



City of Appleton

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

Meeting Agenda - Final Finance Committee

Monday, June 12, 2017

5:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

2. Roll call of membership

3. Approval of minutes from previous meeting

[17-836](#)

May 22, 2017 Finance Committee minutes

Attachments: [MeetingMinutes22-May-2017-02-52-19.pdf](#)

4. **Public Hearings/Apearances**

5. **Action Items**

[17-839](#)

Request to approve the Kurey Ridge Agreement regarding trail and storm sewer easements, roadway dedication, and stormwater management contribution of \$22,146.

Attachments: [Kurey Ridge Agreement.pdf](#)

[17-874](#)

Request to approve payment to von Briesen & Roper, S.C. for real estate services performed under the "Hourly Services" provision of the Phase III agreement related to the construction of the Fox Cities Exhibition Center and approve the following related 2017 Budget adjustment:

Exhibition Center Capital Projects Fund

Consulting Services	+\$15,765
Debt Proceeds/Room Tax	+\$15,765

to provide funding for real estate services related to the construction of the Fox Cities Exhibition Center (2/3 vote required).

Attachments: [von Briesen Bill 5-17-17.pdf](#)

[17-876](#)

Request to approve Contract Amendment/Change Order No. 1 to contract 8-17 for Unit CC-17 Bridge Maintenance to increase for additional quantities of concrete deck repairs in the amount of \$20,000 resulting in no change to contingency. Overall contract increased from \$192,925 to \$212,925.

Attachments: [Unit CC-17 Contract Amendment-Change Order No.1.pdf](#)

[17-877](#)

Request to approve Contract Amendment/Change Order No. 2 to contract 9-17 for Unit U-17 Sewer and Water Reconstruction No. 2 to increase for additional water main and sanitary sewer items added to scope of work by the City in the amount of \$14,121 resulting in a decrease to contingency from \$74,003 to \$68,347. Overall contract increased from \$2,472,520 to \$2,480,985.

Attachments: [Unit U-17 Contract Amendment-Change Order No.2.pdf](#)

[17-146](#)

Resolution introduced by Alderperson Siebers at the February 1, 2017 Common Council meeting relating to changes to Special Assessment Policy:

#1-R-17 - Siebers

Changes to Special Assessment Policy

WHEREAS, the Common Council deems it in the best interest of the City of Appleton to adopt policies relating to special assessments,

WHEREAS, the Common Council intends that these policies provide general and fair guidelines for addressing assessments in Appleton,

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Appleton, WI that the following language be added under the "All other zoning" column to the special assessment policies; "All other zone classifications (1 and 2 Family Use Apply Residential Zones Rate)" Adding this language would allow R1 and R2 zoned properties in any other zoned area to be assessed the rate of single family and two family residents.

Legislative History

2/7/17

Finance Committee

held

6. Information Items

- [17-837](#) Contract 22-17 was awarded to ASTI Sawing, Inc. for \$30,000 for Concrete Sidewalk Sawcutting. Payments issued to date total \$17,045.52. Request final payment of \$12,954.48.
- [17-838](#) Contract 66-16 was awarded to TLC Sign for the replacement of the Appleton Memorial Park Sign in the amount of \$39,994.83 with no contingency. No change orders were issued. Request to issue the final contract payment of \$39,994.83.
- Attachments:** [2017 AMP Sign and Message Center.pdf](#)
- [17-840](#) Contract 57-16 was awarded to Insituform Technologies USA, LLC for \$121,131.50 with a contingency of \$12,000 for Sanitary & Storm Sewer Lining. Payments issued to date total \$101,044.80. Request final payment of \$8,786.50.
- [17-841](#) Contract 58-16 was awarded to Cardinal Construction Company, Inc. for the 2016 Wastewater D-Building Lab Remodel in the amount of \$104,765 with a contingency of \$5,000. One change order was issued in the amount of \$4,931. Payments to date total \$107,713.40. Request to issue the final contract payment of \$1,982.60.
- Attachments:** [2016 Wastewater D-Building Lab Remodel Final Payment.pdf](#)
- [17-843](#) Internal Grant Management Policies and Procedures Manual
- Attachments:** [Grant Administration Procedures- May 2017 proposed.pdf](#)
- [17-847](#) Role of Library Board and Common Council in Library Building Construction
- [17-875](#) The following 2017 Budget adjustments were approved by the Mayor and Finance Director in accordance with Policy:

General Fund - Library

Reimbursements - Friends of the Library	+\$17,000
Administration Expenses	+\$2,700
Children's Services Expenses	+\$6,000
Community Partnership Expenses	+\$7,000
Materials Management Expenses	+\$800
Network Services Expenses	+\$500

to record funds received from the Friends of the Appleton Public Library

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.

For questions regarding this agenda, please contact Tony Saucerman at (920) 832-6440.



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
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Meeting Minutes Finance Committee

Monday, May 22, 2017

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 - Alderperson Plank, Alderperson Lobner, Alderperson Siebers, Alderperson Croatt and Alderperson Baranowski

3. Approval of minutes from previous meeting

[17-767](#)

May 8, 2017 Finance Committee minutes

Attachments: [MeetingMinutes08-May-2017-10-05-29.pdf](#)

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

Aye: 5 - Alderperson Plank, Alderperson Lobner, Alderperson Siebers, Alderperson Croatt and Alderperson Baranowski

4. Public Hearings/Appearances

5. Action Items

[17-768](#)

Request to award Unit E-17 Miscellaneous Concrete & Street Excavation Repair to Fischer-Ulman Construction, Inc. in the amount of \$505,406 with a 5% contingency of \$25,270 for a project total not to exceed \$530,676.

Attachments: [Award of Contract Unit E-17.pdf](#)

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

Aye: 5 - Alderperson Plank, Alderperson Lobner, Alderperson Siebers, Alderperson Croatt and Alderperson Baranowski

[17-769](#)

Request to award Unit J-17 Mini Storm Sewer Construction to Vanco Construction, Inc. in an amount not to exceed \$200,000.

Attachments: [J-17 memo.pdf](#)
 [J-17.pdf](#)

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

Aye: 5 - Aldersperson Plank, Aldersperson Lobner, Aldersperson Siebers, Aldersperson Croatt and Aldersperson Baranowski

[17-770](#)

Request to approve Intergovernmental Agreement with Outagamie County for the purchase of election equipment in 2018.

Attachments: [C. Appleton Letter.pdf](#)
 [IGA_C Appleton.pdf](#)

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

Aye: 5 - Aldersperson Plank, Aldersperson Lobner, Aldersperson Siebers, Aldersperson Croatt and Aldersperson Baranowski

[17-782](#)

Request to award the 2017 Municipal Services Building lighting upgrades project to Northern Electric, Inc. in the amount of \$55,061 with a contingency of \$10,000 for a project total not to exceed \$65,061.

Attachments: [2017 MSB Lighting Replacement.pdf](#)

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

Aye: 5 - Aldersperson Plank, Aldersperson Lobner, Aldersperson Siebers, Aldersperson Croatt and Aldersperson Baranowski

[17-790](#)

Approval of Gold Cross Agreement to use TRIP to collect unpaid bills.

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

Aye: 5 - Aldersperson Plank, Aldersperson Lobner, Aldersperson Siebers, Aldersperson Croatt and Aldersperson Baranowski

[17-792](#)

Resolution introduced by Alderpersons Martin, Croatt and Plank at the May 17, 2017 Common Council meeting related to the City Attorney responsibilities:

Resolution #12-R-17 Martin/Croatt/Plank

Whereas, the City Attorney is elected by the voters of Appleton,

And whereas, it is the responsibility of the City Attorney to uphold the constitution of the State of Wisconsin when performing duties of the job he/she is elected to,

And whereas, it is the duty of the Council and Mayor, also elected by the voters, to ensure that the citizens have the legal representation of the Attorney's office in all matters concerning the city,

And whereas, it is critical that the City Attorney be in a work environment that enables and prioritizes that responsibility,

And whereas, State Statute 62.09 (12) states that, "The attorney shall conduct all the law business in which the city is interested",

Therefore be it resolved, the Finance Committee, of which has jurisdiction over the Attorney's office, be charged with creating a policy that reaffirms the City Attorney conducts all legal work when discussing, negotiating, and drafting all agreements and law business the city is a party to, unless special counsel has been retained in circumstances that comply with city policy or State Statute.

Alderson Plank moved, seconded by Alderson Croatt, that the Report Action Item be referred to Attorney office for draft. To report back at the June 26, 2017 Committee meeting. Roll Call. Motion carried by the following vote:

Aye: 5 - Alderson Plank, Alderson Lobner, Alderson Siebers, Alderson Croatt and Alderson Baranowski

6. Information Items

7. Adjournment

Alderson Croatt moved, seconded by Alderson Baranowski, that the meeting be adjourned. Roll Call. Motion carried by the following vote:

Aye: 5 - Alderson Plank, Alderson Lobner, Alderson Siebers, Alderson Croatt and Alderson Baranowski

AGREEMENT

This Agreement is entered into between the City of Appleton, Wisconsin, hereafter "City", and Kurey Ridge, LLC, hereafter "Developer", as follows:

RECITALS

WHEREAS, the Developer submitted a proposed Development Plan relating to the development of certain lands within the city of Appleton, commonly referred to as the Kurey Ridge Development, and

WHEREAS, as part of the submission of a proposed development, the Developer submitted to the City a Stormwater Management Plan that reflected the requirements for stormwater management given the proposed development, and

WHEREAS, the City approved the draft Stormwater Management Plan and the Developer subsequently constructed stormwater ponds consistent with said Development Plan, and

WHEREAS, the Developer has subsequently changed the development of the Kurey Ridge area thus requiring changes to the Stormwater Management Plan previously approved, and

WHEREAS, the City has required an updated Stormwater Management Plan to reflect the actual development of said property, and

WHEREAS, the City and the Developer wish to ensure that certain planned roadways envisioned in the original draft Site Plan are installed in the future, and

WHEREAS, the City and the Developer wish to ensure that a proposed recreational trail identified in the original Development Plan continue forward,

NOW, THEREFORE, the parties agree as follows:

1. The above recitals are herein incorporated by reference.
2. The City and the Developer agree that an extension of Werner Road to the west of its current location is of importance to both the Developer and the City, the parties agree that there will be a future dedication of Werner Road within parcels 1-9310-17 and 1-9310-07 as identified in the map attached hereto as Exhibit A.
3. This obligation for a future dedication of Werner Road within the above-mentioned parcels is an obligation which will run with the land and shall be binding on the Developer's successors and assigns.
4. The exact location of said extension has not yet been determined but will be identified at a future date, as determined by the City.

5. The Developer and City wish to ensure the connection of the recreational trail as identified in the original Site Plan is constructed. In furtherance of said construction, the Developer agrees to grant to the City a permanent easement for the construction of said trail. The location of said easement shall be identified as follows:

PARCEL: 31-1-9300-22

Owner: Kurey Ridge LLC

Agreement/trail easement description:

*Part of Outlot Two (2), of **GLACIER RIDGE**, located in the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section 36, Township 22 North, Range 17 East, City of Appleton Outagamie County, Wisconsin, containing 1,019 square feet of land.
Commencing at the Southwest corner of said Outlot 2;
Thence North 00° 08' 54" East 266.00 feet along the West line of said Outlot 2 and being coincident with the East line of Kurey Drive to the Point of Beginning;
Thence continue North 00° 08' 54" East 20.00 feet;
Thence South 89° 33' 20" East 42.95 feet;
Thence South 57° 10' 13" East 10.07 feet to the Easterly line of said Outlot 2;
Thence South 49° 42' 37" West 11.79 feet along the Easterly line of said Outlot 2;
Thence South 40° 11' 23" East 29.85 feet along the Easterly line of said Outlot 2;
Thence North 57° 10' 13" West 29.39 feet;
Thence North 89° 33' 20" West 37.04 feet to the Point of Beginning.
See also Exhibit "B"*

PARCEL: 31-1-9300-22

Owner: Kurey Ridge LLC

Agreement/storm sewer easement description:

*Part of Outlot Two (2), of **GLACIER RIDGE**, located in the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section 36, Township 22 North, Range 17 East, City of Appleton Outagamie County, Wisconsin, containing 1,178 square feet of land.
Commencing at the Southwest corner of said Outlot 2;
Thence North 00° 08' 54" East 277.00 feet along the West line of said Outlot 2 and being coincident with the East line of Kurey Drive to the Point of Beginning;
Thence continue North 00° 08' 54" East 20.00 feet;
Thence South 89° 33' 20" East 70.54 feet to the Easterly line of said Outlot 2;
Thence South 49° 42' 37" West 30.65 feet along the Easterly line of said Outlot 2;
Thence North 89° 33' 20" West 47.21 feet to the Point of Beginning.
See also Exhibit "C"*

6. In exchange for the dedication of Werner Road, the storm sewer easement and the easement needed for completion of the trail, the City agrees to contribute \$22,145.88 to the Developer as payment for the above easement and dedications and to assist in updating the Stormwater Management Plan.

Dated this ____ day of _____, 2017.

Kurey Ridge, LLC, Developer:

By: _____
Printed Name: _____
Title: _____

By: _____
Printed Name: _____
Title: _____

STATE OF WISCONSIN)
 : ss.
_____ COUNTY)

The foregoing Agreement was acknowledged before me this _____ day of _____,
2017 by _____ and _____.

Printed Name: _____
Notary Public, State of Wisconsin
My commission is/expires _____

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

City of Appleton, Owner:

By: _____
Timothy M. Hanna, Mayor

By: _____
Kami Lynch, City Clerk

STATE OF WISCONSIN)
 : ss.
OUTAGAMIE COUNTY)

The foregoing Agreement was acknowledged before me this _____ day of
_____, 2017 by Timothy M. Hanna, Mayor and Kami Lynch, City Clerk.

Printed Name: _____
Notary Public, State of Wisconsin
My commission is/expires _____

Provision has been made to pay the liability
that will accrue under this contract.

Approved as to form:

Anthony D. Saucerman, Finance Director

James P. Walsh, City Attorney

This instrument was drafted by:

James P. Walsh, City Attorney

J:\Attorney\WORD\FORMS\Development Agreements\
Kurey Ridge - Agreement - Stormwater Contribution - 05-08-2017.docx
CityLaw: A17-0025

EXHIBIT "A"

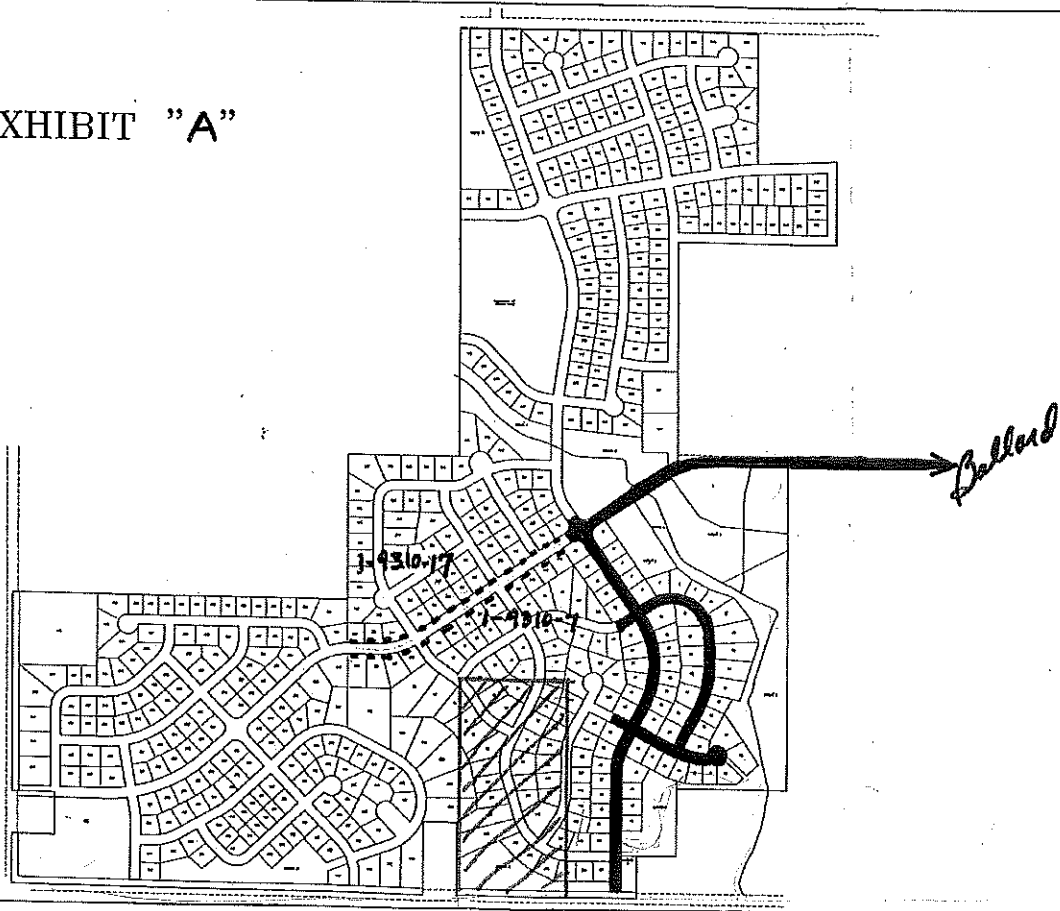
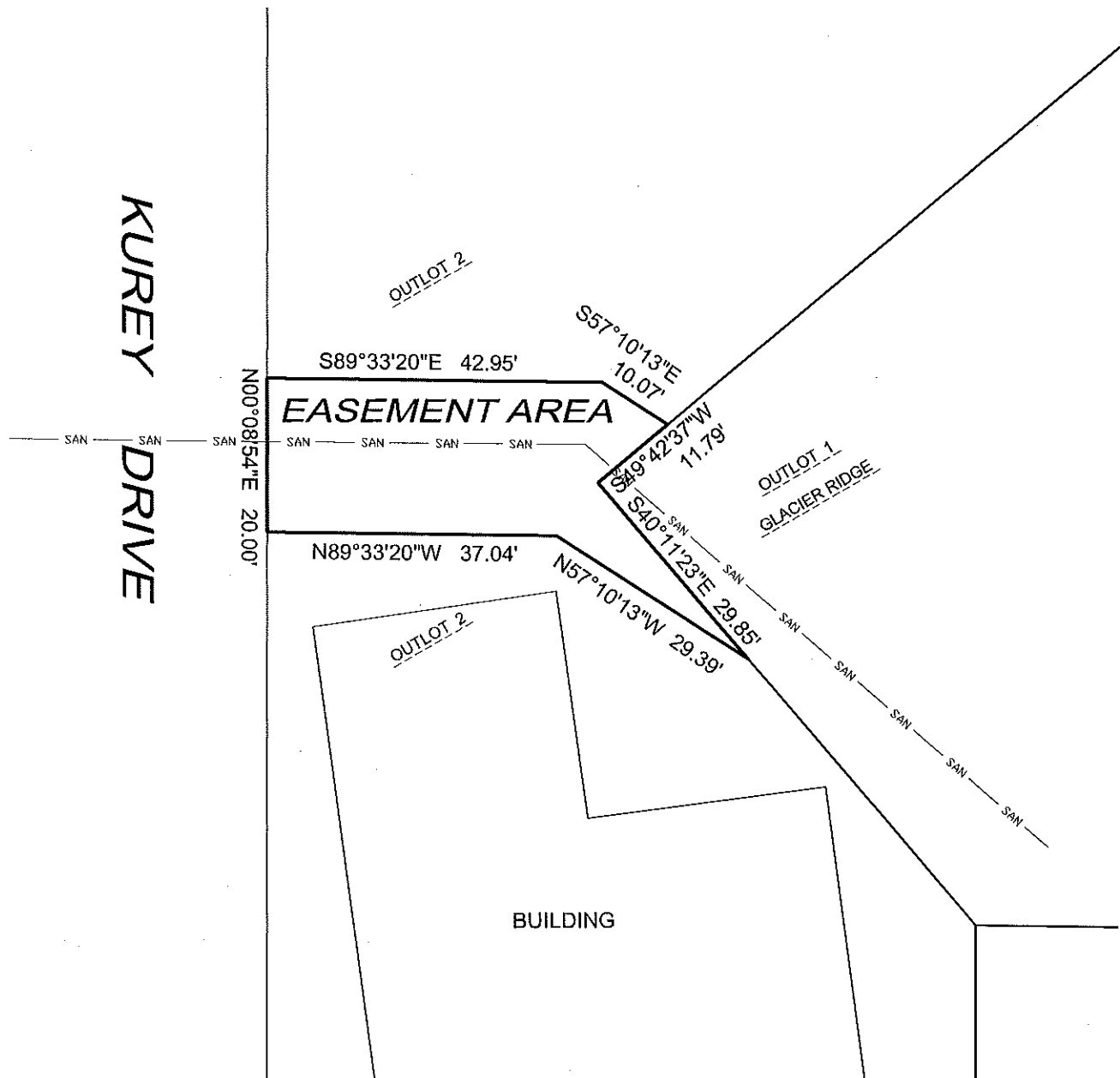


EXHIBIT "B"

Part of Outlot Two (2), of **GLACIER RIDGE**, located in the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section 36, Township 22 North, Range 17 East, City of Appleton Outagamie County, Wisconsin



CITY OF APPLETON

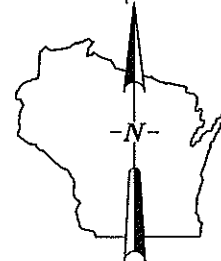
DEPT. OF PUBLIC WORKS

ENGINEERING DIVISION

100 NORTH APPLETON STREET

APPLETON, WISCONSIN. DWN. BY:TMK

H:\Acad\Easement\Trail\Kurey Drive_Trail_0501_2017



BEARINGS ARE REFERENCED
TO PLAT OF GLACIER RIDGE

SCALE IN FEET

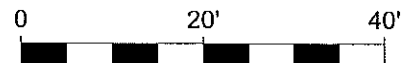
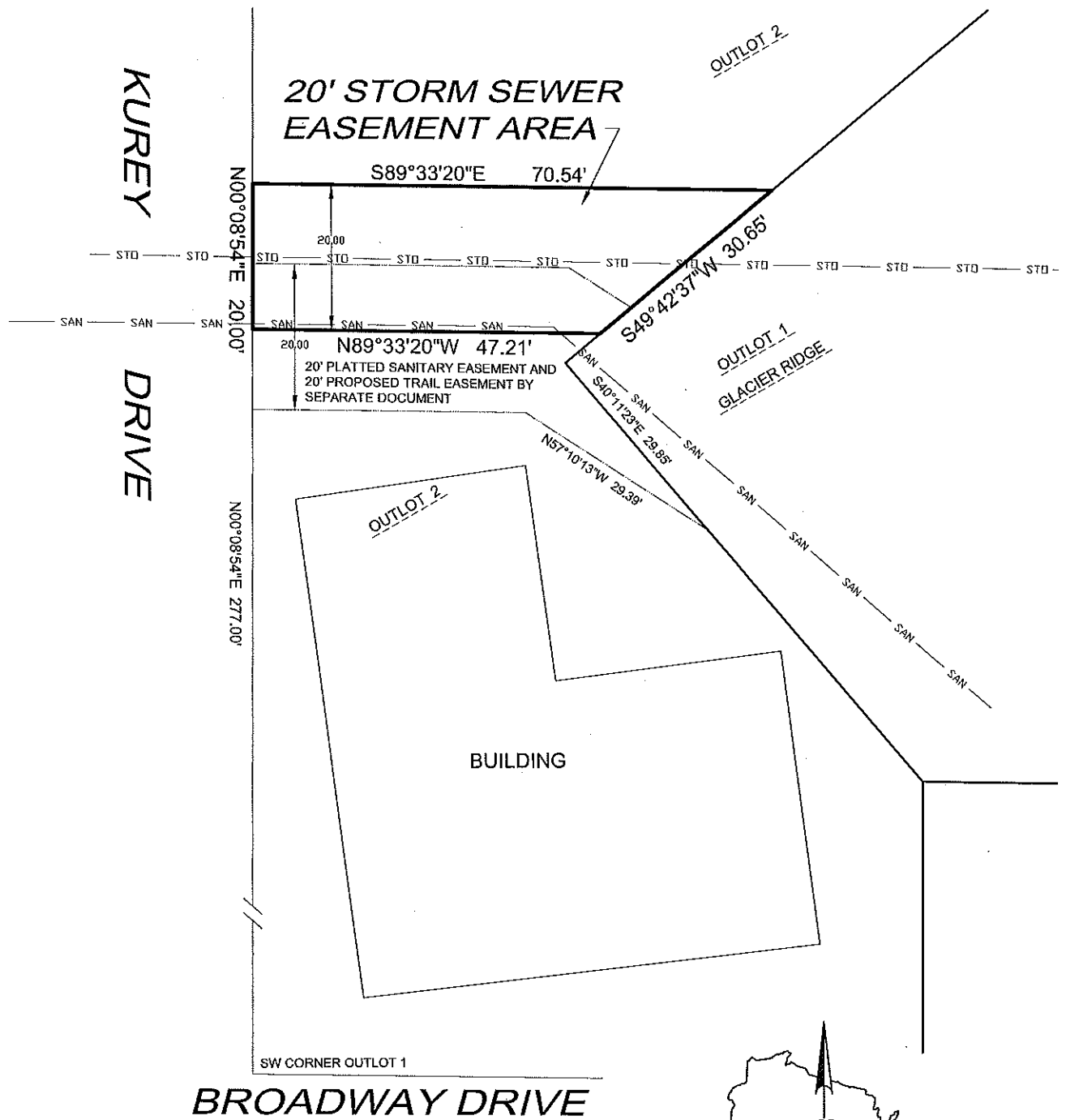


EXHIBIT "C"

Part of Outlot Two (2), of **GLACIER RIDGE**, located in the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of Section 36, Township 22 North, Range 17 East, City of Appleton Outagamie County, Wisconsin



CITY OF APPLETON

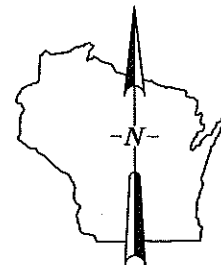
DEPT. OF PUBLIC WORKS

ENGINEERING DIVISION

100 NORTH APPLETON STREET

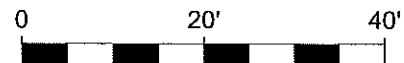
APPLETON, WISCONSIN. DWN. BY:TMK

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BEARINGS ARE REFERENCED
TO PLAT OF GLACIER RIDGE

SCALE IN FEET



*** CONFIDENTIAL INFORMATION ***
*** ATTORNEY-CLIENT PRIVILEGE ***
CITY OF APPLETON
ATTN: KAREN HARKNESS
100 N. APPLETON STREET
APPLETON, WI 54911

INVOICE NO. 234864
INVOICE DATE MAY 17, 2017
TAX ID. 39-1576289
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH APRIL 30, 2017

CURRENT FEES	\$6,221.00
TOTAL CURRENT CHARGES THIS BILL	\$6,221.00
BALANCE FORWARD	\$9,543.50
TOTAL AMOUNT DUE	\$15,764.50

*** CONFIDENTIAL INFORMATION ***
*** ATTORNEY-CLIENT PRIVILEGE ***
CITY OF APPLETON
ATTN: KAREN HARKNESS
100 N. APPLETON STREET
APPLETON, WI 54911

INVOICE NO. 234864
INVOICE DATE MAY 17, 2017
TAX ID. 39-1576289
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH APRIL 30, 2017

03/01/17	CAH REVIEW DAILY FIELD NOTE REPORTS FROM OMNNI REPRESENTATIVES.	.60	123.00
03/01/17	BDL MEETING WITH APPLETON REDEVELOPMENT AUTHORITY ADVISORY COMMITTEE. FOLLOW-UP DISCUSSION WITH MAYOR HANNA. MEETING WITH WALTER RUGLAND TO DISCUSS FINANCING TERMS AND RECEIVE ADDITIONAL FEEDBACK FROM HIM. PHONE CALL TO DIRECTOR HARKNESS.	3.40	1360.00
03/03/17	CAH UPDATE LETTER TO COUNSEL FOR ST. JOE'S.	2.40	492.00
03/03/17	BDL MEETING WITH ATTORNEY HOLLANDER; REVISIONS TO LETTER TO ST. JOE'S; REVIEW EMAILS FROM DNR; CONVERSATION WITH DIRECTOR HARKNESS; PHONE CALL WITH DNR ENGINEER BRIAN WAYNER.	.50	200.00
03/27/17	CAH REQUEST UPDATE FROM ENVIRONMENTAL SPECIALIST REGARDING EXCAVATION TIMELINE AND TESTING PROCEDURES.	.50	102.50
04/07/17	CAH REVIEW DOCUMENTATION FROM OMNNI REPRESENTATIVE REGARDING EXCAVATION FIELD NOTES AND SOIL TESTING.	4.30	881.50
04/11/17	BDL MEETING WITH COURTNEY HOLLANDER REGARDING HER REVIEW OF THE FIELD NOTES AND CONTACT WITH OMNNI REGARDING QUESTIONS WE RAISED.	.20	80.00
04/13/17	CAH DETAILED REVIEW OF INFORMATION PROVIDED BY OMNNI FOR FOLLOW-UP WITH ENVIRONMENTAL SPECIALIST.	2.40	492.00
04/14/17	BDL EMAIL WITH ATTORNEY HOLLANDER IN RESPONSE TO HER QUESTIONS REGARDING THE REVIEW OF THE TESTING AND MONITORING REPORTS.	.10	40.00

APPLETON, CITY OF
010953-00014

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04/18/17 BDL DIRECT ATTORNEY HOLLANDER REGARDING COMMUNICATION WITH CIVIL ENGINEER TO GATHER INFORMATION FOR ASSESSING CLAIM AND COMMUNICATING WITH ST JOSEPH'S.	.30	120.00
04/18/17 BDL RECEIVE EMAIL FROM DIRECTOR GAZZA REGARDING DEMARCATION OF RESPONSIBILITY BETWEEN FCEC AND PAPER VALLEY UNDER THE MANAGEMENT AGREEMENT.	.20	80.00
04/19/17 CAH REVIEW PAH ANALYSIS PROVIDED BY OMNNI.	4.10	840.50
04/20/17 CAH PHONE CONFERENCE WITH BRIAN AT OMNNI TO REVIEW FIELD NOTE INFORMATION AND TEST RESULTS.	2.70	553.50
04/21/17 CAH REVIEW SOIL ANALYSIS RESULTS; PREPARE LETTERS TO COUNSEL FOR ST JOE'S WITH ADDITIONAL INFORMATION.	3.20	656.00
04/21/17 BDL REVIEW ATTORNEY HOLLANDER'S EMAIL REGARDING HER DISCUSSION WITH CIVIL ENGINEER. REQUESTED CLARIFICATION OF HER COMMENTS AND REWROTE PART OF HER DRAFT FOR GREATER CLARITY WITH RESPECT TO POTENTIAL SOURCE OF CONTAMINATION.	.50	200.00

CURRENT FEES FOR THIS MATTER \$6,221.00

BILLING SUMMARY

CURRENT FEES	\$6,221.00
TOTAL CURRENT CHARGES THIS BILL	\$6,221.00
BALANCE FORWARD	\$9,543.50
TOTAL AMOUNT DUE	\$15,764.50

*** CONFIDENTIAL INFORMATION ***
*** ATTORNEY-CLIENT PRIVILEGE ***
CITY OF APPLETON
ATTN: KAREN HARKNESS
100 N. APPLETON STREET
APPLETON, WI 54911

INVOICE NO. 231642
INVOICE DATE MARCH 31, 2017
TAX ID. 39-1576289
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH MARCH 31, 2017

CURRENT FEES	\$4,629.50
TOTAL CURRENT CHARGES THIS BILL	\$4,629.50
BALANCE FORWARD	\$4,914.00
TOTAL AMOUNT DUE	\$9,543.50

*** CONFIDENTIAL INFORMATION ***
*** ATTORNEY-CLIENT PRIVILEGE ***
CITY OF APPLETON
ATTN: KAREN HARKNESS
100 N. APPLETON STREET
APPLETON, WI 54911

INVOICE NO. 231642
INVOICE DATE MARCH 31, 2017
TAX ID. 39-1576289
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH MARCH 31, 2017

02/10/17	CAH UPDATE RESPONSE LETTER WITH CONTAMINATION DOCUMENTATION.	2.40	492.00
02/10/17	BDL REVIEW LETTER FROM DNR THAT ATTORNEY HOLLANDER BROUGHT TO MY ATTENTION REGARDING STATEMENT REGARDING CONTAMINATED FILL THAT APPEARS TO BE IN ERROR. DRAFT LETTER TO JENNIFER BORSKI AFTER REVIEWING PRIOR REPORTS AND ANCILLARY LETTERS.	1.10	440.00
02/10/17	BDL MEETING WITH ATTORNEY HOLLANDER TO REVIEW THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES APPROVAL OF THE SITE MITIGATION PLAN WHERE MS. BORSKI MAKES REFERENCE TO CONTAMINATED FILL BROUGHT TO THE SITE WHERE THE PHASE I REFERENCES CLEAN FILL BEING BROUGHT TO THE SITE. REVIEW RECORD TO OBTAIN CLARIFICATION AND PREPARE EMAIL TO MS. BORSKI ASKING FOR CLARIFICATION. EMAIL TO DIRECTOR HARKNESS REGARDING THE SAME ISSUE SO THAT SHE WOULD BE AWARE OF AND ABLE TO MANAGE THE ISSUE WITH US.	1.30	520.00
02/13/17	BDL RECEIVED EMAIL RESPONSE FROM JENNIFER BORSKI OF THE WISCONSIN DNR. REVIEW RESPONSE AND THEN REFER TO PHASE I TO CONFIRM HER CONCLUSION. LOOK UP NATURE OF "PAHS" AND POTENTIAL ENVIRONMENTAL IMPACT. CONSIDER ADDITIONAL INVESTIGATION TO DETERMINE IF PAH ARE PRESENT AT THE SITE AND THE POTENTIAL SOURCES.	.20	80.00
02/17/17	BDL RECEIVE AND REVIEW EMAIL FROM BRIAN WAYNER REGARDING TIMING OF THE RECEIPT OF REPORTS.	.10	40.00

APPLETON, CITY OF
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02/20/17 BDL	REVIEW OMNI REPORTS WITH ATTORNEY HOLLANDER REGARDING POTENTIALLY ADVERSE INFORMATION REGARDING THE BACKFILL OF THE FCEC SITE FROM 2006 AND 2013. DISCUSSION OF WHERE TO FIND ADDITIONAL INFORMATION TO CLARIFY STATEMENTS IN REPORT BECAUSE WE BELIEVE THERE IS ADDITIONAL INFORMATION WHICH CLARIFIES AND RESOLVES THESE ISSUES.	.40	160.00
02/21/17 CAH	REVIEW OF HISTORICAL TIMELINE WITH REGARD TO CONTAMINATION.	1.70	348.50
02/24/17 CAH	RECEIPT AND REVIEW OF OMNNI RECORDS REGARDING CONTAMINATION.	3.30	676.50
02/24/17 BDL	DETAILED REVIEW OF ENVIRONMENTAL LOGS, SUMMARIES AND MAPS CREATED DURING 2017. REVIEW OF PRIOR PHASE I ENVIRONMENTAL REPORTS TO DETERMINE NEIGHBORING USES OF PROPERTY IN RELATIONSHIP TO THE CONTAMINATION IDENTIFIED AS AREAS 1 AND 3 IN THE SUMMARY MAP PROVIDED BY ENVIRONMENTAL ENGINEER. REVIEW PRIOR DNR LETTERS, AERIAL PHOTOGRAPHS, AND OTHER EVIDENCE TO ATTEMPT TO IDENTIFY A POTENTIAL OFFSITE SOURCE. DISCUSS AND IDENTIFY ITEMS TO BE INCLUDED IN THE LETTER TO ST JOSEPH'S COUNSEL. PHONE CALL TO DIRECTOR HARKNESS TO DISCUSS THE REPORT RECEIVED THE DAY BEFORE. DISCUSS COMMUNICATION WITH DNR AND PROJECTIONS FOR COST OF DISPOSAL OF THE CONTAMINATED MATERIAL. PREPARE AND SEND EMAIL TO MR WAYNER, DIRECTOR GAZZA, AND DIRECTOR HARKNESS.	2.10	840.00
02/27/17 CAH	DISCUSS OMNNI REPORTS WITH CITY OFFICIALS.	.50	102.50
02/27/17 BDL	DISCUSSION WITH MAYOR HANNA, DIRECTOR HARKNESS AND ATTORNEY HOLLANDER REGARDING CURRENT STATUS OF MATTER WITH ST. JOSEPH INDEMNIFICATION OF ENVIRONMENTAL CONDITIONS AT THE FCEC SITE. DISCUSSION OF LOCATION OF CONTAMINATION AND ANTICIPATED RESPONSE FROM JENNIFER BORSKI OF WISCONSIN DNR REGARDING REQUESTED CLARIFICATION.	.50	200.00
02/28/17 CAH	UPDATE LETTER TO KRAUSE AND METZ REGARDING RECEIPT OF ADDITIONAL INFORMATION FROM OMNNI; RECEIPT AND REVIEW OF RESPONSE FROM DNR.	2.00	410.00

APPLETON, CITY OF
010953-00014

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02/28/17 BDL REVIEW EMAIL RESPONSE FROM MS BORSKI OF WISCONSIN DNR REGARDING CONTAMINATION FOUND ON THE FCEC SITE THAT IMPACTS ST JOSEPH'S INDEMNIFICATION AGREEMENT WITH ATTORNEY HOLLANDER. ADVISE ATTORNEY HOLLANDER TO COMPLETE LETTER. DISCUSSION OF WHAT ATTACHMENTS TO INCLUDE AND AUTHORIZED PREPARATION AND DELIVERY AFTER I SIGN THE LETTER.	.80	320.00
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CURRENT FEES FOR THIS MATTER	\$4,629.50
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BILLING SUMMARY

CURRENT FEES	\$4,629.50
TOTAL CURRENT CHARGES THIS BILL	\$4,629.50
BALANCE FORWARD	\$4,914.00
TOTAL AMOUNT DUE	\$9,543.50

CITY OF APPLETON
ATTN: CITY ATTORNEY
P.O. BOX 2428
APPLETON, WI 54912-2428

INVOICE NO. 229784
INVOICE DATE FEBRUARY 28, 2017
TAX ID. 39-1576289

CLIENT NO. 010953

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

CURRENT FEES FOR THIS MATTER \$959.50

CURRENT FEES \$959.50

TOTAL CHARGES THIS BILL \$959.50

APPLETON, CITY OF
ATTN: KAREN HARKNESS
100 N. APPLETON STREET
APPLETON, WI 54911

INVOICE NO. 229784
INVOICE DATE FEBRUARY 28, 2017
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH JANUARY 31, 2017

01/27/17 CAH BEGIN DRAFT OF RESPONSE LETTER REGARDING ST. JOE'S MATTER; CONFERENCE WITH OMNI SITE MANAGER REGARDING STATUS OF EXCAVATION.	1.60	328.00
01/27/17 BDL PHONE CALL WITH OMNI ENGINEER BRIAN. MEETING WITH COURTNEY TO REVIEW AND PREPARE PRESERVATION OF CLAIM.	.40	160.00
01/30/17 CAH REVIEW ST. JOE'S ENVIRONMENTAL MATERIALS PROVIDED BY OMNI REPRESENTATIVE.	2.30	471.50

CURRENT FEES FOR THIS MATTER \$959.50

BILLING SUMMARY

COURTNEY A. HOLLANDER	3.90 hours at \$205.00 =	799.50
BENJAMIN D. LAFROMBOIS	0.40 hours at \$400.00 =	160.00

CURRENT FEES FOR THIS MATTER \$959.50

TOTAL AMOUNT DUE FOR THIS MATTER \$959.50

CITY OF APPLETON
ATTN: CITY ATTORNEY
P.O. BOX 2428
APPLETON, WI 54912-2428

INVOICE NO. 226243
INVOICE DATE DECEMBER 29, 2016
TAX ID. 39-1576289

CLIENT NO. 010953

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

CURRENT FEES FOR THIS MATTER \$3,954.50

CURRENT FEES \$3,954.50

TOTAL CHARGES THIS BILL \$3,954.50

APPLETON, CITY OF
 ATTN: KAREN HARKNESS
 100 N. APPLETON STREET
 APPLETON, WI 54911

INVOICE NO. 226243
 INVOICE DATE DECEMBER 29, 2016
 ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH NOVEMBER 30, 2016

09/02/16	BDL	PREPARE LETTER FROM MUNICIPALITIES TO ASSOCIATED CLARIFYING WHAT PORTION OF THE PAC ROOM TAX SHOULD BE RETAINED BY THE MUNICIPALITIES.	1.40	420.00
09/20/16	BDL	DRAFT LETTER FROM MUNICIPALITY TO ASSOCIATED BANK; EMAIL COMMUNICATIONS WITH CHARITY OLSON OF ASSOCIATED. FOLLOW-UP WITH CITY.	2.00	600.00
09/21/16	BDL	FOLLOW UP WITH ASSOCIATED TRUST RESPECTING LETTER FROM MUNICIPALITIES.	.30	90.00
10/04/16	BDL	REVIEW LETTER TO ASSOCIATED BANK REGARDING THE SHARE OF TAX RETAINED (NONE) BY MUNICIPALITIES. RESPOND TO EMAIL FROM KAREN HARKNESS.	.40	120.00
10/07/16	BDL	RECEIVE COMMENTS REGARDING ASSOCIATED BANK LETTER. MAKE CHANGES. EMAIL WITH CITY REGARDING EDITS AND TO MOVE PROCESS FORWARD.	1.50	450.00
10/12/16	BDL	REVIEW UPDATED FINANCIALS FROM THE ROOM TAX RECEIPTS ALLOCATED TO THE PERFORMING ARTS CENTER. WORK WITH KAREN HARKNESS TO GET ASSOCIATED LETTER OUT TO MUNICIPALITIES AND SENT TO ASSOCIATED.	.70	210.00
10/20/16	BDL	ST. JOE'S: RESPOND TO INQUIRY REGARDING COMMUNICATION WITH ST JOE'S AND COORDINATE WITH FCEC SCHEDULE FOR EXCAVATION.	.20	60.00
10/24/16	BDL	ST. JOE'S: REVIEW AGREEMENT AND PREPARATION OF LETTER. PHONE CALL AND EMAIL WITH KAREN HARKNESS.	.50	150.00
10/25/16	BDL	ST JOE'S MATTER: WORK ON NOTICE LETTER ST JOE'S. COMMUNICATION WITH KAREN HARKNESS.	1.50	450.00

APPLETON, CITY OF
010953-00014

PAGE 2

11/09/16 BDL PREPARATION FOR AND PARTICIPATION IN FCEC ADVISORY COMMITTEE MEETING TO PROVIDE REVIEW AND BACKGROUND RESPECTING THE MANAGEMENT AGREEMENT FOR THE FCEC.	2.00	600.00
11/10/16 BDL PHONE CALL IN FOLLOW UP TO ARA MEETING AND PLAN FOR NEXT STEPS.	.40	120.00
11/11/16 CAH REVIEW SOIL SAMPLE DOCUMENTATION (ST. JOSEPH'S).	1.10	225.50
11/21/16 SAF BEGIN RESEARCHING QUESTION FROM CLIENT REGARDING VERSIONS OF MANAGEMENT AGREEMENT RELATED TO SPECIFIED SECTIONS.	.90	90.00
11/28/16 CAH REVIEW OF SOIL STUDY.	.80	164.00
11/29/16 CAH REVIEW OMNI SOIL STUDY REGARDING ST. JOSEPH'S MATTER.	1.00	205.00

CURRENT FEES FOR THIS MATTER \$3,954.50

BILLING SUMMARY

COURTNEY A. HOLLANDER	2.90 hours at	\$205.00 =	594.50
BENJAMIN D. LAFROMBOIS	10.90 hours at	\$300.00 =	3270.00
SHELLY A. FLUNKER	0.90 hours at	\$100.00 =	90.00

CURRENT FEES FOR THIS MATTER \$3,954.50

TOTAL AMOUNT DUE FOR THIS MATTER \$3,954.50



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Department of Public Works – Engineering Division

MEMO

TO: Finance Committee

FROM: Chad Weyenberg, Project Engineer

DATE: June 12, 2017

RE: Unit CC-17, Contract Amendment / Change Order No. 1

The Department of Public Works is recommending to increase the Unit CC-17 Bridge Maintenance Contract of NuGen Johnson, LLC by \$20,000 for additional concrete deck repairs to the Lawe Street Bridge over the Fox River.

The Lawe Street Bridge deck was sounded to determine the extent of delamination. The actual quantity of concrete repairs has increased since the last inspection, therefore, completing all the repairs under one road closure is the most cost effective approach. Completing all the repairs this year will also eliminate a bridge shutdown and detour next year.

Funding for this contract change order will be \$10,000 from current positive fund balance and \$10,000 from Unit E-17 Miscellaneous Concrete and Street Excavation Repairs via a future deductive change order.

Thank You.

CONTRACT AMENDMENT & CHANGE ORDER

Change Order No. 1

Date 06/07/17

Contract No. 8-17 for the following public work : Unit CC-17 Bridge Maintenance

between NuGen Johnson, LLC. (Contractor Name) PO Box 148, Sussex, WI 53089 (Contractor Address)

and the City of Appleton dated: 3/1/2017 is hereby changed in the following particular wit:

Item No.	Account No.	Current Contract Amount	Current Contingency	C.O. Amount (+/-)	Contingency (+/-)	New Contract Total	New Contingency Total
1	17032.6408.3510	\$192,925.00	\$0.00	\$20,000.00	\$0.00	\$212,925.00	\$0.00
2						\$0.00	\$0.00
3						\$0.00	\$0.00
4						\$0.00	\$0.00
5						\$0.00	\$0.00
6						\$0.00	\$0.00
7						\$0.00	\$0.00
8						\$0.00	\$0.00
9						\$0.00	\$0.00
10						\$0.00	\$0.00
Total		\$192,925.00	\$0.00	\$20,000.00	\$0.00	\$212,925.00	\$0.00

Reason for Change: The Lawe Street Bridge deck was sounded to determine the extent of delamination. The actual quantity of concrete repairs has increased since the last inspection, therefore, completing all the repairs under one road closure is the most cost effective approach. Completing all the repairs this year will eliminate a bridge shutdown and detour next year.

The Contract Time will be (increased / decreased / unchanged) by this Change Order: 5 Days

The Date of Completion as of the date of this Change Order therefore is: 10/27/2017

Finance Committee Agenda Date: 06/12/17

Date approved by Council: 06/21/17

CONTRACT CHANGE ORDER & CONTRACT AMENDMENT

Change Order No. TWO
Date 05/24/17

Contract No. 9-17 for the following public work : Unit U-17 Sewer & Water Reconstruction #2

between Dorner, Inc. and the City of Appleton dated 03/01/17 is hereby changed in the following particular wit:

Item No.	Account No.	Current Contract Amount	Current Contingency	C.O. Amount (+/-)	Contingency (+/-)	New Contract Total	New Contingency Total
1	5371.6809.5	\$777,533.20	\$0.00	\$8,464.55	\$0.00	\$785,997.75	\$0.00
2	5431.6809.3	\$457,874.84	\$18,808.00	\$5,656.08	-\$5,656.08	\$463,530.92	\$13,151.92
3	5230.6809.4	\$1,163,109.33	\$55,195.00	\$0.00	\$0.00	\$1,163,109.33	\$55,195.00
4							
5							
6							
7							
8							
9							
10							
	Total	\$2,398,517.37	\$74,003.00	\$14,120.63	-\$5,656.08	\$2,412,638.00	\$68,346.92

Reason for Change: #5371 - Funds for repairs to two existing valves; r/r top nut on valve; r/r hydrant tee @ Coolidge; additional 18.5 in ft of 8" water main; 1 ea 12" gate valve.
#5431 - Funds for temporary sanitary main by-pass due to phasing of work. 37 lin ft of 10" san; 2 bends; connection to manholes.

The Contract Time will be (increased / decreased / unchanged) by this Change Order: 0 Days

The Date of Completion as of the date of this Change Order therefore is: 125

Finance Committee Agenda Date: 06/13/17

Date approved by Council: 06/21/17



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**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: June 12, 2017

RE: Informational: Contract 66-16 was awarded to TLC Sign, "Appleton Memorial Park Sign with Message Center" for the replacement of the Appleton Memorial Park Sign in the amount of \$39,994.83 with no contingency. No change orders were issued. Request to issue the final contract payment of \$39,994.83.

The Appleton Memorial Park Sign with Message Center has been completed. This contract is now complete as all punchlist items were completed.

The Parks, Recreation and Facilities Management Department recommends issuing the final contract payment to TLC Sign in the amount of \$39,994.83.

Please feel free to contact me at 832-5572 with any questions, or by email at dean.gazza@appleton.org.



"...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, Director of Parks, Recreation and Facilities Management

Date: June 12, 2017

Re: Informational: Contract 58-16 was awarded to Cardinal Construction Company, Inc. for the 2016 Wastewater D-Building Lab Remodel in the amount of \$104,765 with a contingency of \$5,000. One change order was issued in the amount of \$4,931. Payments issued to date total \$107,713.40. Request to issue the final contract payment of \$1,982.60.

The 2016 Capital Improvement Plan included monies for remodeling the Wastewater D-Building Lab. Construction contract 58-16 was issued to Cardinal Construction Company, Inc. in the amount of \$104,764. The project has been completed. One change order was issued in the amount of \$4,931 to install an acid neutralization basin. This contract is now complete as all punchlist items have been completed.

The CIP budget is \$128,000. The final contract amount is \$109,696.

The Parks, Recreation and Facilities Management Department recommends issuing the final contract payment to Cardinal Construction Company, Inc. in the amount of \$1,962.60.

Please feel free to contact me at 832-5572 with any questions, or by email at dean.gazza@appleton.org.



CITY OF APPLETON

Internal Grant Management Policies
and
Procedures for Federal Programs

Proposed: May 2017

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INTRODUCTION

This Grants Administration Manual applies to all federal and state grants awarded to the City of Appleton. Federal and state grants will be managed in compliance with the Code of Federal Regulations (CFR), Uniform Grant Guidance, the Office of Management and Budget (OMB), and the City of Appleton's adopted policies.

The purpose of these policies and procedures is to assist in providing accurate, current, and complete disclosure of funded programs and financial results of federal and state grants within the existing budgetary accounting and reporting framework of the City of Appleton.

These policies provide guidelines to ensure the following:

1. Federal and state grants are properly authorized by the Mayor and City Council;
2. Grants have been properly budgeted by the appropriate department with review and concurrence by the City's Finance Department.
 - a. Relevant information for any anticipated grant will be included in the City's annual budget documentation. Relevant information will include program title, program information, grant agency, anticipated revenues and expenditures, any City match, and the number of full-time equivalents funded through the grant.
3. Transactions involving federal and state grants are in accordance with the provisions of the Federal Office of Management and Budget Circulars, the OMB Uniform Guidance for Federal awards, and other federal and state laws; Official accounting records required by grant agreements are maintained to the extent possible in a centralized location;
4. Grant transactions are properly identified by recording grant revenues and expenditures in the City's accounting system, including program income and match, and properly reported to maintain accounting and reporting controls;
5. Tracking grant expenditures by approved budget account categories;
6. Preparing and timely submitting reports;
7. Financial and programmatic requirements are monitored for compliance;
8. Grant closeout; and
9. Any other pertinent grant-related financial activities

SECTION 1: GRANT APPLICATION PROCEDURES

Grant Administration/Notification

Notification of grant applications must be sent to the Finance Department via electronic submission of PART #1: Grant Tracking Form (Addendum 1). This form addresses the following review criteria:

1. Consistency with overall program goals of the City of Appleton;
2. Local match requirements and/or other budget impacts;
3. Personnel requirements to implement objectives of the grant;
4. Identification of responsible staff for program compliance and fiscal monitoring;
5. Applicant department head authorization; and
6. Department of Finance notification

Committee and Common Council Notification/Approval

Committee of Jurisdiction and Common Council notification and approval prior to grant application will be required. If personnel will need to be added to the table of organization in order to accept the grant, Human Resources Committee, Committee of Jurisdiction and Common Council must approve prior to application.

Criteria for Applications Involving Outside Subrecipient Agencies

For grants where the City of Appleton is a pass-through agency of funding being distributed to subrecipients, it is important that the capability of the potential subrecipient agencies be examined. Thus, if an agency that has not previously received grant funds from the City of Appleton expresses interest in participating in one of the grant funding sources, that agency will be subject to a screening conducted by a Finance Department representative and staff directly involved in implementation and spend down of associated grant funds.

The screening will involve:

1. Examination of Agency Documents. The agency seeking to become a subrecipient will be asked to submit the following items to the City for review and verification:
 - a. Federal Tax Identification Number
 - b. Articles of Incorporation/By-Laws and Mission Statement
 - c. Administrative Organization Chart
 - d. Board of Directors/Officers Roster
 - e. Agency Budget/Financial Statements (from previous fiscal year)
2. Interview of Potential Subrecipient. A panel consisting of a Finance Department representative and others directly associated with administration of the grant will conduct an interview with agency representative(s) to address both general agency capacity and appropriateness of activities planned to accomplish with grant funds if they are awarded.

Upon completion of this screening, the interview panel will make a recommendation related to the capacity and appropriateness of the agency to carry out activities funded under the grant. This recommendation, along with Part #1: Grant Tracking Form, will be submitted to the applicable Committee of Jurisdiction as an action item by the applying department.

SECTION 2: GRANT ACCEPTANCE PROCEDURES

Grant Administration/Finance Department Notification

Upon notification that the applicant department was successful in obtaining grant funding, they shall electronically submit the following to the Finance Department:

- Part #2: Grant Tracking Form (Addendum 2)
- Award notification letter from the Grantor/Funder including grant agreement to determine if single audit regulations apply
- Budget Amendment Form OR Budget Page Reference for the Grant (to show that a budget amendment is not needed)

After the Director of Finance approves the Grant Tracking Form, an account is set up in the City's Financial Management System. The Program Managers are responsible for communicating awards to various agencies.

Committee and Common Council Notification/Approval

No matter the amount, all new grants awarded to the City of Appleton must be presented to the applicant department's Committee of Jurisdiction for approval before a grant agreement is executed. In doing so, the aforementioned Grant Tracking Form shall be included as an attachment to the action item on that committee agenda. Budget adjustments will be placed on the Finance Committee Agenda at the same time, if applicable. Recurring annual grants do not need to be approved after initial award unless grant

renewal results in addition of staff, funding is increased more than \$100,000. Valley Transit's operating grant will be approved during the annual budget process with notification to the department's committee of jurisdiction once the final award is announced.

Unsolicited Grant Funds

For unsolicited grant funds, or those offered to a City department without an application process, in excess of \$10,000, the recipient must follow the instructions under this section: Grant Acceptance Procedures.

Declining Grant Funds

For declining any grant funds, the applicant department shall request approval to decline from both the Committee of Jurisdiction and the Finance Committee. In doing so, a memorandum explaining the reasons for declining funding shall be included as an attachment to the action item on both committee agendas.

SECTION 3: GRANT TERM RESPONSIBILITIES

The grantee department maintains full responsibility for understanding the requirements of the grant contract, meeting deadlines, and complying with grant program requirements. In doing so, the grant department will be responsible for maintaining the following documents in a single grant file:

1. Original grant application
2. Copy of executed grant contract/agreement with original filed in Clerk's Office
3. Payment requests/activity reports provided to the granter/funder
4. Documentation of grant amendments
5. Any other pertinent documentation relevant to the administration of the grant

The grantee department must be prepared to share this file with the Finance Department for internal monitoring and during the external financial and single audit, as well as any regulatory inquiries or investigations.

SECTION 4: FINANCIAL/CASH MANAGEMENT

Financial Management System

The City of Appleton is responsible for the use and maintenance of the financial management system. All grant awards, obligations, unobligated balances, assets, liabilities, expenditures, and program income are tracked within the City's financial system. This system delivers accurate, transparent, and efficient financial operations. The City uses a multi-fund accounting system with automated Due To/Due From processing.

The financial management system updates all balances in real-time with each transaction, connecting users to the most current, accurate information. The system provides for multi-year tracking of budgets, expenditures and revenues for user-defined projects, such as capital improvements, special programs and more.

Processing of Invoices

For reimbursement grants, the grantee department will be expected to submit reimbursement requests to the granting agency with a scanned copy to the Finance Department. Departments will be responsible for maintaining documentation supporting all reimbursement requests. Reimbursement should be requested in as timely a manner as possible, but no later than forty-five (45) days from the date expense was incurred.

Payment on Reimbursement Basis Only

The City of Appleton does not normally request advanced funding from federal, state or other grant sources. All draw down requests are usually on a reimbursement basis only.

Drawdowns and Reconciliation

Drawdowns from all funding agencies are prepared by the Deputy Director of Finance or designee based on actual expenditures in the City's financial management system.

All balances, draw-downs and close outs are reconciled with the City's financial management system by the Program Manager and/or a member of the Finance Department with a final review by the Deputy Director of Finance.

Withholding Payments

The City may withhold payments from subrecipients when the subrecipient has failed to comply with grant award terms or conditions. Cash withheld for failure to comply with grant award condition, but without suspension of the grant, may be released to the grantee upon subsequent compliance.

Financial and Program Reporting Reviews

Financial Review:

1. On an on-going basis, the grantee department will monitor the accuracy of expenditures, and grant expenditure/financial reporting requirements
2. The Finance Department may perform random reviews throughout the grant term to ensure City compliance with grant and/or single audit requirements

Program Review:

1. On an on-going basis, the grantee department and a Finance Department designee will monitor activity related to meeting objectives/requirements of the grant

Performance Measures:

1. Grants in excess of \$100,000 shall be required to have at least one performance measure contained in the grantee department's budget

Any financial, program, and/or performance issues identified will be brought to the attention of the grantee department head for discussion and deficiencies will be reported to the Mayor and Finance Director. Failure to follow procedures can result in discipline up to and including discharge.

Grant Close-Out

Federal entities formally close out grants when a project is completed. The same process is used when projects are terminated or no longer funded by HUD or when recipients discontinue a project.

The Program Manager notifies the Deputy Director of Finance when a contract is complete and can be closed out in the City's financial management system. Once all expenditures have been processed and all revenue has been received, grant close out begins.

The Program Manager informs the Deputy Director of Finance of the requested close out. The Finance Department's office then verifies all expenditures and revenues have been received and the grant can be closed. Notification is promptly delivered to the Federal or State agency by the Program Manager requesting the grant be closed.

HUD's grant closeout requirements are described in 24 CFR parts 84 and 85 and in other procedures established by HUD. The City will submit all reports required by HUD no later than 90 days from the date of the end of the project's grant term. Obligations remaining at closeout must be covered by the terms of the close-out agreement.

Record Retention Requirements

Except as otherwise provided, the City of Appleton retains all financial records, property purchased, supporting documents, statistical records, and all other records pertaining to the federal grant for three years from the day the City submits to the awarding agency its single or last expenditure report for the grant period.

However, if any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the three year period, the records must be retained until completion of the action and resolution of all issues which arise from it.

When original records are electronic and cannot be altered, there is no need to create and retain paper copies. When original records are paper, electronic versions may be substituted through the use of duplication or other forms of electronic media provided that they are subject to periodic quality control reviews, provide reasonable safeguards against alteration, and remain readable.

Salaries and Wages

The City of Appleton's payroll system will be used for the recording and reimbursement of administrative and program support staff time. The payroll system requires staff and their immediate supervisors to certify payroll bi-weekly. The system tracks grants and programs worked on. The system has the functionality to record grants worked, which are mandated to be done by all grant funded staff. Based on the time entries by employees, reports are created representing the exact hours allocable to specific projects completed by staff. The payroll expense, based on actual hours worked on each grant, is charged bi-weekly in the City's financial reporting system.

If grant funds will be used for the hiring of personnel, the grantee department must contact the City of Appleton's Human Resources Department to determine employee status and to start the selection process. Any person hired to fill a grant-funded position is subject to all applicable City policies.

Program Income

The City of Appleton does receive program income from some grants. Program income is the income received by the subrecipients which was directly generated by a grant-supported activity. Program income earned during the grant term shall be retained by the subrecipient, and added to funds committed to the project and used for eligible activities in accordance with the requirements of the grant. Costs incident to the generation of program income may be deducted from gross income to calculate program income, provided that the costs have not been reimbursed through grant funds.

Indirect Costs

The City does not charge an indirect cost to federally-funded grants. Administrative costs and support staff costs are charged based on actual hours worked. If the City chooses to charge indirect costs to a federally-funded grant, it will use the allowable de minimis rate of 10 percent of modified total direct costs.

SECTION 5: CODE OF CONDUCT

The purpose of this policy is to provide guidelines regarding expectations for the conduct of employees and volunteers while working for or representing the City of Appleton.

It is the policy of the City of Appleton that all City employees and volunteers act in an ethical manner when working with other employees, volunteers, elected officials, or outside publics. Each employee, elected official, and volunteer has a responsibility to the City of Appleton and its citizens to place loyalty to the laws and ethical principles above private gain or personal preference.

Preventing Fraud and Abuse of Funds

In order to ensure the proper disbursement of grant funds, the City maintains compliance with HUD rules and regulations, as well as other applicable federal regulations such as Office of Management and Budget Circulars A-87, A-133, and 24 Code of Federal Regulations Part 85 (Uniform Administrative Requirements).

The City of Appleton particularly emphasizes the avoidance of fraud, abuse and mismanagement related to accounting, procurement and accountability. The City monitors the compliance of subrecipients and the appropriate funding agencies monitor the City of Appleton.

Conflict of Interest

The City's policy is that no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would result from such participation. Such a conflict would arise when 1) the employee, officer, or agent, 2) any member of his/her immediate family, 3) his/her partner, or 4) an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. An employee, officer or agent of the City of Appleton shall ensure that s/he is involved in no apparent or potential violations of this provision.

Any employee, officer or agent of the City of Appleton should report violations of this Code of Conduct to his/her supervisor.

There will be no retaliation against any party who makes a good faith complaint concerning violations of this Code of Conduct, regardless of whether it is ultimately determined that such violation has in fact occurred, nor will there be any retaliation against any party who provides information in the course of an investigation into alleged violations. All supervisors have a responsibility to be sensitive to and deal with violations. This responsibility includes monitoring all relevant work activities and contacting a higher level supervisor if it is reasonably believed that a violation has occurred. Any such report shall be investigated regardless of whether a formal complaint has been made.

Acceptance of Gratuities

Per the City of Appleton's Code of Conduct policy, no staff member should solicit gifts, awards, rewards, or favors. However, the City recognizes that periodically, unsolicited gifts or favors are often offered to City employees and volunteers as a token of appreciation.

Per Section 19.59 Wisconsin Statute and Chapter ER-MRS 24 Wisconsin Administrative Code, the following guidelines shall be adhered to regarding accepting gifts:

"No employee may solicit or accept from any person or organization, directly or indirectly, money or anything of value if it could reasonably be expected to influence such employee's official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on part of

such employee.”

Should such an influential gift or favor be offered, provided or delivered to someone who has direct authority over business decisions with the vendor/gift source, a legal determination shall be made on whether or not such item or reward may be accepted or utilized. Employees should refer each case to the City of Appleton Legal Services Department for determination.

The City of Appleton realizes, particularly during the holiday season, departments or individuals may receive gifts as tokens of appreciation from outside sources. If the recipient has direct authority over business decisions with the giving party/vendor and the gift is substantial or significant, the Legal Services Department should be consulted to determine the appropriate course of action.

To ensure that citizens have complete confidence in the integrity of the government of the City of Appleton, each employee, elected official and volunteer shall respect and adhere to the principles of the Code of Conduct policy. For further policy reference, please view the City of Appleton’s Code of Conduct policy.

Drug-Free Workplace Policy

The City of Appleton is committed to maintaining a drug free workplace for all employees. Employees are expected to report to work free from any substances that could inhibit their ability to perform their duties. The use of illegal drugs on or off duty is prohibited.

As a condition of employment, all City of Appleton employees shall abide by this policy and notify the City (your immediate supervisor and the Human Resources Director) of any criminal drug statute conviction no later than five (5) days after such conviction. In addition, employees funded by the State of Wisconsin Department of Administration Division of Energy, Housing, and Community Resources (DOA DEHCR) must report any violations to DEHCR within 10 business days.

In conjunction with this policy, the City of Appleton prohibits all employees from engaging in the following conduct:

- Reporting for duty or remaining on duty while under the influence of alcohol or a controlled substance.
- Manufacturing, distributing, dispensing, possessing or using a controlled substance, alcohol, or drug paraphernalia in the workplace.
- Deliberately misusing this policy in regard to subordinates.
- Providing false information in connection with a test, or falsifying test results through tampering, contamination, use of drug masking products, alteration or substitution.
- Refusing to take a required drug/and or alcohol test.

Failure to comply with this policy shall lead to disciplinary action up to and including discharge. A discharge for all illegal drug use could impact eligibility for benefits under unemployment compensation. The goals of this policy are prevention and rehabilitation whenever possible, rather than discipline or termination. The City of Appleton encourages employees who have an alcohol or other drug problem to seek help to deal with their problem. Help is available through the City’s Employee Assistance Program. For more details on this program, contact the Human Resources Department.

SECTION 6: PROCUREMENT POLICIES AND PROCEDURES

The City of Appleton adheres to federal regulations, the City of Appleton Procurement Policies and if applicable, Valley Transit Procurement Policies to allow the City and its grant subrecipients to acquire, on a competitive basis, all goods and services at the best value possible and to operate in a manner that

maximizes the effectiveness and efficiency of services provided.

Purchasing & Contracting Levels

Purchases of and contracts for supplies, materials, equipment, and contractual services shall be based on competitive bids/quotations whenever practical, subject to the following spending guidelines:

Purchases up to \$2,000 may be made based on the best judgment of the department or subrecipient making the purchase. However, it is recommended to seek competition for these purchases for the lowest prices within the parameters of quality and delivery. Accordingly, whenever making a purchase under \$2,000, it is encouraged to seek competition from as many sources as reasonable to assure best price and delivery.

Purchases of \$2,000 or more but less than \$7,500 require the solicitation of two (2) or more quotes, which may be written or verbal, but documented in either case. When verbal quotes are received, all pertinent details of the quote should be documented in writing by the department and retained on file.

Purchases of \$7,500 or more require that a minimum of three (3) written quotations be solicited. Additionally, any new contracts or agreements for services or equipment with an anticipated contract cost of \$25,000 or more require the recommendation of the Committee of Jurisdiction and the approval of Common Council prior to execution.

Public Construction Projects. In accordance with Wisconsin Statute §62.15, all such projects for which the cost is expected to be greater than \$25,000 must be competitively bid. The City's Attorney's Office will determine the applicability of this statute to individual projects.

Sole-Source Procurements

Purchases of goods or services under \$25,000 may be made without competition when it is agreed in advance between the department and the Purchasing Office that there is a valid reason to purchase from one source or that only one source is available.

For sole source purchases over \$2,000 but less than \$7,500, the department shall obtain verbal approval from the Purchasing Office (subrecipient obtain approval from Program Manager), and document the reasons and agreement at the department level.

Any procurement activities that will take place as part of a grant award shall follow all City purchasing policies and procedures. If the procurement requirements of a grant are stricter than those of the City of Appleton, then those requirements must be followed. Grantee departments are encouraged to consult with the Purchasing Manager in the Finance Department.

For all City of Appleton policies pertaining to procurement and contracting, reference the City of Appleton's Procurement and Contract Management Policy.

SECTION 7: CAPITALIZATION POLICY

Capital assets are defined by the government as assets with an initial cost of more than \$10,000 for general capital assets and infrastructure assets, and an estimated useful life in excess of one year. All capital assets are valued at historical cost, or estimated historical cost, if actual amounts are unavailable. Donated capital assets are recorded at their estimated fair value at the date of donation.

Additions to and replacements of capital assets of business-type activities are recorded at original cost, which includes material, labor, overhead, and an allowance for the cost of funds used during construction when significant. For tax exempt debt, the amount of interest capitalized equals the interest expense

incurred during construction netted against any interest revenue from temporary investment of borrowed fund proceeds.

Depreciation is provided over the assets' estimated useful lives using the straight-line method of depreciation. The range of estimated useful lives by type of asset is as follows:

Buildings and improvements, including parking ramps	15-70 years
Equipment, furniture, and vehicles	3-25 years
Utility systems	10-77 years
Infrastructure	40-100 years
Intangibles	10 years

SECTION 8: ACCOUNTING PRINCIPLES & AUDIT REQUIREMENTS

Accounting Principles

The City complies with requirements set forth in the following:

- [OMB Circular A-87](#) "Cost Principles for State, Local, and Indian Tribal Governments" This circular establishes principles and standards to provide a uniform approach for determining allowable costs under Federal grants and other agreements with states and local governments and Indian tribal governments
- [24 CFR Part 85](#) "Administrative Requirements for Grants and Cooperative Agreements for State, Local, and Federally Recognized Indian Tribal Governments" These regulations set forth uniform requirements for financial management systems, procurement, reports and records, and grant close-outs for recipients of Federal grant funding

Audits

The City of Appleton is subject to the Single Audit Act. A Single Audit encompasses the review of compliance with program requirements and the proper expenditure of funds by an independent certified public accountant. The City undertakes an annual independent audit performed according to the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the audit requirements of *Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), and the *State Single Audit Guidelines* issued by the Wisconsin Department of Administration.

All findings and associated evidence are reported directly from the independent certified public accountant to the Mayor, Common Council and federal and state oversight agencies. If the audit includes findings, the City completes and submits to the independent certified public accountant a corrective action plan. The corrective action plan is added to the audit file of that year and is reviewed in subsequent years.

SECTION 9: SUBRECIPIENT MONITORING

The City of Appleton maintains a high level of accountability by using a combination of risk analysis of programs and activities, desk reviews, site visits, and checklists. All subrecipients are subject to on-site monitoring at least once per year. Subrecipients can be selected for additional or in-depth monitoring

according to various factors and criteria, including, unsatisfactory performance standards during the program period, current external audit findings, program experience, project complexity, or special circumstances.

Monitoring Process

The grant monitoring process includes the following essential components:

1. An *initial evaluation* is conducted for each subrecipient. The initial evaluation takes place during project development and once a contract has been executed, and consists of assessment of risk factors and need for additional monitoring.
2. *Pre-monitoring* consists of technical assistance and reviews of subrecipient's policies and procedures. The purpose of pre-monitoring is to review the policies and procedures of the subrecipients in meeting grant objectives and guidelines.
3. During *on-site monitoring*, the monitor conducts:
 1. a general assessment of the activities undertaken by the subrecipient to satisfy the contractual obligations, the accuracy of the information reported, and the administration of the program is within federal guidelines. In addition, the monitor ensures that the subrecipient is achieving or making diligent efforts to achieve the goals and objectives stated in the scope of service
 2. a financial assessment that establishes whether the subrecipient has effective financial management systems in place, whether timely expenditures are being made, and whether the accounting system identifies a breakdown of program funds; and
 3. a program assessment that determines if the subrecipient has been meeting its reporting requirements
4. As a *follow-up* to a monitoring visit, the monitor sends a determination of compliance letter notifying the subrecipient of the monitoring results. The letter details the purpose of the visit, provides feedback, and addresses areas for improvement, if necessary. If the monitor identifies findings, a corrective action plan is required. If the monitor has any concerns, specific recommendations are provided to the subrecipient. Upon receipt of a subrecipient's response to identified findings or concerns, the monitor will determine if a follow-up site visit is necessary to ensure that (1) corrective action was taken; and (2) the agency is now complying and performing in accordance with its contract. If the department is not satisfied with the corrective action taken by the subrecipient, Section 10 of this manual will be implemented.
5. Projects that have *long-term compliance* requirements are monitored annually to ensure compliance with funding terms.

Procedures for High-Risk Subrecipient Management

A subrecipient may be considered high risk if the City determines that the subrecipient:

- Has a history of unsatisfactory performance;
- Is not financially stable;
- Has a management system which does not meet the management standards set forth in 24 CFR part 85;
- Has not conformed to terms and conditions of previous awards; or

- Is otherwise not responsible.

After careful consideration, if the City awards a grant to a high-risk subrecipient, the City may impose special conditions and/or restrictions that correspond to the high risk condition and shall be included in the award. Special conditions or restrictions may include:

- Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given funding period;
- Requiring additional, more detailed financial reports;
- Additional project monitoring;
- Requiring the subrecipient to obtain technical or management assistance; or
- Establishing additional prior approvals.

If the City decides to impose such conditions, the City will notify the subrecipient as early as possible, in writing, of:

- The nature of the special conditions/restrictions;
- The reason(s) for imposing them;
- The corrective actions which must be taken before they will be removed and the time allowed for completing the corrective actions; and
- The method of requesting reconsideration of the conditions/restrictions imposed

SECTION 10: REMEDIAL ACTIONS AND SANCTIONS

If the City determines that a subrecipient is not complying with a program requirement or the subrecipient agreement, the City will perform one of the remedial actions set forth below and/or will impose sanctions.

Remedial Actions

Remedial actions (described at 24 CFR part 578.107(b)(1)) may include the following:

- Developing and following a schedule of actions for carrying out project activities and projects affected by non-compliance, including schedules, timetables, and milestones;
- Establishing and following a grants management plan that assigns responsibilities for carrying out remedial actions;
- Canceling or revising project activities or projects likely to be affected by non-compliance before expending associated grant funds;
- Re-programming grant funds not yet expended for given activities or projects to eligible costs or projects;
- Suspending funds disbursement;
- Reducing or terminating a subrecipient's remaining grant funds and re-allocating funds to other subrecipients or returning funds; and
- Requiring matching contributions to be made before or in conjunction with draws being made from the recipient's grant.

Sanctions

Sanctions, as defined at 24 CFR part 578.107(b)(2) through (9), may include the following:

- Suspending payments to preclude the further expenditure of funds for affected projects or activities;
- Continuing the grant with a substitute recipient;

- Denying matching credit for all or part of the cost of the affected activities and requiring further matching contributions;
- Requiring the recipient to reimburse its line of credit in an amount equal to the funds used for the affected activities;
- Reducing or terminating the remaining grant;
- Imposing conditions on a future grant; and
- Imposing other legally available remedies.

Deobligation of Funds

Regulations at 24 CFR part 578.107(d) allow the de-obligation of funds for the following reasons:

- Failure to meet timeliness standards in 24 CFR part 578.85;
- Delays in completing construction activities that affect the expenditure of other funds for other activities during the remaining term of the grant;
- Costs for acquisition, new construction, or rehabilitation that are less than the total cost agreed to in the grant agreement;
- Actual annual leasing, operating, supportive services, rental assistance, or administrative costs that are less than the total cost agreed to in the grant agreement for a 1-year period;
- Failure to move program participants into units within 3 months of units' availability for occupancy; and
- Other circumstances set forth in the grant agreement.

ADDENDUM #1
GRANT TRACKING FORM

Part #1: Notification of Grant Funds



APPLICANT DEPARTMENT: _____

DATE:

APPLICANT DEPARTMENT GRANT CONTACT NAME/TITLE:
_____/_____

COMMITTEE OF JURISDICTION:

NAME OF GRANT/FUNDING SOURCE:
_____/_____

AMOUNT OF GRANT REQUEST: \$ _____ LOCAL MATCH
REQUIREMENT: \$ _____

SOURCE OF MATCH: ____ GENERAL FUND ____ NON-GENERAL FUND ____ NOT
APPLICABLE

TIMEFRAME OF GRANT: ____/____/____ through ____/____/____

TYPE OF GRANT REQUEST: ____ MONETARY ____ OTHER (Explain under 'purpose of grant')

PURPOSE OF GRANT (summary): _____

How does the grant meet City/Department/Program goals? _____

What are the personnel requirements (include both existing and new staff) of the grant? _____

DEPARTMENT HEAD SIGNATURE:

ADDENDUM #2
GRANT TRACKING FORM

Part #2: Request to Accept Grant Funds



AMOUNT OF GRANT AWARD: \$_____

FEDERAL/STATE ID #: _____

LOCAL MATCH REQUIREMENT: \$_____

Please describe the source of match, if applicable: _____

Please describe any major changes in proposed grant-funded activities: _____
