

CITY OF MENASHA
COMMON COUNCIL
Common Council Chambers
140 Main Street, Menasha, WI
August 7, 2006
MINUTES

DRAFT

I. Call to order by Mayor Laux at 5:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz
Also Present: Mayor Laux, CA/HRD Brandt, Comp/Treasurer Stoffel, MU GM Young,
Utility Commission Member Carla Watson, Clerk Galeazzi.

IV. NEW BUSINESS

A. Motion to Adjourn into Closed Session pursuant to sec. 19.85(1) (g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved;
(PCI v. Menasha Utilities)

Moved by Ald. Wisneski seconded by Ald. Pack to adjourn into Closed Session pursuant to sec. 19.85(1) (g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved;
(PCI v. Menasha Utilities)

Motion carried on roll call 8-0.

II. CLOSED SESSION.

A. Roll call.

Present: Ald. Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz
Also Present: Mayor Laux, CA/HRD Brandt, Comp/Treasurer Stoffel, MU GM Young,
Utility Commission Member Carla Watson, Clerk Galeazzi.

B. PCI v. Menasha Utilities

CA/HRD Brandt explained the lawsuit PCI has filed against Menasha Utilities and City of Menasha.

The process is to select an arbitrator to sort things out. The selection of an arbitrator will take place after Sept 1, 2006 and then a hearing will be scheduled. Anticipate the hearing will not take place until after Jan. 1, 2007. The Utilities has Attorney Jim Bartzten representing them.

CA/HRD Brandt and MU GM Young answered questions.

III. ADJOURNMENT.

Moved by Ald. Michalkiewicz seconded by Ald. Pack to adjourn at 5:30 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
CLOSED SESSION COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
January 15, 2007
Minutes

DRAFT

I. Meeting called to order by Mayor Laux at 5:00 p.m.

II. Roll Call

Present: Ald. Wisneski, Hendricks, Michalkiewicz, Chase, Merkes

Excused: Ald. Pack, Eckstein

Absent: Ald. Taylor

Also Present: Mayor Laux, CA/HRD Brandt, DPW Radtke, CDD Keil, Comp/Treasurer Stoffel
Attorney Rohan, Clerk Galeazzi.

III. Discussion

A. Motion to Adjourn into Closed Session pursuant to Sec. 19.85(1)(g) conferring with legal Counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Lake Park Villas).

Moved by Ald. Wisneski seconded by Ald. Michalkiewicz to adjourn into closed session.
Motion carried on roll call 5-0.

Ald. Taylor arrived at 5:05p.m.

B. Roll Call in Closed Session.

Present: Ald. Taylor, Wisneski, Hendricks, Michalkiewicz, Chase, Merkes.

Excused: Ald. Pack, Eckstein

Also Present: Mayor Laux, CA/HRD Brandt, DPW Radtke, CDD Keil, Comp/Treasurer Stoffel,
Clerk Galeazzi, Attorney Rohan

C. Update on Lake Park Villas

CA/HRD Brandt introduced Attorney Rohan from Davis & Kuelthau. Attorney Rohan will be representing the City during the receivership process of WISCO. He explained receivership and the procedure with the court system. He explained the City status during the receivership process. He recommended the City have the Athletica Health Facility appraised.

Discussion ensued on the status of the Lake Park Villas condominium units and the marketing and selling of lots in that area.

III. Adjournment

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to adjourn at 6:15 p.m.
Motion carried on roll call.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
Closed Session
140 Main Street, 3rd Floor Council Chambers
December 3, 2007
MINUTES

1. CALL TO ORDER

- A. Meeting Called to Order by Mayor Laux at 5:00 p.m.

2. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Chase, Merkes, Taylor, Wisneski, Pack (5:20p.m.), Hendricks, Eckstein, Michalkiewicz
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, C/T Stoffel, Carol Wirth (RBC Capital Markets), Clerk Galeazzi

3. DISCUSSION

- A. Motion to Adjourn into Closed Session pursuant to sec. 19.85(1) (g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; (Lake Park Villas)

Moved by Ald. Wisneski, seconded by Ald. Taylor to adjourn into Closed Session
Motion carried on roll call 7-0.

- B. Closed Session

A. Roll Call

PRESENT: Ald. Chase, Merkes, Taylor, Wisneski, Pack (5:20p.m.), Hendricks, Eckstein, Michalkiewicz
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, C/T Stoffel, Carol Wirth (RBC Capital Markets), Clerk Galeazzi

B. Lake Park Villas

Attorney Tom Rohan joined meeting via teleconference. Lake Park receiver has hired a company from Chicago area is put Athletica Fitness Center and Club House up for auction. The auction is scheduled for January 22, 2008. City has an option to bid on the properties. The City only holds a mortgage on Athletica Fitness Center. The Courts will need to approve any transaction.

Discussion ensued on if property is worth appraised value, if City bids how it should be marketed, other uses for the buildings.

4. ADJOURNMENT

- A. Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to adjourn at 5:49 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Closed Session
140 Main Street, 3rd Floor Council Chambers
March 3, 2008
MINUTES

DRAFT

1. CALL TO ORDER

A. Meeting called to order by Mayor Laux at 7:58 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. PRESENT: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, DPW Radtke, CDD Keil, C/T Stoffel,
Clerk Galeazzi

3. DISCUSSION

A. Motion to convene in closed session under Section 19.85(1)(g) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by members of the group and the group as a whole with respect to their joint defense in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation.

Moved by Ald Taylor, seconded by Ald. Michalkiewicz to adjourn into closed session
Motion carried on roll call 8-0

B. Closed Session

A. Roll Call

PRESENT: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, DPW Radtke, CDD Keil, C/T Stoffel,
Clerk Galeazzi

B. Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation.

CA/HRD Brandt explained the process of the PCB clean-up. He also explained the mediation between the municipalities and the mills is not going well. There is talk of law suites. Municipalities with treatment facilities may be involved in law suite. If the City of Menasha would be part of the law suit, current insurance will not cover. CA/HRD Brandt explained the importance of paper documents and electronically stored information pertaining to this subject. This covers both business and personnel computers.

4. ADJOURNMENT

A. Moved by Ald. Eckstein, seconded by Ald. Pack to adjourn at 8:25 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Closed Session
City Hall-140 Main St.-Council Chambers-3rd Floor
June 2, 2008

DRAFT

1. CALL TO ORDER

- A. Meeting called to order by Mayor Merkes at 8:55 p.m.

2. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Zelinski, Michalkiewicz, Benner, Pamerter, Taylor, Wisneski, Pack, Hendricks
ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Clerk Galeazzi

3. DISCUSSION

- A. Motion to convene in closed session under Section 19.85(1)(g) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by members of the group and the group as a whole with respect to their joint defense in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation.

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to convene into closed session

Motion carried by roll call 8-0.

B. 1) ROLL CALL

PRESENT: Ald. Zelinski, Michalkiewicz, Benner, Pamerter, Taylor, Wisneski, Pack,
Hendricks

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Clerk Galeazzi

2) Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation

CA/HRD Brandt updated the Council on the latest event with the PCB. There has been word from the Attorneys representing the area municipalities that there might be a law suit filed by the area paper mills. He explained the history of how PCB were deposited into the Fox River by the paper mills. The EPA and Fish and Wild Life Administration starting cleaning up the Fox River and state legislature has passed some regulations regarding depositing contaminated materials into the water. Neenah-Menasha Sewerage did some depositing of contamination into the water through the treatment of waste. N-M Sewerage did what was required to treat waste. CA/HRD Brandt did know who would be named responsible parties on the law suit. The City of Menasha does have some insurance to cover depending on how the law suit is filed.

CA/HRD Brandt answered questions from the Council.

4. ADJOURNMENT

- A. Moved by Alderman Michalkiewicz, seconded by Alderman Pack to adjourn at 9:31 p.m.
Motion carried on voice vote

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Closed Session
City Hall-140 Main St.-Council Chambers-3rd Floor
July 7, 2008
MINUTES

1. CALL TO ORDER

Meeting called to order by Mayor Merkes at 8:55 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. Roll call

PRESENT: Ald. Benner, Pamentor, Taylor, Wisneski, Pack, Hendricks, Zelinski

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, MUGM Young, Atty Bartzen, Clerk Galeazzi

3. DISCUSSION

A. Motion to convene in closed session under Section 19.85(1)(e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: PCI Arbitration.

Moved by Alderman Wisneski, seconded by Alderman Hendricks to move to convene in closed session

Motion Passed

Results:

Roll Call:

AYES: Benner, Hendricks, Pack, Pamentor, Taylor, Wisneski, Zelinski (7)

B. Roll call

PRESENT: Ald. Benner, Pamentor, Taylor, Wisneski, Pack, Hendricks, Zelinski

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, MUGM Young, Atty Bartzen, Clerk Galeazzi

C. PCI Arbitration

CA/HRD Brandt and GM Young updated the Council on what happened with the litigation and the process of mediation scheduled for July 30. If nothing resolved during mediation, then arbitration is scheduled for August 25. Depositions are being taken in preparation of mediation. Things discussed during mediation can not be used during arbitration. CA/HRD Jeff Brandt, Atty. Jim Bartzen, MG Doug Young, Mayor Don Merkes, and Comm. Mark Allwardt will be attending the mediation.

4. ADJOURNMENT

A. Adjournment

Moved by Alderman Pack, seconded by Alderman Hendricks to adjourn at 9:35 p.m.

Motion Carried on voice vote

Results:

Respectfully submitted by Deborah A. Galeazzi, City Clerk