



City of Appleton

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

Meeting Agenda - Final Finance Committee

Monday, February 20, 2023

5:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[23-0169](#) Finance Committee minutes

Attachments: [MeetingMinutes Feb-6-2023.pdf](#)

4. Public Hearings/Apearances

5. Action Items

[23-0156](#) Request to approve Acceptance of Federal Transit Administration FY 2021 American Rescue Plan Act (ARP) grants of \$3,370,750 and \$32,147 and Coronavirus Response and Relief Supplemental Appropriations Act (CRSSAA) grant of \$32,146 (also appears on the Fox Cities Transit Commission agenda as an action item)

Attachments: [ARPA - CRSSAA Grant Acceptance memo.pdf](#)

[23-0158](#) Request to approve Submittal of Applications for Fiscal Year 2023 Federal 5339 (b) Funds for \$12,000,000 for the Whitman Facility Remodel Phase 2 and \$25,254,700 for the Downtown Appleton Joint Development Project (also appears on the Fox Cities Transit Commission agenda as an action item)

Attachments: [FCTC 5339 Grant application memo 2023.pdf](#)

[23-0170](#) Request to approve Finance Committee Report 1-P-23 for Concrete Pavement, Sidewalk Construction and Driveway Aprons.

Attachments: [Report 1-P-23.pdf](#)

[23-0172](#) Request to approve Finance Committee Report 2-P-23 for Sanitary Laterals, Storm Laterals and Storm Main.

Attachments: [Report 2-P-23.pdf](#)

[23-0173](#) Request to award Unit Y-23 Lead/Galvanized Water Service Replacement to Scott Lamers Construction, LLC in an amount not to exceed \$500,000.

Attachments: [Unit Y-23.pdf](#)

[23-0174](#) Request to approve Bulkley Dunton Publishing Group's request for refund of 2022 personal property taxes, located at 3120 N Marshall Rd, Appleton, WI (parcel 31-1-99-1219-10)

Attachments: [Request for refund of personal property taxes.pdf](#)

[23-0066](#) Request to award the 2023 Vosters Park Redevelopment Project contract to Triple P Inc, dba Peters Concrete Co. in the amount of \$97,000 with a 15% contingency of \$14,550, for a project total not to exceed \$111,550.

Attachments: [Vosters Park Redevelopment Project.pdf](#)

Legislative History

1/23/23	Finance Committee	held
		<i>Motion to hold for 2 weeks or to next scheduled meeting.</i>
2/6/23	Finance Committee	held
		<i>Hold to next scheduled meeting.</i>

6. Information Items

[23-0175](#) A donation of \$500,000 was given to the City of Appleton for the construction of a new eight-court Pickleball Complex at Telulah Park. Construction Contract 21-22 was issued to Northeast Asphalt in the amount of \$484,862 for the Pickleball Complex construction. A change order of \$101,690 was added to cover lighting, shade structures and furniture. Poor subsoils were discovered during excavation which required \$27,592.96 in excavation and additional base, for a contract total of \$614,144.96. The new courts are complete. Payments to date total \$569,187.71 Request to issue the final payment of \$44,957.25.

7. Adjournment

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

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

Any questions regarding this agenda, please contact Jeri Ohman at (920) 832-5742.



City of Appleton

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

Meeting Minutes Finance Committee

Monday, February 6, 2023

5:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 5:30pm.

2. Roll call of membership

Present: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

3. Approval of minutes from previous meeting

[23-0119](#)

Finance Committee minutes

Attachments: [MeetingMinutes Jan-23-2023.pdf](#)

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

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

4. **Public Hearings/Appearances**

5. **Action Items**

[23-0061](#)

Request to sole source contract to Parker Coatings for Fire Station #1 rig room floor epoxy in the amount of \$40,674 with a 10% contingency of \$4,068, for a project total not to exceed \$44,742.

Attachments: [Floor Coating Sole Source.pdf](#)
[Sole source request form.pdf](#)

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

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

[23-0066](#)

Request to award the 2023 Vosters Park Redevelopment Project contract to Triple P Inc, dba Peters Concrete Co. in the amount of \$97,000 with a 15% contingency of \$14,550, for a project total not to exceed \$111,550.

Attachments: [Vosters Park Redevelopment Project.pdf](#)

Hold to next scheduled meeting.

Meltzer moved, seconded by Fenton, that the Report Action Item be held. Roll Call. Motion carried by the following vote:

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

[23-0120](#)

Request to award the 2023 V-Building Painting Project contract to SDS Painting Co, Inc. in the amount of \$86,330 with a contingency of \$10,000 for a project total not to exceed \$96,330.

Attachments: [2023 AWWTP V-Building Painting Project.pdf](#)

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

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

[23-0121](#)

Request to award the 2023 Telulah Park Hardscapes Reconstruction Project contract to Northeast Asphalt, Inc., in the amount of \$166,499.50 with a contingency of \$32,000 for a project total not to exceed \$198,499.50.

Attachments: [2023 Telulah Park Hardscape Renovation Project.pdf](#)

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

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

[23-0122](#)

Request to award the 2023 Water Plant Park Hardscapes Reconstruction Project contract to Northeast Asphalt, Inc., in the amount of \$522,443.10 with a 15% contingency of \$78,366.47 for a project total not to exceed \$600,809.57.

Attachments: [2023 Water Plant Hardscape Renovation Project.pdf](#)

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

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

[23-0124](#)

Request to award Unit W-23 Sewer & Watermain Reconstruction No. 1 to Superior Sewer & Water, Inc. in the amount of \$2,222,221 with a 3.4% contingency of \$75,000 for a project total not to exceed \$2,297,221 .

Attachments: [Award of Contract Unit W-23.pdf](#)

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

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

[23-0127](#)

Request to approve the following 2022 Budget amendment:

General Fund - Police

Donation	+\$12,374
Other Contract & Obligations	+\$12,374

to record funds from Community Foundation for the Fox Valley Region, for the Appleton Police K9 Program to reimburse veterinary expenses.

Attachments: [2022 K9 Budget Adjustment.pdf](#)

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

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

[23-0128](#)

Request to approve the following 2022 Budget amendment:

Police Grants Fund

Federal Grants	+\$ 14,891
State Grants	+\$126,786
Local Grants	+\$ 5,499
Overtime	+\$104,102
Training	+\$ 7,443
Protective Clothing	+\$ 591
Equipment	+\$ 35,040

to record additional grant funds awarded during 2022 for various police initiatives

Attachments: [2022 Grant budget adjustment.pdf](#)

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

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton

6. Information Items

[23-0123](#)

Legal Services Reorganization (appears in the Human Resources/Information Technology Committee agenda as an action item)

Attachments: [HR-IT - Reorganization Memo 2-2-23.pdf](#)
[Legal Services Draft 1-19-23.pdf](#)
[City Clerk Deputy Dir Admin Services 2023.pdf](#)
[Administrative Services Lead 2023.pdf](#)
[Elections Clerk 2023 \(002\).pdf](#)

This item was presented.

[23-0129](#)

Contract 83-22 was awarded to Northern Pipe, Inc. for \$120,000 for Sanitary and Storm Sewer Spot Repairs. Payments issued to date total \$113,316. Request final payment of \$6,664.

This item was presented.

7. Adjournment

**Siebers moved, seconded by Fenton, that this meeting be adjourned. Roll Call.
Motion carried by the following vote:**

Aye: 5 - Meltzer, Siebers, Firkus, Van Zeeland and Fenton



MEMORANDUM

TO: Fox Cities Transit Commission
City of Appleton Finance Committee
City of Appleton Common Council

FROM: Ron McDonald, General Manager

DATE: February 15, 2023

Subject: Acceptance of Federal Transit Administration FY 2021 American Rescue Plan Act (ARP) grants of \$3,370,750 and \$32,147 and Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) grant of \$32,146.

BACKGROUND

The American Rescue Plan Act of 2021 (ARP) included \$30.5 billion federal funding to support the nation's public transportation systems as it continued to respond to the COVID-19 pandemic. This funding is an Urbanized Area Formula Funding program that makes federal resources available for transit capital and operating assistance in urbanized areas with a population of 50,000 or more. The ARP funding is Section 5307 Urbanized Area funds with a Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities component. Funding is provided at 100-percent federal share, with no local match required.

The Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) of 2021 included \$14 billion in supplemental appropriations for COVID-19 relief to support the transit industry during the public health emergency. This funding supports expenses traditionally eligible under the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program. The supplemental funding is provided at 100-percent federal share, with no local match required.

Valley Transit received apportionments in the following amounts:

- \$3,370,750 Section 5307 Urbanized Area, ARP funds
- \$32,147 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities, ARP funds
- \$32,146 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities, CRRSAA funds

Valley Transit is allowed to use the funds for capital and operating projects. We intend to use the funds for capital projects included in the 2023 budget with any remaining funds put towards approved projects in the 2024 budget.

RECOMMENDATION

Recommend acceptance of the Federal Transit Administration FY 2021 American Rescue Plan Act Section 5307 and Section 5310 funding.

Recommend acceptance of Federal Transit Administration FY 2021 Coronavirus Response and Relief Supplemental Appropriations Act Section 5310 funding.



February 14, 2023

To: Fox Cities Transit Commission & Finance Committee

From: Ronald C. McDonald, General Manager

Subject: Applications to Federal Transit Administration (FTA) Bus and Bus Facilities capital grant for \$12,000,000 and \$25,254,700.

Background:

The Bus & Bus Facilities Program (49 U.S.C. 5339b) is a competitive grant that makes federal funding available for bus and bus facility capital projects. Eligible recipients include designated recipients that operate fixed route bus service such as Valley Transit.

Valley Transit is seeking authority to apply for funding under this annual program for the Whitman Avenue Facility Renovation Project and Downtown Appleton Regional Multimodal Joint Development Project. The FTA provides these funds as an 80/20 grant; 80% grant funded and 20% local match. The local share can consist of a combination of other allowable grant funds, revenues, in-kind contributions and Valley Transit's local partner contributions through the depreciation fund. The costs associated with each project under this grant are as follows:

<u>Whitman Ave Facility Renovation (Phase 2)</u>	
80% funding from FTA:	\$9,600,000
20% local match:	\$2,400,000
Total eligible project cost:	\$12,000,000

<u>Downtown Appleton Joint Development Project</u>	
80% funding from FTA:	\$20,203,760
20% local match:	\$5,050,940
Total eligible project cost:	\$25,254,700

Recommendation:

Approve submittal of applications for Fiscal Year 2023 Federal 5339 (b) funds in the amounts of \$12,000,000 for the Whitman Facility and \$25,254,700 for the Downtown Appleton Joint Development Project.

REPORT OF THE FINANCE COMMITTEE

PROJECT LIMITS:

1-P-23

CONCRETE PAVEMENT, SIDEWALK CONSTRUCTION AND DRIVEWAY APRONS

- Amethyst Dr (Bluetopaz Dr to Aquamarine Dr)
- Amethyst Dr (Providence Ave (w/o) to Bluetopaz Dr)
- Bluetopaz Dr (Providence Ave (w/o) to Amethyst Dr)

In accordance with the preliminary resolution of the Common Council dated March 1, 2023, we herewith submit our report on the assessment of benefits on the above named construction.

This report consists of the following:

Schedule A - Preliminary plans and specifications on file in the office of the Director of Public Works.

Schedule B - The total cost within the project limits in accordance with the plans and specifications in Schedule A is **\$4,882,046.**

Schedule C - Proposed Assessments. The properties included within the project limits are benefited and the work or improvements constitute an exercise of the police power. The total value of assessments is **\$378,143.**

Finance Committee

REPORT OF THE FINANCE COMMITTEE

PROJECT LIMITS:

2-P-23

SANITARY LATERALS, STORM LATERALS AND STORM MAIN

- Alice St (Drew St to Union St)
- Linwood Ave (College Ave to Summer Ave)
- Rankin St (College Ave to Alton St)
- Summit St (Packard St to Elsie St)
- Summit St (Prospect Ave to Fourth St)

In accordance with the preliminary resolution of the Common Council dated March 1, 2023, we herewith submit our report on the assessment of benefits on the above named construction.

This report consists of the following:

Schedule A - Preliminary plans and specifications on file in the office of the Director of Public Works.

Schedule B - The total cost within the project limits in accordance with the plans and specifications in Schedule A is **\$977,710.**

Schedule C - Proposed Assessments. The properties included within the project limits are benefited and the work or improvements constitute an exercise of the police power. The total value of assessments is **\$160,680.**

Finance Committee

CITY OF APPLETON
Department of Public Works
MEMORANDUM

TO: **Finance Committee**
 Municipal Services Committee
 Utilities Committee

SUBJECT: Award of Contract

The Department of Public Works recommends that the following described work:
Unit Y-23 Lead/Galvanized Water Service Replacement

Be awarded to:

Name: Scott Lamers Construction, LLC
Address: W4527 County Road KK
Kaukauna, WI 54130

In the amount of : _____

With a _____ **% contingency of :** _____

For a project total not to exceed : _____

**** OR ****

In an amount Not To Exceed : _____ **\$500,000.00**

Budget: _____ \$500,000.00
Estimate: _____ \$500,000.00
Committee Date: _____ 02/20/23
Council Date: _____ 03/01/23

Bid Tabulation**Y-23 Lead & Galvanized Water Service Line Replacement**

02/06/2023 01:45 PM CST

Bid Item	Item Description	Quantity	Unit	Scott Lamers Costuction LLC		Alfson Excavating LLC	
				Unit Price	Item Total	Unit Price	Item Total
1	Pre-construction Interior Inspection / Coordination with Property Owner	120	Each	\$50.00	\$6,000.00	\$200.00	\$24,000.00
2	1" Water Service Replacement (Trenchless)	4320	Lin. Ft.	\$3.00	\$12,960.00	\$4.50	\$19,440.00
3	1-1/2" Water Service Replacement (Trenchless)	100	Lin. Ft.	\$10.00	\$1,000.00	\$10.00	\$1,000.00
4	Service Connection (Interior - at meter)	122	Each	\$2,200.00	\$268,400.00	\$1,500.00	\$183,000.00
5	Service Connection (At curb stop, including new curb box and stem)	120	Each	\$250.00	\$30,000.00	\$1,400.00	\$168,000.00
6	Re-ground Building Electrical Service	120	Each	\$410.00	\$49,200.00	\$300.00	\$36,000.00
7	Reinstall Water Meter to Horizontal Orientation	75	Each	\$100.00	\$7,500.00	\$150.00	\$11,250.00
8	Type "D" Inlet Protection	10	Each	\$50.00	\$500.00	\$10.00	\$100.00
9	Remove and Replace 4" Concrete Sidewalk	250	Sq. Ft.	\$16.50	\$4,125.00	\$11.00	\$2,750.00
10	Remove and Replace 5" Concrete Sidewalk / Driveway Apron	100	Sq. Ft.	\$16.50	\$1,650.00	\$12.00	\$1,200.00
11	Temporary Traffic Control	1	Lump Sum	\$6,700.00	\$6,700.00	\$6,000.00	\$6,000.00
12	Aggregate Slurry Backfill	75	Cu. Yd.	\$165.00	\$12,375.00	\$110.00	\$8,250.00
13	Removal of Contaminated Soils	10	Cu. Yd.	\$50.00	\$500.00	\$110.00	\$1,100.00
				\$400,910.00		\$462,090.00	

Bid Tabulation**Y-23 Lead & Galvanized Water Service Line Replacement**

02/06/2023 01:45 PM CST

Bid Item	Item Description	Quantity	Unit	Van Rite Plumbing Inc.		David Tenor Corporation	
				Unit Price	Item Total	Unit Price	Item Total
1	Pre-construction Interior Inspection / Coordination with Property Owner	120	Each	\$150.00	\$18,000.00	\$115.00	\$13,800.00
2	1" Water Service Replacement (Trenchless)	4320	Lin. Ft.	\$5.00	\$21,600.00	\$5.00	\$21,600.00
3	1-1/2" Water Service Replacement (Trenchless)	100	Lin. Ft.	\$10.00	\$1,000.00	\$5.00	\$500.00
4	Service Connection (Interior - at meter)	122	Each	\$350.00	\$42,700.00	\$350.00	\$42,700.00
5	Service Connection (At curb stop, including new curb box and stem)	120	Each	\$2,500.00	\$300,000.00	\$3,000.00	\$360,000.00
6	Re-ground Building Electrical Service	120	Each	\$450.00	\$54,000.00	\$300.00	\$36,000.00
7	Reinstall Water Meter to Horizontal Orientation	75	Each	\$150.00	\$11,250.00	\$75.00	\$5,625.00
8	Type "D" Inlet Protection	10	Each	\$10.00	\$100.00	\$90.00	\$900.00
9	Remove and Replace 4" Concrete Sidewalk	250	Sq. Ft.	\$12.50	\$3,125.00	\$13.50	\$3,375.00
10	Remove and Replace 5" Concrete Sidewalk / Driveway Apron	100	Sq. Ft.	\$13.50	\$1,350.00	\$14.00	\$1,400.00
11	Temporary Traffic Control	1	Lump Sum	\$3,500.00	\$3,500.00	\$2,500.00	\$2,500.00
12	Aggregate Slurry Backfill	75	Cu. Yd.	\$105.00	\$7,875.00	\$120.00	\$9,000.00
13	Removal of Contaminated Soils	10	Cu. Yd.	\$0.01	\$0.10	\$35.00	\$350.00
				\$464,500.10		\$497,750.00	

Bid Tabulation**Y-23 Lead & Galvanized Water Service Line Replacement**

02/06/2023 01:45 PM CST

Bid Item	Item Description	Quantity	Unit	M & E Construction LLC		MRJ Inc DBA Joski Sewer	
				Unit Price	Item Total	Unit Price	Item Total
1	Pre-construction Interior Inspection / Coordination with Property Owner	120	Each	\$150.00	\$18,000.00	\$75.00	\$9,000.00
2	1" Water Service Replacement (Trenchless)	4320	Lin. Ft.	\$5.00	\$21,600.00	\$2.00	\$8,640.00
3	1-1/2" Water Service Replacement (Trenchless)	100	Lin. Ft.	\$8.00	\$800.00	\$2.00	\$200.00
4	Service Connection (Interior - at meter)	122	Each	\$350.00	\$42,700.00	\$3,250.00	\$396,500.00
5	Service Connection (At curb stop, including new curb box and stem)	120	Each	\$3,000.00	\$360,000.00	\$820.00	\$98,400.00
6	Re-ground Building Electrical Service	120	Each	\$400.00	\$48,000.00	\$350.00	\$42,000.00
7	Reinstall Water Meter to Horizontal Orientation	75	Each	\$250.00	\$18,750.00	\$100.00	\$7,500.00
8	Type "D" Inlet Protection	10	Each	\$50.00	\$500.00	\$125.00	\$1,250.00
9	Remove and Replace 4" Concrete Sidewalk	250	Sq. Ft.	\$15.00	\$3,750.00	\$14.00	\$3,500.00
10	Remove and Replace 5" Concrete Sidewalk / Driveway Apron	100	Sq. Ft.	\$18.00	\$1,800.00	\$14.00	\$1,400.00
11	Temporary Traffic Control	1	Lump Sum	\$10,000.00	\$10,000.00	\$35,000.00	\$35,000.00
12	Aggregate Slurry Backfill	75	Cu. Yd.	\$120.00	\$9,000.00	\$88.00	\$6,600.00
13	Removal of Contaminated Soils	10	Cu. Yd.	\$50.00	\$500.00	\$90.00	\$900.00
				\$535,400.00		\$610,890.00	

Bid Tabulation**Y-23 Lead & Galvanized Water Service Line Replacement**

02/06/2023 01:45 PM CST

Bid Item	Item Description	Quantity	Unit	Wood Sewer & Excavating		Mid City Corporation	
				Unit Price	Item Total	Unit Price	Item Total
1	Pre-construction Interior Inspection / Coordination with Property Owner	120	Each	\$350.00	\$42,000.00	\$500.00	\$60,000.00
2	1" Water Service Replacement (Trenchless)	4320	Lin. Ft.	\$6.00	\$25,920.00	\$15.00	\$64,800.00
3	1-1/2" Water Service Replacement (Trenchless)	100	Lin. Ft.	\$12.00	\$1,200.00	\$100.00	\$10,000.00
4	Service Connection (Interior - at meter)	122	Each	\$664.00	\$81,008.00	\$1,750.00	\$213,500.00
5	Service Connection (At curb stop, including new curb box and stem)	120	Each	\$3,550.00	\$426,000.00	\$2,500.00	\$300,000.00
6	Re-ground Building Electrical Service	120	Each	\$500.00	\$60,000.00	\$550.00	\$66,000.00
7	Reinstall Water Meter to Horizontal Orientation	75	Each	\$148.00	\$11,100.00	\$300.00	\$22,500.00
8	Type "D" Inlet Protection	10	Each	\$127.00	\$1,270.00	\$100.00	\$1,000.00
9	Remove and Replace 4" Concrete Sidewalk	250	Sq. Ft.	\$11.00	\$2,750.00	\$15.00	\$3,750.00
10	Remove and Replace 5" Concrete Sidewalk / Driveway Apron	100	Sq. Ft.	\$12.00	\$1,200.00	\$15.00	\$1,500.00
11	Temporary Traffic Control	1	Lump Sum	\$35,000.00	\$35,000.00	\$35,000.00	\$35,000.00
12	Aggregate Slurry Backfill	75	Cu. Yd.	\$178.00	\$13,350.00	\$100.00	\$7,500.00
13	Removal of Contaminated Soils	10	Cu. Yd.	\$51.00	\$510.00	\$1,000.00	\$10,000.00
				\$701,308.00		\$795,550.00	



SMITH+HOWARD
CPAs and Advisors

OFFICE OF CITY CLERK
FILED

JAN 30 2023

January 24, 2023

City of Appleton
100 N. Appleton Street
Appleton, WI 54911
Attn: Kami Lynch

APPLETON, WISCONSIN

Dear Kami,

We are writing this memo to inform you of the unlawful claim that we would like to file for Parcel # 31199121910 located at 3120 North Marshall Rd. This location has been closed since July 13, 2019. Attached please find the payment for the 2022 taxes and a copy of the lease agreement showing the terms of the lease on the property. We are requesting a refund for the 2022 taxes paid. The following is summary of the requested refund:

- Parcel # 31199121910
- 2022 Tax Paid: \$43.74
- Amount of Refund: \$43.74

If you have any questions, please contact me at 954.203.1776.

Respectfully,

Shawn Schaffman
Manager, Property Tax
Smith & Howard, PC

SIXTH AMENDMENT TO LEASE AGREEMENT

THIS SIXTH AMENDMENT TO LEASE AGREEMENT (this "Amendment") is made effective as of December 14, 2018 (the "Effective Date"), by and between GFP OUTAGAMIE, LLC (the successor in interest to Appleton Venture I, L.P. and Goldberg Family Partnership, L.P.) ("Landlord"), and Veritiv Operating Company (f/k/a Unisource Worldwide, Inc.) ("Tenant").

RECITALS:

A. Appleton Venture I, L.P., as predecessor in interest to Landlord, and Tenant previously entered into that certain Lease Agreement, dated June 22, 1995, as amended by Lease Renewal and Modification Agreement, dated March 28, 2005, as further amended by letter dated January 8, 2007 from Tenant to Landlord, as further amended by letter dated July 13, 2008, as further amended by Second Lease Renewal and Modification Agreement, dated November 30, 2007, as further amended by Third Lease Renewal and Modification Agreement, dated April 15, 2011, as further amended by Fourth Lease Renewal and Modification Agreement, dated June 28, 2013, as further amended by Fifth Amendment to Lease Agreement, dated January 8, 2018 (collectively, the "Lease"), for the premises located at 3120 North Marshall Road, Appleton, Wisconsin and containing approximately 105,200 square feet of office and warehouse space (the "Leased Premises") as more particularly described in the Lease.

B. The Term of the Lease currently expires on July 13, 2019.

C. Landlord and Tenant mutually desire to modify the Lease on the terms and provisions set forth herein.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Defined Terms. Unless otherwise stated, the defined terms used in this Amendment shall have the meaning given them in the Lease.

2. Extension of Lease Term. The expiration of the Lease Term is hereby extended from July 13, 2019 to August 31, 2019 (the "Extension Term").

3. Minimum Rent During Extension Term. The Minimum Rent for the Extension Term shall be \$4.25 per square foot, as set forth in the below schedule:

<u>Time Period</u>	<u>Minimum Rent (per Month)</u>
July 14, 2019 to August 31, 2019	\$37,258.33

4. Tenant's Maintenance, Repair and Replacement Obligations. In connection with the peaceful return and surrender of the Leased Premises by Tenant to Landlord upon the

expiration of the Extension Term, Tenant and Landlord agree that Landlord, or its agents, shall be permitted to enter into and inspect the Leased Premises in order to analyze and determine its then existing condition and repair in connection with Tenant's responsibilities under the Lease. In accordance with the existing provisions of the Lease, Tenant further affirms and agrees that it is responsible for those maintenance, repair and replacement obligations of the Leased Premises contained in Section 8(a) of the Lease or elsewhere in the Lease, including but not limited to, the electrical systems, heating and air conditioning systems, plate glass, windows and doors, sprinklers, plumbing and sewage systems and facilities, fixtures, interior walls, floor coverings, ceilings, all electrical facilities and equipment, exterior landscaping, sidewalks and parking lot.

5. Estoppel. Tenant acknowledges and agrees that Landlord is not in default or in breach of its obligations under the Lease. Tenant acknowledges and agrees to Tenant's actual knowledge, Tenant has no existing claims, actions, defenses, or rights to assert an offset against obligations owed to Landlord under the Lease. The Landlord under the Lease has performed all of its construction, maintenance and repair obligations required to date under the Lease. Landlord to its current actual knowledge, acknowledges and agrees that (a) Tenant is not in default or in breach of Tenant's obligations under the Lease, (b) Landlord has no existing claims, actions, defenses, or rights to assert an offset against obligations owed to Tenant under the Lease and (c) Tenant has performed all of its obligations required to date under the Lease.

6. Brokers. Landlord represents and warrants to Tenant that Landlord has not engaged any broker in connection with this Amendment. Tenant represents and warrants to Landlord that, other than CBRE, Inc. ("Broker"), Tenant has not engaged any other broker in connection with this Amendment (provided that Broker is not entitled to a fee or commission in regard to this Amendment as it waived such fee or commission). Each party indemnifies and holds the other party harmless in connection with any other broker or finder claiming that such broker or finder is entitled to a fee in connection with this Amendment.


7. Lease to Remain in Effect; Ratification; Successors; Counterparts. The Lease, as herein amended, shall remain in full force and effect in accordance with the terms thereof. The provisions of this Amendment shall inure to the benefit of and be binding upon the parties hereto, their successors and assigns. This Amendment may be executed in one or more counterparts.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Amendment to be effective as of the Effective Date.


LANDLORD:

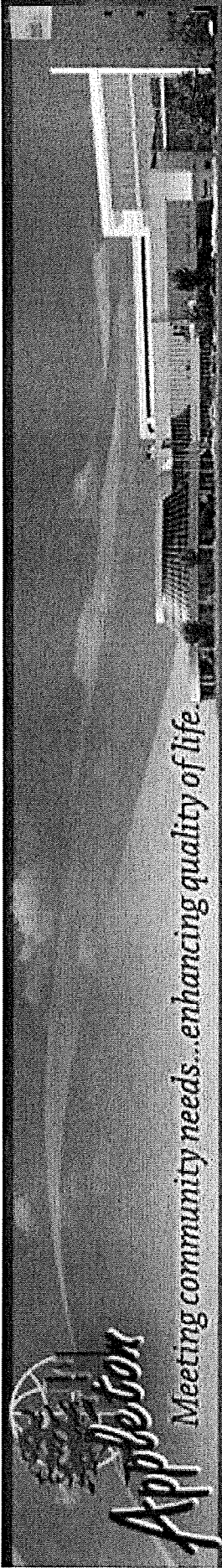
GFP OUTAGAMIE, LLC

By: 
Lynn K. Intrater, Manager

TENANT:

Veritiv Operating Company

By: 
Print: Paul M. Radomski
Its: Vice President - Real Estate



Step 1: Search Your Bills Step 2: Select Payments Step 3: Review and Submit Step 4: Confirmation and Receipt

Step 1: Search Your Bills

Welcome to your payment page; this page is hosted by Point & Pay.
Begin by searching for your bills here, then proceed to the next step to make your payment.

Select Payment Type:

Taxes ▼

Option 1

Parcel Number: *
31199121910

OR

Option 2

Installment:	PERS
Parcel Number:	31199121910
Amount Due:	\$43.74
Due Date:	01/31/2023
Tax Amount:	\$43.74
Address:	3120 N MARSHALL RD
Tax Year:	2022
Middle Initial:	
Customer Last Name:	BULKLEY DJUNTON PUBLISHING GROUP
Interest Amount:	\$0.00
Customer First Name:	



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

**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

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

TO: Finance Committee

FROM: Dean R. Gazza

DATE: February 23, 2023

RE: Action: Award the 2023 Vosters Park Redevelopment Project contract to Triple P Inc. dba Peters Concrete Company in the amount of \$97,000 with a 15% contingency of \$14,550 for a project not to exceed \$111,550.

The 2021 excess fund balance approved by council includes \$150,000 for the redevelopment of Vosters Park. Work includes removal of wooded area, filling the site, and restoration. Construction is anticipated to be completed by June, 2023.

The bids were received as follows:

Triple P Inc. dba Peters Concrete Company	\$97,000.00
Vinton Construction Company	\$128,500.00
Tom Van Handel Corporation	\$146,064.00
Northeast Asphalt, Inc.	\$178,575.00
Superior Sewer and Water, Inc.	\$178,579.20

Our consulting engineer has written the City of Appleton a formal letter of recommendation to award the contract to Triple P Inc. dba Peters Concrete Company. Therefore, the Parks, Recreation, and Facilities Management Department recommends awarding the contract to Triple P Inc. dba Peters Concrete Company in the amount of \$97,000 with a 15% contingency of \$14,550 for a project not to exceed \$111,550.

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