

It is expected that a Quorum of the Personnel Committee, Board of Public Works, and Common Council will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
February 20, 2012
6:20 PM
or immediately following Common Council
AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
 - 1. [Administration Committee, 2/6/12](#)
- D. ACTION/DISCUSSION ITEMS
 - 1. [Renewal of Underground Storage Tanks Insurance](#)
 - 2. [Guidelines for Licensed Mobile Restaurants \(Ald. Klein\)](#)
 - 3. [Special Event Policy \(Ald. Krueger\)](#)
 - 4. [O-2-12 An Ordinance Amending Section 12-1-5 of the Municipal Code \(Park Regulations\) \(Introduced by Ald. Krueger\)](#)
- E. ADJOURNMENT

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
February 6, 2012
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Klein at 7:27 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Taylor, Sevenich, Krueger, Zelinski, Englebert, Benner, Klein

EXCUSED: Alderman Langdon

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, CDD Keil,
C/T Stoffel, PHD Nett, PRD Tungate, Clerk Galeazzi

C. MINUTES TO APPROVE

1. [Administration Committee, 1/16/12](#)

Moved by Ald. Krueger, seconded by Ald. Englebert to approve minutes.

Motion carried on voice vote.

D. ACTION/DISCUSSION ITEMS

1. [Special Event Policy \(Ald. Krueger\)](#)

General discussion ensued on changes to the current Special Event Policy as recommended by Ald. Krueger. Concerns were discussed.

It was suggested to keep item on the agenda for further discussion.

2. [Guidelines for Licensed Transient/Mobile Restaurants \(Ald. Klein\)](#)

General discussion ensued on guidelines introduced by Ald. Klein. Concerns were discussed.

Ald. Klein will make some revisions to guideline and bring back to Committee for discussion.

E. ADJOURNMENT

Moved by Ald. Krueger, seconded by Ald. Zelinski to adjourn at 8:45 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk



MEMORANDUM

Date: February 15, 2012

To: Administration Committee
From: Pamela A. Captain, City Attorney

RE: Underground Storage Tanks (UST) Insurance (RENEWAL)

For your consideration attached is a summary of quotations for UST insurance coverage. You may recall that according to federal regulations cities must demonstrate financial ability in the case of a leak. In the past the City of Menasha relied on its bond rating to demonstrate financial ability. At this time we are not able to rely upon our bond rating. Last year the Administration Committee recommended and the Common Council approved taking out UST insurance in order to be compliant with federal regulations.

We are looking for approval to renew the City's UST insurance coverage. If anyone is interested in reviewing the complete proposal it is available in the City's clerk office. We requested our insurance broker, through CVMIC, to seek quotations. Two of the four companies which provide UST insurance declined to submit a quotation due to the marina's exposure. We have two company quotations from which to choose.

SAMPLE MOTIONS:

1. To approve the renewal of the UST insurance coverage accepting the quotation of Liberty Surplus Ins. Corp. for
 - a. 1 year in the amount of \$4,052.83 or
 - b. the term 3/10/2012 to 12/31/2012 in the amount of \$3,306.83
2. To approve the UST insurance coverage accepting the quotation of ACE American Ins. Co. for 1 year in the amount of \$3,528.00.

**CITY OF MENASHA
SUMMARY OF UST QUOTATIONS
2012 - 2013**

	2011-2012	2012-2013	2012-2013
Carriers	Liberty Surplus Ins. Corp.	Liberty Surplus Ins. Corp.	ACE American Ins. Co.
	<i>Incumbent</i>	<i>Incumbent</i>	<i>Alternative</i>
	Non-Admitted	Non-Admitted	Admitted
Policy Period:	1 year	1 year	1 year
Best's Rating	A XV	A XV	A+ XV
Policy Form	Claims-made	Claims-made	Claims-Made
Number of Tanks	4	4	4
Limit of Liability			
Each Accident	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Aggregate Limit	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Aggregate Claims Expense Limit	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Deductible - Each Accident	\$ 25,000	\$ 25,000	\$ 25,000
Retroactive Date	3/1/11	3/1/11	3/1/11
Annual Premium	\$ 3,545.00	\$ 3,844.00	\$ 3,528.00
WI Surplus Lines Tax (3%)	\$ 106.35	\$ 115.32	N/A
Terrorism Premium	\$ 106.00	\$ 93.51	TBD
Total Premium	\$ 3,757.35	\$ 4,052.83	\$ 3,528.00
OPTIONAL -			
Term premium (3/10/12 - 12/31/12)	N/A	\$ 3,117.00	Not an option
Terrorism premium		\$ 93.51	
Wisconsin Surplus Lines Tax (3%)		\$ 96.32	
Total Term Premium		\$ 3,306.83	
Commission	13%	13%	15%

Marketing Recap

Insurance Carrier	Coverages	Best's Rating [Edition Date]	Surplus Lines (Yes/No)	Carrier's Position (Quoted/Declined & Reason)
ACE American Insurance Company	Underground Storage Tanks	A+ XV (June 21, 2011)	No	Quoted. Annual premium is \$3,528 for \$1M limit at \$25,000 deductible. Unable to offer term premium.
Commerce & Industry – via Chambers	Underground Storage Tanks		No	Declined – due to marinas exposures
Liberty Surplus Insurance Corporation - Incumbent	Underground Storage Tanks	A XV (June 16, 2011)	Yes	Quoted. Term Premium (3/10/12 to 12/31/12) is \$3,117 plus 3% TRIA.
Zurich Insurance Company	Underground Storage Tanks		No	Declined – due to marinas exposures.

Note: If the above indicates coverage is placed with a Non-Admitted Carrier, the carrier is doing business in the state as a surplus lines or non-admitted carrier. As such, this carrier is not subject to the same regulations which apply to an admitted carrier nor do they participate in any insurance guarantee fund applicable in that state.

2/14/2012

Guidelines for Licensed Mobile Restaurants-DRAFT

Parks

Mobile restaurant vending is not allowed in parks unless associated with an approved special event or specific prior approval through the Parks Dept.. If participating in a special event, Mobile restaurant vendor must pay associated special event fees as dictated by the special event.

Events

Mobile restaurant Vending may be allowed at special events. The event sponsor MUST approve event mobile restaurant vendors prior to participation.

Streets

Mobile restaurant vending is allowed on public streets or sidewalks as dictated by current ordinance and street occupancy permit fee. Mobile restaurants must remain at least 75ft from competitive businesses who serve similar products to avoid street congestion. Vendors will not impede or inconvenience the public use of the street or sidewalk. A safety officer's judgment, exercised in good faith, shall be conclusive as to whether the area is congested and the public impeded or inconvenienced.

Vending fees & Permits

- 1) Annual Mobile Restaurant street occupancy fee permits acquired through the Police Dept. At a cost TBD. (Similar costs are \$25/yr)
- 2) The City of Menasha Health Dept will inspect all mobile restaurants who wish to operate within the City of Menasha and possess a current State license issued by another jurisdiction. Current licenses would include those issued by another Agent Health Department or the State of Wisconsin Department of Health Services. All non-resident mobile restaurant operators will be charged an inspection fee which will be equal to the current temporary restaurant license fee. Wisconsin Food Code (WFC) Chapter 9 and all other applicable sections of the WFC shall be used as a basis for these inspections. An inspection report will be provided to the operator following the inspection, and risk factor violations cited must be corrected prior to operating.
- 3) The inspection fee charged to non-resident mobile restaurants will be issued on an annual basis for the period of July 1 – June 30. Inspection fees paid prior to April 1 will expire on June 30 of that same year. Inspection fees paid after April 1 will expire on June 30 of the following year. Inspection fees must be paid prior to setting up within the City of Menasha.

- 4) No inspection permits shall be transferable except with the written consent of the City Health Department with the approval of the Director of Health or Health Department designee, such consent and approval shall not be unreasonably withheld. The application for such transfer shall contain the same information as requested herein for an initial application for such a mobile restaurant permit and shall be accompanied by the same filing and inspection fees as for an initial application. Upon approval of said transfer, the transferee shall retain the original permit granting date and all of the transferor's rights under this Ordinance.
- 5) No Mobile Restaurants are permitted Within 1,000 feet of the property line of any public elementary school, junior high school, or high school between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday.

Mobile Restaurants are described as:

(53m) **“Mobile food establishment”** means a: (per WFC Chapter 1- References made to retail food establishments have been removed from the definition)

(a) Restaurant [FOOD ESTABLISHMENT](#) where FOOD is served from a movable vehicle, push cart, trailer or boat which periodically or continuously changes location and requires a service base to accommodate the unit for servicing , cleaning, inspection and maintenance or except as specified in 9-103.11(D).

(b) “Mobile food establishment” does not include a vehicle which is used solely to transport or deliver FOOD or a common carrier regulated by the state or federal government, or a movable concession stand designed to operate as a [TEMPORARY FOOD ESTABLISHMENT](#) .

(97) **“Temporary food establishment”** means a [FOOD ESTABLISHMENT](#) that operates at a fixed location for a period of no more than 14 consecutive days in conjunction with a single event or celebration such as a fair, carnival, circus, public exhibition, anniversary sale or OCCASIONAL sales promotion.

Chris Klein
District 1 Alderman

2/1/2012

2012 Special Event Agreement Packet

Checklist #2 – Certificate of Liability Insurance

A Certificate of Liability Insurance and Endorsement, each naming the City of Menasha as additional insured, must be submitted no later than 30 days prior to the event date. Failure to provide insurance and endorsement on time can result in termination of event permits.

City of Menasha Special Event Policy

Line 3 - Review of Application, second sentence

The Special Events staff meeting will be scheduled no later than 45 days prior the event date. Approval for application will be scheduled for the next Common Council Meeting following the Special Events staff meeting.

Line 5 – Certificate of Insurance and Endorsement, last sentence

The Certificate of Insurance and the Endorsement must be submitted no later than 30 days prior to the event. Failure to provide insurance and endorsement on time can result in termination of event permits.

Line 7 – Fees, second from last sentence

At the completion of your event, charges must be paid no later than 60 days from the postal date of the final invoice.

Line 8 – Non-Profit Organizations as Event Holders

Eliminate entire section.

City of Menasha Special Event Permit

Staff – Last sentence

Special Events receive 50% cost support from the CITY if their event is free and open to the public.

City of Menasha Special Event Policy

SPECIAL EVENT is defined as any planned occurrence on the public right-of-way or public premises including, but not limited to; parades, gatherings, festivals and athletic events. By nature these events have a greater impact on City services and resources than would have occurred had the event not taken place. Special events require multiple department involvement.

The City of Menasha wants any Special Event to be a success for organizers and participants alike. By providing for an organized application process, we hope to provide for the safety and well being of all community members.

APPLICATION Complete Special Event Agreement Packet must be returned to City Hall, 2nd Floor, Public Works/Parks & Recreation Departments at least 60 days prior to the event. This will allow time for all pertinent departments to review your event needs. A non – refundable fee of \$25 is due at the time your application is submitted. Please note that if you are holding an event in a park you will need to reserve the park prior to turning in your Special Events Application.

REVIEW OF APPLICATION Once your application is received and reviewed, someone from your group will be required to attend a meeting with the Special Events staff. You will be advised of the date and time. The appropriate departments will review the individual worksheets included in your Special Events Packet to ensure that all considerations have been identified and contingencies planned for.

APPROVAL OF APPLICATION Once your application has been reviewed and approved you will receive a Special Event Permit.

CERTIFICATE OF INSURANCE AND ENDORSEMENT If proof of insurance is required, Certificate of Insurance and Endorsement must be provided by the event sponsor. The **City of Menasha must be named as additional insured on both the Certificate of Insurance and the Endorsement.** (see exhibit 1) The sponsor shall hold the City, any of its employees and agents and facilities harmless against all claims, liability, loss, damage or expense incurred by the City for any damage or injury to person or property caused by or resulting from activities arising from the special event. **The Certificate of Insurance and the Endorsement must be submitted no later than 5 business days following approval of the special event, but in no case less than 30 days prior to the event.**

SPONSOR ADDITIONAL RESPONSIBILITIES If your event requires street closure, it is the event holder's responsibility to contact, Valley Transit at 920-832-5200 and Gold Cross Ambulance at 920-967-6077 to alert them to the street closure. It is also the event holder's responsibility to notify the property occupants affected by a street closure exceeding 30 minutes. Included in this packet is a form that can be used for notification.

FEES All events are required to pay a non-refundable deposit of \$25 at the time their application is turned in. Charges for park facilities, food sales permits, tent permit fees, firework fees, etc. are to be paid *IN ADDITION* to the Special Events application fee. Submittal of an event application does **NOT** reserve a park. The applicable fees due prior to your event are: temporary food service permits, temporary beer sales permit, carnival permit, tent fee inspection, fireworks permits and park rental fees. At the completion of your event, charges must be paid no more than 60 days after the last date of your event. If this requirement is not met, further charges may be incurred.

NON-PROFIT ORGANIZATIONS AS EVENT HOLDERS Non-Profits hosting an event that is free and open to the public **may** receive up to a 50% discount on the total Special Event bill. By definition the Non-Profit group must be a registered 501(c)(3) or (4) organization and proof of this designation is required.

TERMINATION OF EVENT The City and its representative reserve the right to shut down a special event that is in progress if it is determined to be a safety hazard by the Police and/or Fire Departments and/or there is a violation of City Ordinances, State Statute, or the terms of the approved application have not been met. The Mayor and /or their designee may revoke an approved Special Event Permit if the applicant fails to comply in good faith with the provisions of the permit prior to the event date.



MEMO

TO: Administration Committee

FROM: Debbie Galeazzi, City Clerk
Carol Schmidt, PW Admin Assistant
Kristi Heim, Parks Admin Assistant

SUBJECT: Special Event Fees Breakdown

DATE: February 2, 2012

The attached spreadsheet shows the dollar amounts charged by department for actual costs associated with Special Events held in the City of Menasha in 2011. These are new fees that were not collected in previous years with the exception of some park rental and/or equipment usage fees. This information is in accordance with the Special Event Policy adopted by the Common Council on January 4, 2011.

Also, in accordance with the Special Events Policy, a \$25 non-refundable administration fee was collected from each sponsor with the submittal of their application. The total up-front administration fees for 2011 were \$500 and are not reflected on the spreadsheet.

The following up-front fees will continue to be collected by the individual departments: Street Use Permit, Temporary Beer/Wine Liquor License, Temporary Food-Vending License, Fireworks and Tent/Structure Permits. These fees are not reflected on the spreadsheet because they are not new fees.

2011 Special Event Fees by Department	Sponsor	Street Dept	Parks & Rec	Police	Fire	Sub-Total	Total
Team Hailey 5K Run/Walk for a Cure (Approved prior to implementation of Special Events Policy) 501(c)(3) April 16	Team Hailey/PLGA Foundation	\$0	\$0	\$0	\$0	\$0.00	\$0
Moose Fest, May 7-8	Steve & Deanna Krueger	\$270.61	\$101.00	\$216.00	\$0	\$587.61	\$587.61
Memorial Day Parade 501(c)(3) May 30	Veterans Association	76.08	\$0	\$92.50	\$0	\$168.58	\$84.29
Marina Steak Fry for Boaters, June 18	Diane Schabach	\$0	\$100.00	\$0	\$0	\$100.00	\$100.00
Community Fest (city sponsored) July 3-4	Cities of Neenah & Menasha	\$0	\$0	\$0	\$0	\$0.00	\$0
Grunski Runski (city sponsored) August 13	City of Menasha	\$0	\$0	\$0	\$0	\$0.00	\$0
New Wheelers Bike Race, August 14	O2 Cycling	244.84	\$120	\$116.25	\$0	\$481.09	\$481.09
Sunrunner "Cruise In" 501(c)(3) Summer	MAC	\$405.31	\$1,120.00	\$0	\$0	\$1,525.31	\$762.66
Race the Lake, August 21	Midwest Sports Events	\$257.22	\$0	\$356.50	\$0	\$613.72	\$613.72
Jazzfest 501(c)(3) September 2-4	Jazz Corner Society	\$114.93	\$623.00	\$150.00	\$0	\$887.93	\$443.97
Marina Corn Roast for Boaters, September 3	Diane Schabach	\$0	\$109.00	\$0	\$0	\$109.00	\$109.00
Labor Day Parade 501(c)(3) September 5	Fox Valley Area Labor Council	\$76.08	\$0	\$102.00	\$0	\$178.08	\$89.04
Seafoodfest 501(c)(3) September 7-11	Neenah Menasha Rotary Foundation	\$625.92	\$1,549.00	\$710.00	\$0	\$2,884.92	\$1,442.46
ThedaCare Picnic, September 15-18	ThedaCare	\$124.89	\$1,650.00	\$0	\$0	\$1,774.89	\$1,774.89
Fox Cities Marathon 501(c)(3) September 18	Community First Credit Union	\$523.05	\$10	\$995.38	\$0	\$1,528.43	\$764.22
St. Joe's Food Pantry Run 501(c)(3) October 15	Pacesetter's of the Fox Cities	\$70.43	\$0	\$102.75	\$0	\$173.18	\$86.59
Menasha High Homecoming Parade, September 30	Menasha High School	\$79.23	\$0	\$0.00	\$0	\$79.23	\$79.23
St. Mary Homecoming Parade, September 30	St. Mary Central High School	\$0	\$0	\$0	\$0	\$0.00	\$0
Turkey Trot, November 24 501(c)(3)	Festival Foods	\$71.69	\$0	\$388.50	\$0	\$460.19	\$230.10
Jingle Bell Run for Arthritis 501(c)(3) December 3	Arthritis Foundation	\$0	\$0	\$36.00	\$0	\$36.00	\$18.00
New Year's Eve Celebration, December 31	Community Forward, Inc.	1124.34	\$240	75	\$0	\$1,439.34	\$1,439.34
2011 Totals		\$4,065	\$5,622	\$3,341	\$0	\$13,028	\$9,106

Non-Profit Organizations designated 501(c)(3)

* Includes charges for normal park rental and/or equipment usage

ORDINANCE O-2-12

AN ORDINANCE AMENDING SECTION 12-1-5 OF THE MUNICIPAL CODE
(PARK REGULATIONS)

INTRODUCED BY ALDERMAN KRUEGER

The Common Council of the City of Menasha does hereby ordain as follows:

SECTION 1: Amend Title 12, Chapter 1, SEC.12-1-5 of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

CHAPTER 1

Park Regulations

...

SEC. 12-1-5 RESERVATION OF PARK SPACE.

...

(b) RESERVATION OF PARK SPACE. A person or group, firm, organization, partnership or corporation may reserve the use of a park facility or a park shelter by written application filed with the Director of Parks and Recreation for a permit for exclusive use of the same. The Director of Parks and Recreation shall issue permits for exclusive use of a portion of a park or park shelter. Solicitation of donations by City staff to a person or group, firm, organization, partnership or corporation for use of any park facility, park shelter, park equipment or services thereof must be in writing. The Parks and Recreation Board shall issue permits for events planning to sell alcohol or fermented malt beverages or for multi-day events. Park facilities may be reserved under policies and procedures established by the Park and Recreation Board.

SECTION 2: This amending Ordinance shall take effect upon passage and publication as provided by law.

Passed and approved this day of 2012.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk