

CITY OF MENASHA
Special Joint Common Council and
Menasha Electric and Water Utility Commission
Third Floor Council Chambers
140 Main Street, Menasha
Tuesday May 12, 2009
MINUTES

DRAFT

A. CALL TO ORDER

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

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Hendricks, Zelinski, Englebert, Benner, Pamentor, Taylor, Wisneski, Pack
Comm. Allwardt, Fahrbach, Watson, Mayor Merkes

EXCUSED: Comm. Guidote

ALSO PRESENT: PC Stanke, Charles Forrest (Stern Brothers), Carol Wirth (WFPF),
Clerk Galeazzi, and the Press

C. PUBLIC HEARING

Stern BrothersqMenasha Steam Utility Strategy Analysis Report.

Mayor Merkes opened the public hearing. He asked the clerk to record for the record the letter received from Zirkin-Cutler Investment. Zirkin-Cutler Investment is an investment management firm that hold Steam Utility Revenue BANs (Bond Anticipation Notes). The letter states they expect the City of honor its obligations by making payment on the bonds issued.

People that spoke:

1. Nancy Barker, 506 Keyes St. If plant is closed, City will not get it back.
2. Gary Robinson, 1215 Geneva Rd. Were environmental issues addressed at beginning of project?
3. Mary Ann Mulvey, 274 Misty Meadows. Multi-million dollar project and only one bid.
4. Gary Rasack, MU Employee. Plant only operating at half capacity, look at other options. Biomass conversion is possible.
5. Ken Syring, 955 Woodland Dr. What would impact be on bond rating; impact to current customer?
6. Charles Heinz, 651 Paris St. Coal not good for environment; cut losses now.
7. Mary Nebel, 713 1st St. Steam Plant has bled City, time to pull plug. Conversion to biomass at this time is precarious and unpredictable. Utility should take on some responsibility for debt
8. Joanne Roush, 409 Cleveland St. Financial experts have prepared a good report; need to cut losses; shouldnd hold closed session
9. Chris Klein, 730 Keyes St. Project got out of hand; no closed sessions, elected officials should let residents know what is happening.
10. Jeff Riedl, 408 Appleton St. Shouldnd experiment with biomass; close plant as stated in Stern Brothers report; consider selling electric utility.
11. Tim Gosz, 98 Fox St, MU Employee. Employees worked extended hours to get plant running; Water & Electric pays City annual PILOT (payment in lieu of taxes); need to hold open sessions.
12. Ken Kubiak, 1214 Fieldview. Need to do something, look at all options; should hold open meetings.
13. Jan Davey, 1232 Grove St. Have questioned commissioners and MU employees since project started. Council and Commissioners need to listen to taxpayers.

D. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
(five (5) minutes time limit for each person)

1. Charles Heinz, 651 Paris St. State Statute allows closed sessions for certain purpose, follow State Statute
2. Mary Ann Mullvey, 274 Misty Meadows. As Alderman, voted no on steam plant project.
3. Jeff Riedl, 408 Appleton St. Make decision, don't wait to find out what else can go wrong
4. Mary Nebel, 713 1st St. Few Aldermen attend Utility Commission meetings; need to have all details to make decisions.

E. DISCUSSION

Stern BrothersqMenasha Steam Utility Strategy Analysis Report.

Mayor Merkes explained the purpose for Closed Session following this meeting is for litigation and steam customer contracts. He also answered a few questions asked during public hearing.

Charles Forrest (Stern Brothers) answered questions asked during public hearing and questions from council members.

F. ACTION ITEMS

1. Pursuant to Section 19.85 (1) (g) of the Wisconsin Statutes for the purpose of 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, and (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: Potential Litigation and Steam Customer Contracts

Moved by Ald. Wisneski, seconded by Ald. Pack to adjourn into closed session at 6:45 p.m.
Motion carried on roll call 8-0

Moved by Comm. Fahrback, seconded by Comm. Watson to adjourn into closed session at 6:45 p.m.
Motion carried on roll call

Recessed for 15 minutes to remove gallery from the room.

G. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Taylor to adjourn from Closed Session at 7:00 p.m. as there was no legal counsel present
Motion carried on voice vote.

Moved by Comm. Fahrback, seconded by Comm. Watson to adjourn from Closed Session at 7:00 p.m. as there was no legal counsel present
Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk