

It is expected that a Quorum of the Personnel Committee, Administration Committee, 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  
BOARD OF PUBLIC WORKS  
Third Floor Council Chambers  
140 Main Street, Menasha  
October 17, 2016  
6:30 PM  
or immediately following the Common Council**

**AGENDA**

A. CALL TO ORDER

B. ROLL CALL/EXCUSED ABSENCES

C. MINUTES TO APPROVE

1. [Board of Public Works, 10/3/16.](#)

D. ACTION ITEMS

1. [Payment No. 5 – Northeast Asphalt, Inc.; New Street Construction and Reconstruction, Concrete Curb and Gutter, Concrete Sidewalk, Asphalt Pavement within Parking Area, 8' Wide Asphalt Trail and Storm Sewer; Sixth Street, Ninth Street, Grandview Avenue, Manitowoc/Plank Road \(8' Wide Asphalt Trail\), Menasha Utilities Office \(Parking Area Paving\), and Community Way; Contract Unit No. 2016-02; \\$108,225.92.](#)
2. [R-30-16 – Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefited Property \(Lake Cottage Estates\) \(Introduced by Ald. Krautkramer\).](#)
3. [Amendments to Title 10 Chapter 1 Article C Parking Regulation \(Ald. Taylor\).](#)

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  
Board of Public Works  
Third Floor Council Chambers  
140 Main Street, Menasha  
October 3, 2016  
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Krautkramer at 7:19 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Benner, Nichols, Krautkramer, Collier, Keehan, Zelinski.

EXCUSED: Alderman Spencer, Taylor.

ALSO PRESENT: Mayor Merkes, Attorney Chad Wade, PC Styka, FC Kloehn, ASD Steeno, CDD Buck, PRD Tungate, PHD McKenney, Tim Gosz (Utilities), Steve Grenell (Utilities), Brian Adesso (MJSD), Dave Elliot (MJSC), Clerk Galeazzi.

C. MINUTES TO APPROVE

1. [Board of Public Works, 9/19/16](#)

Moved by Ald. Keehan seconded by Ald. Benner to approve minutes.

Motion carried on voice vote.

D. COMMUNICATIONS

1. [ES Montour, 9/29/16; Update on Racine Street/Road and Ninth Street Construction Project.](#)

Mayor Merkes explained Racine Street/Road, from Ninth Street to Twelfth Street, will open on Oct. 4. Non-motorized vehicles will be allowed to use the roundabout on Racine Street/Road before cars have access.

E. ACTION ITEMS

1. [Payment No. 2 – Vinton Construction, Inc.; Contract Unit 2016-01; Downtown Street, Walkway and Electrical Improvements; Mill Street, Main Street, Pedestrian Link from Broad Street Parking Ramp to Main Street; \\$83,978.31.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to recommend to Common Council Payment No. 2 to Vinton Construction, Inc. for Contract Unit 2016-01 for Downtown Street, Walkway, and Electrical Improvements to Mill Street, Main Street, and Pedestrian Link from Broad Street Parking Ramp to Main Street in the amount of \$83,978.31.

Motion carried on roll call 6-0.

2. [Payment No. 4 – Northeast Asphalt, Inc.; New Street Construction and Reconstruction, Concrete Curb and Gutter, Concrete Sidewalk, Asphalt Pavement within Parking Area, 8' Wide Asphalt Trail and Storm Sewer; Sixth Street, Ninth Street, Grandview Avenue, Manitowoc / Plank Road \(8' Wide Asphalt Trail\), Menasha Utilities Office \(Parking Area Paving\), and Community Way; Contract Unit No. 2016-02; \\$102,126.99.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to recommend to Common Council Payment No. 4 to Northeast Asphalt, Inc. for new street construction and reconstruction, concrete curb and gutter, concrete sidewalk, asphalt pavement within parking area, 8' wide asphalt trail and storm sewer for Sixth Street, Ninth Street, Grandview Avenue, Manitowoc / Plank Road (8' wide asphalt trail), Menasha Utilities Office (parking area paving), and Community Way, Contract Unit No. 2016-02 in the amount of \$102,126.99. Motion carried on roll call 6-0.

3. [Recommendation to Award – Midway Underground Loop Project to J&R Underground in the amount of \\$154,756.25. \(Menasha Utilities\)](#).

Steve Grenell, MU Engineering Manager, explained the contract is for installation of the electrical plant materials as well as a 2” duct bore for fiber installation on Midway Road in the Province Terrace area.

Moved by Ald. Benner seconded by Ald. Keehan to recommend to Common Council Recommendation to Award the Midway Underground Loop Project to J&R Underground in the amount of \$154,756.25 (Menasha Utilities).

Motion carried on roll call 6-0.

4. [Resolution R-28-16 – A Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703, Wisconsin Statutes \(Introduced by Ald. Krautkramer\)](#)

ASD Steeno explained this resolution starts the process for special assessments of property in Lake Cottage Estates in accordance with the agreement with Developer Mike Hagens.

Moved by Ald. Nichols seconded by Ald. Keehan to recommend to Common Council Resolution R-28-16-A Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703, Wisconsin Statutes.

Motion carried on roll call 6-0.

5. [Ordinance O-15-16 – An Ordinance Creating Private Lead Water Service Lateral Replacement Requirement \(Introduced by Ald. Krautkramer\)](#).

Tim Gosz, Water Utility Manager, gave a presentation on lead service line replacement. MU staff has been replacing the lead service lines that are owned by Utilities when water mains are replaced. MU staff is asking the City to approve an ordinance requiring water customers replace lead service lines on their property. Utilities are prohibited by PSC rules from replacing homeowners’ portion of services. Replacing lead service lines will help eliminate lead in drinking water. Since there is a cost to the homeowner to replace the service lines, the Utilities has received a \$300,000 grant from the State to help fund private lead service replacement. More funding could be available in the future. Manager Gosz explained the details of the lead service replacement rebate program and the procedure for property owners to receive the rebate.

General discussion ensued on how many properties have lead service lines, requiring homeowners to replace their lead service lines, funding sources available for helping homeowners with the costs, owner occupied versus rental properties with lead service lines, and health concerns with having lead in drinking water.

Moved by Ald. Benner seconded by Ald. Collier to postpone until 11/7/16 Board of Public Works meeting.

Motion carried on roll call 6-0.

6. [Amendments to Title 10 Chapter 1 Article C Parking Regulation \(Ald. Taylor\)](#).

Chairman Krautkramer stated this item will be discussed at the next Board of Public Works meeting.

7. [Proposed Lease Agreement between Menasha Joint School District and City of Menasha -100 Main Street, Menasha.](#)

Mayor Merkes reviewed the terms of the lease agreement, floor plan design, and financial impact.

General discussion ensued on terms of the lease agreement, benefit for having Administrative Offices for City and MJSD in one building, collaborating of services, marketing of current City Hall building, and financial impact.

Brian Adesso and Dave Elliot from MJSD answered questions.

Moved by Ald. Nichols seconded by Ald. Keehan to recommend to Common Council Proposed Lease Agreement between Menasha Joint School District and City of Menasha for 100 Main Street, Menasha.

Motion carried on roll call 4-2.

Ald. Nichols, Krautkramer, Keehan, Benner voted yes. Ald. Collier, Zelinski voted no.

F. ADJOURNMENT

Moved by Ald. Keehan seconded by Ald. Collier to adjourn at 9:26 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi, WCMC, City Clerk

**Certificate of Payment**

Date: October 13, 2016

Payment Request: 5 (Five)

Contractor: Northeast Asphalt, Inc.

Address: W6380 Design Drive, Greenville, WI 54952

Contract Unit No.: 2016-02

Project Description: New Street Construction and Reconstruction, Concrete Curb and Gutter, Concrete Sidewalk, Asphalt Pavement, Asphalt Pavement within Parking Area, 8' Wide Asphalt Trail and Storm Sewer

Original Contract Amount \$ 893,042.04

Change Order No.: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Previous Change Order(s): \$ \_\_\_\_\_

Total Contract Amount (Including Change Orders) \$ 893,042.04

Total Earned to Date (Summary Attached) \$ 845,638.36

Less Retainage (2.5% of Original Contract) \$ 22,326.05

Amount Due \$ 823,312.31

Previous Payments \$ 715,086.39

Amount Due this Payment \$ 108,225.92

Estimate Period from September 29, 2016 to October 13, 2016

*I certify that all bills for labor, equipment, materials and services are paid for which previous certificates for payment were issued.*

Date: \_\_\_\_\_ By: \_\_\_\_\_

*Lien Waivers from all subcontractors and suppliers shall accompany each Request for Payment. Affidavit of Compliance with Prevailing Wage Rates shall accompany Request for Final Payment.*

**Recommended for Payment**

Corey Gordon, Public Works: \_\_\_\_\_ Date: \_\_\_\_\_

Don Merkes, Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

**Common Council Approval Date:** \_\_\_\_\_

**Finance Department**

<u>Account Number</u>	<u>Budget</u>	<u>Charge to Account</u>
	\$	
	\$	
	\$	
	\$	

Itemized Bid Tabulation						
City of Menasha Contract Unit No. 2016-02						
New Street Construction and Reconstruction, Concrete Curb and Gutter, Concrete Sidewalk, Asphalt Pavement within Parking Area, (8' Wide Asphalt Trail), Menasha Utilities Office ( Parking Area Paving) and Storm Sewer						
Sixth Street, Ninth Street, Grandview Avenue, Manitowoc / Plank Road (8' Wide Asphalt Trail), Menasha Utilities Office (Parking Area Paving), Keil Way						
Unit 2016-02 Menasha Utilities Parking Lot				Payment # 5 (Five)		
Item	Quantity	DESCRIPTION	UNIT PRICE		YTD Total	
			UNIT PRICE	ITEM TOTAL	Quantity	Total
		<b>BASE BID</b>				
1	7,000	Asphalt Pavement Removal/SY	\$ 1.15	\$ 8,050.00	7000.00	\$ 8,050.00
2	7,589	Fine Grading and Compaction/SY	\$ 1.25	\$ 9,486.25	7589.00	\$ 9,486.25
3	1	Utility Adjustment/Each	\$ 300.00	\$ 300.00	2.00	\$ 600.00
4	14	Sawcut/LF	\$ 1.75	\$ 24.50	14.00	\$ 24.50
5	764	Asphalt Binder Course Pavement 1 1/3" Thick Type E-0.3 (19 mm)/Ton	\$ 52.00	\$ 39,728.00	747.32	\$ 38,860.64
6	764	Asphalt Surface Course Pavement 1 3/4" Thick Type E-0.3 (12.5 mm)/Ton	\$ 55.50	\$ 42,402.00	790.84	\$ 43,891.62
7	1	Erosion Control/LS	\$ 1,050.00	\$ 1,050.00	1.00	\$ 1,050.00
8	1	Construction Mobile/Demobile; Project Coordination; all incidental utility and miscellaneous roadway work; and all other project work area restoration and clean-up to an equal and/or better preconstruction condition, as required and related to the overall Project/LS	\$ 4,700.00	\$ 4,700.00	1.00	\$ 4,700.00
<b>Total Unit 2016-02 Menasha Utilities Parking Lot</b>				\$ 105,740.75		\$ 106,663.01
<b>Unit 2016-02 Manitowoc Road / Plank Road Trail</b>						
1	6	Remove and Replace Inlet/Each	\$ 2,500.00	\$ 15,000.00	6.00	\$ 15,000.00
2	2	Remove Inlet and Abandon Storm Inlet Lead/Each	\$ 345.00	\$ 690.00	2.00	\$ 690.00
3	1,235	Unclassified Excavation/CY	\$ 8.50	\$ 10,497.50	1235.00	\$ 10,497.50
4	1,000	Recycled/Pulverized Stone Placement (10" Thick)/CY	\$ 11.00	\$ 11,000.00	1000.00	\$ 11,000.00
5	3,604	Fine Grading and Compaction/SY	\$ 2.25	\$ 8,109.00	3604.00	\$ 8,109.00
6	2,189	30" Concrete Curb & Gutter/LF	\$ 10.20	\$ 22,327.80	2200.00	\$ 22,440.00
7	8	30" Concrete Curb and Gutter (Remove and Replace)/LF	\$ 40.00	\$ 320.00	18.00	\$ 720.00
8	2,174	30" Concrete Curb and Gutter (Removal)/LF	\$ 2.00	\$ 4,348.00	2200.00	\$ 4,400.00
9	15	Utility Adjustment/Each	\$ 290.00	\$ 4,350.00	17.00	\$ 4,930.00
10	2,235	Sawcut/LF	\$ 1.75	\$ 3,911.25	2362.00	\$ 4,133.50
11	412	3" Thick Asphalt Trail Type E-0.3 (12.5 mm) Placed in One Lift/Ton	\$ 53.40	\$ 22,000.80	0.00	\$ -
12	743	4" Thick Asphalt Pavement (Remove & Replace) Type E-1 Placed in Two Lifts/SY	\$ 18.95	\$ 14,079.85	918.00	\$ 17,396.10
13	80.00	Remove Existing Asphalt Trail and Driveway/SY	\$ 4.50	\$ 360.00	70.00	\$ 315.00
14	669	3" Thick Asphalt Driveway/Apron (Remove and Replace)/SY	\$ 17.85	\$ 11,941.65	0.00	\$ -
15	474	3" Thick Asphalt Apron/SF	\$ 3.75	\$ 1,777.50	0.00	\$ -
16	3	Handicap Ramp Curb Cut/Each	\$ 350.00	\$ 1,050.00	0.00	\$ -
17	531	6" Thick Concrete Handicap Ramp/SF	\$ 4.75	\$ 2,522.25	0.00	\$ -
18	87	4" Thick Concrete Sidewalk (Remove and Replace)/SF	\$ 6.00	\$ 522.00	0.00	\$ -
19	172	6" Thick Concrete Handicap Ramp (Remove and Replace)/SF	\$ 5.75	\$ 989.00	0.00	\$ -
20	2,546	Lawn and Terrace Restoration/SY				
21	1	Clearing and Grubbing/LS	\$ 4,500.00	\$ 4,500.00	1.00	\$ 4,500.00
22	1	Temporary Mailbox/LS	\$ 475.00	\$ 475.00	1.00	\$ 475.00
23	1	Erosion Control/LS	\$ 1,050.00	\$ 1,050.00	1.00	\$ 1,050.00
24	1	Traffic Control/LS	\$ 2,250.00	\$ 2,250.00	1.00	\$ 2,250.00
25	1	Construction Mobile/Demobile; Project Coordination; all incidental utility and miscellaneous roadway work; and all other project work area restoration and clean-up to an equal and/or better preconstruction condition, as required and related to the overall Project/LS	\$ 7,100.00	\$ 7,100.00	1.00	\$ 7,100.00
<b>Total Unit 2016-02 Manitowoc Road / Plank Road Trail</b>				\$ 151,171.60		\$ 115,006.10
<b>Unit 2016-02 Street Rehabilitation, Street Reconstruction; New Street Construction</b>						
1	400	Topsoil Stripping/CY	\$ 4.00	\$ 1,600.00	400.00	\$ 1,600.00
2	1	Remove and Replace Inlet/Each	\$ 1,800.00	\$ 1,800.00	1.00	\$ 1,800.00
3	2	New Inlet/Each	\$ 1,500.00	\$ 3,000.00	2.00	\$ 3,000.00
4	15	10" HDPE Inlet Lead/LF	\$ 55.00	\$ 825.00	29.50	\$ 1,622.50
5	190	15" SDR-35 PVC Storm Sewer Relay/LF	\$ 38.00	\$ 7,220.00	186.00	\$ 7,068.00
6	150	18" SDR-35 PVC Storm Sewer Relay/Each	\$ 45.00	\$ 6,750.00	151.00	\$ 6,795.00
7	43	18" HDPE Culvert/LF	\$ 45.00	\$ 1,935.00	44.00	\$ 1,980.00
8	2	Endwall for 18" HDPE Culvert Pipe/Each	\$ 150.00	\$ 300.00	2.00	\$ 300.00
9	20	6" SCH-40 PVC Sanitary Sewer Lateral/LF	\$ 58.00	\$ 1,160.00	130.00	\$ 7,540.00
10	45	4" Under Pavement Drain/LF	\$ 18.00	\$ 810.00	45.00	\$ 810.00
11	7.92	48" Diameter Storm Manhole/V.F.	\$ 210.00	\$ 1,663.20	0.00	\$ -
12	16,021	Pavement / Base Pulverizing/SY	\$ 0.50	\$ 8,010.50	16021.00	\$ 8,010.50
13	1,969.00	Unclassified Excavation of Pulverized Material/CY	\$ 8.50	\$ 16,736.50	2037.00	\$ 17,314.50
14	3,531	Unclassified Excavation/CY	\$ 8.60	\$ 30,366.60	3817.00	\$ 32,826.20
15	38	30" Concrete Curb and Gutter Removal Only/LF	\$ 2.50	\$ 95.00	30.00	\$ 75.00
16	687	Supply, Place and Compact Clean Fill/CY	\$ 8.95	\$ 6,148.65	687.00	\$ 6,148.65
17	1,767	3" Crushed Dense Aggregate Base Course Placement/CY	\$ 11.00	\$ 19,437.00	1767.00	\$ 19,437.00
18	870	Pulverized Stone Placement/CY	\$ 11.05	\$ 9,613.50	870.00	\$ 9,613.50
19	22,749	Fine Grading and Compaction/SY	\$ 1.20	\$ 27,298.80	22749.00	\$ 27,298.80
20	3,031	30" Concrete Curb and Gutter/LF	\$ 9.90	\$ 30,006.90	2728.00	\$ 27,007.20
21	1,265	30" Concrete Curb and Gutter Remove and Replace/LF	\$ 24.00	\$ 30,360.00	1356.50	\$ 32,556.00
22	2,920	No. 4 Epoxy Coated Rebar/LF	\$ 1.00	\$ 2,920.00	1460.00	\$ 1,460.00
23	79	Utility Adjustment/Each	\$ 290.00	\$ 22,910.00	62.00	\$ 17,980.00
24	30	Water Valve Adjustment/Each	\$ 30.00	\$ 900.00	1.00	\$ 30.00
25	978	Sawcut/LF	\$ 1.75	\$ 1,711.50	887.42	\$ 1,552.99
26	287	Asphalt Binder Course Pavement 2 1/4" Thick Type E1 (19 mm)/Ton	\$ 48.90	\$ 14,034.30	285.40	\$ 13,956.06
27	223	Asphalt Surface Course Pavement 1 3/4" Thick E1 (12.5 mm)/Ton	\$ 54.75	\$ 12,209.25	241.98	\$ 13,248.41

28	3,354	Asphalt Binder Course Pavement 3" Thick Type E1 (19 mm)/Ton	\$ 45.20	\$ 151,600.80	3314.67	\$ 149,823.08
29	2,236	Asphalt Surface Course Pavement 2" Thick Type E1 (12.5 mm)/Ton	\$ 51.25	\$ 114,595.00	2248.74	\$ 115,247.93
30	1,074	3" Thick Asphalt Driveway Apron Remove and Replace/SF	\$ 4.31	\$ 4,628.94	1016.00	\$ 4,378.96
31	1,533	6" Thick Concrete Driveway Apron Remove and Replace/SF	\$ 4.25	\$ 6,515.25	1909.00	\$ 8,113.25
32	650	Various Thickness Asphalt Driveway Remove and Replace/SF	\$ 6.50	\$ 4,225.00	725.00	\$ 4,712.50
33	548	Various Thickness Concrete Driveway Remove and Replace/SF	\$ 5.75	\$ 3,151.00	837.01	\$ 4,812.81
34	235	Various Thickness Concrete Service Walk/SF	\$ 5.00	\$ 1,175.00	316.05	\$ 1,580.25
35	1	Concrete Step/Each	\$ 350.00	\$ 350.00	1.00	\$ 350.00
36	5,493	4" Thick Concrete Sidewalk/SF	\$ 3.75	\$ 20,598.75	5332.80	\$ 19,998.00
37	3,159.00	4" Thick Concrete Sidewalk Remove and Replace/SF	\$ 4.70	\$ 14,847.30	4893.52	\$ 22,999.54
38	1,323	6" Thick Concrete Sidewalk/SF	\$ 4.25	\$ 5,622.75	1700.90	\$ 7,228.83
39	801	6" Thick Concrete Sidewalk Remove and Replace/SF	\$ 5.25	\$ 4,205.25	1270.25	\$ 6,668.81
40	316	6" Thick Concrete Handicap Ramp/SF	\$ 4.75	\$ 1,501.00	231.90	\$ 1,101.53
41	601	6" Thick Concrete Handicap Ramp Remove and Replace/SF	\$ 5.75	\$ 3,455.75	725.82	\$ 4,173.47
42	417	Lawn and Terrace Restoration/SY	\$ 5.80	\$ 2,418.60	0.00	\$ -
43	1	Survey Monument Re-Establishment/LS	\$ 1,325.00	\$ 1,325.00	0.00	\$ -
44	1	Erosion Control/LS	\$ 1,050.00	\$ 1,050.00	1.00	\$ 1,050.00
45	1	Traffic Control/LS	\$ 4,200.00	\$ 4,200.00	1.00	\$ 4,200.00
46	1	Construction Mobile/Demobile; Project Coordination; all incidental utility and miscellaneous roadway work; and all other project work area restoration and clean-up to an equal and/or better preconstruction condition, as required and related to the overall Project/LS	\$ 6,500.00	\$ 6,500.00	1.00	\$ 6,500.00
<b>Total Unit 2016-02 Street Rehabilitation, Street Reconstruction; New Street Construction</b>				\$ 611,787.09		\$ 623,969.25
<b>Grand Total of Menasha Utilities Parking Lot; Manitowoc Road / Plank Road Trail and Street Rehabilitation; Street Reconstruction; New Street Construction</b>				\$ 868,699.44		\$ 845,638.36
<b>Alternate Bid "A" Item</b>						
A1	4,197	Lawn and Terrace Restoration Utilizing 2" Pulverized Top Soil/SY	\$ 5.80	\$ 24,342.60	0.00	\$ -
Total Alternate Bid "A" (Item A1)				\$ 24,342.60		\$ -
<b>Alternate Bid "B" Item</b>						
B1	1,767	3" Crushed Dense Aggregate Base Course Furnish/Placement/CY	\$ 14.85	\$ 26,239.95	0.00	\$ -
Total Alternate Bid "B" (Item B1)				\$ 26,239.95		\$ -
<b>TOTAL AWARDED CONTRACT</b>				\$ 893,042.04		\$ 845,638.36



## **RESOLUTION R-30-16**

### **FINAL RESOLUTION AUTHORIZING PUBLIC IMPROVEMENTS AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY.**

Introduced by Alderman Krautkramer.

WHEREAS, the Common Council of the City of Menasha, Wisconsin, held a Public Hearing at the Council Chambers in the City Hall at 6:00 p.m. on November 7, 2016 for the purpose of hearing all interested persons regarding the listed improvements in the following area:

**A. Improvements**

1. Relocating Sanitary Sewer, Water Main and Storm Sewer Laterals
2. Final Asphalt Pavement
3. Electric Service
4. Associated Engineering Costs

**B. Location of Improvements**

1. Lake Cottage Estates

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Menasha as follows:

1. That the report of the Board of Public Works pertaining to the construction of the described public improvements, including plans and specifications, is, therefore and hereby, reaffirmed.
2. That payment for said improvements be made by assessing the applicable costs to the property benefited as indicated in said report.
3. The schedule of assessments made under the police power, and the amounts assessed against each parcel, are true and correct and are hereby confirmed.
4. That the assessment for all projects included on said report is a single assessment.
5. That the assessment against any parcel shall be paid in accordance with Section 3-2-14 of the Menasha Municipal Code.
6. The City Clerk is directed to publish this resolution in the Official Newspaper of the City.

7. The Clerk is further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll and whose post office address is known or can, with diligence, be ascertained.

Passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2016.

Recommended by: _____
Motion/Second: _____
Vote: _____
Pass/Fail: _____
Requires: Majority Vote

ATTEST:

\_\_\_\_\_  
Donald Merkes, Mayor

\_\_\_\_\_  
Deborah A. Galeazzi, City Clerk



## MEMORANDUM

Date: September 29, 2016

To: Board of Public Works  
From: Pamela A. Captain, City Attorney

Re: O-10-16, An Ordinance Regarding Restrictions of Parking

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On September 19, 2016, the Common Council adopted O-10-16, An Ordinance Regarding Restrictions on Parking. I am informed that on September 26, Alderman Taylor requested to place the following item on the Common Council agenda: Reconsideration of O-10-16, An Ordinance Regarding Restrictions on Parking.

Section 2 of O-10-16 indicates that the "...ordinance shall become effective upon its passage and publication..." As is the usual practice when an ordinance is adopted, the City Clerk sent the ordinance for publication. It was in the Post Crescent on Monday morning, September 26. By Wisconsin state law, once published the ordinance is in effect. SEC. 2-2-18(c) of the Code of Ordinances indicates a motion to reconsider is invalid where it attempts to undo something that cannot be undone. A "Motion to Reconsider" cannot be used to change an ordinance that has been adopted and published.

Any ordinance can be rescinded or amended. If the purpose of a "Motion to Reconsider" is to amend something in the ordinance, an amendment accomplishes the same thing.

In an effort to accommodate the Alderman's request this item has been scheduled on the Board of Public Works agenda. There is no information included about what is being proposed for change because, although requested, the Alderman failed to provide any information about what part(s) he desires to be changed.

# BROAD STREET PARKING LOT

