



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, October 16, 2024

7:00 PM

Council Chambers

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[24-1330](#) Common Council Meeting Minutes of October 2, 2024

Attachments: [CC Minutes 10-2-24.pdf](#)

G. BUSINESS PRESENTED BY THE MAYOR

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[24-1334](#) Resolution to Participate in the Outagamie Co. Hazard Mitigation Plan

Attachments: [2024-05 Outagamie County HMP 2024-2029 Resolution.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

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

[24-1311](#) Approve Alexander Street Asphalt Reconstruction Design.

Attachments: [Alexander St Design Approval Memo MSC 10-07-2024.pdf](#)

Legislative History

10/7/24 Municipal Services recommended for approval
Committee

[24-1312](#)

Approve Bell Avenue Asphalt Reconstruction Design.

Attachments: [Bell Ave Design Approval Memo MSC 10-07-2024.pdf](#)

Legislative History

10/7/24 Municipal Services recommended for approval
Committee

[24-1313](#)

Approve Bellaire Court Asphalt Reconstruction Design.

Attachments: [Bellaire Court Design Approval Memo MSC 10-07-2024.pdf](#)

[10-07-2024 MSC DPW Q&A 2026 Reconst St.pdf](#)

[Bellaire Reconstruct Kim Reilly Email.pdf](#)

[Bellaire Reconstruct Kyle Tripp Email.pdf](#)

[Bellaire Reconstruct Marisa Meister Email.pdf](#)

[Bellaire Reconstruct Mary Gerlach Email.pdf](#)

[Bellaire Reconstruct Timothy Watson Email.pdf](#)

Legislative History

10/7/24 Municipal Services recommended for approval
Committee

10/7/24 Municipal Services held
Committee

[24-1314](#)

Approve Melrose Avenue Asphalt Reconstruction Design.

Attachments: [Melrose Ave Design Approval Memo MSC 10-07-2024.pdf](#)

Legislative History

10/7/24 Municipal Services recommended for approval
Committee

[24-1315](#)

Approve Long-Term Temporary Occupancy Permit Extension on College Avenue and on Drew Street to Boldt for Lawrence University/Trout Museum Construction Project Through November 22, 2024.

Attachments: [24-049-T_REV1.pdf](#)

Legislative History

10/7/24 Municipal Services recommended for approval
Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-1105](#) Operator License for Cindy Reed.

Attachments: [Cindy Reed Operator License Application.pdf](#)
[Cindy Reed Clerk Letter.pdf](#)
[Cindy Reed PD Letter.pdf](#)
[Cindy Reed Denial Appeal Memo.pdf](#)
[Cindy Reed Documents Submitted to Safety and Licensing.pdf](#)

Legislative History

9/25/24	Safety and Licensing Committee	recommended for denial
	<i>Cindy Reed appeared and addressed the committee.</i>	
	<i>Mark Joosten, 2948 W. 1st Ave, Appleton WI 54914, owner of Eager Beaver, appeared and addressed the committee.</i>	
	<i>The Motion to deny the license failed 1/3.</i>	
9/25/24	Safety and Licensing Committee	recommended for approval
	<i>The Motion to approve the license passed 3/1.</i>	
10/2/24	Common Council	referred to the Safety and Licensing Committee
10/9/24	Safety and Licensing Committee	recommended for denial
	<i>Cindy Reed appeared and addressed the committee.</i>	

[24-0420](#) Class "B" Beer and Reserve "Class B" Liquor License application for Delaires LLC d/b/a Delaire's, David Boulanger, Agent, located at 823 W. College Ave, contingent upon approval from the Health and Inspections departments.

Attachments: [Delaire's.Alcohol.Class B Beer Reserve Liquor.4.10.24.REDACTED.pdf](#)

Legislative History

10/9/24	Safety and Licensing Committee	recommended for approval
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[24-1235](#) Class "B" Beer and "Class C" Wine License application for MyMy LLC d/b/a MyMy, Pa Zao Chang, Agent, located at 2825 Ballard Rd, contingent upon approval from the Health and Inspections departments.

Attachments: [MyMy_LL.C.Alcohol.Class B Beer Class C Wine.9.9.2024.REDACTED.pdf](#)

Legislative History

10/9/24	Safety and Licensing Committee	recommended for approval
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3. MINUTES OF THE CITY PLAN COMMISSION**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**

5. MINUTES OF THE FINANCE COMMITTEE

[24-1278](#)

Request to award Appleton Water Treatment Facility Carbon Dioxide System Rehabilitation Project Base Bid to Rohde Brothers, Inc., in the amount of \$208,000 with a 10% contingency of \$20,800 for a project total not to exceed \$228,800.

Attachments: [240926_FinanceMemo_BidAward_AWTF_CO2_RohdeContract.pdf](#)

Legislative History

10/7/24 Finance Committee recommended for approval

[24-1305](#)

Request to approve the following 2024 Budget amendment:

General Fund - Police

Donation & Memorials	+ \$51,339
Training/Conferences	+ \$6,085
Other Contracts/Obligation	+ \$36,000
Patrol - Misc Supplies	+ \$1,782
Patrol - Other Contract/Obligations	+ \$7,472

To record K9 reimbursements for two canines, training courses, equipment, & medical expenses.

Attachments: [Police K9 BUA.pdf](#)

Legislative History

10/7/24 Finance Committee recommended for approval

[24-1306](#)

Request to approve inventory write-off of \$2,521.20 for parts no longer needed for Wastewater systems.

Attachments: [WW Inventory Write off memo Oct 2024.pdf](#)

Legislative History

10/7/24 Finance Committee recommended for approval

[24-1307](#)

Request to approve sole source contract with Restoration Systems, Inc. to complete Phase 3 of the Green Ramp Barrier Panel Emergency Repair in an amount not to exceed \$73,700.

Attachments: [Finance Agenda 10-07-2024 RSI Green Ramp Phase 3.pdf](#)

Legislative History

10/7/24 Finance Committee recommended for approval

[24-1308](#)

Request to Amend State/Municipal Financial Agreement for I-41/Ballard Interchange Project (Proposed 2025 City Cost Share \$431,050; Current City Cost Share \$435,200).

Attachments: [I-41 Ballard SMFA Amend Finance Memo 10-07-2024.pdf](#)

[SMFA 1130-65-76 Ballard Road CTH E 20240919.pdf](#)

Legislative History

10/7/24 Finance Committee recommended for approval

[24-1317](#) Request to award contract to KleenMark to provide Janitorial Services to all City of Appleton facilities/locations for the years 2025-2029. The contract totals are 2025 (\$463,883), 2026 (\$477,800), 2027 (\$492,134), 2028 (\$506,898), and 2029 (\$522,105) annually.

Attachments: [Custodial Services Contract.pdf](#)

Legislative History

10/7/24 Finance Committee recommended for approval

[24-1319](#) Request to award sole source purchase of Final Effluent Screw Pump Gearbox Inspection & Rebuild Services to Midwest Power Products in the amount of \$35,298 with a 10% contingency of \$3,530 for a total not to exceed \$38,828.

Attachments: [2401002_SoleSourceAward_MPP_Screw_Pump_Gearbox.pdf](#)
[Sole Source - MPP.pdf](#)

Legislative History

10/7/24 Finance Committee recommended for approval

6. **MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE**
7. **MINUTES OF THE UTILITIES COMMITTEE**
8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**
9. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**
10. **MINUTES OF THE BOARD OF HEALTH**

[24-1299](#) Proposed Update to City of Appleton Municipal Code 7-100 (d): Smoking Prohibition Around Valley Transit Center and Appleton Public Library

Attachments: [Proposed Update to City of Appleton Municipal Code 7-100 Smoking Prohibition MUNICIPAL CODE UPDATE - 7-100\(D\) SMOKE FREE AREA AROUND TRAN](#)

Legislative History

10/9/24 Board of Health recommended for approval
Aldersperson Wolff moved, seconded by Vogel, that the Proposed Update to City of Appleton Municipal Code 7-100 (d): Smoking Prohibition Around Valley Transit Center and Appleton Public Library be recommended for approval. Motion carried by the following vote:

- M. **CONSOLIDATED ACTION ITEMS**
- N. **ITEMS HELD**
- O. **ORDINANCES**

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

[24-1309](#) Ordinance #138-24

Attachments: [Ordinances to Council 10-16-24.pdf](#)

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

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Meeting Minutes - Final Common Council

Wednesday, October 2, 2024

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Woodford at 7:02 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Siebers.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, 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

Excused: 1 - Alderperson Patti Heffernan

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[24-1261](#)

Common Council Meeting Minutes of September 18, 2024

Attachments: [CC Minutes 9-18-24.pdf](#)

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

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

Excused: 1 - Alderperson Patti Heffernan

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[24-1273](#) City Star Awards

Mayor Woodford presented the City Star Awards to recipients.

[24-1274](#) Proclamations:

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

Attachments: [46-261 Domestic Violence Awareness Month.pdf](#)
[46-262 Fire Prevention Week.pdf](#)
[46-263 Indigenous Peoples Day.pdf](#)
[46-264 Mental Health Day.pdf](#)
[46-265 Coming Out Day.pdf](#)
[46-266 White Cane Safety Day.pdf](#)
[46-267 Dysautonomia Awareness Month.pdf](#)

[24-1275](#) 2025 Executive Budget and Service Plan

Mayor Woodford presented the 2025 Executive Budget and Service Plan.

H. PUBLIC PARTICIPATION

*The following spoke regarding Item #24-1268 for free parking on Small Business Saturday:
Jennifer Stephany, 333 W College Ave
Nate Weyenberg, 310 W College Ave*

I. PUBLIC HEARINGS

[24-1073](#) Public Hearing for the Street Vacation of N. Sampson Street, South of E. Winnebago Street

Attachments: [Public Hearing - SV Sampson.pdf](#)

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

J. SPECIAL RESOLUTIONS

[24-1074](#)

Final Resolution for the N. Sampson St. Street Vacation

Attachments: [Sampson Street - Final Resolution.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Meltzer, that the Resolution for the Street Vacation 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 Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Patti Heffernan

Abstained: 1 - Mayor Jake Woodford

K. ESTABLISH ORDER OF THE DAY

[24-1105](#)

Operator License for Cindy Reed.

Attachments: [Cindy Reed Operator License Application.pdf](#)
[Cindy Reed Clerk Letter.pdf](#)
[Cindy Reed PD Letter.pdf](#)
[Cindy Reed Denial Appeal Memo.pdf](#)
[Cindy Reed Documents Submitted to Safety and Licensing.pdf](#)

This Item was referred back to the Safety and Licensing Committee by Aldersperson Fenton, due back on 10/9/2024.

[24-1268](#)

Request from Appleton Downtown Inc. for free ramp and meter parking on Small Business Saturday, November 30, 2024.

Attachments: [Small Business Saturday parking.pdf](#)

Aldersperson Meltzer moved, seconded by Aldersperson Smith, that the item be amended to remove the ramp parking from the free parking request. Roll Call. Motion carried by the following vote:

Aye: 9 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Martyn Smith, Aldersperson Katie Van Zeeland, Aldersperson Patrick Hayden, Aldersperson Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim and Aldersperson Sheri Hartzheim

Nay: 5 - Aldersperson Brad Firkus, Aldersperson Denise Fenton, Aldersperson Nate Wolff, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Alderperson Patti Heffernan

Abstained: 1 - Mayor Jake Woodford

Alderperson Hartzheim moved, seconded by Alderperson Hayden, that the free parking request be approved as amended, allowing for free meter parking only, on November 30th 2024. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Patrick Hayden, Alderperson Alex Schultz, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff and Alderperson Sheri Hartzheim

Nay: 4 - Alderperson Brad Firkus, Alderperson Denise Fenton, Alderperson Christopher Croatt and Alderperson Chad Doran

Excused: 1 - Alderperson Patti Heffernan

Abstained: 1 - Mayor Jake Woodford

[24-1051](#)

Variance Request for Driveway Extension - 3039 N. Ballard Rd

Attachments: [3039 N Ballard Rd Drive Extension Variance Request Memo.pdf](#)

Alderperson Van Zeeland moved, seconded by Alderperson Hartzheim, that the Committee recommendation to deny the variance be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Martyn Smith, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Nate Wolff, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 2 - Alderperson Vered Meltzer and Alderperson Alex Schultz

Excused: 1 - Alderperson Patti Heffernan

Abstained: 1 - Mayor Jake Woodford

[24-1101](#)

Approval of Alderperson Salaries.

Attachments: [19-0536 - Alderperson Salary Adjustment Deadlines Update Fall 2024 \(ZB & CRB\) 09-06-2024.pdf.pdf](#)
[Elected Alderperson Salary History.pdf](#)
[Alderperson Comp 2024 Comparable.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Hartzheim, to approve no increase (0%) to the Alderperson salaries. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderperson William Siebers, Alderperson Brad Firkus, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Patrick Hayden, Alderperson Vaya Jones, Alderperson Kristin Alfheim, Alderperson Sheri Hartzheim, Alderperson Christopher Croatt and Alderperson Chad Doran

Nay: 3 - Alderperson Vered Meltzer, Alderperson Alex Schultz and Alderperson Nate Wolff

Excused: 1 - Alderperson Patti Heffernan

Abstained: 2 - Alderperson Martyn Smith and Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

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

Excused: 1 - Alderperson Patti Heffernan

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[24-1232](#)

Approve Utility Easement Release of Rights for Richmond St/I-41.

Attachments: [I-41 Richmond St Sewer Water Release of Rights Memo MSC 09-23-204.pdf](#)
[DT2245 City of Appleton SEWR 1130-64-77 1130-63-21 615.pdf](#)
[DT2245 City of Appleton WATR 1130-64-77 1130-63-21 616.pdf](#)

This Report Action Item was approved.

[24-1233](#)

Request by Prevea Health to Purchase Two On-street Parking Stalls on South Side of Washington Street West of Oneida Street.

Attachments: [On-Street Parking Stall Purchase Request Prevea Health Memo MSC 09-23-204.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-1213](#)

Class "B" Beer and "Class B" Liquor License application for CaPo Gooble LLC d/b/a Ambassador, Colin Torrez, Agent, located at 117 S. Appleton St, contingent upon approval from the Health and Public Works departments.

Attachments: [Ambassador.Capo Gooble LLC.Alcohol.Class B Beer Liquor.8.28.24.REDACTED.pdf](#)

This Report Action Item was approved.

[24-1252](#)

Request to amend and update Appleton Municipal Code Sec. 6-56 "Adoption of codes and standards".

Attachments: [2024 Ch 6 - Fire - Appendices Revisions.pdf](#)
[2024-Chapter 6 memo.pdf](#)

This Report Action Item was approved.

3. **MINUTES OF THE CITY PLAN COMMISSION**

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

5. **MINUTES OF THE FINANCE COMMITTEE**

[24-1247](#)

Request to approve sole source purchase of Variable Frequency Drive (VFD) equipment and commissioning services to Werner Electric in the amount of \$37,573.

Attachments: [240918_SoleSourceAward_Werner_UV-VFD.pdf](#)

This Report Action Item was approved.

[24-1246](#)

Request to approve Statement of Non-Reimbursement by Utility DOT forms DT2245 Sewer and DT2245 Water.

Attachments: [Finance Committee 9-23-24 DT2245 Ballard Statement of Non-Reimbursement.pdf](#)
[DT2245_City of Appleton_SEWR_1130-65-76_1130-63-21_615_1994922.pdf](#)
[DT2245_City of Appleton_WATR_1130-65-76_1130-63-21_616_1994924.pdf](#)

This Report Action Item was approved.

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

7. **MINUTES OF THE UTILITIES COMMITTEE**

[24-1234](#)

Approve Contract Amendment #2 for 2024A Stormwater Management Plan Review contract with Brown and Caldwell by an increase of \$38,000 for a total contract amount not to exceed \$113,000.

Attachments: [2024A Stormwater Plan Review amendment 2 UC Memo 09-24-2024.pdf](#)

This Report Action Item was approved.

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

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

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

M. **CONSOLIDATED ACTION ITEMS**

N. **ITEMS HELD**

O. **ORDINANCES**

[24-1260](#)

Ordinances #125-24 to #137-24

Attachments: [Ordinances to Council 10-2-24.pdf](#)

Aldersperson Hartzheim moved, seconded by Aldersperson Meltzer, that the Ordinances 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 Alex Schultz, Aldersperson Vaya Jones, Aldersperson Kristin Alfheim, Aldersperson Nate Wolff, Aldersperson Sheri Hartzheim, Aldersperson Christopher Croatt and Aldersperson Chad Doran

Excused: 1 - Aldersperson Patti Heffernan

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 Hartzheim moved, seconded by Alderson Meltzer, that the meeting be adjourned at 8:25 p.m. Roll Call. Motion carried by the following vote:

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

Excused: 1 - Alderson Patti Heffernan

Abstained: 1 - Mayor Jake Woodford

Kami Lynch, City Clerk



CITY OF APPLETON

Resolution No. 2024-05
City of Appleton, Wisconsin

A Resolution Adopting the Outagamie County Hazard Mitigation Plan 2024-2029

WHEREAS the City of Appleton Common Council recognizes the threat that natural hazards pose to people and property within the Outagamie County; and

WHEREAS the Outagamie County Emergency Management Department has prepared a multi-hazard mitigation plan, hereby known as Outagamie County Hazard Mitigation Plan 2024-2029 in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

WHEREAS Outagamie County Hazard Mitigation Plan 2024-2029 identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Outagamie County from the impacts of future hazards and disasters; and

WHEREAS adoption by the City of Appleton Common Council demonstrates its commitment to hazard mitigation and achieving the goals outlined in the Outagamie County Hazard Mitigation Plan 2024-2029.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF APPLETON, WISCONSIN, THAT:

Section 1. The City of Appleton adopts the Outagamie County Hazard Mitigation Plan 2024-2029. While content related to Outagamie County may require revisions to meet the plan approval requirements, changes occurring after adoption will not require Outagamie County to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

ADOPTED by a vote of _____ in favor and _____ against, and _____ abstaining, this 16th day of October 2024.

BY: _____
Jacob A. Woodford, Mayor

ATTEST: _____
Kami Lynch, Clerk



DEPARTMENT OF
**PUBLIC
WORKS**

MEMORANDUM

Date: 10/07/2024
To: Municipal Services Committee
From: Pete Neuberger, Deputy Director of Public Works
Subject: Approve Alexander Street Asphalt Reconstruction Design

The Department of Public Works (DPW) requests approval of the design parameters for Alexander Street between Melrose Avenue and Glendale Avenue as follows:

Alexander St is to be reconstructed with asphalt pavement and concrete curb and gutter between Melrose Avenue and Glendale Avenue. Design parameters include:

- New asphalt pavement and concrete curb and gutter constructed to a width of 26' from face of curb to face of curb, which is 6' narrower than the existing street within this portion of the project.
- On-street parking to be prohibited along the west side of Alexander Street.



DEPARTMENT OF
**PUBLIC
WORKS**

MEMORANDUM

Date: 10/07/2024
To: Municipal Services Committee
From: Pete Neuberger, Deputy Director of Public Works
Subject: Approve Bell Avenue Asphalt Reconstruction Design

The Department of Public Works (DPW) requests approval of the design parameters for Bell Avenue between Summit Street and Richmond Street as follows:

Bell Avenue is to be reconstructed with asphalt pavement and concrete curb and gutter between Summit Street and Richmond Street. Design parameters include:

- New asphalt pavement and concrete curb and gutter constructed to a width of 26' from face of curb to face of curb, which is 3' narrower than the existing street within this portion of the project.
- On-street parking to be prohibited along the south side of Bell Avenue.



DEPARTMENT OF
**PUBLIC
WORKS**

MEMORANDUM

Date: 10/07/2024
To: Municipal Services Committee
From: Pete Neuberger, Deputy Director of Public Works
Subject: Approve Bellaire Court Asphalt Reconstruction Design

The Department of Public Works (DPW) requests approval of the design parameters for Bellaire Court between Atlantic Street and the cul de sac as follows:

Bellaire Court is to be reconstructed with asphalt pavement and concrete curb and gutter between Atlantic Street and the cul de sac. Design parameters include:

- New asphalt pavement and concrete curb and gutter constructed to a width of 26' from face of curb to face of curb, which is 1' narrower than the existing street within this portion of the project.
- On-street parking would be permitted along one side of the street only along Bellaire Court.

10-07-2024 Municipal Services Committee

Q&A Follow Up for Design Recommendations

Public Hearing held at 09-23-2024 MSC

Melrose Avenue, Bell Avenue, Bellaire Court, Alexander Street

General Questions Common to All Streets

1. Trees. How are decisions made on which trees to remove and which trees to save? Can DPW provide detailed information on individual tree decisions? Can trees be left up for construction to see if they survive, rather than cutting them down at the start of construction?

- a. DPW knows that healthy trees are a valuable asset to the community at-large and to immediate neighbors and strives to save as many trees as is warranted based on several factors including existing conditions, during-construction activities, and post-construction conditions.

At the start of the DPW design process, the Project Engineer and City Forester assess each tree using guidelines developed by the International Society of Arboriculture for best management practices for managing trees during construction. The ANSI A300 Part 5 standard is also a tool used to help guide the planning and development phases of these projects. Poor condition and ash trees equal automatic removal. After that, factors considered include species, age, size of tree relative to width of existing and proposed terrace, proximity of trees to existing and proposed street/curb, and root orientation. Staff keep in mind that roadway construction requires 12 to 18 inches excavation behind existing curb and proposed curb, to a depth of about two feet. This can result in extensive damage to nearby trees, so trees with a short healthy life expectancy are strongly considered for removal at the start of construction. In some cases, certain trees may be evaluated as likely to have a longer healthy life expectancy if the proposed street is being narrowed; in such cases, the City Forester is more likely to designate a tree to be saved if the design recommendations support a narrower street.

- b. DPW has shared City Forester contact information with inquiring neighbors (Mike Stanonik, 920-832-5941). The City Forester is available by appointment to review individual tree scoring onsite as may be requested.
- c. As stated above, DPW does try to preserve trees predicted to have a relatively long healthy life span after construction. When the City forester determines a given tree is unlikely to have a relatively long healthy life span after construction, the decision will be made to remove the tree; this is done so that the tree does not interfere unnecessarily with efficient construction activities, does not represent an elevated risk for falling as a result of poor health after construction, and to support a process whereby a new tree can be installed in a timely manner to support long-term goals for street tree populations.

2. Conditions During Construction. How will the construction project address accessibility concerns for property owners, emergency vehicles, trash/recycling collection? Can projects be phased in a way to help minimize inconvenience to neighbors?
 - a. All streets under discussion involve 2025 Underground Construction and 2026 Pavement Work. Underground Construction projects have typically proven relatively easy to travel into and out of project limits. Although trenches are typically backfilled at night, driveways may not be available for hours at a time. Coordination involving the contractor and City inspector is common. The 2026 paving work presents more access challenges than underground work. At times, the street will be inaccessible. DPW issues a mobility questionnaire before the project commences. Parking permits are issued to people who can walk and DPW will work with individuals with limited mobility. DPW completes these types of projects every year, and DPW's process has proven very successful in finding reasonable accommodations to work out access needs while still getting the project done efficiently.
 - b. Refuse and recycling collection. When a road is closed, garbage trucks typically cannot get in. Standard procedure is to roll containers to the nearest side street. Bellaire Court is an example of a more difficult street to manage. Some special phasing may be appropriate in certain circumstances to minimize inconveniences, and staff will certainly review these options when developing project specifications. A typical time frame for lack of garbage truck access is 4 to 6 weeks, but perhaps two additional weeks if street construction is phased.

Melrose Ave. (Alexander to Ballard)

Proposed: 26' f-f, parking on one side only

Existing: 32' f-f, parking on both sides.

1. Why is the street being narrowed? So many cars parked on street, don't know how that can go to only one side.
 - a. Melrose Avenue is defined as a local residential street with average on-street parking needs per the Complete Streets Design Guide, with a preferred cross-section matching the proposed design.
 - b. The Complete Streets Design Guide adopted by Council on April 3, 2024, and available to view on the City website, was the primary tool used to determine the appropriate design cross-section. The guide identifies the design principles behind the Complete Streets policy documents and the recommended cross-section based upon those principles.

Bell Ave. (Summit to Richmond)

Proposed: 26' f-f, parking on north side only

Existing: 32' f-f, parking on both sides.

1. Why is the street being narrowed? Is it saving costs, saving trees, or increasing safety? Does narrowing a street make it safer? Is parking on one-side-only adequate?
 - a. Bell Avenue is defined as a local residential street with average on-street parking needs per the Complete Street Design Guide, with a preferred cross-section matching the proposed design.
 - b. The Complete Streets Design Guide adopted by Council on April 3, 2024, and available to view on the City website, was the primary tool used to determine the appropriate design cross-section. The guide identifies the design principles behind the Complete Streets policy documents and the recommended cross-section based upon those principles.
2. Since commercial property on Richmond Street have delivery trucks, some semis seem inclined to making a circuit on Bell Avenue. Will the City adequately enforce the parking restrictions?
 - a. DPW will sign No Parking areas per City standards and has staff to enforce parking restrictions. When notified of recurring violation issues, Parking Enforcement staff can often increase enforcement to help prompt behavioral changes.
3. For buildings with minimal setback from the project limits, will the contractor protect private property from damage?
 - a. Project specifications will direct the contractor to avoid damage to private property outside of the approved project limits, and identify the contractor as responsible for damage resulting from any contractor failure to follow project requirements.
4. Will proposed changes affect the ability of the City to effectively remove snow?
 - a. DPW will enforce known parking violations that interfere with snow removal operations. DPW anticipates parking changes from both sides to one-side only will not have any significant impact on snow removal operations. Citywide overnight parking ban remains in effect.

Bellaire Court (Atlantic Street to cul de sac)

Proposed: 26' f-f (parking on north side only)

Existing: 27' f-f

1. Why is the project needed, considering it seems so disruptive to the existing trees?
 - a. The sanitary sewer, storm sewer, and water main are aging, and the water main size is below current design standards for new water main. The pavement and curb & gutter are in relatively poor condition and will be in worsened condition after the 2025 underground construction is completed.

2. Can the proposed street be converted to one-way traffic as a way to narrow the street and reduce the need to remove existing mature trees?
 - a. DPW could consider the one-way traffic request further, however, it would not result in a narrower street. Appleton Fire Code identifies a minimum street width of 26 feet for emergency vehicles where one-side-only parking is provided, which is the current design.

Alexander St (Melrose to Glendale)

Proposed: 26' f-f, parking on one side only

Existing: 32' f-f, parking on both sides.

(No questions at Design Hearing)

From: [Vered Meltzer](#)
To: [Laura Jungwirth](#); [Jason Brown](#)
Subject: Fw: District 2 Newsletter
Date: Monday, October 7, 2024 12:22:35 PM
Attachments: [Bellaire Court petition, 10.7.2024.csv](#)
[Bellaire Court petition comments, 10.7.2024.csv](#)

Please see below for another constituent email and attached petition. Thank you!

Get [Outlook for Android](#)

From: Kim Reilly <kim.reilly@gmail.com>
Sent: Monday, October 7, 2024 11:39:29 AM
To: Vered Meltzer <District2@Appleton.org>
Subject: Re: District 2 Newsletter

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

Dear Vered,

I live on Bellaire Court and I'm unable to attend the Municipal Services Committee meeting today, so I wanted to pass along my thoughts to you. I can also send them to a neighbor if it would be helpful to have them read at the meeting.

I had a chance to walk around the neighborhood with Mike Stanonik, the city's forester, and a few other neighbors. He was very gracious and helpful in communicating why certain trees were marked for removal--mainly due to their condition or their proximity to utilities. However, there are 6 trees that could possibly be saved if the planners are willing to work creatively to try to help save them. I realize they have constraints of their own, including cost. But I would like to ask them to think creatively about how they narrow the street. It's hard to describe in a letter, but I'm hoping that Jason and his team are willing to be deliberate about which side of the street to place the roadway, thereby extending the city sidewalk and berm to better protect the root systems of these 6 trees. In a nutshell, I'm asking for some creative problem-solving.

I certainly understand that some trees may require removal anyway. I do not want a tree kept in place that will be damaged in the reconstruction process, thereby becoming unsafe. But, on the flip side, I know the easiest solution is to simply remove all trees. Therefore, I would like to advocate for a slightly slower and more creative planning process that attempts to protect those trees that can be saved. We are definitely losing many, many trees from our neighborhood with the street, sewer, and water line reconstruction. It will change the character of our neighborhood. People value the look of our neighborhood--both aesthetically and financially, through our property values--because of its older trees. I would like to keep as much of this value as possible.

I have created a petition to gauge my neighbors' support for the kind of creative problem-solving I am asking the city to undertake. It is posted at <https://www.change.org/p/save-our-bellaire-court-trees> and currently has 79 signatures. I'm attaching documents with the petition signatures and comments.

Thank you for reading these comments, Vered. I appreciate your work in representing our district!

Best,

Kim Reilly
16 Bellaire Court
Appleton, WI 54911

On Tue, Oct 1, 2024 at 4:22 PM Vered Meltzer <District2@appleton.org> wrote:

Greetings, District 2!

In this newsletter, I will be telling you about:

- Street Design: Alexander St, Melrose Ave, Bellaire Ct
- Budget Schedule
- Useful Information
- Tap Water Taste-Test Winner
- Council Summary

Street Design: Alexander St, Melrose Ave, Bellaire Ct

Alexander St from Melrose Ave to Glendale Ave, Melrose Ave from Alexander St to Ballard Rd, and Bellaire Ct are proposed to undergo a total reconstruction. The projects to reconstruct the above streets will include the removal and replacement of all existing asphalt/concrete pavement, curb and gutter, stone base, driveway aprons, and spot removal and replacement of sidewalk, if applicable, within the project limits.

There was a public hearing on 9/23. Residents in the Melrose/Alexander area shared concerns about traffic speeds and the loss of parking from one side of the street. Residents of Bellaire Court shared a lot of concerns about trees, logistics and access during the project, the placement of the fire hydrant, and support for changing Bellaire Ct to a one-way-street.

One resident asked about burying the electric cables during this project. I would love

any opportunity to bury electric cables, but it is extremely expensive, beyond the scope of our city budget. Hopefully in future years we can find grants for this work.

There was also a request for the arborist's report on the trees on Bellaire Ct. I don't have that report yet but I will share it as soon as it's available.

****There will be another meeting on 10/7 at which the Municipal Services Committee will take a vote on these proposals. Residents will be able to speak at this meeting. Common Council will vote on final approval on 10/16, and residents will have an opportunity to share input at the beginning of this meeting as well. However, to best address all your concerns, I would love to hear from you as soon as possible, so that I have time to put together any amendments to the proposals that residents would like to request.****

ALEXANDER STREET & MELROSE AVE – Glendale Ave to Ballard Rd (1675 LF) (2026 Asphalt Pavement Reconstruct)

No current parking restrictions

Pavement rating = 35 avg

Existing right of way width: 60'

Existing pavement width: 32' (face of curb to face of curb)

Existing Pavement: Asphalt Overlay placed in 1992, Asphalt placed in 1961, 1968, Curb & Gutter placed in 1960, 1967

Existing Water Main: 8" PVC constructed 2021, 6" CIP constructed 1953, 1956

Existing Sanitary Sewer: 8", 10" constructed 1952, 1953, 1956

Existing Storm Sewer: 12", 15", 21" constructed 1957, 1960

PRELIMINARY PROPOSED IMPROVEMENTS:

Underground utilities to be improved in 2025, New asphalt pavement and concrete curb & gutter – 26' (face of curb to face of curb)

On-street parking would be prohibited along the west side of Alexander St and south side of Melrose Ave.

6 trees in poor condition/ash would be removed within the project limits (4 west/south) (2 east/north). 8 existing terrace trees saved by proposed narrowing (4 west/south) (4 east/south)

COST ESTIMATE: Estimated Construction Cost (at 26') = \$548,000; Estimated Construction Cost (at 32') = \$648,000

BELLAIRE COURT – Atlantic St to cul de sac (1400 LF) (2026 Asphalt Pavt Reconstruct)

No current parking restrictions

Pavement rating = 36 avg

Existing right of way width: 50'

Existing pavement width: 27' (face of curb to face of curb)

Existing Pavement: Asphalt placed in 1989, Low Grade Asphalt placed in 1952,
Concrete curb & gutter placed in 1951

Existing Water Main: 4", 6" CIP constructed 1922

Existing Sanitary Sewer: 8" ABS TRUSS constructed 1977, 8" VIT constructed 1922

Existing Storm Sewer: 12", 15" constructed 1951, 1966

PRELIMINARY PROPOSED IMPROVEMENTS:

Underground utilities to be improved in 2025, New asphalt pavement and concrete
c&g – 26' (face of curb to face of curb)

On-street parking would be permitted along one side of the street only.

18 trees in poor condition/ash would be removed within the project limits. 6 existing
terrace trees saved by proposed narrowing.

COST ESTIMATE: Estimated Construction Cost (at 26') = \$458,000; Estimated
Construction Cost (at 27') = \$472,000

Budget Schedule

Tomorrow Council members will receive their 2025 budget proposal books, and Mayor Woodford will share an overview. A Mayoral Listening Session will be scheduled for some time this month, and the "Budget Saturday" Finance Committee Workshop will be on Nov 2nd, starting at 8am and continuing as long as necessary. There will be a Public Hearing on Weds Nov 6th at 6pm to take public comment. Budget Adoption will take place on Nov 13th at 6pm, and Council will take the final vote at that time to approve the 2025 budget.

Useful Information

Large item collection ended for the season at the end of September. Starting in October this 2 person crew will be busy providing fall yard waste collection and winter sidewalk maintenance services throughout the City. Large item collection will resume in April.

A great way to make sure leaves do not end up in local waters is to keep them on our property!

Mulch leaves in place by making several passes over the leaves with a mulching mower. This will keep leaves on your lawn and provide it with nutrients it needs for healthy grass next spring.

Collect mulched leaves and spread them in garden beds or under shrubs. Leaves provide valuable protection for plants through the winter and also provide nutrients for spring growth.

Tap Water Taste-Test Winner

The Appleton Water Utility was the winner of the 2024 Wisconsin Tap Water Taste Test,

announced during Wisconsin American Water Works Association's annual fall conference in Madison. The utility serves around 75,000 people with Lake Winnebago-sourced water.

Appleton Water Utility will now compete for the national championship in the summer of 2025 in Denver, Colorado.

<https://www.postcrescent.com/story/news/local/2024/09/11/appleton-tap-water-named-wisconsins-best-tasting/75177285007/>

Council Summary

APD gave a presentation to Council about downtown traffic noise, in which they described the enforcement efforts that they are engaging in to address the issue. This has been their busiest summer of enforcement.

The Mayor's proclamations for September were for Senior Center Month, Childhood Cancer Awareness Month, Day of Peace, Rail Safety Week, Diaper Need Awareness Week, Constitution Week, and Co-Responder & Crisis Responder Week.

Council approved the Thrivent property rezoning, Lawe Street reconstruction, and adoption of the Outagamie County Hazard Mitigation Plan.

We defeated resolution #8-R-24 requiring a supermajority vote on wheel tax changes, with a 3-10 vote. I was one of the 10 opposed. While there is no political will to make any changes to the wheel tax anytime in the foreseeable future, a future council would be able to easily change the vote back to a simple majority with a simple majority vote. I am not aware of any votes requiring a supermajority where it's not compelled by state statute and I don't think it's prudent to set such a precedent.

I submitted a resolution regarding alderperson attendance which was referred to our April organizational meeting.

Please share this newsletter with your friends and neighbors!

Common Council meeting schedules and agendas can be found at

<https://cityofappleton.legistar.com/Calendar.aspx>

I'd love to hear from you! Do you have a question? A concern? A suggestion? You can email me at district2@appleton.org and you can also call or text me at 920-809-6669. I keep a regularly updated facebook page at

www.facebook.com/votevered which I encourage you to follow.

Vered Meltzer

Aldersperson, Appleton District 2

(Pronouns: he, him, his)

920-809-6669

[facebook.com/votevered](https://www.facebook.com/votevered)

Please note: Wisconsin has a very broad public records law. Most written communications to or from government employees and officials regarding city/county business are public records available to the public and media upon request. Your e-mail communication may be subject to public disclosure.

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

From: [Vered Meltzer](#)
To: [Laura Jungwirth](#); [Jason Brown](#)
Subject: Fw: Bellaire Court tree removal
Date: Sunday, October 6, 2024 7:10:14 PM

Here is another message from another constituent. Thank you!

Get [Outlook for Android](#)

From: Kyle Tripp <a12tripp@icloud.com>
Sent: Friday, October 4, 2024 7:05:30 PM
To: Vered Meltzer <District2@Appleton.org>
Subject: Bellaire Court tree removal

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

Good evening,

I wanted to express my concern with the planned destruction of our Bellaire Court neighborhood. The trees are an integral part of our area. Many growing much longer than most of us have been here.

The plan to remove the trees to build a road is just short sighted. I have heard the city is concerned with emergency access. I have lived in Bellaire Court on and off for 46 years and never seen any issue with access for emergency vehicles.

Please take our concerns to heart and use a little creativity to save our homes. If I am not mistaken our city used to call itself tree city USA.

Thank you in advance for your consideration.

Kyle Tripp
12 Bellaire Court

Sent from my iPhone

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

From: [Vered Meltzer](#)
To: [Laura Jungwirth](#); [Jason Brown](#)
Subject: Fw: Note to District 2 Alderperson in Appleton - Vered Meltzer
Date: Monday, October 7, 2024 3:51:01 PM

Please see below for another constituent email. Thank you!

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From: Marisa <marisa.pankowski@gmail.com>
Sent: Monday, October 7, 2024 2:15:28 PM
To: Vered Meltzer <District2@Appleton.org>
Subject: Note to District 2 Alderperson in Appleton - Vered Meltzer

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

Hello!

I am a resident of Bellaire Court (#56) and I will not be able to attend tonight's municipal services committee meeting. I was at the last one and I have to say thank you for asking additional questions and getting clarification from the engineer. Anyway- I just wanted to write to you to let you know how concerned I am about the street project on Bellaire Court. We are losing so many trees- it is so sad. The whole look and feel of our neighborhood will change. I understand some trees have to go that are in poor health. But there are at least 6 trees that could be saved. I beg the committee to please consider doing what you can to save these trees. Maybe narrowing the street on the opposite side of some of these healthy trees? The whole charm of this neighborhood is in these old, mature trees. Thank you for reading.

Sincerely,
Marisa Meister

Sent from my iPhone

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

From: [Vered Meltzer](#)
To: [Laura Jungwirth](#); [Jason Brown](#)
Subject: Fw: Bellaire Court Trees
Date: Sunday, October 6, 2024 6:25:32 PM

Here is another message from a constituent about Bellaire Ct. Thank you!

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From: Mary Gerlach <gerlachmz@gmail.com>
Sent: Saturday, October 5, 2024 12:27:07 PM
To: Vered Meltzer <District2@Appleton.org>
Subject: Bellaire Court Trees

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

Vered,

I know you to be an understanding and compassionate person. I hope you will do your utmost to save as many trees as possible on the court. I know one of my two trees will be removed, but if we can adjust city plans and save as many as possible, like we did when they were going to remove 13 trees on Tonka Street, that would be wonderful. At that time we convinced them to only remove 3 trees. We argued from several stand points, i.e. the real estate value of homes with mature trees, the esthetic value of the area that brings many dog walkers and hikers to the neighborhood, and the environmental benefit of mature trees. We are willing to have a narrow street with parking only on one side, and a one way street if necessary if that will enable us to preserve more trees. Thank you for working for the wishes of the neighbors. We appreciate anything you can do.

Sincerely,

Mary Gerlach
2 Bellaire Court
920-734-5888

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

From: [Vered Meltzer](#)
To: [Laura Jungwirth](#); [Jason Brown](#)
Subject: Bellaire Street Reconstruct
Date: Friday, October 4, 2024 11:02:25 AM

Please see the comments below from one Bellaire household.

Thank you!

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

Please note: Wisconsin has a very broad public records law. Most written communications to or from government employees and officials regarding city/county business are public records available to the public and media upon request. Your e-mail communication may be subject to public disclosure.

From: Timothy Watson <timandpete@gmail.com>
Sent: Wednesday, October 2, 2024 11:12 AM
To: Vered Meltzer <District2@Appleton.org>
Subject: Re: District 2 Newsletter

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

Thank you, Vered,

We appreciate that you value our concerns for the neighborhood and do want to share our thoughts about the proposed improvements and reconstruction of our street.

The trees are a primary concern for us and as other neighbors have expressed, they were a major reason for our attraction to the neighborhood when we moved here in 2007. We hope the city will take some extra time and perhaps consider some more creative solutions to saving as many trees as possible. For example, could the new street be placed differently to save trees? Specifically, could the corner be cut closer to #6 to save the trees in front of #5 and #8? Also, on the north side of the court there aren't many trees in the boulevard on the north side of the street, Could the street be moved slightly north to save trees on the south side of the block?

For the record, we support a one-way street with parking only on one side.

Lastly, regarding burying our electrical utilities. We understand that it's very expensive, but with the street already completely removed, wouldn't a major part of that expense be out of the way?

Thank you,

Tim Watson and Pete Smaby
11 Bellaire CT, Appleton, WI 54911
timandpete@gmail.com
920.738.0935



DEPARTMENT OF
**PUBLIC
WORKS**

MEMORANDUM

Date: 10/07/2024
To: Municipal Services Committee
From: Pete Neuberger, Deputy Director of Public Works
Subject: Approve Melrose Avenue Asphalt Reconstruction Design

The Department of Public Works (DPW) requests approval of the design parameters for Melrose Avenue between Alexander Street and Ballard Road as follows:

Melrose Avenue is to be reconstructed with asphalt pavement and concrete curb and gutter between Alexander Street and Ballard Road. Design parameters include:

- New asphalt pavement and concrete curb and gutter constructed to a width of 26' from face of curb to face of curb, which is 6' narrower than the existing street within this portion of the project.
- On-street parking to be prohibited along the south side of Melrose Avenue.



PERMIT TO OCCUPY THE PUBLIC RIGHT-OF-WAY

4/17/24 - COUNCIL APPROVED

Permit #: 24-049-A

Effective Date: 04/01/2024

Expiration Date: 11/22/2024

Non-Refundable Fee: \$40.00

Paid (yes or no): YES/6563-0001

Rev. 10-05-2023

Applicant Information

Name (print): Nick Fassbender Company: The Boldt Company
Address: 2525 N. Roemer Road Telephone: 920-858-8056
Appleton, WI 54944 E-mail: Nick.Fassbender@Boldt.com
Applicant Signature: Nick Fassbender Date: 03/21/2024

Occupancy Information

General Description: Occupy the public right-of-way within the parking lane and bike lane on College Ave between Durkee Street and Drew Street.
Supplemental permanent occupancy may be required for moving the in-street pedestrian route to exclusively the parking lane from approximately 11/1/24 through 05/02/25.

Street Address: 325 E. College Ave Sidewalk/roadway obstruction requested Y or N

Multiple Streets: Temp permit from 4/1/24 to 5/5/24 - then after Council Approval to 11/22/2024 - potential of 5/2/2025

Date(s) From: 04/01/2024 To: 11/01/2024 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: 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 Meter Bag documentation attached and TCP - last pages

Approved by: Connor Deeg/as Date: 3/28/24

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.

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:

Daniel J. Block (Department of Public Works)

DATE: 4/18/24

Statement of Insurance Coverage

Insurance Coverage:

Insurance Carrier: Greenwich Insurance Company

Insurance Agent Name and Phone Number: Willis Towers Watson

Policy Number: CGD740992404

Policy Period: 12/31/23-12/31/24

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: The Boldt Company

Print Name: Nick Fassbender

Signature: Nick Fassbender
Digitally signed by Nick Fassbender
DN: c=US, e=Nick.Fassbender@Boldt.com, o=The Boldt Company, ou=Project Manager, cn=Nick Fassbender
Date: 2024.03.20 14:42:59-05'00'

Date: 03/21/2024

* 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)

DEPARTMENT OF PUBLIC WORKS

METER BAG APPLICATION

Fee is \$9.00 per day plus tax or any part thereof. **THIS FEE WILL BE CHARGED FOR EVERY DAY THE METER BAG IS RESERVED** (excluding Sundays and Holidays).

NOTE: Meter bags shall not be used on red meters. If a red meter is found bagged, the bag will be removed and the vehicle will be ticketed.

Company Name The Boldt Company

Agent Nick Fassbender

Company Address 2525 N. Roemer Road, Appleton

Phone Number 920-858-8056

Reason Using Parking lane as construction site.

Location 325 E. College Ave. College Ave between Durkee Street and Drew Street.

Meter Zone & Space# Zone 9201 - Space 171, 172, 173, 174, 175

Date(s) April 1st, 2024 to November 1st, 2024

(Department use only)

Amount Due \$ 8 ,782.88 /6563-0001
(\$9.00 per bag per day plus tax)

Approved by 
Department of Public Works Representative

Today's Date 4/18/24

Parking Meter Amount Details:

5 Meters (Zone 9201 - Space 171, 172, 173, 174, 175)

Duration: April 1st, 2024 through November 2nd, 2024

31 Weeks with 6 Days per Week = 186 Days

186 days x 5 meters x \$9/day = \$8,370.00

PLEASE NOTE: This may get extended to May 3rd, 2025. Our goal is to open the bike lane, parking lane, and sidewalk by November 2nd, 2024. If we cannot due to weather or schedule constraints, this will be extended to May 3rd, 2025 and the traffic control plan will reflect this as well.

Boldt- Trout Museum & Lawrence University Project- Meter Bag Summary

AS OF: 3/21/2024

TOTAL BAG DAYS =

925

Rate = \$9.00/day + tax

\$ 8,782.88

DATE	325 E. College Ave. College Ave between Durkee Street and Drew Street.				
	Zone 9201 - 171	Zone 9201 - 172	Zone 9201 - 173	Zone 9201 - 174	Zone 9201 - 175
4/1/24	Y	Y	Y	Y	Y
4/2/24	Y	Y	Y	Y	Y
4/3/24	Y	Y	Y	Y	Y
4/4/24	Y	Y	Y	Y	Y
4/5/24	Y	Y	Y	Y	Y
4/6/24	Y	Y	Y	Y	Y
4/7/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
4/8/24	Y	Y	Y	Y	Y
4/9/24	Y	Y	Y	Y	Y
4/10/24	Y	Y	Y	Y	Y
4/11/24	Y	Y	Y	Y	Y
4/12/24	Y	Y	Y	Y	Y
4/13/24	Y	Y	Y	Y	Y
4/14/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
4/15/24	Y	Y	Y	Y	Y
4/16/24	Y	Y	Y	Y	Y
4/17/24	Y	Y	Y	Y	Y
4/18/24	Y	Y	Y	Y	Y
4/19/24	Y	Y	Y	Y	Y
4/20/24	Y	Y	Y	Y	Y
4/21/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
4/22/24	Y	Y	Y	Y	Y
4/23/24	Y	Y	Y	Y	Y
4/24/24	Y	Y	Y	Y	Y
4/25/24	Y	Y	Y	Y	Y
4/26/24	Y	Y	Y	Y	Y
4/27/24	Y	Y	Y	Y	Y
4/28/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
4/29/24	Y	Y	Y	Y	Y
4/30/24	Y	Y	Y	Y	Y
5/1/24	Y	Y	Y	Y	Y
5/2/24	Y	Y	Y	Y	Y
5/3/24	Y	Y	Y	Y	Y
5/4/24	Y	Y	Y	Y	Y
5/5/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
5/6/24	Y	Y	Y	Y	Y
5/7/24	Y	Y	Y	Y	Y
5/8/24	Y	Y	Y	Y	Y
5/9/24	Y	Y	Y	Y	Y
5/10/24	Y	Y	Y	Y	Y
5/11/24	Y	Y	Y	Y	Y
5/12/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
5/13/24	Y	Y	Y	Y	Y
5/14/24	Y	Y	Y	Y	Y


5/15/24	Y	Y	Y	Y	Y
5/16/24	Y	Y	Y	Y	Y
5/17/24	Y	Y	Y	Y	Y
5/18/24	Y	Y	Y	Y	Y
5/19/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
5/20/24	Y	Y	Y	Y	Y
5/21/24	Y	Y	Y	Y	Y
5/22/24	Y	Y	Y	Y	Y
5/23/24	Y	Y	Y	Y	Y
5/24/24	Y	Y	Y	Y	Y
5/25/24	Y	Y	Y	Y	Y
5/26/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
5/27/24	Y	Y	Y	Y	Y
5/28/24	Y	Y	Y	Y	Y
5/29/24	Y	Y	Y	Y	Y
5/30/24	Y	Y	Y	Y	Y
5/31/24	Y	Y	Y	Y	Y
6/1/24	Y	Y	Y	Y	Y
6/2/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
6/3/24	Y	Y	Y	Y	Y
6/4/24	Y	Y	Y	Y	Y
6/5/24	Y	Y	Y	Y	Y
6/6/24	Y	Y	Y	Y	Y
6/7/24	Y	Y	Y	Y	Y
6/8/24	Y	Y	Y	Y	Y
6/9/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
6/10/24	Y	Y	Y	Y	Y
6/11/24	Y	Y	Y	Y	Y
6/12/24	Y	Y	Y	Y	Y
6/13/24	Y	Y	Y	Y	Y
6/14/24	Y	Y	Y	Y	Y
6/15/24	Y	Y	Y	Y	Y
6/16/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
6/17/24	Y	Y	Y	Y	Y
6/18/24	Y	Y	Y	Y	Y
6/19/24	Y	Y	Y	Y	Y
6/20/24	Y	Y	Y	Y	Y
6/21/24	Y	Y	Y	Y	Y
6/22/24	Y	Y	Y	Y	Y
6/23/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
6/24/24	Y	Y	Y	Y	Y
6/25/24	Y	Y	Y	Y	Y
6/26/24	Y	Y	Y	Y	Y
6/27/24	Y	Y	Y	Y	Y
6/28/24	Y	Y	Y	Y	Y
6/29/24	Y	Y	Y	Y	Y
6/30/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
7/1/24	Y	Y	Y	Y	Y
7/2/24	Y	Y	Y	Y	Y
7/3/24	Y	Y	Y	Y	Y
7/4/24	Y	Y	Y	Y	Y
7/5/24	Y	Y	Y	Y	Y

7/6/24	Y	Y	Y	Y	Y
7/7/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
7/8/24	Y	Y	Y	Y	Y
7/9/24	Y	Y	Y	Y	Y
7/10/24	Y	Y	Y	Y	Y
7/11/24	Y	Y	Y	Y	Y
7/12/24	Y	Y	Y	Y	Y
7/13/24	Y	Y	Y	Y	Y
7/14/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
7/15/24	Y	Y	Y	Y	Y
7/16/24	Y	Y	Y	Y	Y
7/17/24	Y	Y	Y	Y	Y
7/18/24	Y	Y	Y	Y	Y
7/19/24	Y	Y	Y	Y	Y
7/20/24	Y	Y	Y	Y	Y
7/21/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
7/22/24	Y	Y	Y	Y	Y
7/23/24	Y	Y	Y	Y	Y
7/24/24	Y	Y	Y	Y	Y
7/25/24	Y	Y	Y	Y	Y
7/26/24	Y	Y	Y	Y	Y
7/27/24	Y	Y	Y	Y	Y
7/28/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
7/29/24	Y	Y	Y	Y	Y
7/30/24	Y	Y	Y	Y	Y
7/31/24	Y	Y	Y	Y	Y
8/1/24	Y	Y	Y	Y	Y
8/2/24	Y	Y	Y	Y	Y
8/3/24	Y	Y	Y	Y	Y
8/4/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
8/5/24	Y	Y	Y	Y	Y
8/6/24	Y	Y	Y	Y	Y
8/7/24	Y	Y	Y	Y	Y
8/8/24	Y	Y	Y	Y	Y
8/9/24	Y	Y	Y	Y	Y
8/10/24	Y	Y	Y	Y	Y
8/11/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
8/12/24	Y	Y	Y	Y	Y
8/13/24	Y	Y	Y	Y	Y
8/14/24	Y	Y	Y	Y	Y
8/15/24	Y	Y	Y	Y	Y
8/16/24	Y	Y	Y	Y	Y
8/17/24	Y	Y	Y	Y	Y
8/18/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
8/19/24	Y	Y	Y	Y	Y
8/20/24	Y	Y	Y	Y	Y
8/21/24	Y	Y	Y	Y	Y
8/22/24	Y	Y	Y	Y	Y
8/23/24	Y	Y	Y	Y	Y
8/24/24	Y	Y	Y	Y	Y
8/25/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
8/26/24	Y	Y	Y	Y	Y

8/27/24	Y	Y	Y	Y	Y
8/28/24	Y	Y	Y	Y	Y
8/29/24	Y	Y	Y	Y	Y
8/30/24	Y	Y	Y	Y	Y
8/31/24	Y	Y	Y	Y	Y
9/1/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/2/24	Y	Y	Y	Y	Y
9/3/24	Y	Y	Y	Y	Y
9/4/24	Y	Y	Y	Y	Y
9/5/24	Y	Y	Y	Y	Y
9/6/24	Y	Y	Y	Y	Y
9/7/24	Y	Y	Y	Y	Y
9/8/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/9/24	Y	Y	Y	Y	Y
9/10/24	Y	Y	Y	Y	Y
9/11/24	Y	Y	Y	Y	Y
9/12/24	Y	Y	Y	Y	Y
9/13/24	Y	Y	Y	Y	Y
9/14/24	Y	Y	Y	Y	Y
9/15/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/16/24	Y	Y	Y	Y	Y
9/17/24	Y	Y	Y	Y	Y
9/18/24	Y	Y	Y	Y	Y
9/19/24	Y	Y	Y	Y	Y
9/20/24	Y	Y	Y	Y	Y
9/21/24	Y	Y	Y	Y	Y
9/22/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/23/24	Y	Y	Y	Y	Y
9/24/24	Y	Y	Y	Y	Y
9/25/24	Y	Y	Y	Y	Y
9/26/24	Y	Y	Y	Y	Y
9/27/24	Y	Y	Y	Y	Y
9/28/24	Y	Y	Y	Y	Y
9/29/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
9/30/24	Y	Y	Y	Y	Y
10/1/24	Y	Y	Y	Y	Y
10/2/24	Y	Y	Y	Y	Y
10/3/24	Y	Y	Y	Y	Y
10/4/24	Y	Y	Y	Y	Y
10/5/24	Y	Y	Y	Y	Y
10/6/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
10/7/24	Y	Y	Y	Y	Y
10/8/24	Y	Y	Y	Y	Y
10/9/24	Y	Y	Y	Y	Y
10/10/24	Y	Y	Y	Y	Y
10/11/24	Y	Y	Y	Y	Y
10/12/24	Y	Y	Y	Y	Y
10/13/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
10/14/24	Y	Y	Y	Y	Y
10/15/24	Y	Y	Y	Y	Y
10/16/24	Y	Y	Y	Y	Y
10/17/24	Y	Y	Y	Y	Y

10/18/24	Y	Y	Y	Y	Y
10/19/24	Y	Y	Y	Y	Y
10/20/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
10/21/24	Y	Y	Y	Y	Y
10/22/24	Y	Y	Y	Y	Y
10/23/24	Y	Y	Y	Y	Y
10/24/24	Y	Y	Y	Y	Y
10/25/24	Y	Y	Y	Y	Y
10/26/24	Y	Y	Y	Y	Y
10/27/24	SUNDAY	SUNDAY	SUNDAY	SUNDAY	SUNDAY
10/28/24	Y	Y	Y	Y	Y
10/29/24	Y	Y	Y	Y	Y
10/30/24	Y	Y	Y	Y	Y
10/31/24	Y	Y	Y	Y	Y
11/1/24	Y	Y	Y	Y	Y
	185	185	185	185	185





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

TYPE III BARRICADE MOUNTED TO BARRIER




MOUNT SIGNS FLUSH WITH THE EDGE OF TELESPEAR WITH SIGN OVERHANGING OVER TEMPORARY WALKWAY MINIMUM 7" FROM BOTTOM OF SIGN TO THE GROUND



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
-  DRUM WITH/WITHOUT LIGHT
-  TYPE III BARRICADE
-  DIRECTION OF TRAFFIC

Owner		CITY OF APPLETON	
Project Name		Project Number	
TROUT MUSEUM/LAWRENCE UNIVERSITY CONSTRUCTION COLLEGE AVE.			
Prime Contractor		Traffic Control Contractor	
BOLDT		Warning Lites of Appleton, Inc.	
Phone	Sheet Number	Date	
920-725-0757	1	03/19/2024	
Prepared By		Lance G Mauel	



Google 100% Data attribution 50 m Camera: 456 m 44°15'33"N 88°24'13"W 220 m

Owner		CITY OF APPLETON	
Project Name		Project Number	
TROUT MUSEUM/LAWRENCE UNIVERSITY CONSTRUCTION COLLEGE AVE.			
Prime Contractor		Traffic Control Contractor	
BOLDT		Warning Lites of Appleton, Inc.	
Phone	Sheet Number	Date	
920-725-0757	2	03/19/2024	
Prepared By		Lance G Mauel	

START DATE & TIME

DURATION:

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LEGEND

- SIGN SYMBOL
- DRUM WITH/WITHOUT LIGHT
- TYPE III BARRICADE
- DIRECTION OF TRAFFIC



Owner		CITY OF APPLETON	
Project Name		Project Number	
TROUT MUSEUM/LAWRENCE UNIVERSITY CONSTRUCTION COLLEGE AVE.			
Prime Contractor		Traffic Control Contractor	
BOLDT		Warning Lites of Appleton, Inc.	
Phone	Sheet Number	Date	
920-725-0757	3	03/19/2024	
Prepared By		Lance G Mauel	

START DATE & TIME

DURATION:

GENERAL NOTES:
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LEGEND

- ⊥ SIGN SYMBOL
- /● DRUM WITH/WITHOUT LIGHT
- ▨ TYPE III BARRICADE
- ➡ DIRECTION OF TRAFFIC



LANE CLOSURE DETAIL FOR INSTALLATION/REMOVAL OF CONCRETE BARRIERS 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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LEGEND

- ⚡ SIGN SYMBOL
- 🚫/🚦 DRUM WITH/WITHOUT LIGHT
- 🚧 TYPE III BARRICADE
- ➡ DIRECTION OF TRAFFIC

Owner	CITY OF APPLETON		
Project Name	TROUT MUSEUM/LAWRENCE UNIVERSITY CONSTRUCTION COLLEGE AVE.	Project Number	
Prime Contractor	BOLDT	Traffic Control Contractor	Warning Lites of Appleton, Inc.
Phone	920-725-0757	Sheet Number	4
Prepared By	Lance G Mauerl	Date	03/19/2024



Application for Operator's/Bartender's License

CASH OR CHECK ONLY!

New Applicant

Renewal License
#: 46-24

FEES ARE NON-REFUNDABLE

Operator License - \$72.00

Operator License plus a provisional - \$87.00

Date Received: 6/27/24

Receipt #: 7057-4

Note: Please allow approximately 3 weeks for application processing.

SECTION 1 - APPLICANT INFORMATION

Legal Name (First name, MI, Last name) Cindy J. Reed Maiden or Previous _____

Street Address 3425 N. Marcos Ln City Appleton State WI Zip 54911

Driver's License Number/State Identification Number _____ Driver's License State WI

Date of Birth _____ Gender F Phone # (Required) _____ Email Address: _____

Name and Address of Establishment you will be selling alcohol - (verify establishment is within City of Appleton limits)
Easer Beaver 1400 W. Main St and other estab within city

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

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

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

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

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

Have you EVER had an Operator's (Bartender's) License? YES NO
If Yes; which Municipality and what year? City of Appleton 2022

Have you been convicted of a felony since last license application? YES NO
If Yes; when, where and what type of violation? (Please be specific) Operating with PAC; Winnebago Co
Jan 30, 2024

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

SECTION 4 - NEW APPLICANT ONLY

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

SECTION 5- PENALTY NOTICE

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

Signature: Cindy J. Reed Date: 06/27/2024

FOR OFFICE USE ONLY

Current License in Other Municipality? _____ Class Completion Date: _____ Date Sent to Appleton Police Department: JUL 01 2024

Date Approved: _____ Issue Date: _____ Expiration Date: _____ License Number: _____



DEPARTMENT OF
**LEGAL AND
ADMINISTRATIVE
SERVICES**

OFFICE OF THE CITY CLERK
100 North Appleton Street
Appleton, WI 54911
p: 920.832.6443
f: 920.832.5823
www.appleton.org

July 15th, 2024

CERTIFIED MAIL

Cindy J. Reed
3425 N. Marcos Ln
Appleton WI 54911

This letter is to notify you that we are in receipt of your application for an Operator's License. The Police Department has conducted a criminal background investigation and has recommended that your application for an Operator's License be denied based upon the statutory qualifications listed in Wisconsin Statutes §125.04(5). Unless failure to grant the license would constitute unlawful employment discrimination as defined by Wisconsin Law (See Wisconsin Statutes §111.335), Operator/Bartender License may not be granted to individuals with arrest or conviction records, "habitual law offenders," or individuals convicted of a felony who have not been pardoned.

You have the right to appear before the Safety and Licensing Committee to contest this recommendation. To do so, **please contact the City Clerk's Office within 30 days of receipt of this letter** in order to be placed on the Agenda of the Safety and Licensing Committee. Failure to contact the City Clerk's Office within 30 days will result in your license being denied. At the time of appeal, you may provide the Safety and Licensing Committee competent evidence of sufficient rehabilitation and fitness to perform the licensed activity.

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

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

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

Sincerely,

Kami Lynch
City Clerk



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

TO: Safety and Licensing Committee
Common Council

FROM: Lt. Ben Goodin

DATE: 7/13/2024

RE: Police Department's Recommendation for Denial of Cindy Reed's Bartender
Renewal License Application

Committee Members:

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

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

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

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

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

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

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

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

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

STATEMENT ON SUBSTANTIAL RELATIONSHIP

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

Operating with a Prohibited Alcohol Concentration (4th) in Winnebago County case # 2023CF000277. This is a felony offense. Ms. Reed was convicted of this charge on 1/30/24.

Operating While Intoxicated (3rd) in Calumet County case # 2006CT000195. This is a misdemeanor, criminal offense. Ms. Reed was convicted of this charge on 2/26/07.

Operating While Intoxicated (2nd) in Winnebago County, file #R107831. This is a misdemeanor, criminal offense. Ms. Reed was convicted of this charge on 5/7/02.

Operating While Intoxicated in Winnebago County, file #S450159. This is a non-criminal, civil offense. Ms. Reed was convicted of this charge on 6/15/95.

The convictions for Operating While Intoxicated are substantially related to the sale of alcohol for several reasons. Ms. Reed has shown a pattern of poor decision-making by getting arrested for Operating While Intoxicated three times in an eleven-year span; then was convicted a fourth time in 2024 while she held an active bartender license through the City of Appleton. The conviction for OWI 4th is a felony. Drunk driving is a serious offense and a major problem not only in Wisconsin but across the entire country. Ms. Reed has not shown the ability to make sound decisions by understanding when he has had too much to drink and is unsafe to operate a motor vehicle. A person serving alcohol to members of the public must be aware of when a patron has had enough to drink and should not be served any longer.

As a person who wants to be responsible to serve alcohol, Ms. Reed has not shown the ability to make good decisions related to her own sobriety. The service of alcohol includes coming into

contact with individuals in a very vulnerable state, people for whom a bartender may be called upon to refuse service due to their level of intoxication. The circumstances of Ms. Reed's criminal and felony convictions substantially relate to the ability and willingness to meet this legal obligation associated with the licensed service of alcohol.

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

Very Respectfully:

Lt. Ben Goodin
Appleton Police Department



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: September 12, 2024
RE: Operator (Bartender) License Renewal Denial Appeal of Cindy Reed

Cindy Reed has applied to renew an operator's (bartender) license and is appealing the denial of that renewal application. Per §125.17(1) of the Wisconsin statutes, the City is required to issue an operator's license any applicant that is qualified under §125.04(5). The Appleton Police Department has learned of information it contends leaves the applicant unable eligibility requirements, and that the application must be denied.

Summary

Ms. Reed was convicted of a 4th offense OWI in January of 2024. This felony offense, along with her prior OWI offenses leaves her ineligible for license renewal as both an unpardoned felon and a "habitual law offender."

This disqualification leaves her with the ability to provide evidence of rehabilitation. It does not appear that any documentation that the Committee and Council would be *required* to accept as sufficient evidence of rehabilitation and fitness exists.

Ms. Reed may provide evidence and documentation to show she has been rehabilitated from the disqualifying offenses. The Committee and Council must each consider all relevant evidence provided. The Committee and Council must utilize their judgment to determine if the evidence provided constitutes "competent evidence of sufficient rehabilitation and fitness to perform the licensed activity."

If the Committee and Council find that competent evidence of sufficient rehabilitation and fitness to perform the license activity has been presented, the license must be granted (renewed). If it is found that competent evidence of sufficient rehabilitation and fitness has not been provided, the license may not be granted (renewed).

Discussion:
§125.04(5) Licensing Requirements

According to §125.04(5)(a)1, in order to be granted a license or permit under Wisconsin Statutes Chapter 125, the applicant may not have an arrest or conviction record. This prohibition is subject to the requirements of various statutes prohibiting certain types of employment discrimination,

which will be discussed below, in relevant part.

§125.04(5)(b) states that “No license or permit related to alcohol beverages may, subject to §111.321, 111.322 and 111.335, be issued under this chapter to any person who has habitually been a law offender or has been convicted of a felony unless the person has been duly pardoned.”

In summary, §125.04(5) prohibits the issuance of alcohol related licenses under chapter 125 to anybody with an arrest or conviction record, anybody with an unpardoned felony conviction, or anybody “who has habitually been a law offender,” regardless of whether any arrests or convictions exist (see State ex rel. Smith v. City of Oak Creek, 139 Wis. 2d 788, 407 N.W.2d 901 (1987)), unless failing to grant that license would constitute prohibited discrimination.

§111.335 – Arrest or Conviction Record; Exceptions and Special Cases

§111.335(3)(a)1 states that it is not employment discrimination because of a conviction record to refuse to license an individual where that person has been convicted of “any felony, misdemeanor, or other offense the circumstances of which substantially related to the circumstances of the particular job or licensed activity.” In evaluating the existence of a substantial relationship, it is the circumstances that provide the opportunity for criminal behavior, the reaction to responsibility, or the character traits of the applicant that are the proper considerations. It is not relevant whether the applicant has the ability to perform the work to an employer’s standards. (See Milwaukee Cnty. v. Lab. & Indus. Rev. Comm'n, 139 Wis. 2d 805, 407 N.W.2d 908 (1987)).

Each offense must be evaluated under the above criteria for determination of whether or not it is substantially related to the activity for which a license is sought. Any arrest, conviction, or other offense which is substantially related to the licensed activity is to be considered in the licensing decision.

Consideration of Rehabilitation

§111.335(4)(c)1 requires that if a license is denied *based upon §111.335(3)(a)1* as discussed above, the licensing agency typically has two further obligations. It must state the reasons for denial in writing, including a statement of how the circumstances of the offense(s) relate to the licensed activity. It typically must also allow the person to show evidence of rehabilitation. According to §111.335(4)(c)1.b, if the individual “shows competent evidence of sufficient rehabilitation and fitness to perform the licensed activity under par. (d), the licensing agency may not refuse to license the individual or bar or terminate the individual from licensing based on that conviction.”

Competent Evidence of Sufficient Rehabilitation

§111.335(4)(d)1 provides two forms of evidence which are statutorily required to be considered “competent evidence of sufficient rehabilitation,” and therefore must be accepted by the licensing agency as such. §111.335(4)(d)1.a. allows one to provide certified documentation of honorable discharge from the US armed forces following the otherwise disqualifying conviction. This documentation is no longer sufficient if there is a criminal conviction following the discharge date.

§111.335(4)(d)1.b, allows the applicant to provide documentation of their release from custody

and either completion of probation or release from custody and compliance with all terms and conditions of release, be it extended supervision, probation, or parole.

Where neither of the above exists, §111.335(4)(d)2 provides additional documentary evidence that may be provided that the licensing agency is bound to consider, but that it is not required to accept conclusively as sufficient evidence of rehabilitation. Evidence which the agency is required to consider includes:

- a. evidence of the seriousness of any offense of which he / she was convicted.
- b. evidence of all circumstances relative to the offense including mitigating circumstances or social conditions surrounding the offense.
- c. The age of the individual at the time the offense was committed.
- d. The length of time that has elapsed since the offense was committed.
- e. Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- f. All other relevant evidence of rehabilitation and fitness presented.

Based upon the above, where a denial of a licensed is based upon §111.335(3)(a)1, and there is no evidence presented that is statutorily defined as "competent evidence of sufficient rehabilitation" for a particular offense, it is up to the licensing agency to determine whether the other documentary evidence available constitutes "competent evidence of sufficient rehabilitation and fitness to perform the licensed activity."

Applicability to the Application of Cindy Reed

Investigation by the Appleton Police Department has yielded information about offenses which Lt. Goodin advises are substantially related to the activity for which the instant license has been sought. By the nature of the offenses, this is a sound assessment. The offense of Operating a Motor Vehicle While Intoxicated necessarily involves either the failure to recognize over-consumption of alcohol (i.e. intoxication), or the decision to disregard the fact that one has over-consumed alcohol. Those licensed to serve alcohol commercially are called upon with each transaction to determine whether the person they are about to serve is intoxicated. Wis. Stat. §125.07(2)(a). Their judgement potentially impacts the safety of that customer, as well as anybody that customer may subsequently encounter before any effects of the alcohol recede.

Lt. Goodin notes convictions for OWI in 2007, 2002, and 1995. These would be either misdemeanor or non-criminal convictions for OWI offenses prior to the approval of Ms. Reed's prior operator license application. However, Lt. Goodin takes note of a recent conviction occurring since Ms. Reed's prior application was approved.

On January 30, 2024, Ms. Reed was convicted of OWI 4th offense, a felony, in Winnebago County Case 2023CF277. According to Wisconsin Circuit Court Access records accessed on September 12, 2024, Ms. Reed was sentenced to a combination of jail (with work release), monetary penalties, and a combination of judicial and administrative penalties against her driving privileges.

Her sentence did not subject her to supervision through probation, extended supervision, or parole. Therefore, she would be unable to provide any documentation of rehabilitation and fitness that the Committee and Council would be *required* to accept as "competent evidence of sufficient rehabilitation," unless she has been honorably discharged from the United States armed forces since the date of the offense on March 23, 2023.

However, she is still able to provide additional information and evidence to show competent

evidence of sufficient rehabilitation such as that contained in the list above. The Committee and Council are bound to consider that evidence. Whether evidence presented is sufficient to show rehabilitation and fitness to perform the licensed activity is committed to the sound discretion of the Committee and Council. Should the Committee and Council find the evidence sufficient to demonstrate rehabilitation and fitness, state law requires that the license must be granted because failure to do so would constitute unlawful discrimination. Should the Committee and Council find the evidence to be insufficient to demonstrate rehabilitation and fitness, state law prohibits the license from being granted, as the applicant would not meet eligibility criteria.

Conclusion

Ms. Reed's most recent conviction for OWI 4th offense is a disqualifying offense. It is an unpardoned felony. It is also the latest in a series of convictions which qualify Ms. Reed as a Habitual Law Offender. This is also a disqualifying fact. All of the relevant offenses are substantially related to the licensed activity. Therefore, denial based upon these factors is not unlawful discrimination. The staff recommendation that the application to renew Ms. Reed's operator's license be denied is supported by the relevant law and available facts.

Ms. Reed is afforded the opportunity to demonstrate to the Committee and Council that she has been rehabilitated. Subject to one exception discussed above, the Committee and Council will be tasked with exercising its judgement and discretion in evaluating whether Ms. Reed has shown competent evidence of rehabilitation. As the statutes require granting an operator's license to eligible applicants, and prohibits granting a license to ineligible applicants, the decision of whether or not Ms. Reed's license is to be renewed will rest upon the Committee and Council's sound assessment of the evidence and documentation of rehabilitation Ms. Reed is able to provide, and the conclusions drawn therefrom.



**Ascension
St. Elizabeth
Hospital**

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

7/31/24

RE: Substance Abuse Treatment
Cindy Reed DOB 4/6/68

You were seen in this office on 4/2/24 for an initial assessment regarding your substance use.

It was recommended that you participate in individual sessions. You completed treatment services on 6/28/24.

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

Sincerely,

Brandi Andrews, CSAC

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

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

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ascension.org

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DRIVER SAFETY PLAN STATUS REPORT

Wisconsin Department of Transportation
s.343.16, 343.30(1q), or 343.305(10) Wis. Stats.
MV3631 10/2004

General Information

Name (Last, First, MI) REED,CINDY,JOAN		Birth Date 04-06-1968	Sex F	Driver License Number R300-1106-8626-06	State WI
Address 3425 N MARCOS LN		City, State, ZIP Code APPLETON, WI 54911		County of Residence OUTAGAMIE	Area Code - Telephone
Judge	Court Address (Street, City, ZIP Code)			Client Occupation	
Citation Number BI663415-4	Court Case Number 2023CF000277	Non-UTC Number	Most Recent Conviction Date(s) 01-30-2024		

Arrest Information

Arrest Date(s) 03-23-2023/WI	Arrested For				
Blood Alcohol Level .026	<input type="checkbox"/> Controlled Substance and/or Other Impairing Drug:	<input type="checkbox"/> Implied Consent	<input checked="" type="checkbox"/> OWI - Operating While Intoxicated	<input checked="" type="checkbox"/> Repeat Offense	<input type="checkbox"/> OWI - Homicide
	<input type="checkbox"/> OWI - Injury	<input type="checkbox"/> OWI - Great Bodily Harm			
Total Lifetime OWI Arrests: 4					

Referred Information: Court DOT Voluntary

Assessment Finding Information

<input checked="" type="checkbox"/> Alcohol	<input checked="" type="checkbox"/> Other Drug(s)	<input type="checkbox"/> Controlled Substances
Final Diagnosis		

Driver Safety Plan Information - Program Recommendation

<input type="checkbox"/> Group Dynamics	<input type="checkbox"/> Multiple Offender Program	Provider Name
<input checked="" type="checkbox"/> Outpatient Treatment	Regimen and Provider Name ST ELIZABETH HOSPITAL #40870198	
<input type="checkbox"/> Inpatient Treatment	Regimen and Provider Name	
<input type="checkbox"/> Victim Impact Panel		

For any of the 6 choices below, please give provider name and explanation

<input type="checkbox"/> Medical Exam	<input type="checkbox"/> Psychiatric	<input type="checkbox"/> Detoxification	<input type="checkbox"/> Residential	<input type="checkbox"/> Day Treatment	<input type="checkbox"/> Other
Provider Name					

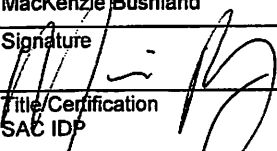
Explanation
Follow all rules and recommendations

Plan Completion Date 07-16-2024	Plan Extended Through - Total Assessment Period Cannot Exceed 16 Months
In Compliance Date(s) Plan Assessment Fee Treatment Fee N/C Report Sent in Error	Non-Compliance Date(s) Assessment Interview Plan Assessment Fee Treatment Fee

(Provide date(s) only for the action(s) being taken for this report filing.)

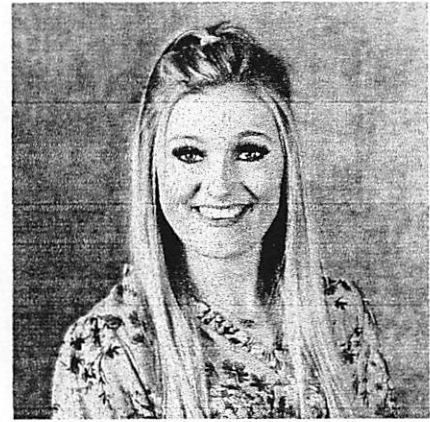
Description, Prognosis or Comments
Completed

Assessment Facility/Assessor Information

Agency Outagamie County Health and Human Services		Name - Please Print MacKenzie Bushland	
Address 320 S. Walnut Street	Area Code - Telephone 920 832 5270	Signature 	Date 7-16-2024
City, State, ZIP Code Appleton WI 54911		Title/Certification SAC IDP	

Distribution: 1 - Assessment; 2 - Plan Provider; 3 - DOT; 4 - Client

KENDRA KAUL, MSW



3425 N. Marcos In, Appleton WI 54911 . Kkaul@Kendrakaulllc.com . 920-841-6688

September 25nd, 2024

City Of Appleton

Safety and Licensing Committee

100 N Appleton St, Appleton, WI 54911

To the Committee, I am Kendra Kaul, the daughter of Cindy Reed, and I am writing to request your consideration in retaining my mother's employment as a bartender in the City of Appleton. With a bachelor's degree in Criminal Justice and a master's in Social Work, I have experience working with the courts and judges in various counties. Recognizing the gravity of an OWI offense, I can attest to my mother's unwavering responsibility in all aspects of her life. It is important to note that her last OWI offense was 17 years ago, and since then, she has exemplified outstanding citizenship. I kindly seek your grace in allowing Cindy Reed to retain her bartender's license and place of employment.

Thank you for your attention to this matter.

Sincerely,

Kendra Kaul

To Whom it May Concern,

Cindy Reed is a conscientious co worker. She is very willing to help out any individual that is in need. Cindy has a great rapport with the customers she meets each time she works. She is very conscious of her job duties and fulfills them to the fullest.

Cindy has a personable attitude and treats every person she meets with the respect they are deemed.

Thank you for your time,
Crystal Liesch



DEPARTMENT OF HEALTH SERVICES
Division of Public Health
F-22559 (Rev. 01/2020)

STATE OF WISCONSIN
Wis. Stat. § 134.66(2m)

**EMPLOYEE TRAINING ACKNOWLEDGEMENT
LEGAL RESTRICTION ON TOBACCO SALES TO MINORS**

Use of form: This is a required form. Personally identifiable information on this form is collected to determine compliance with the statutes and will only be used for that purpose.

Instructions: Sign form and retain on premises in personnel file.

Employee - Name (print) Cindy Reed		Driver's License Number
Address	City, State, Zip	
Online	Statewide, WI	
Home Telephone	Date of Birth (Day, Month, Year)	
Store Name	Store Number (if applicable)	
Wisconsin Bartending		
Name - Supervisor		

I acknowledge (Choose one):

- I have successfully completed a responsible beverage server training course at a technical college that conforms to curriculum guidelines specified by the technical college system board or a comparable training course that is approved by the department or the educational approval board. (Wis. Stat. § 125.04)
- I have received training from my employer on compliance with Wis. Stat. § 134.66.

I further acknowledge:

- I understand that federal law prohibits selling tobacco products to any person under the age of 21. Failure to comply with these restrictions may result in a citation.

SIGNATURE - Employee

Date Signed

SIGNATURE - Supervisor

Date Signed





Submitted By: WISCONSIN STATE PATROL-DISTRICT #3 [402960]
ATTN: SGT H GLICK V

Report Date:
4/18/2023

WISCONSIN STATE PATROL-DISTRICT #3
851 S ROLLING MEADOWS DR
FOND DU LAC WI 54937-8200

Subject: Reed, Cindy J
Address: N1478 HIGHGREEN CT
GREENVILLE WI 54942
DOB: 4/6/1968 **Sex:** Female

Specimen Details

	Collected	Type	Collector
23FX005711	3/23/2023 1735	Blood, Whole	Traci Laneve

Date Received: 4/3/2023

Label/Seal: LABELED AND SEALED

Alcohol Analysis Date: 4/14/2023

Subject Number:

Case Number: 000243-2994

	Result	Units
Ethanol	0.026	g/100 mL

Comments:

Additional test results will be reported below when all laboratory analyses have been completed.

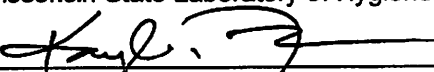
Lab Comments

Specimen(s) are retained for six months from the date that testing is reported unless otherwise requested by agency or subject.

ETHANOL ANALYST:


Benjamin Mullins, M.S., #AP-570

As designee of the Director, I do hereby certify this document to be a true and correct report of the findings of the Wisconsin State Laboratory of Hygiene.



Kayla Neuman, M.S., D-ABFT-FT, Forensic Scientist Supervisor

END OF REPORT



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(877) 777-5020 www.intoxalock.com

Consumer Safety Technology, LLC. 11035 Aurora Ave, Urbandale, IA 50322

State of Wisconsin
Certificate of Intoxalock Installation

Customer Name: Cindy Reed
Customer Address: 3108 Stonemeadow Way Apt 6 Appleton, WI 54915



ELERT
-Camera, GPS-

County: Winnebago
Customer ID: 1910263 Date of Birth: 4/6/1968
Drivers License #: R3001106862606 Case Number:
Original Install Date:

Original Install

Vehicle: 2011 FORD Focus
Plate # / Color: 551ZJW (WI)
Registered Owner: Cindy Reed
Vin#: 1FAHP3HNOBW161101

Service Center: R&S Auto Artists Inc
945 Edgar Drive
Oneida, WI 54155

Contact Person: Ron Smet
Phone Number: (920) 621-5160
Email Address: msautoa@netnet.net

Handheld Serial Nbr: 1AF2C299 Intoxalock® Model Nbr: I1001A
Camera Serial Nbr: CD102BBE Relay Serial Nbr: 130B51E

Confirmed Date:
Next Calibration Date: 3/26/2024

CUSTOMER COPY

Service Technician:

[Handwritten Signature]
Signature

RON smet
Print Name

Customer:

[Handwritten Signature]
Signature

Print Name

Date:

1-26-24

The defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Begin Date	Begin Time	Agency	Comments
1	01-30-2024	Local jail	60 DA				Consecutive to any other sentence. Granted Huber if in compliance with jail regulations. Granted Good Time. Defendant taken into custody immediately to start serving sentence.
1	01-30-2024	Forfeiture / Fine					1 day credit for time served. Forfeiture and costs to be paid within 60 days from sentence date, unless payment plan is approved. Penalty for non-payment shall be entry of civil judgment. Clerk of Courts shall docket without fees. Send payments to: Clerk of Courts, Room 110, 415 Jackson Street, P O Box 2808, Oshkosh WI 54903-2808.
1	01-30-2024	Costs					IID requirement applies to all vehicles which are registered in your name and any vehicles you operate. During your IID requirement period, you may not operate any motor vehicle without an IID installed.
1	01-30-2024	Ignition interlock	24 MO				
1	01-30-2024	DOT License Revoked	24 MO				
1	01-30-2024	Alcohol assessment					

Sentence Concurrent With/Consecutive Information

Ct.	Sentence	Concurrent With/Consecutive To	Comments
1	Local jail	Consecutive	any other sentence

Obligation Detail:

Ct.	Schedule	Amount	Days to Pay	Due Date	Failure to Pay Action	Victim
1	Felony Driving Violations	1569.00	60	04-01-2024	Judgment	
1	Blood Test Cost - State	39.39	60	04-01-2024	Judgment	
1	DNA Analysis Surcharge	250.00	60	04-01-2024	Judgment	

Obligation Summary:

Fine & Forfeiture	Court Costs	Attorney Fees	<input type="checkbox"/> Joint and Several Restitution	Mandatory Victim/Wit. Other Surcharge	5% Rest. Surcharge	DNA Anal. Surcharge	Totals
766.00	687.39			63.00	92.00	250.00	1,858.39

Total Obligations: 1858.39

It is adjudged that 1 days sentence credit are due pursuant to §973.155, Wisconsin Statutes.

It is ordered the Sheriff take the defendant into custody

THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.

DISTRIBUTION:

Court

Ryan Scott Ulrich

CINDY JOAN REED

Adam Joseph Levin, District Attorney

WRU

Jail

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 \$ 10500
 "Class C" Liquor (wine only) \$ _____

Fees	
License Fees	\$ 10,600
Background Check Fee	\$ 60
Publication Fee	\$ 7
Total Fees	\$ 10,667

Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) <u>Delaire's LLC</u>			
2. Business Trade Name or DBA <u>Delaire's</u>			
3. FEIN		4. Wisconsin Seller's Permit Number <u>456-1031294282-04</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>9/20/2022</u>	8. Wisconsin DFI Registration Number <u>D073986</u>
9. Premises Address <u>823 827 W. 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 <u>11</u>
16. Premises Phone <u>727-808-9092</u>	17. Premises Email <u>delaires.wb@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>1779 sq. ft. premise where alcohol will be sold and stored. Alcohol consumed in bar area. Alcohol will be sold over bartop and stored in a backroom.</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.

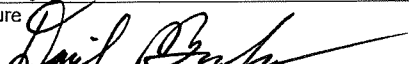
Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Boulanger	David	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 Boulanger	First Name David	M.I. D
Title owner	Email	Phone
Signature 	Date 4/10/24	

Part E: For Clerk Use Only

Date Application Was Filed With Clerk 4-10-2024	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 Boulanger

2. Name of Business: Delaire's

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

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

3. Address of Business: 827 W. College Ave, Appleton WI 54914
823

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>David</u>	<u>D</u>	<u>Boulanger</u>	
First name	M.I.	Last name	Date of Birth / /
First name	M.I.	Last name	Date of Birth / /
First name	M.I.	Last name	Date of Birth / /
First name	M.I.	Last name	Date of Birth

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

Name: _____
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: Empty / VACANT

(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 X 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 15 Outside 0

11. Operating hours (Inside the building): 10AM - 10PM
Operating hours (Outdoor seating areas): -

12. Employees/Staff

Number of floor personnel 1 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: 1779 square feet.

b. Gross outdoor seating areas of the premises to be licensed: 0 square feet.

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

Serving coffee with liquor.

See attached business plan for more details.

Open every day 10am-10pm

[Signature]
Signature

4/10/24
Date

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) Delaire's LLC	
2. Business Trade Name or DBA Delaire's	
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 Boulanger	2. First Name David	3. M.I. D	
4. Email		5. Phone	
6. Home Address 1024 Sumac Drive			
7. City West Bend	8. State WI	9. Zip Code 53090	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 →

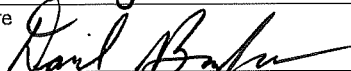
Part D: Business Attestation

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 Boulanger		First Name David		M.I. D
Title Owner	Email		Phone	
Signature 			Date 4/10/24	

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 Boulanger		First Name David		M.I. D
Signature 			Date 4/10/24	

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 type="checkbox"/> Class "A" Beer \$ _____ | <input checked="" type="checkbox"/> Class "B" Beer \$ <u>100</u> |
| <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</u> | |

Fees	
License Fees	\$ <u>200</u>
Background Check Fee	\$ <u>7</u>
Publication Fee	\$ <u>60</u>
Total Fees	\$ <u>267</u>

Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) MYMY LLC			
2. Business Trade Name or DBA MYMY			
3. FEIN		4. Wisconsin Seller's Permit Number 456-1031787983-02	
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 6/19/2024	8. Wisconsin DFI Registration Number M132760
9. Premises Address 2825 N Ballard Rd			
10. City Appleton		11. State WI	12. Zip Code 54911
13. County Outagamie		14. Governing Municipality: <input type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: Appleton	15. Aldermanic District
16. Premises Phone 920-202-3733		17. Premises Email Pazaochanglee@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. Alcohol that is not yet to be consumed will be stored in the dry storage area of the basement. Alcohol to be sold and consumed will be kept in beverage coolers upstairs in the service station. Alcohol will be consumed in the dining area. Total sq ft of restaurant is 2100.			
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.

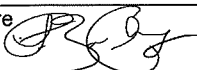
Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Chang	Pa Zao	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 Chang	First Name Pa Zao	M.I.
Title Owner	Email	Phone
Signature 		Date 9-5-24

Part E: For Clerk Use Only

Date Application Was Filed With Clerk 9/9/24	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: Pa Zao Chang

2. Name of Business: MYMY LLC

(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: 2825-N Ballard Rd

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>Pa Zao</u>		<u>Chang</u>	
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /
First name	M.I.	Last name	Date of Birth
			/ /

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

Name: Mac Vung
First name Middle Initial Last name

Address: 3518 S Barkley Ln Appleton WI 54915
City State ZIP

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

Name: COME

(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 X 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 99 Outside _____

11. Operating hours (Inside the building): M-Sat 11:00 AM - 9:00 PM
Operating hours (Outdoor seating areas): _____

12. Employees/Staff
Number of floor personnel 4 Number of door checkers 0

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

- a. Gross floor building area of the premises to be licensed: 2100 square feet.
- b. Gross outdoor seating areas of the premises to be licensed: _____ square feet.
- c. Below, identify the operational details of the proposed establishment:

MYMY will operate as a full service restaurant that serves alcohol.

[Signature]
Signature

9-5-24
Date

Form
AB-101

Alcohol Beverage Appointment of Agent

Date
9-5-24

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) MYMY LLC	
2. Business Trade Name or DBA MYMY	
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 Chang	2. First Name Pa Zao	3. M.I.	
4. Email		5. Phone	
6. Home Address 3518 S Barker Lane			
7. City Appleton	8. State WI	9. Zip Code 54915	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 Chang		First Name Pa Zao	M.I.
Title Owner	Email	Phone	
Signature 		Date 9-5-2024	

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 Chang		First Name Pa Zao	M.I.
Signature 		Date 9-5-2024	



DEPARTMENT OF
UTILITIES

Department of Utilities Water Treatment Facility
2281 Manitowoc Rd.
Menasha, WI 54952
p:920-997-4200
f: 920-997-3240
www.appleton.org/government/utilities

MEMORANDUM

Date: September 26, 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 Appleton Water Treatment Facility Carbon Dioxide System Rehabilitation Project Base Bid to Rohde Brothers, Inc., in the amount of \$208,000 with 10% contingency of \$20,800 for a project total not to exceed \$228,800**

BACKGROUND:

The Appleton Water Treatment Facility (AWTF) utilizes a TOMCO2 liquid carbon dioxide (CO₂) system for pH adjustment and fire suppression of the Powdered Activated Carbon (PAC) system. The existing liquid CO₂ system was commissioned as part of the original AWTF construction in 2001. In 2023, McMahon Associates, Inc (McMahon) to conducted a condition assessment of the existing carbon dioxide storage and feed system under an independent contract. As part of that assessment, the following improvements were identified within the report:

- Various instrumentation and piping repairs, recommended by TOMCO2.
- Refrigeration upgrades.
- Restore function to existing load cells, or replace, if needed.
- Electrical and control remediation based on mechanical upgrades.

The Opinion of Probable Construction Cost for these improvements was projected to range from \$300,000 to \$350,000. The 2023 Utilities Department Capital Improvements Program (CIP) plan identified \$450,000 for engineering services and construction associated with CO₂ bulk storage system improvements.

BIDS

The bidding documents were formulated based on the condition assessment findings identified by McMahon. On September 17, 2024, the city opened and reviewed the bids from two contractors which are summarized in the Table 1. Each bid met the submittal requirements with Rohde Brothers, Inc. being the least cost responsible bidder.

Table 1: Carbon Dioxide System Rehabilitation Project Bid Tab Summary

Company	August Winter & Sons	Rhode Brothers, Inc.
Base Bid	\$339,000	\$208,000

RECOMMENDATION:

I am recommending contract base bid award of the AWTF Carbon Dioxide System Rehabilitation Project to Rohde Brothers, Inc., in the amount of \$208,000 with 10% contingency of \$20,800 for a project total not to exceed \$228,800.

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



September 24, 2024

Chris Stempa, Director of Utilities
City of Appleton Department of Utilities
2006 E. Newberry Street
Appleton, WI 54915

Re: City of Appleton Department of Utilities
Water Treatment Facility
Carbon Dioxide Storage System Upgrades
Letter of Recommendation
McM. No. A0005-09-24-00437

On September 17, 2024 bids were received via Quest CND.com for the above referenced project. Two (2) bids were received, ranging in price from \$208,000.00 to \$339,000.00 (bid tabulation enclosed).

Based upon the bids received, we recommend awarding Contract A0005-09-24-00437 to the low bidder, Rohde Brothers, Inc., in the amount of \$208,000.00.

If you agree with our recommendation, please date and sign the enclosed Notices of Award, and return a copy 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 that reads "Donald J. Voogt".

Donald J. Voogt, P.E.
Vice President / Senior Project Manager

DJV:jlh

Enclosures: Notice of Award
Bid Tabulation



BID TABULATION

Owner:	City of Appleton Department of Utilities
Project Name:	Water Treatment Facility Carbon Dioxide Storage System Upgrades
Contract No.	A0005-09-24-00437
Bid Date:	September 17, 2024
Bid Time:	Received until 1:45 p.m., Opened at 2:00 p.m.
Project Manager:	Donald J. Voogt, P.E.

Contract No. A0005-09-24-00437	ROHDE BROTHERS, INC. W5745 Woodchuck Lane PO Box 409 Plymouth, WI 53073	AUGUST WINTER & SONS, INC. 2323 N. Roemer Road PO Box 1896 Appleton, WI 54912-1896
BASE BID	\$208,000.00	\$339,000.00
Bid Security - 5%	Yes	Yes
Addenda - N/A	N/A	N/A



MEMORANDUM

TO: Finance Committee

FROM: Sue Ann Teer, Fiscal Resource Manager

Date: July 22, 2024

Subject: **The following 2024 Budget adjustment be approved for the reimbursement of K9 expenses.**

K9 Donation	- \$51,339
Training/Travel	+\$ 6,085
Miscellaneous supplies	+\$ 1,782
Other contracts and obligations	+\$43,472

The Appleton Canine Program has had an increased presence in the community since it began in 2005. With overwhelming support and continued donations to the *Appleton Police K9 Program* through the *Community Foundation Fox Valley Region* we are able fund the purchase of two new canines (Quinn and Drakon) with the retirement of K9 Eon and loss of K9 Faro in 2024.

We are requesting a budget adjustment for the purchase of the canines, training, equipment, and extensive medical treatment for K9 Faro.



CITY OF APPLETON

Finance Department
100 N Appleton St
Appleton, WI 54911
p: 920-832-6442
f: 920-832-6317
www.appleton.org

MEMORANDUM

Date: October 3, 2024
To: Chairperson Brad Firkus and Members of the Finance Committee
From: Kelli Rindt, Enterprise Fund Accounting Manager
Ryan Rice, Utilities Deputy Director
Subject: Approve write-off of obsolete and no longer needed parts from Wastewater inventory.

BACKGROUND:

The Utility Department completed a review of Wastewater inventory items as part of the process to convert the current inventory system to the Tyler Munis EAM (Enterprise Asset Management) Inventory System. Items were reviewed for useable condition and needs for current systems.

Listed below are bearings that no longer need to be maintained for Wastewater systems.

Location	Quantity	Part #	Description	Cost (EA)	Total Cost
2A1	6	Q-000-BR-00752	Bearing	54.35	326.10
2A1	1	Q-000-BR-56425	Bearing	26.14	26.14
2A2	1	Q-000-BR-06320	Bearing	232.39	232.39
2A2	2	Q-000-BR-36110	Bearing	50.37	100.74
2A2	1	Q-000-BR-46780	Bearing	72.86	72.86
2A3	1	Q-000-BR-22309	Bearing	58.95	58.95
2A4	1	E-006-BR-22230	Bearing	565.64	565.64
2A4	1	Q-000-BR-06224	Bearing	203.33	203.33
2A4	1	Q-000-BR-22222	Bearing	281.00	281.00
2A4	1	V-015-BR-22314	Bearing	93.55	93.55
2A5	2	Q-000-BR-BL313	Bearing	52.82	105.64
2A5	1	Q-000-BR-318MF	Bearing	223.22	223.22
2A6	2	Q-000-BR-22220	Bearing	115.82	231.64
					\$2,521.20

RECOMMENDATION:

Approve inventory write-off of \$2,521.20 for bearings that are no longer needed for Wastewater systems. Disposal of these items will follow the Procurement & Contract Management Policy and will include metal recycling and discarding to trash. If you have any questions or require additional information regarding this proposal, please contact me at 920-832-6316.



DEPARTMENT OF
**PUBLIC
WORKS**

MEMORANDUM

Date: 10/07/2024
To: Finance Committee
From: Pete Neuberger, Deputy Director of Public Works
Subject: Approve sole source contract with Restoration Systems, Inc. to complete Phase 3 of the Green Ramp Barrier Panel Emergency Repair in an amount not to exceed \$73,700.00.

The Department of Public Works (DPW) is requesting approval of a single-source contract with Restoration Systems, Inc. (RSI) to complete Phase 3 of the Green Ramp Barrier Panel Emergency Repair in an amount not to exceed \$73,700.00.

The proposed Phase 3 emergency repair work involves all labor, materials, equipment, and transportation necessary to complete the installation of a new barrier panel on the 6th floor, and represents the final construction phase of the project.

As referenced in the Phase 1 Green Ramp Repair award memo at Finance Committee on 08/07/2024, a vehicle struck and severely damaged a sixth-floor concrete barrier panel, necessitating emergency panel replacement and related work. The previously authorized Phase 1 work involves the installation of a temporary engineered shoring system extending from level 6 down to ground level. The previously authorized Phase 2 work includes the demolition of the panel.

RSI is currently under separate contract to conduct Phase 1 and Phase 2 Green Ramp emergency repairs, as well as scheduled 2024 maintenance and repairs in all three ramps. RSI's prior prequalification process for ramp repairs and their ongoing excellent work on the previously scheduled repairs provide strong evidence to DPW of their capability to perform this emergency repair swiftly, effectively, and safely.



CITY OF APPLETON

MEMORANDUM

Date: 10/07/2024
To: Finance Committee
From: Pete Neuberger, Deputy Director of Public Works
Subject: Request to Amend State/Municipal Financial Agreement for I-41/Ballard Interchange Project (Proposed 2025 City Cost Share \$431,050; Current City Cost Share \$435,200).

The Department of Public Works (DPW) is requesting authorization for the City of Appleton to enter into an amended State/Municipal Financial Agreement (SMFA) for the I-41/Ballard Interchange Project. The Amended SMFA is attached.

This project segment involves 2025 construction. The current SMFA was approved by Common Council on August 21, 2024. Based on a recent WisDOT policy revision, Community Sensitive Design (CSD) project components have now become eligible for 80/20 (Federal-State/Local) funding. City staff have worked with WisDOT and County staff, in coordination with other I-41 local communities, to incorporate State/Federal-funded CSD elements into the project, including landscaping and aesthetic treatments on bridge structures and sound barriers. The amended SMFA reflects these changes as well as unrelated refinements in the WisDOT project design and associated cost estimates.

The proposed amendment results in a slight decrease in City of Appleton project costs, from \$435,200 to \$431,050.



**ORIGINAL
STATE/MUNICIPAL
FINANCIAL AGREEMENT FOR
A STATE – LET HIGHWAY
PROJECT**

Date: 9/19/2024
 ID: 1130-65-76 (Design: 1130-63-01)
 Road Name: IH 41
 Title: Appleton – De Pere
 Limits: Ballard Rd (CTH E) Intchg
 County: Outagamie
 Roadway Length: 0.51 Miles

The signatories City of Appleton and Outagamie County, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

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

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request:

The IH 41 Project corridor, which has four travel lanes – two in each direction – is congested and sees a higher rate of crashes than similarly configured freeways in Wisconsin. By federal standards, the project area has multiple roadway design deficiencies, and much of its pavement and several bridges are nearing the end of their useful lives and must be replaced.

Much of the original pavement in the corridor was built in the 1960s and has reached the end of its useful life, meaning further rehabilitations are no longer cost-effective. The project corridor also has narrow road shoulders, outdated ramp designs, and interchanges spaced too closely to one another – deficiencies that can contribute to safety and operational problems.

Proposed Improvement – Nature of work:

The State identified the diverging diamond interchange as the preferred alternative for the Ballard Rd (CTH E) interchange. At the Ballard Rd interchange, the diverging diamond interchange (DDI) is the safest interchange option, has the best traffic operations, and has the support of the Municipality. Impacts between alternatives considered are not substantially different.

Ballard Road will be reconstructed, and bike lanes will be added from Capitol Drive to Evergreen Drive. Sidewalk and shared use paths impacted by reconstruction will be replaced. New storm sewer will be installed within the project limits. The existing structures carrying Ballard Road over IH 41 will be replaced with structures B-44-0324 and B-44-0325. Retaining walls R-44-0040 and R-44-0041 will be constructed. Sign structures S-44-0367, S-44-0369, S-44-0370, S-44-0371, S-44-0372, and S-44-0373 will be constructed. New traffic signals will be installed at the IH 41/ Ballard Road ramp terminals. MUTCD compliant signing and pavement markings will be installed with the project. Landscaping elements such as trees, bushes, and grass will be added to the medians and islands of the IH 41 and Ballard Road DDI and the trees in the IH 41 and Ballard Road Interchange median will be replaced with the project.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:

The core and west approach to the Ballard Road/ Capitol Drive intersection will be reconstructed to allow for the addition of an eastbound left turn lane (two total eastbound left turn lanes after reconstruction). Bike lanes will be constructed on both sides of the Capitol Drive. Sidewalk will be replaced on the north side of Capitol Drive. The limits of the reconstruction of Capitol Drive extend from the core of the Ballard Road/ Capitol Drive intersection to 250 ft west of Commerce Court.

Work along Capitol Drive and Ballard Road/ Capitol Drive intersection core will also include storm sewer installation, erosion control, fertilizer/seed/mulch, permanent signing, traffic signals, pavement marking and temporary traffic control.

City of Appleton Intelligent Transportation Systems (ITS) infrastructure will be added to the IH 41 and Ballard Road DDI.

SUMMARY OF COSTS

¹ Phase	Total Est. Cost	Federal/State Funds	%	City of Appleton	%	Outagamie County	%	
Design Engineering	N/A	N/A	100%	\$0.00	0%	\$0.00	0%	
Real Estate Acquisition	N/A	N/A	100%	\$0.00	0%	\$0.00	0%	
Municipal Utility Coordination	N/A	N/A	100%	\$0.00	0%	\$0.00	0%	
²Construction: 1130-65-76								
Category	Description							
1000	Roadway Items	\$14,162,000	\$14,162,000	100%	\$0	0%	\$0	0%
1100	Lighting	\$508,000	\$508,000	100%	\$0	0%	\$0	0%
1200	FTMS/ITS	\$258,000	\$258,000	100%	\$0	0%	\$0	0%
1300	Traffic Signals, DDI	\$601,000	\$601,000	100%	\$0	0%	\$0	0%
1310	Traffic Signals, Ballard and Capitol	\$313,000	\$156,500	50%	\$78,250	25%	\$78,250	25%
1400	1130-65-76 CSD Items ³	\$350,000	\$280,000	80%	\$35,000	10% +BAL	\$35,000	10% +BAL
1410	1130-65-76 Landscaping Replacement	\$21,000	\$16,800	80%	\$2,100	10%	\$2,100	10%
1600	Local/ Non Participating , Ballard & Capitol Int.	\$560,000	\$0	0%	\$280,000	50%	\$280,000	50%
1610	Local/ Non Participating, City of Appleton	\$24,000	\$0	0%	\$24,000	100%	\$0	0%
1620	Local/ Non Participating, Outagamie County	\$15	\$0	0%	\$0	0%	\$15	100%
1700	Utilities, City of Appleton	\$17,000	\$15,300	90%	\$1,700	10%	\$0	0%
1800	100% State Funded	\$22,000	\$22,000	100%	\$0	0%	\$0	0%
2000	Structure B-44-0324	\$2,176,000	\$2,176,000	100%	\$0	0%	\$0	0%
2010	Structure B-44-0325	\$1,987,000	\$1,987,000	100%	\$0	0%	\$0	0%
4000	Structure R-44-0040	\$641,000	\$641,000	100%	\$0	0%	\$0	0%
4010	Structure R-44-0041	\$685,000	\$685,000	100%	\$0	0%	\$0	0%
6000	Structure S-44-0367	\$147,000	\$147,000	100%	\$0	0%	\$0	0%
6010	Structure S-44-0369	\$150,000	\$150,000	100%	\$0	0%	\$0	0%
6020	Structure S-44-0370	\$150,000	\$150,000	100%	\$0	0%	\$0	0%
6030	Structure S-44-0371	\$84,000	\$84,000	100%	\$0	0%	\$0	0%
6040	Structure S-44-0373	\$147,000	\$147,000	100%	\$0	0%	\$0	0%
6050	Structure S-44-0401	\$77,000	\$77,000	100%	\$0	0%	\$0	0%
6060	Structure S-44-0403	\$20,000	\$0	0%	\$10,000.00	50%	\$10,000	50%
Construction Subtotal		\$23,100,015	\$22,263,600		\$431,050		\$405,365	
Total Est. Cost Distributio		\$23,100,015	\$22,263,600		\$431,050		\$405,365	

¹. Costs shown are estimates only and may be updated as design progresses

². Estimates include construction engineering.

³Federal Community Sensitive Design (CSD) amenities funding limit = \$350,000

State funding shall not be used for CSD items. Federal and Municipal funding is permitted for CSD items.

Costs in excess of the federal amenities funding limit shall be the responsibility of the Municipality.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages [3] – [10]); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State, upon fully executed signature of applicable State Municipal Maintenance Agreement and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial Agreement nor any of its attachments may be changed, waived, or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Financial Agreement.

Signed for and in behalf of the City of Appleton	
Name <small>(print)</small>	Title
Signature	Date
Signed for and in behalf of Outagamie County	
Name <small>(print)</small>	Title
Signature	Date
Signed for and in behalf of the State	
Name <small>(print)</small>	Title
Signature	Date

(please sign in blue ink)

TERMS AND CONDITIONS:

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds federal/state financing commitments or are ineligible for federal/state financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.
2. Funding of each project phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
 - (a) Design engineering and state review services.
 - (b) Real Estate necessitated for the improvement.
 - (c) Compensable utility adjustment and railroad force work necessitated for the project.
 - (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.
 - (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers, and inlet grates as needed.
 - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.
 - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.
 - (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
 - (i) Replacement of existing driveways, in kind, necessitated by the project.
 - (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
 - (k) Eligible Community Sensitive Design (CSD) amenities, not to exceed federal CSD funding limits for the project.

3. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
 - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.
 - (c) Roadway and bridge width in excess of standards.
 - (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.
 - (e) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.
 - (f) Parking lane costs.
 - (g) Coordinate, clean up, and fund any hazardous materials encountered for city utility construction. All hazardous material cleanup work shall be performed in accordance with state and federal regulations.
 - (h) Ballard and Capitol Intersection costs.
 - Compensable utility adjustment and railroad force work necessitated for the project.
 - The grading, base, pavement, curb and gutter, and structure costs to State standards
 - Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
 - Signing and pavement marking necessitated for the safe and efficient flow of traffic.
 - Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
 - Replacement of existing driveways, in kind, necessitated by the project.
 - New installations or alteration resulting from roadway construction of standard street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
 - (i) 20% of cost eligible Community Sensitive Design (CSD) amenities up to the CSD funding limit for the project plus 100% of the cost eligible CSD amenities in excess of the federal funding limit for the project.
4. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State on behalf of the project.
6. The work will be administered by the State and may include items not eligible for federal/state participation.

7. The Municipality shall, in cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
8. Basis for local participation:

Design Engineering, Real Estate Acquisition, Utility Coordination:

The State will pay 100% of the cost for design engineering, real estate acquisition, and utility coordination.

Costs for design engineering, real estate acquisition, and utility coordination are shown as not applicable (N/A) in the summary of costs table due to the complexities of isolating individual Let Project costs from the Appleton-Green Bay corridor wide design ID (1130-63-01) and this information is not relevant to the municipal construction cost share.

Construction ID: 1130-65-76

The Project Agreement will be revised, if necessary, as the project progresses. All costs shown are approximate and subject to final audit.

Category 1000 – Roadway Items

The State will pay 100% of the construction costs under Category 1000 – Roadway Items unless otherwise noted.

Category 1100 – Lighting

The State will pay 100% of the construction costs under Category 1100 – Lighting (standard WisDOT Lighting) unless otherwise noted.

Category 1200 – FTMS / ITS

The State will pay 100% of the construction costs under Category 1200 – FTMS / ITS unless otherwise noted.

Category 1300 – Traffic Signals, DDI

The State will pay 100% of the construction costs under Category 1300 – Traffic Signals, DDI unless otherwise noted.

Category 1310 – Traffic Signals, Ballard and Capitol Int

One half of the replacement of the traffic signals at the Ballard and Capitol Intersection is need due to the non-participating work associated with the reconstruction of the Ballard and Capitol intersection.

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

The traffic signals at the Ballard and Capitol intersection is 50 percent eligible for WisDOT participation because it is needed for the reconstruction of the IH 41 and Ballard Road.

Traffic Signals, Ballard and Capitol Int costs are estimated to be \$313,000.

The State will pay 50% of the construction cost, the city of Appleton will pay 25% of the construction cost, and Outagamie County will pay 25% of the construction cost of Category 1310 – Traffic Signals, Ballard and Capitol Int.

Category 1400 – 1130-65-76 CSD Items

In accordance with PMM 3-25-15, for large projects with a total cost in excess of \$200 million (which include multiple construction lets), a CSD amenities funding cap of \$3 million will be maintained across the project corridor. Agreed to CSD amenities will have a 20% local cost share which is included in the \$3 million funding cap. The department will determine and track the amount of CSD funding for each project. CSD amenity costs over the departments CSD funding limit will be the responsibility of the municipality. The federal CSD Funding limit for the project may be adjusted in construction for justifiable quantity overruns/ underruns or agreed contract change orders

In accordance with state stature 85.0205(1m), state funding shall not be used for CSD items. Federal and Municipal funding is permitted for CSD items.

1130-65-76 CSD items requested by the municipality and included in this project:

- Staining Structure B-44-0324 - \$16,000
- Staining Structure B-44-0325 - \$18,000
- Staining Structure R-44-0040 - \$14,000
- Staining Structure R-44-0041 - \$15,000
- Diverging Diamond Interchange Landscaping - \$287,000

1130-65-76 CSD Items costs are estimated to be \$350,000

Federal CSD Funding Limit for project 1130-65-76 is \$350,000.

The State will pay 80% of the construction cost up to the federal CSD funding limit. The city of Appleton will pay 10% of the construction cost, and Outagamie County will pay 10% of the construction cost of Category 1400 – 1130-65-76 CSD Items and any funds in excess of the federal CSD funding limit.

Category 1410 –1130-65-76 Landscaping Replacement

In accordance with the Local Participation Policy Section 3-25-5 of the State’s Program Management Manual landscaping replacement in the median or terrace area that is approved by WisDOT is eligible for WisDOT participation.

Landscaping is 80 percent eligible for WisDOT participation when placement is in the right-of-way or when the municipality or WisDOT legally arranges for placement on private property in cases where there is insufficient space in the right-of-way.

Landscaping will be consistent with the adopted WisDOT standards (limited to trees and shrubs as appropriate), provided the municipality or property owner accepts responsibility for the maintenance of the landscaping items.

1130-65-76 Landscaping replacement costs are estimated to be \$18,000.

1130-65-76 Landscaping replacement requested by the municipality and included in this project:

- Exiting trees in the median at the interchange.

The State will pay 80% of the construction cost, the city of Appleton will pay 10% of the construction cost, and Outagamie County will pay 10% of the construction cost of Category 1410 -1130-65-76 Landscaping Replacement, the replacement of landscaping in the Ballard Road median, unless otherwise noted.

Category 1600 – Local/ Non-Participating, Ballard & Capitol Int.

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

Local/ Non-Participating Ballard & Capitol Int. costs are estimated to be \$618,000.

Ballard and Capitol Intersection items requested by the municipality and included in this project:

- Roadway Pavement and Base
- Storm Sewer
- Curb and Gutter
- Sidewalk
- Signing and Pavement Marking
- Traffic Control
- Erosion Control and Restoration
- Traffic Signals – Ballard Road and Capitol Drive Intersection

The city of Appleton will pay 50% of the construction cost and Outagamie County will pay 50% of the construction cost for Category 1600 - Local/ Non-Participating, Ballard & Capitol Int., the reconstruction of the core and west approach to the Ballard Road/ Capitol Drive intersection.

Category 1610 – Local/ Non-Participating, City of Appleton

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

Local/ Non-Participating, City of Appleton costs are estimated to be \$24,000.

Items requested by the municipality and included in this project:

- FTMS/ ITS Items

The city of Appleton will pay 100% of the construction cost under Category 1610 – Local/ Non-Participating, City of Appleton unless otherwise noted.

Category 1620 – Local/ Non-Participating Outagamie County

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

Local/ Non-Participating Outagamie County costs are estimated to be \$15

Items requested by the municipality and included in this project:

- 1 ton of Base Aggregate Dense

Outagamie County will pay 100% of the construction cost under Category 1630 – Local/ Non-Participating Outagamie County unless otherwise noted.

Category 1700 – Utilities, City of Appleton

Wisconsin State Statute 84.295 (4m) Municipal Utility Relocation; Freeway Construction

- (a) The state shall pay 90 percent of the eligible costs of the relocation or replacement of any municipal utility facilities required by the construction of any freeway undertaken by the department. The affected municipal utility shall pay the balance of such costs.

Utilities, City of Appleton costs are estimated to be \$20,000.

City of Appleton Utility items requested by the municipality and included in this project:

- Sanitary Manhole Reconstruction
- Sanitary Manhole Adjustments
- Water Valve Box Adjustments
- Insulation Board

The State will pay 90% of the construction cost and the city of Appleton will pay 10% of the construction cost for Category 1700 – Utilities, City of Appleton unless otherwise noted.

Category 1800 – 100% State Funded

The State will pay 100% of the construction costs under Category 1800 – 100% State Funded Items unless otherwise noted.

Category 2000 – Structure B-44-0324

The State will pay 100% of the construction costs under Category 2000 – Structure B-44-0324 unless otherwise noted.

Category 2010 – Structure B-44-0325

The State will pay 100% of the construction costs under Category 2010 – Structure B-44-0325 unless otherwise noted.

Category 4000 – Structure R-44-0040

The State will pay 100% of the construction costs under Category 4000 – Structure R-44-0040 unless otherwise noted.

Category 4010 – Structure R-44-0041

The State will pay 100% of the construction costs under Category 4010 – Structure R-44-0041 unless otherwise noted.

Category 6000 – Structure S-44-00367

The State will pay 100% of the construction costs under Category 6000 – Structure S-44-0367 unless otherwise noted.

Category 6010 – Structure S-44-00369

The State will pay 100% of the construction costs under Category 6010 – Structure S-44-0369 unless otherwise noted.

Category 6020 – Structure S-44-00370

The State will pay 100% of the construction costs under Category 6020 – Structure S-44-0370 unless otherwise noted.

Category 6030 – Structure S-44-00371

The State will pay 100% of the construction costs under Category 6030 – Structure S-44-0371 unless otherwise noted.

Category 6040 – Structure S-44-0373

The State will pay 100% of the construction costs under Category 6040 – Structure S-44-0373 unless otherwise noted.

Category 6050 – Structure S-44-0401

The State will pay 100% of the construction costs under Category 6050 – Structure S-44-0401 unless otherwise noted.

Category 6060 – Structure S-44-0403

In accordance with Local Participation Policy Section 3-25-5 of the State’s Program Management Manual proposed improvements requested by the Municipality within the project limits, but outside the original project scope, are considered 100% the responsibility of the Municipality.

Structure S-44-0403 costs are estimated to be \$20,000.

Structure S-44-0403 is an overhead sign structure for lane designation signing for eastbound traffic at the Ballard Rd. and Capitol Drive intersection.

The city of Appleton will pay 50% of the construction cost and Outagamie County will pay 50% of the construction cost for Category 6060 – Structure S-44-0403.

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.



CITY OF APPLETON

Department of Parks & Recreation

1819 East Witzke Blvd.

Appleton, WI 54911

p: 920-832-5905

f: 920-993-3103

www.appletonparkandrec.org

TO: Finance Committee

FROM: Dean Gazza

DATE: 10-7-24

RE: Request to award contract to KleenMark to provide Janitorial Services to all City of Appleton facilities/locations for the years 2025-2029. The contract totals are 2025 (\$463,883), 2026 (\$477,800), 2027 (\$492,134), 2028 (\$506,898), and 2029 (\$522,105) annually.

The City of Appleton's Janitorial Services agreement expires 12/31/24. The Parks and Recreation Department released an RFP in May 2024. Two ads were published in the Appleton Post-Crescent requesting proposals for Janitorial Services for the City of Appleton. In addition, notices were emailed to all companies who provided a proposal in the past, have notified us of interest by general solicitation or companies we were aware of that provided this service. On May 29, 2024, a walk-through of the facilities was provided to interested responders. Several companies were present at the walk-through. The proposals were due on June 13, 2024, and we received four responses to the Request for Proposal. The feedback we received from the companies who did not submit a proposal was that they had never seen a better request for proposal assembled for such services, but were declining to bid because of the overall magnitude, diversity and complexity of the work for the City of Appleton's various operations.

Prior to sending the RFP, Parks and Recreation spent a significant amount of time evaluating janitorial service levels throughout each building. Standards for each building were reviewed this year with the goal of ensuring good janitorial services throughout the facilities, while reducing our overall costs.

We received four proposals from the following contractors GSF (\$615,466), CleanPower (\$615,164), KleenMark (\$463,883) and AccuClean Pro (\$455,000). Our review committee consisted of five people Dean Gazza, Tom Flick, Cameron Green and Kristopher Alberts from Facilities Management and Jennifer Huss from Finance. Upon review of the proposals, interviews and references, our team recommends and requests the Finance Committee to award the Janitorial Cleaning Services contract to KleenMark to provide Janitorial Services for the years 2025-2029. Please note that additional expenses, estimated at \$30,000, are incurred on a time and materials basis for room set-ups, blood borne pathogen clean-ups and special requests and are charged above and beyond the contract price.

Please feel free to contact me at 832-5572 with any questions, or by email at dean.gazza@appletonwi.gov. Thank you.



DEPARTMENT OF
UTILITIES

Department of Utilities
Wastewater Treatment Plant
2006 East Newberry Street
Appleton, WI 54915
p: 920-832-5945
f: 920-832-5949

www.appleton.org/government/utilities

MEMORANDUM

Date: October 2, 2024
To: Chairperson Brad Firkus and Members of the Finance Committee
CC: Chris Stempa, Director of Utilities
Colin Stoffel, Wastewater Operations Supervisor
Kelli Rindt, Enterprise Accounting Fund Manager
From: Ryan Rice, Deputy Director of Utilities
Subject: **Finance Committee Action: Award sole source purchase of Final Effluent Screw Pump Gearbox Inspection & Rebuild Services to Midwest Power Products in the amount of \$35,298 with a 10% contingency of \$3,530 for a total not to exceed \$38,828.**

BACKGROUND:

The Appleton Wastewater Treatment Plant (AWWTP) has three final effluent screw pumps, originally installed as part of the 1975 plant upgrade. The pumps prevent flooding of the plant during high flow events or high river level, by pumping final effluent into the Fox River.

The failure of effluent screw pump #2's gearbox in April 2023 during a high flow event, required repair of the gearbox. After the failure in 2023, money was budgeted this year to inspect and rebuild the other two screw pump gearboxes of the same vintage to prevent a failure of these pumps critical to WWTP operations.

QUOTATION

Midwest Power Products provided a inspect and rebuild cost of \$17,649 per gearbox. The total rebuild cost for two gearboxes is \$35,298. There is \$55,000 available in the 2024 operations budget for rebuild service work.

JUSTIFICATION

Midwest Power Products successfully rebuilt the failed gearbox in 2023 to operational condition. They are one of a handful of Foote-Jones / Dresser gear box distributors in the US. Midwest Power Products was the only company found with an inventory of used gear boxes and parts that date back to the age and model. They also offer complete rebuild services for Foote-Jones / Dresser equipment which helps expedite repair and rebuild services. They maintain expertise, knowledge, and parts availability to rebuild the other two gearboxes.

RECOMMENDATION:

I recommend the sole source purchase of final effluent screw pump gearbox inspection & rebuild services to Midwest Power Products in the amount of \$35,298 with a 10% contingency of \$3,530 for a total not to exceed \$38,828.

If you have any questions regarding this project, please contact Ryan Rice at 920-832-5945.

Encl: Finance Department Sole Source Request Form



SOLE SOURCE REQUEST

The undersigned certifies that the commodity/service shown below qualifies as a sole source request and meets one or more of the following requirements. The department has demonstrated, and the Purchasing Manager concurs that only one source exists, the price is equitable, and/or noncompetitive negotiation is in the best interests of the City.

- Unique, proprietary, or one-of-a-kind:** Specific commodity/service is required and available from only one source, giving the City a superior and necessary benefit that cannot be obtained from other sources.
- Inadequate competition:** Purchasing solicitation (bid, proposal, or quote) did not result in any qualified vendor responses and competition is determined to be inadequate.
- Health or Safety Concern:** When a health or safety concern exists that is *not* an immediate threat but needs to be addressed in a period that does not allow for formal competitive procurement procedures.
- Continuity of design:** Consistency with current commodity or service.
- Emergency procurement:** A risk of human suffering or substantial damage to real or personal property exists requiring immediate attention.
- Cooperative purchase:** Purchase from another governmental unit contract or state approved purchasing association.
- Other:** Description provided below

MPP is one of two vendors qualified for this work and provides the lowest cost. Additionally, they successfully repaired a gearbox in 2023, having knowledge and skills necessary to service remaining gearboxes.

PROPOSED DETAILS

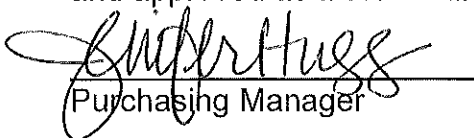
Requesting dept: Appleton Wastewater Treatment Plant

Product/service: Inspect/rebuild two effluent screw pump gearboxes

Vendor name: Midwest Power Products

Total cost: \$35,298

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

10/2/2024
Date



CITY OF APPLETON

MEMORANDUM

Date: October 1, 2024

To: Board of Health and Common Council

From: Charles E Sepers, Jr, PhD, MPH, Health Officer | Director

Subject: Proposed Update to City of Appleton Municipal Code 7-100 (d): Smoking Prohibition Around Valley Transit Center and Appleton Public Library

The purpose of this memo is to propose an update to City of Appleton Municipal Code 7-100 (d), specifically to prohibit smoking around the Valley Transit Center and Appleton Public Library blocks.

Exposure to secondhand tobacco smoke is strongly linked to the development of chronic diseases, including cancer, worsened allergies, and childhood asthma. It also causes long-term respiratory and cardiovascular damage. In adults, secondhand smoke poses similar risks, particularly for those with preexisting conditions. According to the CDC, over 41,000 adults die annually in the U.S. due to secondhand smoke exposure. There is no risk-free level of exposure.

The newly redesigned Appleton Public Library and Valley Transit Center will attract increased patronage with enhanced program space and amenities. This provides an ideal opportunity to reassess how these spaces are used and to implement policies that protect the health and safety of patrons, including children and other vulnerable populations. To ensure safety, it's important to discourage gathering in areas where vehicles enter the library parking lot. Additionally, the new library features an outdoor children's programming space near Oneida Street, where there is significant bus traffic. Expanding the smoking ordinance would contribute to a cleaner, healthier environment for all visitors and reduce the risk of smoking-related illness. This proposal recommends combining subsections 7-100 (d)(2) and 7-100 (d)(3) of the City of Appleton Municipal Code and updating the smoking ordinance to restrict the entire Valley Transit Center and Appleton Public Library blocks. It also removes references to the Blue Parking Ramp, which no longer exists.

This change aligns with Wisconsin State Statute 101.123 (Act 12) and the City of Appleton's Health in All Policies (Sec. 7-201 (g)), which promotes "accessible built environments that enhance health and safety." It supports the City's broader commitment to creating healthy, smoke-free public spaces.

We respectfully request the Appleton Board of Health review and approve this proposed update to ensure a healthier environment for all community members.

Proposed update and modification to 7-100 (d).

Update (1):

Delete references to Blue Ramp since it no longer exists. Remainder of the subsection is unchanged.

Combining current sections (2) and (3) into one section encompassing entirety of Transit Center and Library blocks from West edge of the Yellow ramp to Eastern curb of N. Appleton Street:

(d) Prohibition of smoking in outdoor areas. It shall be unlawful for any person to smoke or use tobacco products in the following outdoor areas.

(2) The outside area around the Transit Center and Appleton Public Library inclusive of the Appleton Public Library parking lot and the sidewalks commencing at the Southern curb of E. Franklin Street parallel to, and following, the West face of the Yellow ramp to the Northern curb of E. Washington Street then Westerly along the North curbs of E. Washington Street to the East curb of N. Appleton Street; then North along the East curb of N. Appleton Street to the Southern curb of W. Franklin Street; and then Easterly along the Southern curb of W. Franklin Street back to the point of beginning (the Southern curb of E. Franklin Street parallel to west edge of the Yellow ramp). Occupants of moving vehicles traveling on N. Oneida Street between Franklin and Washington Streets shall be exempt from this section. In addition, this section is subject to the requirements of Sec. 101.123(4m), Stats. and shall only apply to public property within the area described herein.



138-24

AN ORDINANCE AMENDING SECTION 6-56(b)(2) OF CHAPTER 6 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO ADOPTION OF CODES AND STANDARDS.

(Safety and Licensing Committee – 10-02-2024)

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

Section 1: That Section 6-56(b)(2) of Chapter 6 of the Municipal Code of the City of Appleton, relating to adoption of codes and standards, is hereby amended to read as follows:

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

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

- (2) Appendices B, C, D, F, I, and N are specifically adopted as part of the adoption of the 2021 IFC.

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