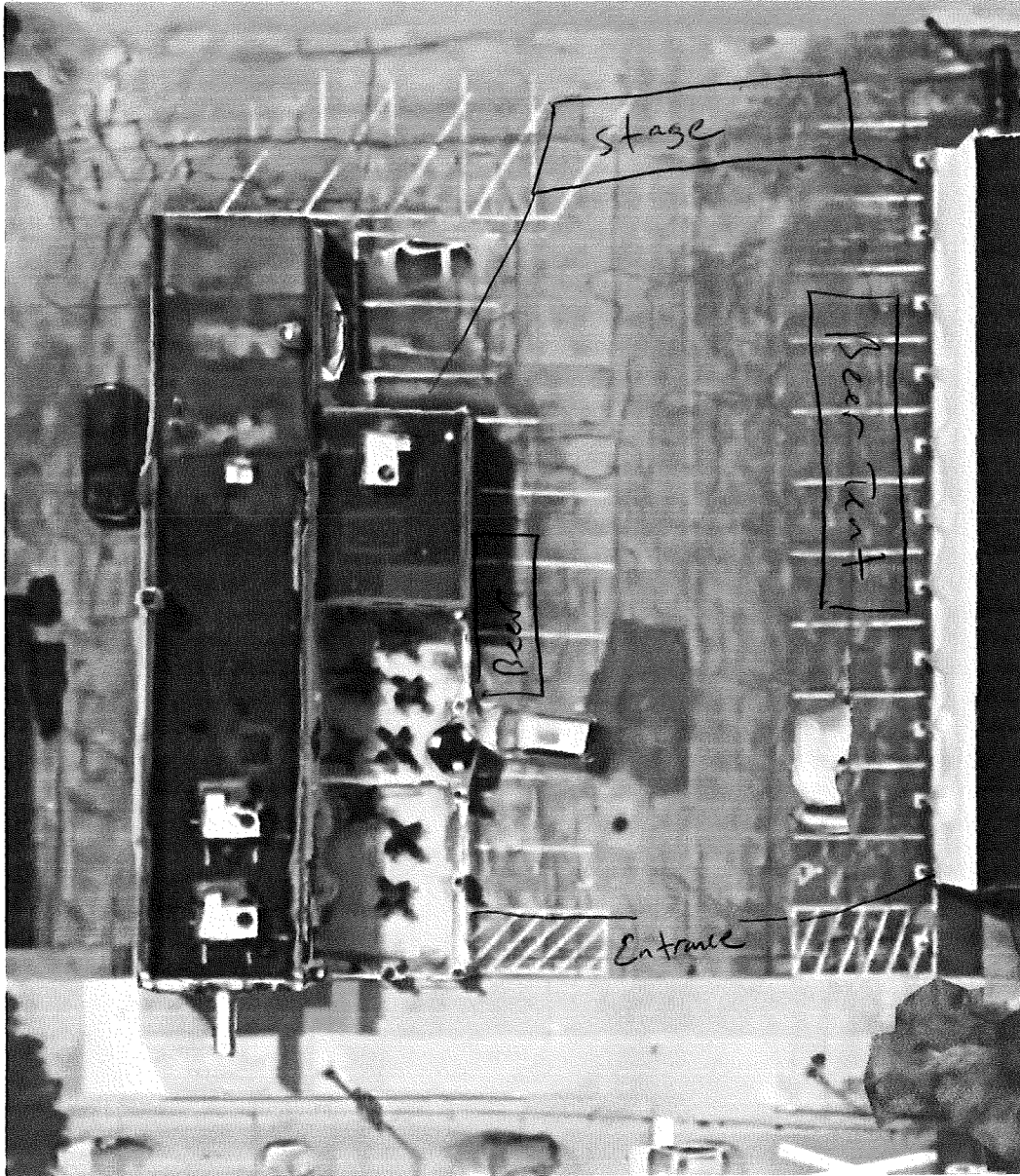
Department	Approve	Deny	Staff Member	Reason
Police				
Fire				
Health				
Community Development				
Inspections				
Finance				
Public Works				
Safety and Licensing Date:	Recommendation:		Common Council Date:	Recommendation:
Date sent for Review	Date Approved	Date Issued	Expiration Date	License Number
___/___/___	___/___/___	___/___/___	___/___/___	



Spots 2024

mile of music

Parking Lot





# Alcohol License Premises Amendment Request Form

CASH OR CHECK ONLY

\*Please allow 4 weeks for application processing\*

**FEES ARE NON-REFUNDABLE**

Date Recv'd 6/19/24

License Fee - \$10.00/event (CLCAGP) Total \$ 10

Receipt #: 7017-2

### SECTION 1 - ESTABLISHMENT INFORMATION

Name of Establishment Emmetts Bar & Grill Establishment Phone Number 920-733-7649

Address of Establishment 139 N. Richmond St Appleton 54911

Agent Name Sharon Reader Agent Phone Number (Required) 920-378-3697

### SECTION 2 - PREMISES AMENDMENT - A drawing/diagram of the proposed area must be submitted with this application

Is this Premises Amendment Permanent?  YES  NO

Please describe the change in premises: extend for Mile of Music outdoors  
Letter Attached

If temporary, please specify the reason for the amendment: Mile Of Music

If temporary, please list the date(s) and time(s) that this premises amendment will be utilized: August 1-4 Thurs - Sun  
Hours 5-11pm Friday 3pm-11pm Sat 3pm-11pm Sun 1pm-7pm

### SECTION 3 - PENALTY NOTICE

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.

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 of Applicant: Sharon Reader Date: 6/19/24

### FOR OFFICE USE ONLY

Department	Approve	Deny	Staff Member	Reason
Police				
Fire				
Health				
Community Development				
Inspections				
Finance				
Public Works				
Safety and Licensing Date:	Recommendation:		Common Council Date:	Recommendation:
Date sent for Review	Date Approved	Date Issued	Expiration Date	License Number
____/____/____	____/____/____	____/____/____	____/____/____	_____

June 10, 2024

To Whom It May Concern,

I would like to amend my liquor license to include my parking lot (approximate sq. footage = 175 x 175 sq ft) for the Mile of Music weekend. The dates are Thursday, August 1 through Sunday, August 4, 2024. We are planning to have live music and serve alcohol outside.

Like last year, we will have plenty of staff and security scheduled for this event. We plan to have this area fenced off. We will not be allowing anyone under the age of 21 into this area. We will have plenty of Port-a-Potties available.

I have gotten permission from my landlord and surrounding business and neighbors to hold the event outside.

I have to say that I was extremely pleased how my security staff handled this event each year.

If there is any more information you would need, please call me at 920-378-3697.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Reader". The signature is written in black ink and is positioned below the word "Sincerely,".

Sharon Reader  
Owner - Emmetts Bar & Grill

**Cigarette, Tobacco, and Electronic Vaping  
Device Retail License Application**

FOR CLERKS ONLY	
Municipality	Appleton
License Period	24-25

<b>Part A: Premises/Business Information</b>			
1. Legal Business Name (Individual name if sole proprietor) FAMILY DOLLAR STORES OF WISCONSIN, LLC			
2. Business Trade Name or DBA FAMILY DOLLAR # 23800			
3. FEIN		4. Wisconsin Seller's Permit Number 456-0000344943-05	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation			
6. State of Organization WI		7. Date of Organization 7/31/17	8. Wisconsin DFI Registration Number F057028
9. Premises Address (do not use PO Box) 808 W. Wisconsin Ave			
10. City Appleton		11. State WI	12. Zip Code 54914
13. County Outagamie	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: Appleton		15. Aldermanic District
16. Mailing Address (if different from premises address) 500 Volvo Pkwy, Attn: AB/ Toba Team, 8th Floor			
17. City CHESAPEAKE		18. State VA	19. Zip Code 23320
20. Premises Phone 757-321-5000		21. Premises Email ab-licensing@dollartree.com	22. Website www.familydollar.com
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible.  See attached floor plan. All tobacco will be sold, stored, and kept on the sales floor. It will be sold at the registers at the front of the building. All extra alcohol product will be kept in the back room.			

<b>Part B: Questions</b>	
1. What products will be sold at this business location? (check all that apply) <input checked="" type="checkbox"/> Cigarettes <input checked="" type="checkbox"/> Tobacco Products <input type="checkbox"/> Electronic Vaping Devices	
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply) <input checked="" type="checkbox"/> Over the counter <input type="checkbox"/> Vending machine	
3. Is the applicant business owned by another business entity? ..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers. 3a. Name of Parent Company: <u>FAMILY DOLLAR STORES OF WISCONSIN, LLC</u> 3b. FEIN of Parent Company: _____	

**Part C: Individual Information**

An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
BARNETT	PETER	PRESIDENT	
SPENCER	HARRY	ASST SECRETARY	
ELDER	JONATHAN	VICE PRES & SEC	
MITCHELL	JOHN	SENIOR VICE PRES	

**Part D: Attestation**

One of the following must sign and attest to this application:


- sole proprietor
- one general partner of a partnership
- one corporate officer
- one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following:

- I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.
- I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.
- I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<https://witobaccocheck.org>).
- I will not sell single cigarettes.
- I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.
- I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.
- I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.

Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Signature		Date	5/7/24
Name (Last, First, M.I.) SPENCER, HARRY R.			
Title	Email	Phone	
ASSISTANT SECRETARY			

**Part E: For Clerk Use Only**

Date application was filed with clerk	Date license issued	Date license expires	License number
6/4/24			
License fees	Signature of Clerk/Deputy Clerk		
100			

Form  
CTV-102

# Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

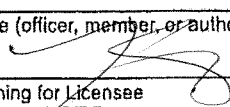
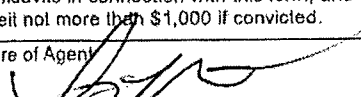
Date 05/09/2024

Agent Type (check one):  Original  Change

<b>Part A: Agent Information</b>		
1. Last Name NIGBOR	2. First Name JOSHUA	3. M.I. D
4. Email AB-LICENSING@DOLLARTREE.COM		5. Phone
6. Home Address 600 MELANIE LANE		
7. City RIPTON	8. State WI	9. Zip Code 54971
10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance

<b>Part B: Questions</b>
1. Have you completed Form CTV-101, <i>Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire</i> ? Submit a completed Form CTV-101 with this form. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.  N/A

<b>Part C: Business Information</b>		
1. Legal Business Name (Individual name if sole proprietor) FAMILY DOLLAR STORES OF WISCONSIN, LLC		
2. Business Trade Name or DBA FAMILY DOLLAR STORE # 23800		
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
4. Premises Address 808 W. Wisconsin Ave.		
5. City Appleton	6. State WI	7. Zip Code 54914

<b>Part D: Attestations</b>	
READ CAREFULLY BEFORE SIGNING: I, the Licensee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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 of Licensee (officer, member, or authorized signatory) 	Date 5/9/24
Name of Person Signing for Licensee HARRY SPENCER	Title ASSISTANT SECRETARY
READ CAREFULLY BEFORE SIGNING: I, the Agent, hereby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.	
Signature of Agent 	Date 5-10-24

**Cigarette, Tobacco, and Electronic Vaping  
Device Retail License Application**

FOR CLERKS ONLY	
Municipality	Appleton
License Period	24-25

<b>Part A: Premises/Business Information</b>		
1. Legal Business Name (individual name if sole proprietor) Indianhead Oil Co., LLC		
2. Business Trade Name or DBA Circle K #274652 <b>b</b>		
3. FEIN	4. Wisconsin Seller's Permit Number 456-0000432420-04	
5. Entity type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
6. State of Organization Wisconsin	7. Date of Organization 09/17/1964	8. Wisconsin DFI Registration Number 1I01849
9. Premises Address (do not use PO Box) 1935 E Calumet St.		
10. City Appleton	11. State WI	12. Zip Code 54915
13. County Calumet	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>	15. Aldermanic District
16. Mailing Address (if different from premises address) P.O. BOX 347		
17. City Columbus	18. State IN	19. Zip Code 47202
20. Premises Phone 920-714-3997	21. Premises Email holidaylicenses@holidaycompanies.com	22. Website
23. Premises Description - Describe the building or buildings where cigarettes, tobacco products, and electronic vaping devices are to be sold and stored. Describe all rooms including living quarters, if used, for the sales and/or storage of cigarettes, tobacco products, and electronic vaping devices and records. Cigarettes, tobacco products, and electronic vaping devices may be sold and stored ONLY on the premises described in this application. Attach a floor plan if possible.  Sold at POS. Stored and displayed at and around POS. Floor display by door. Floor plan attached.		

<b>Part B: Questions</b>		
1. What products will be sold at this business location? (check all that apply) <input checked="" type="checkbox"/> Cigarettes <input checked="" type="checkbox"/> Tobacco Products <input checked="" type="checkbox"/> Electronic Vaping Devices		
2. How will cigarettes, tobacco, and/or electronic vaping devices be sold? (check all that apply) <input checked="" type="checkbox"/> Over the counter <input type="checkbox"/> Vending machine		
3. Is the applicant business owned by another business entity? ..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the name and FEIN of the parent company below, identify parent company members in Part C, and attach Form CTV-101 for all of the parent company's members, partners, or officers. 3a. Name of Parent Company: <u>Holiday Stationstores, LLC</u> 3b. FEIN of Parent Company: _____		

S&L: 7/10/24  
Council: 7/17/24

**Part C: Individual Information**

An Individual Questionnaire, Form CTV-101, must be completed and attached to this application for each person involved in the applicant business and any parent company indicated in Part B. Such persons include: sole proprietor, all officers and agents of a corporation, all partners of a partnership, and all members and agents of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

Last Name	First Name	Title	Phone
Cunnington	Kathleen	President	
Brant	Gary	VP of Operations	
Duncan	Melissa	Asst. Secretary	
Larson	Brad	Agent/Store Manager	

**Part D: Attestation**

One of the following must sign and attest to this application:


- sole proprietor      • one general partner of a partnership      • one corporate officer      • one managing member of an LLC

**READ CAREFULLY BEFORE SIGNING:**

I understand and agree to the following:

- I will only purchase cigarettes, tobacco, and vapor products from distributors, jobbers, or subjobbers permitted by the Wisconsin Department of Revenue, unless I also hold the proper distributor's permit and pay all applicable excise taxes.
- I will not purchase or exchange products from another retailer, including transferring existing stock to a new owner.
- I will provide tobacco sales training that has been approved by the Wisconsin Department of Health Services to my employees. (<https://witobaccocheck.org>).
- I will not sell single cigarettes.
- I will not sell, give, or otherwise provide cigarettes, tobacco, or any nicotine products to minors.
- I will keep product invoices on the licensed premises for two years and ensure the records are available for inspection by law enforcement. Failure to comply with this will result in criminal penalties, including loss of inventory.
- I will not sell cigarettes or roll-your-own (RYO) tobacco products unless listed on the Wisconsin Department of Justice's directory of certified tobacco manufacturers and brands.

Further, under penalty provided by law, I state that this application has been truthfully answered to the best of my knowledge. I agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, cannot be assigned to another. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Signature 		Date 6/21/2024	
Name (Last, First, M.I.) Duncan, Melissa, A			
Title Asst. Secretary	Email		Phone

**Part E: For Clerk Use Only**

Date application was filed with clerk 6/26/24	Date license issued	Date license expires	License number
License fees 100	Signature of Clerk/Deputy Clerk		

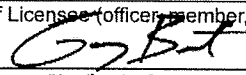
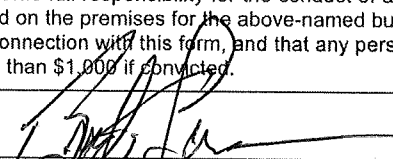


Agent Type (check one):  Original  Change

Part A: Agent Information			
1. Last Name Larson	2. First Name Brad	3. M.I.	
4. Email		5. Phone	
6. Home Address W2505 PEARL ST			
7. City SEYMOUR		8. State WI	9. Zip Code 54165
10. <small>(DL#)</small>	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance	

Part B: Questions
1. Have you completed Form CTV-101, <i>Cigarette, Tobacco, and Electronic Vaping Device License - Individual Questionnaire</i> ? Submit a completed Form CTV-101 with this form. .... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.

Part C: Business Information		
1. Legal Business Name (individual name if sole proprietor) Indianhead Oil Co., LLC		
2. Business Trade Name or DBA Circle K #2746526		
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation		
4. Premises Address 1935 E Calumet St		
5. City Appleton	6. State WI	7. Zip Code 54915

Part D: Attestations	
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Licensee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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 of Licensee (officer, member, or authorized signatory) 	Date 06/21/2024
Name of Person Signing for Licensee Gary Brant	Title V.P. of Operations
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Agent, herby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.	
Signature of Agent 	Date 6/24/2024

Form  
**AB-200**

## Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

**License(s) Requested:** (up to two boxes may be checked)

- Class "A" Beer ..... \$ 250       Class "B" Beer ..... \$ \_\_\_\_\_  
 "Class A" Liquor ..... \$ 450       "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ 0       Reserve "Class B" Liquor \$ \_\_\_\_\_  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

provisional  
beer \$15

Provisional \$15 Fees	
License Fees	\$ 700
Background Check Fee	\$ 28
Publication Fee	\$ 60
<b>Total Fees</b>	<b>\$ 803</b>

Part A: Premises/Business Information			
1. Legal Business Name (individual name if sole proprietorship) Indianhead Oil Co., LLC			
2. Business Trade Name or DBA Circle K #2746526			
3. FEIN		4. Wisconsin Seller's Permit Number 456-0000432420-04	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization WI		7. Date of Organization 09/17/1964	8. Wisconsin DFI Registration Number 1I01849
9. Premises Address 1935 E Calumet St.			
10. City Appleton		11. State WI	12. Zip Code 54915
13. County Calumet		14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: Appleton	15. Aldermanic District
16. Premises Phone 920-714-3997		17. Premises Email HolidayLicenses@HolidayCompanies.com	18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. Sold at POS.      *see attached sheet* Stored in backroom. Cold Vault (Walk-In Beer Cave). Fixtures on the floor. Wine wall. Beer platform. 12' in-line liquor. Beer trough. Liquor behind POS. Floor plan attached.			
20. Mailing Address (if different from premises address) P.O. BOX 347			
21. City Columbus		22. State IN	23. Zip Code 47202
Part B: Questions			
1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the details of violation below. Attach additional sheets if necessary.			
Law/Ordinance Violated		Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated		Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity Holiday Stationstores, LLC	4b. Business Entity FEIN
---	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.


Last Name	First Name	Title	Phone
Cunnington	Kathleen	President	
Brant	Gary	V.P. of Operations	
Duncan	Melissa	Asst. Secretary	
Larson	Brad	Agent/Store Manager	

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name Duncan	First Name Melissa	M.I. A
Title Asst. Secretary	Email	Phone
Signature 		Date 6/21/2024

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk 6/26/24	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

## Alcohol Beverage Appointment of Agent

Date 6/24/2024

**Agent Type** (check one)

- Original (no fee)       Successor (\$10 fee for municipal licensees only)

**Part A: Business Information**

1. Legal Business Name (individual name if sole proprietor) <b>Indianhead Oil Co., LLC</b>	
2. Business Trade Name or DBA <b>Circle K #2746526</b>	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

**Part B: Agent Information**

1. Last Name <b>Larson</b>		2. First Name <b>Brad</b>		3. M.I.
4. Email			5. Phone	
6. Home Address <b>W2505 PEARL ST</b>				
7. City <b>SEYMOUR</b>	8. State <b>WI</b>	9. Zip Code <b>54165</b>	10. Age	
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance		


**Part C: Agent Questions**

1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →

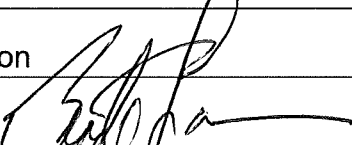
**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name <b>Duncan</b>		First Name <b>Melissa</b>		M.I. <b>A</b>
Title <b>Assistant Secretary</b>	Email		Phone	
Signature 			Date <b>06/21/2024</b>	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name <b>Larson</b>		First Name <b>Brad</b>		M.I.
Signature 			Date <b>06/21/2024</b>	

Store

Form AB-200

Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ 250     Class "B" Beer ..... \$ \_\_\_\_\_
- "Class A" Liquor ..... \$ 450     "Class B" Liquor ..... \$ \_\_\_\_\_
- "Class A" Liquor (cider only) \$ \_\_\_\_\_     Reserve "Class B" Liquor \$ \_\_\_\_\_
- "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$ 700
Background Check Fee	\$ 0
Publication Fee	\$ 60
<b>Total Fees</b>	<b>\$ 760</b>

Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship)  
Lindo Michoacan Mexican Restaurant LLC

2. Business Trade Name or DBA  
Lindo Mexican Restaurant + Supermarket

3. FEIN \_\_\_\_\_ 4. Wisconsin Seller's Permit Number  
456-1028957170-02

5. Entity Type (check one)  
 Sole Proprietor     Partnership     Limited Liability Company     Corporation     Nonprofit Organization

6. State of Organization: WI    7. Date of Organization: 2014    8. Wisconsin DFI Registration Number \_\_\_\_\_

9. Premises Address  
211 N. Richmond st

10. City: Appleton    11. State: WI    12. Zip Code: 54911

13. County: Outagamie    14. Governing Municipality:  City  Town  Village  
of: Appleton    15. Aldermanic District \_\_\_\_\_

16. Premises Phone: 920-733-3345    17. Premises Email: LindoMichoacan920@gmail.com    18. Website \_\_\_\_\_

19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.  
2600sq ft building, walkin cooler, grocery area  
\*see attached sheet

20. Mailing Address (if different from premises address)  
\_\_\_\_\_

21. City \_\_\_\_\_    22. State \_\_\_\_\_    23. Zip Code \_\_\_\_\_

Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.  Yes  No

If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . .  Yes  No beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Juanes	Pedro	Owner	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name Juanes	First Name Pedro	M.I.
Title Owner	Phone	
Signature 	Date 6/20/2024	

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

<b>Agent Type</b> (check one)	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) <u>Lindo Michoacan mexican Restaurant LLC</u>	
2. Business Trade Name or DBA <u>Lindo mexican Restaurant + Supermarket</u>	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

<b>Part B: Agent Information</b>			
1. Last Name <u>Juanez</u>	2. First Name <u>Pedro</u>	3. M.I.	
4. Email			5. Phone
6. Home Address <u>1017 Grove St</u>			
7. City <u>Menasha</u>	8. State <u>WI</u>	9. Zip Code <u>54952</u>	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? ..... Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? ..... Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? ..... See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →



**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name <i>Juarez</i>	First Name <i>Pedro</i>	M.I.
----------------------------	----------------------------	------

Title <i>Owner</i>	Phone
-----------------------	-------

Signature <i>[Handwritten Signature]</i>	Date <i>6/20/2024</i>
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**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name <i>Juarez</i>	First Name <i>Pedro</i>	M.I.
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Signature <i>[Handwritten Signature]</i>	Date <i>6/20/2024</i>
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# Restaurant

Form  
**AB-200**

## Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_  
 "Class A" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_
- Class "B" Beer ..... \$ 100  
 "Class B" Liquor ..... \$ \_\_\_\_\_  
 Reserve "Class B" Liquor \$ 10,500  
\$50 deposit

Fees	
License Fees	\$10,600
Background Check Fee	\$ 7
Publication Fee	\$ 60
<b>Total Fees</b>	<b>\$10,667</b>

Part A: Premises/Business Information			
1. Legal Business Name (individual name if sole proprietorship) <u>Lindo Michoacan Mexican Restaurant LLC</u>			
2. Business Trade Name or DBA <u>Lindo Mexican Restaurant + Supermarket</u>			
3. FEIN		4. Wisconsin Seller's Permit Number <u>456-1028957170-02</u>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <u>WI</u>		7. Date of Organization <u>2014</u>	8. Wisconsin DFI Registration Number
9. Premises Address <u>207 N. Richmond st</u>			
10. City <u>Appleton</u>		11. State <u>WI</u>	12. Zip Code <u>54911</u>
13. County <u>Outagamie</u>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>		15. Aldermanic District
16. Premises Phone <u>920-733-3348</u>	17. Premises Email <u>Lindomichocan920@gmail.com</u>	18. Website	
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. <u>2,600 sq ft building Dining area, bar area, kitchen and basement *see attached sheet</u>			
20. Mailing Address (if different from premises address) _____			
21. City _____		22. State _____	23. Zip Code _____

Part B: Questions			
1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the details of violation below. Attach additional sheets if necessary.			
Law/Ordinance Violated	Location		Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated	Location		Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
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5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Juarez	Pedro	Owner	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name Juarez	First Name Pedro	M.I.
Title owner	Email	Phone
Signature 		Date 6/28/2024

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

# Alcohol Beverage Appointment of Agent

Date 6/20/2024

Agent Type (check one)	
<input checked="" type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

Part A: Business Information	
1. Legal Business Name (individual name if sole proprietor) <u>Lindo Michoacan Mexican Restaurant LLC</u>	
2. Business Trade Name or DBA <u>Lindo Mexican Restaurant + Supermarket</u>	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

Part B: Agent Information			
1. Last Name <u>Juanes</u>	2. First Name <u>Rodro</u>	3. M.I.	
4. Email		5. Phone	
6. Home Address <u>1017 Grove St</u>			
7. City <u>Menasha</u>	8. State <u>WI</u>	9. Zip Code <u>54952</u>	10. Age
11. Drivers License/State ID Number		12. Drivers License/State ID State of Issuance	

Part C: Agent Questions	
1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, Alcohol Beverage Individual Questionnaire? Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →

**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name <i>Juanes</i>	First Name <i>Pedro</i>	M.I.
Title <i>owner</i>	Phone	
Signature <i>Pedro Juanes</i>	Date <i>6/20/2024</i>	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name <i>Juanes</i>	First Name <i>Pedro</i>	M.I.
Signature <i>Pedro Juanes</i>	Date <i>6/20/2024</i>	



# Alcohol License Premises Amendment Request Form

CASH OR CHECK ONLY!

\*Please allow 4 weeks for application processing\*

**FEES ARE NON-REFUNDABLE**

Date Recv'd 6/26/24

License Fee - \$10.00/event Total \$ 10

(CLCAGP)

Receipt #: 7049-3

## SECTION 1 - ESTABLISHMENT INFORMATION

Name of Establishment: Wooden Nick's Sports Bar & Grill Establishment Phone Number: 920-735-0661

Address of Establishment: 217 E. College Ave Appleton, WI 54911

Agent Name: Anthony Moeller Agent Phone Number (Required): \_\_\_\_\_

## SECTION 2 - PREMISES AMENDMENT - A drawing/diagram of the proposed area must be submitted with this application

Is this Premises Amendment Permanent?  YES  NO

Please describe the change in premises: Add Back parking lot to licensed premise

If temporary, please specify the reason for the amendment: Mile of music stage

If temporary, please list the date(s) and time(s) that this premises amendment will be utilized: 8/1 - 8/4  
11 AM to Midnight

## SECTION 3 - PENALTY NOTICE

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.

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.

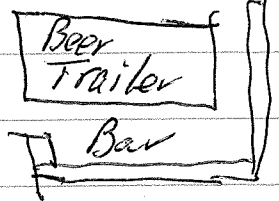
Signature of Applicant: Anthony Moeller Date: 06/26/24

## FOR OFFICE USE ONLY

Department	Approve	Deny	Staff Member	Reason
Police				
Fire				
Health				
Community Development				
Inspections				
Finance				
Public Works				
Safety and Licensing Date:	Recommendation:		Common Council Date:	Recommendation:
Date sent for Review	Date Approved	Date Issued	Expiration Date	License Number
____/____/____	____/____/____	____/____/____	____/____/____	

Kimball Alley

Potato Potato



TABLES & CHAIRS

TABLES & CHAIRS

STALL

Jim's Place

Kush Cafe

Wooden Nickel



# Alcohol License Premises Amendment Request Form

CASH OR CHECK ONLY!

\*Please allow 4 weeks for application processing\*

**FEES ARE NON-REFUNDABLE**

Date Recv'd 6/26/24

License Fee - \$10.00/event Total \$ 10

(CLCAGP)

Receipt #: 7099-3

## SECTION 1 - ESTABLISHMENT INFORMATION

Name of Establishment: Tim's Place Establishment Phone Number: 920 730 8091

Address of Establishment: 223 E College Ave Appleton WI 54911

Agent Name: Stacy Hoffman Agent Phone Number (Required): \_\_\_\_\_

## SECTION 2 - PREMISES AMENDMENT - A drawing/diagram of the proposed area must be submitted with this application

Is this Premises Amendment Permanent?  YES  NO

Please describe the change in premises: add back parking lot to licensed premise

If temporary, please specify the reason for the amendment: Mile of Music Stage

If temporary, please list the date(s) and time(s) that this premises amendment will be utilized: 8/1 - 8/4  
11 am - midnight

## SECTION 3 - PENALTY NOTICE

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.

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 of Applicant: Stacy Hoffman Date: 06/26/24

## FOR OFFICE USE ONLY

Department	Approve	Deny	Staff Member	Reason
Police				
Fire				
Health				
Community Development				
Inspections				
Finance				
Public Works				
Safety and Licensing Date:	Recommendation:		Common Council Date:	Recommendation:
Date sent for Review	Date Approved	Date Issued	Expiration Date	License Number
___/___/___	___/___/___	___/___/___	___/___/___	

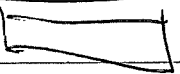
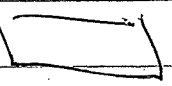
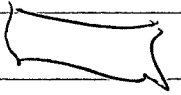


Kimball Alley

RESCUED NO

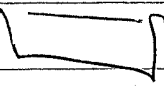
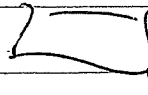
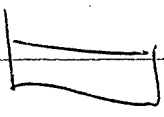
Potato Potato

Beer Trailer Bar



TABLES & CHAIRS

TABLES & CHAIRS



SKATE

Jims Place

Kush Cafe

Wooden Nickel



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

## APPLICATION for the Operation of a PET STORE/KENNEL

<b>FEES ARE NON-REFUNDABLE</b>		Date Rec'd <u>6/26/21</u>
See SECTION 5 for Fee Schedule, CASH OR CHECK ONLY		
License Fee - Initial	\$ _____	Acct. Code: CLPETK
License Fee - Renewal	\$ <u>75</u>	Acct. Code: CLPETK
Investigation Fee	+ \$7.00	Acct. Code: CLCPIF
Total Amount Paid	\$ <u>82</u>	Receipt <u>7049-6</u>
License period July 1 to June 30		

**\*PLEASE ALLOW 4 WEEKS FOR PROCESSING\***

<b>SECTION 1 – BUSINESS LOCATION – Answer all questions completely. Please PRINT clearly</b>			
<b>NOTE: The location of a Kennel or Pet Store is subject to applicable zoning and other regulations.</b>			
Business Name <u>Wild Habitats</u>			
Business Street Address	<u>1350 W College Ave. St. B</u>	City <u>Appleton</u>	State <u>WI</u> Zip <u>54914</u>
Business Telephone Number	<u>920-939-2089</u>		
<b>SECTION 2 – APPLICANT INFORMATION</b>			
Name <u>Brady Bartel</u>			
Home Street Address	<u>1026 W. Cecil St.</u>	City <u>Neenah</u>	State <u>WI</u> Zip <u>54956</u>
Date of Birth	Male <input checked="" type="checkbox"/>	Female	Telephone
<b>SECTION 3 – SERVICES TO BE PROVIDED</b>			
Please check the type(s) of services your establishment will offer: <input checked="" type="checkbox"/> Live animals <input checked="" type="checkbox"/> Pet Food			
<input checked="" type="checkbox"/> Pet Accessories	<input checked="" type="checkbox"/> Fish	Other	
<b>SECTION 4 – PENALTY NOTICE</b>			
Having knowledge of all governmental laws, rules or regulations governing the keeping or protection of animals, I hereby certify that the information provided in this application is true and correct to the best of my knowledge and belief.			
Signature of Applicant: <u>Brady Bartel</u>			
<b>SECTION 5 – FEE SCHEDULE **all fees include the \$7 Investigation fee** CASH OR CHECK ONLY</b>			
Pet Store License	Initial Fee - \$97.00	Renewal Fee – <u>\$82.00</u>	
Kennel License	1-10 animals - \$62.00	11-25 animals - \$137.00	
	26-50 animals - \$262.00	More than 50 animals - \$5.00 per animal with a minimum of \$287.00	
<b>FOR OFFICE USE ONLY</b>			
Dept.	Approve	Deny	By
Police			
Fire			
City Sealer			
Inspection			
Community Development			
S&L	Council	Date Issued	Exp. Date
			License Number

Form  
AB-200

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_   
  Class "B" Beer ..... \$ 100  
 "Class A" Liquor ..... \$ \_\_\_\_\_   
  "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_   
  Reserve "Class B" Liquor \$ 10,500  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$10,600
Background Check Fee	\$ 7
Publication Fee	\$ 60
<b>Total Fees</b>	<b>\$10,667</b>

### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <u>DMX LLC</u>			
2. Business Trade Name or DBA <u>Gingerootz</u>			
3. FEIN		4. Wisconsin Seller's Permit Number <u>456-1029839017-02</u>	
5. 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			
6. State of Organization <u>WI</u>		7. Date of Organization <u>5/15/2017</u>	8. Wisconsin DFI Registration Number <u>D059594</u>
9. Premises Address <u>2920 N Ballard Rd</u>			
10. City <u>Appleton</u>		11. State <u>WI</u>	12. Zip Code <u>54911</u>
13. County <u>Outagamie</u>		14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>	15. Aldermanic District
16. Premises Phone <u>920-739-9688</u>		17. Premises Email <u>mylee@gingerootz.com</u>	18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. <u>*see attached sheet</u>			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.     Yes     No

If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . .  Yes  No  
 beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No  
 6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No  
 7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.  
 Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Xiong	Mylee	OWNER	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name Xiong	First Name Mylee	M.I.
Title Owner	Email	Phone
Signature 		Date 6/30/24

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk 7/2/24	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

# Alcohol Beverage Appointment of Agent

Date 6/30/24

**Agent Type** (check one)

Original (no fee)       Successor (\$10 fee for municipal licensees only)

**Part A: Business Information**

1. Legal Business Name (individual name if sole proprietor)  
DUMX LLC

2. Business Trade Name or DBA  
Gingerrootz

3. Entity Type (check one)  
 Limited Liability Company       Corporation       Nonprofit Organization

4. Alcohol Beverage Business Authorization (check one)  
 Municipal Retail License       State Permit

5. If successor agent, provide State Permit or Municipal Retail License Number

6. Describe the reason for appointing a successor agent, if successor is checked above.

**Part B: Agent Information**

1. Last Name Xiong      2. First Name Mylee      3. M.I.

4. Email      5. Phone

6. Home Address  
N 8831 NoE Rd

7. City Menasha      8. State WI      9. Zip Code 54952      10. Age

11. Drivers License/State ID Number      12. Drivers License/State ID State of Issuance

**Part C: Agent Questions**

1. Have you satisfied the responsible beverage server training requirement? .....  Yes     No  
Submit proof of completion.


2. Have you completed Form AB-100, *Alcohol Beverage Individual Questionnaire*? .....  Yes     No  
Submit a completed Form AB-100 with this form.

3. Have you been a Wisconsin resident for at least 90 continuous days? .....  Yes     No  
See instructions for exceptions.

Continued →

**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name Xiong		First Name Mylee		M.I.
Title OWNER	Email	Phone		
Signature 			Date 6/30/24	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name		First Name		M.I.
Signature			Date	

Form  
AB-200

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	Appleton
License Period	24-25

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_    
  Class "B" Beer ..... \$ 100  
 "Class A" Liquor ..... \$ \_\_\_\_\_    
  "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_    
  Reserve "Class B" Liquor \$ \_\_\_\_\_  
 "Class C" Liquor (wine only) \$ 100

Fees	
License Fees	\$ <u>200</u>
Background Check Fee	\$ <u>7</u>
Publication Fee	\$ <u>60</u>
<b>Total Fees</b>	<b>\$ <u>267</u></b>

**Part A: Premises/Business Information**

1. Legal Business Name (individual name if sole proprietorship) <u>Moon Water Cafe LLC</u>			
2. Business Trade Name or DBA <u>Moon Water Cafe</u>			
3. FEIN		4. Wisconsin Seller's Permit Number <u>31-1-0257-00</u>	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization <u>WI</u>		7. Date of Organization <u>9-30-2020</u>	8. Wisconsin DFI Registration Number
9. Premises Address <u>1206 N. LAWRE ST</u>			
10. City <u>Appleton</u>		11. State <u>WI</u>	12. Zip Code <u>54911</u>
13. County <u>OUTAGAMIE</u>	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: <u>Appleton</u>		15. Aldermanic District
16. Premises Phone <u>920-840-7291</u>	17. Premises Email <u>slbrinc@icloud.com</u>		18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. <u>Cafe space with seating for 12.</u> <u>*see attached sheet*</u>			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

**Part B: Questions**

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.  Yes  No

If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . .  Yes  No beverages.  
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . .  Yes  No  
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . . . .  Yes  No  
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No  
 6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No  
 7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

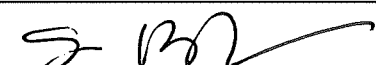
List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.  
 Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Boegh	Shannon	owner	

**Part D: Attestation**

One of the following must sign and attest to this application:  
 • sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. 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.

Last Name Boegh	First Name Shannon	M.I. L
Title owner	Email	Phone
Signature 		Date 7.2.24

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk 7/2/24	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	



# Alcohol Beverage Appointment of Agent

Date  
7/2/24

**Agent Type** (check one)

- Original (no fee)       Successor (\$10 fee for municipal licensees only)

**Part A: Business Information**

1. Legal Business Name (individual name if sole proprietor) <b>Moon Water Cafe LLC</b>	
2. Business Trade Name or DBA	
3. Entity Type (check one) <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	

**Part B: Agent Information**

1. Last Name <b>Boegh</b>	2. First Name <b>Shannon</b>	3. M.I. <b>L</b>
4. Email	5. Phone	
6. Home Address <b>1044 E. Vine St</b>		
7. City <b>Appleton</b>	8. State <b>WI</b>	9. Zip Code <b>54911</b>
10. Area	11. Drivers License/State ID Number	
12. Drivers License/State ID State of Issuance		


**Part C: Agent Questions**

1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, Alcohol Beverage Individual Questionnaire? Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →


**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I 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.

Last Name <b>Boegh</b>	First Name <b>Shannon</b>	M.I. <b>L</b>
Title <b>owner</b>	Email	Phone
Signature 	Date <b>7-2-24</b>	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. 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.

Last Name <b>Boegh</b>	First Name <b>Shannon</b>	M.I. <b>L</b>
Signature 	Date <b>7-2-24</b>	



# CITY OF APPLETON

## MEMORANDUM

**Date:** June 12, 2024  
**To:** Plan Commission  
**From:** Lindsey Smith, Principal Planner  
**Subject:** Rezoning #5-24 – 1313 E. Amelia Street & 1319 N. Owaissa Street

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## GENERAL INFORMATION

**Owner/Applicant:** Terry Adams, owner and David Hebert of Hebert Associates, Inc., applicant

**Address/Parcel Number:** 1313 E. Amelia Street (Tax Id #31-1-1926-00) & 1319 N. Owaissa Street (Tax Id #31-1-1927-00)

**Petitioner's Request:** The applicant proposes to rezone the subject parcel from R-1B Single-Family Residential District to R-1C Central City Residential District. The rezoning will establish legally conforming parcels to facilitate a lot line adjustment between the subject parcels.

**Plan Commission Informal Hearing Meeting Date:** June 12, 2024

**Common Council Public Hearing Meeting Date:** July 17, 2024

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## BACKGROUND

1916 - Ullman's Addition Subdivision Plat

1930 - Residential House Built at 1319 N. Owaissa Street

1952 - Residential House Built at 1313 E. Amelia Street

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## STAFF ANALYSIS

**Project Summary:** The owner/applicant is proposing a lot line adjustment for the subject parcels he owns. The existing parcels are less than the minimum lot area for R-1B zoning district. Rezoning the lots to R-1C will create legal conforming parcels of record and allow for a lot line adjustment of approximately 880 square feet.

**Existing Site Conditions:** The subject parcels are each approximately 5,760 square feet in size and contains a single-family home used for residential use. The minimum lot area for R-1B zoning district is 6,000 square feet.

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

- North: R-1B Single Family Residential District. The adjacent land uses to the north are currently residential.
- South: C-2 General Commercial District. The adjacent land uses to the south are currently institutional.
- East: R-1B Single-Family Residential District and C-2 General Commercial District. The adjacent land uses to the east are currently residential and commercial.
- West: R-1B Single-Family Residential District. The adjacent land uses to the west are currently residential.

**Appleton Comprehensive Plan 2010-2030:** Community Development staff has reviewed this proposal and determined it is compatible with the goals and objectives found in the City's *Comprehensive Plan 2010-2030*. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

*Goal 1 – Community Growth*

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

*Goal 3 – Housing Quality, Variety, and Affordability*

*Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.*

*OBJECTIVE 5.3 Housing and Neighborhoods:*

*Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.*

*OBJECTIVE 10.5 Land Use:*

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

**Proposed Zoning Classification:** The R-1C Central City Residential District is intended to provide for the conservation and revitalization of residential areas located in the oldest parts of the City characterized predominately by single-family, detached dwellings on small sized lots of record while protecting residential neighborhoods from the intrusion of incompatible non-residential uses. Per Section 23-94(g) of the Municipal Code, the development standards for the R-1C District are listed below:

- (1) **Minimum lot area:**
  - a. Four thousand (4,000) square feet for single-family detached dwellings.
  - b. Six thousand (6,000) square feet for all other uses.
- (2) **Maximum lot coverage.** Seventy-five percent (75%).
- (3) **Minimum lot width.**
  - a. Forty (40) feet for single-family detached dwellings.
  - b. Fifty (50) feet for all other uses.
- (4) **Minimum front yard.**
  - a. Ten (10) feet.
  - b. Twenty (20) feet on an arterial street.
- (5) **Minimum rear yard.** Twenty-five (25) feet.

(6) **Minimum side yard.**

- a. Five (5) feet for single-family dwellings.
- b. Six (6) feet for all other uses.

(7) **Maximum building height.** Thirty-five (35) feet.

**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. It would appear the criteria established has been satisfied. 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 with a future one- and two-family residential designation.*
  2. A study submitted by the applicant that indicates that there has been an increase in the demand for land in the requested zoning district, and as a result, the supply of land within the City mapped as such on the Official Zoning Map is inadequate to meet the demands for such development.
  3. Proposed amendments cannot be accommodated by sites already zoned in the City due to lack of transportation, utilities or other development constraints, or the market to be served by the proposed use cannot be effectively served by the location of the existing zoning district(s).
  4. There is an error in the code text or zoning map as enacted.
- b. In addition to the findings required to be made by subsection (a), findings shall be made by the Plan Commission on each of the following matters based on the evidence presented:
  1. The adequacy of public facilities such as transportation, utilities and other required public services to serve the proposed site. *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. *Parcels that are less than 6,000 square feet with single-family residential uses are already located in this area of the City. Therefore, the proposed rezoning request is unlikely to create adverse impacts for the surrounding uses.*

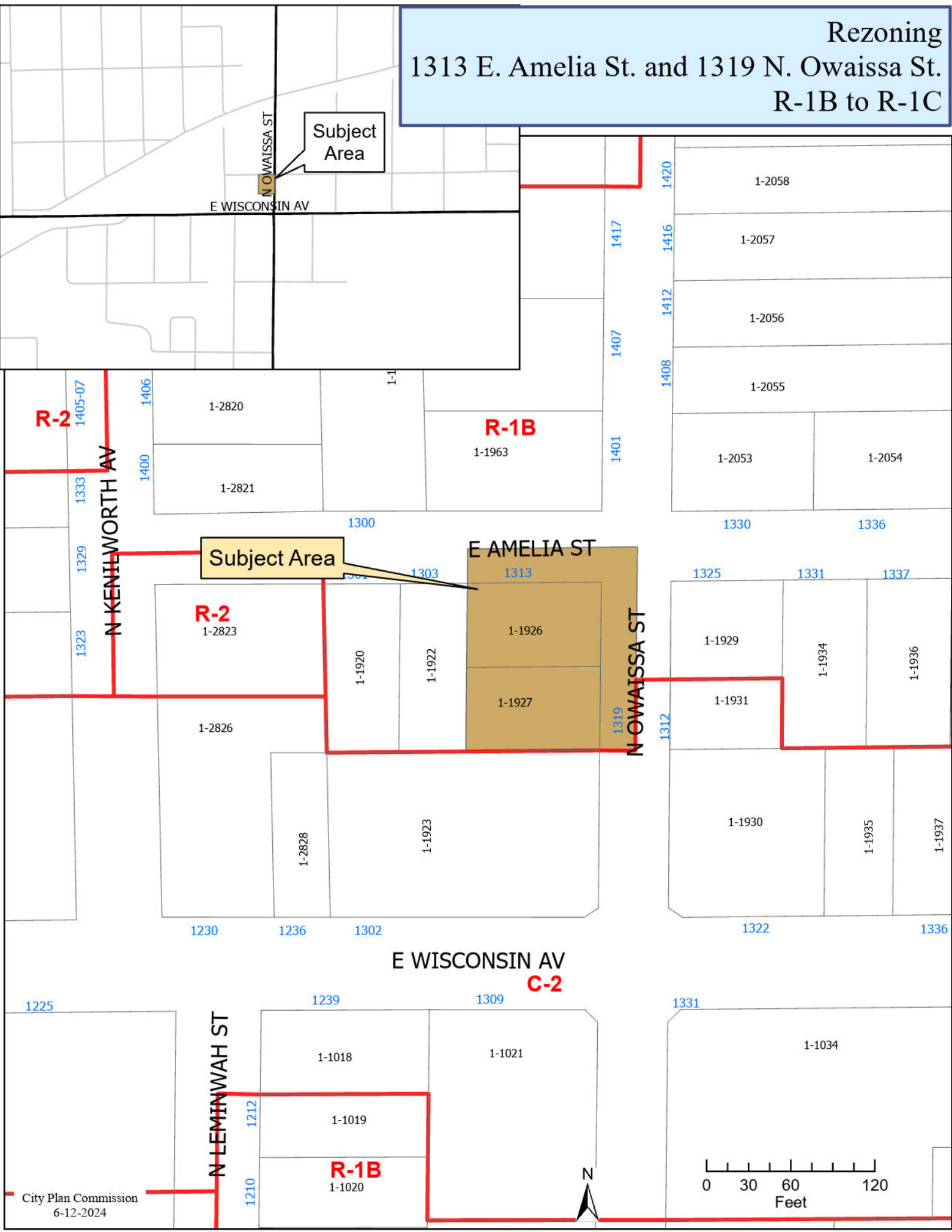
**Technical Review Group (TRG) Report:** This item appeared on the May 21, 2024 TRG agenda. No negative comments were received from participating departments.

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## RECOMMENDATION

Staff recommends, based upon the standards for zoning map amendments as required by Section 23-65(d)(3) of the Zoning Ordinance, that Rezoning #5-24 to rezone the subject properties at 1313 E. Amelia Street (Tax Id #31-1-1926-00) and 1319 N. Owaissa Street (Tax Id #31-1-1927-00) from R-1B Single-Family Residential District to R-1C Central City Residential District, including to the centerline of existing adjacent streets, as shown on the attached maps, **BE APPROVED**.

# Rezoning 1313 E. Amelia St. and 1319 N. Owaissa St. R-1B to R-1C



Subject Area

Subject Area

Rezoning  
1313 E. Amelia St. and 1319 N. Owaissa St.  
R-1B to R-1C



Parcel 31-1-1926-00

North 60 feet of Lot 5 and Lot 7 of Ullman's Addition, City of Appleton, Outagamie County, Wisconsin, including to the center line of the adjacent public right-of-way.

Parcel 31-1-1927-00

South 60 feet of Lot 5 and Lot 7 of Ullman's Addition, City of Appleton, Outagamie County, Wisconsin, including to the center line of the adjacent public right-of-way.





# CITY OF APPLETON

## MEMORANDUM

**Date:** July 10, 2024  
**To:** Plan Commission  
**From:** Don Harp, Principal Planner  
**Subject:** Final Plat – Lumbini Estates

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## GENERAL INFORMATION

**Owner/Applicant:** Saket, LLC, 3206 South Tahoe Lane, Owner / Martenson & Eisele, Inc., c/o Jack Richeson, Applicant

**Parcel Number:** 31-9-4161-00

**Petitioner's Request:** The owner/applicant is proposing to subdivide the property into 27 single-family lots.

**Plan Commission Meeting Date:** July 10, 2024

**Common Council Meeting Date:** July 17, 2024

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## BACKGROUND

The subject property was annexed to the City of Appleton through the Jonen Family Trust Annexation in 1985. The R-1A zoning classification has remained on this property since the time of annexation.

The proposed street design for Lumbini Estates subdivision was approved by the Municipal Services Committee on March 25, 2024 and by the Common Council on April 3, 2024.

The Preliminary Plat was approved by the Plan Commission on April 10, 2024 and by the Common Council on April 17, 2024.

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## STAFF ANALYSIS

**Existing/Proposed Conditions:** The subject area is currently undeveloped. Lumbini Estates consists of 12.859 acres and will be divided into 27 single-family lots.

**Comparison Between Final Plat and Preliminary Plat:** The Final Plat is consistent with the Preliminary Plat layout in terms of the shape, size, and location of the lots and streets. As a result, the Final Plat is entitled to approval with respect to layout per §236.11(1)(b) of the Wisconsin State Statutes.

**Zoning Ordinance Review Criteria:** R-1A Single-Family Residential District lot development standards (Section 23-93) are as follows:

- Minimum lot area: Eight thousand (8,000) square feet.
  - *The proposed typical single-family lot size within this development is approximately 16,000 square feet.*
- Minimum lot width: Seventy (70) feet. Lot width is measured between the side lot lines measured along front lot line.
  - *All proposed single-family lots comply with this minimum requirement.*
- Minimum front, side and rear yard setbacks: Twenty (20) foot front yard when abutting a local and collector street, Twenty (25) foot front yard when abutting on an arterial street, Six (6) foot side yard, and Twenty-five (25) foot rear yard.
  - *Required building/structure setbacks will be reviewed through the building permit review process.*
- Maximum building height: Thirty-five (35) feet.
  - *This will be reviewed through the building permit review process.*
- Maximum lot coverage. Forty percent (40%).
  - *This will be reviewed through the building permit review process.*

**Compliance with the Appleton Municipal Code Regulations:**

On April 17, 2024, the Common Council granted relief at the Preliminary Plat approval stage to allow *Lots 6, 7, 10, 11, 12 and 15 be designed as double frontage lots.*

This subdivision complies with all other applicable Appleton Subdivision Regulations.

**Review and Decision by Plan Commission:** The Plan Commission shall, within 30 days of the date of the filing of Final Plat with the City Clerk, recommend approval, conditional approval or denial of the plat to the Common Council, unless time is extended by agreement in writing between the City and Owner.

**Review and Decision by Common Council:** The Common Council shall, after receipt of the Plan Commission recommendation and within 60 days of the date of the filing of Final Plat with the City Clerk, approve, approve with conditions or deny the plat, unless time is extended by agreement in writing between the City and Owner.

**Access, Traffic & Street Design:**

The new proposed streets within the subdivision are dedicated to the City with this Final Plat.

A permit from the Calumet County Highway Department for the access connection from proposed Saket Street to Midway Road (C.T.H. AP) has been approved by the Calumet County Highway Department. The City has no plans to require sidewalks or trails along this section of Midway Road (C.T.H. AP). Design changes to urbanize Midway Road (C.T.H. AP), would be initiated by the Calumet County Highway Department.

**Street Names and Prefixes:** The proposed street names and prefixes appear to satisfy Section 16-36 of the Municipal Code and Street Name Policy.

**Surrounding Zoning and Land Uses:**

- North: City of Appleton, R-3 Multi-family – Multi-family residential uses
- South: City of Appleton, R-1A Single-family – Single-family residential uses and undeveloped land. Village of Harrison Zoning, Multi-family residential uses and 15-acre neighborhood park “Rennwood Park”
- East: City of Appleton Zoning, R-1A Single-family – Single-family residential uses
- West: City of Appleton Zoning, R-3 Multi-family – Undeveloped land

**2010-2030 Comprehensive Plan:** Community Development staff has reviewed this proposed subdivision and determined it is consistent with the One and Two-Family Residential use shown on the City’s 2010-2030 Comprehensive Plan Future Land Use Map.

*Overall Community Goals*

*Goal 1 – Community Growth (Chapter 10)*

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

*Goal 3 – Housing Quality, Variety, and Affordability (Chapter 5)*

*Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents and ensure that existing housing is adequately maintained in terms of physical quality and market viability.*

*5.1 OBJECTIVE: Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.*

*5.3 OBJECTIVE: Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.*

*College North Neighborhood Plan – Chapter 4: Market Study 2020-2030: The average annual housing need is about 301 units per the market study this proposed single-family development will help to meet the demand for housing in Appleton as specified in the market study.*

*6.3 OBJECTIVE: Create an environment that is safe and conducive to walking and bicycling throughout the entire City.*

*6.3.2 Maintain existing sidewalks and implement plans to install new sidewalks in targeted areas where they do not exist. Continue the City’s policies to require sidewalks in new neighborhoods.*

*7.1 OBJECTIVE: Provide a pattern of development that minimizes impacts to municipal services and utilities.*

*7.1.1 Prioritize development and redevelopment that minimizes the need for additional public and private infrastructure such as water storage facilities and sewage lift stations.*

*10.1 OBJECTIVE: Provide an adequate supply of suitable land meeting the demand for development of various land uses.*

*10.4 OBJECTIVE: Plan for compact, efficient, and fiscally responsible growth of residential, commercial, and industrial development in new neighborhoods in order to implement the principles of smart growth.*

*10.4.1 Continue to guide residential growth to locations either contiguous to or within presently urbanized areas. As peripheral development occurs, it should be at a compact, urban density to ensure new neighborhoods can be efficiently served by public infrastructure.*

*18.1.1 Continue park land and trail dedication, or fee-in-lieu-of land dedication requirements for all new residential development.*

**Dedication of Public Parks and/or Trails or Payment Fee in Lieu Thereof:** The Appleton Subdivision Regulations require parkland dedication or fee in lieu thereof for residential subdivisions. Parkland dedication is not required for this development per the Deputy Director of Parks and Recreation. As a result, the City will collect a park fee in the amount of \$1,100.00 per lot from the landowner upon the issuance of a building permit pursuant to Section 17-29(f) of the Municipal Code.

- Park Fee Amount: 27 Lots X \$1,100.00 = \$29,700

**Plat Review Team (PRT) & Technical Review Group (TRG) Report:** This item appeared on the following internal staff meeting agendas:

June 4, 2024 – PRT Agenda

June 18, 2024 – PRT Agenda

Comments pertaining to stormwater management, drainage, erosion control, utilities, street design, parkland dedication, plat layout and other technical requirements have been received from participating departments and captured in the stipulations found below. Technical Engineering Plan Review and Final Plat comments have been submitted to the applicant by a separate email by staff. Note: The Stormwater Plans continue to be reviewed.

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## **FUTURE ACTIONS**

The existing street sign for existing short segment of East Vail Lane will be replaced with South Vail Lane by City staff.

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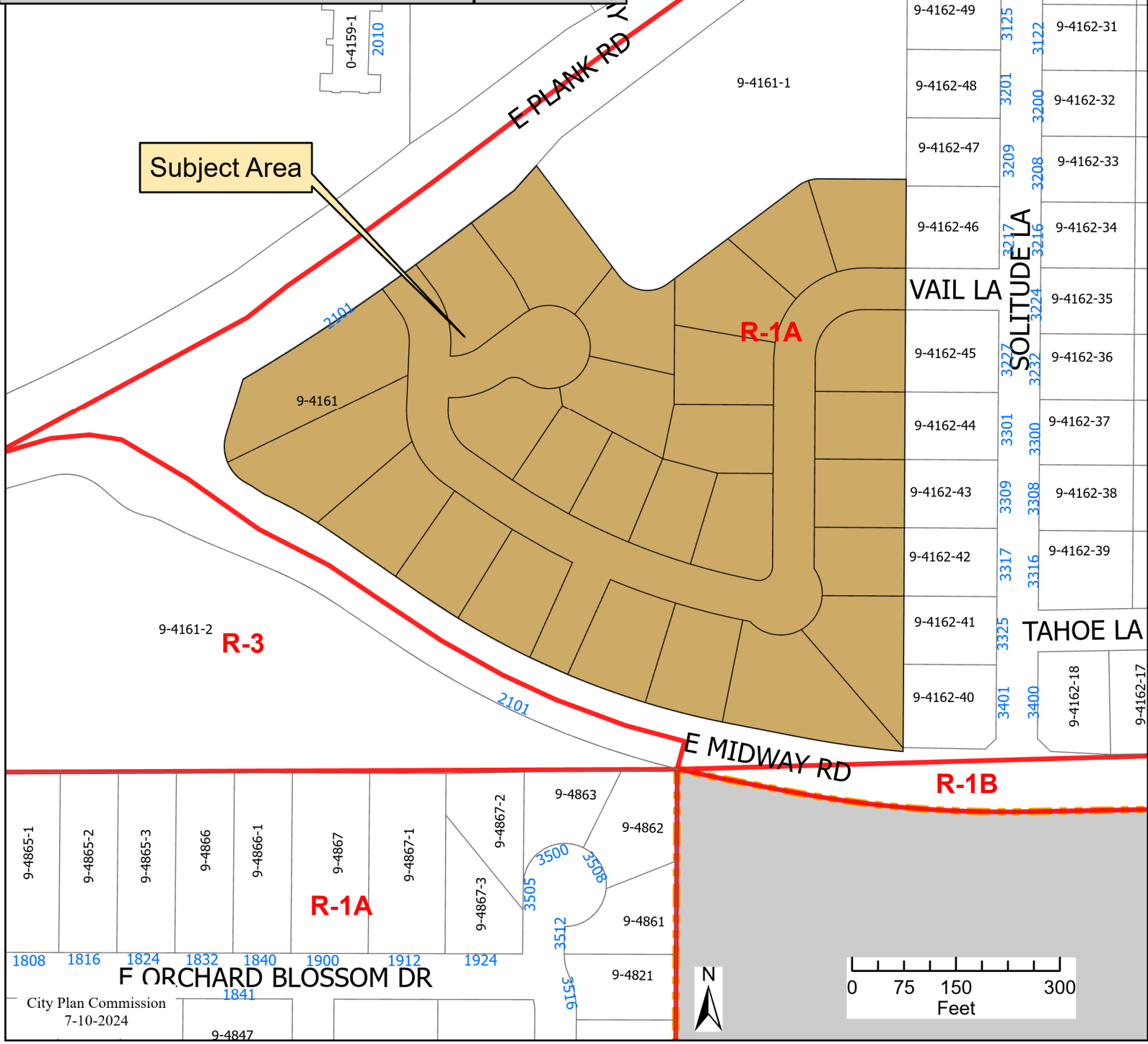
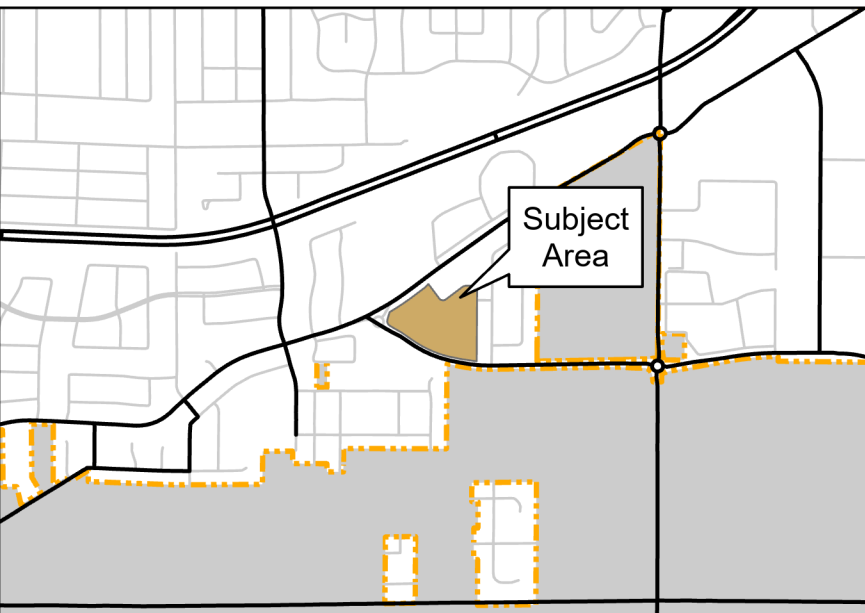
## **RECOMMENDATION**

The Final Plat for Lumbini Estates, **BE APPROVED** subject to the following conditions and as shown on the attached maps:

1. The Final Plat technical comments provided by the Plat Review Team sent by email on June 25, 2024 shall be addressed on the Final Plat prior to City signatures being affixed to the Final Plat.

2. City signatures shall not be affixed to the Final Plat until objecting authorities (Department of Administration and Calumet County Planning and Zoning Committee) review and notify the City that they do not object to the Final Plat.
3. The applicant shall submit a revised Drainage Plan, Engineering Plans for sanitary sewer, water main, storm sewer, street and laterals satisfying the comments made by the Department of Public Works, Engineering Division pursuant to the email on June 21, 2024 prior to City signatures being affixed to the Final Plat.
4. All requirements from the City of Appleton Department of Public Works, Engineering Division shall be met to the satisfaction of the City Engineer prior to the City affixing signatures on the Final Plat.
5. The Final Plat shall be recorded within 12 months from the approval date of the last approving authority and within 36 months from the approval date of the first approving authority. Failure to do so requires the subdivider to recommence the entire procedure for Final Plat approval.
6. A Development Agreement is required between the City and owner/developer that identifies the duties and responsibilities with respect to development of the subject land. The applicant and owner, Community Development Director, and City Engineer shall discuss the preparation and process of this agreement. City signatures will not be affixed to the Final Plat until the Development Agreement is executed by the owner/developer.

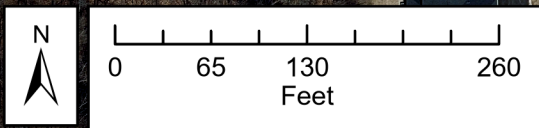
# Final Plat Lumbini Estates



# Final Plat Lumbini Estates



City Plan Commission  
7-10-2024



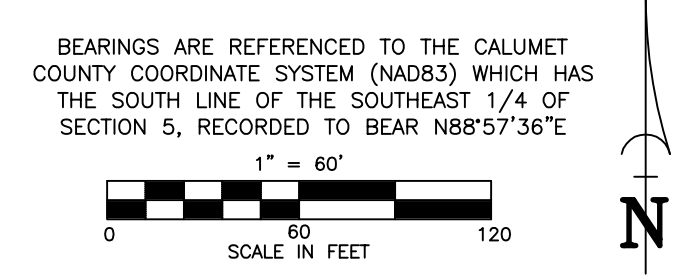
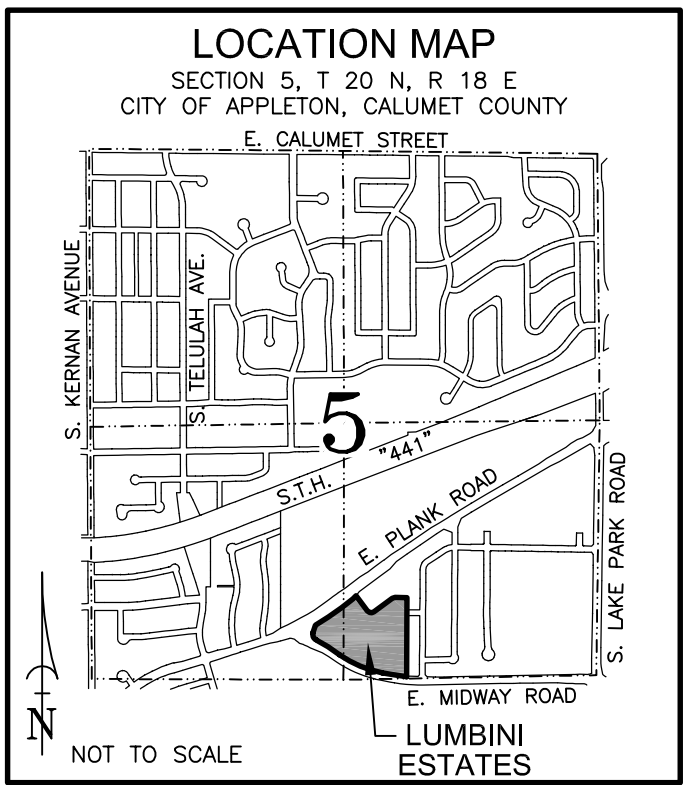
# LUMBINI ESTATES

PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 5, TOWNSHIP 20 NORTH, RANGE 18 EAST, CITY OF APPLETON, CALUMET COUNTY, WISCONSIN.



LOT 1  
C.S.M.  
NO. 2626

CITY OF APPLETON  
PLANK ROAD WEST POND  
W.S.E. = 810.00  
100yr Storm=814.15



- LEGEND**
- ▲ 1" O.D. ROUND IRON PIPE SET, 24" LONG, WEIGHING 1.13 LBS. PER LINEAL FOOT AT ALL OTHER LOT CORNERS
  - △ 1-1/4" O.D. ROUND REINFORCING BAR SET, 30" LONG WEIGHING 4.303 LBS. PER LINEAL FOOT
  - 1-1/4" O.D. ROUND REINFORCING BAR FOUND, 30" LONG WEIGHING 4.303 LBS. PER LINEAL FOOT
  - ◊ 3/4" ROD FOUND
  - ◊ GOVERNMENT CORNER
  - W DELINEATED WETLANDS
  - NO ACCESS TO RIGHT-OF-WAY (SEE ACCESS RESTRICTION CLAUSE)

**UTILITY EASEMENTS** - NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINE OR STREET LINE. THE DISTURBANCE OF A SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES. UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THE AREA.

**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	1391.38	005°38'32"	156.71	N11°21'19.0"E	156.65	79°02'03"	84°40'35"
2	1170.00	025°45'18"	148.00	N11°21'19.0"E	148.00	78°36'33"	79°02'02"
3	1170.00	005°57'10"	119.17	N11°21'19.0"E	119.17	78°36'33"	79°02'02"
4	1170.00	005°50'09"	119.17	N11°21'19.0"E	119.17	78°36'33"	79°02'02"
5	1170.00	005°56'18"	120.00	N11°21'19.0"E	120.00	78°36'33"	79°02'02"
6	1170.00	005°47'11"	118.16	N11°21'19.0"E	118.16	78°36'33"	79°02'02"
7	1170.00	003°11'15"	85.09	N11°21'19.0"E	85.09	78°36'33"	79°02'02"
8	625.00	010°32'02"	114.91	N11°21'19.0"E	114.91	78°36'33"	79°02'02"
9	625.00	002°33'19"	27.87	N11°21'19.0"E	27.87	78°36'33"	79°02'02"
10	60.00	079°16'24"	83.01	N11°21'19.0"E	83.01	78°36'33"	79°02'02"
11	60.00	038°38'42"	41.51	N11°21'19.0"E	41.51	78°36'33"	79°02'02"
12	2944.79	006°20'34"	326.00	N11°21'19.0"E	326.00	78°36'33"	79°02'02"
13	2944.79	004°39'51"	239.72	N11°21'19.0"E	239.72	78°36'33"	79°02'02"
14	2944.79	001°10'04"	60.02	N11°21'19.0"E	60.02	78°36'33"	79°02'02"
15	2944.79	000°50'39"	78.54	N11°21'19.0"E	78.54	78°36'33"	79°02'02"
16	50.00	037°08'28"	32.41	N11°21'19.0"E	32.41	78°36'33"	79°02'02"
17	50.00	018°34'14"	16.21	N11°21'19.0"E	16.21	78°36'33"	79°02'02"
18	70.00	030°04'34"	110.05	N11°21'19.0"E	110.05	78°36'33"	79°02'02"
19	130.00	030°04'34"	204.38	N11°21'19.0"E	204.38	78°36'33"	79°02'02"
20	130.00	017°45'31"	49.29	N11°21'19.0"E	49.29	78°36'33"	79°02'02"
21	130.00	031°20'32"	71.11	N11°21'19.0"E	71.11	78°36'33"	79°02'02"
22	130.00	031°20'32"	71.11	N11°21'19.0"E	71.11	78°36'33"	79°02'02"
23	130.00	009°37'59"	21.86	N11°21'19.0"E	21.86	78°36'33"	79°02'02"
24	60.00	174°08'51"	182.37	N11°21'19.0"E	182.37	78°36'33"	79°02'02"
25	60.00	039°12'33"	41.41	N11°21'19.0"E	41.41	78°36'33"	79°02'02"
26	60.00	057°17'38"	60.00	N11°21'19.0"E	60.00	78°36'33"	79°02'02"
27	60.00	071°18'46"	80.36	N11°21'19.0"E	80.36	78°36'33"	79°02'02"
28	20.00	100°35'33"	35.11	N11°21'19.0"E	35.11	78°36'33"	79°02'02"
29	1020.00	031°49'59"	210.66	N11°21'19.0"E	210.66	78°36'33"	79°02'02"
30	1020.00	000°35'38"	10.57	N11°21'19.0"E	10.57	78°36'33"	79°02'02"
31	1020.00	005°37'11"	100.04	N11°21'19.0"E	100.04	78°36'33"	79°02'02"
32	960.00	023°49'07"	399.08	N11°21'19.0"E	399.08	78°36'33"	79°02'02"
33	960.00	005°50'08"	97.78	N11°21'19.0"E	97.78	78°36'33"	79°02'02"
34	960.00	005°40'20"	95.04	N11°21'19.0"E	95.04	78°36'33"	79°02'02"
35	960.00	005°40'20"	95.04	N11°21'19.0"E	95.04	78°36'33"	79°02'02"
36	960.00	006°38'19"	111.23	N11°21'19.0"E	111.23	78°36'33"	79°02'02"
37	960.00	005°51'59"	116.19	N11°21'19.0"E	116.19	78°36'33"	79°02'02"
38	1020.00	008°45'27"	155.90	N11°21'19.0"E	155.90	78°36'33"	79°02'02"
39	1020.00	005°34'12"	99.16	N11°21'19.0"E	99.16	78°36'33"	79°02'02"
40	1020.00	003°11'15"	86.76	N11°21'19.0"E	86.76	78°36'33"	79°02'02"
41	130.00	057°29'02"	130.80	N11°21'19.0"E	130.80	78°36'33"	79°02'02"
42	130.00	008°02'41"	79.19	N11°21'19.0"E	79.19	78°36'33"	79°02'02"
43	130.00	022°36'47"	51.31	N11°21'19.0"E	51.31	78°36'33"	79°02'02"
44	70.00	032°10'27"	70.42	N11°21'19.0"E	70.42	78°36'33"	79°02'02"
45	130.00	037°33'27"	85.22	N11°21'19.0"E	85.22	78°36'33"	79°02'02"
46	25.00	107°46'42"	112.10	N11°21'19.0"E	112.10	78°36'33"	79°02'02"
47	60.00	107°46'42"	53.45	N11°21'19.0"E	53.45	78°36'33"	79°02'02"
48	60.00	062°22'37"	65.32	N11°21'19.0"E	65.32	78°36'33"	79°02'02"
49	60.00	063°55'43"	66.95	N11°21'19.0"E	66.95	78°36'33"	79°02'02"
50	60.00	068°02'41"	69.58	N11°21'19.0"E	69.58	78°36'33"	79°02'02"
51	60.00	009°34'05"	10.02	N11°21'19.0"E	10.02	78°36'33"	79°02'02"
52	60.00	038°07'41"	86.56	N11°21'19.0"E	86.56	78°36'33"	79°02'02"
53	130.00	039°13'37"	86.00	N11°21'19.0"E	86.00	78°36'33"	79°02'02"
54	70.00	039°13'37"	47.92	N11°21'19.0"E	47.92	78°36'33"	79°02'02"

**NOTES**

ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE HUNDRETH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST 20 SECONDS AND COMPUTED TO THE NEAREST HALF SECOND.

FRONT YARD BUILDING SETBACKS ARE 20 FEET, THE MINIMUM REAR YARD BUILDING SETBACKS ARE 25 FEET AND MINIMUM SIDE YARD BUILDING SETBACKS ARE 6 FEET AS LISTED IN THE CITY OF APPLETON ZONING ORDINANCE, R-1A SINGLE-FAMILY DISTRICT.

THERE ARE NO EXISTING BUILDINGS WITHIN THE PLATTED AREA.

TOTAL ROAD AREA DEDICATED TO THE PUBLIC: 112,227 SQUARE FEET [2.576 ACRES]

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_

Department of Administration



# LUMBINI ESTATES

PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 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.

## SURVEYOR'S CERTIFICATE

I, CHRISTOPHER R. CLEARY, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED LUMBINI ESTATES, AT THE DIRECTION OF SAKET, LLC, 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, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 5; THENCE NORTH 88 DEGREES 57 MINUTES 36 SECONDS EAST, 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 156.72 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, ALONG THE NORTH RIGHT-OF-WAY LINE OF MIDWAY ROAD/C.T.H. "A", 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 100.00 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 67 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 152.34 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 32 MINUTES 37 SECONDS WEST, 114.79 FEET; THENCE NORTH 56 DEGREES 36 MINUTES 08 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, A DISTANCE OF 6.58 FEET; THENCE 83.01 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, 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 78.54 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 SOUTH 81 DEGREES 50 MINUTES 59 SECONDS EAST, 70.71 FEET; THENCE, NORTH 53 DEGREES 08 MINUTES 57 SECONDS EAST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID OUTLOT 1, A DISTANCE OF 234.98 FEET; THENCE 32.43 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, CONTINUING ALONG THE SOUTHERLY LINE OF SAID OUTLOT 1, SAID CURVE HAVING A RADIUS OF 50.00 FEET AND A CHORD THAT BEARS NORTH 71 DEGREES 43 MINUTES 51 SECONDS EAST, 31.85 FEET; THENCE SOUTH 89 DEGREES 41 MINUTES 16 SECONDS EAST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID OUTLOT 1, A DISTANCE OF 125.52 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. CONTAINING 560,153 SQ.FT. (12.859 ACRES).

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE MADE SUCH LAND DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS SHOWN HEREIN.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF OUTAGAMIE COUNTY AND THE CITY OF APPLETON IN SURVEYING, DIVIDING AND MAPPING THE SAME.

GIVEN UNDER MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

GARY A. ZAHRRINGER, PROFESSIONAL LAND SURVEYOR S-2098

## CORPORATE OWNER'S CERTIFICATE OF DEDICATION

SAKET, LLC, DULY ESTABLISHED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID SAKET, LLC, CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

SAKET, LLC, FURTHER CERTIFIES THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: DEPARTMENT OF ADMINISTRATION, CALUMET COUNTY, AND CITY OF APPLETON.

WITNESS THE HAND AND SEAL OF SAID OWNER(S) THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

RAMJI MARASINI - MEMBER

STATE OF WISCONSIN )  
 ) SS  
OUTAGAMIE COUNTY )

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024,  
THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSON(S), WHO EXECUTED THE FOREGOING  
INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_

## ACCESS RESTRICTION CLAUSE

AS OWNERS, WE HEREBY RESTRICT ALL LOTS AND BLOCKS IN THAT NO OWNER, POSSESSOR, NOR LICENSEE, NOR OTHER PERSON SHALL HAVE ANY RIGHT OF VEHICULAR INGRESS OR EGRESS WITH MIDWAY ROAD "C.T.H. A" AND PLANK ROAD, AS SHOWN ON THE PLAT, IT BEING EXPRESSLY INTENDED THAT THIS RESTRICTION SHALL CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC ACCORDING TO S.236.293, STATS., AND SHALL BE ENFORCEABLE BY CALUMET COUNTY, AND THE CITY OF APPLETON.

## UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY SAKET, LLC, GRANTORS, TO

WISCONSIN ELECTRIC POWER COMPANY, A WISCONSIN CORPORATION DOING BUSINESS AS WE ENERGIES, GRANTEE, WISCONSIN BELL, INC. D/B/A AT&T WISCONSIN, A WISCONSIN CORPORATION, GRANTEE, AND TIME WARNER ENTERTAINMENT COMPANY, L.P., GRANTEE

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO CONSTRUCT, INSTALL, OPERATE, REPAIR, MAINTAIN AND REPLACE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND ELECTRIC ENERGY, NATURAL GAS, TELEPHONE AND CABLE TV FACILITIES FOR SUCH PURPOSES AS THE SAME IS NOW OR MAY HEREAFTER BE USED, ALL IN, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY SHOWN WITHIN THOSE AREAS ON THE PLAT DESIGNATED AS "UTILITY EASEMENT AREAS" AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL SERVICE CONNECTIONS UPON, ACROSS WITHIN AND BENEATH THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS, THEREON, OR ON ADJACENT LOTS; ALSO THE RIGHT TO TRIM OR CUT DOWN TREES, BRUSH AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. THE GRANTEE AGREES TO RESTORE OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEE OR THEIR AGENTS. THIS RESTORATION, HOWEVER, DOES NOT APPLY TO THE INITIAL INSTALLATION OF SAID UNDERGROUND AND/OR ABOVE GROUND ELECTRIC FACILITIES, NATURAL GAS FACILITIES, OR TELEPHONE AND CABLE TV FACILITIES OR TO ANY TREES, BRUSH OR ROOTS WHICH MAY BE REMOVED AT ANY TIME PURSUANT TO THE RIGHTS HEREIN GRANTED. STRUCTURES SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT AREAS" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED BY MORE THAN FOUR INCHES WITHOUT WRITTEN CONSENT OF GRANTEE. THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

RAMJI MARASINI - MEMBER

## DRAINAGE EASEMENT PROVISIONS

AN EASEMENT FOR DRAINAGE IS HEREBY GRANTED BY SAKET, LLC, GRANTOR, TO

CITY OF APPLETON, GRANTEE,

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR COMPENSATE FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID DRAINAGEWAY AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE OR IMPEDIMENT TO DRAINAGE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "DRAINAGE EASEMENT". GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK. GRANTOR SHALL MAINTAIN GROUND SURFACE AND VEGETATION SO AS NOT TO IMPEDE DRAINAGE.

THE GRANT OF EASEMENTS SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

RAMJI MARASINI - MEMBER

## STORM SEWER EASEMENTS PROVISION

AN EASEMENT FOR STORM SEWER IS HEREBY GRANTED BY SAKET, LLC, GRANTOR, TO

CITY OF APPLETON, GRANTEE,

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID STORM SEWER AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID STORM SEWER AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR COMPENSATE FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID STORM SEWER AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "STORM SEWER EASEMENT" GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK.

THE GRANT OF EASEMENTS SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

RAMJI MARASINI - MEMBER

## LANDSCAPE EASEMENT PROVISIONS

AN EASEMENT FOR LANDSCAPE IS HEREBY GRANTED BY SAKET, LLC, GRANTOR, TO

CITY OF APPLETON, GRANTEE,

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID LANDSCAPE AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID LANDSCAPE AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR COMPENSATE FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID LANDSCAPE AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE OR IMPEDIMENT TO DRAINAGE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "DRAINAGE EASEMENT". GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK. GRANTOR SHALL MAINTAIN GROUND SURFACE AND VEGETATION SO AS NOT TO IMPEDE DRAINAGE.

THE GRANT OF EASEMENTS SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

RAMJI MARASINI - MEMBER

## COMMON COUNCIL RESOLUTION:

RESOLVED, THAT LUMBINI ESTATES, IN THE CITY OF APPLETON, IS HEREBY APPROVED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

JACOB A. WOODFORD, CITY MAYOR

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

KAMI LYNCH, CITY CLERK DATE

## CITY TREASURER'S CERTIFICATE:

I, JERI A. OHMAN, BEING THE DULY QUALIFIED AND ACTING FINANCE DIRECTOR OF THE CITY OF APPLETON, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF \_\_\_\_\_ ON ANY OF THE LAND INCLUDED IN LUMBINI ESTATES.

JERI A. OHMAN, CITY FINANCE DIRECTOR DATE

## COUNTY TREASURER'S CERTIFICATE:

I, \_\_\_\_\_, BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER OF THE COUNTY OF CALUMET, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF \_\_\_\_\_ AFFECTING THE LANDS INCLUDED IN LUMBINI ESTATES.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_ COUNTY TREASURER

There are no objections to this plat with respect to  
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),  
Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20



Department of Administration

## Martenson & Eisele, Inc.

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

Drawing No. 1-1720-001  
Sheet 1 of 2  
This Instrument drawn by: C. Cleary



# CITY OF APPLETON

## MEMORANDUM

**Date:** 06/24/2024  
**To:** Finance Committee  
**From:** Pete Neuberger, Deputy Director of Public Works  
**Subject:** Request to Approve 2025 Special Assessment Policy

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The Department of Public Works (DPW) recommends adoption of the revised Special Assessment Policy for 2025 (strike-and-bold version attached).

The following changes are proposed for 2025:

- Increase 4-inch and 6-inch Sanitary Lateral Rate from \$52 per lineal foot to \$55 per lineal foot to reflect bid price increases.

Thank you for your consideration.

**CITY OF APPLETON, WI  
POLICY FOR SPECIAL ASSESSMENTS 2025**

**I. STREET CONSTRUCTION AND RECONSTRUCTION**

**ADOPTED 7/17/24**

**A. General Information**

<b>CONCRETE PAVEMENT</b>		<b>R-1 Zoning</b>		<b>R-2 Zoning</b>		<b>All Other Zoning**</b>	
		New	Rural to Urban Conversion	New	Rural to Urban Conversion	New	Rural to Urban Conversion
	Max. Width	33'	33'	33'	33'	49'	49'
	Max. Thickness	7"	7"	7"	7"	9"	9"
	Assessed at (%)	100%	100%	100%	100%	100%	100%
	Multiple Frontage Reduction	Yes*	Yes*	Yes*	Yes*	None	None
	Base Assessment Rate	Calculated on an individual street basis using actual bid prices					
( Y=Assessed N=Not Assessed )							
<b>Construction Items</b>		<b>New Concrete</b>	<b>Rural to Urban Conversion</b>	<b>Direct Assessments ( in addition to Base Rate )</b>			
Administrative Fees (6%)		Y	Y	-			
Property Owner Notification		Y	Y	-			
Concrete Pavement		Y	Y	-			
Curb & Gutter (Integral)		Y	Y	-			
Sawcutting		Y	Y	-			
Fine Grading		Y	Y	-			
Seed & Mulch/Sod		Y	Y	-			
Terrace Restoration		Y	Y	-			
Concrete Driveway Apron		Y	N *	Per bid price			
Trees		Y	Y	\$1.50/front foot			
Miscellaneous Asphalt		N	N	-			
Asphalt - Milling		N	N	-			
Curb & Gutter (miscellaneous)		N	N	-			
Geotextile Fabric		N	N	-			
Stone Base		N	N	-			
Unclassified Excavation		N	N	-			
Erosion Control		N	N	-			
Adjust MH/Inlet Tops		N	N	-			
Asphalt - Miscellaneous		N	N	-			
Asphalt Transitions		N	N	-			
Curb Thimbles		N	N	-			
Drill-in Tie Bars/Dowels		N	N	-			
Driveway Closure		N	N	-			
Inlet Leads		N	N	-			
Maintenance Hole / Inlet Reconstruction		N	N	-			
Maintenance Hole/Inlet Castings		N	N	-			
MH Chimney Seals		N	N	-			
Pavement Marking		N	N	-			
PVC Pipe for sump pumps		N	N	-			
Reinforcing Rods		N	N	-			
Removal - Asphalt		N	N	-			
Removal - C&G		N	N	-			
Removal - Concrete		N	N	-			
Removal - DW Aprons (Conc. & Asp.)		N	N	-			
Removal - Sidewalk		N	N	-			
Repair work from permits		N	N	-			
Repair work from Utility Permits		N	N	-			
Traffic Signals		N	N	-			

\* See Calculation Guidelines

\*\* Residential Use Properties to be Assessed as R-2

<b>ASPHALT PAVEMENT (Not including New Subdivisions)</b>		<b>R-1 Zoning</b>		<b>R-2 Zoning</b>		<b>All Other Zoning**</b>	
		After G&G	Rural to Urban Conversion	After G&G	Rural to Urban Conversion	After G&G	Rural to Urban Conversion
	Max. Width	33'	33'	33'	33'	49'	49'
	Max. Thickness	3"	3"	3"	3"	6"	6"
	Assessed at (%)	25%	0%	25%	0%	25%	0%
	Multiple Frontage Reduction	Yes*	Yes*	Yes*	Yes*	None	None
Base Assessment Rate	Calculated on an individual street basis using actual bid prices						

( Y=Assessed N=Not Assessed )				
<b>Construction Items</b>	<b>Asphalt following G&amp;G</b>	<b>Rural to Urban Conversion</b>	<b>Asphalt Reconstruct / Overlay</b>	<b>Direct Assessments (in addition to Base Rate)</b>
Administrative Fees (6%)	Y	Y	N	-
Property Owner Notification	Y	Y	N	-
Asphalt Pavement	Y	Y	N	-
Milling	N	Y	N	-
Sawcutting	N	Y	N	-
Curb & Gutter (New/repair)	N	Y	N	-
Fine Grading	Y	Y	N	-
Seed & Mulch/Sod	N	Y	N	-
Terrace Restoration	N	Y	N	-
Concrete Driveway Apron	N	N *	N *	per bid price
Asphalt (miscellaneous)	N	N	N	-
Geotextile Fabric	N	N	N	-
Stone Base	N	N	N	-
Trees	N	N	N	-
Unclassified Excavation	N	N	N	-
Erosion Control	N	N	N	-
Adjust MH/Inlet Tops	N	N	N	-
Curb Thimbles	N	N	N	-
Drill-in Tie Bars/Dowels	N	N	N	-
Driveway Closure	N	N	N	-
Inlet Leads	N	N	N	-
Maintenance Hole / Inlet Reconstruction	N	N	N	-
Maintenance Hole/Inlet Castings	N	N	N	-
MH Chimney Seals	N	N	N	-
Pavement Marking	N	N	N	-
Removal - Asphalt	N	N	N	-
Removal - C&G	N	N	N	-
Removal - Concrete	N	N	N	-
Removal - DW Aprons (Conc. & Asp.)	N	N	N	-
Removal - Sidewalk	N	N	N	-
Repair work from permits	N	N	N	-
Repair work from Utility Projects	N	N	N	-
Traffic Signals	N	N	N	-

\* See Calculation Guidelines

\*\* Residential Use Properties to be Assessed as R-2

<b>GRADING &amp; GRAVELING (not including New Subdivisions)</b>		<b>R-1 Zoning</b>		<b>R-2 Zoning</b>		<b>All Other Zoning**</b>	
		New Street	Rural to Urban Conversion	New Street	Rural to Urban Conversion	New Street	Rural to Urban Conversion
	Max. Width	35'	35'	35'	35'	51'	51'
	Max. Thickness	-	-	-	-	-	-
	Assessed at (%)	100%	0%	100%	0%	100%	0%
	Multiple Frontage Reduction	Yes*	Yes*	Yes*	Yes*	None	None
Base assessment Rate	Calculated on an individual street basis based upon bid prices						
( Y=Assessed N=Not Assessed )							
<b>Construction Items</b>		<b>New Street</b>		<b>Rural to Urban Conversion</b>		<b>Direct Assessments (in addition to Base Rate)</b>	
Administrative Fees (6%)		Y		N		-	
Property Owner Notification		Y		N		-	
Fine Grading		Y		N		-	
Seed & Mulch/Sod		Y		N		-	
Erosion Control		Y		N		-	
Sawcutting		Y		N		-	
Unclassified Excavation		Y		N		-	
Stone Base		Y		N		-	
Geotextile Fabric		Y		N		-	
Removal - Asphalt		Y		N		-	
Removal - C&G		Y		N		-	
Removal - Concrete		Y		N		-	
Removal - Sidewalk		Y		N		-	
Miscellaneous Asphalt		N		N		-	
Miscellaneous Curb & Gutter		N		N		-	
Adjust MH/Inlet Tops		N		N		-	
Street Lighting		Y		N		-	
Traffic Signals		N		N		-	

\* See Calculation Guidelines

\*\* Residential Use Properties to be Assessed as R-2

### B. Calculation Guidelines – Street Construction and Reconstruction

1. Assessments will be levied according to the front foot dimensions of abutting property except as noted.
2. The assessment rate will be the portion (%) of assessable construction costs in accordance with the charts above. Assessments will be reduced proportionately for pavements constructed less than the maximum widths.
3. Public owned property, including lands under the jurisdiction of the Board of Education, Parks and Recreation Committee and other branches of city, churches and private schools and other exempt properties will be assessed 100% of the “all other zoning” assessment rate regardless of the zoning. (BPW 2/2/94) All county, state and federal governments will be exempt from assessment charges. (City Attorney 1/23/14)

4. The assessment rate for alley pavement will be based on the full width of the pavement.
5. The City assumes the entire cost of permanent pavement for all intersections on new construction in areas platted prior to 1/1/04 or after 12/31/14.
6. Driveway approaches shall be constructed at property owner's expense:
  - a. When permanent street surfaces are constructed.
  - b. Where a street has been permanently improved, driveway approaches shall be installed within six months of the completion of the adjacent structure.
  - c. When ordered to be installed by the Common Council.
  - d. When a property owner requests approach to be widened, rebuilt or closed.
7. The costs of closing unused driveway openings that are closed in conjunction with the paving program are not directly assessed to the property owner.

Any driveway approach without improved surface shall be paved with a permanent surface in conjunction with a street-paving project. The cost will be assessed to the property.  
(S&S 3/3/93 and MSC 9/3/97)

8. The cost of the initial asphalt surface application on a new subdivision gravel street will be billed at the time of official street opening.
9. All asphalt maintenance exclusive of the initial application will be done as general maintenance and at no cost to the abutting property.
10. Assessments for asphalt pavements that are constructed without curb and gutter (City standard) will be calculated by dividing total project cost by assessable frontage.
11. Assessments for trees will be included with paving assessments.
12. If one person owns an entire block as one parcel and the block is zoned R-1 or R-2, the shortest side shall be assessed in full. The remaining sides shall receive up to a 120' discount.
13. On paving projects where there are other contributing sources of funding such as federal, state, or from other units of government, the City rates will be applied. If projected revenue (using the City rates) exceeds the City's share of project costs, then assessment rates will be reduced proportionately so that revenue equals City share of project cost. "City share" of project cost will include, in addition to normal construction costs, items such as right-of-way acquisition, relocation costs, consultant cost, all Department of Transportation administrative and review costs, and any other fees charged by the other participating units of government.  
(BPW 1/7/97)
14. When the long side of a corner lot falls on the "bulb" or "mouse ear", the assessment shall be calculated as follows:
  - a. Determine a rate per foot by dividing the lump sum per lot charge by the actual footage of the long side.
  - b. The first 120 feet will be charged 25% of the rate calculated in "a" above. The balance of the frontage will be assessed at 100% of the rate calculated in "a" above. (BPW 1/21/98)

15. The requesting property owner, where permitted, shall pay all additional cost for indented parking.
16. When additional pavement width is required to accommodate on street bike lanes, the extra width beyond what would be required for a standard street design, will not be assessed.
17. Assessments will only be levied on partial or total street reconstruction for those streets that do not meet current City Street or Drainage standards prior to their reconstruction.
18. Calculation Guidelines:
  - a. On multiple frontage lots zoned R-1 or R-2, the shortest side will be assessed at 100% of the assessment rate. On the other sides, the first 120 feet of each side will be assessed at 25% (R-2, 50%) of the assessment rate. The balance of the frontage will be assessed at 100% of the assessment rate.
  - b. On lots having multiple frontages, there will be NO assessment for the frontage to which access is legally precluded or fronts on a naturally occurring access barrier such as a steep incline.
  - c. On inside corner or multiple frontage lots, the side or sides precluded from access are not included in the assessment frontage determination.
  - d. On multiple frontage lots where all sides have equal frontage, the side to be considered the short side is the “Addressed” side.
  - e. On cul-de-sac lots, the abutting property owner shall be responsible for cul-de-sac pavement, overbuild costs including the straightaway portion of the affected property. The assessment will be calculated using total assessable cost divided by the number of properties fully or partially abutting the “bulb” according to the number of originally platted lots.
  - f. On “mouse ear” lots, defined as abutting lots to a widening in the road around a curve but not including lots on a cul-de-sac, the front foot dimensions for assessment calculation will be determined by dividing the square footage of the property by the average depth of the lots in the block.
  - g. For work abutting only part of a parcel’s total frontage, assessments will be calculated based on the partial frontage. The balance will be assessed as work is completed along the remaining frontage.
  - h. Definition of “addressed” side: The street with the house number.
  - i. No corner lot exception will be provided for combined properties that did not meet the corner lot criteria prior to their combination.
19. The Wheel Tax is used only for sidewalk replacement, reconstructed asphalt and reconstructed concrete streets. Not for rural to urban conversion of asphalt replacement to concrete pavement.
20. Portions of projects funded by TIF and IPLF are not assessable.

## II. SIDEWALKS

### A. General Information

		R-1 Zoning		R-2 Zoning		All Other Zoning**	
		New	Recon.	New	Recon.	New	Recon.
<b>SIDEWALKS (Not including New subdivisions)</b>	Max. Width	5'	5'	5'	5'	5'	5'
	Max. Thickness	5"	5"	5"	5"	7"	7"
	Assessed at (%)	100%	125%	100%	125%	100%	125%
	Multiple Frontage Reduction	Yes*	Yes*	Yes*	Yes*	None	None
	Base Assessment Rate	Calculated annually based upon the average bid prices for the sidewalk reconstruction, concrete paving reconstruction and asphalt paving reconstruction contracts.					
(Y=Assessed N =Not Assessed)							
<b>Construction Items</b>		<b>New and Reconstruction not meeting replacement criteria</b>		<b>Reconstruction meeting replacement criteria</b>		<b>Individual Rates (if not included in current Rate above)</b>	
Administrative Fees (6%)		Y		N		-	
Property Owner Notification		Y		N		-	
Concrete Sidewalk		Y		N		-	
Seed & Mulch (max. of 18" on each side of walk)		Y		N		-	
Terrace Restoration		Y		N		-	
Sawcutting		N		N		-	
Fine Grading		N		N		-	
Miscellaneous Asphalt		N		N		-	
Stone Base		N		N		-	
Driveway Aprons - Removal and Replacement		Y		n/a		-	
Unclassified Excavation		N		N		-	
Erosion Control		N		N		-	
Drill-in Tie Bars/Dowels/Rebar		N		N		-	
Removal - Sidewalk		N		N		-	

\* See Calculation Guidelines

\*\* Residential Use Properties to be Assessed as R-2

### B. Calculation Guidelines - Sidewalks

1. Assessments will be levied according to the front foot dimensions of abutting property, except as noted.
2. Sidewalks on right-of-ways 60 feet or more will be a minimum of 5 feet wide. Sidewalks on right-of ways less than 60 feet will be a minimum of 4 feet.
3. There will be no assessment for sidewalk that meets the replacement criteria as defined in the Sidewalk Maintenance Policy.
4. Assessments will be levied when sidewalks not meeting replacement criteria are replaced at the property owner's request.



5. Service walks between the curb and sidewalk will be assessed to the property owner when installed on new subdivision streets.
6. The extra expense of installing a sidewalk beyond the City's standard width or in an unusual manner at the request of the owner will be charged to the abutting property owner.
7. Public owned property, including lands under the jurisdiction of the Board of Education, Parks and Recreation Committee and other branches of city, state or county governments, churches and private schools and other exempt properties will be assessed 100% of the assessment rate regardless of the zoning.
8. To figure credit for useful life (20 years) of sidewalk: credit = divide age of sidewalk by 20. If less than 1.0, multiply that number by the current assessment rate.
9. For City contract installation, sidewalk assessments shall include a 6% administration fee.
10. Calculation Guidelines:
  - a. On multiple frontage lots zoned R-1 or R-2, the shortest side will be assessed at 100% of the assessment rate. On the other sides, the first 120 feet of each side will be assessed at 25% (R-2, 50%) of the assessment rate. The balance of the frontage will be assessed at 100% of the assessment rate.
  - b. On inside corner lots where all sides have equal footage, the side to be considered the short side is the "Addressed" side.
  - c. On lots having multiple frontages, there will be NO assessment for the frontage to which access is legally precluded or fronts on a naturally occurring access barrier such as a steep incline.
  - d. On inside corner or multiple frontage lots, the side or sides precluded from access is not included in the assessment frontage determination.
  - e. For work abutting only part of a parcel's total frontage, assessments will be calculated based on the partial frontage. The balance will be assessed as work is completed along the remaining frontage.
  - f. Definition of "addressed" side: The street with the house number.

### III. SANITARY SEWER

#### A. General Information

SANITARY SEWER (not including New Subdivisions)		R-1 Zoning		R-2 Zoning		All Other Zoning**	
		New	Recon.	New	Recon.	New	Recon.
	Max. Size (Diameter)	12"	12"	12"	12"	12"	12"
	Max. Depth	16'	16'	16'	16'	16'	16'
	% Assessed (Main/Laterals)	33%/50%	0%/50%	33%/50%	0%/50%	33%/50%	0%/50%
	Multiple Frontage Reduction	Yes*	N/A	Yes*	N/A	Yes*	N/A
	Current (33% main) Rate	Actual Cost	N/A	Actual Cost	N/A	Actual Cost	N/A
(Y=Assessed N =Not Assessed)		New		Reconstruction		Individual Rates (if not included in current Rate above)	
Construction Items		New		Reconstruction		Individual Rates (if not included in current Rate above)	
Administrative Fees (6%)		Y		N		-	
Property Owner Notification		Y		N		-	
Sanitary area assessment		Y		N		-	
Sanitary Sewer Main		Y		N		-	
Sanitary Maintenance Holes		Y		N		-	
Drop Maintenance Holes		Y		N		-	
Maintenance Hole Castings		Y		N		-	
Sanitary Laterals (50% Rate)		Y		Y		4" and 6"= <del>\$52</del> \$55 > 6" = Actual Cost	
Private Lateral Televising		N		N		-	
Lateral Connections		Y		N		-	
Pipe Bedding		Y		N		-	
Pipe Backfill Material		Y		N		-	
Terrace Restoration		Y		N		-	
Seed & Mulch		Y		N		-	
Pavement Restoration		N		N		-	
Sawcutting		N		N		-	
Asphalt removal		N		N		-	
Concrete Removal		N		N		-	
Sidewalk Removal		N		N		-	
Erosion Control		N		N		-	

\* See Calculation Guidelines

\*\* Residential Use Properties to be Assessed as R-2

#### B. Calculation Guidelines – Sanitary Sewer

1. Assessments will be levied according to the front foot dimensions of abutting property, except as noted. The assessment rate for new sanitary sewers will be determined on the basis of actual construction cost up to and including 12” sanitary sewer main and maintenance holes. The assessment rate for new construction in an existing area will be based upon the rates shown in the chart above.
2. Area assessment, where applicable, will be levied in accordance with Section 18-116 of the Municipal Code of the City of Appleton.

3. Any lot or parcel within the corporate limits which has not paid a sanitary sewer assessment when the main was installed will, at the time the lateral permit is taken out, be required to pay a connection fee with the lateral permit fee. Payment of a connection fee must be made in full prior to connecting. The connection fee, equivalent to the front foot assessment and area assessment, will be based on the assessment rates the year the main was installed.
4. When utilities are installed in a street where one side is within the corporate limits but remains undeveloped, assessments will be levied for the utilities that benefit the parcel. The area assessment for sanitary sewer is calculated using a nominal lot depth of 120 feet. The balance of the area assessment will be assessed when the property is developed and charged a connection fee in lieu of assessments.
5. On sanitary relay, where existing laterals meet the sanitary lateral policy and are not re-laid, the cost of reconnecting (including short sections of connecting pipe, usually within the trench area) is absorbed by the City and not assessed to the property owner.
6. Calculation Guidelines (see chart for applicability):
  - a. On multiple frontage lots zoned R-1 or R-2, the shortest side will be assessed at 100% of the assessment rate. On the other sides, the first 120 feet for each side will be assessed at 0% of the assessment. The balance of the frontage will be assessed at 100% of the assessment rate.
  - b. On multiple frontage lots where all sides have equal frontage, the side to be considered the short side is the “Addressed” side.
  - c. Where sewer exists across an entire parcel frontage, but sewer construction only occurs along part of a parcel’s total frontage, assessments will be calculated based on the partial frontage. The balance will be assessed as work is completed along the remaining frontage. Where sewer exists along only a portion of the parcel frontage, the entire frontage will be assessed.
  - d. Assessment for construction of sanitary sewer will be levied against all abutting property frontage regardless if laterals are present, provided that the property is not legally precluded from connecting to the sewer. Amount of assessment will be calculated according to existing policy.
  - e. Cost of sewer and maintenance hole construction deeper than 16 feet shall be borne by the city except where extra depth is required for development of adjacent property.
  - f. No corner lot exception will be provided for combined properties that did not meet the corner lot criteria prior to their combination.
  - g. For cul-de-sac lots, the assessable footage for each lot shall be the sum of frontages for all lots fully or partially abutting a cul-de-sac divided by the number of lots.
  - h. Assessable footage for sewers constructed within easements shall be equal to the centerline length of easement falling within the property. Assessments will be levied to only those properties with lateral connections to the easement sewer. The easement length will be considered as “frontage” for purposes of calculating multiple-frontage reductions (see 6a. above).
  - i. Sanitary main reconstruction will be borne by the Wastewater Utility.

## IV. SANITARY SEWER LATERALS

### A. General Definition

1. For new development funded by the City, the total cost of lateral installation will be assessed to the property.
2. The assessment rate for reconstruction of laterals and construction of new laterals in existing streets will be based upon the rates shown in the chart from Section III above.

### B. Calculation Guidelines

1. Assessments for laterals will be based on the unit cost per foot as indicated in the chart in section III.A applied to the length of the lateral between the sanitary sewer and the property line. The length of lateral assessed shall not exceed  $\frac{1}{2}$  the street right-of-way width.
2. Assessments for laterals within cul-de-sacs will be based on the actual length of lateral installed, but shall not exceed the right-of-way radius for the cul-de-sac bulb.
3. Assessments for laterals connected to sewers within easements will be based on actual length of lateral installed, but not to exceed  $\frac{1}{2}$  the right-of-way width of the street for which the property is addressed.
4. Total Lateral Replacement Program Calculation Guidelines:
  - a. For properties electing to participate: No assessments will be levied for the portion of private lateral replaced within the public right-of-way. Property owners will be assessed 50% of the actual cost for lateral replacement on private property.
  - b. For properties declining to participate: City will only replace the portion of lateral within the public right-of-way. Property owners will be assessed 100% of the actual cost.

V. **STORMWATER FACILITIES**

A. General Information

<b>STORM SEWER (not including New Subdivisions)</b>		<b>R-1 Zoning</b>		<b>R-2 Zoning</b>		<b>All Other Zoning**</b>	
		New	Recon.	New	Recon.	New	Recon.
	Max. Size (Diameter)	-	-	-	-	15"	15"
	Max. Depth	-	-	-	-	10'	10'
	% Assessed (Main/Laterals)	0% / 0% <sup>+</sup>	0% / 0% <sup>+</sup>	0% / 0% <sup>+</sup>	0% / 0% <sup>+</sup>	33%/50%	33%/50%
	Corner Lot Reduction	Yes*	Yes*	Yes*	Yes*	None	None
	Current Rate	Actual Cost	\$36.00	Actual Cost	\$36.00	Actual Cost	\$36.00
<b>(Y=Assessed N =Not Assessed)</b>							
<b>Construction Items</b>		<b>New</b>	<b>Reconstruction</b>	<b>Individual Rates (if not included in current Rate above)</b>			
Administrative Fees (6%)		Y	Y	-			
Property Owner Notification		Y	Y	-			
Regional Stormwater Facilities (built prior to 1/1/02)		Y	Y	See rates Pg. 21			
Regional Stormwater Facilities (built between 1/1/02 and 3/1/06)		Y	Y	See rates Pg. 21			
Regional Stormwater Facilities (built after 3/1/06)		N	N	-			
Local Water Quality Practices		N	N	-			
Storm Sewer Main		Y	Y	-			
Storm Maintenance Holes		Y	Y	-			
Inlets		Y	Y	-			
Inlet Leads		Y	Y	-			
Drop Maintenance Holes		Y	Y	-			
Maintenance Hole Castings		Y	Y	-			
Storm Laterals		Y	Y	6" = \$33.00 8" = \$44.00 10" = \$47.00 12" = \$51.00 Greater than 12" actual cost			
Lateral Connections		N	N	-			
Pipe Bedding		Y	Y	-			
Pipe Backfill Material		Y	Y	-			
Terrace Restoration		Y	Y	-			
Seed & Mulch		Y	Y	-			
Pavement Restoration		N	N	-			
Sawcutting		N	N	-			
Asphalt removal		N	N	-			
Concrete Removal		N	N	-			
Sidewalk Removal		N	N	-			
Erosion Control		N	N	-			

\* See Calculation Guidelines

\*\* Residential Use Properties to be Assessed as R-2

<sup>+</sup> See Section V.B.3.b. for exceptions

B. Calculation Guidelines – Stormwater Facilities

1. Stormwater facilities shall be installed as needed to serve properties contributing to the need for, and benefiting from, such facilities. Storm main shall be installed to serve all properties on arterial streets prior to total reconstruction of the pavement.
2. Assessable stormwater facilities under this section include storm sewer, mains and piping, maintenance holes, inlets and inlet leads. Assessments shall also include overhead, property acquisition and financing costs attributable to the facilities.
3. Assessments for storm sewer will be levied according to the front foot dimensions of abutting property.
  - a. R-1, R-2, zoning  
The cost of (re) constructing or relining in existing streets will be borne by the Stormwater Utility.
  - b. The cost of constructing or reconstructing storm sewers, mini-sewers or other drainage facilities in existing developed areas zoned R-1 and R-2 annexed after January 1, 1999 will be fully assessable to the abutting property owners.
  - c. All Other Zoning  
The assessment rate for storm sewer (re) construction or relining in existing streets will be 33% of the actual construction cost, up to and including 15" storm main (not deeper than 10'), maintenance holes, inlets and inlet leads. Credit will be given for the remaining useful life of a reconstructed or relined sewer based on current cost of construction. For this purpose, the useful life of storm sewer will be 75 years.
4. Assessments for new developments will be based on the actual construction costs of facilities required by the subdivision and charged on a per lot basis. To calculate an equivalent lot cost for parkland, school properties or other atypical lots, use the average size of a new development lot that abuts the parkland, school property or atypical lot. Example, if a lot is 10,000 square feet and parkland, school property or atypical lot is 100,000 square feet; the charge for that land would be equivalent to 10 lots.
5. Any lot or parcel zoned other than R-1 or R-2, within the corporate limits which has not paid a storm sewer assessment when the main was installed will, at the time the lateral permit is taken out, be required to pay a connection fee with the lateral permit fee. This will be effective the same date as the initial Special Assessment policy for storm sewers. The connection fee, equivalent to the front foot and area assessment, will be based on the assessment rates the year the main was installed.
6. Public owned property, including lands under the jurisdiction of the Board of Education, Parks and Recreation Committee and other branches of city, state or county governments, churches and private schools and other exempt properties will be assessed 100% of the assessment rate regardless of the zoning.
7. Calculation Guidelines – (See chart for applicability):
  - a. On multiple frontage lots zoned R-1 or R-2, the shortest side will be assessed at 100% of the assessment rate. On the other sides, the first 120 feet of each side will be assessed at 0% of the assessment rate. The balance of the frontage will be assessed at 100% of the assessment rate.
  - b. On multiple frontage lots where all sides have equal frontage, the side to be considered the short side is the “Addressed” side.

- c. At the completion of the improvements, where sewer exists across an entire parcel frontage, but sewer construction only occurs along part of a parcel's total frontage, assessments will be calculated based on the partial frontage. The balance will be assessed as work is completed along the remaining frontage. Where sewer exists along only a portion of the parcel frontage, the entire frontage will be assessed.
- d. Assessment for reconstruction or relining of storm sewer will be levied only when the work affects the main to which the property is connected. Amount of assessment will be calculated according to the existing policy.
- e. No corner lot exception will be provided for combined properties that did not meet the corner lot criteria prior to the combination.
- f. New Development - 100% of actual construction costs of facilities required by the development plus area assessment.
- g. For cul-de-sac lots, the assessable footage for each lot shall be the sum of frontages for all lots fully or partially abutting a cul-de-sac divided by the number of lots.
- h. Assessable footage for sewers (re)constructed within Easements shall be equal to the centerline length of easement falling within the property. Assessments will be levied to only those properties with lateral connections to the easement sewer. The easement length will be considered as "frontage" for purposes of calculating multiple-frontage reductions (see 7a. above).
- i. Rural to urban conversion shall be assessed as new.

## **VI. STORM SEWER LATERALS**

### **A. General Information**

1. For new development funded by the City, the total cost of lateral installation will be assessed to the property.
2. The assessment rate for reconstruction of laterals and construction of new laterals in existing developed streets will be 50% of the actual construction cost.
3. Street Reconstruction:
  - a. Prior to total reconstruction, at locations where existing storm sewers are being replaced or new storm sewers are being installed, storm laterals shall be installed to all properties that are not yet served.

### **B. Calculation Guidelines**

1. Assessments for laterals will be based on the unit cost per foot as indicated in the chart in section V.A applied to the length of the lateral between the storm sewer and the property line. The length of lateral assessed shall not exceed  $\frac{1}{2}$  the street right-of-way width.
2. Assessments for laterals within cul-de-sacs will be based on the actual length of lateral installed, but shall not exceed the right-of-way radius for the cul-de-sac bulb.
3. The cost of installing new laterals to properties zoned R-1 or R-2 will be borne by the Stormwater Utility unless the property was annexed after January 1, 1999.
4. Assessments for laterals connected to sewers within easements will be based on actual length of lateral installed, but not to exceed  $\frac{1}{2}$  the right-of-way width of the street for which the property is addressed.

**VII. WATERMAINS AND SERVICES**

**A. General Information**

<b>WATER MAIN (not including New Subdivisions)</b>		<b>R-1,R-2,R-3 Zoning</b>		<b>C-1, C-2 Zoning</b>		<b>All Other Zoning**</b>	
		New	Recon.	New	Recon.	New	Recon.
	Max. Size (Diameter)	8"	8"	12"	12"	16"	16"
	Max. Depth	-	-	-	-	-	-
	Assessed at (%)	100%	0%*	100%	0%*	100%	0%*
	Multiple Frontage Reduction	Yes*	Yes*	Yes*	Yes*	None	None
Current Rate	Actual Cost	Actual Cost	Actual Cost	Actual Cost	Actual Cost	Actual Cost	

(Y=Assessed N =Not Assessed)	<b>New</b>	<b>Reconstruction</b>	<b>Individual Rates (if not included in current Rate above)</b>
<b>Construction Items</b>			
Administrative Fees (6%)	Y	N*	-
Property Owner Notification	Y	N*	-
Local Water Main	Y	N*	-
Transmission Main	N*	N*	-
Valves	Y	N*	-
Hydrants	Y	N*	-
Hydrant Leads	Y	N*	-
1"- 1 1/4" Water Service ( Including connection) In New Street(s)	Y	N*	Actual Cost
1"- 1 1/4" Water Service ( Including connection) In Existing Street(s)	Y	N*	Actual Cost
1 1/2" - 2" Water Service ( Including connection) In New Street(s)	Y	N*	Actual Cost
1 1/2" - 2" Water Service ( Including connection) In Existing Street(s)	Y	N*	Actual Cost
Pipe Bedding	Y	N*	-
Pipe Backfill Material	Y	N*	-
Terrace Restoration	Y	N*	-
Seed & Mulch	Y	N*	-
Pavement Restoration	N	N	-
Sawcutting	N	N	-
Asphalt removal	N	N	-
Concrete Removal	N	N	-
Sidewalk Removal	N	N	-
Erosion Control	Y	N	-

\* See Calculation Guidelines

\*\* Residential Use Properties to be Assessed as R-2

**B. Calculation Guidelines – Water Mains and Services**

1. Assessments will be levied according to the front foot dimensions of abutting property, except as noted. The assessment rate will be determined on the basis of actual construction cost required by the city for development:
  - a. R-1, R-2 and R-3 zoning. All costs to construct water main up to and including 8” main, hydrants and valves.
  - b. C-1 and C-2 zoning. All costs to construct water main up to and including 12” main, hydrants and valves.
  - c. Other zoning. All costs to construct water main up to and including 16” main, hydrants and valves.



- d. Water main installed for transmission use shall not be assessed, except if no other main is available for service. The property shall be assessed at the rate of the year the main was installed based on zoning at the time of connection.
  - e. All costs to furnish and install hydrants, including leads and valves shall be assessed.
  - f. In-kind water main reconstruction, including hydrants and leads, is not assessed.
  - g. All additional costs to upgrade a water main, including additional valving due to a service and/or fire line, when requested, shall be borne by the property owner.
  - h. New, and/or additional water main(s) installed for circulation and/or looping in a developed area shall not be assessed, except in case of B1.d.
2. Permission to connect to the City water main prior to annexation must be obtained from the Common Council through the Utilities Committee.
  3. Any lot or parcel within the corporate limits which has not paid a water main assessment when the main was installed will, at the time the water lateral permit is taken out, be required to pay the connection fee with the lateral permit fee. Payment of a connection fee must be made in full prior to connecting. The connection fee, equivalent to the front foot water main assessment, will be based on the assessment rate the year the main was installed. Payment for connection fees may be made in accordance with Section XI.
  4. New Service Installation. The property owner or developer per Schedule Cz-1 (attached) shall pay all installation costs from the main through and including the curb shut-off.
  5. Replacement of Service. All additional cost to upgrade a service (example, 1” copper to 4” service line) shall be borne by the property owner or developer.
  6. Public owned property, including lands under the jurisdiction of the Board of Education, Parks and Recreation Committee and other branches of city & county governments, churches and private schools and other exempt properties will be assessed 100% of the C-1, C-2 assessment rate regardless of the zoning.
  7. Calculation Guidelines (see chart for applicability):
    - a. On multiple frontage lots zoned R-1, R-2 or R-3, the shortest side will be assessed at 100% of the assessment rate. On the other sides, the first 120 feet of each side will be assessed at 0% of the assessment rate. The balance of the frontage will be assessed at 100% of the assessment rate.
    - b. No corner lot exception will be provided for combined properties that did not meet the corner lot criteria prior to their combination.
    - c. Where water main exists across an entire parcel frontage, but construction only occurs along part of a parcel’s total frontage, assessments will be calculated based on the partial frontage. The balance will be assessed as work is completed along the remaining frontage. Where water main exists along only a portion of the parcel frontage, the entire frontage will be assessed.
    - d. On multiple frontage lots where all sides have equal frontage, the side to be considered the short side is the “Addressed” side.
    - e. For cul-de-sac lots, the assessable footage for each lot shall be the sum of frontages for all lots fully or partially abutting a cul-de-sac divided by the number of lots.
    - f. Assessable footage for water mains (re)constructed within Easements shall be equal to the centerline length of easement falling within the property. Assessments will be levied to only those properties with service connections to the easement main. The easement length will be considered as “frontage” for purposes of calculating multiple-frontage reductions (see 7a. above).

- g. Assessments for water services will be based on the unit cost per foot as indicated in the chart in section VII.A applied to the length of the service between the main and the property line. The length of water service assessed shall not exceed ½ the street right-of-way width.
- h. Assessments for water services within cul-de-sacs will be based on the actual length of service installed, but shall not exceed the right-of-way radius for the cul-de-sac bulb.
- i. Assessments for laterals connected to watermain within easements will be based on actual length of lateral installed, but not to exceed ½ the right-of-way width of the street for which the property is addressed.

## VIII. STREET LIGHTING

### A. Calculation Guidelines

- 1. Assessments for non-decorative streetlights will be levied according to the front foot dimensions of abutting property except as noted.
- 2. Assessments will be levied at the time of and in conjunction with the initial street light installation.
- 3. The assessment rate will be based on the actual cost of installation.
- 4. The assessment rate for replacement of existing streetlights will be based upon the additional cost of enhanced features beyond standard street light requirements. Decorative lighting beyond these standards will be based on the additional cost to install equipment, along with the annual charge to power the decorative street lighting. On-going annual special assessments will be reviewed to determine the lighting charge based on current utility company approved rates.

### B. Assessment Exceptions:

- a. On multiple frontage lots zoned R-1, R-2 or R-3, the shortest side will be assessed at 100% of the assessment rate. On the other sides, the first 120 feet of each side will be assessed at 0% of the assessment rate. The balance of the frontage will be assessed at 100% of the assessment rate.
- b. On inside corner or multiple frontage lots, the side or sides precluded from access is not included in the assessment frontage.

**IX. NEW SUBDIVISIONS**

**A. General Information**

<b>NEW SUBDIVISION DEVELOPMENT</b>		Subdivisions Platted prior to 1/1/04 or after 12/31/14	Subdivisions Platted between 1/1/04 and 12/31/14	
	Funding Mechanisms	Private Contracts / City Funds (Assessable)	Private Contracts /Standby Lines of Credit	
	Development Agreement Required?	No	Yes	
	Assessed at (%)	100%	100%	
	Assessment Rates	Actual Costs Incurred.	Actual Costs Incurred.	
<b>Construction Items</b>		(Y=City Funded/Assessable D=Developer Financed)	(Y=City Funded/Escrow Draws D=Developer Financed)	
		Platted Prior to 1/1/04	Platted After 12/31/14	
City Administrative Fees (6%)		Y	Y	Y
Area Assessment - Sanitary		Y	Y	Y
Regional Stormwater Facilities		Y	Y	Y
Sewer Televising		Y	Y	Y
Temporary Asphalt Pavement		Y	Y	Y
Concrete Pavement <sup>+</sup>		Y	Y	D
Sidewalks		Y	Y	D
Boulevard Trees		Y	Y	D
Street Name Signs		Y	Y	Y
Traffic Control Signs		Y	Y	Y
Sanitary Sewer		D	D	D
Sanitary Overbuild		D	D	D
Storm Sewer		D	D	D
Storm Overbuild		D	D	D
Water Main		D	D	D
Water Main Overbuild		D	D	D
Sanitary Laterals		D	D	D
Storm Laterals		D	D	D
Water Services		D	D	D
Rear-yard Drains		D	D	D
Grading & Graveling (Right-of-way)		D	D	D
Lot Grading		D	D	D
Private Utilities (Gas, Electric, Telephone, Cable TV)		D	D	D
Seed & Mulch (Right-of-way)		D	D	D
Seed & Mulch (Lot areas)		D	D	D
Street Lights		D	D	D
Erosion Control		D	D	D

\* See Calculation Guidelines

<sup>+</sup> See Section IX.B.2 for exceptions

**B. Calculation Guidelines – New subdivisions**

1. The City does not provide funding for New Subdivisions platted between January 1, 2004 and December 31, 2014 except as indicated in the chart above. Escrow accounts or

irrevocable lines of credit will be required of developers for all items administered or installed by the City.

2. For subdivisions platted prior to 1/1/04 or after 12/31/14, assessments for concrete pavement shall be levied in accordance with Section I.A. of this policy.
3. Engineering fees for new subdivision developments shall be included in assessments. Included shall be preparation of plans and specifications, consultant fees, material testing fees, field survey, inspection and assessment preparation.
4. Individual lots within but not part of a new development when funded by the city shall be assessed at the current city interest rate.
5. Extraordinary sanitary sewer construction costs not to be assessed include pipes larger than 12" and depths greater than 16' when project funded by the city.
6. Typical residential street lighting will consist of LED cut-off style fixture, mounted 30-foot high on a wooden pole, spaced anywhere from 250 to 300 feet apart. Decorative lighting beyond these standards will have on-going annual special assessments per development agreements.
7. The effective date for interest to begin accumulating on new subdivision developments will be the date of invoice. This includes all city utilities and street work.
8. Storm sewer area assessment for regional facilities built prior to 3-1-2006 shall be based on the cost of storm sewer needed to serve the subdivision and the share of downstream trunk main.

## **X. SPECIAL CHARGES**

### **A. General definition**

1. Special charges shall accrue interest starting 30 days following the invoice date. Interest shall accrue at the same rate as for special assessments. (Board of Public Works, June 6, 1990).

## **XI. METHOD OF PAYMENT**

### **A. General Definition**

1. Lump sum payment to be paid at due date.
2. One installment if the assessment is \$1000 or less.
3. Five equal annual installments if the assessment is greater than \$1000.
4. Deferred payments will bear an interest at the rate of prime plus 3.00% per annum on the unpaid balance.
5. Separate current year special assessment bills may be combined to establish eligibility for the \$1000 limit for installment payment options. Finance Department must be notified prior to November 1.

## **XII. APPEAL PROCESS**

1. If the governing body decides to reconsider and reopen any assessment, the body may, after giving a public notice as required for the initial assessment, and after a public hearing, amend, cancel or confirm the prior assessment. Any request for a change to the first assessment, must be made within 30 days of the passage of the original final resolution. The Clerk shall publish a notice of any resolution changing the assessment, as was done with the original assessment.

## **XIII. MISCELLANEOUS**

1. Deferred payment of special assessments is not permitted. (See WI Statutes Chapter 74.)
2. Any construction project where right-of-way acquisition would contribute to 25% or more of the assessment rate shall be brought to the Finance Committee for review and establishment of an appropriate assessment rate. In establishing this rate, the Board will consider assessment rates for similar projects and any other information it considers relevant.

## **XIV. REFERENCED ITEMS**

1/17/83 Street and Sanitation Committee #3

The following policy concerning sump pump discharges adopted, "When streets are paved where storm sewer laterals exist, curb openings for sump pump discharges or surface drainage shall not be allowed."

7/06/83 Street and Sanitation Committee #6

Most of this information has been put in Appendix IX Stormwater/Clear Water Discharges

3/03/93 Street and Sanitation Committee #10

Any driveway adjacent to a street paving project that is not used will be closed with curb and gutter and will have the terrace reseeded in conjunction with the street paving. The cost of this work is to be included with the assessment for curb and gutter on the project.

Any driveway aprons without improved surfaces shall be either paved with permanent surface or abandoned and closed in conjunction with a street paving project. The cost of either option will be assessed to the property.

2/02/94 Board of Public Works Report - This was adopted as part of the assessment policy.

"Publicly owned property, including lands under the jurisdiction of the Board of Education, Park Board, Water Department and other branches of city, state or county governments, and churches and private schools be assessed 100% of the assessment rate.

1/18/95 Board of Public Works #3 - The Board reaffirms its previous recommendation that: The special assessment policy for stormwater that recovers 75% of costs from new developers and 40% from existing benefiting owners be approved. Existing is defined as that a building permit has been issued at the time of adoption of the policy by the Common Council.

- 1/17/96 Board of Public Works – This was adopted with the assessment policy.  
Sidewalks B.2 – The assessment rate for reconstruction of sidewalks will be 125% of the rate of new sidewalks.
- 9/03/97 Municipal Services Committee – Amended Driveway Opening Policy “Any driveway adjacent to a street reconstruction project that is not used will be permanently paved or closed with curb and gutter and will have terrace reseeded in conjunction with the street work.
- 3/03/99 Board of Public Works – “Resolved, that the repair and replacement of existing sidewalks in the green dot program be paid by the general fund after green dot has gone through the City once. All hazardous sidewalks as defined by City criteria will be replaced at City cost.”
- 5/15/13 Board of Public Works – Prime plus 3% will be the rate set for the 5-year payment option.

**XV. Rates for Stormwater Detention Basins (Cost per ERU’s)**

SE Basin	75% of cost	\$173.25
AAL Basin	75% of cost	\$430.20
Meade Pond		\$797.04
Holland Pond		\$345.78
Ashbury Pond		\$593.76
Mud Creek South Pond		\$815.00 (2002 basin rate)
Cost for 2003 basins		\$860.00
Southpoint Commerce Park Pond North (K2a), Plank Road West		
Cost for 2004 basins		\$915.00
Southpoint Commerce Park Pond South (K2B)		
Cost for 2005 basins		\$1,104.00
Plank Road Northwest Pond		

RATE FILE  
Public Service Commission of Wisconsin  
Appleton Water Department

WATER LATERAL INSTALLATION CHARGE
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Subdivision developers shall be responsible, where the main extension has been approved by the utility, for the water service lateral installation costs from the main through the curb stop and box.

When the cost of a utility main extension is to be collected through assessment by the municipality, the actual average water lateral installation costs from the main through the curb stop and box shall be included in the assessment of the appropriate properties.

The initial water service lateral(s), not installed as part of a subdivision development or an assessable utility extension, will be installed from the main through the curb stop and box by the utility, for which the actual cost will be charged.

Billing: Same as Schedule Mg-1.

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EFFECTIVE: December 30, 2010  
PSCW AUTHORIZATION: 190-WR-112

J:\CLERICAL - ENG & INSP\Special Assessments\Special Assessment Policy



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](http://www.appleton.org/government/utilities)

## MEMORANDUM

**Date:** June 20, 2024  
**To:** Chairperson Brad Firkus and Members of the Finance Committee  
**From:** Chris Stempa, Utilities Director  
**CC:** Ryan Rice, Utilities Deputy Director  
Kelli Rindt, Enterprise Fund Accounting Manager  
**Subject:** **Finance Committee Action: Award “AWWTP Phase II Belt Filter Press Equipment Upgrades Project” Base Bid with Alternate Bid to Staab Construction in the amount of \$4,627,000 with 4.65% contingency of \$215,119 for a project total not to exceed \$4,842,119**

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## BACKGROUND:

On December 7, 2022, Common Council approved a contract for the Appleton Wastewater Treatment Plant (AWWTP) Phase I Belt Filter Press Equipment Upgrades Project to Staab Construction. Active onsite construction began the spring of 2023 and final completion is anticipated to be reached in August 2024. The Phase I scope of work serves as the foundation of the overall project by adding the first two new belt filter presses (BFPs) along with new standalone motor control centers (MCCs) that Phase I and Phase II dewatering equipment will also rely upon, including a wholesale replacement of the HVAC system.

Phase II construction involves the demolition of the three existing Ashbrook Simon Hartley Winkle presses. These units will be replaced with two new Alfa Laval BFPs matching the two installed as part of Phase I. The project will also address remnant hard wiring throughout V-Building that is associated with obsolete equipment and replacement of antiquated and/or degraded components outside the electrical hardwire systems. Phase II work will complete upgrades to outdated hard wire relays with PLC and HMI technology including additional Supervisory Control and Data Acquisition (SCADA) system capabilities.

## BIDS

On Tuesday, June 18, 2024, bids were opened and reviewed from three contractors which are summarized within the attached award packet generated by McMahon. Each bid met the submittal requirements with Staab being the least cost responsible bidder regardless of the award scenario (Base Bid or Base Bid plus Alternative). The Alternate Bid scope of work includes the demolition of the former lime conditioning system (includes lime silo, lime silo building, lime silo building ventilation fan, lime blower, piping, and electrical). AWWTP staff desire to carry the Alternate Bid scope of work forward as part of an effort to remove remnant and/or unused process equipment. The combined contract amount with the Base Bid totals \$4,627,000 which is within the total available budget (\$4,842,119).



**RECOMMENDATION:**

I am requesting an award of the Phase II Belt Filter Press Equipment Upgrades Project base bid with the Alternate Bid to Staab Construction in the amount of \$4,627,000 with 4.65% contingency of \$215,119 for a project total not to exceed \$4,842,119.

If you have any questions or require additional information regarding this project, please contact Chris Stempa at 920-832-5945.

**Encl:** Bid Tab and Recommendation



June 18, 2024

Chris Stempa  
City of Appleton Department of Utilities  
2006 Newberry Street  
Appleton, WI 54915

Re: City of Appleton Department of Utilities  
Wastewater Treatment Plant  
Ph. II Belt Filter Press Equipment Upgrades Project  
Letter Of Recommendation  
McM. No. A0005-09-21-00225-B

On June 18, 2024, bids were received online via QuestCDN.com for the above referenced project. Three (3) bids were received, ranging in price from \$4,487,000.00 to \$5,427,500.00 for the Base Bid and \$73,726.00 to \$140,000.00 for the Alternate Bid (bid tabulation enclosed).

Based upon the bids received, we recommend awarding Contract A0005-09-21-00225-B, which includes the Base Bid and Alternate Bid, to the low bidder, Staab Construction Corporation, in the amount of \$4,627,000.00.

If you agree with our recommendation, please date and sign the enclosed Notices of Award, and return all copies to our office for incorporation into the contract documents.

If you have any questions, please feel free to contact me.

Respectfully,

McMahon Associates, Inc.

A handwritten signature in black ink, appearing to read "Chad T. Olsen".

Chad T. Olsen, P.E., BCEES  
Vice President / Water & Wastewater Project Manager

Enclosures: Notice of Awards (3 copies each)  
Bid Tabulation

**SECTION 00 51 00.00**

**NOTICE OF AWARD**

Dated: \_\_\_\_\_

To: STAAB CONSTRUCTION CORPORATION  
1800 Laemle Avenue  
Marshfield, WI 54449

Contract No. A0005-09-21-00225-B

Project: WASTEWATER TREATMENT PLANT  
PHASE II BELT FILTER PRESS EQUIPMENT UPGRADES PROJECT  
For The  
CITY OF APPLETON DEPARTMENT OF UTILITIES  
Calumet, Outagamie & Winnebago Counties, WI

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You are notified that your Bid, dated June 18, 2024, for the above Contract has been considered. You are the apparent successful Bidder and have been awarded a Contract for the Phase II Belt Filter Press Equipment Upgrades Project for the City of Appleton Department of Utilities, Calumet, Outagamie, & Winnebago Counties, Wisconsin.

The Contract Price of your Contract is Four Million Six Hundred Twenty Seven Thousand and no/100 Dollars (\$4,627,000.00). This amount combines the Base Bid and Alternate Bid.

You must comply with the following conditions precedent within **15-days** of the date of this Notice of Award, that is by \_\_\_\_\_.

1. You must deliver to the OWNER three (3) fully executed counterparts of the Agreement including all the Contract Documents.
2. You must deliver with the executed Agreement the Contract Security (bonds), as specified in the Instructions to Bidders, General Conditions (Paragraph 6.01) and Supplementary Conditions.
3. You must deliver Insurance Certification complying with the General Conditions and Supplementary Conditions of the Contract Documents.

Failure to comply with these conditions within the time specified will entitle OWNER to consider your Bid abandoned, to annul this Notice of Award and to declare your Bid Security forfeited.

One (1) fully signed counterpart of the Agreement, with the Contract Documents attached, will be returned to you within 15-days after you comply with the above noted conditions.

**CITY OF APPLETON DEPARTMENT OF UTILITIES  
Calumet, Outagamie & Winnebago Counties, WI**

\_\_\_\_\_  
(authorized signature)

\_\_\_\_\_  
(title)

Witness: \_\_\_\_\_



# BID TABULATION

Owner:	City of Appleton Department of Utilities
Project Name:	WWTP Ph. II Belt Filter Press Equipment Upgrades Project
Contract No.	A0005-09-21-00225-B
Bid Date:	Tuesday, June 18, 2024
Bid Time:	Received until 1:45 p.m., opened at 2:00 p.m., local time
Project Manager:	Chad T. Olsen, P.E., BCEES

Contract No. A0005-09-21-00225-B	STAAB CONSTRUCTION CORPORATION 1800 Laemle Avenue Marshfield, WI 54449	ROHDE BROTHERS, INC. W5745 Woodchuck Lane / PO Box 409 Plymouth, WI 53073	AUGUST WINTER & SONS, INC. 2323 North Roemer Road PO Box 1896 Appleton, WI 54912-1896
BASE BID	\$4,487,000.00	\$4,718,000.00	\$5,427,500.00
ALTERNATE BID	\$140,000.00	\$112,500.00	\$73,726.00
Bid Security	Yes	Yes	Yes
Addenda	Yes	Yes	Yes



DEPARTMENT OF  
**UTILITIES**

**Department of Utilities**  
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p: 920-832-5945  
f: 920-832-5949

[www.appleton.org/government/utilities](http://www.appleton.org/government/utilities)

## MEMORANDUM

**Date:** June 21, 2024  
**To:** Chairperson Brad Firkus and Members of the Finance Committee  
**From:** Chris Stempa, Utilities Director  
**CC:** Ryan Rice, Utilities Deputy Director  
Kelli Rindt, Enterprise Fund Accounting Manager  
**Subject:** **Finance Committee Action: Approve Change Order #8 to Staab Construction contract as part of the AWWTP Phase I Belt Filter Press Equipment Upgrades Project totaling \$66,293 resulting in a decrease in contingency from \$675,538 to \$609,245**

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### BACKGROUND:

On December 7, 2022, Common Council approved a contract for the Appleton Wastewater Treatment Plant (AWWTP) Phase I Belt Filter Press Equipment Upgrades Project to Staab Construction in the amount of \$5,063,000 with 15% contingency of \$759,450 for a project total not to exceed \$5,822,450. The change order tasks summarized within Table 1 represent work added to the original contract scope of work (per Section IV P of the Procurement and Contract Management Policy) or deleted from, which alters the original contract amount.

### CHANGE ORDER #8

Change Order #8 reflects the labor and material costs pertaining to the replacement of an existing non-potable water (NPW) booster pump. The booster pump is critical to sustaining adequate system pressures on the second floor of V-Building. NPW is utilized by the BFP polymer system on the second floor to dilute neat polymer which is then fed to the BFPs. The change order work includes all associated demolition (e.g. existing piping, pump, and concrete equipment pad) and installation of new piping, pipe accessories, pipe insulation, electrical, centrifugal booster pump, pump pad, and painting.

**Table 1: Change Order (CO) Summary**

CO#	Cost	Description
CO#1	-\$22,725	Cost for filtrate pipe, credits for reusing aluminum grating, elimination of 4 plug valves, and drainpipe material change
CO#2	\$6,625	Costs for Martin tensioner, temperature control module, relocation of BFP control panels, and credit for elimination of conveyor pan.
CO#3	\$20,253	Costs for hoist removal, installation of seven lintels to support new HVAC ductwork, demo of waste pipe and flow meter, reclaimed final effluent (RFE) line extension and installation of nine flush connections for new BFP pumps. Deducts provided for the elimination of the 1-inch diameter flush connection copper piping and electrical feeder panel.
CO#4	\$15,629	Demo grinder pump, concrete base, ductile iron pipe, and electrical. Credit (\$1,782) to forgo heater/piping removal in former truck scale room
CO#5	\$36,593	Part 1: Provide additional grating along east side of AHU plus two (2) fall protection beams (\$28,595). Part 2: provide additional grating and railing on east side of Air Handling Unit (\$7,998).
CO#6	\$17,392	Forgo duct pressure test and provide ball valve in lieu of triple duty valve (\$2,070 credit); remove 100 feet deteriorated cast iron drainpipe and replace with PVC (\$6,365); reroute hot water piping in former scale room (\$2,686); provide additional BFP drain pain supports (\$1,563); provide 16 feet of temporary handrail on west side of BFP #3 (\$2,325); add PVC vent to new filtrate drain lines (\$6,523)
CO#7	\$10,145	Eliminate Part 1 of CO5 (-\$28,595 credit); provide additional grating and railing on east side of AHU (\$19,663); provide additional hand rail and checkered plate at BFPs (\$11,344); provide temporary I beam to replace existing platform support (conflict with new conveyor, \$2,001); demo SST Vent Pipe that originates in V-Building Generator Room (\$1,926); add 120VAC power for polymer pumps and VFD's from 2nd Floor Panel L-8. Add ethernet cables between Polymer Pumps and VFD's and Solids Remote I/O Panel. Includes credit for removal of control wire provision between Existing BFP Control Panel and Solids Remote I/O Panel (net total \$1,407); fabricate and install SST guards for top rollers of new BFP's (\$607); and provide additional checkered plate on west end of BFP #5 (\$1,792)
<b>CO#8</b>	<b>\$66,293</b>	<b>Replace failed Non-potable water (NPW) booster pipe.</b>

**Total \$150,205**

**RECOMMENDATION:**

I am requesting approval of Change Order #8 to Staab Construction in the amount of \$66,293

If you have any questions or require additional information regarding this project, please contact Chris Stempa at 920-832-5945.

**TRANSPORTATION PROJECT PLAT NO: 4984-01-21 -4.01**  
 PART OF THE GOVERNMENT LOT 2 OF SECTION 35, T.21N-R.17.E. CITY OF APPLETON,  
 OUTAGAMIE COUNTY, WISCONSIN

RELOCATION ORDER: OLDE ONEIDA ST. BRIDGE P-44-723 OUTAGAMIE COUNTY

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE CITY OF APPLETON DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE PROJECT. TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SECTION 84.02 (3), 84.09, AND 84.30, WISCONSIN STATUTES, THE CITY OF APPLETON HEREBY ORDERS THAT:

- THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE PROJECT.
- THE LANDS OR INTERESTS OR RIGHTS IN LANDS AS SHOWN ON THIS PLAT ARE REQUIRED BY THE CITY FOR THE ABOVE PROJECT AND SHALL BE ACQUIRED IN THE NAME OF THE CITY OF APPLETON, PURSUANT TO THE PROVISIONS OF SECTION 84.09 (1) OR (2), WISCONSIN STATUTES.

THE NOTES, CONVENTIONAL SIGNS, AND ABBREVIATIONS ARE ASSOCIATED WITH EACH TRANSPORTATION PROJECT PLAT FOR PROJECT 4987-01-21

**NOTES:**

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), OUTAGAMIE COUNTY, NAD83(2011), IN U.S. SURVEY FEET. VALUES ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 3/4" X 24" IRON REBARS), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

ALL RIGHT-OF-WAY LINES DEPICTED IN THE NON-ACQUISITION AREAS ARE INTENDED TO RE-ESTABLISH EXISTING RIGHT-OF-WAY LINES AS DETERMINED FROM PREVIOUS PROJECTS, OTHER RECORDED DOCUMENTS, OR FROM CENTERLINE OF EXISTING PAVEMENTS.

RIGHT-OF-WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY SYSTEM OR OTHER "SURVEYS" OF PUBLIC RECORD.

DIMENSIONING FOR THE NEW RIGHT-OF-WAY IS MEASURED ALONG AND PERPENDICULAR TO THE NEW REFERENCE LINES.

A TEMPORARY LIMITED EASEMENT (TLE) IS A RIGHT FOR CONSTRUCTION PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON, THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE. ALL (TLE)S ON THIS PLAT EXPIRE AT THE COMPLETION OF THE CONSTRUCTION PROJECT OR AS AGREED UPON IN WRITING, FOR WHICH THIS INSTRUMENT IS GIVEN.

A PERMANENT LIMITED EASEMENT (PLE) IS A RIGHT FOR CONSTRUCTION AND MAINTENANCE PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON AND THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE, BUT WITHOUT PREJUDICE TO THE OWNER'S RIGHTS TO MAKE OR CONSTRUCT IMPROVEMENTS ON SAID LANDS OR TO FLATTEN THE SLOPES, PROVIDING SAID ACTIVITIES WILL NOT IMPAIR OR OTHERWISE ADVERSELY AFFECT THE HIGHWAY FACILITIES.

PROPERTY LINES SHOWN ON THIS PLAT ARE DRAWN FROM DATA DERIVED FROM MAPS AND DOCUMENTS OF PUBLIC RECORD AND/OR EXISTING OCCUPATIONAL LINES. THIS PLAT MAY NOT BE A TRUE REPRESENTATION OF EXISTING PROPERTY LINES, EXCLUDING RIGHT-OF-WAY, AND SHOULD NOT BE USED AS A SUBSTITUTE FOR AN ACCURATE FIELD SURVEY.

FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE CITY OF APPLETON

PARCEL AND UTILITY IDENTIFICATION NUMBERS MAY NOT POINT TO ALL AREAS OF ACQUISITION, AS NOTED ON THE TPP DETAIL PAGES.

INFORMATION FOR THE BASIS OF EXISTING HIGHWAY RIGHT-OF-WAY POINTS OF REFERENCE AND ACCESS CONTROL ARE LISTED ON THE TPP DETAIL PAGES.

**CONVENTIONAL SYMBOLS AND ABBREVIATIONS**

STATE, COUNTY, or TOWN LINE	---	ACCESS POINT/ DRIVEWAY CONNECTION	AP
SECTION LINE	- - -	ACCESS RIGHTS	AR
QUARTER LINE	- - -	ACRES	AC
SIXTEENTH LINE	- - -	AND OTHERS	ET AL
PROPOSED REFERENCE LINE	---	CENTERLINE	C/L
PROPOSED R/W LINE	---	CERTIFIED SURVEY MAP	CSM
EXISTING R/W OR HE LINE	---	DOCUMENT	DOC
PROPERTY LINE	---	HIGHWAY EASEMENT	HE
EASEMENT LINE	---	LAND CONTRACT	LC
CORPORATE LIMITS	---	MONUMENT	MON
EXISTING CENTERLINE	---	PAGE	P
LOT & TIE LINES	---	PERMANENT LIMITED EASEMENT	PLE
UNDERGROUND FACILITY (TELEPHONE, GAS, ELECTRIC, CABLE TV, FIBER OPTIC)	---	PROPERTY LINE	PL
ACCESS RESTRICTED (BY PREVIOUS ACQUISITION/CONTROL)	---	RECORDED AS (100')	R/L
ACCESS RESTRICTED (BY ACQUISITION)	---	REFERENCE LINE	R/L
ACCESS RESTRICTED (BY STATUTORY AUTHORITY)	---	REMAINING	REM
FEE (HATCH VARIES)	---	RIGHT-OF-WAY SECTION	R/W
TEMPORARY LIMITED EASEMENT	---	SQUARE FEET	SEC
PERMANENT LIMITED EASEMENT	---	STATION	STA
PARCEL NUMBER	100	TEMPORARY LIMITED EASEMENT	TLE
UTILITY NUMBER	92	VOLUME	V
OFF-PREMISE SIGN BUILDING	91-25	<b>CURVE DATA</b>	
FOUND IRON PIPE/PIN (1-INCH UNLESS NOTED)	IP	LONG CHORD	LCH
R/W MONUMENT	• (SET)	LONG CHORD BEARING	LCB
R/W STANDARD	▲ (SET)	RADIUS	R
SIGN	— SIGN	DEGREE OF CURVE	D
SECTION CORNER SYMBOL	— SIGN	CENTRAL ANGLE OR DELTA	Δ/DELTA
		LENGTH OF CURVE	L
		TANGENT	T
		NON COMPENSABLE	NON COMPENSABLE
		COMPENSABLE	COMPENSABLE

**CONVENTIONAL UTILITY SYMBOLS**

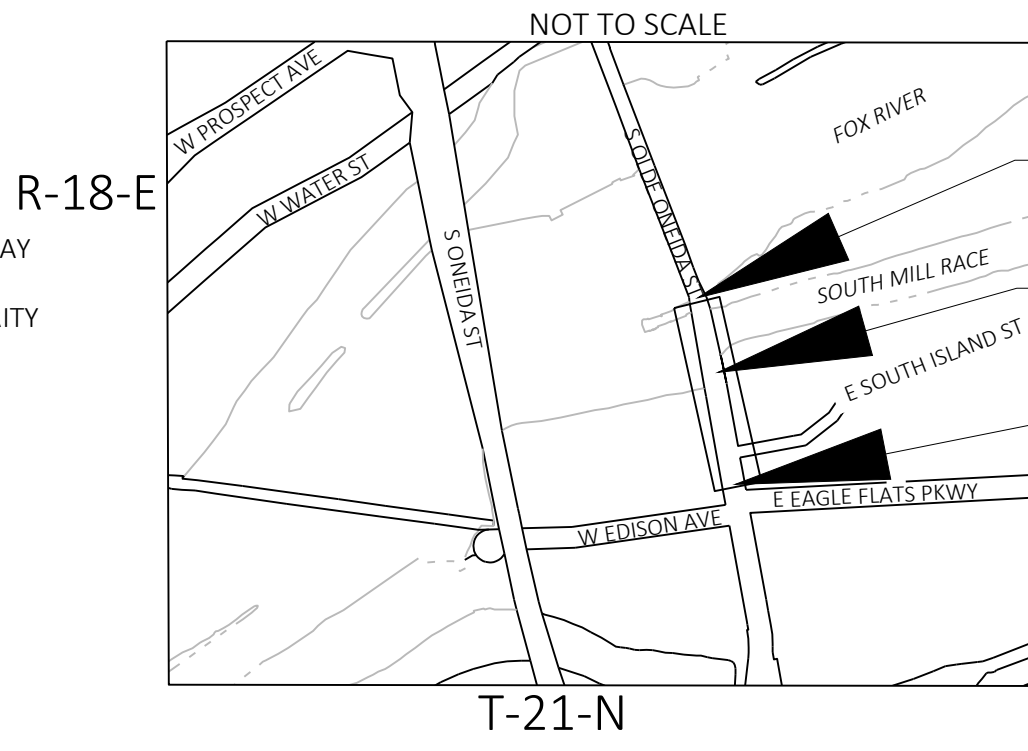
WATER	— W —
GAS	— G —
TELEPHONE	— T —
OVERHEAD TRANSMISSION LINES	— OH —
ELECTRIC	— E —
CABLE TELEVISION	— TV —
FIBER OPTIC	— FO —
SANITARY SEWER	— SAN —
STORM SEWER	— SS —
ELECTRIC TOWER	⊠

**SCHEDULE OF LANDS & INTERESTS REQUIRED**

PARCEL NUMBER	PARCEL OWNER(S)	PARCEL REQUIRED	R/W SF REQUIRED			TLE SF
			NEW	PLE	TOTAL	
1	FAHRENKRUG LAW LLC	TLE	-	-	-	1822
2	WOOLEN MILLS LOFTS LLC	FEE, TLE	479	-	479	2516
3	FOX RIVER PAPER CO LLC	PLE, TLE	-	218	218	272
4	FOX RIVER PAPER CO LLC	TLE	-	-	-	389
5	OLDE ONEIDA LLC	FEE, TLE	134	-	134	432

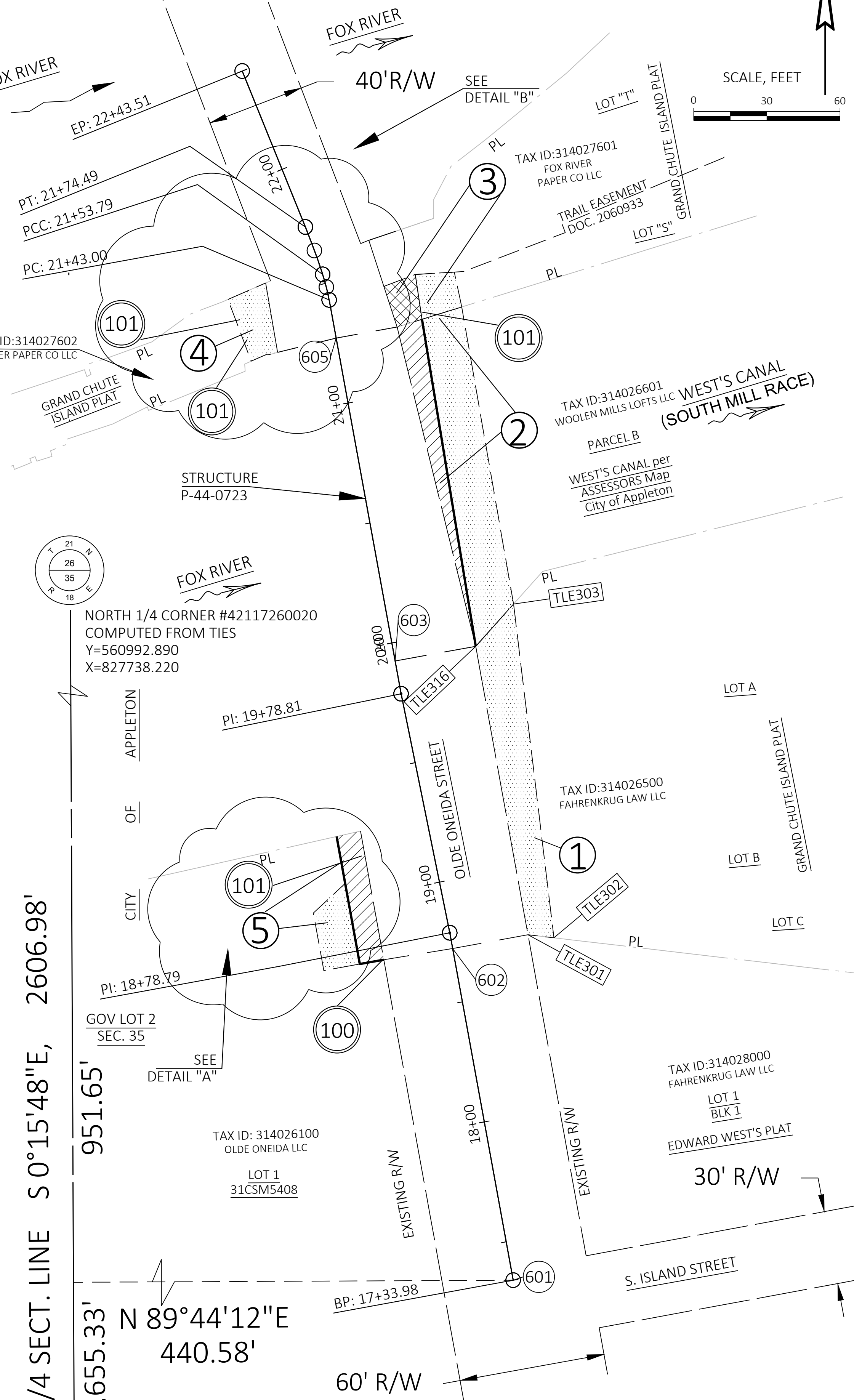
OWNERS NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTERESTS TO THE DEPARTMENT

**LOCATION MAP**



**END PROJECT**  
 STA 22+43  
**STRUCTURE**  
 P-44-0723  
**BEGIN**  
**PROJECT**  
 STA 17+33

RESERVED FOR REGISTER OF DEEDS  
 PROJECT NUMBER 4984-01-21-4.01  
 AMENDMENT NO: \_\_\_\_\_



1/4 SECT. LINE S 0°15'48"E, 2606.98'  
 951.65'  
 1,655.33'

CENTER #42117352020  
 COMPUTED FROM TIES  
 Y=558385.940  
 X=827750.200

ROAD NAME	PROJECT/SURVEY	VOL.	PG.	DOC.	DATE
OLDE ONEIDA STREET	4984-01-33	-	-	-	7/19/2011
OLDE ONEIDA STREET	CSM	31	5408	-	8/2/2006

UTILITY #	OWNER(S)	PARCEL	INTEREST REQUIRED	EASEMENTS
100	AT&T	5	RELEASE OF RIGHTS	J.8957 I.20
101	WE Energies	3,4,5	RELEASE OF RIGHTS	-

**exp.**  
 exp U.S. Services Inc.  
 t: +1.414.221.0088 f: +1.414.221.0537  
 241 N Broadway, Suite 203  
 Milwaukee, WI 53202  
 U.S.A.  
 www.exp.com

I, NATHAN ANDEREGG PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF SECTION 84.095 OF THE WISCONSIN STATUTES AND UNDER THE DIRECTION OF CITY OF APPLETON I HAVE SURVEYED AND MAPPED THIS TRANSPORTATION PROJECT PLAT AND SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES OF THE SURVEYED LAND.

SIGNATURE: Nathan Anderegg DATE: 6/26/24  
 PRINT NAME: NATHAN ANDEREGG  
 REGISTRATION NUMBER: 5-2732

THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE CITY OF APPLETON

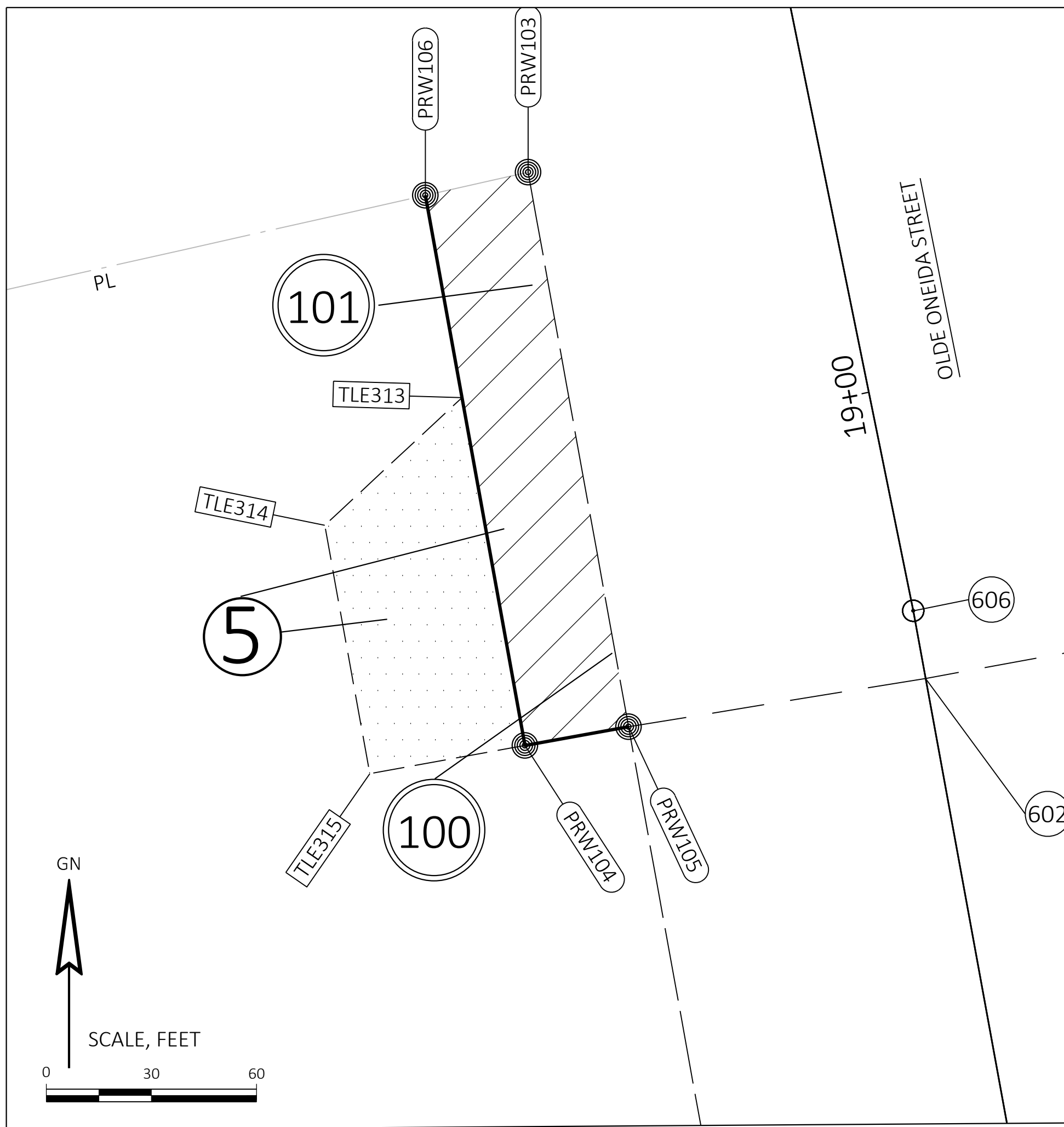
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PRINT NAME: JACOB A. WOODFORD

TRANSPORTATION PROJECT PLAT NO: 4984-01-21 -4.01 EXTENSION

RELOCATION ORDER: OLDE ONEIDA ST. BRIDGE P-44-723 CITY OF APPLETON OUTAGAMIE COUITY

DETAIL "A"

NOT TO SCALE



CENTER LINE ALIGNMENT

BP= STATION 17+33.98  
 Y 560043.273  
 X 828183.171  
 BEARING N10° 21' 12"W DISTANCE 144.81'

PI= STATION 18+78.79  
 Y 560185.721  
 X 828157.147  
 BEARING N11° 29' 57"W DISTANCE 100.02'

PI= STATION 19+78.81  
 Y 560283.734  
 X 828137.207  
 BEARING N10° 21' 12"W DISTANCE 164.19

ARC  
 PC= STATION 21+43.00  
 Y 560445.248  
 X 828107.700  
 CC= N 560430.871 E 828029.002  
 PI= STATION 21+48.40  
 Y 560450.566  
 X 828106.728  
 TAN 5.41  
 DB N10° 21' 12"W  
 DA N18° 05' 06"W  
 LCHORD DIST 10.79 BEARING N14° 13' 09"W  
 EXTERNAL DIST 0.18  
 MID ORD 0.18  
 RADIUS 80.00  
 DEG 71° 37' 11"  
 DELTA 07° 43' 54"  
 LENGTH 10.80

PT= STATION 21+53.79  
 Y 560455.705  
 X 828105.050

ARC  
 PC= STATION 21+53.79  
 Y 560455.705  
 X 828105.050  
 CC= N 560362.577 E 827819.871  
 PI= STATION 21+64.14  
 Y 560465.545  
 X 828101.837  
 TAN 10.35  
 DB N18° 05' 06"W  
 DA N22° 02' 14"W  
 LCHORD DIST 20.69 BEARING N20° 03' 40"W  
 EXTERNAL DIST 0.18  
 MID ORD 0.18  
 RADIUS 300.00  
 DEG 19° 05' 55"  
 DELTA 03° 57' 09"  
 LENGTH 20.69

PT= STATION 21+74.49  
 Y 560475.140  
 X 828097.953  
 BEARING N22° 02' 14"W DISTANCE 69.02

END= STATION 22+43.51  
 Y 560539.121  
 X 828072.054

R/W COURSE TABLE			
FROM PT #	TO PT #	BEARING	DISTANCE
601	602	N10° 21' 12"W	138.28'
602	105	S80° 46' 20"W	28.61'
105	104	S79° 43' 50"W	10.00'
104	106	N10° 16' 10"W	53.15'
106	103	N77° 18' 60"E	10.00'
103	105	S10° 16' 10"E	53.57'
105	602	N80° 46' 20"E	28.61'
602	606	N10° 21' 12"W	6.53'
606	607	N11° 29' 57"W	100.02'
607	603	N10° 21' 12"W	13.68'
603	316	N79° 38' 48"E	33.57'
316	100	N09° 19' 42"W	135.89'
100	107	S72° 49' 14"W	10.67'
107	605	S79° 38' 48"W	25.41'
605	603	S10° 21' 12"E	134.60'

PLE COURSE TABLE			
FROM PT #	TO PT #	BEARING	DISTANCE
607	605	N10° 21' 12"W	148.27'
605	107	N79° 38' 48"E	25.41'
107	100	N72° 49' 14"E	10.67'
100	304	N08° 28' 46"W	18.57'
304	102	S69° 21' 33"W	13.79'
102	107	S18° 06' 55"E	17.53'
107	605	S79° 38' 48"W	25.41'

TLE COURSE TABLE			
FROM PT #	TO PT #	BEARING	DISTANCE
602	301	N79° 38' 48"E	31.39'
301	302	S83° 19' 43"E	10.72'
302	303	N06° 53' 59"W	137.86'
303	306	N09° 53' 41"W	123.63'
306	308	N12° 05' 40"W	14.64'
308	304	S86° 29' 28"W	16.00'
304	100	S08° 28' 46"E	18.57'
100	316	S09° 19' 42"E	135.89'
316	301	S10° 16' 10"E	120.21'
301	602	S79° 38' 48"W	31.39'
602	104	S80° 30' 09"W	38.61'
104	315	S79° 43' 50"W	15.00'
315	314	N10° 16' 10"W	24.00'
314	313	N47° 06' 41"E	17.81'
313	104	S10° 16' 10"E	33.60'
104	602	N80° 30' 09"E	38.61'
602	606	N10° 21' 12"W	6.53'
606	607	N11° 29' 57"W	100.02'
607	605	N10° 21' 12"W	148.27'
605	312	S76° 19' 52"W	24.71'
312	311	S71° 30' 20"W	11.42'
311	310	N20° 37' 31"W	27.06'
310	309	N66° 25' 17"E	16.87'
309	312	S09° 47' 19"E	28.87'
312	605	N76° 19' 52"E	24.71'

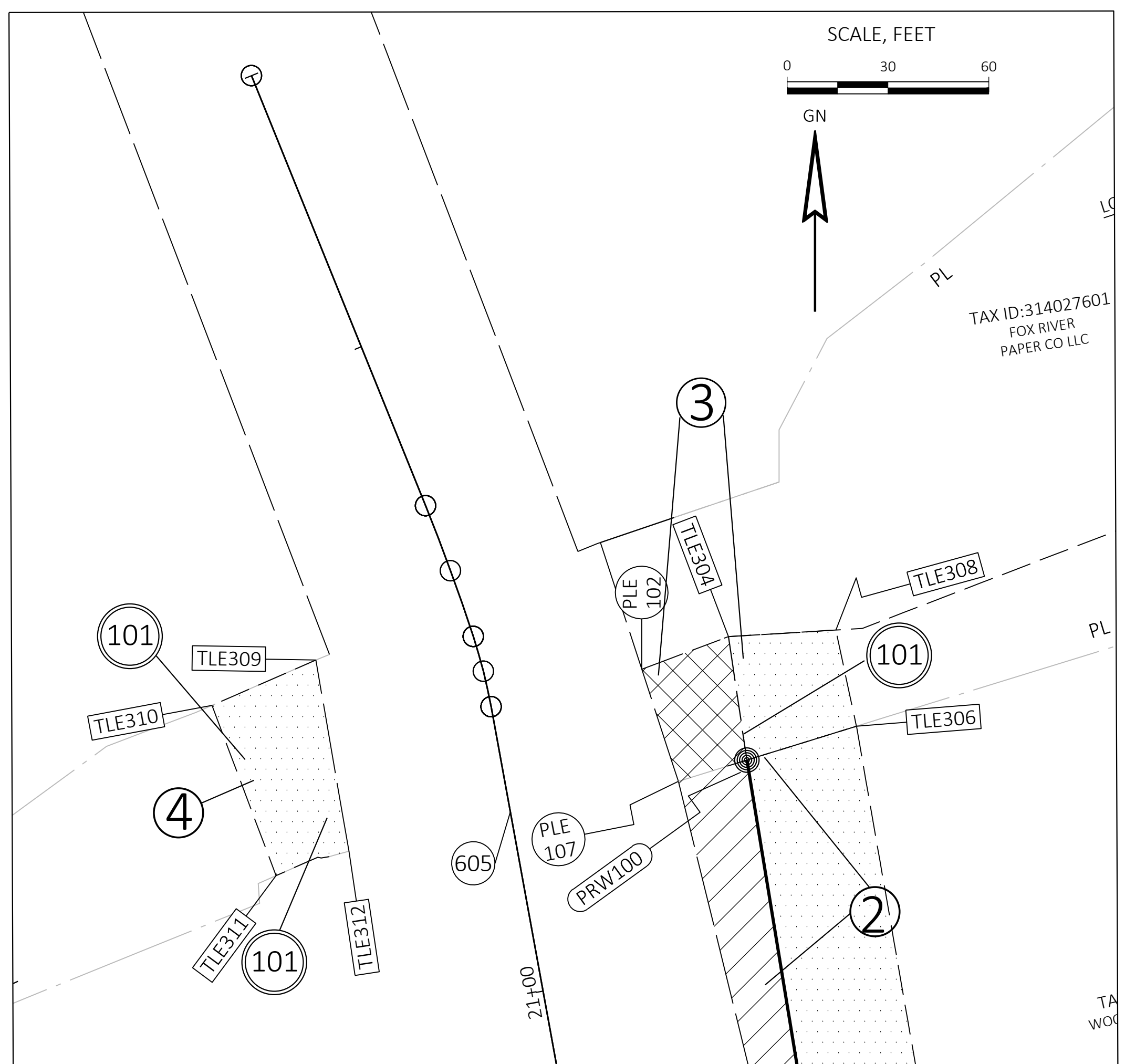
RESERVED FOR REGISTER OF DEEDS  
 PROJECT NUMBER 4984-01-21-4.01 EXT.  
 AMENDMENT NO: \_\_\_\_\_

PAGE 2 OF 2  
 FOR ADDITIONAL INFORMATION  
 REFER TO SHEET 1 OF 2

Station and Offset Table		
Point	Station	Offset
302	18+69.12	41.64'
602	18+72.26	0.00'
301	18+72.26	31.39'
105	18+72.82	-28.61'
104	18+72.84	-38.61'
315	18+72.86	-53.61'
606	18+78.79	0.000'
314	18+97.93	-53.20'
313	19+07.20	-38.00'
106	19+26.75	-37.58'
103	19+26.95	-27.57'
607	19+78.81	0.00'
603	19+92.49	0.00'
316	19+92.49	33.57'
303	20+06.75	51.95'
311	21+24.04	-35.98'
312	21+25.66	-24.67'
605	21+27.08	0.00'
107	21+27.08	25.41'
100	21+28.35	36.00'
306	21+30.38	52.94'
102	21+44.13	23.05'
308	21+44.21	52.51'
304	21+45.69	36.67'
310	21+56.47	-40.12'
309	21+58.06	-23.31'

DETAIL "B"

NOT TO SCALE







DEPARTMENT OF  
**INFORMATION  
TECHNOLOGY**

**MEMORANDUM**

**Date: July 8, 2024**

**To: Finance Committee, Common Council**

**From: Corey Popp, I.T. Director**

**Pete Neuberger, Deputy Director of Public Works**

**Subject: Request to Amend 2024 Budget by \$110,904**

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The 2022 and 2023 budgets included \$79,428 and \$85,000 respectively for the Public Safety Camera Program. Of these amounts, \$42,942 and \$67,962 remain unspent while I.T. completed a proof-of-concept with new cloud-based cameras. DPW and I.T. are prepared to move forward with the CIP at this time and are requesting that a 2024 budget amendment is approved as follows:

Public Safety Camera Program	+ \$110,904
Fund Balance Applied	+ \$110,904



# CITY OF APPLETON

Department of Parks & Recreation

1819 East Witzke Blvd.

Appleton, WI 54911

p: 920-832-3919

f: 920-993-3103

www.appleton.org

TO: Finance Committee

FROM: Dean R. Gazza

DATE: July 8, 2024

RE: Action: Award the City of Appleton's "2021 Park Pavilions Roof Replacement Project" contract to Schulze Exteriors, LLC. in the amount of \$45,775.00 with a contingency of 7,000 for a project total not to exceed \$52,775.00.

2024 Capital Improvement Plan includes \$175,000 to replace roofs on City Park Pavilion, AMP Amphitheater, and AMP Pavilion. The amount of \$5,000 has been utilized for design leaving a balance of \$170,000 for construction. The existing roofs are at the end of their useful life and are in need of replacement. Our annual roof inspection program identifies roofing in need of replacement and allocates resources to allow for proactive replacement to protect and preserve the facility's asset.

The bids were received as follows:

<b>Schulze Exteriors, LLC. (low bid)</b>	\$45,775.00
D&H Royale Construction, LLC.	\$56,576.03

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to Schulze Exteriors LLC. 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 Schulze Exteriors, LLC. in the amount of \$45,775.00 plus a contingency of \$7,000 only to be utilized as needed.

Please contact me at 832-5572 or at [dean.gazza@appleton.org](mailto:dean.gazza@appleton.org) with any questions.

# AUDIT AGREEMENT FOR PAYMENT FOR LANDS OR INTERESTS IN LANDS ACQUIRED FROM PUBLIC UTILITY

Wisconsin Department of Transportation  
DT1541 4/2023 s.84.09(1) Wis. Stats.

This Agreement is made and entered into by and between the Wisconsin Department of Transportation, hereinafter designated as the "DEPARTMENT," and **City of Appleton**, a public utility company, a quasi utility or cooperative hereinafter designated as the "COMPANY," for the payment for certain lands or interests in lands acquired by the Wisconsin Department of Transportation from the COMPANY in connection with a Wisconsin transportation improvement designated:

Project Description Title: APPLETON - DE PERE Limits: BALLARD RD (CTH E) INTCHG Highway: IH 41 County: OUTAGAMIE	Project ID(s) Design: 1130-63-01 Construction: 1130-65-76 Right of Way: 1130-63-21 UTL No.: 516 Utility: 1130-65-41
Facility Type: Water	

Said parcel is included in the DEPARTMENT's Order and map filed with the County Highway Committee and County Clerk as required by Section 84.09(1), Wisconsin Statutes.

WITNESSETH: For and in consideration of the conveyance by separate instrument to the State of Wisconsin of certain lands or interests or rights in said lands in which the COMPANY holds a real property interest, the DEPARTMENT will pay to the COMPANY an amount equal to the net cost incurred by the COMPANY for the actual removal, relocation, alteration, or other rearrangement of the COMPANY facilities situated on the said lands required to restore equivalent function as necessary, in kind if feasible, of the affected segment of COMPANY facility.

The work covered by the Agreement is set forth in the Exhibit hereto attached and made a part hereof. The Exhibit consists of a statement of the work and a proposed schedule for its accomplishment and coordination if necessary with the companion transportation work, an estimate of costs, plans and special provisions, if any.

The work shall be performed under normal COMPANY practices and the costs thereof computed and determined in accordance with the work order accounting procedure prescribed or approved for the COMPANY by the regulatory agency having jurisdiction, including applicable provisions of the Code of Federal Regulations 23, Part 645, Subpart A - Utility Relocations, Adjustments, and Reimbursement. It is further understood, however, that:

1. All salvage shall be credited to the project in the manner prescribed under the COMPANY's accounting procedure for work undertaken at the expense and volition of the COMPANY. When recovered materials are to be disposed of by sale or as scrap, the COMPANY shall either have filed with the DEPARTMENT an acceptable statement outlining the COMPANY's current standard practice and procedure for disposal of such material or shall give written notice to the DEPARTMENT of the location and time said recovered materials will be available for inspection.
2. A credit shall be given representative of the amount of depreciation accrual, if any, assignable to the facilities subject to replacement. Such credit shall be calculated for all facilities covered by the Code of Federal Regulations 23, Section 645.117(h). The amount of the credit shall be based upon the original installed cost, the age of the facility and the applicable depreciation rates, but may also consider the average service lives certified by the regulatory agency having jurisdiction and the expected remaining service lives of the existing materials.
3. Work under this Agreement shall not start until the COMPANY has received written notice from the DEPARTMENT to proceed with the work. The COMPANY shall give prior notice to the appropriate Regional Transportation Office of the DEPARTMENT when it proposes to commence its construction operations and shall give similar notification when operations are resumed subsequent to suspension of operations. Any significant change in the extent or scope of the work under this agreement must be covered by a written change order or an extra work order. **It is expressly understood and agreed that any work by the COMPANY prior to authorization by the DEPARTMENT shall be at the COMPANY's sole expense.**

The COMPANY shall not subcontract any portion of the work included under this Agreement without the prior approval of the DEPARTMENT except for work of relatively minor cost or nature. Any existing continuing contract, under which the COMPANY now has certain work regularly performed, will be considered to conform to the requirements of this section, provided the contract is submitted for the DEPARTMENT's prior approval.

The COMPANY shall keep and make available to the DEPARTMENT detailed payrolls for office and field personnel, equipment use records, materials used, and salvage records including the condition and disposition of the removed and salvaged materials, as well as payments to any utility subcontractor if the work is performed in that manner.

4. Upon completion of the work contemplated under this Agreement, the COMPANY will submit invoices to the DEPARTMENT setting forth the actual and related indirect cost in substantially the same detail and order indicated in the estimate attached to this Agreement. Each copy of such invoice shall identify the location where the supporting records for the costs included in the billing may be reviewed as well as the name of the COMPANY custodian of such records. Invoices shall be submitted within one year of the completion of the companion highway construction project.

The COMPANY agrees to permit audit of said invoices by the DEPARTMENT and by the Federal Highway Administration, if necessary, and to offer prompt support for any item cited for review or be deemed to concur in the deletion or correction thereof. The supportable net amount of the invoice verified by audit as being in compliance with the provisions of this Agreement shall be paid by the DEPARTMENT and will be accepted as full compensation for the rights or interests in the lands conveyed, including all damages, costs and expenses incurred by the COMPANY and arising from or necessitated by the said conveyance.

The COMPANY shall comply with the Buy America requirements specified under 23 U.S.C. Section 313, 23 CFR 635.410 and IJA Pub. L. No. 117-58 when any part of this highway improvement project involves funding by the Federal Aid Highway Program. To complete processing of invoices submitted, the COMPANY shall provide to the DEPARTMENT a signed DT2249, *Utility's Certificate of Buy America Compliance*.

5. In Connection with the performance of work under this contract, the COMPANY agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s.51.01(5) Wisconsin Statutes, sexual orientation as defined s.111.32(13m) Wisconsin Statutes or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the COMPANY further agrees to take affirmative action to ensure equal employment opportunities. The COMPANY agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

6. The execution of this Agreement by the DEPARTMENT shall not relieve the COMPANY from compliance with applicable Federal and State laws, Wisconsin Administrative Codes, and local laws or ordinances which may affect the performance of the work covered herein, and shall not be construed to supersede any other governmental agency requirements for plan approval or authority to undertake the utility alteration work.

This Agreement does not supplant any permit required under Section 84.08, 86.07(2), or 86.16, Wisconsin Statutes. No COMPANY work affecting highway lands shall be undertaken without any required separate permit, which may be processed and approved concurrently with this Agreement.

7. It is further agreed that any legal action taken by the COMPANY because of dispute arising through this transaction shall be for monetary considerations only, and shall not be for the revocation of the conveyance for the lands or rights or interests therein.

8. The Agreement is not binding upon the parties hereto until this document has been fully executed by the COMPANY and the DEPARTMENT.

IN WITNESS, the parties have caused this Agreement to be executed by their proper officers and representatives on the year and the day below written.

**WISCONSIN DEPARTMENT OF TRANSPORTATION**

**COMPANY**

City of Appleton

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Division Administrator)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Print Name)



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

**City of Appleton Water (UTL 516)  
Stage 1 Relocation Cost Estimate**

**Design ID 1130-63-01**

**Construction ID 1130-65-76**

**Utility ID 1130-65-41**

**Utility Number 516**

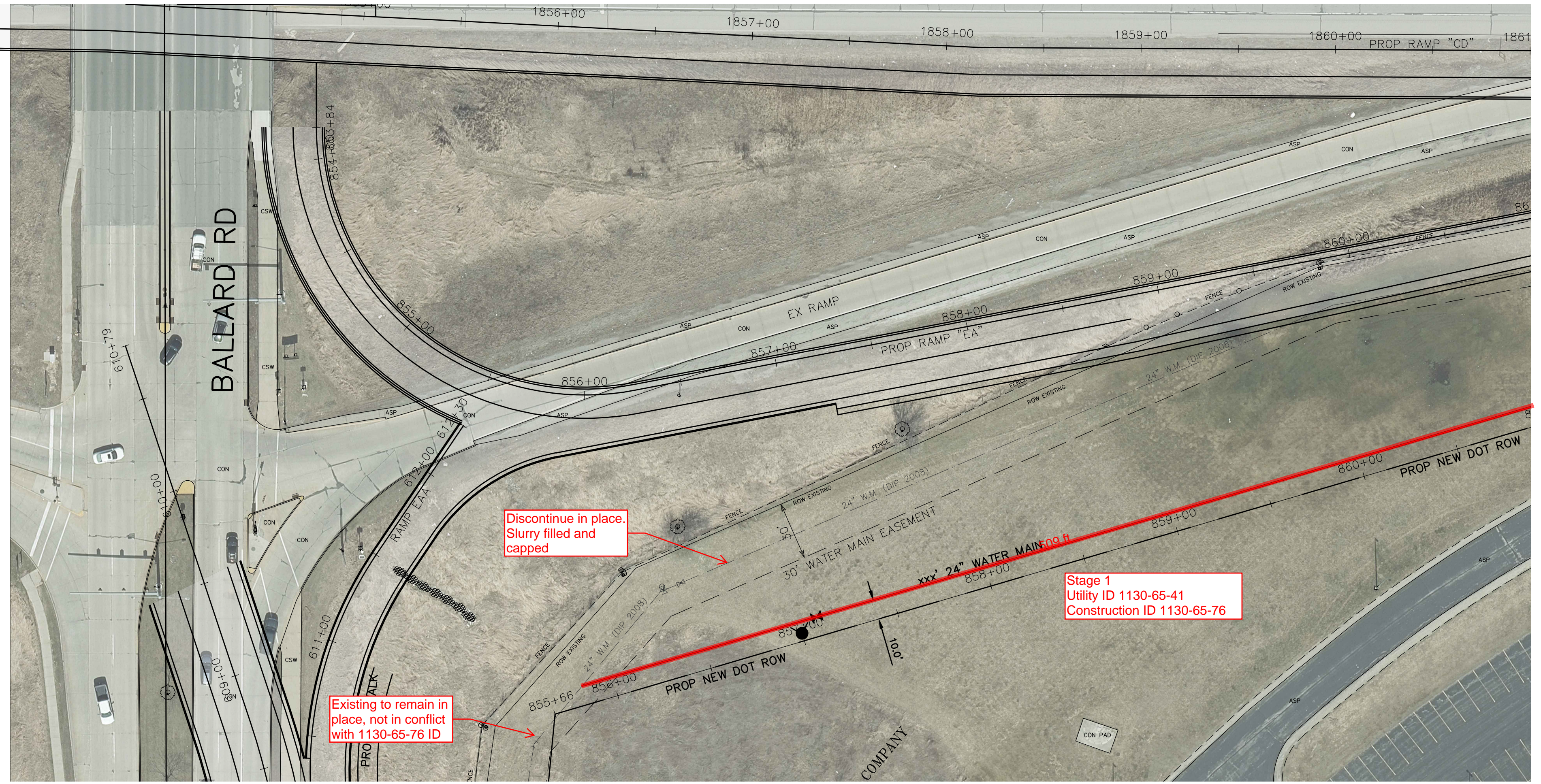
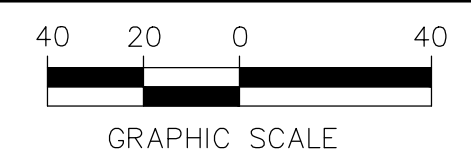
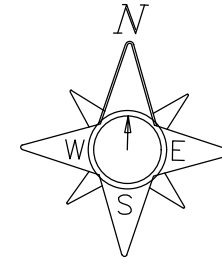
Item	Description	Quantity	Unit	Unit Price	Total
1	24" Water Main-PVC	1000	L.F.	\$450.00	\$450,000.00
2	6" Hydrant	10	L.F.	\$115.00	\$1,150.00
3	Hydrant	2	Each	\$6,500.00	\$13,000.00
4	24" G.V. w/Box	2	Each	\$45,000.00	\$90,000.00
5	6" G.V. w/Box	2	Each	\$2,500.00	\$5,000.00
6	24" Bend	5	Each	\$5,000.00	\$25,000.00
7	24"x6" Tee	2	Each	\$6,000.00	\$12,000.00
8	Cut/Cap Watermain	2	Each	\$2,000.00	\$4,000.00
9	Erosion Control	1	L.S.	\$5,000.00	\$5,000.00
10	Traffic Control/Mobilization	1	L.S.	\$35,000.00	\$35,000.00
				<b>Subtotal</b>	<b>\$640,150.00</b>
11	Design/Engineering	3	%	--	\$19,204.50
12	Construction Oversight	7	%	--	\$44,810.50

**TOTAL \$704,165.00**

**State Participation Percentage 100%**

**TOTAL STATE PARTICIPATION \$704,165.00**

BEFORE CONSTRUCTION THE CONTRACTOR SHALL HAVE THE UTILITIES AND LATERALS LOCATED BY THE UTILITY COMPANIES.

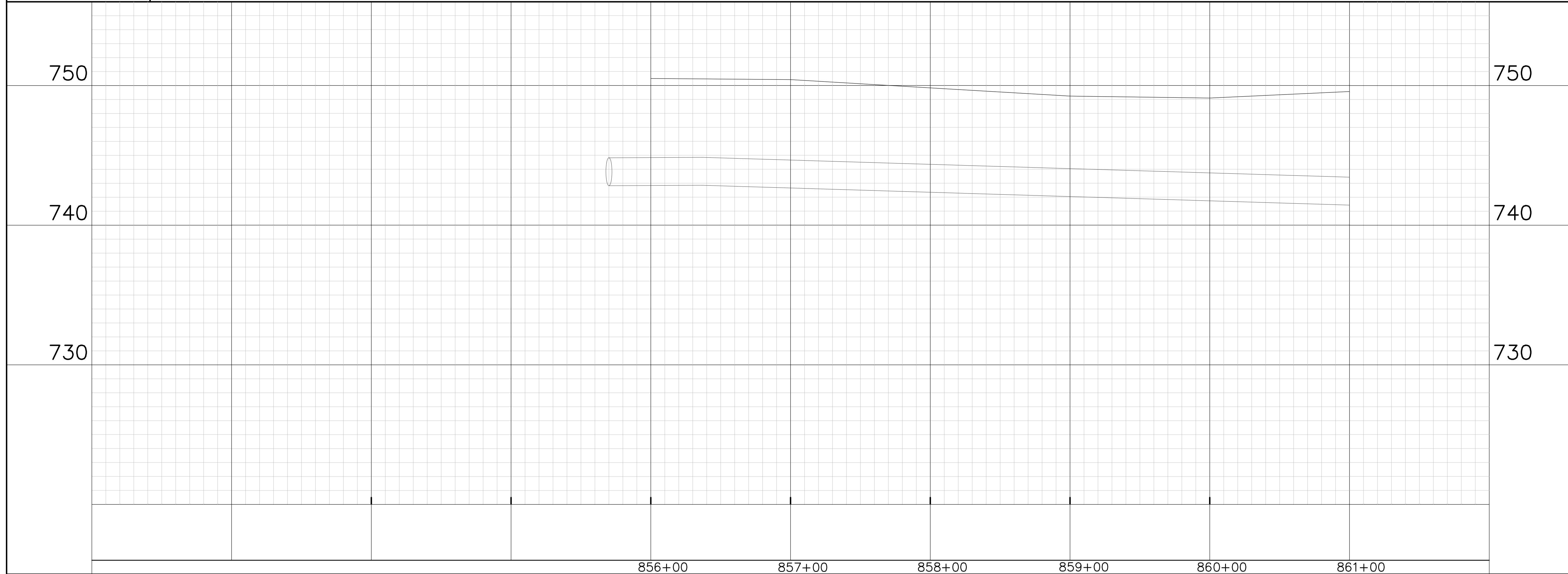


Discontinue in place. Slurry filled and capped

Existing to remain in place, not in conflict with 1130-65-76 ID

Stage 1  
Utility ID 1130-65-41  
Construction ID 1130-65-76

ESTIMATE OF QUANTITIES



CITY OF APPLETON, WIS.  
ENGINEERING DIVISION

**WATER**  
IN  
**1 41**

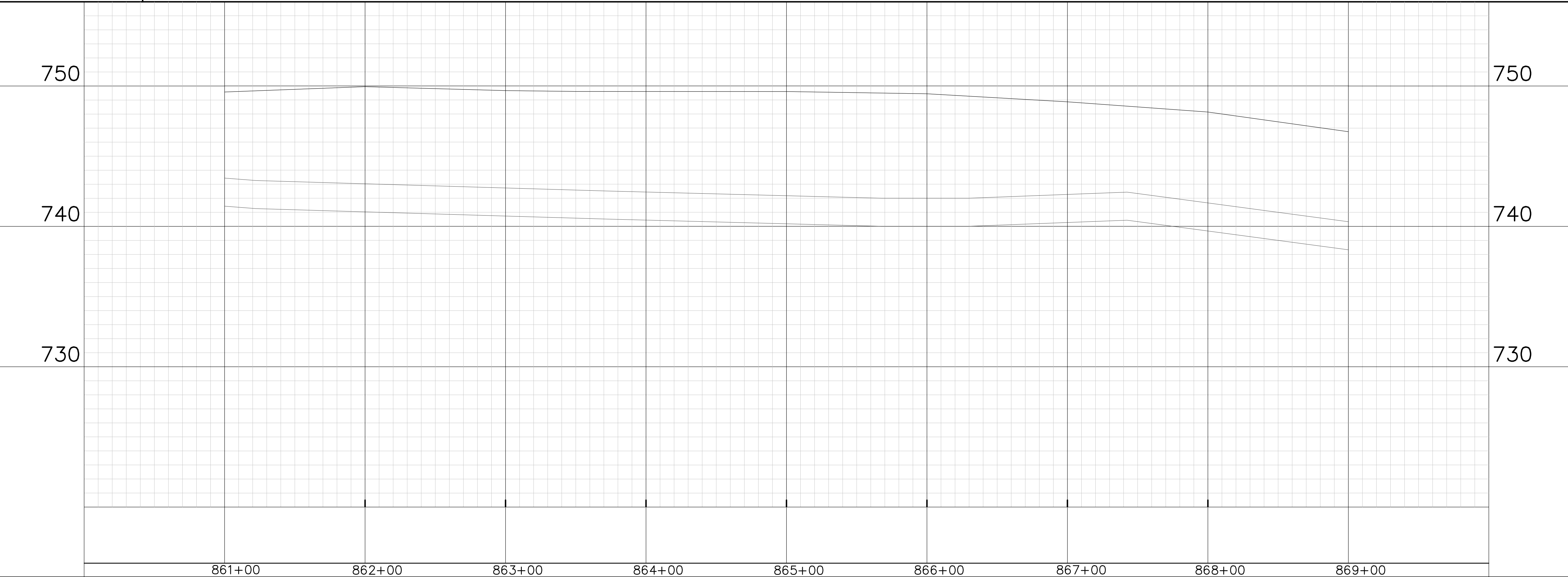
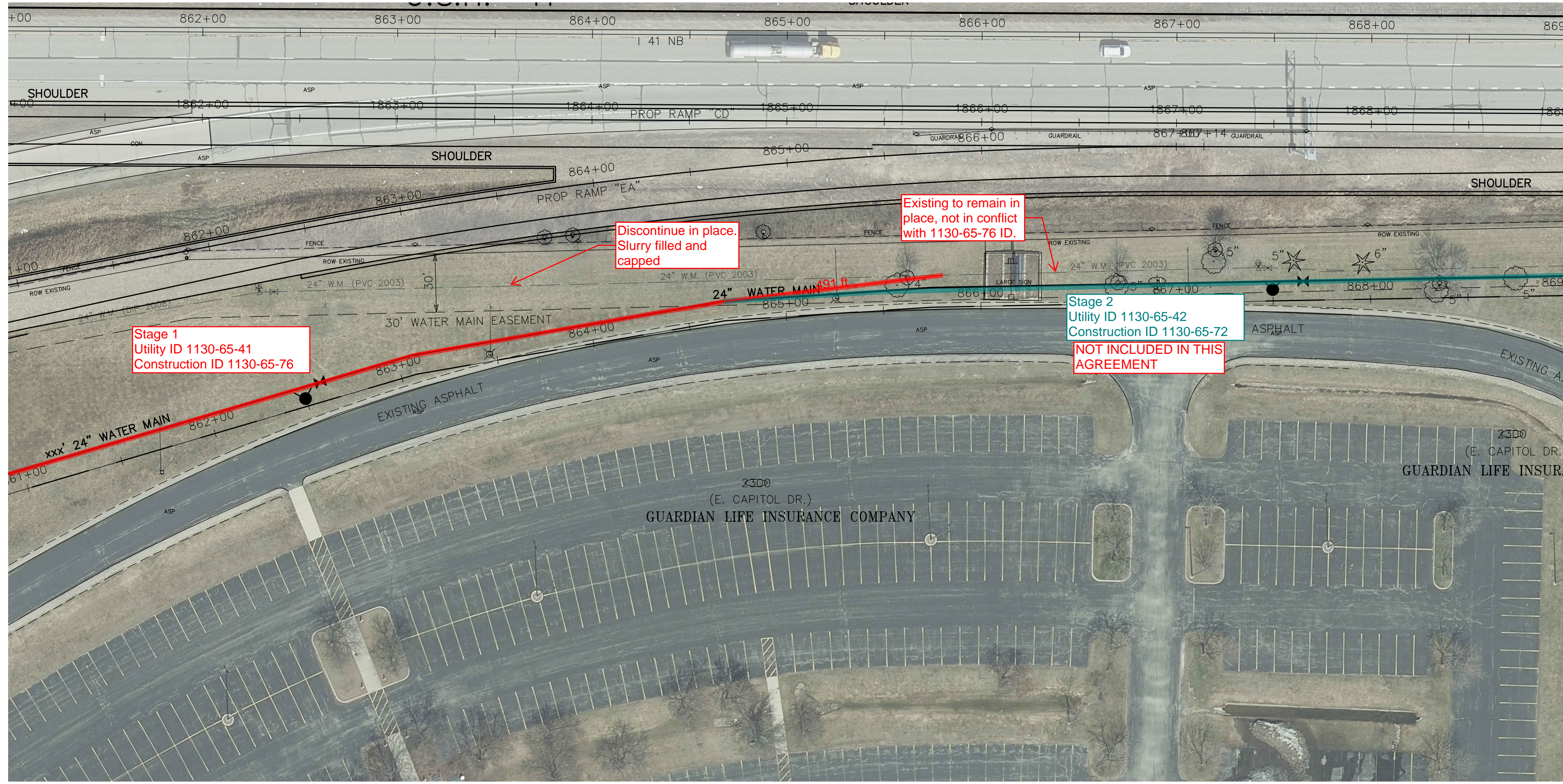
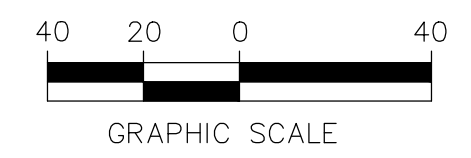
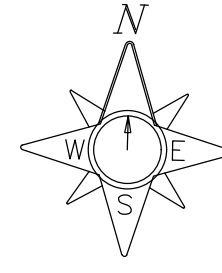
BALLARD RD TO E/O BALLARD RD

DWN: XXX CKD:  
DATE: 00/00/00 APP'D:

DRG. NO. 1/4 SEC. U47

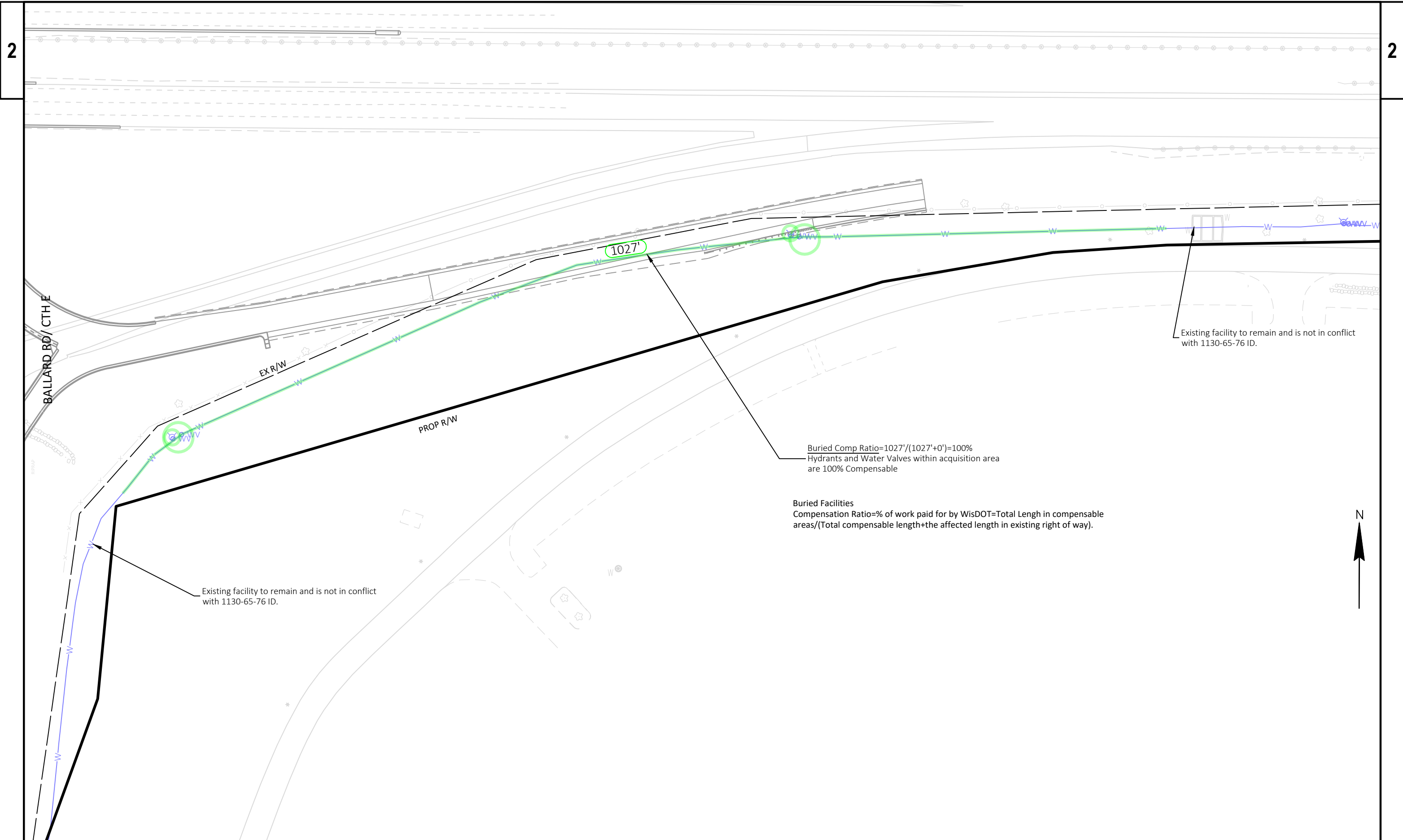
PAGE NO.

BEFORE CONSTRUCTION THE CONTRACTOR SHALL HAVE THE UTILITIES AND LATERALS LOCATED BY THE UTILITY COMPANIES.



ESTIMATE OF QUANTITIES

CITY OF APPLETON, WIS. ENGINEERING DIVISION	
<b>WATER</b> IN <b>I 41</b>	
BALLARD RD TO E/O BALLARD RD	
DWN: XXX	CKD:
DATE: 00/00/00	APP'D:
DRG. NO. 1/4 SEC. U47	PAGE NO. 2



PROJECT NO: 1130-65-76

HWY: IH-41

COUNTY: OUTAGAMIE

City of Appleton-Water Compensation Determination-Ballard Rd/CTH E

SHEET

E





# CITY OF APPLETON

## MEMORANDUM

**Date:** July 10, 2024  
**To:** Community Development Committee and City Plan Commission  
**From:** Lindsey Smith, Principal Planner  
**Subject:** Request to Award Contract to SmithGroup for Comprehensive Plan Update and Subarea Planning

---

**Background & Analysis:** On April 3, 2024, the Common Council allocated \$400,000 of American Rescue Plan Act (ARPA) funding for Comprehensive Plan Update and Subarea Planning. The Comprehensive Plan Update will emphasize on the housing and land use elements within the plan. The plan will be restructured to a user-friendly format. City staff identified three areas of interest for the subarea planning. The three areas consist of S. Oneida Street, W. Wisconsin Avenue, and Northland Avenue/Richmond Street. The subarea planning will build off the Comprehensive Plan update and identify transformative sites within the subareas. The City issued a Request for Proposals (RFP) to complete and coordinate services for Comprehensive Plan Update and Subarea Planning on April 12, 2024 (attached). Proposals were solicited in accordance with the City's Procurement and Contract Management Policy and ARPA regulations. The City received eight proposals for the RFP.

The eight proposals were evaluated by a Community Development Department team consisting of myself, Kara Homan, Director; David Kress, Deputy Director; and Olivia Galyon; Community Development Specialist to shortlist four proposals to interviews.

The four proposals were evaluated and interviewed by the evaluation team consisting of myself, Kara Homan, Director of Community Development; David Kress, Deputy Director of Community Development; Jake Woodford, Mayor; Dennis Fenton, Alderperson and Plan Commission Member; Dani Block, Director of Public Works; and Tom Flick, Deputy Director of Parks Department. The evaluation consisted of internal technical review of their proposal and interviews.

After internal review and determination of the firm's qualifications and ability to perform the desired work, the evaluation team selected SmithGroup in the amount of \$359,000, with a contingency of \$16,000, for a project total not to exceed \$375,000.

Per the City's organizational structure and procurement policies, contracts for services in excess of \$25,000 by the Community Development Department fall under the jurisdiction of the Community Development Committee (CDC) for review and recommendation to Common Council for final award. Some of the content and recommendations of this project may fall under the statutory jurisdiction of the City's Plan Commission. This item is being included as an information item for Plan Commission to bring this project to their attention.

**Staff Recommendation:** In accordance with City policy, staff recommends approval to award a contract to SmithGroup in an amount of \$359,000, with a contingency of \$16,000, for a project total not to exceed \$375,000 to perform the scope of services outlined in the attached SmithGroup proposal.



# CITY OF APPLETON

## Community & Economic Development

100 N. Appleton Street

Appleton, WI 54911

p: 920.832.6468

f: 920.832.5994

[www.appleton.org/government/community-and-economic-development](http://www.appleton.org/government/community-and-economic-development)

April 12, 2024

Re: Request For Proposals – City of Appleton’s Comprehensive Plan Update and Subarea Planning

Dear Interested Party,

City of Appleton’s Department of Community and Economic Development is seeking proposals for consulting services related to the City of Appleton’s Comprehensive Plan Update and Subarea Planning.

The City of Appleton is located in the Fox River Valley of northeastern Wisconsin and has a population of approximately 76,000. Appleton is located at the crossroads of Interstate 41 and U.S. Highway 10 and is 90 miles north of Milwaukee and 30 miles southwest of Green Bay. More information about the City of Appleton is available on our website at: [www.appleton.org](http://www.appleton.org).

The City of Appleton identified the need to update the Comprehensive Plan with an emphasis within land use and housing elements, build upon the misalignment of vision and planning identified in [Housing Development Policy Guide](#), and utilize housing demand and affordability identified in [College North Neighborhood Plan](#). The City of Appleton Comprehensive Plan 2010-2030 was adopted in 2010 and updated in 2017. Since 2017, various national, regional, and local priorities have undergone shifts in response to the prevailing circumstances.

The City of Appleton also recognized the need to build upon the Wisconsin Avenue, Richmond Street, and South Oneida Street Corridor Plans in the Comprehensive Plan. The subarea plans are located within the existing built environment in the City. Redeveloping or enhancing these subareas could potentially offer economic diversification opportunities beneficial to the neighborhood.

The details for this project are contained in the following Request for Proposals (RFP). The information can also be found on our website at the following link: <https://www.appleton.org/business/request-for-proposal-1787>.

If you have any issues locating documents or community information, please do not hesitate to contact me. Following is the tentative schedule for submission of proposals, evaluation, and selection of the consultant firm to complete this work.

<u>DATE</u>	<u>EVENT</u>
April 12, 2024	Issue Request for Proposals
April 22, 2024	Question Period End Date – Submit questions to Lindsey Smith
April 26, 2024	Addendum for Question Period Posted on City of Appleton Website
May 10, 2024	RFPs due on or before 4:00 PM CST
May 2024	Internal review of RFPs
May 22, 2024	Interviews
June 19, 2024	City Council Approval of Contract
July 1, 2024	Enter into contract for services with selected consultant – Contract Start Date / Project Kickoff
June 2026	Prepare and submit final deliverables

Thank you for your consideration.

Sincerely,



Lindsey Smith  
Principal Planner



# CITY OF APPLETON

Community & Economic Development

100 N. Appleton Street

Appleton, WI 54911

p: 920.832.6468

f: 920.832.5994

[www.appleton.org/government/community-and-economic-development](http://www.appleton.org/government/community-and-economic-development)

## CITY OF APPLETON

### Request for Proposals for Comprehensive Plan Update and Subarea Planning

Issued by:  
City of Appleton, WI  
April 12, 2024

Proposals must be received no later than:  
4:00 PM CST, Friday, May 10, 2024

Submit Proposals and Questions to:  
Lindsey Smith  
Principal Planner

By mail:  
100 N. Appleton Street  
Appleton, WI 54911

Or electronically:  
[lindsey.smith@appleton.org](mailto:lindsey.smith@appleton.org)

For further information regarding this request contact:  
Lindsey Smith, Principal Planner  
[lindsey.smith@appleton.org](mailto:lindsey.smith@appleton.org)  
920-832-3943

## 1.0 GENERAL INFORMATION

### 1.1 Introduction

The purpose of this document is to provide interested, qualified parties with the information to enable them to prepare and submit a proposal for a consulting services contract. The selected consultant will complete and coordinate services related to the City of Appleton's Comprehensive Plan Update and Subarea Planning. The City of Appleton is utilizing funding from the American Rescue Plan Act (ARPA) to complete this project.

### 1.2 Background

The City of Appleton is located in the Fox River Valley of northeastern Wisconsin and has a population of approximately 76,000. Appleton is located at the crossroads of Interstate 41 and U.S. Highway 10 and is 90 miles north of Milwaukee and 30 miles southwest of Green Bay. More information about the City is available on our website at: [www.appleton.org](http://www.appleton.org).

The City of Appleton Comprehensive Plan 2010-2030 was originally adopted in 2010. In 2017, a 5-year update was adopted which included updates to the Parks & Recreation Master Plan (Chapter 18), full re-write of the Downtown Plan (Chapter 14), various text updates within Chapters 1-12, and future land use map amendments for specific properties. A copy of the City of Appleton's Comprehensive Plan can be viewed at the City website: <http://www.envisionappleton.org/documents> as well as subsequent planning documents: <http://www.envisionappleton.org/>

Since the completion of the Comprehensive Plan Update in 2017, the City has implemented several of the recommended policies that supported an additional \$3 billion in tax increment with the development of over 900 new residential units and various industrial and commercial projects. The City executed recommendations in the housing and land use chapter by allowing accessory dwelling units, permitting zero lot line duplex, reducing the minimum dwelling square footage per unit, adding ground floor residential as a permitted use in the Central Business District except along College Avenue, and creating a mixed use zoning district, C-1 Neighborhood Mixed Use District. The City recently created Tax Increment District #13 and approved the expansion of Southpoint Commerce Park to provide ready to build lots to retain and attract business and industry uses in the City. In addition, several new mixed-use spaces have opened nearby downtown such as Appleton Park Central, 320 East College LLC, RiverHeath, and Urbane 115. Several major projects currently in progress will impact the City in general, as they will influence future mobility, attraction of conventions and visitors and residential density. These include, but are not limited to: a rehabilitation of the library, the continued redevelopment of numerous downtown sites, West College Avenue Corridor Planning, and Complete Streets Study. Appleton overall continues to see increasing demand for new housing units and a solid commercial and industrial base. A copy of the City's Annual Growth Reports can be found at the City website: <https://www.appleton.org/government/community-and-economic-development/publications>

The updates to the Comprehensive Plan should account for progress made over the past five years, incorporate current data and trends, introduce new recommendations, as needed with an emphasis within land use and housing elements, build upon the misalignment of vision and planning identified in [Housing Development Policy Guide](#), utilize housing demand and affordability identified in [College North Neighborhood Plan](#), and restructure to user friendly and web-friendly dashboard or infographic style format in compliance with Wis. Stats. 66.1001.

The subarea planning will incorporate the newly created vision and goals of the Comprehensive Plan, and build upon the Wisconsin Avenue (Chapter 15), Richmond Street (Chapter 16), and South Oneida Street (Chapter 17) Corridor Plans in Comprehensive Plan 2010-2030. The subarea planning will expand the geographical scope of the existing corridor plans, identify and respond to current conditions and issues, provide an analysis, identify transformative sites with illustration of specific site recommendations, implementation plans and strategies to deliberately shape and stimulate development near Wisconsin Avenue, Northland Avenue and Richmond Street area, and S. Onedia Street. The plan will be used as a guide by the City and other stakeholders to promote future development that facilitates connections to the City, adjacent neighborhoods, and existing businesses.

### 1.3 Funding

This project is being supported, by federal award number 21.027 - Coronavirus State and Local Fiscal Recovery (CSLFRF), which has been granted to *the Community and Economic Development Department* by the U.S. Department of the Treasury. Funds from the American Rescue Plan Act must be expended by the end of 2026. Firms should demonstrate their ability to comply with relevant ARPA requirements and to carry out and complete this project by June 30, 2026. Section 4.2 provides information and documents necessary to remain in compliance with federal requirements related to ARPA funding (see attachment).

### 1.4 Scope

The City is seeking to work with a firm to (A) Update the Comprehensive Plan and (B) Engage in Subarea Planning.

A. Update to the Comprehensive Plan Scope of Work must include:

1. Analysis of the City's existing comprehensive plan and other relevant long range plans for the City.
2. Compile current demographic, economic, and forecasting data for the following:
  - a. Issues and opportunities (Chapter 4)
  - b. Housing and neighborhoods (Chapter 5)
  - c. Land use (Chapter 10)
3. Compile applicable data that may be relevant for other chapters.
4. Creation of public participation plan that will assist in identifying issues and opportunities to create a vision for the City. Utilize [East Central Wisconsin Regional Plan Commission Equitable Engagement Toolkit](#) to create the public participation plan for more meaningful and purposeful engagement ensuring the representation of all populations.
5. Incorporate the vision into innovative goals, objectives and policies, and subsequent sections of the Comprehensive Plan.
6. Restructure the plan and document to user friendly and web-friendly dashboard or infographic style format.

7. Final Deliverables:
  - a. Written report,
  - b. Executive summary / overview presentation of findings.
  - c. All documents to be provided to City in original, editable format (e.g. .docx, .ppt, .gpx, .skp, .ai, .shp, .gdb, etc.) in addition to .pdf format.

B. Subarea Planning Scope of Work must include:

1. Planning Areas. The City has delineated the focus areas for each of the three subareas below. The planning for subareas is not constrained strictly to the boundaries outline on the maps, they can be expanded based on research and best practices. The maps are located in Section 4.0.
  - a. Wisconsin Avenue
  - b. Northland Avenue and Richmond Street
  - c. S. Oneida Street
2. Analysis of the City's existing comprehensive plan and other relevant long-range plans for the City relevant to the planning areas.
3. Compile current demographic, economic, land use, housing, commercial business market, and forecasting data within the planning area.
4. Creation of a public participation plan that will further refine and support the vision of the City by creating a shared vision and goals for the planning area.
5. Conduct a redevelopment feasibility analysis within the planning area to identify transformative sites. Create illustration of specific site recommendations.
6. Development of implementation plan with measurable benchmarks and party responsible for implementing.
7. Structure the plan to be user-friendly and web-friendly dashboard or infographic style format.
8. Final Deliverables:
  - a. Written report,
  - b. Executive summary / overview presentation of findings,
  - c. All documents to be provided to City in original, editable format (e.g. .docx, .ppt, .gpx, .skp, .ai, .shp, .gdb, etc.) in addition to .pdf format.

The firm may propose additional tasks and/or a revised scope based on experience with similar projects in similar cities. Sub-tasks, such as conference calls, draft reviews, etc. shall be considered part of the proposed scope but will not be detailed in this RFP. City staff will assist with supplying project information, stakeholder contacts, relevant policies, public engagement efforts, and providing other City-specific information related to the project.

## **2.0 PREPARING AND SUBMITTING THE QUOTE**

The City of Appleton seeks, by way of this RFP, to obtain services in a manner that maximizes the quality of services while also maximizing value to the City. Firms must be able to show they are capable of performing the services requested and are able to complete the project within the timeline established by ARPA requirements and this scope.



## 2.1 Proposal Content & Organization

### A. Title Page

Proposal title, the name of the firm, Unique Entity Identifier (<https://sam.gov/content/home>), address, telephone numbers, name of contact person, the date, and other relevant company information. Also include a list and contact information for any sub-consultants and the work they will perform.

### B. Proposal Narrative

1. Provide description of the proposed project and your familiarity with the City of Appleton.
  2. Describe your firm's experience in similar areas of expertise. Include a minimum of three examples for which your firm executed similar projects and client reference contact information.
  3. Description of firm's organizational structure for the consulting team, along with their availability and experience to support the project.
  4. Provide your project approach, detailed work plan that address the scope of services, and description of public participation events. Describe anticipated interaction with City Staff. Provide project timeline indicating phases/milestones of the project.
- C. On a separate page, provide a total cost of the proposed project approach and separate project cost for (A) Update to Comprehensive Plan and (B) Subarea Planning. Total project cost should include all expenses associated with the plan, include travel and incidental costs. Provide the billing rate and anticipated hours for staff involved with the project.

## 2.2 Selection Process and Criteria

Proposals will be evaluated and scored by the project selection team using the following criteria:

### A. Project Approach and Scope

1. Project and Community Understanding
2. Experience and Project Examples
3. Key Project Staff
4. Proposal Quality and Timeline
5. Project Cost

### B. Selection Process will involve the following steps:

1. Project selection team will review proposals based on the scoring criteria above and rank submittals.
2. The top firms will present their proposal to the project selection team. The team will select a firm to advance in the selection process.
3. The selected firm will work with the City to develop a final scope and project cost.
4. Contract will be brought before City Council for approval.

## 2.3 Submittal

Consultants may send completed proposal via email or delivery by hard copy on or before 4:00 PM CST, Friday, May 10, 2024, to:

Lindsey Smith  
Principal Planner  
City of Appleton  
100 N. Appleton Street  
Appleton, WI 54911-4799  
[lindsey.smith@appleton.org](mailto:lindsey.smith@appleton.org)

Submittals received after Friday, May 10, 2024, at 4:00 PM CST will not be accepted.

#### 2.4 Liability

The City of Appleton is not liable for any cost incurred by proposers in replying to this request.

#### 2.5 Contract Terms

The successful consultant will be required to sign a City of Appleton Consultant Services Contract and meet the insurance requirements attached to this RFP.

### 3.0 PROJECT CALENDAR

Listed below are the estimated dates of actions related to this request. In the event the City of Appleton finds it necessary to change any of the specific dates, it will do so.

<u>DATE</u>	<u>EVENT</u>
April 12, 2024	Issue Request for Proposals
April 22, 2024	Question Period End Date – Submit questions to Lindsey Smith
April 26, 2024	Addendum for Question Period Posted on City of Appleton Website
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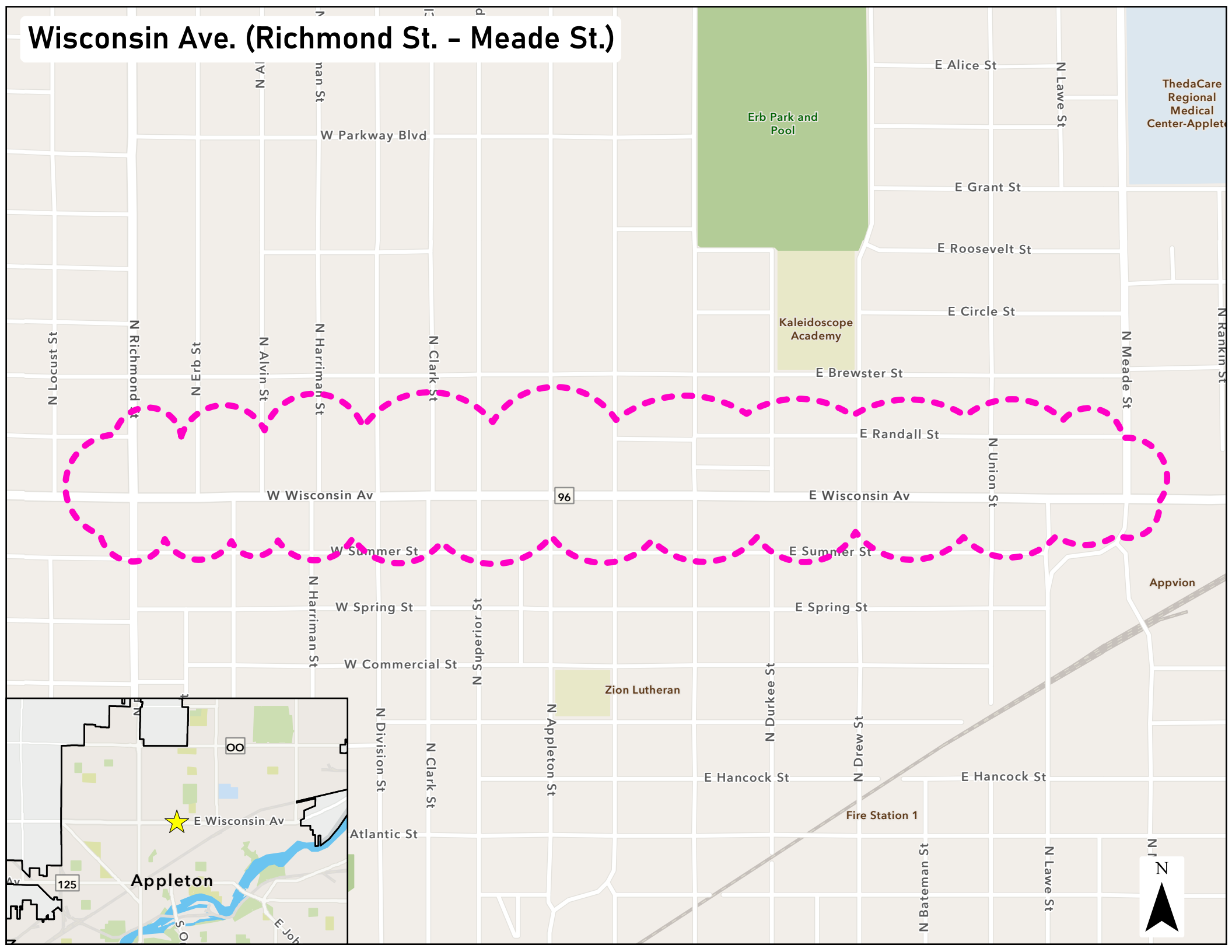
### 4.0 ATTACHMENTS

#### 4.1 Subarea Maps

#### 4.2 ARPA Uniform Guidance and Clauses

#### 4.3 Insurance Requirements

# Wisconsin Ave. (Richmond St. - Meade St.)



TheDaCare  
Regional  
Medical  
Center-Applet

Erb Park and  
Pool

Kaleidoscope  
Academy

Zion Lutheran

Fire Station 1



96

125

88

Appleton



E Wisconsin Av

Atlantic St

Appvion

W Wisconsin Av

E Wisconsin Av

W Summer St

E Summer St

W Spring St

E Spring St

W Commercial St

N Harriman St

N Harriman St

N Alvin St

N Erb St

N Richmond St

N Locust St

W Parkway Blvd

N Alvin St

N Harriman St

E Alice St

N Lawe St

E Grant St

E Roosevelt St

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N Rankin St

N Durkee St

N Drew St

N Bateman St

N Lawe St

N Division St

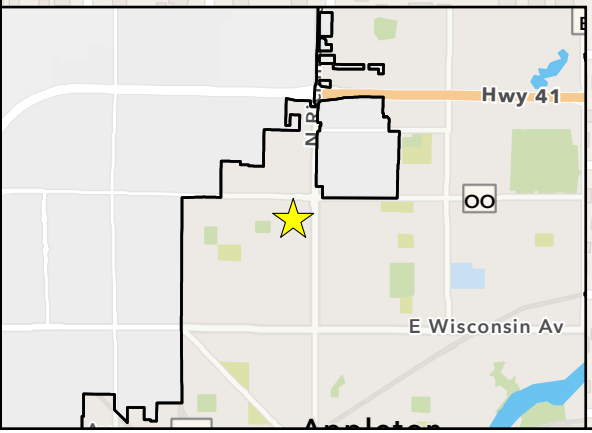
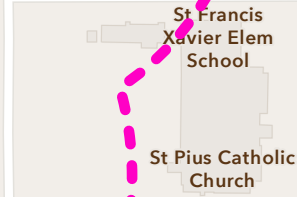
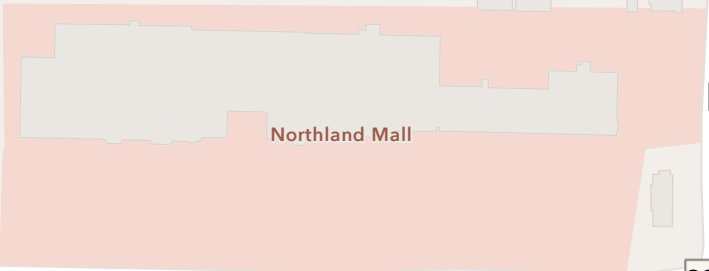
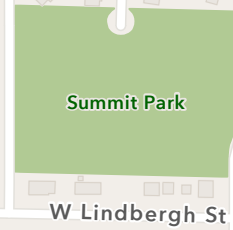
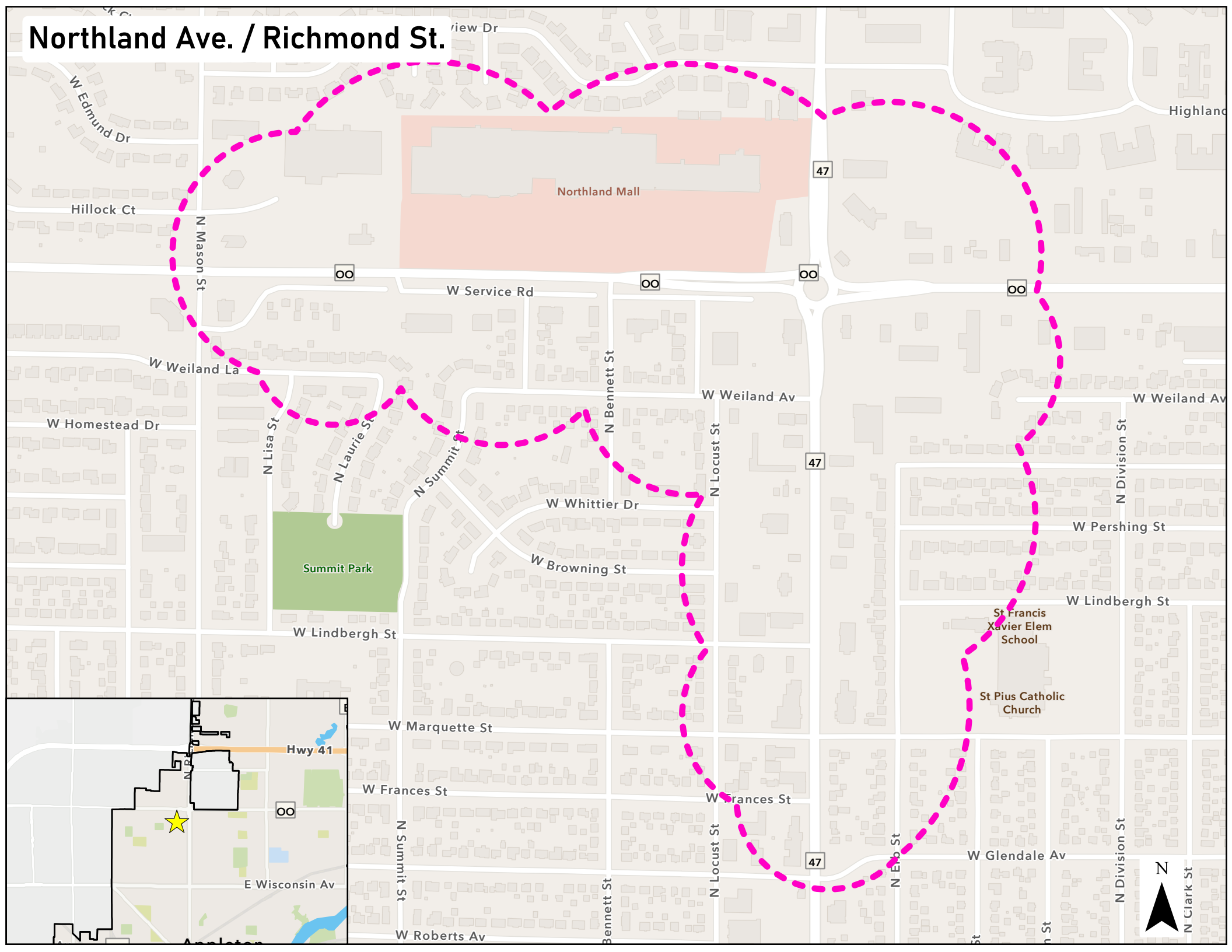
N Clark St

N Appleton St

E Hancock St

E Hancock St

# Northland Ave. / Richmond St.





## 4.2 ARPA Uniform Guidance and Clauses

### Funding

This project is being supported, either wholly or partially, by federal award number 21.027 - Coronavirus State and Local Fiscal Recovery (CSLFRF), which has been granted to *the City of Appleton* by the U.S. Department of the Treasury.

### ARPA Funding

On March 11, 2021, President Biden signed the U.S. Senate-amended H.R. 1319 (P.L. 117-2) known as the American Rescue Plan Act (hereinafter “ARPA”) and on May 10, 2021, the U.S. Department of the Treasury (“Treasury”) issued the Interim Final Rule (“IFR”) to implement ARPA in Title 31, Part 35 of the Code of Federal Regulations (“CFR”) describing eligible and ineligible uses of funds (as well as other program provisions). Under ARPA Section 603 (c)(1)(A) and (3) and IFR 31 CFR 35.6(b)(7) THE CITY OF APPLETON may use Coronavirus State and Local Fiscal Recovery Fund (“CSLFRF”) Funds to award grants to organizations that are responding to the negative impact of the COVID-19 public health emergency.

In May 2021, the Treasury published the interim final rule (“IFR”) describing eligible and ineligible uses of CSLFRF, as well as other program requirements. On January 6, 2022, the Treasury adopted the final rule implementing the CSLFRF program. The final rule became effective on April 1, 2022. Prior to the final rule effective date, the IFR remained in effect; funds used consistently with the IFR while it was in effect were in compliance with the CSLFRF program.

The Treasury has adopted guidance regarding the use of ARPA funds to respond to the COVID-19 public health emergency and its economic impacts through four categories:

- To respond to the public health emergency or its negative economic impacts, including assistance to households, small business, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
- For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and
- To make necessary investments in water, sewer, and broadband infrastructure.

The Contractor hereby agrees to use funds in the manner set forth by this Contract, its Exhibits, Treasury Final Rule, and applicable provisions of the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (the Uniform Guidance, 2 CFR Part 200).

## Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

Uniform Guidance Section	Uniform Guidance Section Title
<a href="#">§ 200.214</a>	Suspension and debarment.
<a href="#">§ 200.215</a>	Never contract with the enemy.
<a href="#">§ 200.216</a>	Prohibition of certain telecommunications and video surveillance services or equipment.
<a href="#">§ 200.304</a>	Bonds
<a href="#">§ 200.305</a>	Federal payment.
<a href="#">§ 200.310</a>	Insurance coverage.
<a href="#">§ 200.311</a>	Real property.
<a href="#">§ 200.312</a>	Federally owned and exempt property.
<a href="#">§ 200.313</a>	Equipment.
<a href="#">§ 200.314</a>	Supplies.
<a href="#">§ 200.315</a>	Intangible property.
<a href="#">§ 200.316</a>	Property trust relationship.
<a href="#">§ 200.318</a>	General procurement standards.
<a href="#">§ 200.319</a>	Competition.
<a href="#">§ 200.320</a>	Methods of procurement to be followed.
<a href="#">§ 200.321</a>	Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.
<a href="#">§ 200.322</a>	Domestic preferences for procurements.
<a href="#">§ 200.323</a>	Procurement of recovered materials.
<a href="#">§ 200.324</a>	Contract cost and price.
<a href="#">§ 200.325</a>	Federal awarding agency or pass-through entity review.
<a href="#">§ 200.326</a>	Bonding requirements.
<a href="#">§ 200.327</a>	Contract provisions.
<a href="#">§ 200.330</a>	Reporting on real property.
<a href="#">§ 200.334</a>	Retention requirements for records.
<a href="#">§ 200.335</a>	Requests for transfer of records.
<a href="#">§ 200.336</a>	Methods for collection, transmission, and storage of information.
<a href="#">§ 200.337</a>	Access to records.
<a href="#">§ 200.339</a>	Remedies for noncompliance.
<a href="#">§ 200.340</a>	Termination.
<a href="#">§ 200.341</a>	Notification of Termination Requirement
<a href="#">§ 200.342</a>	Opportunities to object hearings and appeals.
<a href="#">§ 200.343</a>	Effects of suspension and termination.
<a href="#">§ 200.346</a>	Collection of amounts due.

Uniform Guidance Section	Uniform Guidance Section Title
<a href="#">Appendix II</a>	Contract Provisions for Non-Federal Entity Contracts Under Federal Awards
Executive Order 13043, 62 FR 19217 (Apr. 18, 1997)	Increasing Seat Belt Use in the United States
Executive Order 13513, 74 FR 51225 (Oct. 6, 2009)	Reducing Text Messaging While Driving.

### Contract Addendum

The contract or purchase order to which this addendum is attached is made using federal assistance provided to the Community and Economic Development Department by the US Department of Treasury under the American Rescue Plan Act (“ARPA”), Sections 602(b) and 603(b) of the Social Security Act, Pub. L. No. 117-2 (March 11, 2021).

The following terms and conditions apply to you, the contractor or vendor, as a contractor of the Community and Economic Development Department, according to *the City of Appleton* Award Terms and Conditions signed on January 6, 2022 by ARPA and its implementing regulations; and as established by the Treasury Department.

1. **Equal Opportunity. 2 CFR Appendix-II-to-Part-200(C).** Contractor shall comply with Executive Order 11246, “Equal Employment Opportunity,” as amended by EO 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and as supplemented by regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”
2. **Minority and Women Business Enterprises (if applicable to this Contract: 2 CFR 200.321).** The contractor hereby agrees to comply with the following when applicable: The requirements of Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 (concerning Women's Business Enterprise), ***when applicable.*** Accordingly, the Contractor hereby agrees to take affirmative steps to assure that women and minority businesses are utilized when possible as sources of supplies, equipment, construction, and services. Affirmative steps shall include the following:
  - a. Including qualified women’s business enterprises and small and minority businesses on solicitation lists;
  - b. Assuring that women’s enterprises and small and minority businesses are solicited whenever they are potential sources;
  - c. When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority business,



and women's business enterprises;

- d. Where the requirement permits, establishing delivery schedules which will encourage participation by women's business enterprises and small and minority business;
- e. Using the services and assistance of the Small Business Administration, and the U.S. Office of Minority Business Development Agency of the Department of Commerce; and
- f. If any subcontracts are to be let, requiring the prime Contractor to take the affirmative steps in a through e above.

For the purposes of these requirements, a Minority Business Enterprise (MBE) is defined as an enterprise that is at least 51% owned and controlled in its daily operation by members of the following groups: Black, Hispanic, Asian or Pacific Islander, American Indian, or Alaskan Natives. A Women Business Enterprise (WBE) is defined as an enterprise that is at least 51% owned and controlled in its daily operation by women. The State of Wisconsin maintains an online directory of W/MBE businesses, which can be accessed at: <http://www.Countyofmadison.com/dcr/aaTBDir.cfm>.

**3. Suspension and Debarment. (applies to all purchases.) 2 CFR Appendix-II-to-Part-200(H)**

- a. This contract is a covered transaction for the purposes of 2 CFR pt. 180 and 2 CFR pt. 3000. As such, the Contractor is required to verify that none of Contractor's principals (defined at 2 CFR § 180.995) or its affiliates (defined at 2 CFR § 180.905) are excluded (defined at 2 CFR § 180.940) or disqualified (defined at 2 CFR § 180.935).
- b. The Contractor must comply with 2 CFR pt. 180, subpart C and 2 CFR pt. 3000, subpart C, and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.
- c. This certification is a material representation of fact relied upon by the Community and Economic Development Department. If it is later determined that the contractor did not comply with 2 CFR pt. 180, subpart C and 2 CFR pt. 3000, subpart C, in addition to remedies available to *the City of Appleton*, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.
- d. The Contractor agrees to comply with the requirements of 2 CFR pt. 180, subpart C and 2 CFR pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The Contractor further agrees to include a provision requiring such compliance in its lower tier covered transactions.

**4. Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352, as amended. (Applies to all purchases.) 2 CFR Appendix-II-to-Part-200(I)**. Contractor certifies that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. §

1352. The contractor shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient who in turn will forward the certification(s) to the awarding agency.

**\*Purchases over \$100,000 - Contractors must sign the certification on the last page of this addendum\***

**5. Access to Records. (applies to all purchases.) 2 CFR Appendix-II-to-Part-200(I)**

- a. The Contractor agrees to provide the Community and Economic Development Department, *the City of Appleton*, the U.S. Department of Treasury, the Comptroller General of the United States, or any of their authorized representatives access to any books, documents, papers, and records of the Contractor which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts, and transcriptions. The Contractor agrees to permit any of the foregoing parties to reproduce by any means or to copy excerpts and transcriptions as reasonably needed and agrees to cooperate with all such requests.
- b. The Contractor agrees to provide the Treasury Department, or authorized representatives, access to construction or other work sites pertaining to the work being completed under the contract.
- c. No language in this contract is intended to prohibit audits or internal reviews by the Treasury Department or the Comptroller General of the United States.

**6. Rights to Inventions Made Under a Contract or Agreement. 2 CFR Appendix-II-to-Part-200(F).** Contracts or agreements for the performance of experimental, developmental, or research work shall provide for the rights of the Federal Government and the recipient in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any applicable implementing regulations.

**7. Clean Air Act & Federal Water Pollution Control Act (applies to purchases of more than \$150,000.) 2 CFR Appendix-II-to-Part-200(G)**

- a. The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq.
- b. The Contractor agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq.
- c. The Contractor agrees to report each violation of the Clean Air Act and the Water Pollution Control Act to the Community and Economic Development Department and understands and agrees that *the City of Appleton* will, in turn, report each violation as required to assure notification to the Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.
- d. The contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance.

8. **Prohibition on certain telecommunications and video surveillance services or equipment (Huawei and ZTE). § 200.216**

Contractor is prohibited from obligating or expending loan or grant funds to:

- a. Procure or obtain;
- b. Extend or renew a contract to procure or obtain; or
- c. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.
  - i. For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
  - ii. Telecommunications or video surveillance services provided by such entities or using such equipment.
  - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

9. **Buy USA - Domestic Preference for certain procurements using federal funds. § 200.322:**

Contractor should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section:

- a. "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- b. "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

10. **Procurement of Recovered Materials: (applies only if the work involves the use of materials). § 200.323**

- a. In the performance of this contract, the Contractor shall make maximum use of

products containing recovered materials that are EPA-designated items unless the product cannot be acquired:

- i. Competitively within a timeframe providing for compliance with the contract performance schedule;
  - ii. Meeting contract performance requirements; or
  - iii. At a reasonable price.
- b. Information about this requirement, along with the list of EPA- designated items, is available at EPA's Comprehensive Procurement Guidelines web site, <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>.
  - c. The Contractor also agrees to comply with all other applicable requirements of Section 6002 of the Solid Waste Disposal Act.

11. **Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997)**, Contractor is encouraged to adopt and enforce on-the-job seat belt policies and programs for your employees when operating company-owned, rented or personally owned vehicles.

12. **Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009)**, Contractor is encouraged to adopt and enforce policies that ban text messaging while driving and establish workplace safety policies to decrease accidents caused by distracted drivers.

13. **Termination:** This Agreement will commence on Effective Date and will continue until terminated as follows:

(a) Either Party may terminate the Agreement upon notice to the other Party in the event of a breach by the other Party of any of its obligations hereunder if such breach continues uncured for a period of five (5) days after notice of such breach to the other Party;

(b) Either Party may terminate this Agreement upon notice to the other Party if the other Party is adjudicated bankrupt, files a voluntary petition of bankruptcy, makes a general assignment for the benefit of creditors, is unable to meet its obligations in the normal course of business as they fall due or if a receiver is appointed on account of insolvency;

(c) Either Party may terminate this Agreement for its convenience upon thirty (30) days' notice to the other if there is no outstanding Project Assignment. The Company may terminate this Agreement for its convenience if the Contractor has not commenced work under an outstanding Project Assignment. In addition, if the Contractor has commenced work under a Project Assignment, the Company may terminate an outstanding Project Assignment by paying Contractor a termination fee of ten percent (10%) of the unpaid fee for Services which have been performed under such Project Assignment.

(d) If funds are not appropriated from which the Company can fulfill these obligations, this Agreement for services will automatically terminate. In the event of such termination, reimbursement will be for work completed and approved by Company before the effective date of such termination. Neither the Company nor the Contractor shall make any commitment for services beyond the period of which funds have been appropriated.

(e) Upon the termination of this Agreement for any reason, each Party will be released from all obligations and liabilities to the other occurring or arising after the date of such termination, except that any termination will not relieve Contractor or Company of their obligations under Paragraph 6 ("Taxes and Benefits"), Paragraph 7 ("Intellectual Property"), Paragraph 8 ("Confidentiality") Paragraph 10 ("General") and Paragraph 11 ("Federally Mandated Contract Provisions"), nor will any such termination relieve Contractor or Company from any liability arising from any breach of this Agreement. Upon the termination of this Agreement for any reason, Contractor will immediately return to Company any Company property or information (including Confidential Information) that is in Contractor's possession or control.

**IR 2.1 SMALL EXPOSURE JOBS**  
**City of Appleton**  
**Insurance Requirements**

**Project:** \_\_\_\_\_

The contract or purchase order is not considered approved and the Contractor shall not commence work until proof of the required insurance has been provided to the applicable department for the City of Appleton.

It is hereby agreed and understood that the insurance required by the City of Appleton is primary coverage and that any insurance or self-insurance maintained by the City of Appleton, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. All insurance shall be in full force prior to commencing work and remain in force until the entire job is completed and the length of time that is specified, if any, in the contract or listed below whichever is longer.

**1. INSURANCE REQUIREMENTS FOR CONTRACTOR**

Commercial General Liability coverage at least as broad as Insurance Services Office Commercial General Liability Form, including coverage for Products Liability, Completed Operations, Contractual Liability, and Explosion, Collapse, Underground coverage with the following minimum limits and coverage:

- Each Occurrence limit ..... \$1,000,000
- Personal and Advertising Injury limit ..... \$1,000,000
- General aggregate limit (other than products/completed operations)  
per project ..... \$2,000,000
- products/completed operations aggregate..... \$2,000,000
- Fire Damage limit — any one fire ..... \$50,000
- Medical Expense limit — any one person ..... \$5,000
- Products/Completed Operations coverage must be carried for two years after acceptance of completed work.

**Automobile Liability** coverage at least as broad as Insurance Services Office Business Automobile Form, with minimum limits of \$1,000,000 combined single limit per accident for bodily injury and property damage, provided on a Symbol #1 – “Any Auto” basis.

**Workers’ Compensation** as required by the State of Wisconsin, and employers liability insurance with sufficient limits to meet underlying umbrella liability insurance requirements. If applicable for the work coverage must include Maritime (Jones Act) or Longshoremen’s and Harbor Workers Act coverage.

**Builder’s Risk/Installation Floater/Contractor’s Equipment or Property (If applicable):**

The Contractor is responsible for loss and coverage for these exposures. City of Appleton will not assume responsibility for loss, including loss of use, for damage to property, materials, tools, equipment, and items of a similar nature which are being either used in the work being performed by the contractor or its subcontractors or are to be built, installed, or erected by the contractor or its subcontractors.

**2. APPLICABLE TO CONTRACTORS/SUBCONTRACTORS**

- **Builder’s Risk/Installation Floater/Contractor’s Equipment or Property:** The Contractor is responsible for loss and coverage for these exposures. The City of Appleton will not assume responsibility for loss, including loss of use, or damage to property, materials, tools, equipment and items of a similar nature which are being used in the work being performed by the Contractor or its subcontractors or are to be built, installed or erected by the Contractor or subcontractors.
- **Primary and Non-Contributory requirement: All insurance must be primary and non-contributory to any insurance or self-insurance carried by City of Appleton.**
- **Acceptability of Insurers:** Insurance is to be placed with insurers who have an *A.M. Best* rating of no less than A- and a Financial Size Category of no less than Class VI, and who are authorized as an admitted insurance company in the State of Wisconsin.
- **Additional Insured Requirements:** The following must be named as **additional insureds** on all liability policies for liability arising out of project work: **City of Appleton, and its officers, council members, agents, employees and authorized volunteers. On the Commercial General Liability Policy, the additional insured coverage must be ISO form CG 20 10 07 04 and also include Products – Completed Operations equivalent to ISO form CG 20 37 07 04 or their equivalents for a minimum of 2 years after acceptance of work. This does not apply to Workers Compensation policies.**
- Certificates of Insurance acceptable to the City of Appleton shall be submitted prior to commencement of the work to the applicable department. **In addition form CG 20 10 07 04 for ongoing work exposure and form CG 20 37 07 04 for products-completed operations exposure must also be provided or its equivalent.** These certificates shall contain a provision that coverage afforded under the policies will not be canceled or non-renewed until at least 30 days’ prior written notice has been given to the City of Appleton.

**3. INSURANCE REQUIREMENTS FOR SUBCONTRACTOR**

All sub-contractors shall be required to obtain Commercial General Liability, Automobile Liability, Worker’s Compensation, Employer’s Liability and if applicable, Watercraft Liability,

Aircraft Liability and Unmanned Aircraft Liability insurance. This insurance shall be as broad as and with the same coverage limit as those required of the Contractor.

**The following additional coverages are required where the corresponding box is checked. In addition, Contractor shall be responsible for consulting with its insurance carrier to determine whether any of the other following coverages should be carried based upon the specific project:**

- Bond Requirements**
  - **Bid Bond:** The Contractor's Bid Bond equal to 5% of the contract shall accompany the bid for the project.
  - **Payment and Performance Bond:** If awarded the contract, the Contractor will provide to the Owner a Payment and Performance Bond in the amount of the contract price, covering faithful performance of the contract and payment of obligations arising thereunder, as stipulated in bidding requirements, or specifically required in the contract documents on the date of the contract's execution.
  - **Acceptability of Bonding Company:** The Bid, Payment and Performance Bonds shall be placed with a bonding company with an *A.M. Best* rating of no less than A- and a Financial Size Category of no less than Class VI.
  - **License and Permit Bond:** The Contractor will provide to the City a License and Permit Bond in the amount stipulated in Appleton's Municipal Code.
  
- Property Insurance Coverage (Builder's Risk) to be provided by the Contractor**
  - The property insurance must include engineering or architect fees and must equal the bid amount, plus any change orders.
  - Coverage includes property on the work site/s, property in transit and property stored off the work site/s.
  - Coverage will be on a **Replacement Cost basis**.
  - The City of Appleton, consultants, architects, architect consultants, engineers, engineer consultants, contractors and subcontractors will be added as named insureds to the policy.
  - Coverage must include collapse and be written on a "special perils" or "all risk" perils basis.
  - Coverage must include water damage (including, but not limited to, flood, surface water, hydrostatic pressure) and earth movement.
  - Coverage must include testing and start up.
  - Coverage must include boiler and machinery if the exposure exists.
  - Coverage must include engineers' and architects' fees.
  - Coverage must include building ordinance or law coverage with a limit of 5% of the contract amount.
  - The policy must cover/allow partial utilization by owner.
  - Coverage must include a "waiver of subrogation" against any named insureds or additional insureds.
  - Contractor is responsible for all deductibles and coinsurance penalties.



- Pollution Liability – Contractors; Motor Vehicle/Automobile; Professional; Environmental Consultants/Engineers**
  - Definition of “Covered Operations” in the policy must include the type of work being done for the City of Appleton
  - Limits of Liability:
    - \$500,000 each loss for bodily injury, property damage, environmental damage
    - \$1,000,000 Aggregate for bodily injury, property damage, environmental damage (environmental damage includes pollution and clean-up costs)
  - Deductible must be paid by the Contractor, consultants/engineers
  - The City of Appleton, its Council members and employees must be Additional Insureds
  - The policy must also cover subcontractors
  - Specify if “Wrongful Delivery” is covered
  - Must cover motor vehicle loading and unloading and show on Certificate of Insurance
  - Certificate of Insurance must state:
    - If the policy is an Occurrence or a Claims Made Form
    - If the defense costs reduce the limit of liability
    - If the policy covers motor vehicle loading and unloading claims
    - If there is an underground storage tank or a super fund exclusion
    - If there is a Contractual Liability Exclusion
    - If Bodily Injury includes mental anguish and emotional distress
  
- Aircraft Liability** insurance with a limit of \$3,000,000 per occurrence for bodily injury and property damage including passenger liability and slung cargo if the project includes the use or operation of any aircraft or helicopter.
  
- Unmanned Aircraft Liability** insurance with a limit of \$1,000,000 per occurrence for bodily injury, property damage liability, and invasion of privacy liability if the project includes the use of or operation of any unmanned aircraft (drones).
  
- Watercraft Liability insurance** with a limit of \$1,000,000 per occurrence for bodily injury and property damage if the project includes the use of and/or operation of any watercraft.
  
- Cyber Liability and Technology Errors and Omissions Insurance** per occurrence limit of \$500,000.
  
- Commercial Crime Policy** per occurrence limit of \$100,000.

**CITY OF APPLETON**

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# **COMPREHENSIVE PLAN UPDATE & SUBAREA PLANNING PROPOSAL**

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**SMITHGROUP**

May 10, 2024



**UNIQUE ENTITY IDENTIFIER**  
MQBTC2LPJQ37

**SMITHGROUP ADDRESS/PHONE**  
44 East Mifflin Street  
Suite #500  
Madison, Wisconsin 53703  
608.251.1177

**SMITHGROUP CONTACT**  
Kathleen Duffy, AICP  
Principal-in-Charge  
734.545.6096  
kathleen.duffy@smithgroup.com

**SUB-CONSULTANTS**  
SmithGroup is not  
proposing any sub-  
consultants



WATERTOWN TOWN SQUARE  
WATERTOWN, WISCONSIN

May 10, 2024

Re: City of Appleton, Comprehensive Plan Update & Subarea Planning Proposal

## LINDSEY SMITH

Principal Planner  
100 North Appleton Street  
Appleton, Wisconsin 54911

Dear Ms. Smith and the Selection Committee:

It is a pleasure to present SmithGroup's proposal for the City of Appleton's Comprehensive Plan Update and Subarea Planning project. We recognize that this is a critical juncture to help Appleton align and enhance its vision on land use, housing elements, and key subarea plans. The SmithGroup team we have assembled is eager to work toward a refreshed approach to your comprehensive plan. We are committed to collaborating every step of the way.

### HELPING APPLETON PLAN FOR THE FUTURE

Delivering a successful citywide plan that builds upon existing systems while adopting future-focused initiatives is complex. Our nationally recognized, Wisconsin-based interdisciplinary planning team has a legacy of innovative and action-focused planning for urban communities in Wisconsin and across the Midwest and the United States. Please refer to "[Section Two: Project Understanding & Approach](#)" for a discussion on connecting previous plans; land use and redevelopment; housing; corridor subarea plans; and corridor market analyses.

### IMPLEMENTATION-FOCUSED PLAN FOR CREATING POSITIVE OUTCOMES IN APPLETON

A proven, consensus-driven process will guide Appleton to a visionary and implementable plan. The outcome will enhance the community through a unified vision, policy, actions, and metrics that launch the plan into its next digital iteration for tracking progress. This is essential for creating resilient redevelopment, housing, and land use strategies for Appleton's future generations.

We understand that the decisions you make now will resonate with the community for decades. We will tap into our diverse expertise to work with you and develop an effective and implementable vision that enhances the vitality of Appleton for the future. Please refer to "[Section Three: Project Work Plan & Timeline](#)" for our plan to build a strong framework for action; engage the Appleton community in their own success story; and enact proactive communication and accountable teamwork.

Thank you for your thoughtful consideration. Please feel free to contact me at any time if you have questions or require additional information. We look forward to discussing our proposal with you in greater detail.

Sincerely,



Thomas Rogers, PLA, ASLA  
Principal, Urban Studio Leader  
608.327.4402  
tom.rogers@smithgroup.com



Kathleen Duffy, AICP  
Principal-in-Charge  
734.545.6096  
kathleen.duffy@smithgroup.com

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**SECTION 1**

**COMPANY INFORMATION**



# SMITHGROUP BACKGROUND

SmithGroup is an award-winning, national design and planning firm that utilizes research, data, advanced technologies, and thoughtful design to help clients and communities solve their greatest challenges.

Based in Madison and Milwaukee, Wisconsin, our expert team is committed to excellence in strategy, design, and delivery—giving rise to new, innovative, and equitable processes and methodologies that redefine the way we work as teams and support the communities we serve. Our specialists—from artists and planners to data analysts and beyond—develop beautiful, sustainable, future-focused solutions for urban environments, mixed-use and waterfront developments, parks and open spaces, healthcare providers, science and technology organizations, higher education and cultural institutions, and diverse workplaces.

## COMPREHENSIVE & SUBAREA PLANNING EXPERIENCE

Over the past several decades, SmithGroup has had a legacy of great planning projects throughout Wisconsin and beyond.

- De Pere, WI Comprehensive, Downtown, and SE Area Plan
- Dane County, WI Circular Campus Vision
- Oshkosh, WI Lakeshore Park Master Plan & Park Pavilion
- Racine, WI Lincoln King Neighborhood Plan
- Kenosha, WI Innovation Neighborhood Master Plan
- Kane County, IL District Comprehensive Plan
- Mahomet, IL Downtown Comprehensive Plan
- Danville, VA City-Wide Comprehensive Plan
- Meridian Group, East Boro Comprehensive Plan
- Rocky Mount, NC Mill Master Plan
- Ann Arbor, MI Comprehensive Plan
- Detroit, MI Comprehensive Plan
- Ferndale, MI Comprehensive Plan
- Lexington, MI Comprehensive Plan
- Las Vegas, NV Comprehensive Plan
- La Porte, IN Clear Lake Sub Area Plan
- Burns Harbor, IN Westport Development Area Visioning & Concept Plan
- Blue Island, IL Riverfront Plan
- Rock Creek, DC West Corridors Planning
- Alexandria, VA Landmark Mall Replanning Services
- Pittsburgh, PA District Vision Plan
- Innovate Pittsburgh Craig Street Innovation District Planning
- Sandusky, OH Southside Neighborhood Plan
- Columbus, OH West Broad Study
- Toledo, OH Strategy Framework Plan Exploratory Assessment
- Grand Rapids, MI Southtown Corridor Improvement District Plan
- California High-Speed Rail Delivery Support & Technical Planning
- Cleveland, OH Euclid Corridor Plan
- Ann Arbor/Ypsilanti, MI, Reimagine Washtenaw Corridor Plan

## FAST FACTS

### YEARS IN SERVICE

171 years

### STAFF SIZE

1,400 employees

### OFFICE LOCATIONS

Ann Arbor, Atlanta, Boston, Chicago, Cleveland, Dallas, Denver, Detroit, Houston, Los Angeles, Madison, Milwaukee, Phoenix, Pittsburgh, Portland, Sacramento, San Diego, San Francisco, Shanghai, Washington DC

### SERVICE OFFERINGS

Architecture; Building Enclosure Consulting; Campus Planning; Civil Engineering; Coastal Engineering; Energy & Environmental Modeling; Facility Condition Assessment; Fire Protection & Life Safety Engineering; Historic Preservation; Interiors; Lab Planning; Landscape Architecture; Lighting Design; Medical Planning; MEP Engineering; Programming; Strategy; Space Utilization; Structural Engineering; Sustainable Design; Urban Design; Urban Planning

# URBAN PLANNING & DESIGN

## AREAS OF EXPERTISE



CITY OF WAUWATOSA, 69TH STREET CENTER POCKET PARK  
WAUWATOSA, WISCONSIN

### IMPLEMENTATION-FOCUSED PLANNING

As a multi-disciplinary firm, we do everything from long-range planning to zoning ordinance amendments and detailed construction drawings. An understanding of the challenges that come after the plan informs our designs. This begins at the creative idea generation phase and leads to informed implementation phases that optimize time and budget to bring the plan to life.



CITY OF ANN ARBOR, COMPREHENSIVE PLAN UPDATE  
ANN ARBOR, MICHIGAN

### COMMUNITY & CITY PLANNING

Our work is client-focused and based on building an understanding and deep appreciation for community context. We analyze existing conditions and rapidly iterate future opportunities, including the physical form and relationship of buildings, streets, and open spaces in the context of historical patterns, existing situations, and future needs. We improve cities through design guidelines, development projects, and refined details that strengthen and identify values and a unique sense of place.





COMPREHENSIVE PLANNING APPROACH

## CONNECTING ASPIRATION & OPPORTUNITY

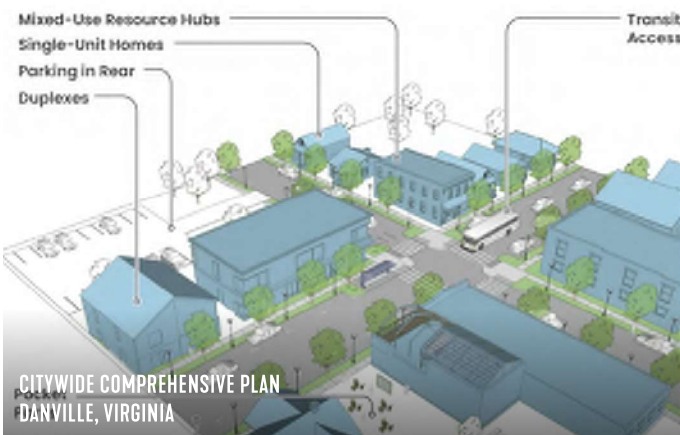
Urban developments depend on collaborative networks for success: forging local partnerships and building community coalitions, drawing on multiple funding sources, and securing agency support and regulatory approvals, to name just a few. SmithGroup helps navigate this process. We listen first: gathering information and diverse stakeholder perspectives. Then we help shape a shared vision for future priorities and outcomes, building a broad coalition of support. The result is planning and design that authentically reflects your community, and that connects your aspirations and assets with genuine opportunities.



INCLUSIVE COMMUNITY ENGAGEMENT

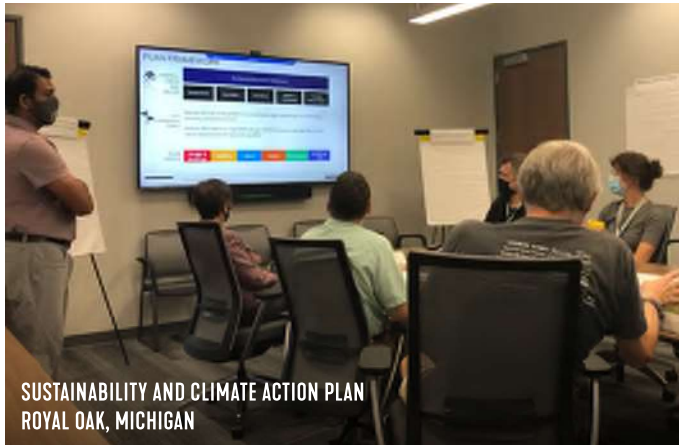
## EQUITY MATTERS

Our team is built on the philosophy that equitable public engagement has the power to shape the design of our communities more inclusively. We believe in engaging the broadest range of perspectives and values. Transparent engagement and decision-making processes require in-person and virtual engagement methods that are thorough, enticing, sustained, nimble, and self-reflecting. We must break down rather than reinforce the digital divide. We must build trust through the planning processes, and always ask, “Whose voice is missing?”



## LAND USE & REDEVELOPMENT

SmithGroup’s urban planners craft land use plans that build off local context, incorporating form-based techniques to realize a plan’s vision. Our visioning strategies make land use approachable and help residents visualize what development could look like in their neighborhoods.



SUSTAINABILITY AND CLIMATE ACTION PLAN  
ROYAL OAK, MICHIGAN

## REDEFINING RESILIENCY

Resiliency in Appleton goes beyond climate strategy. Our team will weave resilient practices into every aspect of the plan through economic planning, housing design, open spaces, and mobility. We will work with the Advisory Committee and Resiliency, Climate Mitigation and Adaptation Task Force to integrate resilience throughout the plan.



CLICK TO LEARN ABOUT OUR AWARD-WINNING [MEDC RESILIENCY TOOLKIT](#).



CITY OF ANN ARBOR, DOWNTOWN STREETSCAPES  
ANN ARBOR, MICHIGAN

## MOBILITY & STREET DESIGN

Mobility forges the connections essential for growth, economic prosperity, and neighborhood vitality. Resilient streets support civic activities, promote stronger economic environments, and uplift communities through greater interaction. We focus on integrated systems rather than individual modes of transportation, balancing the needs of pedestrians, motorists, bicyclists, and transit users, and providing flexibility to adapt to future demands and needs. Connecting people to their community assets is the key to urban revitalization and sustainability.



UNIVERSITY OF WISCONSIN, ALUMNI PARK  
MADISON, WISCONSIN

## PUBLIC REALM & PLACEMAKING

Successful urban spaces anticipate and accommodate a diverse range of users and uses, creating vital public destinations. Our team is dedicated to creating great places, streets, waterfronts, and vibrant, sustainable cities. We understand the key elements of creating active, people-focused places, and how to employ them in each part of a city. Our firm has designed signature public places for over 60 years and continues to be a leader in place creation for the public realm.

# EXPERTISE IN FEDERAL & ARPA-FUNDED PROJECTS

SmithGroup’s experience with projects that comply with federal contracting standards and grant funding programs spans decades. This includes 450 federal projects completed over the past 20 years alone for clients such as the General Services Administration, Social Security Administration, Environmental Protection Agency, National Park Service, Department of State, National Institutes of Health, and many other U.S. agencies.

This expertise includes projects since 2021 that utilize American Rescue Plan Act (ARPA) funding. Additionally, our firm regularly assists a variety of clients with grant preparation and identifying appropriate government funding sources. As such, our firm is accustomed to the cost principles, procurement standards, and reporting obligations set forth by these programs.

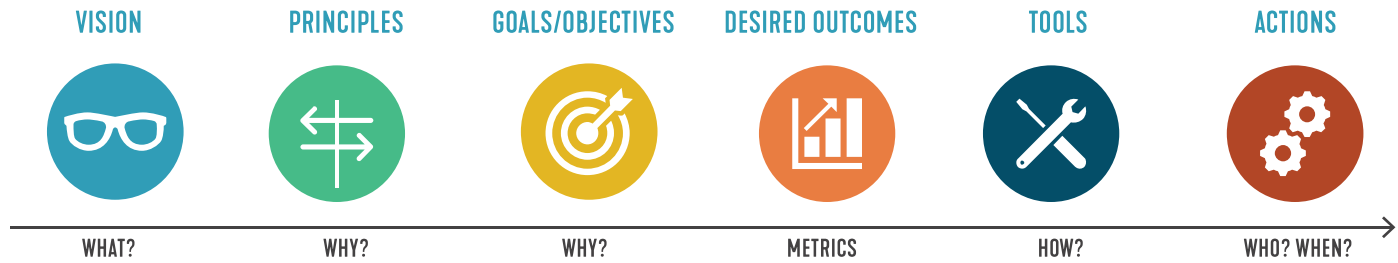


## SECTION 2

# PROJECT UNDERSTANDING & APPROACH



# HELPING THE CITY OF APPLETON PLAN FOR THE FUTURE



## CONNECT PREVIOUS PLANS

Appleton’s Comprehensive Plan is an opportunity to step back and appraise the current set of plan elements and studies considering community values, changing demographic and economic conditions, and potential future conditions.

Through a thorough review and summary of the prior plans—as well as the integration of other reports and ongoing planning efforts (such as West College Avenue Corridor Planning, Complete Streets Study, College North Neighborhood Plan, and Housing Development Policy Guide)—we will document revised issues and opportunities as a whole to guide updates to the land use, housing and neighborhoods, and corridor plan elements.

We will audit past plans, find commonalities, shape a vision framework that links them all, and use it to vet priorities and strategies with the Appleton community. We will work to create a common framework language of **vision, principles, goals, and metrics**. **This will result in an actionable set of strategies to monitor via an online data dashboard** to celebrate achievements, listen to constituents’ priorities, and prioritize budgets and capital improvements.

## USEFUL PLANS

Our team has an extensive history of creating and streamlining comprehensive and subarea plans for communities across the U.S. We recently aligned and consolidated goals for the draft City of De Pere Comprehensive Plan Update and are in the process of building a unified framework from the City of Detroit’s dozens of plans.



[CLICK HERE TO VIEW A CURRENT DRAFT OF THE DE PERE COMPREHENSIVE PLAN UPDATE.](#)



DESIGN LANSING PLACE TYPES  
LANSING, MICHIGAN



## LAND USE & REDEVELOPMENT

The Appleton Comprehensive Plan will play a crucial role in identifying key properties for development and revitalization citywide and within the three subareas. We will evaluate current zoning to ensure alignment with the plan's vision, leveraging our expertise in land use and housing policy to encourage a variety of mixed-use and housing typologies that meet the needs of residents.

We specialize in preparing context-specific series of land use place types that articulate combinations of density, neighborhood/district type, and building form/function that translate to desired place types throughout communities. Determining these typologies through the engagement process and analysis of previous plans and existing character will build a **future land use plan that can translate to zoning amendments and redevelopment strategies that tie land use recommendations to transportation, infrastructure, and open space.**

## PREPARING FOR REDEVELOPMENT

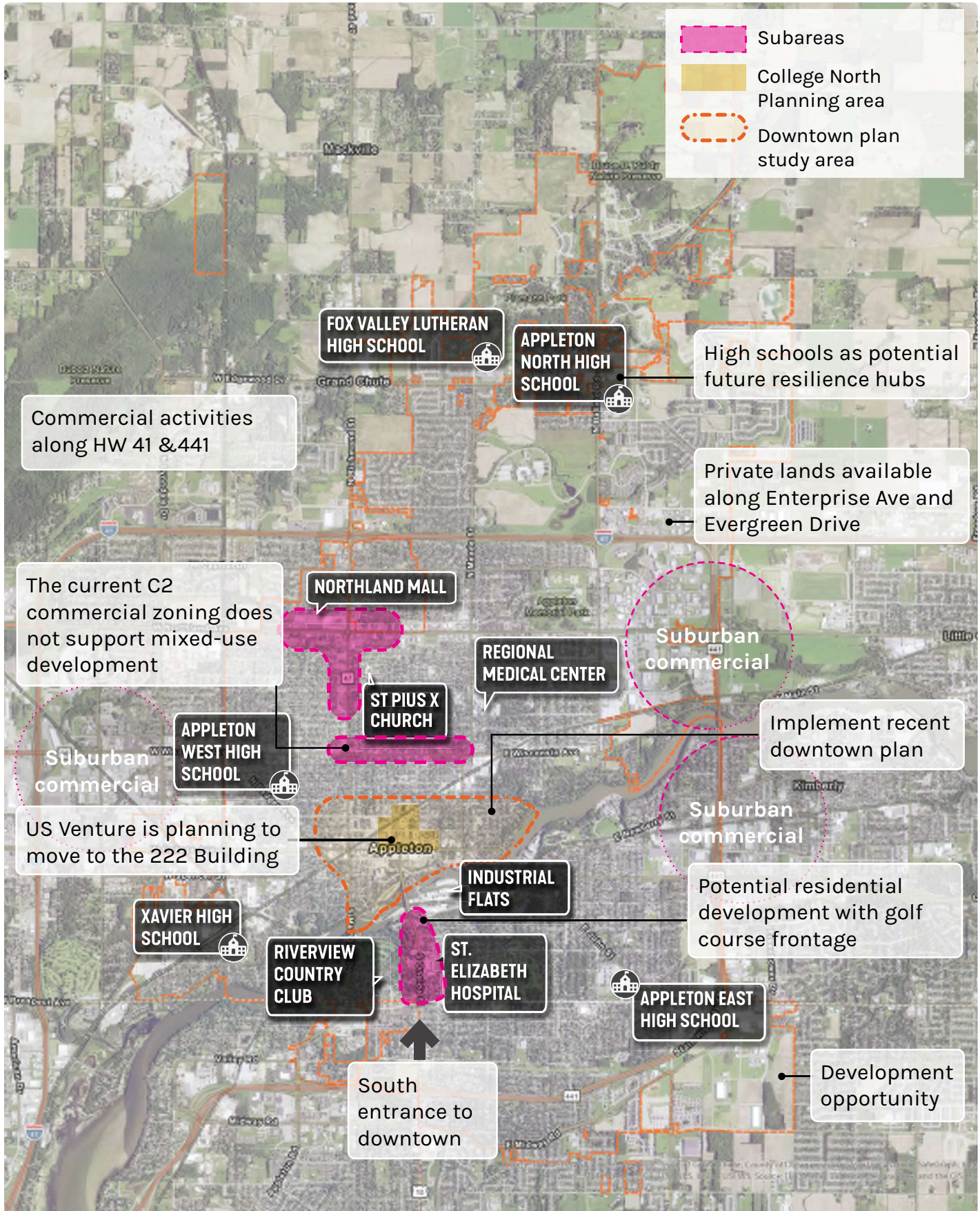
We are experts in every phase of the development process—from vision to implementation. Our design, market, and planning team sets the stage early in the process for identifying key projects that can begin implementation before the plan is finished.

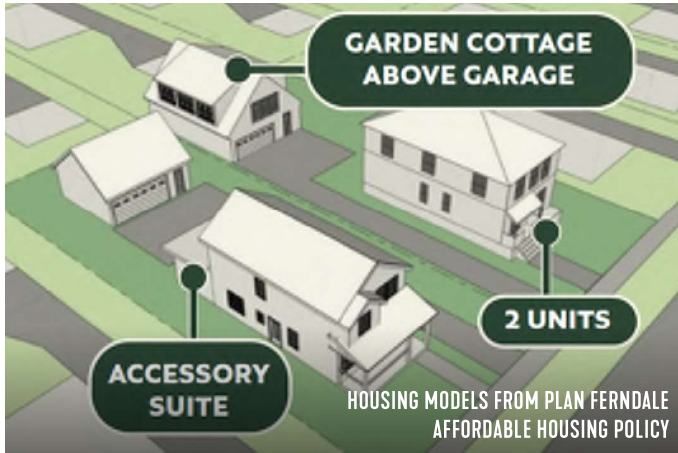
We look forward to exploring redevelopment sites or public realm interventions to add a set of concrete recommendations and design inspiration to the subarea plans. As part of our land use place types analysis, we will develop a set of **site-specific recommendations for the three corridors to flesh out catalytic opportunities to spur future investment.**



CLICK HERE TO LEARN ABOUT OUR RECENT MEDC REDEVELOPMENTS IN [MUSKOGON](#) AND [JACKSON](#).

# PRELIMINARY OPPORTUNITIES ASSESSMENT





 [CLICK HERE TO SEE A SIMILAR EXAMPLE IN THE \*\*BIG RAPIDS HOUSING STUDY.\*\*](#)

## HOUSING

Appleton is built on strong, desirable, and livable neighborhoods. We will use our understanding of land use and housing policy to encourage **a diverse range of housing typologies and policies that fit the needs of residents.**

The College Avenue North Neighborhood Plan market analysis, conducted in 2022, revealed a pressing need for 3,000 new residential housing units in Appleton over the next decade. The city needs to deliver 300 units annually to accommodate this demand. However, the 2022 Growth Report indicates that only 179 housing units were constructed in 2022, highlighting a significant deficit. The 2024 Housing Development Policy Guide includes strategies for strengthening housing priorities and actions that can be better integrated into the comprehensive plan and supplemented by a housing assessment data update to the 2022 report.

The Comprehensive Plan will aim to align these recent studies with a revised housing vision and strategies to promote housing development. The planning process will identify barriers and evaluate opportunities for housing-centric development. The final plan will feature policies to address the housing shortage and affordability challenges, ensuring a more sustainable and inclusive housing landscape.

## CORRIDOR SUBAREA PLANS

The goal of updating the corridor plans for Wisconsin Avenue, Richmond Street, and South Oneida Street is to **leverage connections with neighborhoods, enhance the vibrancy of each area by strengthening the sense of a district, enhancing pedestrian spaces and connectivity, and promoting infill development and growth of local businesses.**

Our approach to corridor planning will involve documenting and analyzing the existing urban form while defining the Appleton community’s vision for each subarea’s future. Through a collaborative visioning process, we will create inspirational plans and drawings that capture the essence of this vision. These visual representations could potentially serve as a basis for the creation of a form-based code, ensuring that physical developments align with community goals.

Visualization is key to fostering a common understanding of the desired community vision. Therefore, we will test design scenarios in opportunity sites using a combination of hand-drawn sketches and computer-generated 3D renderings. This approach offers a hands-on, immersive experience for community members, resulting in a plan that authentically reflects their input and aspirations.





CITY OF ANN ARBOR, COMPREHENSIVE PLAN UPDATE  
ANN ARBOR, MICHIGAN

## MARKET SNAPSHOT & FEASIBILITY

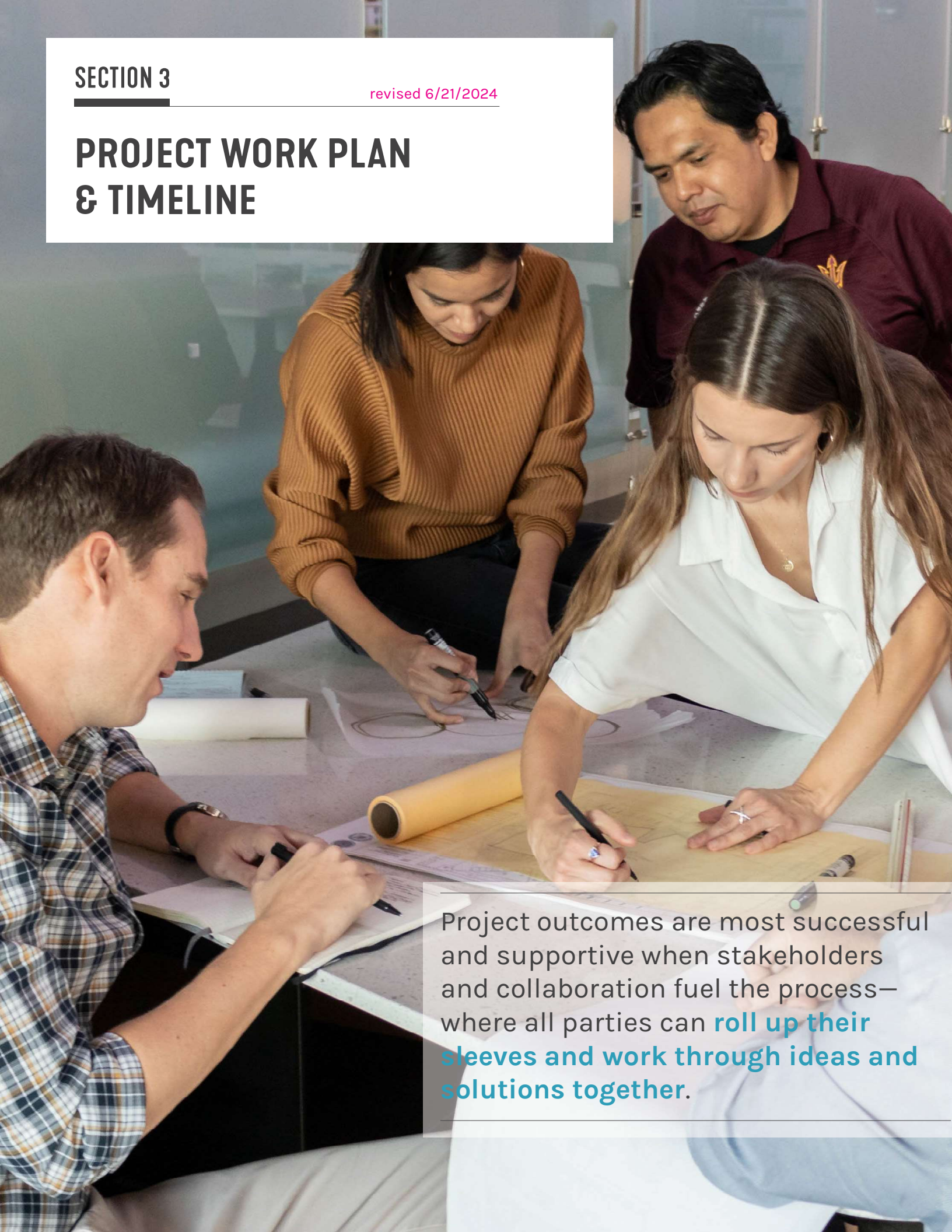
Our team integrates market-based (re)development strategies into all of our comprehensive plans. We identify opportunities and build site-specific visions and feasibility considerations for housing, commercial, and mixed-use. We will develop a market snapshot, with a particular emphasis on **future housing and employment drivers and frame our recommendations to emphasize flexibility to respond to evolving market forces and expected future mixed-use demand.**

Our team will develop a retail, office, and housing market analysis, and an economic impact and leakage analysis summary for the three major corridor subareas (Wisconsin Avenue, Northland Avenue/ Richmond Street, and South Oneida Street). As part of the market analysis, we will quantify new and supported retail square footage, average store size, and number of new stores by retail type, as well as quantify the number of new unit infill housing front doors and expected population growth for a 10-year horizon. If the three market areas draw from each other's market demand, we will perform an analysis that identifies the market overlap that exists between the three areas.

## SECTION 3

revised 6/21/2024

# PROJECT WORK PLAN & TIMELINE



Project outcomes are most successful and supportive when stakeholders and collaboration fuel the process—where all parties can **roll up their sleeves and work through ideas and solutions together.**

# WORK PLAN: A PLAN FOR APPLETON

## COLLABORATIVE STRUCTURE & ROLES

Project outcomes are most successful and supportive when stakeholders and collaboration fuel the process—where all parties can roll up their sleeves and work through ideas and solutions together. While land use planning is complex and technical—it is imperative that the community keeps ownership over the ideas and their outcomes.

Our present reality has granted us the opportunity to elevate our equitable approach to engagement. No longer dependent on a select few who regularly attend public meetings, we strive to provide live and on-demand virtual options for people to participate as often as they can throughout the process.

For your project, we propose to deploy remote virtual collaboration tools and processes for transparent engagement and decision-making that are sound, defensible, and inclusive. **The goal will be to break down the digital divide and ensure that everyone is heard while maintaining the fundamentals that make engagement successful.** Coupling our virtual web portal exercises with paper DIY Workshop kits has worked well to bridge the digital divide and we have found an increase in participation from traditional open houses and workshops.

For the Appleton Comprehensive Plan Update and Corridor Subarea Plans, the following groups are identified and referenced in this work plan:

- **Consultant Team:** SmithGroup will have prime responsibility for developing graphic and written materials throughout the process, data collection and analysis, meeting facilitation and summaries, and drafting plans and recommendations.
- **City Staff:** We feel that project outcomes are best when we work closely and collaboratively in partnership with key city staff. We anticipate that city staff will play an essential role in the following:
  - Regular planning team coordination calls.
  - Identification and coordination of stakeholders.
  - Assisting with meeting logistics (finding spaces, invites, contacting groups, etc.).
  - Preparing communications, notices, and gathering/entering DIY paper kits.
  - Leading breakout room exercises (and additional focus groups not identified in the scope, if warranted).
  - Assist in gathering applicable city data, plans, and resources for the Consultant Team.
  - Collaborate with SmithGroup on GIS mapping and Hub site crafting.
  - Timely review of deliverables and providing comments back to the SmithGroup Team.
- **Advisory Committee:** An inclusive and motivated advisory committee is also important for guiding the direction of the plan. The Advisory Committee should include a broad range of stakeholders from Appleton and represent key constituencies and expertise. They will play an important role in vetting strategies and ideas, reviewing materials, informing process decisions, and advocating on behalf of the process. We anticipate seven advisory committee meetings throughout the project.
- **Corridor Subarea Plans Focus Groups:** Each corridor will have a group of key local stakeholders to provide key leadership and direction for each of the three Corridor Subarea Plans. They will be engaged four strategic times: in Phase 1 during the kickoff tour and a follow-up virtual online brainstorming meeting utilizing an online whiteboard tool (in person option \$5000); vetting alternatives during our Phase 2 in-person visit; and reviewing draft documents in Phase 3.

# REVISED VISION & GOALS

>> PLACE A STICKY NOTE ON THE BOARD TO COMMENT ON EACH GOAL, VALUE AND VISION STATEMENT.

The following goals were inspired through past planning efforts and community engagement conducted during the Imagine De Pere planning process.



## OVERARCHING VISION STATEMENT

De Pere will foster an engaged community spirit and encourage forward thinking to seize on opportunities for education, business, recreation, and culture – with steadfast support for the city's history and character.



ENSURE EQUITY, INCLUSION, AND ACCESS TO OPPORTUNITY FOR ALL



CONNECTED & ACCESSIBLE



LIVABLE & VIBRANT



SUSTAINABLE & RESILIENT

VALUES

GOALS

## 1 PEOPLE

*Vision: De Pere's unwavering focus on quality of life supports a vibrant and expanding community.*

- Encourage the **growth of business** and support **diverse employment and entrepreneurship** opportunities
- Increase and coordinate unique activities that enliven the city and **increase the sense of community**

## 2 PLACE

*Vision: De Pere's thriving downtown and neighborhoods are the cornerstone to its success as a community with accessible amenities and a strong culture.*

- Manage the future growth and redevelopment within the city to ensure orderly, balanced, **sustainable development** that integrates a **mixture of uses**
- Develop new neighborhoods and **maintain** older neighborhoods which offer a **variety of quality housing opportunities** for all De Pere residents to attract and retain residents of **all ages and income levels**
- Enhance the quality of agricultural resources to provide **sustainable land stewardship, economic opportunity, and local food options**

## 3 SYSTEMS

*Vision: De Pere provides high quality services and sustainable infrastructure that preserves and utilizes the community's environmental assets.*

- Develop a **safe and efficient multi-modal transportation system** and culture that enables people of all ages and physical abilities to **safely and conveniently travel** throughout the community
- Embrace, enhance, connect and activate the **open space networks** throughout the City
- Promote a **quality living environment** through the timely provision of adequate and efficient recreation, utility, emergency, and other public facilities and services affecting the health, safety, and well-being of De Pere residents and businesses



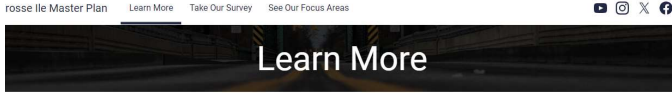
IMAGINE DE PERE COMPREHENSIVE PLAN & WEST DOWNTOWN VISION PLAN

## TESTING A UNIFIED PLAN FRAMEWORK WITH THE PUBLIC FOR THE CITY OF DE PERE'S COMBINED PLANS

- **In-Person Visits:** We plan to schedule at least one in-person set of meetings per phase and can flexibly adapt for those unable to join us. We anticipate these workshop days to be focused engagement sessions that combine on-site tours, structured break out activities, collaboration, and reporting out. They provide opportunities for stakeholders to sit down one-on-one with the planning team to talk through specific challenges or opportunities and build toward consensus. Our kick off visit will be corridor tours, stakeholder interviews, and the first Advisory Committee meeting. The Phase 1 visit will be a public launch of the project to gain input on the plan audits, share existing conditions, and vision and goals. Phase 2 will combine corridor subareas workshop breakouts and public input on the comprehensive plan elements over the course of 2-3 days. Phase 3 will be adoption meetings at the Plan

Commission and Common Council or an additional public meeting on the draft (additional services).

- **Public:** We feel—and our experiences have demonstrated—that the most successful engagement happens when you **go directly to where the people are**. We look forward to partnering with city staff and the Advisory Committee to get out the word for our in-person input sessions by tapping existing networks. We suggest reaching out to neighborhood, resident, and business associations by attending their regularly scheduled meetings and sharing links and DIY packets.
- **Pop-up Boards and DIY Survey Kits:** These kits will connect with people in the spaces they use, from parks to shopping centers to carry-out restaurants to book clubs and after-school pickups.



**What is a master plan?**

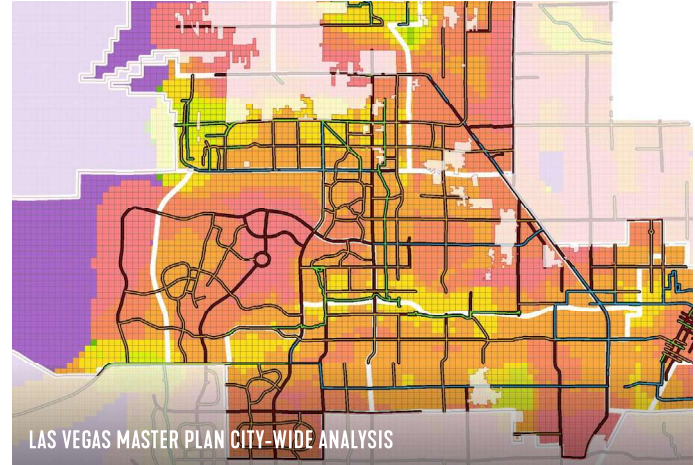
A master plan is a living document that serves as a framework for growth, redevelopment, and change in the Township, guided by a collective community vision. It also serves as a strategic document that identifies goals, objectives, and needs of the community that can be accomplished over time. The plan is used by local governments to help produce the best outcomes for the community it serves.

**How does the master plan impact me?**

From the homes where you live to the parks where you play and the roads you take to get there, Grosse Ile's Master Plan will tell Township leaders how to make decisions about the future of Grosse Ile so it best meets your wants and needs.



 [CLICK TO VIEW THE GROSSE ILE HUB SITE](#) CREATED BY SMITHGROUP



 [CLICK HERE TO SEE A SIMILAR EXAMPLE IN THE LAS VEGAS MASTER PLAN.](#)

## ANALYZING DATA

We believe in community-driven design backed by accurate data analysis. Our team of Geographic Information Systems (GIS) specialists uses place-based data, census information, and other metric factors to create highly specific, location-based suggestions. **We believe in making this information understandable and accessible to the public. It will be included on the Hub website and in engagement materials.**

## A LIVING, DIGITAL PLATFORM TO TELL THE STORY

SmithGroup proposes the creation of a GIS-based digital platform that incorporates and expands upon the city's GIS web platform already in operation. This platform will serve as a hub for input, analysis, and sharing of the plan, harnessing the latest Environmental Services Research Institute (Esri) technology and leveraging Appleton's existing geospatial infrastructure. We will collaborate with city staff seamlessly via an ArcGIS Online group to organize the apps, maps, and data that can be operated, managed, and updated by city staff in the future. Beyond data management, this platform also enables public engagement and spatial input.

	HOUSING	ECONOMY	TRANSPORTATION	GREEN SPACE & PUBLIC PLACES	INFRASTRUCTURE & SYSTEMS
<b>EQUITY</b> Recognition that some residents may need more assistance than others to achieve a just and fair social balance	<b>EH1 AFFORDABLE HOUSING ACCESS</b> Number and % of housing units priced for low and middle income households <b>EH2 BALANCED HOMEOWNERSHIP AND RENTAL OPTIONS</b> Ratio of ownership to rental units <b>EH3 DIVERSITY OF HOUSING LOCATION AND TYPES</b> Distribution of housing types across neighborhoods; average housing density by district	<b>EE1 EQUITABLE EDUCATIONAL OUTCOMES</b> Graduation rates by demographic; educational attainment by neighborhood <b>EE2 SUPPORT FOR LOCALLY-OWNED BUSINESSES</b> % of business licenses issued to Danville residents <b>EE3 INCOME EQUITY</b> Ratio of highest to lowest median household income by neighborhood	<b>ET1 ACCESSIBILITY TO PUBLIC TRANSPORTATION</b> % and distribution of homes with access to public transit <b>ET2 AFFORDABILITY OF PUBLIC TRANSPORTATION</b> % of household income spent on public transportation <b>ET3 SAFE AND ACCESSIBLE ROUTES</b> Safety along major pedestrian and bike routes to and from employment and education, healthcare, bike, infrastructure	<b>EP1 INCLUSIVE ACCESS TO PARKS AND OPEN SPACE</b> % households within 10-minute walk to park; access to parks by neighborhood; ParkScore <b>EP2 HIGH QUALITY PARKS IN ALL COMMUNITIES</b> Park maintenance; park amenities by neighborhood <b>EP3 EQUITABLE ENHANCEMENT OF PROPERTY VALUES</b> % increase in property value near parks; by neighborhood income levels	<b>ES1 AFFORDABLE UTILITY SERVICES</b> Average utility costs as % of household income <b>ES2 EQUITABLE DISTRIBUTION OF INFRASTRUCTURE INVESTMENTS</b> Infrastructure spending by neighborhood and investment type <b>ES3 DIGITAL INCLUSION</b> % of households with internet access
<b>RESILIENCE</b> Prepared for unanticipated events now and in the future	<b>RH1 WEATHERIZED AND ENERGY EFFICIENT HOMES</b> % homes adequately weatherized; % change in average household energy consumption <b>RH2 HOME MAINTENANCE &amp; REPAIRS</b> % of homes identified for major repairs <b>RH3 FLOOD INSURANCE COVERAGE IN HIGH-RISK AREAS</b> % of homes in flood risk areas with flood insurance	<b>RE1 ECONOMIC SECTOR DIVERSITY</b> % employment by sector <b>RE2 BALANCE IN COMMERCIAL AND INDUSTRIAL LAND USES</b> Ratio of commercial to industrial land use <b>RE3 FOSTERING ENTREPRENEURSHIP</b> Number of co-working spaces and business incubators	<b>RT1 MULTI-MODAL TRANSPORTATION</b> Mode share (% travelers by mode); transit ridership; non-motorized infrastructure <b>RT2 QUALITY ROAD INFRASTRUCTURE</b> Road condition score <b>RT3 SUSTAINABLE URBAN DESIGN</b> % impervious areas; % area with green infrastructure	<b>RP1 CLIMATE RESILIENT GREEN SPACES</b> Incidents of climate-related park closures <b>RP2 BIODIVERSITY IN PUBLIC SPACES</b> % area covered by native species <b>RP3 RECREATION-FRIENDLY RIVERS AND WATERWAYS</b> Safety of rivers and waterways for recreation; water quality	<b>RS1 DECARBONIZED POWER SUPPLY</b> % renewable energy used for power supply <b>RS2 WATER CONSERVATION AND EFFICIENCY</b> Per capita water use; leakage rate in water distribution system <b>RS3 CLIMATE RESILIENT INFRASTRUCTURE</b> % infrastructure in floodplains assessed for risk; number of essential service disruptions during floods
<b>HEALTH</b> Supportive of mental and physical health (includes acute, chronic, and preventative care)	<b>HH1 REVITALIZATION OF VACANT LAND AND BUILDINGS</b> Number and % of vacant housing and parcels rehabilitated <b>HH2 SAFE DISTANCE FROM POLLUTION SOURCES</b> % of homes set safe distance from identified pollution sources <b>HH3 SAFE AND COMFORTABLE NEIGHBORHOODS</b> Crime rates by type, by neighborhood	<b>HE1 QUALITY HEALTHCARE FACILITIES</b> Age and condition of healthcare facilities <b>HE2 ACCESSIBLE RECREATIONAL AND FITNESS AMENITIES</b> Number and distribution of recreational and fitness amenities <b>HE3 COMPREHENSIVE HEALTHCARE SERVICES</b> Number, type, and distribution of healthcare facilities	<b>HT1 ACTIVE MOBILITY</b> Total length of bike lanes and pedestrian paths, by neighborhood <b>HT2 SAFE AND ACCESSIBLE PUBLIC TRANSPORTATION</b> Accessibility to public transport; incidents of transport-related accidents <b>HT3 IMPACT OF TRANSPORT ON AIR QUALITY</b> Average Air Quality Index (AQI) near major transportation routes	<b>HP1 SAFE PUBLIC SPACES</b> Crime rates in public spaces <b>HP2 SUPPORT FOR LOCAL AND COMMUNITY AGRICULTURE</b> % public land used for agriculture; number of community gardens <b>HP3 CONNECTED NON-MOTORIZED SYSTEM</b> Length of trail systems and bike infrastructure	<b>HS1 LEAD PIPE REPLACEMENT</b> % lead pipes replaced <b>HS2 INDOOR AND OUTDOOR AIR QUALITY</b> AQI CSDEPM <b>HS3 ENHANCED EMERGENCY SERVICES INFRASTRUCTURE</b> Emergency services power reliability; Emergency response plan

### CONNECTING VALUES TO STRATEGIES TO METRICS TO TRACK IMPLEMENTATION IN DANVILLE, VIRGINIA

Our team will work with you to understand what information should be displayed publicly for each plan element. The public-facing Hub will provide the community with opportunities to interact with maps, take surveys, and comment on draft plan components. The overarching concept is to establish and maintain an online platform with the following key capabilities:

- Integration of relevant city data into a consolidated database and dashboard for effective planning and decision-making.
- Facilitation of online engagement to share the plan update with stakeholders and the public through user-friendly tools.

To realize these goals, our team will configure and implement a suite of tools within the platform:

- **Hub Site:** A dedicated online portal serving as a hub for accessing data, maps, documents, and other communication tools to keep stakeholders informed and engaged.
- **Survey 123:** Online input gathering via surveys, comment boards, and collaborative mapping.

- **Dashboard:** An interactive platform for analyzing spatial and non-spatial data, tracking key indicators, and understanding how indicators vary geographically.
- **Story Map:** An intuitive tool that allows users to navigate through different aspects of the comprehensive plan, especially spatial data, with ease.

The Hub Site will display all completed or ongoing work related to comprehensive plan updates. Furthermore, the data dashboard will integrate with the plan's strategies, enabling Appleton to update and track plan implementation while also sharing progress with stakeholders.

We recognize that the long-term success of a digital platform depends upon empowering city staff to update and manage the underlying data and system. We will provide training sessions and documentation tailored to city staff's needs to equip them with the skills to utilize the tools, ensuring the continued effectiveness of the digital platform.

# PROPOSED SCOPE OF WORK

## PHASE 1: UNDERSTAND

### INTENT

The Understand phase provides a solid foundation to build consensus around a set of community values and goals across the city and stakeholders. For both the Comprehensive Plan and Subarea Plans, we will review past plans, gain understanding into key opportunities and challenges, update existing conditions data, and begin engagement. After this phase's input, we will draft a vision and goals framework for the plan, which will be translated into measurable objectives for making decisions.

### KEY COMPREHENSIVE PLAN TASKS

We will audit the existing Comprehensive Plan and Housing Development Policy Guide and create a proposed framework for edits and alignment. We will share updated existing conditions and work with city staff and the Advisory Committee through a prioritization exercise of the issues and opportunities. We will follow with a Retain/Revise/Remove exercise for the housing and land use elements across two virtual AC meetings, evaluating what has been completed, what are still priorities, and what latest planning best practices should be included. The results of the audit and existing conditions will be shared during the launch of the project website and first public meeting. Online and in-person exercises will focus on confirming the vision and goals.

### KEY SUBAREA CORRIDOR PLAN TASKS

We will kick off with a tour of each corridor, a market assessment, and a follow-up Focus Group virtual meeting for each corridor to outline key opportunities and challenges and preliminary goals that will be used for garnering input during Public Meeting #1.

### CITY STAFF SUPPORT

- Coordinate tour logistics.
- Provide consultant team with existing plans/studies and markups.
- Share GIS data and coordinate on online map delivery/Hub website.
- Review/endorse public participation plan, draft website, and input activities.
- Meeting notices, social media posts, and email blasts.
- Biweekly calls with Consultant Team.

### ★ KEY CONSULTANT DELIVERABLES

- Public participation plan.
- Map atlas.
- Plan audit and framework.
- ArcGIS Hub Website and input activities (digital and DIY paper).
- Meeting agendas, materials, and summaries.

		MONTHS	JUL	AUG	SEP	OCT	NOV
<b>PHASE 1: UNDERSTAND TASKS, ROLES, &amp; SCHEDULE</b>							
1.1	Kick-off Call with City Staff		●				
1.2	AC #1 /Stakeholder Interviews & Tour			▲ ◆			
1.3	Existing Conditions (Census Demographic)			→	★		
1.4	Public Participation Plan			→	★		
1.5	Base Map Atlas/coordination with city GIS		●	→	★		
1.6	Build Hub Website			→	→	★	
1.7	Past Plans Audits		→	→	→		
1.8	Land Use and Housing Assessments		→	→	→		
1.9	AC #2, #3, #4 Plan Audit Calls (3 main chapters)				▲	▲	▲
1.10	Corridors City Staff Call		●				
1.11	Corridors Focus Groups #1 (3)				◆		
1.12	Public Launch: DIY Engagement/Online Survey #1				●	→	
1.13	Public Meeting #1: Plan Vision & Framework					■	

### KEY

- Comprehensive Plan Task
- Subarea Plan Task
- City Staff
- ▲ Advisory Committee
- ◆ Corridors Focus Groups
- Public Meeting
- ★ Key Consultant Deliverable

## PHASE 2: EXPLORE

### INTENT

The Exploration phase is about digging deeper into different plan alternatives and options with the community and stakeholders. This phase will be an interactive process of evaluating and refining different alternatives for each plan through a series of consensus-building exercises.

### KEY COMPREHENSIVE PLAN TASKS

Plan revisions based on the feedback from Phase 1 will be drafted for review with city staff and the Steering Committee at a series of three virtual meetings. During the drafting of the plan, we will identify key questions or concepts for consideration, evaluation, and/or prioritization by the public during Public Meeting #2.

### KEY SUBAREA CORRIDOR PLANS TASKS

Based on input from Phase 1, we will prepare a set of design, land use, economic analyses, and preliminary ideas for each corridor. Visit #2 will start with focus groups where stakeholders will provide input on different public and private realm alternatives for key opportunities and catalytic projects in each corridor. SmithGroup’s design team will craft concepts and alternatives for public input during an evening Public Meeting #2. We will broadcast live or record the presentation and upload meeting materials/draft concepts onto the project website for continued input following the in-person meeting for those unable to attend in person.

### CITY STAFF SUPPORT

- Review draft comprehensive plan revisions.
- Coordinate logistics for Corridor Plans Workshop and Public Meeting #2.
- Meeting notices, social media posts, and email blasts.
- Biweekly calls with Consultant Team.

### ★ KEY CONSULTANT DELIVERABLES

- Comprehensive plan draft chapters.
- Corridor plan assessment/analyses and meeting materials.
- ArcGIS Hub website and input activities.
- Corridor plan public and private realm alternative concepts.
- Website draft review/survey.
- Meeting agendas, materials, and summaries.

		MONTHS	NOV	DEC	JAN	FEB
<b>PHASE 2: EXPLORE TASKS, ROLES, &amp; SCHEDULE</b>						
2.1	Draft Issues/Opportunities & Housing Chapters				★	★
2.2	Land Use Approach					→
2.3	Compile Data/Actions for Other Elements			→		
2.4	AC # 5,6,7 on Comp Plan Drafts			▲	▲	▲
2.5	Corridors Physical Assessment			→	★	
2.6	Corridors Base Mapping			→	★	
2.7	Corridors Precedents/Design Ideas			→	★	
2.8	Corridors Market Analysis			→	★	
2.9	Corridors Focus Groups #2 (as part of Workshop #2)				◆	
2.10	Joint Draft Concept/alts Public 2-3-day Workshop #2				■	
2.11	Corridors Public/Private Realm Alternatives/Design Ideas					→
2.12	Online Draft Alternatives Review/survey #2				★	→
2.13	PC Virtual Meeting on Draft Approach					■

### KEY

- Comprehensive Plan Task
- Subarea Plan Task
- City Staff
- ▲ Advisory Committee
- ◆ Corridors Focus Groups
- Public Meeting
- ★ Key Consultant Deliverable



# PHASE 3: REALIZE

## INTENT

The Realization phase takes the preferred plan direction and breaks it down into actionable tasks in the short term to see the plan implemented. This includes the assembly of the final report documents and digital dashboard. This phase also includes ushering the plan through formal approval processes. Upon completion of draft documents, we will convert policies, actions, and metrics to the project dashboard for review and comment followed by adoption meetings at the Plan Commission and Common Council.

## KEY COMPREHENSIVE PLAN TASKS

One set of revisions will be completed to reflect the input gained during Phase 2. This phase will include coordination with the implementation strategy for the Subarea Corridor Plan, recent Downtown Plan, and Housing Development Policy Guide, adding measurable benchmarks to an online version of the plan.

## KEY SUBAREA CORRIDOR PLANS TASKS

Following Public Meeting #2, we will refine the draft public and private realm alternatives into refined strategies for different areas throughout each corridor. The corridor vision strategies will be accompanied by a summary of the physical and economic analysis and public input. Implementation strategies will be incorporated into the revised Comprehensive Plan for a seamless set of action steps.

## CITY STAFF SUPPORT

- Review draft plan revisions.
- Meeting notices, social media posts, and email blasts.
- Lead plan adoption process.
- Monthly calls with Consultant Team.

## ★ KEY CONSULTANT DELIVERABLES

- Draft Corridor Plan chapters.
- Final revisions to the Comprehensive Plan with a unified implementation strategy for recent plans.
- Digital dashboard of plan policies, actions, and metrics.
- Executive summary presentation slide decks.
- Final document PDFs, Word files, and transfer of GIS mapping.

		MONTHS	MAR	APR	MAY	JUN	JUL
<b>PHASE 3: REALIZE TASKS, ROLES, &amp; SCHEDULE</b>							
3.1	Corridor Plans Land Use/Character + Public Realm Vision and Strategy		→	★			
3.2	Corridors Implementation strategy		→	★			
3.3	Corridors Focus Group on draft alternatives (virtual)		→	◆			
3.4	Future land use place types		→	★			
3.5	Future land use map		→	★			
3.6	Dashboard update with final actions, metrics				★		
3.7	Draft input survey #3				★	● ▲ ◆	
3.8	Document revisions editing/formatting						
3.9	PC + CC adoption meetings (2 in person, 1 virtual)						★ ●
3.10	Final packaging of materials						★

## KEY

- Comprehensive Plan Task
- Subarea Plan Task
- City Staff
- ▲ Advisory Committee
- ◆ Corridors Focus Groups
- Public Meeting
- ★ Key Consultant Deliverable

# COMPLETE SCHEDULE

**KEY** ● City Staff    ◆ Corridors Focus Groups    ★ Key Consultant Deliverable  
 ▲ Advisory Committee    ■ Public Meeting    ■ Comp Plan    ■ Subareas

		MONTHS:	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
<b>PHASE 1: UNDERSTAND</b>															
1.1	Kick-off Call with City Staff		●												
1.2	Visit #1: AC #1 /Stakeholder Interviews & Tour			▲ ◆											
1.3	Existing Conditions (Census Demographics)			→	→	★									
1.4	Public Participation Plan			→	→	★									
1.5	Base Map Atlas/coordination with city GIS		●	→	→	★									
1.6	Build Hub Website			→	→	→	★								
1.7	Past Plans Audits			→	→										
1.8	Land Use and Housing Assessments		→	→	→	→									
1.9	AC #2, #3, #4 Plan Audit Calls (Issues/Opps, Housing, LU)				▲	▲	▲								
1.10	Corridors City Staff Call		●												
1.11	Corridors Virtual Focus Groups #1			◆											
1.12	Public Launch: DIY Engagement/Online Survey #1				●	→	→								
1.13	Public Meeting #1: Plan Vision & Framework					■									
<b>PHASE 2: EXPLORE</b>															
2.1	Draft Issues/Opportunities and Housing Chapters								★	★					
2.2	Land Use Approach						→	→	→	→					
2.3	Compile Data/Actions for Other Elements						→	→							
2.4	AC # 5,6,7 on Comprehensive Plan Draft Sections							▲	▲	▲					
2.5	Corridors Physical Assessment						→	→	→	★					
2.6	Corridors Base Mapping						→	→	→	★					
2.7	Corridors Precedents/Design Ideas						→	→	→	★					
2.8	Corridors Market Analysis						→	→	→	★					
2.9	Corridors Stakeholder Focus Groups #2 Visit #2 Workshop								◆						
2.10	Joint Draft Concept/alts Public 2-3-day Workshop #2								■						
2.11	Corridors Public/Private Realm Alternatives/Design Ideas									→	→				
2.12	Online Draft Alternatives Review/survey #2									★	→				
2.13	PC Virtual Meeting on Draft Approach										■				
<b>PHASE 3: REALIZE</b>															
3.1	Corridor Land Use/Char. & Public Realm Vision & Strategy										→	→	★		
3.2	Corridors Implementation Strategy										→	→	★		
3.3	Corridors Focus Groups #3 on Draft Alternatives (Virtual) x3										→	→	◆		
3.4	Future Land Use Place Types										→	→			
3.5	Future Land Use Map												★		
3.6	Dashboard Update with Final Actions, Metrics													★	
3.7	Draft Input Survey #3												★	→	● ▲ ◆ ■
3.8	Document Revisions Editing/formatting														
3.9	PC & CC Adoption Meetings (2 in person, 1 Virtual) Visits #3,4														★ ● ■
3.10	Final Packaging of Materials														★

## SECTION 4

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# FIRM EXPERIENCE & REFERENCES

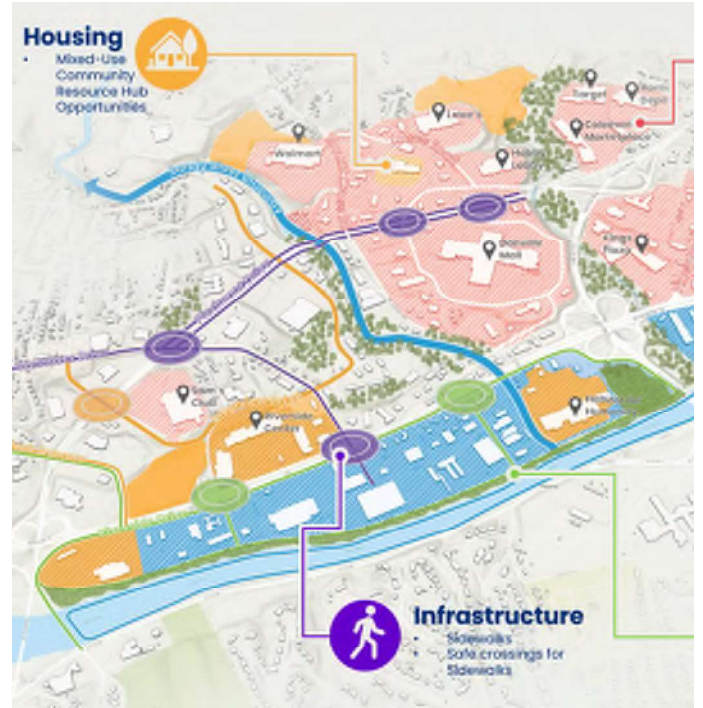


# CITYWIDE COMPREHENSIVE PLAN

Land Use Place Types

## Neighborhood Mixed-Use Center

- 1 Businesses and homes can co-exist using similar massing and materials to match the neighborhood
- 2 Activated ground floors through first floor retail, outdoor plazas and cafes, and lighting create a more welcoming space
- 3



Located in southern Virginia, Danville is a former mill town and tobacco trading hub with a long-standing history of divisive politics and inequitable division of resources. This has created numerous challenges for the city, whose population is racially and economically divided. The city is eager to move forward from its past and build a new legacy.

With recent economic investments infused into the city, in the form of a new multi-million-dollar Caesars Palace Casino and two major employers relocating to the area, Danville is revisiting its comprehensive plan to build upon its unique urban fabric and southern charm. SmithGroup’s planning effort, concluding this spring, includes a robust, year-long engagement process placing the community at the center of the work. A grant from the Commonwealth of Virginia supplements the work for SmithGroup to prepare a resilience plan and the Community Foundation granted funding for robust community engagement.

LOCATION

Danville, Virginia

PROFESSIONAL SERVICES

Urban Planning, Urban Design, Master Planning, Area District Planning

REFERENCE/CONTACT

Renee Burton  
Division Director of Planning & Zoning  
434.799.5260, extension 2502  
burtotr@danvilleva.gov

# COMPREHENSIVE PLAN, CLIMATE ACTION PLAN, & PARKS & RECREATION PLAN



Plan Ferndale updated the citywide master plan and parks and recreation plan, incorporating a new climate action plan and stronger emphasis on sustainability and equity. It was built on the recent Ferndale Moves Mobility Strategy and Equitable Housing Action Plan to lay the groundwork for residential zoning amendments to complement our previous mixed-use and downtown form-based amendments. A stronger policy to permit up to three housing units citywide is one step to begin to repair for decades of discriminatory zoning practices.

Plan Ferndale included a robust set of conversations with officials and residents on recent redevelopment and the future of growth, scale, character, and density. The result was an overarching master plan framework that incorporates goals and values from recent plans into a unified set of strategies for decision making. The latest Capital Improvements Plan incorporates the new values-driven decision making checklist from the master plan into its prioritization process.

The American Planning Association, Michigan Chapter recently recognized the project with a Daniel Burnham Award for comprehensive planning.

**LOCATION**

Ferndale, Michigan

**PROFESSIONAL SERVICES**

Urban Planning, Community Planning

**CLIENT REFERENCE/CONTACT**

Justin Lyons, MUP, CNU-A  
 Former City Planning Manager  
 810.577.2050  
 justinlyons@jsarealtors.com

# COMPREHENSIVE PLAN



Ann Arbor Comprehensive Plan  
Project information & engagement hub

Ann Arbor Comprehensive Plan  
**OPEN HOUSES!**

A process is underway for a new **Comprehensive Plan** that will guide public and private investment to...

- Smart housing options
- Transportation options
- Open job opportunities

**Come share ideas for your neighborhood!**

The Open Houses will include information about the city and activities to get your opinion on how it should change in the future. Each event will have the same material – choose the day and location that works best for you. Snacks and light refreshments will be available.

[CLICK TO VIEW THE ANN ARBOR HUB SITE](#)  
CREATED BY SMITHGROUP

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**LOCATION**

Ann Arbor, Michigan

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**PROFESSIONAL SERVICES**

Urban Planning, Urban Design, Master Planning, Community Planning, Public Engagement, Area District Planning

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**CLIENT REFERENCE/CONTACT**

Brett Lenart, AICP  
Planning Manager  
734.794.6000, extension 42606  
blenart@a2gov.org

Ann Arbor is updating its Comprehensive Plan for the first time since 2009, looking to modernize its land use policies to further the values of Equity, Affordability, and Sustainability. The city is encountering a housing affordability crisis and is ranked as one of the least affordable in Michigan. City leadership supports the need for increased density to address housing diversity but is unsure of exactly where and how.

SmithGroup is part of a team working to frame the trade-offs and constraints inherent in a community that has little remaining developable land. After performing an initial analysis, our team will distill critical information into engaging, digestible forms so that conversations with the steering committee, technical advisory committee, and the public can begin. The plan is expected to be completed by the end of 2025.

# 2040 COMPREHENSIVE PLAN UPDATE WITH DOWNTOWN VISION



This effort was part of an update to the citywide comprehensive plan, which built an exhaustive framework upon several recent planning efforts like the recent branding initiative. The resulting plan is vibrant and approachable, providing a new set of united guiding principles and concise strategies. SmithGroup also prepared a subarea plan for the Southeast Area, a largely undeveloped area expected to develop upon the completion of the new southern bridge crossing. This smart growth plan outlines strategies to build complete, walkable neighborhoods, mixed-use centers, and a network of green connections and natural preserves.

While the Fox River is one of De Pere’s greatest assets and amenities, it splits the city and downtown in two, challenging the community’s notion of unity and a shared identity. Having completed the east downtown’s Cultural District Plan, SmithGroup embarked on a process to create a complementary set of recommendations for the west downtown. The recommendations included identifying key redevelopment site strategies, installing improved crossings and streetscape, and implementing results from a recent parking study.

**LOCATION**  
De Pere, Wisconsin

**PROFESSIONAL SERVICES**  
Urban Design, Comprehensive Planning

**REFERENCE/CONTACT**  
Daniel Lindstrom  
Development Services Director  
920.339.4043  
dlindstrom@deperewi.gov

# DE PERE CULTURAL DISTRICT MASTER PLAN



The City of De Pere, Wisconsin hired SmithGroup to conduct a three-day charrette to explore the potential for a downtown cultural district to make De Pere a distinguished hub of culture and arts in the Greater Green Bay metropolitan area.

The resulting plan provides guidelines for riverfront activation, trail connections, and development patterns in the downtown. The cultural district will be anchored by the proposed Mulva Cultural Center, and include high-quality dining and entertainment businesses amidst extraordinary views of the Fox River, public art of many forms, and superior public realm and open spaces.

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**LOCATION**

De Pere, Wisconsin

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**PROFESSIONAL SERVICES**

Urban Design, Comprehensive Planning

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**REFERENCE/CONTACT**

Daniel Lindstrom  
Development Services Director  
920.339.4043  
dlindstrom@deperewi.gov



# KENOSHA INNOVATION NEIGHBORHOOD MASTER PLAN



The Kenosha Innovation Neighborhood Master Plan provides a vision for redeveloping the 107-acre former Chrysler Assembly Plant in downtown Kenosha. The plan is for an innovation district that will bring new industry-leading technologies and businesses to the region, as well as retain and attract young professionals.

## LOCATION

Kenosha, Wisconsin

## PROFESSIONAL SERVICES

Community Planning, Land Planning,  
Architecture, Civil Engineering,  
Landscape Architecture

## REFERENCE/CONTACT

Tim Casey  
Director of Community Development  
262.653.4030  
tcasey@kenosha.org

Unlike other innovation districts, this plan seeks to make the redevelopment a neighborhood. It will be nested in and be an extension of existing surrounding neighborhoods and will include new housing, a commercial district, and a high school.

The development will be inclusive of all individuals, the surrounding neighborhoods, and the broader community by being respectful of existing neighborhood history and character, blurring boundaries between development and neighborhood, and responding to the scale and density of the community. It will also support the recovery and development of sustainable and resilient surrounding neighborhoods by providing support for individuals with varying degrees of skills and creating flexibility for growth over time.

## REDEVELOPMENT READY COMMUNITIES PROGRAM

### LOCATIONS

Various communities across Michigan

### PROFESSIONAL SERVICES

Urban Planning, Urban Design, Master Planning

### CLIENT REFERENCE/CONTACT

Michelle Parkkonen, AICP  
Managing Director  
517.599.8796  
parkkonenm@michigan.org



CLICK HERE TO VIEW THE [RESILIENCY TOOLKIT GUIDE](#)

### TECHNICAL ASSISTANCE

SmithGroup has advised the Michigan Economic Development Corporation (MEDC) through its Redevelopment Ready Community program. It is a certification program through which the MEDC audits the community's plans, codes, and procedures. We have spent the last decade serving as the primary point of contact for RRC staff to help fill the gaps in the communities' redevelopment programs. Kathleen Duffy led the "planning and participation" training for over five years. Our assistance has included the following practices:

- Downtown, corridor, comprehensive plans, and redevelopment strategies
- Zoning ordinances and form-based codes
- Site prioritization and redevelopment strategies
- Economic development and marketing strategies
- Delivery of training programs for staff and officials
- Development review process evaluation and recommendations

### RESILIENCY TOOLKIT

As part of our ongoing work with the MEDC Redevelopment Ready Communities program, SmithGroup prepared a resiliency toolkit to assist communities in planning for shocks and stresses. The toolkit includes a self-evaluation and set of goals, metrics, and actions that communities can use to incorporate resilient strategies for people, places, infrastructure, and the economy.

SmithGroup provides quarterly recommendations and resources for the MEDC Resiliency Toolkit to ensure it remains a relevant and useful tool for communities in the years to come. Updates include graphics for social media posts, website enhancements, best practices for their virtual resiliency library, and new tools for the kit.

SmithGroup also partnered with the MEDC and the cities of Midland and Marquette, to implement the toolkit in their communities. Collaborating with local leaders, business associations, FEMA, EGLE, and more, we helped these two cities identify implementable next steps to become more socially, economically, physically, and environmentally resilient communities.

# LINCOLN KING NEIGHBORHOOD PLAN



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**LOCATION**

Racine, Wisconsin

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**PROFESSIONAL SERVICES**

Urban Planning, Urban Design,  
Community Planning, Landscape  
Architecture, Streetscape Design,  
Conceptual Design

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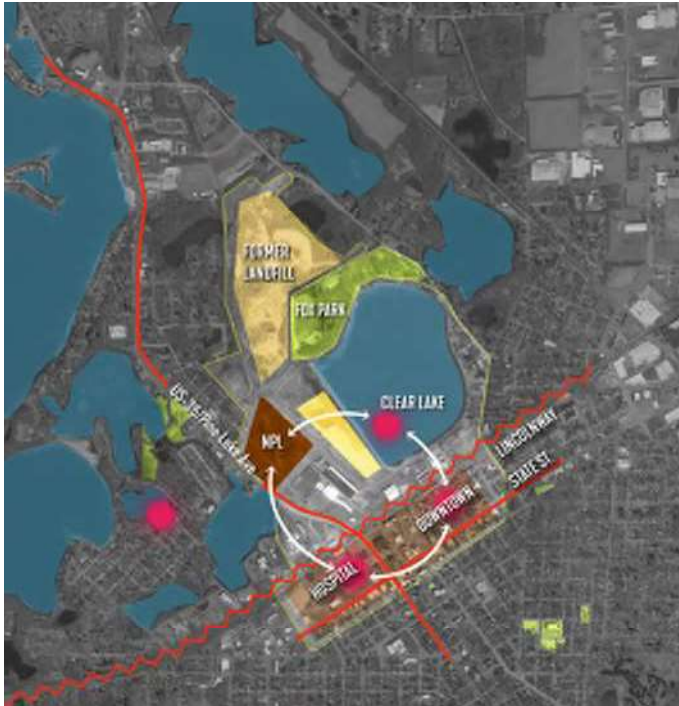
**REFERENCE/CONTACT**

Cathy Anderson  
Neighborhood Investment Manager  
Department of City Development  
262.636.9476  
cathy.anderson@cityofracine.org

Propelled forward by a \$15 million neighborhood investment grant from the State of Wisconsin, the City of Racine began planning improvements to the Lincoln-King Neighborhood. The added neighborhood investment grant represents a significant opportunity to leverage that catalytic project and extend the City’s investment to a broader area for lasting impact.

SmithGroup worked closely with the city assisting them to guide funding and create a long-term vision for neighborhood infrastructure improvements. In addition, the neighborhood master plan helped inform the design decisions made for the proposed King Center and Racine Community Health Center (RCHC) adjacent to Julian-Thomas Elementary School. The new King Center and RCHC is an exciting catalytic investment by the city in a neighborhood that has not seen significant investment for generations.

# CLEAR LAKE SUB AREA PLAN



La Porte, an aging rustbelt community in northwest Indiana, has among the lowest health metrics in Indiana. The City partnered with the Healthcare Foundation to undertake a district plan for a remediated industrial site, park, downtown, and hospital district built on improving connectivity, a sense of place, and opportunities for mixed-use and recreation uses to support healthy lifestyle choices. The Heart of La Porte is a long-term vision that identifies short-term redevelopment, placemaking, environmental stewardship, and recreation opportunities to create a holistic vision for healthy living. A multi-day charrette included walking tours, stakeholder meetings, and evening public sessions to vet placemaking and land use alternatives.

Beyond a long-range vision, the plan identifies several catalytic projects that will be developed up to a 30% level of design. The selected projects include downtown streetscape renovations, a greenway, ecological shoreline enhancements, and a new communal greenspace downtown. The next step for the city will be to seek funding and partnerships for implementation to put the vision into reality.

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**LOCATION**

La Porte La Porte, Indiana

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**PROFESSIONAL SERVICES**

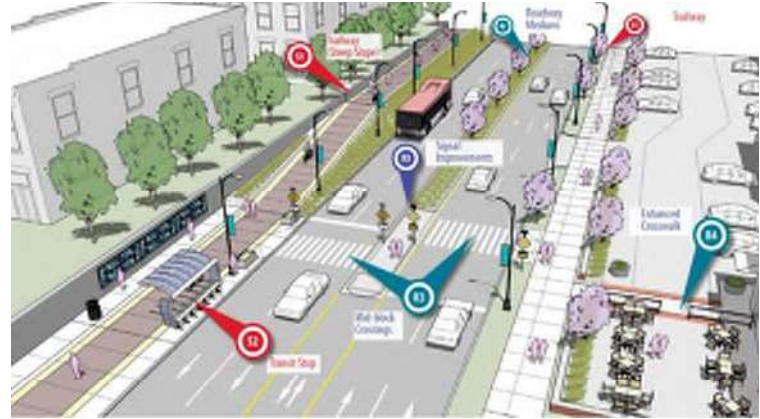
Community Planning, Civil Engineering,  
Landscape Architecture

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**REFERENCE/CONTACT**

Nick Minich  
City Engineer  
219.362.2327  
nminich@cityoflaportein.gov

# EUCLID AVENUE REDEVELOPMENT STUDY



The City of Cleveland sought to transform Euclid Avenue from a vehicle-dominated corridor into a vibrant and comfortable place for residential neighborhoods and local businesses. Euclid Avenue suffers from a legacy of disinvestment, and this project mobilized resources toward creating an equitable outcome for the community.

SmithGroup led a comprehensive corridor study that examined the following key items and goals:

- Transportation and mobility design that makes the corridor accessible to people of all ages and abilities.
- Roadway design that manages vehicle speeds and improves safety and comfort for all people.
- Urban railway incorporation with integrated transit stops, safer crossings, streetscape, and lighting.
- Land use opportunities for reinvestment that support local businesses and wealth building.
- Economic impact assessment of how changes in, and adjacent to, the corridor can support the vitality of the corridor for residents.

SmithGroup engaged local partners, agencies, political leaders, businesses, residents, and schools in a collaborative process to meet the goals above. An illustrative report showcased potential changes that could be advanced using a phased approach. Recommendations were prioritized, costs estimated, and implementation-focused action items identified.

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**LOCATION**  
Cleveland, Ohio

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**PROFESSIONAL SERVICES**  
Urban Planning, Urban Design

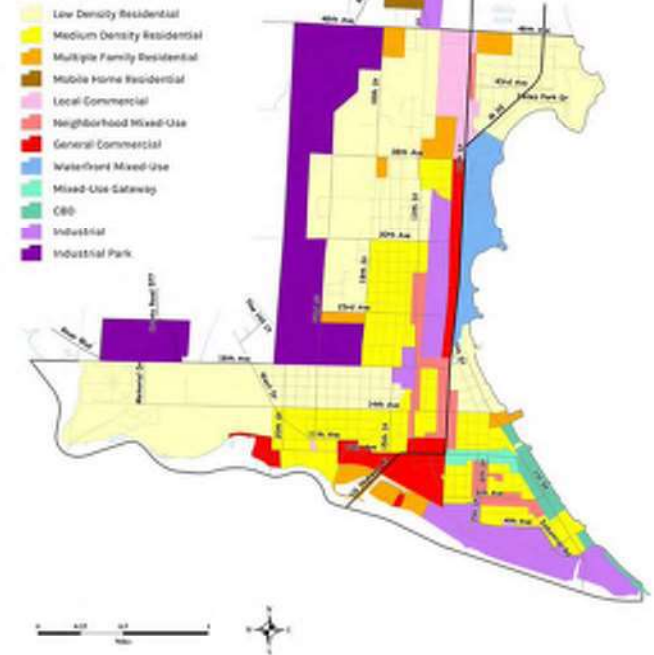
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**CLIENT REFERENCE**  
Calley Mersmann  
Senior Strategist, Transit & Mobility  
216.664.2952  
cmersmann@city.cleveland.oh.us

# COMPREHENSIVE PLAN UPDATE



City of Menominee  
**FUTURE LAND USE**  
DRAFT August 2019



**LOCATION**

Menominee, Michigan

**PROFESSIONAL SERVICES**

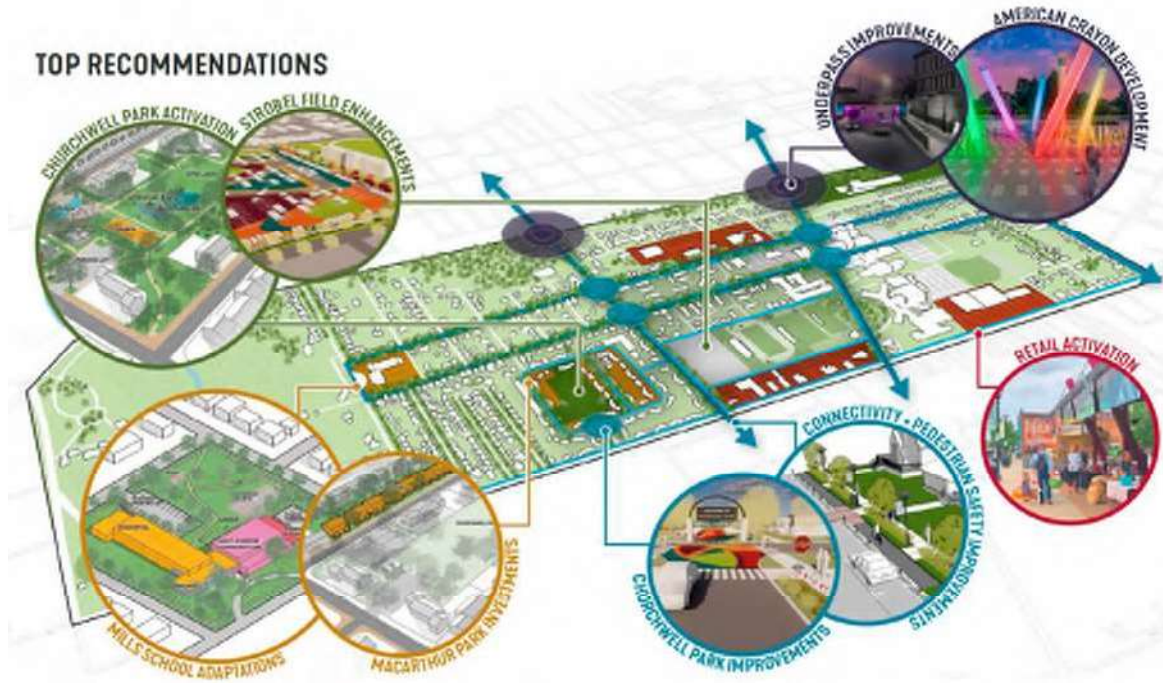
Urban Planning, Urban Design,  
Community Planning

**REFERENCE/CONTACT**

Brett Botbyl  
City Manager  
906.863.1747  
bbotbyl@menomineemi.gov

Menominee’s Highway 41 corridor, as a gateway to Michigan’s upper peninsula, lacks the charm and history of its historic downtown and bayfront. Rethinking this corridor and its views of Green Bay were the cornerstone of SmithGroup’s efforts to redefine the city’s land use and redevelopment opportunities for a draft master plan update. Through stakeholder workshops, the team strategized around economic development possibilities for several key sites, including the Highway 41 corridor, a former school site, an office park, and a gateway big box node. This refreshed land use approach, coupled with a streamlined set of goals and actions, will set up Menominee for future zoning amendments to make redevelopment more feasible.

# SANDUSKY SOUTHSIDE NEIGHBORHOOD PLAN



Improvements to the Sandusky Southside Neighborhood were identified as part of a previous study completed in 2016. In 2022, SmithGroup was engaged to plan for and implement sustainability strategies while also creating environments that attract and support private investment in the community.

The process began with thoughtful and creative community engagement—identifying needs and prioritizing implementation items. Virtual and in-person forums engaged a broad range of community stakeholders, leaders, and partners to gain valuable feedback.

The resulting plan focuses on the development of major city corridors adjacent to residential neighborhoods. It addresses parks, greenspaces, and increased bike and walking paths as well as public transit. It looks at the neighborhood as a whole—analyzing existing infrastructure and areas such as affordable housing, neighborhood stabilization, and opportunities for mixed-use development to further create a walkable, connected community.

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**LOCATION**

Sandusky, Ohio

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**PROFESSIONAL SERVICES**

Urban Planning, Urban Design, Master Planning, Neighborhood Planning, Community Planning

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**REFERENCE/CONTACT**

Arin Blair  
Chief Planner  
419.627.5873  
ablair@cityofsandusky.com

# OSHKOSH LAKESHORE PARK MASTER PLAN & PARK PAVILION



## LAKESHORE PARK MASTER PLAN

The Oshkosh Common Council desired to transform 70 acres of a former golf course into a new community park. SmithGroup was hired and initiated a three-part planning process including data collection, meetings with city staff, site analysis, and public outreach. A plan was completed in 2019 that reimagines the former golf course as a community destination with two distinct parkland halves.

## LAKESHORE PARK PAVILION

As the catalytic first project of this new community park, the 3,700 sf pavilion designed in 2021 embodies the master plan's sustainability ethos. It functions as a landmark and year-round community living room for events, blending seamlessly with the surrounding waterfront site. Its waterside deck, plazas, and native landscape are designed as the heart of Lakeshore Park and serve as a regional trailhead for the adjacent riverwalk and future water trails.

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### LOCATION

Oshkosh, Wisconsin

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### PROFESSIONAL SERVICES

Master Planning, Architecture, Civil Engineering, Landscape Architecture, HVAC Design, Plumbing Design, Electrical Engineering, Structural Engineering

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### REFERENCE/CONTACT

Raymond Maurer  
Parks Director  
920.236.5080  
rmaurer@ci.oshkosh.wi.us



## SECTION 5

# PROPOSED PROJECT TEAM



# TEAM ORGANIZATION

SmithGroup, under the leadership of **Kathleen Duffy** and **Xu Zhang**, will direct the team effort as indicated in the organization chart below.

We have assembled a passionate team that brings significant expertise to deliver the comprehensive and subarea plans successfully. When we decide to pursue

a project, we carefully consider the time commitment necessary by all the team members to ensure a full commitment to the project from beginning to end. We have the depth of resources and staff available that will support our leadership team and cover a wide variety of services beneficial to the City of Appleton.



## PRINCIPAL-IN-CHARGE/URBAN PLANNER

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# KATHLEEN DUFFY

AICP



**Kathleen Duffy grew up in Oshkosh, Wisconsin and regularly visits Appleton with her family.** This, along with the creation of over 30 comprehensive plans for similar communities, makes her qualified to help the city with its upcoming planning efforts. She is a passionate expert on land use, character, and placemaking, helping communities create intelligent redevelopment and economic development strategies for corridors, downtowns, and districts. Her creative problem-solving, unique design skills, and big-picture thinking result in inclusive and implementable comprehensive plans.

- City of DePere, 2040 Comprehensive Master Plan Update & West Downtown Vision Plan, DePere, Wisconsin
- City of La Porte, Clear Lake Sub Area Plan, La Porte, Indiana
- City of Cleveland, Euclid Avenue Redevelopment Study, Cleveland, Ohio
- MEDC, Redevelopment Ready Communities Technical Assistance Program & Master Plans, Mason, Grosse Ile Township, Owosso, Newaygo, Melvindale, Wyandotte, Lexington, & Swartz Creek, Michigan
- City of Danville, Comprehensive Plan, Danville, Virginia
- City of Ferndale, Master Plan, Parks & Recreation Plan Update, Climate Action Plan & Downtown Form-based Code, Ferndale, Michigan
- City of Ann Arbor, Comprehensive Plan, Ann Arbor, Michigan
- City of Lansing, Comprehensive Plan & Form-Based Code, Lansing, Michigan
- City of Birmingham, Woodward Southern Gateway Corridor Plan, Birmingham, Michigan\*
- City of Rochester Hills, Auburn Road Corridor Plan, Rochester Hills, Michigan\*
- City of Muskegon Heights, Downtown Plan, Muskegon Heights, Michigan
- City of Las Vegas, 2050 Master Plan, Las Vegas, Nevada
- City of Las Vegas, East & Northwest Area Plans, Las Vegas, Nevada
- City of Charleston, Comprehensive Plan, Charleston, West Virginia\*
- Washtenaw County, ReImagine Washtenaw Plan, Ann Arbor & Ypsilanti, Michigan\*

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### EDUCATION

Master of Urban and Regional Planning,  
University of Illinois

Bachelor of Science in Architecture with  
a Minor in Art History,  
University of Michigan

Urban Land Institute Larson Center for  
Leadership

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### REGISTRATIONS

American Institute of Certified Planners

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### PROFESSIONAL AFFILIATIONS

American Planning Association

Urban Land Institute—Michigan  
Advisory Board and Women's  
Leadership Committee Co-Chair

ULI Michigan's Housing and Community  
Development Local Product Council

Form-Based Code Institute

National Charrette Institute

\* Completed prior to SmithGroup

# XU ZHANG



Xu Zhang's work is inspired by her passion for people's stories and community development. She is an experienced urban planner who specializes in designing communities that support safe, equitable, innovative, and sustainable development. Her goal is to create beautiful urban community environments that are sensitive and engaging for all living things. Xu's leadership, expertise, engagement, and partnering acumen will enable her to deliver a successful program for Appleton.

- Envision Montgomery 2040 Comprehensive Plan, Montgomery, Alabama\*
- Neptune Beach Community Vision Plan 2040, Neptune Beach, Florida\*
- The Onward Alameda Corridor Plan, El Paso, Texas\*
- City of El Paso, Historic Mission Trail Comprehensive Plan Update, El Paso, Texas\*
- Citywide Master Plan, Punta Gorda, Florida\*
- City of Racine, Lincoln King Neighborhood Plan, Racine, Wisconsin
- City of Sheboygan, Deland Park and Waterfront Reuse Master Plan, Sheboygan, Wisconsin
- New Mexico State University, Campus Design Guidelines, Las Cruces, New Mexico\*
- Kane County, Forest Preserve District Master Plan, Geneva, Illinois
- Comprehensive Plan: Blueprint 2028, Thomasville Georgia\*
- Form-based Unified Development Code, Thomasville Georgia\*
- Bedrock, East Riverfront Master Planning, Detroit, Michigan
- La Madre Foothills & Kyle Canyon Special Area Plans, Las Vegas, Nevada
- City of Muskegon, Lakefront Master Plan, Muskegon, Michigan
- City of Clive, Linnan Park Improvements, Clive, Iowa
- City of Oakland, Downtown Specific Plan, Oakland, California
- North Miami Beach West Lots Plan, Miami, Florida
- City of Missoula, Downtown Master Plan, Missoula, Montana\*
- City of Missoula, North Riverside Parks & Trails Plan, Missoula, Montana\*

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### EDUCATION

Master of Data Analytics, Georgia Institute of Technology

Master of Landscape Architecture, Pennsylvania State University

Bachelor Degree of Urban Planning, Jiangnan University

\* Completed prior to SmithGroup

# TOM ROGERS

## PLA



With 23 years of urban design experience, Tom Rogers is well known in Wisconsin for understanding the challenges facing communities like the City of Appleton. He is a creative and passionate community development expert adept at working with multiple stakeholders to form beautiful, sustainable solutions that present opportunities for positive growth. Tom's knowledge augments the greater team, serving as a valuable partner in helping the City of Appleton plan for the future.

- City of De Pere, Cultural District Master Plan, De Pere, Wisconsin
- City of DePere, 2040 Comprehensive Master Plan Update & West Downtown Vision Plan, DePere, Wisconsin
- City of Kenosha, Innovation Neighborhood Master Plan, Kenosha, Wisconsin
- City of Milwaukee, Harbor District Riverwalk, Milwaukee, Wisconsin
- City of Milwaukee, South 13th Street Streetscape Improvements, Milwaukee, Wisconsin
- City of Watertown, Town Square Civic Hub, Watertown, Wisconsin
- City of Wauwatosa, Downtown 69th Street Center Pocket Park, Wauwatosa, Wisconsin
- Hovde Properties, Reston Heights Mixed-use Development Planning Study, Madison, Wisconsin
- City of Madison, Garver Feed Mill Mixed-use Redevelopment, Madison, Wisconsin
- City of Green Bay, City-wide Park Paving Analysis, Green Bay, Wisconsin\*
- City of Green Bay, Leight Park Waterfront Festival Grounds, Green Bay, Wisconsin\*
- City of East Moline, Illinois, Downtown Streetscape & Riverfront Master Plan Vision, East Moline, Illinois
- City of Burlington, Tiger Grant Complete Streets & Riverfront-Roadway, Burlington, Iowa
- City of Euclid, Waterfront Plan, Euclid, Ohio
- City of Sault Ste Marie, Waterfront Study, Sault Ste Marie, Michigan

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### EDUCATION

Bachelor of Science in Landscape Architecture, University of Wisconsin-Madison

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### REGISTRATIONS

Professional Landscape Architect:  
Colorado  
Iowa  
Wisconsin

\* Completed prior to SmithGroup

## URBAN DESIGNER/PLANNER/GIS SPECIALIST

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# JAKE JENKINS

PLA, ASLA, LEED GA



As SmithGroup's computational design expert, Jake Jenkins stays on the cutting edge of parametric modeling and big data visualization for community planning and development. His approach is focused on technical site and context exploration, unearthing parameters to develop the design, and investigating innovative delivery techniques. His expertise includes a diverse range of project types from greenways, waterfronts, and campuses to complex spatial studies and ecological analysis.

- City of De Pere, Cultural District Master Plan, De Pere, Wisconsin
- City of DePere, 2040 Comprehensive Master Plan Update & West Downtown Vision Plan, DePere, Wisconsin
- City of Oshkosh, Wisconsin, Lakeshore Park Master Plan, Oshkosh, Wisconsin
- City of Kenosha, Innovation Neighborhood Master Plan, Kenosha, Wisconsin
- City of La Porte, Clear Lake Sub Area Plan, La Porte, Indiana
- Dane County, Circular Campus Vision, Madison, Wisconsin
- Villard Avenue Business Improvement District, Streetscape Charrette, Milwaukee, Wisconsin
- City of Milwaukee, South 13th Street Streetscape Improvements, Milwaukee, Wisconsin
- Milwaukee County, South Shore Park Beach, Milwaukee, Wisconsin
- Milwaukee Metropolitan Sewerage District, Kinnickinnic River 6th to 16th Street, Milwaukee, Wisconsin
- Milwaukee Metropolitan Sewerage District, Kinnickinnic River Jackson Park, Milwaukee, Wisconsin
- City of Portage, Downtown Master Plan, Portage, Indiana
- City of Clinton, Riverfront Development Study, Clinton, Iowa
- City of Burlington, Tiger Grant Complete Streets and Riverfront-Roadway, Burlington, Iowa
- City of Rocky River, Bradstreet's Landing Pier Renovations, Rocky River, Ohio
- Cuyahoga County, Lakefront Public Access Plan, Cleveland, Ohio

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### EDUCATION

Master of Landscape Architecture, with Honors, Kansas State University

Bachelor of Science in Community and Regional Planning, Minor in Sociology, Iowa State University

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### REGISTRATIONS

Landscape Architect:  
Wisconsin

LEED Green Associate

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### PROFESSIONAL AFFILIATIONS

American Society of Landscape Architects

# GIZEM DEMIRKOL CAKAL



Gizem Demirkol Cakal is a dynamic and forward-thinking urban planner, specializing in environmental design, a distinct sense of place, and spatial planning. With a profound understanding of place theories, environmental behavior, and robust community engagement, Gizem is dedicated to crafting sustainable and vibrant urban environment solutions that prioritize the well-being of residents. She will apply her expertise to help the city develop a plan that reflects the needs and vision of the Appleton community.

- City of Racine, Lincoln King Neighborhood Plan, Racine, Wisconsin
- Milwaukee Metropolitan Sewerage District, Kinnickinnic River Jackson Park, Milwaukee, Wisconsin
- City of Clinton, Riverfront Development Study, Clinton, Iowa
- Bedrock, East Riverfront Master Planning, Detroit, Michigan
- Bookworm Botanical Gardens, River Site Master Plan, Sheboygan, Wisconsin
- Kane County, Forest Preserve District Master Plan, Geneva, Illinois
- City of Willoughby, Amphitheater and Chagrin River Trail, Willoughby, Ohio
- City of Clive, Linnan Park Improvements, Clive, Iowa
- Lincoln Park Conservancy, North Pond at Lincoln Park, Master Plan Update, Chicago, Illinois
- University of Wisconsin-Madison, New Engineering Building, Madison, Wisconsin
- University of Wisconsin-Stout, Long Range Plan, Menomonie, Wisconsin
- University of Cincinnati, Campus Master Plan Update, Cincinnati, Ohio
- University of Toledo, Campus Plan Update, Toledo, Ohio

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### EDUCATION

Master of Urban Design, University of Wisconsin-Milwaukee

Master of City Planning & Urban Design, Orta Dogu Technical University, Turkey

Bachelor of Science, City & Regional Planning, Orta Dogu Technical University, Turkey

# RACHEL SMITH

## AICP



Affordable housing and economic development are hallmarks of Rachel Smith's urban planning and design expertise. She is an expert on regulatory tools that support these efforts and uses creative, research-driven solutions and innovative programs to bring investment and housing development to communities like the City of Appleton. Rachel keeps current with global housing and community development advancements, trends, and research. She enjoys engaging communities to create strategies that meet housing demand, align with community values, and empower and protect vulnerable populations.

- City of Detroit, Master Plan, Detroit, Michigan
- City of Detroit, ARPA Industrial & Commercial Site Identification Scoping, Detroit, Michigan
- MEDC, Redevelopment Ready Communities Technical Assistance Program, multiple Michigan communities
- City of Danville, Comprehensive Plan, Danville, North Carolina
- City of Sandusky, Southside Neighborhood Master Plan, Sandusky, Ohio
- City of Adrian, Zoning Ordinance, Adrian, Michigan
- City of Mason, Master Plan & Ordinance Update, Mason Michigan
- Bedrock, East Riverfront Master Planning, Detroit, Michigan
- DC Office of Planning, Rock Creek Corridor Planning, Washington DC
- Cuyahoga County, Lakefront Public Access Plan, Cleveland, Ohio
- City of Ferndale, Master Plan, Parks & Recreation Plan Update, Climate Action Plan & Downtown Form-based Code, Ferndale, Michigan
- Ann Arbor Housing Commission, 415 Washington Area Plan Review, Ann Arbor, Michigan
- City of Ann Arbor, Comprehensive Plan, Ann Arbor, Michigan
- City of Muskegon Heights, Downtown Vision Plan, Muskegon Heights, Michigan
- City of Detroit, Design Guidelines for Commercial Corridors, Detroit, Michigan

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### EDUCATION

Master of Science, Planning, University of Arizona

Bachelors, Fine and Studio Arts, Drury University

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### REGISTRATIONS

American Institute of Certified Planners

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### PROFESSIONAL AFFILIATIONS

American Planning Association,  
National Housing & Community  
Development, Committee Treasurer

Michigan Association of Planning,  
Housing Policy Subcommittee



# MICHELLE JOHNSON



Michelle Johnson has over 20 years of experience in economic development, comprehensive planning, complete streets, and corridor planning and design. Her portfolio includes 10+ complete street corridor planning and detailed design projects, five of which were federally funded, and 15+ economic development studies with components such as commercial, housing, office, and industrial market analyses and assessments, highest and best-use analyses, Tax Increment Financing (TIF) analyses and projections, retail gap and leakage analysis, development strategies and forecasting, development proformas, and travel time analysis. Her previous experience has also given her strong knowledge of federal funding processes and grant administration, writing, and reporting.

- City of Kenosha, Innovation Neighborhood (KIN) Eda Grant Administrator, Kenosha, Wisconsin
- City of Bakersfield, SR 204 Highway to Boulevard Planning Study, Market Analysis, and Economic Impact Assessment, California High-Speed Rail Authority, Bakersfield, California
- Township of Grosse Ile, Master Plan, Market Analysis & Future Economic Impact Study, Grosse Ile, Michigan
- City of Akron, North Main Street Complete Street Corridor Study Master Plan & Market Analysis, Akron, Ohio\*
- City of Willowick, Lakefront & Lakeshore Boulevard Connectivity Plan & Market Analysis, Willowick, Ohio\*
- City of Akron, Broadway Avenue & Main Street Market Analysis and Master Plan, Akron, Ohio\*
- City of Aurora, Housing & Density Study, Aurora, Ohio\*
- Laketran and Cities of Willowick, Eastlake & Willoughby, Vine Street Corridor Plan, Market Analysis & Tax Increment Financing Analyses, Multiple cities, Ohio\*
- City of Sylvania, Downtown Master Plan, Market & TIF Analysis, Sylvania, Ohio\*
- City of Akron, Firestone Industrial Market Analysis, Akron, Ohio\*

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### EDUCATION

Master of Urban Planning, Design and Development, Cleveland State University

Bachelor of Arts, Urban and Regional Planning, Minor, Landscape Architecture, Miami University

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### PROFESSIONAL AFFILIATIONS

Cleveland Leadership Academy, 20th Class, Fellow

American Planning Association, Cleveland Chapter, Member, Executive Board Member 2006–2018

Member, Association of Pedestrian and Bicycle Professionals

Member, International Council of Shopping Centers

\* Completed prior to SmithGroup

# ETHAN WISSLER



With a background in landscape architecture and urban design, Ethan Wissler works at the intersection of planning and design. He is an expert in the use of GIS and computational data science in the planning process and develops new tools and applications to enhance overall data analysis in the built environment. Since joining SmithGroup, Ethan has played a key role in the planning, design, and implementation of public spaces on many projects in the Midwest.

- University of Wisconsin-Stout, Long Range Plan, Menomonie, Wisconsin
- City of St. Louis, Citywide Transportation & Mobility Plan, St. Louis, Missouri
- City of Ann Arbor, State & Hill Street Improvements, Ann Arbor, Michigan
- City of Detroit, Joe Louis Greenway, Detroit, Michigan
- City of Ferndale, Park District Wilson Park Design, Ferndale, Michigan
- City of Oak Park, Parks and Recreation Master Plan Update, Oak Park, Michigan
- Greektown Neighborhood Partnership, Monroe Street Streetscape Improvements, Detroit, Michigan
- Bedrock, East Riverfront Landscape & Streetscape, Detroit, Michigan
- Davey Tree, East Campus Design, Research & Training Center Building, Kent, Ohio
- Old Dominion University, Comprehensive Campus Master Plan, Norfolk, Virginia
- University of Texas at Arlington, Campus Master Plan, Arlington, Texas
- Bowling Green State University, Campus Master Plan Update, Bowling Green, Ohio
- DTE Energy, Second Avenue Greenway & Concept Design, Detroit, Michigan
- DTE Energy, Roxbury Broadway Site, Ann Arbor, Michigan
- Huron Waterloo Pathways Initiative, Title IX Plaza, Ann Arbor, Michigan

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### EDUCATION

Master of Landscape Architecture,  
University of Arizona

Master of Science in Planning,  
University of Arizona

Graduate Studies in Design & Planning,  
Cornell University

Bachelor of Science, Natural Resources  
Economics, University of Arizona

**SECTION 6**

revised 6/21/2024

**COST PROPOSAL**



# COST PROPOSAL

	<b>Costs</b>
1: Understand	\$102,000
2: Explore	\$140,000
3: Realize	\$117,000
<b>Total Project Cost</b>	<b>\$359,000</b>

Comprehensive Plan Project Cost	\$236,000
Subarea Plans Project Cost	\$123,000

Shared tasks like past plan review, regular staff coordination, implementation, executive summaries, dashboard, and adoption are included in the comprehensive plan subtotal.

<b>Team Member</b>	<b>Role</b>	<b>Anticipated Hours</b>	<b>Billing Rate</b>
Kathleen Duffy	Principal-in-Charge/Planner	210	\$185
Xu Zhang	Project Manager/Urban Designer	565	\$150
Jake Jenkins	Urban Designer	370	\$120
Gizem Demirkol Cakal	Urban Planner	990	\$100
Rachel Smith	Housing Planner	190	\$130
Michelle Johnson	Market Strategist	60	\$220
Tom Rogers	Urban Design/Quality	15	\$220
Ethan Wissler	GIS/Data	135	\$100
Contingency	Average Staff Rate	210	\$150



# CITY OF APPLETON

## MEMORANDUM

**Date:** July 10, 2024  
**To:** Community Development Committee  
**From:** Olivia Galyon, Community Development Specialist  
**Subject:** Request to Award Contract to NeighborWorks Green Bay for ARPA  
Neighborhood Leadership Academy Project

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**Background & Analysis:** On April 3, 2024, the Common Council allocated \$100,000 of American Rescue Plan Act (ARPA) funding for Neighborhood Leadership Academy programming. This programming will empower Appleton's residents to strengthen their neighborhood organizations, provide an educational leadership development opportunity, and increase the self-sufficiency of Appleton's neighborhood organizations to pursue improvement projects, funding opportunities, and increase community connections. The City issued a Request for Proposals (RFP) to complete and coordinate services for the Neighborhood Leadership Academy on April 12, 2024 (attached). Proposals were solicited in accordance with City's Procurement and Contract Management Policy and ARPA regulations. The City received three proposals in response to the RFP.

The three received proposals were evaluated by Community Development Department staff and a neighborhood leader in Appleton's Erb Park Neighborhood. The evaluation consisted of internal technical review of the proposals and interviews of all three respondent organizations on May 23, 2024.

After internal review and determination of the firm's qualifications and ability to perform the desired work, the evaluation team selected NeighborWorks Green Bay. Following proposal refinement and revisions, NeighborWorks submitted a final project scope in the amount of \$76,250 and staff is recommending a contingency of \$3,750 for a project total of \$80,000.

Per the City's organizational structure and procurement policies, contracts for services in excess of \$25,000 by the Community Development Department fall under the jurisdiction of the Community Development Committee (CDC) for review and recommendation to Common Council for final award.

**Staff Recommendation:** In accordance with City policy, staff recommends approval to award a contract to NeighborWorks Green Bay in an amount of \$76,250 with a \$3,750 contingency for a project total not to exceed \$80,000 to perform the scope of services outlined in the attached Neighborhood Leadership Academy proposal.



# CITY OF APPLETON

## CITY OF APPLETON

### Request for Proposals for Neighborhood Leadership Academy Programming, Engagement, and Delivery

Issued by:  
City of Appleton, WI  
April 12, 2024

Proposals must be received no later than:  
4:00 PM, Friday, May 10, 2024

Submit Quotes to:  
Olivia Galyon  
Community Development Specialist

By mail:  
ATTN: Community Development Specialist  
100 N. Appleton Street  
Appleton, WI 54911

Or electronically:  
[Olivia.Galyon@Appleton.org](mailto:Olivia.Galyon@Appleton.org)

For further information regarding this request contact:  
Olivia Galyon, Community Development Specialist  
[Olivia.Galyon@Appleton.org](mailto:Olivia.Galyon@Appleton.org)  
920-832-6469

## **1.0 GENERAL INFORMATION**

### **1.1 Introduction**

The City of Appleton is located in the Fox River Valley of northeastern Wisconsin and has a population of approximately 76,000. Appleton is located at the crossroads of Interstate 41 and US Highway 10 and is 90 miles north of Milwaukee and 30 miles southwest of Green Bay. Appleton is the sixth most populous city in Wisconsin and is the largest city in the Fox Cities Metro Area. More information about the City is available on our website at <https://www.appleton.org/>.

### **1.2 Background**

City of Appleton first launched its Neighborhood Program in 1996, targeting core, older neighborhoods in central Appleton. The City recognizes the various benefits of having formal neighborhood organizations, including an increased sense of community, strong relationships between residents and local officials, and opportunities for neighborhood engagement and improvement efforts. Over time, the Neighborhood Program has evolved to be resident-led and focuses on strengthening communication between neighborhoods and City Hall. There are currently 21 active registered neighborhoods in the City of Appleton, with various levels of resident engagement and activity. Registered neighborhoods participating in the Neighborhood Program can apply for the City's Neighborhood Grant Program, which provides CDBG funding to eligible neighborhood projects and programs, as well as a small amount of non-CDBG funding.

Historically, City of Appleton offered biennial Neighborhood Leadership Academy programming as part of the Neighborhood Program. The Academy offered neighborhood leaders a chance to connect and provided them with the tools and knowledge necessary to create positive change in their neighborhoods. A key component of the biennial meetings was peer share-out among Neighborhood Leaders to help build connections and share best practices. Funding for this program was reduced, and staff capacity has been limited to continue offering such a program. Furthermore, regular activity of neighborhood organizations was severely limited by the COVID-19 pandemic, especially with limited opportunities for events and gatherings. This project was spurred by the desire to re-engage Appleton's neighborhoods and use the available ARPA funding to enhance community connections.

### **1.3 ARPA Requirements**

This project is being supported, in whole or in part, by federal award number 21.027 - Coronavirus State and Local Fiscal Recovery (CSLFRF) granted to The City of Appleton by the U.S. Department of the Treasury. Contractors are required to follow all federal guidelines related to ARPA spenddown, eligible activities, and reporting as specified in the Uniform Guidance (2 CFR Part 200). Due to the time-limited nature of ARPA funding, consultants must demonstrate their capacity to complete all activities related to this project by June 30, 2026, and all final reporting activities by September 29, 2026.

Further guidance on ARPA regulations can be found in the ARPA Contract Addendum attached to this RFP.

## **2.0 PROJECT OBJECTIVES**

### **2.1 Project information**

This iteration of the Neighborhood Leadership Academy project is intended to reinvigorate connections between neighborhood residents and provide opportunities for education and engagement. Priorities of this project include:

- bring residents from various neighborhoods in Appleton together for engagement and discussion of strengths and challenges,
- increase the effectiveness and sustainability of these neighborhood organizations,
- provide deliverable informational resources that neighborhoods can use beyond the life of the Academy, including but not limited to:
  - resident engagement guides
  - project planning and grant management handbooks
  - organizational development strategy

Deliverables produced will serve as an educational resource for current and future neighborhood leaders. Resources produced should be available for neighborhood members in a digital format with a printable version available. Provide City staff with original documents in editable format in addition to PDF version (e.g. .docx, .ppt, .gpx, .skp, .ai, .shp, .gdb, etc.)

The main goals of this project are to provide neighborhood leaders with information and strategies to build engagement and community within their neighborhoods.

### **2.2 Scope of Services:**

The Neighborhood Leadership Academy is expected to be a multi-session training opportunity for neighborhood leaders, with sessions covering a variety of topics related to neighborhood development. The selected consultant firm will be responsible for the planning and preparation of the Academy curriculum, outreach to neighborhood residents, facilitation and delivery of the Academy sessions, and creation of deliverable educational resources for future use.

Neighborhood Leadership Academy training sessions are expected to be held in person to give participants opportunities for discussion and collaboration, but some remote/hybrid options can be considered. Participation by neighborhood residents in all sessions should be encouraged but not required. Topics covered in the sessions should also be covered in deliverable resources to be shared throughout a neighborhood, to increase the reach of the program.

Due to the time-limited nature of ARPA funding, consultants must demonstrate their capacity to complete all activities related to this project by June 30, 2026, and all final reporting activities by September 29, 2026.

An example of potential project activities and topics to include in the scope of work is listed below. These topics are divided into general categories and represent areas that staff have identified as important aspects of neighborhood development, but are not representative of all potential topics to be covered during the Academy. These topics can be expanded upon or updated to encompass current research and best practices regarding neighborhood organization development, as the consultant sees fit:



- Project Management and Program Development:
  - Project planning and implementation
  - Grant application process, grant tracking, and financial management basics
    - Specifically reference CoA Neighborhood Grant program
- Life Cycle of a neighborhood org
  - Engaging new members
  - Sustaining continuous engagement and building momentum
  - Succession – who takes over neighborhood leader roles
  - Capacity building & organizational development
  - Managing conflict and change within a neighborhood
- Neighborhood Assets
  - Marketing & communications – promoting the neighborhood, organization, events, and neighborhood assets
  - Asset-based Community Development & Asset mapping
  - Gauge interest in and set up neighborhood walk-throughs with City staff, led by neighborhood members to show assets, discuss concerns, etc.
- Engagement and Community Connections
  - Identify and execute growth of neighborhood orgs and bring new neighborhoods into Neighborhood Program – Prior to workshop kickoff
  - Partnership and collaboration with local businesses/community organizations/advocacy groups
  - Working with local city and elected officials
  - Connecting with local schools
    - Schools as a resource/community center space
      - Examples from Appleton neighborhoods
        - Erb Park and Kaleidoscope
        - West Appleton Neighborhood – West High, Wilson Middle School

### **3.0 PREPARING AND SUBMITTING THE PROPOSAL**

#### **3.1 Proposal Content & Organization**

##### **A. Title Page**

Proposal title, the name of the consultant, Unique Entity Identifier (<https://sam.gov/content/home>), address, telephone numbers, name of primary contact, date of submittal, and other relevant company information. Also include a list and contact information for any sub-consultants and the work they will perform.

##### **B. Proposal Narrative**

1. Provide a description of the proposed project and your familiarity with the City of Appleton

2. Describe your organization's experience in similar areas of expertise. Include a minimum of three examples for which your organization executed similar projects and client reference contact information.
  3. Description of organizational structure for the consulting team, along with their availability and experience to support the project.
  4. Provide your project approach, detailed work plan that addresses the scope of services and training sessions, and description of public participation events. Describe anticipated interaction with City Staff. Provide project timeline indicating phases/milestones of the project.
- C. Provide total cost of the proposed project approach on a separate page. Total project cost should include all expenses associated with the plan, including travel and incidental expenses. Provide the billing rate and anticipated hours for staff involved with the budget.

### **3.2 Selection Criteria:**

Proposals will be evaluated and scored by the project evaluation team using the following criteria:

A. Project Approach & Scope:

1. Proposal Quality: Creativity and approach to accomplishing project goals.
2. Scope of work
3. Key project staff
4. Project Cost

B. Ability to Perform

1. Organizational capacity
2. Team experience & qualifications
3. Past projects

### **3.3 Selection Process:**

The project selection process will include the following steps:

1. Project selection team will review proposals based on the selection criteria above and rank submittals.
2. The top consultants will interview and present their proposal to the project selection team. The team will select a consultant to advance in the selection process.
3. The selected consultant will work with the City to develop a final scope and project cost.
4. Contract will be brought before City Council for approval.

### **3.4 Submittal**

Consultants may send completed proposal via email or delivery by hard copy on or before 4:00 PM, Friday, May 10, 2024, to:

Olivia Galyon  
Community Development Specialist  
City of Appleton  
100 N. Appleton Street

Appleton, WI 54911-4799  
[olivia.galyon@appleton.org](mailto:olivia.galyon@appleton.org)

Submittals received after Friday, May 10, 2024, at 4:00 PM will not be accepted.

### 3.5 Liability

The City of Appleton is not liable for any cost incurred by proposers in replying to this request.

### 3.7 Contract Terms

The successful consultant will be required to sign a City of Appleton Consultant Services Contract and meet the insurance requirements attached to this RFP.

## 4.0 CALENDAR

The following is an estimated project timeline and can be amended as necessary. Consultants may submit their own project timelines with differing program dates, provided all project activities are completed by June 30, 2026.

### 4.1 Project timeline

<u>DATE</u>	<u>EVENT</u>
July 2024	Enter contract with consultant.
Summer& Fall 2024	Consultant carries out activity planning and prep, scheduling and program development, and recruitment and promotion of the project. Recruitment should include targeted outreach and engagement efforts to recruit neighborhood leaders and encourage new participants.
Winter 2024- 2025	Neighborhood Academy begins training sessions.
Spring/Summer 2025	Session continue, implementation/follow-up.
Fall 2025	Prep for second cohort.
Winter 2025-2026	Second cohort session begins.
Spring/Summer 2026	Wrap up programming by June 2026.
September 2026	Complete final reporting requirements.

### 4.2 RFP Calendar

Listed below are the estimated dates of actions related to this request. In the event the City of Appleton finds it necessary to change any of the specific dates, it will do so.

<u>DATE</u>	<u>EVENT</u>
April 12, 2024	Issue Request for Proposals
April 22, 2024	Question Period End Date – submit questions to main contact
April 26, 2024	Addendum for Question Period Released on City of Appleton website
May 10, 2024	RFPs due on or before 4:00 PM
May 2024	Internal review of RFPs
May 20-24, 2024	Interviews
June 19, 2024	City Council Approval of Contract
July 1, 2024	Enter contract for services with selected consultant; Project kickoff

June 2026

Prepare and submit final deliverables

## **5.0 EXHIBITS:**

Neighborhood Program link on CoA website (<https://www.appleton.org/residents/neighborhood-program>)

Map of registered neighborhoods

Neighborhood Grant Program Infographic

ARPA Uniform Guidance Addendum

Insurance Requirements

# **Proposal to City of Appleton**

## **Neighborhood Leadership Academy Programming, Engagement, and Delivery**

### Consultant information

Julie Filapek  
Neighborhood Partners program of NeighborWorks Green Bay  
39-1402851  
437 S. Jackson St, Green Bay WI 54301  
920.217.8744 julief@nwgreenbay.org

### Sub-consultant information

Andrew Dane (curriculum and toolkit development)  
Neighborhood Planners LLC  
83-1307464 (EIN)  
516 E. Pacific Street, Appleton  
920.585.3593 andrew@neighborhoodplanners.org

Michael Gerwe (design)  
mGerwe  
823 E. Alton St., Appleton  
920.268.2003 michael@mgerwe.com

Catherine Neiswender (co-facilitation)  
133 E. Parkway Blvd., Appleton  
920.410.9650  
Catherine.neiswender@wisc.edu

**B. Proposal Narrative Info.**

**1. Project Description and Familiarity with City of Appleton**

NeighborWorks Green Bay and Neighborhood Planners (Project Team) will partner to develop and facilitate an innovative Neighborhood Leadership Academy program for neighborhood leaders. Participants will have the opportunity to learn from each other, the course instructors, and guest speakers. Small neighborhood cohorts will work together throughout the training period to identify neighborhood issues, opportunities, and assets.

The proposed project will include the following components: program marketing and recruitment; hands-on training and peer to peer learning for neighborhood leaders (Neighborhood Academy); and a print and web-based neighborhood toolkit for use by Appleton's neighborhood organizations and their partners. The toolkit will include, at a minimum, a *Resident Engagement Guide*, *Project Planning and Grant Management Handbook*, and an *Organizational Frameworks Guide*.

Residents participating in the program can expect:

- Enhanced networking for neighborhood leaders that face similar challenges
- Hands-on, focused problem-solving with a group of supportive peers.
- A personalized action plan to help move their neighborhood forward
- An understanding and ability to use the ABCD framework in their own neighborhoods
- The opportunity to network and engage with business leaders, City officials, and elected officials

The Neighborhood Academy will include the following proposed consultation, modules and training topics, to be finalized following a needs assessment with existing City of Appleton neighborhood organizations:

PRE-TRAINING: Consultation and Neighborhood Organization Self-Assessment

Consultants will meet with each neighborhood organization represented in the incoming cohort to conduct a self-assessment for strengths, weaknesses, and opportunities (some of these, Cohort 1, will be conducted as part of curriculum development -- see Work Plan Task 5). With this assessment, consultants will help each neighborhood organization come to the Academy with organizational development priorities in place. Save extraordinary circumstances, no neighborhood organization will have capacity to implement all of the strategies presented during the four-month period of the Academy; organizational development plans will focus productive work on 2-3 elements of greatest immediate importance. Each represented neighborhood will serve as 'content expert/example' for at least one curriculum topic, with the collective thought process of the cohort focused on supporting their development as we all learn together.

MODULE 1: Foundations of a Strong Neighborhood and Neighborhood Organization

This module, facilitated by Julie Filapek with guest speaker Andrew Dane (Visioning and Planning), will introduce the *Resident Engagement Guide* portion of the neighborhood toolkit and is designed to orient neighborhood leaders towards foundational concepts and ideas that create an abundance mindset towards a positive future for their neighborhoods. Topics will include:

*Overview of Asset Based Community Development (ABCD).* Participants will learn the principles and practices of ABCD using case studies from neighborhoods in northeast Wisconsin which have used the process. Participants will begin applying the ABCD methodology in their neighborhoods during the academy.

*Visioning and Planning.* Participants will be introduced to several visioning techniques that help neighborhood leaders develop their organization's work towards a shared vision and priorities.

### MODULE 2: Activating Your Neighborhood through Identity, Action, and Communication

This module, facilitated by Julie Filapek with support from Catherine Neiswender and a guest speaker on design principles for print/digital communications, will introduce the *Project Planning and Grants Management Handbook* of the toolkit. This module will energize neighborhood leaders about the uniqueness of their neighborhood and the impact their organization can have as a neighborhood convener and activator.

*Building Neighborhood Identity.* Overview of strategies neighborhood groups employ to create a sense of place and affiliation with one's neighborhood. Case studies will showcase neighborhood signage techniques, landscaping techniques, logo/branding, and how to use effective programs and events to strengthen your neighborhood's identity.

*Project and Event Planning and Implementation.* In the context of specific projects/events each neighborhood organization seeks to pursue, we will walk through a process that sets meaningful, achievable objectives and maximizes neighbor engagement.

*Communication Strategies.* Overview of strategies available to neighborhood organizations to communicate to and with neighbors for maximum engagement. Guest speaker for this topic to support neighbor learning around simple design and communication principles useful in newsletter, flyer, social media, branding and other elements of neighborhood communications.

### MODULE 3: Organizational Effectiveness

This module, facilitated by Julie Filapek with support from Catherine Neiswender and a possible guest speaker on conflict management, will introduce the *Organizational Frameworks Guide* portion of the neighborhood toolkit.

*Bylaws and Organization Structure.* Participants will understand and consider the implications of various formal and informal methods of convening neighbors and conducting decision-making. Participants will draft bylaws that address geographic boundaries, purposes, membership and leadership, decision-making, and meetings.



*Leadership Styles, Group Dynamics and Conflict Management.* Participants will consider the temperaments and skills that contribute to an effective team and how to manage group dynamics for effective collaboration and personal fulfillment. Session will include practical strategies for running effective meetings, how to identify and address healthy conflict as it emerges and manage unproductive group members and dynamics, and how to foster leadership succession. This topic will include involvement of a guest speaker to work with neighbors on issues related to conflict management. Guest speakers under consideration from UW-Extension and local mediation services.

*Financial Management and Organizational Accountability.* Participants will learn the process of incorporation, maintaining good standing, and opening an account with a financial institution, and will be provided with tools and training in how to manage and report on finances.

#### MODULE 4: Amplifying Your Impact: Partnership and Resource Development

This module will be facilitated by Julie Filapek with support from Appleton Community Development Department staff and with guest speakers from other relevant city departments (e.g., police, parks)

*Partnership Development.* Participants will explore partnership opportunities from both within and beyond their neighborhoods -- with potential for increasing impact on their priorities, and learn partnership and organizational collaboration tools and best practices.

*City of Appleton Department Relationships.* Panel of City of Appleton Department representatives from Planning, Parks & Rec, Public Works, and/or Police or other departments (will collaborate with City to determine best fits) to discuss opportunities and processes for working together towards shared City and neighborhood goals.

*Resource Development.* Participants will learn how to secure funding through resident contributions, business solicitations, earned revenue, and grant opportunities including the City's neighborhood grant program.

#### POST-TRAINING: Consultation Opportunity

Cohort member organizations will be offered a follow-up consultation to be conducted within three months of Academy completion to further review, discuss and develop strategies and materials related to Academy learning.

#### TOOLKIT

Consultants will develop, in tandem with Academy curriculum, several handbooks with information and tools to support neighborhood organizations' development and success through their life cycle: *Resident Engagement Guide*, *Project Planning and Grants Management Handbook*, and *Organizational Frameworks Guide*. These will include key concepts and tools covered in the Neighborhood Leadership Academy curriculum, designed to be useful both to those who have and have not participated in the Academy.

### Team Connections and Investment in the City of Appleton

Both members of our team are residents of Appleton, familiar with the City's history, culture, community resources landscape, and municipal government including its neighborhoods program.

Julie is a native of Appleton and first developed the Neighborhood Partners program working with the Historic Central Neighborhood beginning in 2009, helping neighbors identify their assets and determine their vision and priorities, and on that basis has supported many neighborhood improvement projects including the development of the St. Therese Community Garden and other beautification/food growing projects, public art installations and events, intergenerational connections in support of the neighborhood's young people, Wisconsin Avenue business promotion, and a plethora of social connection activities. Since 2019, Neighborhood Partners has also been supporting the development of the West Appleton Neighborhood where Julie now lives and is a member of the neighborhood core team.

Andrew is an Appleton resident and led the establishment of the Lawrence-City Park Neighborhood, whose members have organized and hosted dozens of successful events including Imagine City Park, block parties, and picnics. Andrew has applied for and received funding on behalf of the neighborhood to conduct a resident survey and host two block parties. He and his neighbors have also successfully secured private donations to support neighborhood events and have advocated for issues including a Quiet Zone and improved walking and bicycling conditions on Lawe Street. Andrew has served on the City Plan Commission and multiple non-profit Boards of Directors in the community.

Julie taught a previous iteration of the City's Neighborhood Academy program, which Andrew also participated in. Both members of the team understand the City of Appleton's governmental structure and community outreach programs, and have experience supporting applications and managing grants through the City's neighborhood grant program. Julie and Andrew share a passion for neighborhood development, understanding that the health and well-being of the City of Appleton will be strengthened as residents co-create quality of life where they live and are partners with the City in navigating challenges and opportunities today and in the future.

Catherine Neiswender is a resident of the Erb Park Neighborhood and previously of the Historic Central Neighborhood where she was actively involved in the Historic Central Neighborhood Voice organization in its early years.

## **2. Organizational Experience**

Julie Filapek (Neighborhood Partners, est. 2009, a program of NeighborWorks Green Bay since 2021) has worked in neighborhood development since 1999 and holds a master's degree in Urban & Environmental Policy & Planning. 2001-2007 she staffed a Minneapolis neighborhood organization, leading efforts to strengthen the neighborhood's identity with the leadership of neighborhood artists, shepherd thoughtful, productive community voice through a period of rapid development and gentrification, and manage active relationships with municipal, peer organization, and supporting business, nonprofit, and funding partners. Neighborhood Partners

early development was with Appleton's Historic Central Neighborhood, and has since expanded to serve neighborhoods in Appleton, Menasha and Green Bay, and the rural communities of Waupaca and Denmark. Neighborhood Partners employs an asset-based community development methodology in support of the attached social capital theory of change. Julie is a peer practitioner with the ABCD Institute at DePaul University, center of the worldwide asset based community development movement, with several publications sharing the story of Neighborhood Partners' work in Appleton and Menasha.

Julie previously led a neighborhood leadership academy for the City of Appleton, and from 2017-2020 collaborated with UW-Extension Community Development, Oshkosh Healthy Neighborhoods, the City of Oshkosh, Stronger Together Fox Valley, and the East Central Wisconsin Regional Planning Commission to develop a regional learning network around both foundational and special topic trainings, covering many of the those proposed herein. Julie regularly provides training for Green Bay's neighborhood associations, most recently in asset mapping, event planning, and grant writing and has several years' prior experience as a college-level instructor.

Client references:

Elizabeth Williams  
Planning Manager  
City of Evanston  
2100 Ridge Avenue  
Evanston, IL 60201  
224.296.4489

ewilliams@cityofevanston.org  
(formerly: City of Oshkosh  
Planning Services Division)

Catherine Neiswender  
Assistant Dean  
UW-Madison Division of Extension  
UW-Oshkosh Fox Cities Campus, 1478 Midway Rd.  
Menasha, WI 54952  
920.410.9650  
catherine.neiswender@wisc.edu

Andrew Dane (Neighborhood Planners) has over twenty-five years' experience in community development, including extensive experience designing and leading educational programs as a Peace Corps Volunteer, Peace Corps Technical Trainer, and UW-Extension Community Development Educator. Over a ten-year period, Andrew designed and successfully marketed educational programs focused on value-added agriculture, energy efficiency and renewable energy, land use and economic development. He has extensive experience working with diverse audiences including in Central and South America and in South Tucson, Arizona, and speaks fluent Spanish.

More recently, over a five-year period ending December 31, 2023, Andrew provided community development expertise for the City of Waupaca. Over that period, he brought together a group of downtown business owners, the Chamber, and city officials to establish the Downtown Waupaca Partnership (DWP). The DWP raised over \$75,000 to execute a series of placemaking interventions coinciding with the reconstruction of Main Street. Andrew also designed, marketed, and managed a \$1M downtown incentive program for the City over a two-year

period, resulting in over \$3.5M in total new investment for Waupaca's downtown small businesses.

Client Reference:

City of Waupaca  
Aaron Jenson  
City Administrator  
111 S. Main Street  
Waupaca, WI 54981  
715-412-1300  
[ajenson@cityofwaupaca.org](mailto:ajenson@cityofwaupaca.org)

Michael Gerwe (mGerwe) will serve as the branding and design lead. For more than 25 years, Michael has created and developed brands and design systems for companies in a wide range of sectors, from health care and hospitality to retail, high tech and more. He has worked with local municipalities and not-for-profit organizations has been a special focus. Brands he's developed have helped local organizations find the audience they're looking for, and the mapping and wayfinding systems he's developed have helped visitors navigate the subways of New York, discover Boston's best attractions, and plan seasonal recreational in the Midwest. He's even wrapped a major symphony hall in eye-popping outdoor graphics.

Client Reference:

Doug Davidson, Principal  
Alacrity Creative  
3509 Bryan Street, Suite 100  
Dallas, TX 75204  
214.336.7235  
[doug@alacritycreative.com](mailto:doug@alacritycreative.com)

Catherine Neiswender will serve as co-facilitator for two of the four proposed course modules. Catherine spent many years as a UW-Extension educator, facilitating community and local community and local government conversations and planning process in northeastern Wisconsin. She worked with Julie and others to develop and facilitate the Neighborhood Partners Network curriculum from 2017-2019. Catherine currently serves as Assistant Dean of UW-Madison Division of Extension.

### **3. Organizational Structure**

Julie Filapek (NeighborWorks Green Bay/Neighborhood Partners) will serve as Project Manager and Facilitator for the Project Team. Andrew Dane (Neighborhood Planners) will serve as content developer for marketing, curriculum, and toolkits, and will co-facilitate one of the four

modules. Catherine Neiswender will co-facilitate two of the four modules. Michael Gerwe (Mgerwe) will provide graphic design services for the project including all aspects of visual communication from logo development to print, web, and social media assets. Anticipated graphic design services include a Resident Engagement Guide, Project Planning and Grant Management Handbook, and an Organizational Frameworks Guide. In addition, Michael will prepare all Neighborhood Academy and social media graphics and will participate as a guest speaker on basic design principles and tools for neighborhood communications.

#### **4. Project Approach and Detailed Work Plan**

##### Neighborhood Leadership Academy Curriculum and Consulting

The City of Appleton Neighborhood Leadership Academy will be grounded in the principles of Asset Based Community Development (ABCD). The ABCD approach is a productive methodology for building effective neighborhood organizations because it leverages the talents, strengths, and passion of existing residents, organizations, and institutions to address self-identified community needs.

The Neighborhood Academy experience is structured to provide flexibility for groups of neighborhood leaders to meet and identify their own goals, priorities, and action plans. It is based on the concept of peer learning, where residents learn from each other throughout the training, building social capital while tackling real-world issues and opportunities in their respective neighborhoods. The Academy will model and encourage a spirit of experimentation and continuous improvement to foster neighborhood organizations that are dynamic and forward-thinking.

Opportunities for individualized neighborhood consulting before, during, and after the Academy will bolster the movement of learning to action. Once committed to Academy participation, each neighborhood will work with a consultant to develop an organizational development plan; during the Academy, neighborhoods will focus on sharing their prioritized issues and work projects with the Cohort as exemplars for collective thought; post-Academy, neighborhoods will work with consultant to finalize those work products and determine next organizational development steps. Post-Academy consulting work will be offered pro-bono.

##### Outreach and Recruitment

Outreach and recruitment will be undertaken through both broad-based and targeted strategies:

- Existing neighborhood organizations. Consultants will reach out to existing neighborhood organization leaders in a needs assessment to inform curriculum development. As needed, consultants will support these leaders in identifying and

recruiting other residents to join them as a learning-based entry point to getting involved with their organization.

- Targeted awareness-building in areas of the City where there is currently no existing neighborhood organization. Consultants will work with neighborhood-based people, organizations and locations such as neighborhood elementary schools, parks, local businesses, crime watch groups, and neighbors known to consultants/City staff and alderpersons to identify at least two people interested in forming a neighborhood organization where they live and participating in the Academy towards that end.
- Broad public awareness through social media and traditional media stories.

The City's RFP speaks to a desire for new neighborhood development within the City of Appleton. New neighborhood formation is a challenging objective because it requires a condition largely out of the consultants' control: presence of a core team of neighbors motivated enough to be willing to take on this responsibility. It is our intention to recruit for the Academy with a "come to learn and consider forming a neighborhood organization in your area" message where there is no existing neighborhood organization, rather than pushing participating neighbors to make a definite commitment to follow through. Our goal will be to involve residents from up to five areas of the City not yet covered by an existing neighborhood organization over the course of the contract period, and to support those residents towards what we hope will be new neighborhood organization formation. Consultants recommend marketing and recruitment focus in particular (though not exclusively) on areas of the City with evidence of disinvestment and concentration of low- to moderate-income households.

Work Plan

The work plan is organized into two phases, which coincide with the two-year timeline for the proposed project.

NWGB: NeighborWorks Green Bay  
NP: Neighborhood Planners  
CN: Catherine Neiswender  
MG: Michael Gerwe

Phase One (July 2024-June 2025)

Task	Lead	Timeline
Task 1 Project kick off with City staff to finalize schedule and discuss stakeholder engagement plan.	NWGB, NP	July 2024
Task 2a Create marketing materials	NP	July - December 2024

<p>Task 2b</p> <p>Promote Academy to potential participants. Our team will utilize a mix of outreach methods, primarily through direct outreach to neighborhood residents in areas of the City without a recognized neighborhood group, with particular (but not exclusive) focus on areas with evidence of disinvestment and concentration of low- to moderate-income households. Goal of securing participation of residents from 2-3 unrecognized areas of the City.</p>	NWGB	July-December 2024
<p>Task 5</p> <p>Conduct a needs assessment with existing neighborhood leaders to inform the design of the educational program and neighborhood toolkit.</p>	NWGB	July-August 2024
<p>Task 6</p> <p>Mini-strategic planning with committed cohort members to identify their priority learning/development objectives, and which sessions their neighborhoods will be content focus.</p>	NWGB	October-November 2024
<p>Task 7</p> <p>Prepare a draft curriculum and toolkit based on feedback from key stakeholders including City staff</p>	NP w/MG, NWGB	October 2024
<p>Task 8</p> <p>Organize and facilitate a fall neighborhoods showcase to highlight existing neighborhood accomplishments, connect leaders, and raise awareness of Academy</p>	NWGB	October 2024
<p>Task 9</p> <p>Finalize Academy course materials</p>	NP	December 2024
<p>Task 10</p> <p>Learning Cohort #1 brought together in four 2.5-hour modules.</p>	NWGB w/CN	January-April 2025

<p>Task 11</p> <p>Conduct program evaluation with participants and meet with City to discuss results of Phase 1 and identify potential improvements for Phase 2.</p>	<p>NWGB w/NP</p>	<p>May-June 2025</p>
<p>Task 12</p> <p>Follow up consultation offered to Cohort #1 neighborhoods on the development of materials, policies, practices or other work products related to their learning.</p>	<p>NWGB</p>	<p>May-July 2025</p>
<p>Task 13</p> <p>Revise curriculum and finalize and distribute Toolkit to Cohort #1.</p>	<p>NP w/MG</p>	<p>July-August 2025</p>

Phase Two: July 2025-September 2026

<p>Task 14</p> <p>Market Neighborhood Leadership Academy to potential participants and recruit Cohort #2, refining recruitment strategies. Goal of securing participation of residents from 2-3 unrecognized areas of the City.</p>	<p>NWGB</p>	<p>June-November 2025</p>
<p>Task 15</p> <p>Organize and facilitate a fall neighborhoods showcase to highlight Cohort #1 applied learning success stories, connect leaders, and raise awareness of Academy</p>	<p>NWGB</p>	<p>October 2025</p>
<p>Task 16</p> <p>Mini-strategic planning with committed cohort members to identify their priority learning/development objectives, and which sessions their neighborhoods will be content focus.</p>	<p>NWGB</p>	<p>October-November 2025</p>
<p>Task 17</p> <p>Cohort #2 Neighborhood Leadership Academy and Toolkit distribution.</p>	<p>NWGB w/CN, NP</p>	<p>January - April 2026</p>
<p>Task 18</p>	<p>NWGB</p>	<p>May 2026</p>



NWGB/Neighborhood Partners  
Neighborhood Planners

<p>Conduct program evaluation and meet with City staff to review and discuss overall results of program.</p>		
<p>Task 19  Follow up consultation offered to Cohort # neighborhoods on the development of materials, policies, practices or other work products related to their learning.</p>	<p>NWGB</p>	<p>May-July 2026</p>
<p>Task 20  Prepare and submit a final project report. Finalize Toolkit materials and submit all electronic files and program materials to City.</p>	<p>NWGB w/NP</p>	<p>July 2026</p>

**C. Total Project Cost**

The proposed budget is \$67,100 and is inclusive of all time, materials, travel, food, and miscellaneous costs. In addition, the partner consultant team intends to invest \$5,250 in pro bono service to the project, and to raise \$25,000 in private funding. Please see itemizations of all aspects below.

Fee breakdown by consultant (see itemization below):

- NeighborWorks Green Bay/Neighborhood Partners \$32,000
- Neighborhood Planners \$28,000
- Catherine Neiswender \$2,250
- Michael Gerwe \$5,000

CONSULTANT EXPENSES: \$67,250

Additional costs:

- Guest speaker stipends (Communications & Conflict Management topics): 4 hours development, 30-45 minute presentation (x 2 cohorts) = \$750 each for total \$1,500
- Printing and targeted recruitment mailings: \$2,000
- Academy curriculum materials: \$500
- Academy session meals: \$
- Fall gatherings materials: \$2,000

ADDITIONAL EXPENSES: \$9,000

**TOTAL PROPOSAL TO CITY OF APPLETON: \$76,250**

Phase 1 Partner Consultants Task Itemization

Task 1 Project kick off with City staff to finalize schedule and discuss stakeholder engagement plan	NWGB & NP	<b>\$750</b> 10 hours @ \$75/HR
Task 2a Create marketing materials.	NP w/MG	<b>\$2,250</b> 30 hours @ \$75/HR <b>\$5,000</b> design services
Task 2b Promote program to potential participants		<b>\$5,250</b> 70 hours @ \$75/HR

NWGB/Neighborhood Partners  
Neighborhood Planners

Task 5 Conduct a needs assessment	NWGB	<b>\$750</b> 10 hours @ \$75/HR
Task 6 Mini-strategic planning with committed Cohort 1 participating neighborhoods.	NWGB	<b>\$2,250</b> 30 hours @ \$75/HR
Task 7 Prepare a draft curriculum and toolkit	NP w/NWGB & MG	<b>\$15,000</b> 150 hours @ \$75/HR
Task 8 Organize and facilitate a fall neighborhoods showcase to highlight existing neighborhood accomplishments, connect leaders, and raise awareness of Academy	NWGB w/NP	<b>\$1,500</b> 20 hours @ \$75/HR
Task 9 Finalize Academy course materials	NP w/NWGB & MG	<b>\$3,000</b> 40 hours @ \$75/HR
Task 10 Learning cohort #1 brought together in four 2.5-hour modules, including prep with participants sharing content.	NWGB w/CN, NP	<b>\$6,000</b> 80 hours @ \$75/HR
Task 11 Conduct program evaluation with participants and meet with City to discuss results of Phase 1 and identify potential improvements for Phase 2.	NWGB w/NP	<b>\$2,250</b> 30 hours @ \$75/HR
Task 12 Follow up consultation offered to Cohort #1 neighborhoods	NWGB	<b>\$1,500</b> <b>20 hours @ \$75/HR</b>
Task 13 Revise curriculum and finalize toolkit. Distribute Toolkit to Cohort 1 participants.	NP w/NWGB & MG	<b>\$2,250</b> 30 hours @ \$75/HR
<b>TOTAL PHASE 1 PARTNER CONSULTANTS</b>		<b>\$47,750</b>

Phase 2 Partner Consultants Task Itemization

Task 14 Market Neighborhood Leadership Academy	NWGB	\$5,250 70 hours @ \$75/HR
Task 15 Organize and facilitate a fall neighborhoods showcase	NWGB w/NP	\$1,500 20 hours @ \$75/HR
Task 16 Mini-strategic planning	NWGB	\$2,250 30 hours @ \$75/HR
Task 17 Cohort #2 Neighborhood Leadership Academy, including prep with participants sharing content	NWGB w/CN, NP	\$4,500 60 hours @ \$75/HR
Task 18 Conduct program evaluation and meet with City staff to review and discuss overall results of program.	NWGB w/NP	\$2,250 30 hours @ \$75/HR
Task 19 Follow up consultation offered to Cohort #2 neighborhoods	NWGB	\$1,500 20 hours @ \$75/HR
Task 20 Prepare and submit a final project report. Finalize toolkit materials and submit all electronic files and program materials to City.	NWGB w/NP	\$2,250 30 hours @ \$75/HR
<b>TOTAL PHASE 2 PARTNER CONSULTANTS</b>		<b>\$19,500</b>



# CITY OF APPLETON

## MEMORANDUM

**Date:** July 10, 2024  
**To:** Community Development Committee  
**From:** Lily Paul, Economic Development Specialist  
**Subject:** Amendment to Offer to Purchase – F Street, Southpoint Commerce Park

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## GENERAL INFORMATION

**Owner:** F Street Manager 3, LLC

**Applicant:** Josh Lurie, F Street

**Address/Parcel Number:** Parcel ID #31-9-5712-00 – see location map

**Petitioner's Request:** Applicant is requesting to extend the inspection date and modify the purchase price.

**Community Development Committee Meeting Date:** July 10, 2024

**Common Council Meeting Date:** July 17, 2024

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## PROJECT DETAILS

**Project Summary:** In June of 2023, the City of Appleton received an offer to purchase from F Street for Parcel ID #31-9-5712-00, comprised of approximately 14.23 acres. The offer was for a one-year contract at a purchase price of \$41,000 per acre. A commission of 8% would be paid to the procuring broker. The applicant is looking for an extension of their contract to secure lease and materials to develop the property. To adjust for the extension, the applicant is modifying the purchase price of \$41,000 per acre to \$43,000 per acre. All other provisions of the offer shall remain the same.

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## RECOMMENDATION

The City of Appleton **APPROVE** the First Amendment to the Offer to Purchase for ~14.23 acres of Parcel ID #31-9-5712-00 from F Street Manager 3, LLC.

**FIRST AMENDMENT TO  
VACANT LAND OFFER TO PURCHASE**

**THIS FIRST AMENDMENT TO VACANT LAND OFFER TO PURCHASE** ("Amendment") is made and entered into as of June \_\_\_\_\_, 2024, by and between F STREET MANAGER 3, LLC, a Wisconsin limited liability company ("Purchaser"), and the City of Appleton ("Seller").

**RECITALS**

- A. Seller and Purchaser entered into that certain Vacant Land Offer to Purchase dated June 21<sup>st</sup>, 2023 (as may be amended, collectively, the "Offer") for the purchase and sale of the land in the City of Appleton described in the Addendum to the Offer, the improvements thereon, and other property, interests, and rights as further described in the Offer (collectively, the "Property").
- B. Seller and Purchaser desire to amend the Offer as set forth herein and modify the Purchase Price and extend the Inspection Date.

**AGREEMENTS**

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Seller and Purchaser hereby agree as follows:

- 1. Amendments. The Offer shall be amended as follows:
  - a. Purchase Price: The purchase price per acre, as set forth in the Addendum to the Offer shall increase from \$41,000.00 to \$43,000 per acre.
  - b. Inspection Period. The Inspection Period shall be extended from June 20<sup>th</sup>, 2024 to June 20<sup>th</sup>, 2025.
- 2. Miscellaneous.
  - a. Except as expressly amended herein, all other provisions of the Offer shall remain unchanged and in full force and effect as if set forth herein. In the event of any inconsistency between the terms of the Offer and the terms of this Amendment, the terms of this Amendment shall control.
  - b. This Amendment may be executed via facsimile or email and in counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.
  - c. The Recitals are incorporated herein by reference and made a part hereof. Capitalized terms not otherwise defined herein shall have the meaning proscribed to them in the Offer.

- d. If any provision of this Amendment is held to be illegal, invalid or unenforceable under present or future laws, such provision shall be fully severable; this Amendment and the Offer shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Amendment or Offer; and the remaining provisions of this Amendment and the Offer shall remain in full force and effect and shall not be affected by such illegal, invalid or unenforceable provision or by its severance from this Amendment or the Offer.

*[signature page follows]*

**IN WITNESS WHEREOF**, the parties have caused this Third Amendment to Purchase and Sale Agreement to be duly executed as of the date set forth above.

**PURCHASER:**

**F STREET MANAGER 3, LLC**

By: \_\_\_\_\_  
Scott Lurie, Manager

**SELLER:**

**CITY OF APPLETON**

By: \_\_\_\_\_  
Jacob A. Woodford, Mayor







**WB-13 VACANT LAND OFFER TO PURCHASE**

1 LICENSEE DRAFTING THIS OFFER ON June 20, 2023 [DATE] IS (AGENT OF BUYER)

2 (AGENT OF SELLER/LISTING FIRM) (AGENT OF BUYER AND SELLER) **STRIKE THOSE NOT APPLICABLE**

3 The Buyer, F Street Manager 3, LLC

4 offers to purchase the Property known as See Addendum

5

6 [e.g., Street Address, Parcel Number(s), legal description, or insert additional description, if any, at lines 650-664, or

7 attach as an addendum per line 686] in the City of Appleton,

8 County of Outagamie Wisconsin, on the following terms:

9 **PURCHASE PRICE** The purchase price is \_\_\_\_\_

10 \_\_\_\_\_ Dollars (\$ \_\_\_\_\_).

11 **INCLUDED IN PURCHASE PRICE** Included in purchase price is the Property, all Fixtures on the Property as of the date

12 stated on line 1 of this Offer (unless excluded at lines 17-18), and the following additional items: n/a

13

14 **NOTE: The terms of this Offer, not the listing contract or marketing materials, determine what items are included**

15 **or not included. Annual crops are not part of the purchase price unless otherwise agreed.**

16 **NOT INCLUDED IN PURCHASE PRICE** Not included in purchase price is Seller's personal property (unless included at

17 lines 12-13) and the following: n/a

18

19 **CAUTION: Identify Fixtures that are on the Property (see lines 21-25) to be excluded by Seller or that are rented**

20 **and will continue to be owned by the lessor.**

21 "Fixture" is defined as an item of property which is physically attached to or so closely associated with land so as to be

22 treated as part of the real estate, including, without limitation, physically attached items not easily removable without damage

23 to the premises, items specifically adapted to the premises and items customarily treated as fixtures, including, but not

24 limited to, all: perennial crops, garden bulbs; plants; shrubs and trees; fences; storage buildings on permanent foundations

25 and docks/piers on permanent foundations.

26 **CAUTION: Exclude any Fixtures to be retained by Seller or that are rented on lines 17-18 or at lines 650-664 or in**

27 **an addendum per line 686.**

28 **BINDING ACCEPTANCE** This Offer is binding upon both Parties only if a copy of the accepted Offer is delivered to Buyer

29 on or before July 28, 2023

30 Seller may keep the Property on the market and accept secondary offers after binding acceptance of this Offer.

31 **CAUTION: This Offer may be withdrawn prior to delivery of the accepted Offer.**

32 **ACCEPTANCE** Acceptance occurs when all Buyers and Sellers have signed one copy of the Offer, or separate but identical

33 copies of the Offer.

34 **CAUTION: Deadlines in the Offer are commonly calculated from acceptance. Consider whether short term**

35 **Deadlines running from acceptance provide adequate time for both binding acceptance and performance.**

36 **CLOSING** This transaction is to be closed on \_\_\_\_\_

37 \_\_\_\_\_

38 at the place selected by Seller, unless otherwise agreed by the Parties in writing. If the date for closing falls on a Saturday,

39 Sunday, or a federal or a state holiday, the closing date shall be the next Business Day.

40 **CAUTION: To reduce the risk of wire transfer fraud, any wiring instructions received should be independently**

41 **verified by phone or in person with the title company, financial institution, or entity directing the transfer. The real**

42 **estate licensees in this transaction are not responsible for the transmission or forwarding of any wiring or money**

43 **transfer instructions.**

44 **EARNEST MONEY**

45 ■ EARNEST MONEY of \$ \_\_\_\_\_ accompanies this Offer.

46 If Offer was drafted by a licensee, receipt of the earnest money accompanying this Offer is acknowledged.

47 ■ EARNEST MONEY of \$ 12,500.00 will be mailed, or commercially, electronically

48 or personally delivered within 7 days ("5" if left blank) after acceptance.

49 All earnest money shall be delivered to and held by (listing Firm) (drafting Firm) (other identified as \_\_\_\_\_

50 \_\_\_\_\_) **STRIKE THOSE NOT APPLICABLE**

51 (listing Firm if none chosen; if no listing Firm, then drafting Firm; if no Firm then Seller).

52 **CAUTION: If a Firm does not hold earnest money, an escrow agreement should be drafted by the Parties or an**

53 **attorney as lines 56-76 do not apply. If someone other than Buyer pays earnest money, consider a special**

54 **disbursement agreement.**

55 ■ THE BALANCE OF PURCHASE PRICE will be paid in cash or equivalent at closing unless otherwise agreed in writing.

56 ■ **DISBURSEMENT IF EARNEST MONEY HELD BY A FIRM:** If negotiations do not result in an accepted offer and the  
 57 earnest money is held by a Firm, the earnest money shall be promptly disbursed (after clearance from payer's depository  
 58 institution if earnest money is paid by check) to the person(s) who paid the earnest money. At closing, earnest money shall  
 59 be disbursed according to the closing statement. If this Offer does not close, the earnest money shall be disbursed according  
 60 to a written disbursement agreement signed by all Parties to this Offer. If said disbursement agreement has not been  
 61 delivered to the Firm holding the earnest money within 60 days after the date set for closing, that Firm may disburse the  
 62 earnest money: (1) as directed by an attorney who has reviewed the transaction and does not represent Buyer or Seller;  
 63 (2) into a court hearing a lawsuit involving the earnest money and all Parties to this Offer; (3) as directed by court order; (4)  
 64 upon authorization granted within this Offer; or (5) any other disbursement required or allowed by law. The Firm may retain  
 65 legal services to direct disbursement per (1) or to file an interpleader action per (2) and the Firm may deduct from the  
 66 earnest money any costs and reasonable attorneys' fees, not to exceed \$250, prior to disbursement.

67 ■ **LEGAL RIGHTS/ACTION:** The Firm's disbursement of earnest money does not determine the legal rights of the Parties  
 68 in relation to this Offer. Buyer's or Seller's legal right to earnest money cannot be determined by the Firm holding the earnest  
 69 money. At least 30 days prior to disbursement per (1), (4) or (5) above, where the Firm has knowledge that either Party  
 70 disagrees with the disbursement, the Firm shall send Buyer and Seller written notice of the intent to disburse by certified  
 71 mail. If Buyer or Seller disagrees with the Firm's proposed disbursement, a lawsuit may be filed to obtain a court order  
 72 regarding disbursement. Small Claims Court has jurisdiction over all earnest money disputes arising out of the sale of  
 73 residential property with one-to-four dwelling units. Buyer and Seller should consider consulting attorneys regarding their  
 74 legal rights under this Offer in case of a dispute. Both Parties agree to hold the Firm harmless from any liability for good  
 75 faith disbursement of earnest money in accordance with this Offer or applicable Department of Safety and Professional  
 76 Services regulations concerning earnest money. See Wis. Admin. Code Ch. REEB 18.

77 **TIME IS OF THE ESSENCE** "Time is of the Essence" as to: (1) earnest money payment(s); (2) binding acceptance; (3)  
 78 occupancy; (4) date of closing; (5) contingency Deadlines **STRIKE AS APPLICABLE** and all other dates and Deadlines in  
 79 this Offer except:

80 \_\_\_\_\_, If "Time is of the Essence" applies to a date or Deadline,  
 81 failure to perform by the exact date or Deadline is a breach of contract. If "Time is of the Essence" does not apply to a date  
 82 or Deadline, then performance within a reasonable time of the date or Deadline is allowed before a breach occurs.

83 **VACANT LAND DISCLOSURE REPORT** Wisconsin law requires owners of real property that does not include any  
 84 buildings to provide Buyers with a Vacant Land Disclosure Report. Excluded from this requirement are sales exempt from  
 85 the real estate transfer fee and sales by certain court-appointed fiduciaries, for example, personal representatives, who  
 86 have never occupied the Property. The form of the Report is found in Wis. Stat. § 709.033. The law provides: "§ 709.02  
 87 Disclosure . . . the owner of the property shall furnish, not later than 10 days after acceptance of a contract of sale . . . , to  
 88 the prospective buyer of the property a completed copy of the report . . . . A prospective buyer who does not receive a report  
 89 within the 10 days may, within 2 business days after the end of that 10-day period, rescind the contract of sale . . . by  
 90 delivering a written notice of rescission to the owner or the owner's agent." Buyer may also have certain rescission rights if  
 91 a Vacant Land Disclosure Report disclosing defects is furnished before expiration of the 10 days, but after the Offer is  
 92 submitted to Seller. Buyer should review the report form or consult with an attorney for additional information regarding  
 93 rescission rights.

94 **PROPERTY CONDITION REPRESENTATIONS** Seller represents to Buyer that as of the date of acceptance Seller has  
 95 no notice or knowledge of Conditions Affecting the Property or Transaction (lines 101-181) other than those identified in  
 96 Seller's Vacant Land Disclosure Report dated \_\_\_\_\_, which was received by Buyer prior to Buyer  
 97 signing this Offer and that is made a part of this Offer by reference **COMPLETE DATE OR STRIKE AS APPLICABLE**  
 98 and \_\_\_\_\_

99 \_\_\_\_\_  
 100 **INSERT CONDITIONS NOT ALREADY INCLUDED IN THE DISCLOSURE REPORT**

101 "Conditions Affecting the Property or Transaction" are defined to include:

- 102 a. Flooding, standing water, drainage problems, or other water problems on or affecting the Property.
- 103 b. Impact fees or another condition or occurrence that would significantly increase development costs or reduce the value  
 104 of the property to a reasonable person with knowledge of the nature and scope of the condition or occurrence.
- 105 c. Brownfields (abandoned, idled, or underused land that may be subject to environmental contamination) or other  
 106 contaminated land on the property, or that contaminated soils on the property have been cleaned up under the Petroleum  
 107 Environmental Cleanup Fund Act (PECFA), a Wisconsin Department of Natural Resources (DNR) remedial or cleanup  
 108 program, the DATCP Agricultural Chemical Cleanup Program, or other similar program.
- 109 d. Subsoil conditions that would significantly increase the cost of development, including, but not limited to, subsurface  
 110 foundations or waste material; any type of fill; dumpsites where pesticides, herbicides, fertilizer, or other toxic or hazardous  
 111 materials or containers for these materials were disposed of in violation of manufacturer or government guidelines or other  
 112 laws regulating such disposal; high groundwater; adverse soil conditions, such as low load-bearing capacity, earth or soil  
 113 movement, settling, upheavals, or slides; excessive rocks or rock formations; or other soil problems.
- 114 e. Material violation of an environmental rule or other rule or agreement regulating the use of the Property.
- 115 f. Defects caused by unsafe concentrations of, or unsafe conditions relating to, radon, radium in water supplies, lead in

116 soil, or other potentially hazardous or toxic substances on the Property; manufacture of methamphetamine or other  
117 hazardous or toxic substances on the Property; or high voltage electric (100 KV or greater) or steel natural gas transmission  
118 lines located on but not directly serving the Property.

119 g. Defects caused by unsafe concentrations of, unsafe conditions relating to, or the storage of, hazardous or toxic  
120 substances on neighboring properties.

121 h. The Property is served by a joint well; Defects related to a joint well serving the Property; or Defects in a well on the  
122 Property or in a well that serves the Property, including unsafe well water due to contaminants such as coliform, nitrates, or  
123 atrazine, or any out-of-service wells or cisterns that are required to be abandoned (see § NR 812.26, Wis. Adm. Code) but  
124 that are not closed or abandoned according to applicable regulations.

125 i. Defects in any septic system or other private sanitary disposal system on the Property; or any out-of-service septic  
system serving the Property not closed or abandoned according to applicable regulations.

127 j. Underground or aboveground fuel storage tanks presently or previously on the Property for storage of flammable or  
128 combustible liquids including, but not limited to, gasoline or heating oil; or Defects in the underground or aboveground fuel  
129 storage tanks on or previously located on the Property. Defects in underground or aboveground fuel storage tanks may  
130 include items such as abandoned tanks not closed in conformance with applicable local, state, and federal law; leaking;  
131 corrosion; or failure to meet operating standards. (The owner, by law, may have to register the tanks with the Department  
132 of Agriculture, Trade and Consumer Protection at P.O. Box 8911, Madison, Wisconsin, 53708, whether the tanks are in use  
133 or not. Department regulations may require closure or removal of unused tanks.)

134 k. Existing or abandoned manure storage facilities located on the property.

135 l. Notice of property tax increases, other than normal annual increases, or pending Property tax reassessment;  
136 remodeling that may increase the Property's assessed value; pending special assessments; or Property is within a special  
137 purpose district, such as a drainage district, that has authority to impose assessments on the Property.

138 m. Proposed, planned, or commenced public improvements or public construction projects that may result in special  
139 assessments or that may otherwise materially affect the Property or the present use of the Property; or any land division  
140 involving the Property without required state or local permits.

141 n. The Property is part of or subject to a subdivision homeowners' association; or the Property is not a condominium unit  
142 and there are common areas associated with the Property that are co-owned with others.

143 o. Any zoning code violations with respect to the Property; the Property or any portion thereof is located in a floodplain,  
144 wetland or shoreland zoning area under local, state or federal regulations; or the Property is subject to a mitigation plan  
145 required by Wisconsin Department of Natural Resources (DNR) rules related to county shoreland zoning ordinances, that  
146 obligates the Property owner to establish or maintain certain measures related to shoreland conditions, enforceable by the  
147 county.

148 p. Nonconforming uses of the Property (a nonconforming use is a use of land that existed lawfully before the current zoning  
149 ordinance was enacted or amended, but that does not conform to the use restrictions in the current ordinance); conservation  
150 easements (a conservation easement is a legal agreement in which a property owner conveys some of the rights associated  
151 with ownership of his or her property to an easement holder such as a governmental unit or a qualified nonprofit organization  
152 to protect the natural habitat of fish, wildlife, or plants or a similar ecosystem, preserve areas for outdoor recreation or  
153 education, or for similar purposes); restrictive covenants or deed restrictions on the Property; or, other than public rights-of-  
154 way, nonowners having rights to use part of the Property, including, but not limited to, private rights-of-way and easements  
155 other than recorded utility easements.

156 q. All or part of the Property has been assessed as agricultural land; has been assessed a use-value assessment  
157 conversion charge; or payment of a use-value assessment conversion charge has been deferred.

158 r. All or part of the Property is subject to, enrolled in, or in violation of a farmland preservation agreement, Forest Crop  
159 Law, Managed Forest Law, the Conservation Reserve Program, or a comparable program.

160 s. A dam is totally or partially located on the Property; or an ownership interest in a dam not located on the Property will  
161 be transferred with the Property because the dam is owned collectively by a homeowners' association, lake district, or  
162 similar group of which the Property owner is a member.

163 t. No legal access to the Property; or boundary or lot line disputes, encroachments or encumbrances (including a joint  
164 driveway) affecting the Property. Encroachments often involve some type of physical object belonging to one person but  
165 partially located on or overlapping on land belonging to another; such as, without limitation, fences, houses, garages,  
166 driveways, gardens, and landscaping. Encumbrances include, without limitation, a right or claim of another to a portion of  
167 the Property or to the use of the Property such as a joint driveway, liens, and licenses.

168 u. Government agency, court order, or federal, state, or local regulations requiring repair, alteration or correction of an  
169 existing condition.

170 v. A pier attached to the Property not in compliance with state or local pier regulations; a written agreement affecting  
171 riparian rights related to the Property; or the bed of the abutting navigable waterway is owned by a hydroelectric operator.

172 w. Material damage from fire, wind, flood, earthquake, expansive soil, erosion, or landslide.

173 x. Significant odor, noise, water diversion, water intrusion, or other irritants emanating from neighboring property.

174 y. Significant crop damage from disease, insects, soil contamination, wildlife, or other causes; diseased or dying trees or  
175 shrubs; or substantial injuries or disease in livestock on the Property or neighboring property.

176 z. Animal, reptile, or other insect infestations; drainage easement or grading problems; excessive sliding; or any other  
177 Defect or material condition.

178 aa. Archeological artifacts, mineral rights, orchards, or endangered species, or one or more burial sites on the Property.

179 bb. Owner is a foreign person as defined in the Foreign Investment in Real Property Tax Act in 26 IRC § 1445(f).

180 cc. Other Defects affecting the Property such as any agreements that bind subsequent owners of the property, such as a  
181 lease agreement or an extension of credit from an electric cooperative.

182  **GOVERNMENT PROGRAMS:** Seller shall deliver to Buyer, within \_\_\_\_\_ days ("15" if left blank) after acceptance  
183 of this Offer, a list of all federal, state, county, and local conservation, farmland, environmental, or other land use programs,  
184 agreements, restrictions, or conservation easements, which apply to any part of the Property (e.g., farmland preservation  
185 agreements, farmland preservation or exclusive agricultural zoning, use value assessments, Forest Crop, Managed Forest,  
186 Conservation Reserve Program, wetland mitigation, shoreland zoning mitigation plan or comparable programs), along with  
187 disclosure of any penalties, fees, withdrawal charges, or payback obligations pending, or currently deferred, if any. This  
188 contingency will be deemed satisfied unless Buyer delivers to Seller, within 7 days after the deadline for delivery, a notice  
189 terminating this Offer based upon the use restrictions, program requirements, and/or amount of any penalty, fee, charge, or  
190 payback obligation.

191 **CAUTION: If Buyer does not terminate this Offer, Buyer is hereby agreeing that Buyer will continue in such**  
192 **programs, as may apply, and Buyer agrees to reimburse Seller should Buyer fail to continue any such program**  
193 **such that Seller incurs any costs, penalties, damages, or fees that are imposed because the program is not**  
194 **continued after sale. The Parties agree this provision survives closing.**

195 **MANAGED FOREST LAND:** If all, or part, of the Property is managed forest land under the Managed Forest Law (MFL)  
196 program, this designation will continue after closing. Buyer is advised as follows: The MFL is a landowner incentive  
197 program that encourages sustainable forestry on private woodlands by reducing and deferring property taxes. Orders  
198 designating lands as managed forest lands remain in effect for 25 or 50 years. When ownership of land enrolled in the  
199 MFL program changes, the new owner must sign and file a report of the change of ownership on a form provided by the  
200 Department of Natural Resources and pay a fee. By filing this form, the new owner agrees to the associated MFL  
201 management plan and the MFL program rules. The DNR Division of Forestry monitors forest management plan  
202 compliance. Changes a landowner makes to property that is subject to an order designating it as managed forest land,  
203 or to its use, may jeopardize benefits under the program or may cause the property to be withdrawn from the program  
204 and may result in the assessment of penalties. For more information call the local DNR forester or visit  
205 <https://dnr.wisconsin.gov/topic/forestry> .

206 **USE VALUE ASSESSMENTS:** The use value assessment system values agricultural land based on the income that  
207 would be generated from its rental for agricultural use rather than its fair market value. When a person converts agricultural  
208 land to a non-agricultural use (e.g., residential or commercial development), that person may owe a conversion charge.  
209 To obtain more information about the use value law or conversion charge, contact the Wisconsin Department of Revenue's  
210 Equalization Bureau or visit <http://www.revenue.wi.gov/> .

211 **FARMLAND PRESERVATION:** The early termination of a farmland preservation agreement or removal of land from such  
212 an agreement can trigger payment of a conversion fee equal to 3 times the per acre value of the land. Contact the  
213 Wisconsin Department of Agriculture, Trade and Consumer Protection Division of Agricultural Resource Management or  
214 visit <http://www.datcp.state.wi.us/> for more information.

215 **CONSERVATION RESERVE PROGRAM (CRP):** The CRP encourages farmers, through contracts with the U.S.  
216 Department of Agriculture, to stop growing crops on highly erodible or environmentally sensitive land and instead to plant  
217 a protective cover of grass or trees. CRP contracts run for 10 to 15 years, and owners receive an annual rent as well as  
218 certain incentive payments and cost share assistance for establishing long-term, resource-conserving ground cover.  
219 Removing lands from the CRP in breach of a contract can be quite costly. For more information call the state Farm Service  
220 Agency office or visit <http://www.fsa.usda.gov/> .

221 **SHORELAND ZONING ORDINANCES:** All counties must adopt uniform shoreland zoning ordinances in compliance with  
222 Wis. Admin. Code Chapter NR 115. County shoreland zoning ordinances apply to all unincorporated land within 1,000  
223 feet of a navigable lake, pond or flowage or within 300 feet of a navigable river or stream and establish minimum standards  
224 for building setbacks and height limits, cutting trees and shrubs, lot sizes, water runoff, impervious surface standards (that  
225 may be exceeded if a mitigation plan is adopted and recorded) and repairs to nonconforming structures. Buyers must  
226 conform to any existing mitigation plans. For more information call the county zoning office or visit <https://dnr.wi.gov/> .  
227 Buyer is advised to check with the applicable city, town or village for additional shoreland zoning or shoreland-wetland  
228 zoning restrictions, if any.

229 **FENCES:** Wis. Stat. § 90.03 requires the owners of adjoining properties to keep and maintain legal fences in equal shares  
230 where one or both of the properties is used and occupied for farming or grazing purposes.

231 **CAUTION: Consider an agreement addressing responsibility for fences if Property or adjoining land is used and**  
232 **occupied for farming or grazing purposes.**

233 **PROPERTY DEVELOPMENT WARNING:** If Buyer contemplates developing Property for a use other than the current use,  
234 there are a variety of issues that should be addressed to ensure the development or new use is feasible. Buyer is solely  
235 responsible to verify the current zoning allows for the proposed use of the Property at lines 251-255. Municipal and zoning  
236 ordinances, recorded building and use restrictions, covenants and easements may prohibit certain improvements or uses  
237 and therefore should be reviewed. Building permits, zoning or zoning variances, Architectural Control Committee approvals,  
238 estimates for utility hook-up expenses, special assessments, changes for installation of roads or utilities, environmental  
239 audits, subsoil tests, or other development related fees may need to be obtained or verified in order to determine the  
240 feasibility of development of, or a particular use for, a property. Optional contingencies that allow Buyer to investigate certain  
241 of these issues can be found at lines 244-304 and Buyer may add contingencies as needed in addenda (see line 686).

242 Buyer should review any plans for development or use changes to determine what issues should be addressed in these  
243 contingencies.

244 **PROPOSED USE CONTINGENCIES:** This Offer is contingent upon Buyer obtaining, at Buyer's expense, the reports or  
245 documentation required by any optional provisions checked on lines 256-281 below. The optional provisions checked on  
246 lines 256-281 shall be deemed satisfied unless Buyer, within \_\_\_\_\_ days ("30" if left blank) after acceptance, delivers: (1)  
247 written notice to Seller specifying those optional provisions checked below that cannot be satisfied and (2) written evidence  
248 substantiating why each specific provision referred to in Buyer's notice cannot be satisfied. Upon delivery of Buyer's notice,  
249 this Offer shall be null and void. Seller agrees to cooperate with Buyer as necessary to satisfy the contingency provisions  
250 checked at lines 256-281.

251 **Proposed Use:** Buyer is purchasing the Property for the purpose of: \_\_\_\_\_

252 \_\_\_\_\_  
253 \_\_\_\_\_

254 \_\_\_\_\_ **[insert proposed use**  
255 **and type or style of building(s), size and proposed building location(s), if a requirement of Buyer's condition to**  
256 **purchase, e.g.1400-1600 sq. ft. three-bedroom single family ranch home in northwest corner of lot].**

256  **ZONING:** Verification of zoning and that the Property's zoning allows Buyer's proposed use described at lines  
257 251-255.

258  **SUBSOILS:** Written evidence from a qualified soils expert that the Property is free of any subsoil condition that  
259 would make the proposed use described at lines 251-255 impossible or significantly increase the costs of such  
260 development.

261  **PRIVATE ONSITE WASTEWATER TREATMENT SYSTEM (POWTS) SUITABILITY:** Written evidence from a  
262 certified soils tester that: (a) the soils at the Property locations selected by Buyer, and (b) all other conditions that must  
263 be approved, meet the legal requirements in effect on the date of this Offer to obtain a permit for a POWTS for use of  
264 the Property as stated on lines 251-255. The POWTS (septic system) allowed by the written evidence must be one of  
265 the following POWTS that is approved by the State for use with the type of property identified at lines 251-255 **[CHECK**  
266 **ALL THAT APPLY]**  conventional in-ground;  mound;  at grade;  in-ground pressure distribution;  holding  
267 tank;  other: \_\_\_\_\_

268  **EASEMENTS AND RESTRICTIONS:** Copies of all public and private easements, covenants and restrictions  
269 affecting the Property and a written determination by a qualified independent third party that none of these prohibit or  
270 significantly delay or increase the costs of the proposed use or development identified at lines 251-255.

271  **APPROVALS/PERMITS:** Permits, approvals and licenses, as appropriate, or the final discretionary action by the  
272 granting authority prior to the issuance of such permits or building permit, approvals and licenses, for the following items  
273 related to Buyer's proposed use: \_\_\_\_\_

274 \_\_\_\_\_

275  **UTILITIES:** Written verification of the location of the following utility service connections (e.g., on the Property, at  
276 the lot line, across the street, etc.) **[CHECK AND COMPLETE AS APPLICABLE]** :

277  electricity \_\_\_\_\_ ;  gas \_\_\_\_\_ ;  sewer \_\_\_\_\_ ;  
278  water \_\_\_\_\_ ;  telephone \_\_\_\_\_ ;  cable \_\_\_\_\_ ;  
279  other \_\_\_\_\_

280  **ACCESS TO PROPERTY:** Written verification that there is legal vehicular access to the Property from public  
281 roads.

282  **LAND USE APPROVAL/PERMITS:** This Offer is contingent upon (Buyer)(Seller) **[STRIKE ONE]** ("Buyer" if neither  
283 stricken) obtaining the following, including all costs: a **[CHECK ALL THAT APPLY]**  rezoning;  conditional use permit;  
284  variance;  other \_\_\_\_\_ for the Property for its proposed use described at lines 251-255.  
285 Seller agrees to cooperate with Buyer as necessary to satisfy this contingency. Buyer shall deliver, within \_\_\_\_\_ days of  
286 acceptance, written notice to Seller if any item cannot be obtained, in which case this Offer shall be null and void.

287  **MAP OF THE PROPERTY:** This Offer is contingent upon (Buyer obtaining) (Seller providing) **[STRIKE ONE]** ("Seller  
288 providing" if neither is stricken) a Map of the Property dated subsequent to the date of acceptance of this Offer prepared by  
289 a registered land surveyor, within \_\_\_\_\_ days ("30" if left blank) after acceptance, at (Buyer's) (Seller's) **[STRIKE ONE]**  
290 ("Seller's" if neither is stricken) expense. The map shall show minimum of \_\_\_\_\_ acres, maximum of \_\_\_\_\_  
291 acres, the legal description of the Property, the Property's boundaries and dimensions, visible encroachments upon the  
292 Property, the location of improvements, if any, and: \_\_\_\_\_

293 \_\_\_\_\_

294 **[STRIKE AND COMPLETE AS APPLICABLE]** Additional map features that may  
295 be added include but are not limited to: staking of all corners of the Property; identifying dedicated and apparent streets; lot  
296 dimensions; total acreage or square footage; easements or rights-of-way.

297 **CAUTION: Consider the cost and the need for map features before selecting them. Also consider the time required**  
298 **to obtain the map when setting the deadline.**

299 This contingency shall be deemed satisfied unless Buyer, within 5 days after the deadline for delivery of said map, delivers  
300 to Seller a copy of the map and a written notice which identifies: (1) the significant encroachment; (2) information materially  
301 inconsistent with prior representations; or (3) failure to meet requirements stated within this contingency. Upon delivery of  
302 Buyer's notice, this Offer shall be null and void. Once the deadline for delivery has passed, if Seller was responsible to

303 provide the map and failed to timely deliver the map to Buyer, Buyer may terminate this Offer if Buyer delivers a written  
 304 notice of termination to Seller prior to Buyer's Actual Receipt of said map from Seller.

305 **INSPECTIONS AND TESTING** Buyer may only conduct inspections or tests if specific contingencies are included as a  
 306 part of this Offer. An "inspection" is defined as an observation of the Property, which does not include an appraisal or testing  
 307 of the Property, other than testing for leaking carbon monoxide, or testing for leaking LP gas or natural gas used as a fuel  
 308 source, which are hereby authorized. A "test" is defined as the taking of samples of materials such as soils, water, air or  
 309 building materials from the Property for laboratory or other analysis of these materials. Seller agrees to allow Buyer's  
 310 inspectors, testers and appraisers reasonable access to the Property upon advance notice, if necessary, to satisfy the  
 311 contingencies in this Offer. Buyer or licensees or both may be present at all inspections and testing. Except as otherwise  
 312 provided, Seller's authorization for inspections does not authorize Buyer to conduct testing of the Property.

313 **NOTE: Any contingency authorizing testing should specify the areas of the Property to be tested, the purpose of**  
 314 **the test (e.g., to determine if environmental contamination is present), any limitations on Buyer's testing and any**  
 315 **other material terms of the contingency.**

316 Buyer agrees to promptly restore the Property to its original condition after Buyer's inspections and testing are completed  
 317 unless otherwise agreed to with Seller. Buyer agrees to promptly provide copies of all inspection and testing reports to  
 318 Seller. Seller acknowledges that certain inspections or tests may detect environmental pollution that may be required to be  
 319 reported to the Wisconsin Department of Natural Resources.

320  **INSPECTION CONTINGENCY:** This contingency only authorizes inspections, not testing (see lines 305-319).

321 (1) This Offer is contingent upon a qualified independent inspector conducting an inspection of the Property after the date  
 322 on line 1 of this Offer that discloses no Defects.

323 (2) This Offer is further contingent upon a qualified independent inspector or independent qualified third party performing an  
 324 inspection of \_\_\_\_\_

325 \_\_\_\_\_ (list any Property component(s)

326 to be separately inspected, e.g., dumpsite, timber quality, invasive species, etc.) that discloses no Defects.

327 (3) Buyer may have follow-up inspections recommended in a written report resulting from an authorized inspection, provided  
 328 they occur prior to the Deadline specified at line 333. Inspection(s) shall be performed by a qualified independent  
 329 inspector or independent qualified third party.

330 Buyer shall order the inspection(s) and be responsible for all costs of inspection(s).

331 **CAUTION: Buyer should provide sufficient time for the Property inspection and/or any specialized inspection(s),**  
 332 **as well as any follow-up inspection(s).**

333 This contingency shall be deemed satisfied unless Buyer, within \_\_\_\_\_ days ("15" if left blank) after acceptance, delivers  
 334 to Seller a copy of the written inspection report(s) dated after the date on line 1 of this Offer and a written notice listing the  
 335 Defect(s) identified in those report(s) to which Buyer objects (Notice of Defects).

336 **CAUTION: A proposed amendment is not a Notice of Defects and will not satisfy this notice requirement.**

337 For the purposes of this contingency, Defects do not include structural, mechanical or other conditions the nature and extent  
 338 of which Buyer had actual knowledge or written notice before signing this Offer.

339 **NOTE: "Defect" as defined on lines 553-555 means a condition that would have a significant adverse effect on the**  
 340 **value of the Property; that would significantly impair the health or safety of future occupants of the Property; or**  
 341 **that if not repaired, removed or replaced would significantly shorten or adversely affect the expected normal life**  
 342 **of the premises.**

343 **RIGHT TO CURE:** Seller (shall)(shall not) ~~STRIKE ONE~~ ("shall" if neither is stricken) have the right to cure the Defects.

344 If Seller has the right to cure, Seller may satisfy this contingency by:

345 (1) delivering written notice to Buyer within \_\_\_\_\_ ("10" if left blank) days after Buyer's delivery of the Notice of Defects  
 346 stating Seller's election to cure Defects;

347 (2) curing the Defects in a good and workmanlike manner; and

348 (3) delivering to Buyer a written report detailing the work done no later than three days prior to closing.

349 This Offer shall be null and void if Buyer makes timely delivery of the Notice of Defects and written inspection report(s) and:

350 (1) Seller does not have the right to cure; or

351 (2) Seller has the right to cure but:

352 (a) Seller delivers written notice that Seller will not cure; or

353 (b) Seller does not timely deliver the written notice of election to cure.

354 **IF LINE 355 IS NOT MARKED OR IS MARKED N/A LINES 403-414 APPLY.**

355  **FINANCING COMMITMENT CONTINGENCY:** This Offer is contingent upon Buyer being able to obtain a written  
 356 \_\_\_\_\_ [loan type or specific lender, if any] first mortgage loan commitment as described

357 below, within \_\_\_\_\_ days after acceptance of this Offer. The financing selected shall be in an amount of not less than \$

358 \_\_\_\_\_ for a term of not less than \_\_\_\_\_ years, amortized over not less than \_\_\_\_\_ years. Initial

359 monthly payments of principal and interest shall not exceed \$ \_\_\_\_\_. Buyer acknowledges that lender's

360 required monthly payments may also include 1/12th of the estimated net annual real estate taxes, hazard insurance

361 premiums, and private mortgage insurance premiums. The mortgage shall not include a prepayment premium. Buyer agrees

362 to pay discount points in an amount not to exceed \_\_\_\_\_ % ("0" if left blank) of the loan. If Buyer is using multiple loan



363 sources or obtaining a construction loan or land contract financing, describe at lines 650-664 or in an addendum attached  
364 per line 686. Buyer agrees to pay all customary loan and closing costs, wire fees, and loan origination fees, to promptly  
365 apply for a mortgage loan, and to provide evidence of application promptly upon request of Seller. Seller agrees to allow  
366 lender's appraiser access to the Property.

367 ■ **LOAN AMOUNT ADJUSTMENT:** If the purchase price under this Offer is modified, any financed amount, unless otherwise  
368 provided, shall be adjusted to the same percentage of the purchase price as in this contingency and the monthly payments  
369 shall be adjusted as necessary to maintain the term and amortization stated above.

370 **CHECK AND COMPLETE APPLICABLE FINANCING PROVISION AT LINE 371 or 372.**

371  **FIXED RATE FINANCING:** The annual rate of interest shall not exceed \_\_\_\_\_%.

372  **ADJUSTABLE RATE FINANCING:** The initial interest rate shall not exceed \_\_\_\_\_%. The initial interest rate  
373 shall be fixed for \_\_\_\_\_ months, at which time the interest rate may be increased not more than \_\_\_\_\_% ("2" if  
374 left blank) at the first adjustment and by not more than \_\_\_\_\_% ("1" if left blank) at each subsequent adjustment.

375 The maximum interest rate during the mortgage term shall not exceed the initial interest rate plus \_\_\_\_\_% ("6" if  
376 left blank). Monthly payments of principal and interest may be adjusted to reflect interest changes.

377 ■ **SATISFACTION OF FINANCING COMMITMENT CONTINGENCY:** If Buyer qualifies for the loan described in this Offer  
378 or another loan acceptable to Buyer, Buyer agrees to deliver to Seller a copy of a written loan commitment.

379 This contingency shall be satisfied if, after Buyer's review, Buyer delivers to Seller a copy of a written loan commitment  
380 (even if subject to conditions) that is:

381 (1) signed by Buyer; or

382 (2) accompanied by Buyer's written direction for delivery.

383 Delivery of a loan commitment by Buyer's lender or delivery accompanied by a notice of unacceptability shall not satisfy  
384 this contingency.

385 **CAUTION: The delivered loan commitment may contain conditions Buyer must yet satisfy to obligate the lender to**  
386 **provide the loan. Buyer understands delivery of a loan commitment removes the Financing Commitment**  
387 **Contingency from the Offer and shifts the risk to Buyer if the loan is not funded.**

388 ■ **SELLER TERMINATION RIGHTS:** If Buyer does not deliver a loan commitment on or before the Deadline on line 357.  
389 Seller may terminate this Offer if Seller delivers a written notice of termination to Buyer prior to Seller's Actual Receipt of  
390 written loan commitment from Buyer.

391 ■ **FINANCING COMMITMENT UNAVAILABILITY:** If a financing commitment is not available on the terms stated in this  
392 Offer (and Buyer has not already delivered an acceptable loan commitment for other financing to Seller), Buyer shall  
393 promptly deliver written notice to Seller of same including copies of lender(s)' rejection letter(s) or other evidence of  
394 unavailability.

395  **SELLER FINANCING:** Seller shall have 10 days after the earlier of:

396 (1) Buyer delivery of written notice of evidence of unavailability as noted in lines 391-394: or

397 (2) the Deadline for delivery of the loan commitment on line 357,

398 to deliver to Buyer written notice of Seller's decision to (finance this transaction with a note and mortgage under the same  
399 terms set forth in this Offer, and this Offer shall remain in full force and effect, with the time for closing extended accordingly.

400 If Seller's notice is not timely given, the option for Seller to provide financing shall be considered waived. Buyer agrees to  
401 cooperate with and authorizes Seller to obtain any credit information reasonably appropriate to determine Buyer's credit  
402 worthiness for Seller financing.

403 **IF THIS OFFER IS NOT CONTINGENT ON FINANCING COMMITMENT** Within \_\_\_\_\_ days ("7" if left blank) after  
404 acceptance, Buyer shall deliver to Seller either:

405 (1) reasonable written verification from a financial institution or third party in control of Buyer's funds that Buyer has, at  
406 the time of verification, sufficient funds to close; or

407 (2) \_\_\_\_\_  
408 \_\_\_\_\_ [Specify documentation Buyer agrees to deliver to Seller].

409 If such written verification or documentation is not delivered, Seller has the right to terminate this Offer by delivering written  
410 notice to Buyer prior to Seller's Actual Receipt of a copy of Buyer's written verification. Buyer may or may not obtain  
411 mortgage financing but does not need the protection of a financing commitment contingency. Seller agrees to allow Buyer's  
412 appraiser access to the Property for purposes of an appraisal. Buyer understands and agrees that this Offer is not subject  
413 to the appraisal meeting any particular value, unless this Offer is subject to an appraisal contingency, nor does the right of  
414 access for an appraisal constitute a financing commitment contingency.

415  **APPRAISAL CONTINGENCY:** This Offer is contingent upon Buyer or Buyer's lender having the Property appraised  
416 at Buyer's expense by a Wisconsin licensed or certified independent appraiser who issues an appraisal report dated  
417 subsequent to the date stated on line 1 of this Offer, indicating an appraised value for the Property equal to or greater than  
418 the agreed upon purchase price.

419 This contingency shall be deemed satisfied unless Buyer, within \_\_\_\_\_ days after acceptance, delivers to Seller a copy  
420 of the appraisal report indicating an appraised value less than the agreed upon purchase price, and a written notice objecting  
421 to the appraised value.

422 ■ **RIGHT TO CURE:** Seller (shall)(shall not) **STRIKE ONE** ("shall" if neither is stricken) have the right to cure.

423 If Seller has the right to cure, Seller may satisfy this contingency by delivering written notice to Buyer adjusting the purchase  
424 price to the value shown on the appraisal report within \_\_\_\_\_ days ("5" if left blank) after Buyer's delivery of the appraisal

425 report and the notice objecting to the appraised value. Seller and Buyer agree to promptly execute an amendment initiated  
426 by either party after delivery of Seller's notice, solely to reflect the adjusted purchase price.

427 This Offer shall be null and void if Buyer makes timely delivery of the notice objecting to appraised value and the written  
428 appraisal report and:

429 (1) Seller does not have the right to cure; or

430 (2) Seller has the right to cure but:

431 (a) Seller delivers written notice that Seller will not adjust the purchase price; or

432 (b) Seller does not timely deliver the written notice adjusting the purchase price to the value shown on the appraisal  
433 report.

434 **NOTE: An executed FHA, VA or USDA Amendatory clause may supersede this contingency.**

435  **CLOSING OF BUYER'S PROPERTY CONTINGENCY:** This Offer is contingent upon the closing of the sale of  
436 Buyer's property located at \_\_\_\_\_

437 no later than \_\_\_\_\_ (the Deadline). If closing does not occur by the Deadline, this Offer shall  
438 become null and void unless Buyer delivers to Seller, on or before the Deadline, reasonable written verification from a  
439 financial institution or third party in control of Buyer's funds that Buyer has, at the time of verification, sufficient funds to close  
440 or proof of bridge loan financing, along with a written notice waiving this contingency. Delivery of verification or proof of  
441 bridge loan shall not extend the closing date for this Offer.

442  **BUMP CLAUSE:** If Seller accepts a bona fide secondary offer, Seller may give written notice to Buyer that another  
443 offer has been accepted. If Buyer does not deliver to Seller the documentation listed below within \_\_\_\_\_ hours ("72" if  
444 left blank) after Buyer's Actual Receipt of said notice, this Offer shall be null and void. Buyer must deliver the following:

445 (1) Written waiver of the Closing of Buyer's Property Contingency if line 435 is marked;

446 (2) Written waiver of \_\_\_\_\_  
447 \_\_\_\_\_ (name other contingencies, if any); and

448 (3) Any of the following checked below:

449  Proof of bridge loan financing.

450  Proof of ability to close from a financial institution or third party in control of Buyer's funds which shall provide  
451 Seller with reasonable written verification that Buyer has, at the time of verification, sufficient funds to close.

452 Other: \_\_\_\_\_  
453 \_\_\_\_\_

454 [insert other requirements, if any (e.g., payment of additional earnest money, etc.)]

455  **SECONDARY OFFER:** This Offer is secondary to a prior accepted offer. This Offer shall become primary upon  
456 delivery of written notice to Buyer that this Offer is primary. Unless otherwise provided, Seller is not obligated to give Buyer  
457 notice prior to any Deadline, nor is any particular secondary buyer given the right to be made primary ahead of other  
458 secondary buyers. Buyer may declare this Offer null and void by delivering written notice of withdrawal to Seller prior to  
459 delivery of Seller's notice that this Offer is primary. Buyer may not deliver notice of withdrawal earlier than \_\_\_\_\_ days ("7"  
460 if left blank) after acceptance of this Offer. All other Offer Deadlines that run from acceptance shall run from the time this  
461 Offer becomes primary.

462 **HOMEOWNERS ASSOCIATION** If this Property is subject to a homeowners association, Buyer is aware the Property may  
463 be subject to periodic association fees after closing and one-time fees resulting from transfer of the Property. Any one-time  
464 fees resulting from transfer of the Property shall be paid at closing by (Seller) (Buyer) **STRIKE ONE** ("Buyer" if neither is  
465 stricken).

466 **CLOSING PRORATIONS** The following items, if applicable, shall be prorated at closing, based upon date of closing values:  
467 real estate taxes, rents, prepaid insurance (if assumed), private and municipal charges, property owners or homeowners  
468 association assessments, fuel and \_\_\_\_\_

469 **CAUTION: Provide basis for utility charges, fuel or other prorations if date of closing value will not be used.**

470 Any income, taxes or expenses shall accrue to Seller, and be prorated at closing, through the day prior to closing.

471 Real estate taxes shall be prorated at closing based on **CHECK BOX FOR APPLICABLE PRORATION FORMULA** :

472  The net general real estate taxes for the preceding year, or the current year if available (Net general real estate  
473 taxes are defined as general property taxes after state tax credits and lottery credits are deducted.) NOTE: THIS CHOICE  
474 APPLIES IF NO BOX IS CHECKED.

475  Current assessment times current mill rate (current means as of the date of closing).

476  Sale price, multiplied by the municipality area-wide percent of fair market value used by the assessor in the prior  
477 year, or current year if known, multiplied by current mill rate (current means as of the date of closing).

478  \_\_\_\_\_

479 **CAUTION: Buyer is informed that the actual real estate taxes for the year of closing and subsequent years may be**  
480 **substantially different than the amount used for proration especially in transactions involving new construction,**  
481 **extensive rehabilitation, remodeling or area-wide re-assessment. Buyer is encouraged to contact the local**  
482 **assessor regarding possible tax changes.**

483  Buyer and Seller agree to re-prorate the real estate taxes, through the day prior to closing based upon the taxes on  
484 the actual tax bill for the year of closing, with Buyer and Seller each owing his or her pro-rata share. Buyer shall, within 5

485 days of receipt, forward a copy of the bill to the forwarding address Seller agrees to provide at closing. The Parties shall  
486 re-prorate within 30 days of Buyer's receipt of the actual tax bill. Buyer and Seller agree this is a post-closing obligation  
487 and is the responsibility of the Parties to complete, not the responsibility of the real estate Firms in this transaction.

488 **TITLE EVIDENCE**

489 ■ **CONVEYANCE OF TITLE:** Upon payment of the purchase price, Seller shall convey the Property by warranty deed  
490 (trustee's deed if Seller is a trust, personal representative's deed if Seller is an estate or other conveyance as  
491 provided herein), free and clear of all liens and encumbrances, except: municipal and zoning ordinances and agreements  
492 entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use  
493 restrictions and covenants, present uses of the Property in violation of the foregoing disclosed in Seller's Vacant Land  
494 Disclosure Report and in this Offer, general taxes levied in the year of closing and n/a

495 \_\_\_\_\_  
496 \_\_\_\_\_ (insert other allowable exceptions from title, if  
497 any) that constitutes merchantable title for purposes of this transaction. Seller, at Seller's cost, shall complete and execute  
498 the documents necessary to record the conveyance and pay the Wisconsin Real Estate Transfer Fee.

499 **WARNING: Municipal and zoning ordinances, recorded building and use restrictions, covenants and easements**  
500 **may prohibit certain improvements or uses and therefore should be reviewed, particularly if Buyer contemplates**  
501 **making improvements to Property or a use other than the current use.**

502 ■ **TITLE EVIDENCE:** Seller shall give evidence of title in the form of an owner's policy of title insurance in the amount of  
503 the purchase price on a current ALTA form issued by an insurer licensed to write title insurance in Wisconsin. Seller shall  
504 pay all costs of providing title evidence to Buyer. Buyer shall pay the costs of providing the title evidence required by Buyer's  
505 lender and recording the deed or other conveyance.

506 ■ **GAP ENDORSEMENT:** Seller shall provide a "gap" endorsement or equivalent gap coverage at (Seller's)(Buyer's)  
507 **STRIKE ONE** ("Seller's" if neither stricken) cost to provide coverage for any liens or encumbrances first filed or recorded  
508 after the commitment date of the title insurance commitment and before the deed is recorded, subject to the title insurance  
509 policy conditions, exclusions and exceptions, provided the title company will issue the coverage. If a gap endorsement or  
510 equivalent gap coverage is not available, Buyer may give written notice that title is not acceptable for closing (see lines 516-  
511 523).

512 ■ **DELIVERY OF MERCHANTABLE TITLE:** The required title insurance commitment shall be delivered to Buyer's attorney  
513 or Buyer not more than 30 days after acceptance ("15" if left blank), showing title to the Property as of a date no more  
514 than 15 days before delivery of such title evidence to be merchantable per lines 489-498, subject only to liens which will be  
515 paid out of the proceeds of closing and standard title insurance requirements and exceptions, as appropriate.

516 ■ **TITLE NOT ACCEPTABLE FOR CLOSING:** If title is not acceptable for closing, Buyer shall notify Seller in writing of  
517 objections to title within 180 days ("15" if left blank) after delivery of the title commitment to Buyer or Buyer's attorney. In  
518 such event, Seller shall have 30 days ("15" if left blank) from Buyer's delivery of the notice stating title objections, to  
519 deliver notice to Buyer stating Seller's election to remove the objections by the time set for closing. If Seller is unable to  
520 remove said objections, Buyer shall have five days from receipt of notice thereof, to deliver written notice waiving the  
521 objections, and the time for closing shall be extended accordingly. If Buyer does not waive the objections, Buyer shall deliver  
522 written notice of termination and this Offer shall be null and void. Providing title evidence acceptable for closing does not  
523 extinguish Seller's obligations to give merchantable title to Buyer.

524 ■ **SPECIAL ASSESSMENTS/OTHER EXPENSES:** Special assessments, if any, levied or for work actually commenced  
525 prior to the date stated on line 1 of this Offer shall be paid by Seller no later than closing. All other special assessments  
526 shall be paid by Buyer. "Levied" means the local municipal governing body has adopted and published a final resolution  
527 describing the planned improvements and the assessment of benefits.

528 **CAUTION: Consider a special agreement if area assessments, property owners association assessments, special**  
529 **charges for current services under Wis. Stat. § 66.0627 or other expenses are contemplated. "Other expenses" are**  
530 **one-time charges or ongoing use fees for public improvements (other than those resulting in special assessments)**  
531 **relating to curb, gutter, street, sidewalk, municipal water, sanitary and storm water and storm sewer (including all**  
532 **sewer mains and hook-up/connection and interceptor charges), parks, street lighting and street trees, and impact**  
533 **fees for other public facilities, as defined in Wis. Stat. § 66.0617(1)(f).**

534 **LEASED PROPERTY** If Property is currently leased and lease(s) extend beyond closing, Seller shall assign Seller's rights  
535 under said lease(s) and transfer all security deposits and prepaid rents thereunder to Buyer at closing. The terms of the  
536 (written) (oral) **STRIKE ONE** lease(s), if any, are n/a

537 \_\_\_\_\_  
538 \_\_\_\_\_ . Insert additional terms, if any, at lines 650-664 or attach as an addendum per line 686.

539 **DEFINITIONS**

540 ■ **ACTUAL RECEIPT:** "Actual Receipt" means that a Party, not the Party's recipient for delivery, if any, has the document  
541 or written notice physically in the Party's possession, regardless of the method of delivery. If the document or written notice  
542 is electronically delivered, Actual Receipt shall occur when the Party opens the electronic transmission.

543 ■ **BUSINESS DAY:** "Business Day" means a calendar day other than Saturday, Sunday, any legal public holiday under  
544 Wisconsin or Federal law, and any other day designated by the President such that the postal service does not receive

545 registered mail or make regular deliveries on that day.

546 ■ **DEADLINES:** "Deadlines" expressed as a number of "days" from an event, such as acceptance, are calculated by  
547 excluding the day the event occurred and by counting subsequent calendar days. The Deadline expires at Midnight on the  
548 last day. Additionally, Deadlines expressed as a specific number of Business Days are calculated in the same manner  
549 except that only Business Days are counted while other days are excluded. Deadlines expressed as a specific number of  
550 "hours" from the occurrence of an event, such as receipt of a notice, are calculated from the exact time of the event, and by  
551 counting 24 hours per calendar day. Deadlines expressed as a specific day of the calendar year or as the day of a specific  
552 event, such as closing, expire at Midnight of that day. "Midnight" is defined as 11:59 p.m. Central Time.

553 ■ **DEFECT:** "Defect" means a condition that would have a significant adverse effect on the value of the Property; that would  
554 significantly impair the health or safety of future occupants of the Property; or that if not repaired, removed or replaced would  
555 significantly shorten or adversely affect the expected normal life of the premises.

556 ■ **FIRM:** "Firm" means a licensed sole proprietor broker or a licensed broker business entity.

557 ■ **PARTY:** "Party" means the Buyer or the Seller; "Parties" refers to both the buyer and the Seller.

558 ■ **PROPERTY:** Unless otherwise stated, "Property" means the real estate described at lines 4-8.

559 **INCLUSION OF OPTIONAL PROVISIONS** Terms of this Offer that are preceded by an OPEN BOX (  ) are part of  
560 this offer ONLY if the box is marked such as with an "X". They are not part of this offer if marked "N/A" or are left blank.

561 **PROPERTY DIMENSIONS AND SURVEYS** Buyer acknowledges that any land dimensions, or total acreage or square  
562 footage figures, provided to Buyer by Seller or by a Firm or its agents, may be approximate because of rounding, formulas  
563 used or other reasons, unless verified by survey or other means.

564 **CAUTION: Buyer should verify total square footage formula, total square footage/acreage figures, and land**  
565 **dimensions, if material.**

566 **DISTRIBUTION OF INFORMATION** Buyer and Seller authorize the agents of Buyer and Seller to: (i) distribute copies of  
567 the Offer to Buyer's lender, appraisers, title insurance companies and any other settlement service providers for the  
568 transaction as defined by the Real Estate Settlement Procedures Act (RESPA); (ii) report sales and financing concession  
569 data to multiple listing service sold databases; (iii) provide active listing, pending sale, closed sale and financing concession  
570 information and data, and related information regarding seller contributions, incentives or assistance, and third party gifts,  
571 to appraisers researching comparable sales, market conditions and listings, upon inquiry; and (iv) distribute copies of this  
572 Offer to the seller or seller's agent of another property that Seller intends on purchasing.

573 **MAINTENANCE** Seller shall maintain the Property and all personal property included in the purchase price until the earlier  
574 of closing or Buyer's occupancy, in materially the same condition it was in as of the date on line 1 of this Offer, except for  
575 ordinary wear and tear.

576 **PROPERTY DAMAGE BETWEEN ACCEPTANCE AND CLOSING** If, prior to closing, the Property is damaged in an  
577 amount not more than five percent of the purchase price, other than normal wear and tear, Seller shall promptly notify Buyer  
578 in writing, and will be obligated to restore the Property to materially the same condition it was in as of the date on line 1 of  
579 this Offer. Seller shall provide Buyer with copies of all required permits and lien waivers for the lienable repairs no later than  
580 closing. If the amount of damage exceeds five percent of the purchase price, Seller shall promptly notify Buyer in writing of  
581 the damage and this Offer may be terminated at option of Buyer. Should Buyer elect to carry out this Offer despite such  
582 damage, Buyer shall be entitled to the insurance proceeds, if any, relating to the damage to the Property, plus a credit  
583 towards the purchase price equal to the amount of Seller's deductible on such policy, if any. However, if this sale is financed  
584 by a land contract or a mortgage to Seller, any insurance proceeds shall be held in trust for the sole purpose of restoring  
585 the Property.

586 **BUYER'S PRE-CLOSING WALK-THROUGH** Within three days prior to closing, at a reasonable time pre-approved by  
587 Seller or Seller's agent, Buyer shall have the right to walk through the Property to determine that there has been no  
588 significant change in the condition of the Property, except for ordinary wear and tear and changes approved by Buyer, and  
589 that any Defects Seller has agreed to cure have been repaired in the manner agreed to by the Parties.

590 **OCCUPANCY** Occupancy of the entire Property shall be given to Buyer at time of closing unless otherwise provided in  
591 this Offer at lines 534-538 or in an addendum attached per line 686, or lines 650-664 if the Property is leased. At time of  
592 Buyer's occupancy, Property shall be free of all debris, refuse, and personal property except for personal property belonging  
593 to current tenants, or sold to Buyer or left with Buyer's consent. Occupancy shall be given subject to tenant's rights, if any.

594 **DEFAULT** Seller and Buyer each have the legal duty to use good faith and due diligence in completing the terms and  
595 conditions of this Offer. A material failure to perform any obligation under this Offer is a default that may subject the defaulting  
596 party to liability for damages or other legal remedies.

597 If Buyer defaults, Seller may:

- 598 (1) ~~sue for specific performance and~~ request the earnest money as partial payment of the purchase price; or  
599 (2) ~~terminate the Offer and have the option to: (a) request the earnest money as liquidated damages; or (b) sue for actual~~  
600 ~~damages.~~

601 If Seller defaults, Buyer may:

- 602 (1) sue for specific performance; or  
603 (2) terminate the Offer and request the return of the earnest money, sue for actual damages, or both.

604 In addition, the Parties may seek any other remedies available in law or equity. The Parties understand that the availability  
605 of any judicial remedy will depend upon the circumstances of the situation and the discretion of the courts. If either Party  
606 defaults, the Parties may renegotiate the Offer or seek nonjudicial dispute resolution instead of the remedies outlined above.  
607 By agreeing to binding arbitration, the Parties may lose the right to litigate in a court of law those disputes covered by the  
608 arbitration agreement.

609 **NOTE: IF ACCEPTED, THIS OFFER CAN CREATE A LEGALLY ENFORCEABLE CONTRACT. BOTH PARTIES**  
610 **SHOULD READ THIS DOCUMENT CAREFULLY. THE FIRM AND ITS AGENTS MAY PROVIDE A GENERAL**  
611 **EXPLANATION OF THE PROVISIONS OF THE OFFER BUT ARE PROHIBITED BY LAW FROM GIVING ADVICE OR**  
612 **OPINIONS CONCERNING YOUR LEGAL RIGHTS UNDER THIS OFFER OR HOW TITLE SHOULD BE TAKEN AT**  
613 **CLOSING. AN ATTORNEY SHOULD BE CONSULTED IF LEGAL ADVICE IS NEEDED.**

614 **ENTIRE CONTRACT** This Offer, including any amendments to it, contains the entire agreement of the Buyer and Seller  
615 regarding the transaction. All prior negotiations and discussions have been merged into this Offer. This agreement binds  
616 and inures to the benefit of the Parties to this Offer and their successors in interest.

617 **NOTICE ABOUT SEX OFFENDER REGISTRY** You may obtain information about the sex offender registry and persons  
618 registered with the registry by contacting the Wisconsin Department of Corrections on the Internet at <http://www.doc.wi.gov>  
619 or by telephone at (608) 240-5830.

620 **FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT (FIRPTA)** Section 1445 of the Internal Revenue Code (IRC)  
621 provides that a transferee (Buyer) of a United States real property interest must pay or withhold as a tax up to 15% of the  
622 total "Amount Realized" in the sale if the transferor (Seller) is a "Foreign Person" and no exception from FIRPTA withholding  
623 applies. A "Foreign Person" is a nonresident alien individual, foreign corporation, foreign partnership, foreign trust, or foreign  
624 estate. The "Amount Realized" is the sum of the cash paid, the fair market value of other property transferred, and the  
625 amount of any liability assumed by Buyer.

626 **CAUTION: Under this law if Seller is a Foreign Person, and Buyer does not pay or withhold the tax amount, Buyer**  
627 **may be held directly liable by the U.S. Internal Revenue Service for the unpaid tax and a tax lien may be placed**  
628 **upon the Property.**

629 Seller hereby represents that Seller is a non-Foreign Person, unless (1) Seller represents Seller is a Foreign Person in a  
630 condition report incorporated in this Offer per lines 94-97, or (2) no later than 10 days after acceptance, Seller delivers  
631 notice to Buyer that Seller is a Foreign Person, in which cases the provisions on lines 637-639 apply.

632 **IF SELLER IS A NON-FOREIGN PERSON.** Seller shall, no later than closing, execute and deliver to Buyer, or a qualified  
633 substitute (attorney or title company as stated in IRC § 1445), a sworn certification under penalties of perjury of Seller's  
634 non-foreign status in accordance with IRC § 1445. If Seller fails to timely deliver certification of Seller's non-foreign status,  
635 Buyer shall: (1) withhold the amount required to be withheld pursuant to IRC § 1445; or, (2) declare Seller in default of this  
636 Offer and proceed under lines 601-608.

637 **IF SELLER IS A FOREIGN PERSON.** If Seller has represented that Seller is a Foreign Person, Buyer shall withhold the  
638 amount required to be withheld pursuant to IRC § 1445 at closing unless the Parties have amended this Offer regarding  
639 amounts to be withheld, any withholding exemption to be applied, or other resolution of this provision.

640 **COMPLIANCE WITH FIRPTA.** Buyer and Seller shall complete, execute, and deliver, on or before closing, any instrument,  
641 affidavit, or statement needed to comply with FIRPTA, including withholding forms. If withholding is required under IRC  
642 §1445, and the net proceeds due Seller are not sufficient to satisfy the withholding required in this transaction, Seller shall  
643 deliver to Buyer, at closing, the additional funds necessary to satisfy the applicable withholding requirement. Seller also  
644 shall pay to Buyer an amount not to exceed \$1,000 for actual costs associated with the filing and administration of forms,  
645 affidavits, and certificates necessary for FIRPTA withholding and any withholding agent fees.

646 **Any representations made by Seller with respect to FIRPTA shall survive the closing and delivery of the deed.**  
647 Firms, Agents, and Title Companies are not responsible for determining FIRPTA status or whether any FIRPTA exemption  
648 applies. The Parties are advised to consult with their respective independent legal counsel and tax advisors regarding  
649 FIRPTA.

650 **ADDITIONAL PROVISIONS/CONTINGENCIES** \_\_\_\_\_  
651 \_\_\_\_\_  
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665 **DELIVERY OF DOCUMENTS AND WRITTEN NOTICES** Unless otherwise stated in this Offer, delivery of documents and  
666 written notices to a Party shall be effective only when accomplished by one of the authorized methods specified at lines  
667 668-683.

668 (1) Personal: giving the document or written notice personally to the Party, or the Party's recipient for delivery if named at  
669 line 670 or 671.

670 Name of Seller's recipient for delivery, if any: \_\_\_\_\_

671 Name of Buyer's recipient for delivery, if any: \_\_\_\_\_

672  (2) Fax: fax transmission of the document or written notice to the following number:

673 Seller: ( \_\_\_\_\_ ) Buyer: ( \_\_\_\_\_ )

674  (3) Commercial: depositing the document or written notice, fees prepaid or charged to an account, with a commercial  
675 delivery service, addressed either to the Party, or to the Party's recipient for delivery, for delivery to the Party's address at  
676 line 679 or 680.

677  (4) U.S. Mail: depositing the document or written notice, postage prepaid, in the U.S. Mail, addressed either to the  
678 Party, or to the Party's recipient for delivery, for delivery to the Party's address.

679 Address for Seller: \_\_\_\_\_

680 Address for Buyer: F Street Development, 1134 N. 9th St., Suite 200, Milwaukee, WI 53233

681  (5) Email: electronically transmitting the document or written notice to the email address.

682 Email Address for Seller: \_\_\_\_\_

683 Email Address for Buyer: scott@fstreet.com, josh@fstreet.com

684 **PERSONAL DELIVERY/ACTUAL RECEIPT** Personal delivery to, or Actual Receipt by, any named Buyer or Seller  
685 constitutes personal delivery to, or Actual Receipt by, all Buyers or Sellers.

686  **ADDENDA**: The attached \_\_\_\_\_ Addendum \_\_\_\_\_ is/are made part of this Offer.

687 This Offer was drafted by [Licensee and Firm] \_\_\_\_\_ Attorney Josh Lurie, F Street Development

688 \_\_\_\_\_

689 (x) \_\_\_\_\_ June 20, 2023

690 Buyer's Signature ▲ Print Name Here ▶ F Street Manager 3, LLC Date ▲  
Josh Lurie, GC

691 (x) \_\_\_\_\_  
692 Buyer's Signature ▲ Print Name Here ▶ \_\_\_\_\_ Date ▲

693 **SELLER ACCEPTS THIS OFFER. THE WARRANTIES, REPRESENTATIONS AND COVENANTS MADE IN THIS**  
694 **OFFER SURVIVE CLOSING AND THE CONVEYANCE OF THE PROPERTY. SELLER AGREES TO CONVEY THE**  
695 **PROPERTY ON THE TERMS AND CONDITIONS AS SET FORTH HEREIN AND ACKNOWLEDGES RECEIPT OF A**  
696 **COPY OF THIS OFFER.**

697 (x) \_\_\_\_\_  
698 Seller's Signature ▲ Print Name Here ▶ Jacob A. Woodford, Mayor Date ▲

699 (x) \_\_\_\_\_  
700 Seller's Signature ▲ Print Name Here ▶ \_\_\_\_\_ Date ▲

701 This Offer was presented to Seller by [Licensee and Firm] \_\_\_\_\_

702 \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

703 This Offer is rejected \_\_\_\_\_ This Offer is countered [See attached counter] \_\_\_\_\_  
704 Seller Initials ▲ Date ▲ Seller Initials ▲ Date ▲

**ADDENDUM  
TO  
VACANT LAND OFFER TO PURCHASE  
(THE "OFFER")**

1. Description of Vacant Land. Buyer shall purchase from Seller a portion of the vacant land described as Lots 26, 27, 28 and 29 and lot 9-5712, which is known as the Southport Commerce Park Plat No. 3 (the "Property"), all of which is shown on the attached *Exhibit A*, but shall be memorialized and confirmed by a CSM that will be recorded at Closing.
2. Purchase Price of Vacant Land. Buyer shall purchase from Seller the Property described in Section 1 above at a cost of \$41,000 per acre. The total acreage purchased, as described in Section 1, shall be confirmed by a CSM and/or ALTA survey. Once the amount of acreage is confirmed, this amount will be multiplied by \$41,000 to compute the exact Purchase Price. If the Exhibit A acreage is accurate for the Property (as described in Section 1 of the Addendum), then total acreage is 14 acres, and the purchase price shall be \$574,000.00.
3. Refundable Earnest Money. Upon the mutual execution of this Offer, Buyer will have seven (7) days to deposit refundable earnest money in the amount of \$12,500.00 (the "Earnest Money") with Knight Barry Title Insurance Company, Attn: Michele Schmid.
4. Inspection Period. Buyer shall have three hundred sixty-five (365) days from the mutual execution of this Offer (the "Inspection Period") to cause one or more agents, employees, surveyors, attorneys, engineers, auditors, architects, environmental consultants and other experts at Buyer's choice to inspect any documents related to the Property, including without limitation, site plans, building permits, leases and other agreements, and to inspect, examine, perform or obtain engineering inspections, and/or reports, environmental inspections, tests (including testing and sampling, if recommended by Buyer's environmental consultant), and/or reports, appraisals, or any other investigations or studies which Buyer deems necessary or appropriate, in Buyer's sole and absolute discretion, in order to determine the condition, value and economic feasibility of the Property.
5. Seller Documents. Seller shall deliver to Buyer, true, accurate and complete copies of the following to the extent within the possession or reasonable control of Seller, within ten (10) days of the mutual execution of this Offer: copies of all leases, copies of all permits, complete document set of all architectural and/or other renderings, accounting of all Property related soft costs, all real estate and personal property tax bills for the last two (2) years, copies of any surveys, environmental reports, roof reports, and assessments, soil tests, engineering reports or inspections, and appraisals, a list of all personal property owned by Seller and located at or used in connection with the Property (the "Personal Property"). In the event Buyer is unsatisfied in Buyer's sole and absolute discretion, with the results of any such inspection, investigation or economic evaluation, Buyer may terminate this Offer in its entirety by delivering written notice to Seller prior to the expiration of the Inspection Period and the Earnest Money including all interest earned thereon, shall be immediately refunded to Buyer.

6. Brokerage Commission. The only broker involved in this transaction is CBRE, Inc. (Karl Wiedenman). All commissions shall be paid for by Seller in the amount of eight (8%) percent of the gross sales price received by the Seller.
7. Successors and Assigns. This Offer and all of the terms, covenants, and conditions hereof and the various instruments executed and delivered pursuant hereto shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns and shall survive closing. In particular, Buyer shall be permitted to assign any and all of its rights hereunder.
8. Conflict. In the event of any conflict between the provisions of this Addendum and the attached preprinted form, the provisions of this Addendum shall control.
9. Closing. This transaction shall be closed no later than sixty (60) days after the Inspection Period is waived or satisfied by Buyer.
10. Property Condition. Because Buyer is being afforded the option of having the Property inspected, it is expected that Buyer will rely upon the expertise of Buyer's inspectors and the results of their investigation in determining whether to proceed to closing. AS SUCH, BUYER, BY PROCEEDING TO CLOSING, SHALL BE DEEMED TO HAVE PURCHASED THE PROPERTY IN 'AS IS' CONDITION.

BUYER: F STREET MANAGER 3, LLC

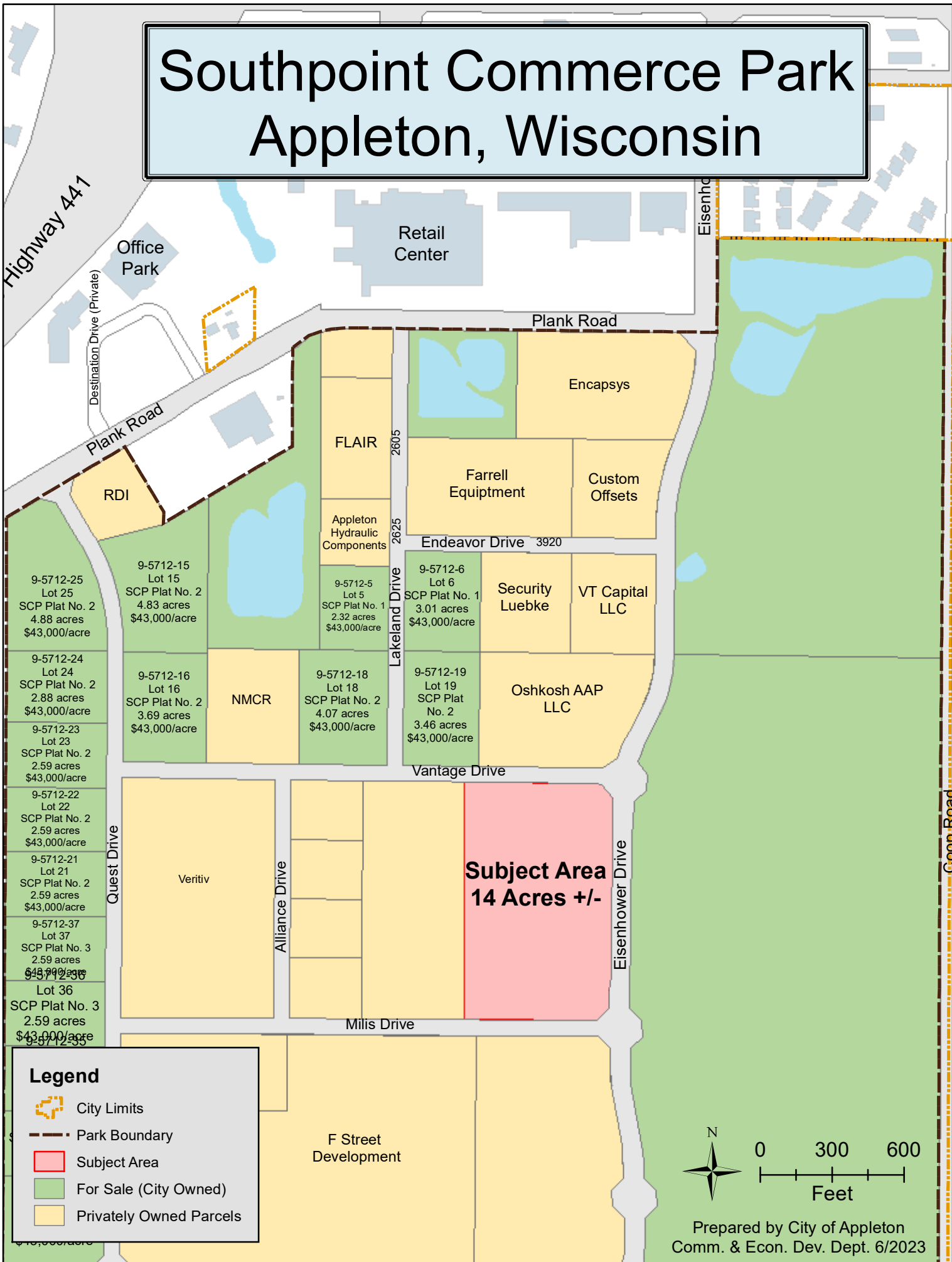
By:   
Josh Lurie, General Counsel

SELLER: City of Appleton

By: \_\_\_\_\_  
Jacob A. Woodford, Mayor

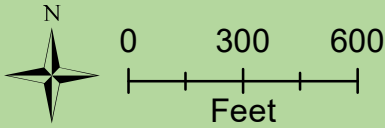


# Southpoint Commerce Park Appleton, Wisconsin



**Legend**

- City Limits
- Park Boundary
- Subject Area
- For Sale (City Owned)
- Privately Owned Parcels





DEPARTMENT OF  
**INFORMATION  
TECHNOLOGY**

## MEMORANDUM

**Date: July 10, 2024**

**To: HR/IT Committee, Common Council**

**From: Corey Popp, I.T. Director**

**Subject: Request to Approve Endpoint Switches for \$256,000**

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I am seeking approval to spend up to \$256,000 to procure and install 58 endpoint switches and 10 uninterruptible power supplies (UPS).

I am requesting this project be sole sourced to Heartland Business Systems (HBS), the City's contracted managed network service provider and a fulfillment partner listed on the State of Wisconsin National Association of State Procurement Officials ValuePoint Cisco Master Agreement (NVP #AR3227), which states a minimum discount of 35% for all Cisco hardware and 10% discounted cloud services.

Endpoint switches secure, prioritize, and route digital data over the City of Appleton's computer network. Some of the City's endpoint switches are 15 years old, with a typical age of about seven years. We expect to get 10 years of life from this new cloud-managed hardware.

The Common Council originally approved this Capital Improvement Project (CIP) as part of the 2023 Executive Budget adopted on November 9, 2022. The debt was issued in 2023, but I elected to hold the CIP until 2024, after the network remediation project concluded. The carryover was approved in the City's 2023-2024 Budget Carryover Request the Council approved on April 3, 2024. An estimated budget overage of \$5,903 will be funded using dollars already allocated to IT from the 2021 Excess General Fund and currently set aside in the I.T. Department's 2024 Operations Consulting budget.

The approved sole source request from Finance is attached. A breakdown of the funding appears below.

Supplier	Description	Cost	Funding Source
HBS	CIP Budget	\$250,000	Debt issued in 2023 and approved in the 2023-2024 Budget Carryover Request-Special Consideration "Endpoint Switches" item.
HBS	Budget Overage	\$6,000	I.T. Operations Budget
<b>Total</b>		<b>\$256,000</b>	





## SOLE SOURCE REQUEST

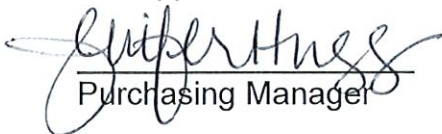
The undersigned certifies that the commodity/service shown below qualifies as a sole source request and meets one or more of the following requirements. The department has demonstrated, and the Purchasing Manager concurs that only one source exists, the price is equitable, and/or noncompetitive negotiation 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: Information Technology
Product/service: Endpoint switches – purchase & installation
Vendor name: Heartland Business Systems
Total cost: not to exceed \$256,000

Justification and price quotation provided by the department, for the items to be considered and approved as a sole source purchase attached for review.

  
Purchasing Manager

6/25/2024  
Date

**96-24**

**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 7-17-2024)

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 1313 East Amelia Street (Tax Id #31-1-1926-00) and 1319 North Owaissa Street (Tax Id #31-1-1927-00), including to the centerline of the adjacent street right-of-way, from R-1B Single-Family District to R-1C Central City Residential District. (Rezoning #5-24 – Terry Adams, owner and David Hebert of Hebert Associates, Inc., applicant)

**LEGAL DESCRIPTION:**

1313 East Amelia Street / Parcel 31-1-1926-00

*North 60 feet of Lot 5 and Lot 7 of Ullman's Addition, City of Appleton, Outagamie County, Wisconsin, including to the center line of the adjacent public right-of-way.*

1319 North Owaissa Street / Parcel 31-1-1927-00

*South 60 feet of Lot 5 and Lot 7 of Ullman's Addition, City of Appleton, Outagamie County, Wisconsin, including to the center line of the adjacent public right-of-way.*

**COMMON DESCRIPTION:**

1313 East Amelia Street (Tax Id #31-1-1926-00) and 1319 North Owaissa Street (Tax Id #31-1-1927-00), including to the centerline 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 Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.

**97-24**

**AN ORDINANCE CREATING SECTION 19-201 OF CHAPTER 19 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO SHORT-TERM COMMERCIAL RENTAL OF ELECTRIC SCOOTERS PROHIBITED.**

(Municipal Services Committee – 6-19-2024)

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

**Section 1:** That Section 19-201 of Chapter 19 of the Municipal Code of the City of Appleton, relating to short-term commercial rental of electric scooters prohibited, is hereby created to read as follows:

**19-201. Short-term commercial rental of electric scooters prohibited.**

(a) For purposes of this section, electric scooter is defined in Wis. Stat. §340.01(15ps) (2021-22) and as amended over time.

(b) The short-term commercial rental of electric scooters to the general public is prohibited pursuant to Wis. Stat. §349.237(4) (2021-22) and as amended over time.

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

**98-24**

**AN ORDINANCE AMENDING SECTION 18-83(a) OF CHAPTER 18 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO IMPOSITION OF MOTOR VEHICLE REGISTRATION FEE.**

(Finance Committee – 6-17-2024)

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

**Section 1:** That Section 18-83(a) of Chapter 18 of the Municipal Code of the City of Appleton, relating to imposition of motor vehicle registration fee, is hereby amended to read as follows:

**Sec. 18-83. Imposition of motor vehicle registration fee.**

(a) Pursuant to §341.35 of the Wisconsin Statutes, an annual flat city registration fee as set forth herein, in the amount of thirty dollars (\$30.00) is hereby imposed on all motor vehicles registered in the state of Wisconsin that are customarily kept in the city of Appleton.

**Section 2:** This ordinance shall be in full force and effect beginning January 1, 2025.