



CITY OF APPLETON

MEMORANDUM

Date: September 10, 2025
To: Community Development Committee
From: Kara Homan, AICP, Director of Community Development
Lily Paul, Economic Development Specialist
Subject: Approval of an Offer to Purchase City-owned Parcel #31-5-1056-00 from the Fox Cities PAC, LLC

Fox Cities PAC, LLC (hereinafter PAC) has submitted an offer to purchase for parcel 31-5-1056-00 (exhibit attached) which is the property directly north of the PAC site. The Fox Cities Performing Arts Center, Inc. currently leases the property from the City for parking use. The current lease is \$1 annually, in which the PAC assumes maintenance and operations of the site. The initial lease began in 2002 and was updated in 2009. The City currently pays \$2,975 in annual Stormwater Utility Fees for this site.

This offer to purchase comes with a purchase price of \$1, with the PAC assuming all closing costs. Gaining control of this property is in the best interest of the PAC due to the proximity and long-term operational needs of the PAC. The sale is also advantageous to the City. The initial development of the Fox Cities Performing Arts Center and its continued operations in Downtown Appleton contribute to the vitality and health of the central business district and City of Appleton as a whole. The terms and conditions provided within this offer to purchase and the City's past and current involvement with the development and operations of the PAC has a public benefit and clear alignment with the City's Comprehensive Plan objectives and recommendations:

- 8.4 OBJECTIVE: Support the organizations, events, and venues that make Appleton the arts and cultural center of the Fox Cities.
 - o 8.4.2 Partner with other agencies and organizations to ensure the availability of adequate event space and logistical services to facilitate cultural and related events within the community.

In addition, the sale will result in the assumption of the Stormwater Utility Fees by the PAC, removing this annual liability from the City's balance sheet.

As part of the terms of the offer to purchase, the City will initially conduct environmental assessments, which will be paid by state and/or federal grants. The results of these tests will determine if the City and PAC will mutually agree to either leave the site as is or, if warranted or required by WDNR, pursue remediation funded through state and/or federal grants. Full details of the terms and conditions related to environmental investigation and potential remediation can be found in the Additional Provisions / Contingencies section of the Offer to Purchase.

The City will only aid through grant opportunities related to environmental assessment and, if warranted, environmental cleanup. In the small chance that any remaining remediation exceeds grants awarded to the City, the PAC will indemnify the City.

RECOMMENDATION

The City of Appleton to accept and **APPROVE** the Offer to Purchase from Fox Cities PAC, LLC for Parcel 31-5-1056-00 at a purchase price of \$1, subject to Common Council approval of the land disposition.