

It is expected that a quorum of the Administration Committee, Board of Public Works, Personnel Committee and Plan Commission 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
Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
May 5, 2008

7:00 PM

AGENDA

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1. CALL TO ORDER

A. Call to Order

2. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance

3. ROLL CALL/EXCUSED ABSENCES

A. Roll Call

4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Common Council, 4/21/08

[Attachments](#)

Minutes to receive:

B. Administration Committee, 4/21/08

[Attachments](#)

C. Board of Public Works, 4/21/08

[Attachments](#)

D. Board of Health, 3/12/08

[Attachments](#)

E. Personnel Committee, 4/21/08

[Attachments](#)

F. Library Board, 4/17/08

[Attachments](#)

G. NM Fire Rescue, Finance & Personnel Committee; 4/22/08

[Attachments](#)

H. NM Fire-Rescue, Joint Fire Commission, 4/23/08

[Attachments](#)

I. Plan Commission, 4/22/08

[Attachments](#)

J. Safety Committee, 3/5/08; City Hall

[Attachments](#)

- K. Safety Committee, 3/27/08; Police [Attachments](#)
- L. Safety Committee, 3/25/08; Public Works and Parks [Attachments](#)
- M. Sustainability Board, 4/22/08 [Attachments](#)
- N. Water and Light Commission, 3/26/08, 4/23/08; Regular Meeting [Attachments](#)
- O. Water and Light Commission, 4/10/08; Special Meeting [Attachments](#)
- P. Water and Light Commission, 9/26/08, 1/30/08; Closed Session [Attachments](#)

Communications:

- A. Comp Stoffel, 4/25/08; City of Menasha Chart of Accounts [Attachments](#)
- B. CA/HRD Brandt, 4/30/08; Interplay between DPPA and Wisconsin Public Records Law [Attachments](#)
- C. Menasha Utilities, 4/28/08; Steam detail for the three months ending March 31, 2008 [Attachments](#)
- D. Dick Sturm (Menasha Utilities), 4/30/08; Steam Plant Noise Update [Attachments](#)
- E. Menasha Police Dept., 4/28/08; Code Enforcement Program information [Attachments](#)
- F. PC Stanke, 4/29/08; *Travel Calumet* Newsletter [Attachments](#)
- G. Chief Stanke, 4/29/08; Wisconsin Reporter, *Traffic Safety* Newsletter [Attachments](#)
- H. Calumet County Treasurer, 4/13/08; Foreclosure Notice (3062 Winnepeg St.) [Attachments](#)
- I. Larry Buck, 4/18/08; letter of resignation from Police Commission [Attachments](#)
- J. Customers First!, 5/08; *The Wire* Newsletter [Attachments](#)

5. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

- A. Public comments on any matter of concern to the City

6. APPOINTMENTS

- A. Mayor's appointment to the Police Commission: [Attachments](#)
 - 1. Terri Ruess, 452 Nicolet Blvd., for the term of May 1, 2008 to May 1, 2013
- B. Mayor's appointment to the Neenah-Menasha Joint Fire Commission: [Attachments](#)
 - 1. Gary Schmude, W7176 Manitowoc Rd., for the term of May 1, 2008 to May 1, 2011
- C. Mayor's reappointment to the Board of Health:
 - 1. Lori Asmus, 1155 Fieldview Dr., for the term of May 1, 2008 to May 1, 2011

- D. Mayor's reappointment to the Plan Commission:
1. Norm Sanders, 804 Jefferson St., for the term of May 1, 2008 to May 1, 2011

7. CLAIMS AGAINST THE CITY

- A. None

8. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

- A. None

9. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1. 4/22/08; Recommends approval of the proposed State Highway 114 enhancements to include colored concrete terraces, crosswalks and landscaping as presented by DPW Radtke. [Attachments](#)

2. 4/22/08; Recommends approval of the amendment to Section 13-1-12 (h)(5) regarding lighting canopies. [Attachments](#)

B. Administration Committee:

1. License (6-month): Class "B" application of Menasha Athletic Association (MACs) to sell fermented malt beverages, Koslo Park Concession, May 6, 2008-Oct. 31, 2008, Paul S. Johnson, agent. [Attachments](#)

2. License (6-month): Class "B" application of Menasha Twins Baseball (Legion Team) to sell fermented malt beverages, Koslo Park Concession, May 6, 2008-Oct. 31, 2008, Debbie Chew, agent. [Attachments](#)

3. Agreement between The Board of Regents of the University of Wisconsin System on Behalf of the University of Wisconsin Oshkosh and Menasha Health Dept. for the conduct of a Clinical Education Program, June 1, 2008-May 31, 2011, and authorize signature [Attachments](#)

4. Program Memorandum between University of Wisconsin-Oshkosh College of Nursing and Menasha Health Dept., June 1, 2008-May 31, 2011, and authorize signature [Attachments](#)

5. Approval of fees for the licensing period July 1, 2008-June 30, 2009; 1) DHFS Agent of the State; 2) Tattoo Parlor/Body Piercing Establishments; 3) DATCP Agent of the State (Recommendation of Board of Health) [Attachments](#)

6. Approval of Mobile Home Parks fee for the licensing period July 1, 2008-June 30, 2010 (Recommendation of Board of Health) [Attachments](#)

7. Request of Wiseguys Pizzeria & Pub to serve alcohol beverages and food on their outside patio from May 5 - Nov. 1, 2008 [Attachments](#)

8. Accounts payable and payroll for 4/23/08-5/1/08 in the amount of \$1,713,709.37 [Attachments](#)

C. Board of Public Works:

1. Consideration of Additional Traffic Control Devices at Intersections in Vicinity of Melissa Street and Grove Street (Ald. Benner) [Attachments](#)

2. Request for Street Light at Riverway Near Elm Street (Pole #122) [Attachments](#)

3. Request for Street Light at Northridge Court/Highridge Drive [Attachments](#)

4. Consideration of Community Sensitive Design Proposal Enhancements for STH 114 (Third Street from Tayco Street to Plank Road) [Attachments](#)

D. Personnel Committee:

1. Options relating to non-represented employee bonuses-Article V.A.14 of Personnel Policy Handbook - pg 10
 1. Amendment requiring justification (Alderman Hendricks)
 2. Elimination of bonus policy (Alderman Pack)

[Attachments](#)

10. ORDINANCES AND RESOLUTIONS

- A. O-3-08 - An ordinance relating to prohibited parking (River Street)
- B. O-4-08 - An ordinance relating to prohibited parking (Baldwin Street)
- C. O-5-08 An ordinance relating to Operators' Licenses
- D. O-6-08 - An ordinance relating to site, architectural, landscaping and lighting plan review
- E. R-10-08 Proclamation for Municipal Clerks Week, May 4-May 10, 2008
- F. R-11-08 Designating May 11-May 17, 2008 National Police Week and May 15, 2008 Peace Officers' Memorial Day

[Attachments](#)

[Attachments](#)

[Attachments](#)

[Attachments](#)

[Attachments](#)

[Attachments](#)

11. HELD OVER BUSINESS

- A. None

12. COUNCIL DIRECTIVES

- A. CDD Keil - Update on 81 & 87 Racine Street and 504 Broad Street. Other issues: site clearance and preparation of site to a grassy area timeline. Possible transfer of properties to RDA for sale and marketing. Curb area restored on Racine Street. Removal of telephone pole and telephone lines timeline. (Ald. Taylor)
- B. PWD Radtke - Is there a discrepancy between our costs for repairs of streets for watermain breaks and what we are reimbursed by the water department/utilities? (Ald. Zelinski)
- C. Comp Stoffel - Provide the balance for the Marina Fund; provide a 12 month spreadsheet; what department or person has access to the Marina Fund; where do the funds come from; and the date when the fund was created. (Ald. Zelinski)
- D. Comp Stoffel - Provide the date of creation for the Marina TIF, the date of retirement, the dollar amount invested and the balance owed. (Ald. Zelinski)
- E. PRD Tungate/Comp Stoffel - Check #016472 (Beck Electric Inc.), specifically \$3,264.66 for Marina Pedestal Repair: 1) Are there other quotes for this project? 2) What dollar amount needs to be met before other quotes are needed? (Ald. Zelinski)

[Attachments](#)

[Attachments](#)

[Attachments](#)

[Attachments](#)

13. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

- A. Public comments on matters pertaining to the agenda

14. ADJOURNMENT

- A. Adjournment

Common Council - 7:00 PM
Administration Committee - To be determined
Board of Public Works - To be determined

Menasha is committed to its diverse population. Our Non-English speaking population or those with disabilities are invited to contact the Clerk's office at 967-3600 at least 24-hours in advance of the meeting so special accommodations can be made.

CITY OF MENASHA
Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
April 21, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Mayor Merkes at 7:15 p.m.

2. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance

3. ROLL CALL/EXCUSED ABSENCES

A. Roll Call

PRESENT: Ald. Wisneski, Pack, Hendricks, Zelinski, Michalkiewicz, Benner, Taylor
ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, C/T Stoffel, PHD Nett, PRD Tungate, PWS Jacobson, Clerk Galeazzi, and the Press.

B. PUBLIC HEARING on the proposed final resolution authorizing public improvement and levying special assessments against benefited property (Lake Park Heights, Walker and Northridge Manor Subdivisions)

DPW Radtke explained the proposed final resolution is for the installation of new streets, curb and gutter for Lake Park Heights , Walker and Northridge Manor Subdivisions. The current City policy is for the property owners to be assessed for the work. Any assessment of \$2,500 or more property owners have a five year penalty and interest free deferral. Then have an additional five years of paying by installment with interest being charged.

Ken Syring, 955 Woodland Drive . Funds to do project will need to be borrowed, should delay project.
Jim Wrycha, 1700 Highridge Terrace. Project has been delayed for over two years, needs to be completed. Jim Pujo, 1680 Highridge Terrace. Temporary streets are deteriorating, need to be repaired.
Larry Hasse, 1727 Northridge Court . Project needs to be done, been waiting a long time. Need new street light at intersection of Highridge and Northridge.
Larry Baier, 1016 Lugano Street . Timeline of project, trail through Lake Park Heights , who will maintain trail. John Nagel, 1707 Highridge Terrace. Residents have lived with dust and gravel, now is time to complete project.
Dan Scharenbrock, 1012 Lugano Street . Snow plowing of corner lots; culverts need to be cleaned out; why cutoff amount for paying over five year period is \$2,500.
Colin McClure, 1143 Morgan Taylor Court . Timeline for completing project; first notice received two years ago, different in assessment.
Kara Homan, 3086 Winnepeg Street . Need more pedestrian routes east of Oneida Street .
Antoine Tines, 1840 Northridge Court . Will residents get to review bids? Need to more forward on project.

4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Common Council, 4/7/08

B. New Common Council, 4/15/08

Moved by Alderman Pack, seconded by Alderman Hendricks to approve Common Council Minutes of 4/7/07 & 4/15/08

Motion Carried on voice vote
Results:

Minutes to receive:

- C. Administration Committee, 4/7/08, 4/15/08
- D. Board of Public Works, 4/7/08, 4/15/08
- E. Personnel Committee, 4/15/08
- F. NM Sewerage Commission, 3/25/08
- G. Parks and Recreation Board, 3/10/08

Communications:

- A. Clerk Galeazzi, 4/16/08; New Municipal Officials Workshops information
- B. Clerk Galeazzi, 4/16/08; Regional Dinner Meetings information
- C. Clerk Galeazzi, 4/17/08; Business cards for newly elected officials
- D. Clerk Galeazzi, 4/16/08; Board of Canvass minutes and certification for April 1, 2008 Election
- E. FC Vander Wyst, 4/16/08; Automatic Aid/Consolidation Resolution
- F. NM Fire Rescue, Fire Station Open House on April 26, 2008
- G. PRD Tungate, 4/9/08; Tree City, USA/Arbor Day Ceremony
- H. Town of Menasha Utility Commission minutes; 2/11/08, 2/25/08, 3/10/08
- I. Waverly Sanitary District minutes, 3/18/08

Moved by Alderman Pack, seconded by Alderman Hendricks to approve Minutes to Receive C-G and Communications A-I

Discussion: Ald. Taylor-Comm. F, NM Joint Fire Rescue Open House, need to promote event.

Motion Carried on voice vote

Results:

5. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A. Public Comments on any matter of concern to the city

Paul Eisner, 1807 Brighton Beach Road. Winnebago County Supervisor. Awards and recognition of Menasha Public Library.
Nancy Zelinski, 647 Paris Street. Increase fines for people parking in handicap stalls; switch Broad Street to two-way traffic; monitor books that are required reading by school district.
Tim Jacobson, 732 Paris Street. Utilities should pay difference in interest charged for borrowing for City project.

6. APPOINTMENTS

A. None

7. CLAIMS AGAINST THE CITY

A. None

8. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. None

9. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1. No meeting

B. Administration Committee:

1. Application of Wiseguys Pizzeria & Pub LLC, 1440 S. Oneida Street, Menasha, Brenda Jorgensen, agent for Reserve Class B Liquor License for the 2007-2008 licensing year.

Moved by Alderman Wisneski, seconded by Alderman Taylor to approve liquor license

Motion Carried on voice vote

Results:

2. Authorization to request funds from Winnebago County Commission on Aging for 2009: 1) Senior Center Activity Coordinator; 2) Senior Center Supervisor; 3) 60+ Health Program, and authorize signatures.

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to approve authorization to request funds.
Motion carried on roll call 7-0.

3. Approval of Declaration of Official Intent to Advance Funds, Water Main and Service Replacement on Third Street prior to DOT project.

Moved by Ald. Wisneski, seconded by Ald. Pack to approve Declaration of Official Intent to Advance Funds.
Motion carried on roll call 7-0.

4. Accounts payable and payroll for 4/10/08 - 4/17/08 in the amount of \$1,892,933.36

Moved by Ald. Wisneski, second by Ald. Michalkiewicz to approve accounts payable and payroll.
Motion carried on roll call 7-0.

C. Board of Public Works:

1. Payment - Insituform Technologies USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract No. E145-07-01A; \$186,051.80 (Payment No. 1)

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to approve payment.
Motion carried on roll call 7-0.

2. Request for Stop Sign at the Intersection of Grove and Melissa Streets

Acted on in Board of Public Works to do engineering study.

D. Personnel Committee:

1. 4/21/08; Recommends approval for filling District 1 Alderman Vacancy

Moved by Ald. Hendricks, seconded by Ald. Pack to advertise in the newspaper and on the City Website to accept resumes until May 5 for appointment on May 19.
Motion carried on voice vote.

10. ORDINANCES AND RESOLUTIONS

A. 0-3-08 An Ordinance Relating to Prohibited Parking (River Street)

No Action

B. 0-4-08 An Ordinance Relating to Prohibited Parking (Baldwin Street)

No Action

C. R-6-08 Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefited Property

Moved by Ald. Wisneski, seconded by Ald. Pack to adopt R-6-08.

Discussion
Motion carried on roll call 7-0.

D. R-7-08 Resolution Continuing Appropriations

Moved by Ald. Wisneski, seconded by Ald. Pack to adopt R-7-08.
Motion carried on roll call 7-0.

E. R-8-08 Resolution Transferring/Appropriating Funds

Moved by Ald. Wisneski, seconded by Ald. Pack to adopt R-8-08.
Motion carried on roll call 7-0.

F. R-9-08 - Resolution Designating Public Depository and Authorizing Withdrawal of County, City, Village, Town or School District Moneys

Moved by Ald. Wisneski, seconded by Ald. Pack to adopt R-9-08.
Motion carried on roll call 7-0.

11. HELD OVER BUSINESS

A. None

12. COUNCIL DIRECTIVES

- A. CA/HRD Brandt - Would like a formal ruling and explanation of the motion to "Hold" (There was considerable confusion on a Hold motion at the 4-7-08 CC meeting). This council "rule" or "policy" was adopted 5 or more years ago. I would like a copy of this rule/policy provided to each council member, along with a detailed interpretation of this motion when used. Also, please explain: 1) when this motion can and can not be made at a normal Common Council meeting or Sine Die. 2) who can or can not over ride this motion with a ruling. 3) if hold motion is ruled against and found to be the incorrect ruling, is the main motion even valid or can it be reconsidered. (Ald. Hendricks)**

CA/HRD Brandt handed out Section 2-2-16 of the City Code that pertained to the hold option. He explained the ruling and how it can be used during regular Common Council meetings and Sine-Die Council meetings. The Mayor and/or Chair of the Committee rules on the motion. The request to hold must be made before the beginning of debate on the issue.

- B. Public Works Supt. Jacobson - Discuss safety concerns regarding public accessibility around salt shed. Provide solutions and timing for resolving security and safety issues around this facility. (Ald. Hendricks)**

PWS Jacobson pointed out on a map of the Public Works Facility where the salt shed is located and the foot traffic problem in the area. The salt shed was constructed in 2007. Originally it was talked about with the Utilities to have a joint project to put fencing around the salt shed and the Utilities' electric sub-station located in the same area. The Utilities decided not to appropriate funds for the fencing. Any funds left over after the construction of salt shed could have been used for fencing around the salt shed. Even though the cost to construct the salt shed was under budget, the funds were not available for the fencing. There have been some safety and security issues that have come to light during the past winter with the numerous times street crews needed access to the salt shed.

- C. Public Works Supt. Jacobson - Explain Saturday city garage hours. How were the current times of 7:00 am-1:00 pm established. Is there any flexibility as far as the times go? 8:00 am-2:00 pm or 9:00 am-3:00 pm. (Ald. Hendricks)**

PWS Jacobson explained an Ad-Hoc Committee was formed in 1988 to discuss a recycling center at the Public Works Facility. One of the recommendations of the committee was to hold Saturday hours from 8AM-1PM. Most residents are fine with the hours and they adjust their yard work accordingly.

- D. CDD Keil - Status of completed landscaping for the following site: Fox Cinema (Ald. Hendricks)**

CDD Keil explained the landscape is not completed. He has contacted the owner on what is needed to

complete the work. There was an amendment to the original site plan.

E. IT Manager Lacey - Spam messages are increasingly getting worse. Explain/address ways to reduce and or eliminate this trend.(Ald. Hendricks)

C/T Stoffel referred to a memo prepared by IT Manger Lacey explaining the procedure used by the IT Dept. on blocking SPAM that is sent through the City e-mails. Only 3% of the SPAM e-mails sent to the City e-mail actually get through the City Barracuda SPAM blocker.

F. Comp Stoffel - Provide a total dollar amount and number of Non-represented employees who received a one time bonus the week of 4/11/08. Could you also provide information as to where these funds are from, (what account), and if these were budgeted funds. (Ald. Hendricks)

CA/HRD Brandt explained he responded to an open records request from the *Post-Crescent*. C/T Stoffel reported the amount was not budgeted for, but would come from each individual department's budget. It is not a line item in the budget, but would be part of the overall budget amount for each department.

13. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. Public comments on matters pertaining to the agenda

None

14. ADJOURNMENT

A. Adjournment

Moved by Alderman Pack, seconded by Alderman Taylor to adjourn at 8:46 p.m.

Motion Carried on voice vote

Results:

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Administration Committee
140 Main Street, 3rd Floor Council Chambers
April 21, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Chairman Wisneski at 6:36 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. Roll Call

PRESENT: Ald. Wisneski, Pack, Hendricks, Zelinski, Michalkiewicz, Benner, Taylor,
ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, C/T Stoffel, PHD Nett, PRD Tungate, PWS Jacobson,
Clerk Galeazzi, and the Press.

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Administration Committee Minutes, 4/7/08 & 4/15/08

Moved by Alderman Taylor, seconded by Alderman Michalkiewicz to approve Administration Committee Minutes, 4/7/08 & 4/15/08

Motion Carried on voice vote

Results:

4. DISCUSSION

A. Application of Wiseguys Pizzeria & Pub LLC, 1440 S. Oneida Street, Menasha, Brenda Jorgensen, agent for Reserve Class B Liquor License for the 2007-2008 licensing year.

No Questions or Discussion

B. Authorization to request funds from Winnebago County Commission on Aging for 2009: 1) Senior Center Activity Coordinator; 2) Senior Center Supervisor; 3) 60+ Health Program, and authorize signatures.

PHD Nett explained the contracts are the same as in previous years. Only change is the amount of funds being requested.

C. Approval of Declaration of Official Intent to Advance Funds, Water Main and Service Replacement on Third Street prior to DOT project.

No Questions or Discussion

D. R-7-08 Resolution Continuing Appropriations

C/T Stoffel explained this resolution is to transfer funds that were budgeted in 2007 to be used in 2008.

E. R-8-08 Resolution Transferring/Appropriating Funds

C/T Stoffel explained the resolution is to cover those individual accounts which exceeded their 2007 budgeted amount or to appropriate revenues received, but not budgeted.

F. R-9-08 - Resolution Designating Public Depository and Authorizing Withdrawal of County, City, Village, Town or

School District Moneys

C/T Stoffel explained the resolution is to allow the new Mayor the authority of the City accounts at the First National Bank-Fox Valley

G. Accounts payable and payroll for 4/10/08 - 4/17/08 in the amount of \$1,892,933.36

Ck. #16472-Beck Electric-\$3,264.66 - Marina repairs
Ck. #16486-Emmons Business Interiors-\$7,173.26 - new chairs at Senior Center (budgeted item)
Ck. #16491-Friends of High Cliff-\$33.00 - donation for nature pin, Park & Rec and Heckrodt
Ck. #16501-Laydwel Carpet One-\$200.00 - new molding for Health Dept.
Ck. #16510-Miller & Assoc.-\$1,221.00 - park bench donated by Ald. Wisneski
Ck. #16573-Manderfield Bakery-\$47.70 - buns & sheet cake for Senior Center April party

5. ADJOURNMENT

A. Adjournment

Moved by Alderman Michalkiewicz, seconded by Alderman Pack to adjourn at 6:55 p.m.

Motion Carried on voice vote

Results:

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers, 140 Main Street, Menasha
April 21, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Chairman Pack at 5:00 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. -

PRESENT: Ald. Wisneski, Pack, Hendricks, Zelinski, Michalkiewicz, Benner, Taylor
ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, PHD Nett, Clerk Galeazzi, and the Press.

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

A. [April 7, 2008 & April 15, 2008](#)

Moved by Alderman Michalkiewicz, seconded by Alderman Wisneski to approve minutes of April 7, 2008 and April 15, 2008

Motion Carried on voice vote

Results:

4. DISCUSSION

A. [Presentation of Proposed First Street Reconstruction Plans](#)

DPW Radtke explained an informational session was held earlier in the day for residents from First Street . The reconstruction of First Street would be from DePere Street to Ice Street . The current width of First Street from DePere Street to Manitowoc Street is 27' and it will be increased to 29'. The increased width will allow for additional bypass space when vehicles are parked on both sides of the street. They have been receiving positive feedback from residents on the increase in street width. The section from Manitowoc Street to Ice Street will remain at 34' in width to allow for the extra parking for Jefferson Park events. Construction work will start after July 4 and is anticipated to take six to eight weeks. Property owners will not be charged to upgrade the apron part of the driveway from gravel to asphalt. There will be an additional cost for upgrading to concrete driveways. The sidewalks will be upgraded for the handicap accessibility at the corners. Arrangements will be made for refuse collection and some overnight parking.

B. [Draft Storm Water Management Plan \(Presentation by Martenson & Eisele\)](#)

DPW Radtke introduced Aaron Madsen and Brian Olesen from Martenson & Eisele who gave a presentation on the storm water management plan. They gave the background on the storm water regulations and where the City of Menasha is currently. M&E has been hired to develop a storm water management plan for the City. They explained financing options. Mr. Madsen and Mr. Olesen answered questions.

C. [Feasibility of Stormwater Utility Creation \(Presentation by Martenson & Eisele\)](#)

Aaron Madsen and Brian Olesen from Martenson & Eisele gave a presentation on storm water Utility. They explained what costs would be covered by a storm water utility and how to fund it. Mr. Madsen and Mr. Olesen answered questions.

D. Stormwater Annual Report (Informational Only)

CDD Keil and AP Beckendorf explained the report. The WisDNR requires municipalities that have a storm sewer system to file a report on the activities they have undertaken to comply with the terms of the permit they have been issued. The report is referred to as MS4 Permit Annual Report.

E. Payment - Insituform Technologies USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract No. E145-07-01A; \$186,051.80 (Payment No. 1)

No Discussion or Questions

F. Request for Stop Sign at the Intersection of Grove and Melissa Streets

DPW Radtke suggested an engineering study be conducted.
Discussion ensued on other intersections in that area that may need stop/yield signs.

Moved by Ald. Hendricks, seconded by Ald. Michalkiewicz to do an engineering study on the intersection of Melissa and Grove Street.
Motion carried on voice vote.

G. R-6-08 Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefited Property

DPW Radtke explained there will be a public hearing during the Common Council meeting.

H. 0-3-08 An Ordinance Relating to Prohibited Parking (River Street)

Ald. Wisneski explained a request was made of the Parking Committee to eliminate parking on River Street west of the railroad tracks. That part of the street is very narrow and would be hard for emergency vehicles to maneuver around.

I. 0-4-08 An Ordinance Relating to Prohibited Parking (Baldwin Street)

Ald. Wisneski explained a request was made of the Parking Committee to eliminate parking on the east side of Baldwin Street. During the winter it was hard for the snowplows to make it through with vehicles parked on both sides of the street.

5. ADJOURNMENT

A. -

Moved by Alderman Michalkiewicz, seconded by Alderman Hendricks to adjourn at 6:33 p.m

Motion Carried on voice vote

Results:

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Board of Health
Health Department @ 226 Main
March 12, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Chairman C. Rusin at 8:20 AM. Members present: Candyce Rusin, Dorothy Jankowski, Lori Asmus, Susan Nett. Members absent: Dr. Teresa Shoberg.

2. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Minutes 2-13-08

Moved by Dorothy Jankowski, seconded by Lori Asmus to approve

Minutes.

Motion Passed
Results:

3. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. February 2008 Communicable Disease Report

S. Nett gave a report on the communicable disease numbers for the month of February.

B. Health Department Relocation

The health department will be moving to the new location (316 Racine St.) on March 19th.

C. School Based Clinics

The health department will be doing school based immunization clinics during the month of April to help families meet the new immunization requirements for Sept. 2008. Clinics will be held for grades 5, 8, and 11. The dates have not been set yet but will likely be after the 15th.

D. Fox Valley Consortia Preparedness Carry-Over Funds (\$20,984)

The Fox Valley Preparedness Consortia is giving carry over funds from 2007 to each participating agency. The amount is \$20984. These funds will be used to purchase radios and a repeater for the city to improve radio communication and to provide the health department with radios that can be used during an emergency.

E. Preparedness Grant Update

S. Nett recently was advised that the two employees of the Fox Valley Preparedness Consortia will be leaving their positions. The health officers for the involved agencies will be meeting to discuss this and decide how to proceed. This will more than likely put more burden on the local agencies for meeting their preparedness objectives for this year.

4. ACTION ITEMS

A. Review of Mobile Home Parks Fees (Licensing Period 7-1-08 to 6-30-10)

Moved by Dorothy Jankowski, seconded by Lori Asmus to move

to hold this item until the next meeting for further review of the entire inspection program. This is a two year license. The state is reimbursed annually even though this is a two year permit. The fee needs to cover our costs as well as the reimbursements. After discussing the overall inspection process for all programs, board members decided they wanted more time to review all the programs and fees.

Motion Passed

Results:

B. Review of Agent of the State - DHFS Fees (Licensing Period 7-1-08 to 6-30-09)

Moved by Dorothy Jankowski, seconded by Lori Asmus to move

to hold until the next meeting to allow the health director more time to prepare the fee proposals for 2008. The state is now just notifying the local agencies about their intended increases which will be passed onto the local agencies as reimbursement.

Motion Passed

Results:

C. Review of DHFS Agent for Tattoo Parlor Fees (Licensing Period 7-1-08 to 6-30-09)

Moved by Dorothy Jankowski, seconded by Lori Asmus to move

to hold until the next meeting.

Motion Passed

Results:

D. Review of Agent of the State - Dept. of Ag Fees (Licensing Period 7-1-08 to 6-30-09)

Moved by Dorothy Jankowski, seconded by Lori Asmus to move

to hold until the next meeting to allow the health director more time to prepare the proposed fees for 2008-09. The state has just approved an increase in their fees which will mean an increase in the reimbursement rate charged to the local agents.

Motion Passed

Results:

5. HELD OVER BUSINESS

A. Aurora Community Needs Assessment Review

Moved by Dorothy Jankowski, seconded by Lori Asmus to move

to continue to hold this item until members can thoroughly review the needs assessment and then assess the impact to the community.

Motion Passed

Results:

6. ADJOURNMENT

A.

Moved by Dorothy Jankowski, seconded by Lori Asmus to move

to adjourn at 9:30 AM.

Motion Passed

Results:

CITY OF MENASHA
Personnel Committee
140 Main Street, 3rd Floor Council Chambers
April 21, 2008

MINUTES

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1. CALL TO ORDER

Meeting Called to Order by Chairman Hendricks at 6:58 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. Roll Call

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

ALSO PRESENT: CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, C/T Stoffel, PHD Nett, PRD Tungate, PWS Jacobson, Clerk Galeazzi, and the Press.

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Personnel Committee Minutes, 4/15/08

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to approve Personnel Committee Minutes, 4/15/08

Motion Carried on voice vote

Results:

4. DISCUSSION

A. Options for filling District 1 Alderman Vacancy

CA/HRD Brandt explained the options available to the Council to fill the alderman vacancy. The Council can wait until the November 2008 election and make it part of the Presidential Election or can advertise, go through an interview process and the Council make the appointment to fill the vacancy. CA/HRD Brandt explained what procedures were used in the past when there was an alderman vacancy.

Discussion ensued on the quickest process to give representation to District 1

Moved by Ald. Wisneski, seconded by Ald. Pack to recommend to Common Council to advertise to have interested people submit resumes by May 5 for consideration at May 19 meeting.

5. ADJOURNMENT

A. Adjournment

Moved by Ald. Pack, seconded by Mayor Merkes to adjourn at 7:07 p.m.
Motion carried on voice vote.

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

DRAFT
MINUTES OF REGULAR MEETING
ELISHA D. SMITH PUBLIC LIBRARY TRUSTEES
April 17, 2008

Call to order at 4:31 p.m. by President Fuchs

Present: Eckstein, Eisen, Enos, Fuchs, Stanke, Werley

Absent: Englebert, Foth

Also present: Director Saecker, C. Brandt (Head of Circulation Services), J. Bongers (Head of Adult & Technical Services), M. Loch-Wouters (Head of Children's Services), K. Seefeldt (Administrative Assistant), K. Drechsel (Librarian Assistant), Joyce Schoepel (Winnefox Library System Board member), Mayor Don Merkes

Public Comment

The Library Board recently stated in their annual report to the state that they were dissatisfied with the leadership provided this past year by Winnefox Library System. Joyce Schoepel, Winnefox Library System Board member, addressed the Board's concern, specifically the practice of hiring one individual to serve the dual role of Director for Oshkosh Public Library and Winnefox Library System and the effect this has on individual libraries within the system. Our trustees were assured that this matter was taken into consideration recently when selecting a new director. Schoepel noted that communication between the system and member libraries has improved since that time. Our Board's opinion continues to be that individual libraries may be better served if the dual position were split.

Authorization of Bills

1. Motion to authorize payment of the April list of bills, excluding the invoice for \$2864.07 from Arrow Audio, from the 2008 budget by Enos, seconded by Stanke and carried unanimously.

Joyce Schoepel left the meeting at 4:58 p.m.

Consent Business

2. Approve minutes from the Library Board meeting of March 20, 2008.
3. Approve minutes from the Policies & Personnel Committee meeting of April 1, 2008.

Motion

Motion to approve the minutes from the Library Board meeting of March 20, 2008 and the Policies and Personnel Committee meeting of April 1, 2008 by Eisen, seconded by Enos, and carried unanimously.

Director's Report/Information Items

4. Statistics. Statistics this month far exceeded expectations. February lending was up 14.9% overall from last year. Children's circulation raised an astounding 22.5% over 2007 with over a 29% increase in books alone. The adult department showed a respectable 8.5% increase overall.
5. National Library Week. We are celebrating National Library Week with a variety of library programs and special treats for our patrons.
6. Book Sale. The Friends of the Library spring book sale was a tremendous success. They raised \$2769.85.

7. Fox Cities Book Festival. The Festival is being held April 16-20 with programs and events for people of all ages. Our library will be hosting Wisconsin author Sandra Kring on Saturday at 3:00 p.m.
8. PLA Conference. Director Saecker, Marge Loch-Wouters and Joe Bongers attended this year's conference in Minneapolis. Many interesting programs were offered.
9. WAPL Conference. The state's public library conference will be held in Steven Point from April 30-May 2. Several from the library will attend. Director Saecker will be speaking at two sessions. Library Board members are welcome to attend.
10. LSTA Advisory Committee. Director Saecker has been appointed to the state's LSTA Advisory Committee. This committee sets the rules and structure for the state's Library Services and Technology Act grants.
11. American Libraries. Menasha Public Library was mentioned in a recent article in the April 2008 issue of American Libraries entitled "*Isn't It Del.icio.us?*" Del.icio.us is a social bookmarking site that enables users to assign multiple descriptive terms to each website so they are easier to find. The article noted that our library has a link to our del.icio.us bookmarks on the front page of our website.

Discussion/Action Items

12. Library Board Terms. Charlotte Foth and Helen Englebert's current terms are due to expire. Both have decided to leave the Board. Director Saecker encouraged Board and library staff members to give names of individuals, preferably library users, who may be interested in serving on the Library Board to the Mayor. Fuchs recommended that we replace Foth with another representative from the school district.
13. Audio System – Company E Room. Building Supervisor Adam Alix and Director Saecker recommended that we purchase a new sound system from Arrow Audio for a total cost of approximately \$4,000. In their opinion, Arrow offered us the best system at a reasonable price. Director Saecker requested that the Board approve their invoice of \$2,864.07 for equipment costs. An additional invoice for labor will be submitted after the project is complete.

Motion

Motion to approve the purchase of a new audio system from Arrow Audio for approximately \$4,000 by Eisen, seconded by Eckstein, and carried unanimously.

Motion

Motion to approve payment of \$2864.07 to Arrow Audio for equipment costs by Enos, seconded by Stanke, and carried unanimously.

Sue Werley arrived at 5:12 p.m.

14. Premium Pay. The Policies and Personnel Committee recommended that premium pay for winter Sundays and summer Saturdays for existing staff be retained. They also recommended that all new hires to the Library receive premium pay only for winter Sundays. Department Heads Marge Loch-Wouters and Cate Brandt noted the challenges this would create when hiring and scheduling new staff, and the affect this may have on staff morale. Eisen stated that he was apprehensive about continuing to include this line item in our budget. In his opinion, this was a concern to City Common Counsel members during the library's last budget hearing. Board members felt it was prudent to voluntarily make this cut at this time.

Motion

Motion to retain premium pay for winter Sundays and summer Saturdays for existing staff by Werley, seconded by Enos, and carried unanimously.

Motion

Motion to approve premium pay for winter Sundays only for new hires effective immediately by Enos, seconded by Werley, and carried unanimously.

15. Department Head Exemptions. The Policies & Personnel Committee also recommended that the three library department heads be classified as salaried exempt effective July 1, 2008. The pros and cons for making this change were discussed.

Motion

Motion to retain existing department heads as non-exempt and to make all new hire's salaried exempt by Werley. Motion failed for lack of a second.

Motion

Motion to classify department heads as salaried exempt as presented by Eckstein, seconded by Werley. Motion passed on a roll call vote, with four members voting aye and one voting nay.

16. Full Time Weekly Hours. Director Saecker noted when full-time hours were changed from 37.5 to 37 hours per week, staff took a reduction in pay. If full-time hours revert to 37.5 hours per week, staff will need to be paid for the additional ½ hour that they will be required to work. There was a consensus that discussion of this item be tabled.

Joe Bongers left the meeting at 6:02 p.m.

17. Parental Advisory Policy and R-Rated DVD Policy. This item was tabled until the May Board meeting.

18. Winnefox System Effectiveness. This item was addressed under Public Comment.

Adjournment

Motion to adjourn the meeting at 6:03 p.m. by Eckstein, seconded by Eisen, and carried unanimously.

Future meeting dates

The next regular board meeting will be held in the Gegan Room on Thursday, May 15, 2008 at 4:30 p.m.

Respectfully submitted,
Kris Seefeldt, recording secretary

Neenah-Menasha Fire Rescue
Finance & Personnel Committee Meeting
Tuesday, April 22, 2008
3rd Floor Council Chambers – City of Menasha

Ald. Wisneski called the meeting to order at 5:30 p.m.

Present: Ald., John Ahles, Mark Lange, Eric Hendricks and Sue Wisneski.
Excused: Ald. Stevenson.

Also Present: Chief Len Vander Wyst, Director Stoffel and Administrative Assistant Theisen

Approval of Minutes: The Committee reviewed the minutes from February 26, 2008. **MSC Lange/Hendricks to approve the minutes from February 26, 2008, all voting aye.**

Month End Budget Report: The Committee reviewed the March 2008 month end budget report. Chief Vander Wyst explained we are over in Licenses/Renewals due to First Responder re-certification. When the budget was set in August we had to estimate the cost. However, the training ended up being more. Ten sets of personal protective equipment were ordered. Ald. Ahles asked about maintenance of vehicles. Chief Vander Wyst said we are doing most of our own maintenance, however, we have been having electrical issues with our Quint and it will be sent in again for service. **MSC Lange/Ahles to approve the March 2008 month end budget report, all voting aye.**

Month End Activity Report: The Committee reviewed the March 2008 activity report. **MSC Ahles/Hendricks to place the March 2008 activity report on file, all voting aye.**

Review of Equipment Sales: The Committee reviewed the memo from DC DeLeeuw that reviewed the sale of the MDC's and Quick Silver Inflatable Raft with Mariner Motor. The Committee directed Chief Vander Wyst to try to sell the remaining two MDC's the next time we have other equipment to list on Ebay.

AFG Grants: The Committee reviewed the memo from Chief Vander Wyst that explained the three grants that we applied for. Chief Vander Wyst will update the committee when we hear back from Homeland Security.

MSC Lange/Hendricks to adjourn at 5:45 p.m., all voting aye.

Respectfully Submitted,

Len Vander Wyst
Chief

LV/tt

Neenah-Menasha Fire-Rescue
Joint Fire Commission Meeting Minutes
Wednesday, April 23, 2008– 12:00 p.m.
3rd Floor Council Chambers – City of Menasha

Commissioner Brotski called the meeting to order at 12:00 p.m.

Present: Commissioners Jim Liebhauser, Dave Brotski, Bill Mattes, Nancy Barker, Chris Wales-Magners and Elizabeth Nevitt.

Also Present: Fire Chief Len Vander Wyst and Administrative Assistant Tara Theisen

Approval of Minutes: The Commission reviewed the meeting minutes from January 23, 2008. **MSC Mattes/Nevitt to approve the minutes from January 23, 2008, all voting aye.**

Activity Reports: The Commission reviewed the activity report from March 2008 was reviewed. This is informational only and no action is required.

Department Budget Report: The Commission reviewed the March 2008 month end budget report. This is informational only and no action is required.

Minutes from Joint Finance & Personnel Committee: The Commission reviewed the minutes of the February 26, 2008 Joint Finance & Personnel Committee Meeting. This is informational only and no action is required.

Review of Automatic Aid Discussions with Appleton Fire Department: Chief Vander Wyst explained both the Cities of Neenah and Menasha passed the resolutions to move forward with automatic aid and/or consolidation discussions with Appleton Fire Department. The first meeting was held last week with administration and union representation from both departments, which consisted of over 30 people. The next step is to break into a smaller group consisting of administration and union representatives from both departments and review further.

Open House: Chief Vander Wyst invited everyone to NMFR's Open House on Saturday, April 26, 2008 from 10:00 a.m. to 12:00 p.m. It will be held at Station 35 located at 430 First Street in the City of Menasha.

MSC Liebhauser/Brotski to adjourn at 12:45 p.m., all voting aye.

Respectfully Submitted,

Len Vander Wyst
Chief

LV/tt

**CITY OF MENASHA
Plan Commission
Council Chambers, 3rd Floor City Hall - 140 Main Street, Menasha
April 22, 2008**

DRAFT MINUTES

1. CALL TO ORDER

Mayor Merkes called the meeting to order at 3:30 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. -

PLAN COMMISSION MEMBERS PRESENT: Mayor Donald Merkes, DPW Radtke, Ald. Kevin Benner, and Commissioners Dick Sturm, Norm Sanders, and Dave Schmidt

PLAN COMMISSION MEMBERS EXCUSED: Catherine Cruickshank

OTHERS PRESENT: CDD Keil, AP Beckendorf, PRD Tungate, Lonnie Pichler, Mike Jacklin, and Tom Konetzke

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. March 18, 2008 Plan Commission Meeting Minutes

Moved by Comm Schmidt, seconded by Comm Sanders to approve the minutes of the March 18, 2008 Plan Commission meeting.

Motion Carried on voice vote
Results:

Roll Call:

AYES:	Benner , Merkes , Radtke , Sanders , Schmidt , Sturm	(6)
ABSENT:	Cruickshank	(1)

4. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A. -

No one from the gallery spoke.

5. DISCUSSION

A. Future Land Use Map and Categories (previously distributed)

This item was held over to allow the Commissioners additional review time.

6. ACTION ITEMS

A. Carpenter Street Trail Connection

Moved by Mayor Merkes, seconded by Comm Schmidt to recommend that staff pursue development of the trail link from Carpenter Street to Barker Farm Park and to draft agreements related to cost sharing and maintenance with the Town of Harrison with the condition that traffic calming measures be explored.

PRD Tungate described the location and concept. Commissioners discussed the following:

- Sharing maintenance costs with the Town of Harrison
- Width of the trail
- Location of potential safety issues with crossing Plank Road

Motion Results: Carried on voice vote

Roll Call:

AYES: Benner (6)
, Merkes
, Radtke
, Sanders
, Schmidt
, Sturm

ABSENT: Cruickshank (1)

B. STH 114 Community Sensitive Design Proposed Enhancements

Moved by Comm Schmidt, seconded by Comm Sturm to recommend approval of the proposed STH 114 enhancements as presented with the inclusion of the Racine Street intersection and the updated cost estimates.

DPW Radtke reviewed previous Plan Commission discussions and described the possible options as well as the inclusion of the Racine Street intersection. Commissioners discussed the following:

- How the project will be funded using a combination of capital improvement funds, the possibility funding from TID 10, and DOT enhancement funds.
- Utilities relocation.
- Terrace material and limiting size - grass or daylilies vs. colored stamped concrete.

Motion Results: Carried on voice vote

Roll Call:

AYES: Benner (6)
, Merkes
, Radtke
, Sanders

, Schmidt
, Sturm
ABSENT: Cruickshank

(1)

C. Acceptance of Comprehensive Plan Chapter 9 - Implementation

Moved by Comm Schmidt, seconded by Comm Sanders to accept Comprehensive Plan Chapter 9 with the changes listed in the minutes

Commissioners discussed the following:

- The use of extraterritorial zoning.
- Subdivision recommendations related to deed transfers.
- The addition of an ordinance development recommendation under Sec. 9.2 related to the adoption of ordinances concerning renewable energy devices such as solar panels.
- The addition of subdivision criteria to evaluate proposed variances to street design standards.

Motion Results: Passed

Roll Call:

AYES: Merkes (5)
, Radtke
, Sanders
, Schmidt
, Sturm

ABSTAIN: Benner (1)

ABSENT: Cruickshank (1)

D. Amendment to Section 13-1-12(h)(5) Regarding Lighting Canopies

Moved by Alderman Benner, seconded by Comm Sanders to recommend approval of the amendment to Section 13-1-12(h)(5) regarding lighting canopies.

Motion Results: Carried on voice vote

Roll Call:

AYES: Benner (6)
, Merkes
, Radtke
, Sanders
, Schmidt
, Sturm

ABSENT: Cruickshank (1)

7. ADJOURNMENT

A. -

Moved by Comm Sanders, seconded by DPW Radtke to adjourn to adjourn at 5:10 p.m.

Motion Results: Carried on voice vote

Roll Call:

AYES: Benner (6)
 , Merkes
 , Radtke
 , Sanders
 , Schmidt
 , Sturm

ABSENT: Cruickshank (1)



City Hall Safety Committee
Minutes
March 5, 2008

Present: Adam Alix, Tom Stoffel, Todd Drew, Tasha Saecker, Sue Nett, Peggy Murphy
Sylvia Bull, Brian Tungate

Absent: Kristi Heim, Jeff Brandt

Meeting called to order at 1:25 PM

A. Motion to approve minutes from February 6, 2008 meeting made by Tasha Saecker and seconded by Todd Drew. Motion carried.

B. Old Business

1. "Acknowledgment of receipt of ID badges" returned from all City Hall, Library, Senior Center employees and all Aldermen with the exception of Aldermen James Taylor and Don Merkes.
2. Emergency Operations and Evacuation Plan subcommittee with Kristi Heim, Peggy Murphy and Sue Nett has not met yet. Committee members discussed need for walkie-talkies for communication in emergencies and a weather warning radio to know when an "all clear" for bad weather is called.
3. Incident reports for employee and non-employee reviewed. Employee reports will be yellow and Non-employee reports will be blue. Sue Nett did training of new forms with all Department Heads for the City of Menasha. Incident report forms were distributed to all city departments.

C. New business

1. Monthly safety topic distributed on watching out for slipping and tripping hazards in the work place and at home. Falls are one of the leading causes of workplace injury and death.
2. No injuries to report.
3. Reviewed Library inspection walk through report done by CVMIC. Adam Alix stated he will ask the fire department for a written waiver to have the snow blower indoors when not in use. Adam does drain gasoline out of snow blower when stored indoors. Adam reported that in 90 days the corrections needed from the CVMIC walk through report will be completed. Plan for this safety committee to do a walk through in June 2008 to discuss changes made.

D. Training

1. Fire extinguisher training will be scheduled for May 2008.
2. CPR & AED training will be May 1, 2008 in the am at the Senior Center

E. Meeting adjourned at 2:00 PM. Next meeting date is April 2, 2008.

Police Safety Committee Meeting
Minutes
March 27, 2008

Present: Mike Brunn, Chuck Sahr, Bev Sawyer, Dave Jagla, Mark Mauthe, Peggy Murphy

Absent: Jeff Brandt, Sue Nett, Aaron Zemlock

Meeting called to order at 2:30 PM

A. Motion to approve minutes from February 21, 2008 made by Chuck Sahr and seconded by Dave Jagla. Motion carried.

B. Old Business

1. Emergency Operations and Evacuation Plan (EOEP) – need to update plan for hazardous materials release outdoors. The Neenah Police Department was discussed as a possible site to locate to, if the Menasha Police Department is ever evacuated. Committee members requested a copy of the EOEP to review at the next meeting.
2. Hearing screenings, a few changes made to the schedule due to a conflict with police conference on April 2nd.
3. Tile flooring in hallway completed and Bill Basler ordered new parts for water fountain in an attempt to fix it.

C. New Business

1. Monthly safety topic on watching out for slipping and tripping hazards in the work place and home sent via email to Chuck Sahr and has been distributed electronically.
2. No injuries to report.
3. Safety walk through report, Mike Brunn and Adam Alix will help make corrections suggested in report by CVMIC. Repeat walk through with safety committee staff in 90 days to re-evaluate problem areas.
4. Chuck Sahr made request to have flooring checked by Adam Alix by his office because an edge is pulling up which can cause a trip hazard. A. Alix notified of problem.

D. Training

1. Fire Extinguisher Video to be borrowed from CVMIC in May for police officers. No fire extinguishers in police vehicles at this time. Police complaint clerks to receive hands on training by Assistant Fire Chief, Mike Sipin in May also.

E. Meeting adjourned at 3:00 PM. Next meeting date rescheduled for April 17th at 2:30 PM.



Public Works and Parks Safety Committee Meeting
Minutes
March 25, 2008

Present: Jim Julius, Tim Jacobson, Mark Radtke, Adam Alix, Corey Gordon, Ken Popelka, Peggy Murphy, Sue Nett

Absent: Bob Huss (vacation), Jeff Neiland (vacation), Matt Schultz

Meeting called to order at 9:10 AM

- A. Motion to amend minutes from February 26, 2008 made by Corey Gordon to change wording to "N/M Fire Department will have a rescue team available for a possible emergency response when city workers are in a confined space." Motion to approve amended minutes made by Corey Gordon and seconded by Mark Radtke. Motion carried.
- B. Old Business
 1. Emergency Operations and Evacuation Plan subcommittee meeting has not met yet due to Health Department move and vacations scheduled.
 2. Badger Highway Quarry Safety -- Mark Radtke stated land switch to happen hopefully this May 2008.
 3. Discussed need to update written protocol for confined space entry for city employees vs. contracted employees. Mark Radtke stated he would review current policy and update as needed.
 4. Respiratory Fit testing in process by Todd Drew. Informed Todd of list of employees left to be fit tested and request made by safety committee members to have a scheduled in-service on when to wear certain ventilator masks. Tim Jacobson to find list of job duties where specific masks are required. This list to be shared with safety committee members, Todd Drew and all DPW and Parks employees.
 5. Hearing screenings scheduled, no known conflicts with current schedule noted.
- C. New Business
 1. Monthly safety topic distributed on watching out for slipping and tripping hazards in the work place and at home. Falls are one of the leading causes of work place injury and death.
 2. No injury reports brought to meeting to be reviewed at this time, item held for next month.

3. Reviewed Safety Walk-Through Inspection Report made by Bruce Stenz from CVMIC. Adam Alix stated most corrections will be made in 90 days except the moving of the oil tanks and truck tires. Mark Radtke stated this project will have to be budgeted for in the future.
4. Ken Popelka advised committee members that the fire extinguishers in the city garbage trucks are difficult to access because they are mounted on the passenger side of the trucks. The driver of the truck must get out of the vehicle and go around to get the fire extinguisher. Ken suggested mounting the fire extinguishers on the outside of the vehicle or behind the driver for easier access. Tim Jacobson stated he would look into this issue and see if there is an easy solution.

C. Training

1. Fire Extinguisher training to be scheduled with Assistant N/M Fire Chief, Mike Sipin in May 2008. Video format is available for refresher training. New Employees may have more in-depth training.
2. CPR and First Aid training completed by Loretta Kjemhus on March 24th and March 25th, 2008

E. Meeting adjourned at 10:15 AM. Next meeting scheduled for April 29, 2008 at 9:00 AM.

CITY OF MENASHA
Sustainability Board
City Hall-140 Main St.-Council Chambers-3rd Floor
April 22, 2008

MINUTES DRAFT

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1. CALL TO ORDER

Meeting was called to order at 6:40 pm by Linda Stoll

2. ROLL CALL/EXCUSED ABSENCES

A. Roll Call

Present: Becky Bauer, Michael Dillon, Linda Stoll, Roger Kanitz
Excused: Trevor Frank
Also Present: Mayor Merkes, CDD Greg Keil, Richard Mulder

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Sustainability Board, 3/13/08

Moved by Roger Kanitz, seconded by Becky Bauer to approve Minutes of March 13, 2008 Sustainability Board

Motion Carried on voice vote

Results:

4. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A. Public Comments

None

5. DISCUSSION

A. LEED for Neighborhood Development - Overview

Linda Stoll provided a brief summary of LEED ND. The Board discussed the applicability of LEED ND guidelines to future phases of the Lake Park Villas development. There was consensus that the Lake Park Villas site did not lend itself well to several of the LEED ND prerequisites, but that the LEED ND criteria should be applied wherever possible. The Board also discussed future steps related to the Lake Park Villas development. CDD Greg Keil is to keep the board informed of pending initiatives.

B. Committee size/composition and structure

The Board agreed to operate on a consensus basis whenever possible. It was recognized that there will be a need to expand the Board or obtain additional expertise as the board matures and begins to take on specific tasks or to meet specific objectives. The Board felt that the current structure and composition was adequate and that this issue should be revisited after a mission statement is established and goals are set. The Board gave consideration to whether it should operate as an ad-hoc or standing committee. It was agreed that this matter should be revisited after the Board gains additional experience and its role becomes more clearly established.

6. ACTION ITEMS

A. Creation of a Mission Statement

Held for future discussion

B. Establishment of goals/project priorities

Held for future discussion

C. Natural Step - Future direction

Becky Bauer distributed a diagram of the Sustainability Tree. Discussion ensued on how the City's structure and operations related to the tree. Specific discussion focused on the role and practices of the respective City departments and related entities-e.g. Menasha Utilities.

The Board achieved consensus on the following:

1. Mayor Merkes will organize a meeting of Department Heads at which there will be a presentation on the Natural Step to be delivered by Catherine Neiswender.
2. Mayor Merkes will explore creating a web page on the City website for the Sustainability Board containing appropriate links.
3. That there is a need to organize a Natural Step study circle in Menasha. Roger Kanitz stated that ECOS-FV would take the initiative to create the study circle.

D. Set next meeting date

The next meeting will be held on tuesday, May 13, 2008 at 6:30 pm.

7. ADJOURNMENT

A. Adjournment

Moved by Michael Dillon, seconded by Roger Kanitz to adjourn at 8:25

Motion Carried on voice vote

Results:

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

March 26, 2008

Commission Vice President Allwardt called the Regular Meeting of the Water and Light Commission to order at 7:30 A.M., with Commissioners Bob Fahrbach, Joe Guidote, Joe Laux, and Carla Watson present on roll call. Also present were Doug Young, General Manager; Melanie Krause, Manager of Business Operations; Lonnie Pichler, Electric Distribution Supervisor; Dave Rodriguez, Customer and Utility Services Manager; Dick Sturm, Manager of Steam Production; Jerry Sturm, Water Plant Supervisor; and John Teale, Technical Services Engineer.

Comm. Vice President Allwardt welcomed Comm. Guidote to the Menasha Utilities Commission.

Item II. No one from the Gallery was heard on any topic of public concern to the Utility.

Item III. Motion made by Comm. Fahrbach, seconded by Comm. Watson, to approve the following consent items:

- A. Minutes of the Regular Meeting of March 6, 2008.
- B. Minutes of the Closed Session of March 6, 2008.
- C. Checks dated March 6 - 26, 2008, which includes Net Payroll Voucher Checks, and Operation and Maintenance Voucher Checks for a total of \$1,108,672.79, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting.
- D. Correspondence, as listed.
 - Copy of approved minutes from December 13, 2007, and January 24, 2008, WPPI Executive Committee meetings
 - Copy of letter dated February 29 to Rep. Petri, Sen. Kohl and Sen. Feingold, from WPPI CEO Roy Thilly, re: Thank You
 - Copy of letter dated March 18 to Joe Guidote, from Deputy Clerk Sewall, re: Appointment to Utilities Commission

Commissioners Allwardt, Fahrbach, Laux, and Watson voted aye; Comm. Guidote abstained because he was not at previous meetings.

Item IV. February Financial and Operations Statement – Manager of Business Operations Krause commented on the electric income statement. The purchased power costs are lower than budgeted and the corresponding PCAC which affects the revenues. On the water income statement, better revenues are reflected due to a full month of the new rates being in place, plus the Town of Menasha took more water than they have in the last three years. On the steam income statement, Sonoco took less steam than what was budgeted due to February being a shorter month and some lengthy outages. Revenues from the MISO market were higher than anticipated. Comm. Allwardt stated this was three positive months in a row, and complimented staff on a good job in the MISO market.

After discussion, the Commission accepted the February Financial and Operations Statement as presented.

With the arrival of Tom Karman, Schenck Associates, Comm. Vice President Allwardt advanced agenda item VIII, New Business, 2007 Audit for discussion.

Mr. Karman reviewed the independent audit report of the financial statements which was similar to prior years. The audit received a standard clean opinion with no reported instances of non-compliance and no management recommendations for this year. The statement of net assets comparing 2007 to 2006, total assets increased approximately \$7,000,000. The largest components of this increase were due to steam receivables, and construction in progress related to the water plant construction. Total liabilities increased about \$6,000,000 with the long term liabilities increasing about \$6,500,000. Most of the increase related to the water loan for the Water Plant. Total net assets for 2007 were just under \$25,000,000 compared to \$24,300,000 in 2006.

Total operating revenues increased about \$12,400,000 which was due to an increase of \$7,500,000 in steam operating revenues and electric increased approximately \$4,800,000. Operating expenses increased just under \$10,000,000, with steam increasing \$5,400,000 and electric increasing \$4,200,000. Overall, operating income increased about \$2,500,000. The change in net assets increased \$564,000 compared to a \$1,700,000 loss in 2006. Most of the turn around is due to having the steam plant on line.

Mr. Karman added the audit process went well, and staff was well prepared.

Item V. Claims Against The Utility – there were no claims discussed at this meeting.

Item VI. Purchase Orders over \$10,000.00 issued since the last Commission meeting were presented for informational purposes. The purchase order to Jamar Company in the amount of \$39,609 for interim grate repair and boiler turnaround was a budgeted item.

Technical Services Engineer Teale explained PO #6095 to Power & Tele for a fiber optic cable lasher in the amount of \$3,966.10, would be used by staff to complete projects without using outside services. This cost would be included in a portion of the ATC fiber installation that was approved in the 2008 budget.

The motion by Comm. Watson, seconded by Comm. Fahrbach, was unanimous on roll call to approve PO #6095 to Power & Tele for a fiber optic cable lasher in the amount of \$3,966.10.

Energy Services Representative Voigtlander arrived at 8:15 am.

Item VII. Unfinished Business, Workout Plan, - Mrs. Krause reviewed the updated workout plan. Items that have been changed were highlighted; some of the project leader assignments were revised along with some of the priority codes being reassigned. She also gave an update on the status of the open staff positions at the Steam Plant. Manager of Steam Production stated staff is making good progress on the spare parts inventory.

Updated 2008 Income Statement- Mrs. Krause gave an update on the detailed budgeted income statement for steam. The largest fluctuations are in April and October when boiler outages are planned.

Recommendation for Heat Recovery Project – General Manager Young reviewed the outline of this project. With the way the project is currently designed, the cost would be \$280,000, with a reasonable rate of return. Some other issues have surfaced recently that would potentially reduce the cost. Staff is recommending this project be held for a period of time to work through some of the engineering issues and potentially lower the cost of the project. Work on the self-study would be started this summer with a recommendation being brought back before September. The Commission concurred with the recommendation and asked for an update at the June Commission meeting.

Item VIII. New Business, Approval of Renewable Energy Purchase Agreement between WPPI Member Menasha Utilities and the State of Wisconsin – Customer and Utility Services Manager Rodriguez reviewed the agreement where the State needs to purchase 10% of their usage as renewable. An RFP from WPPI was approved, and contract needs to be executed with the municipality where the state facilities exist. WPPI will be the seller's agent and responsible for administering all the billing and collection. This arrangement will not affect Menasha's revenues or bottom line.

A meeting has been scheduled later today with the University of Wisconsin-Fox Valley to assist in identifying their renewable options on campus.

The motion by Comm. Laux, seconded by Comm. Watson, was unanimously approved to enter into the Renewable Energy Purchase Agreement after revisions are made, and to have the agreement reviewed by the City Attorney.

Recommendation for Water Plant site Clean-up Work – General Manager Young stated Omni Associates have been working on site at the Water Plant for some clean-up issues that are PECFA refundable. The request has been made to amend their Professional Services Agreement to monitor the site contamination, at a cost not to exceed \$7,100 for time and materials.

The motion by Comm. Guidote, seconded by Comm. Fahrback, was unanimous on roll call to approve the amendment to the Professional Services Agreement with Omni Associates.

UWRFV Renewable Project Discussion – Mr. Rodriguez gave an update on discussions for a potential solar renewable project as part of the UWRFV campus addition. Menasha's cost for this project could be taken from our Commitment to Community funds and Demand Side Management funds.

Recommendation for ATC Capital Contribution – General Manager Young stated this call for Voluntary Additional Capital Contributions to American Transmission Company LLC is similar to previous call. It is the recommendation of staff to allow WPPI to take this call as they have the past two years.

The motion by Comm. Watson, seconded by Comm. Fahrbach, was unanimously approved on roll call to allow WPPI to make the Call for Voluntary Additional Capital Contributions to American Transmission Company.

Item IX. Project Reports, Water Plant Project – Water Plant Supt. Sturm gave an update on the project which is almost completed. The Granular Activated Carbon is being added today, and the contactors will be running by early next month at the latest.

Comm. Laux asked about screening for the recirculation pump. Mr. Sturm stated this is a project McMahan Associates is investigating.

Comm. Allwardt asked about the cross connection project. General Manager Young explained this is about a \$25,000 project on the connections in the old plant. This is being held until close to the end of the Water Plant project so costs will be covered by project reserves.

Mapping Project – Technical Services Engineer Teale reported work is progressing slowly as staff is working on the Third Street water project.

Melissa Substation Transformer Repair – Mr. Teale stated the tap changer is being ordered, and the purchase order has been issued for the rewind on the transformer. Tentatively, the transformer should be rewound, tested, and shipped back to us in July.

Item X. Staff Reports, General Manager – General Manager Young reported a section of the staff reports have been coordinated with the tasks listed on the workout plan.

Electric and Water Distribution/Safety Report – Electric and Water Distribution Supt. Pichler gave an update on new commercial electric services. He added there have been a fair number of water main breaks recently, but less than past years.

Steam Utility – Mr. Sturm gave an update on the number of outages the past month due to issues with the customer's paper machines. The delay on Dresser Rand rework is due to parts not being available.

He also gave an update on the noise issue. The VF drives have been ordered, and the cost of labor needs to be coordinated with the vendor. He is estimating the work to take place by the middle of April.

Water Plant – Supt. Sturm reported staff is getting ready for the summer run, and the soda ash feeder is being converted to a carbon feeder in order to have a spare feeder.

Telecommunications & Substations– Mr. Teale added the City of Menasha Health Department's move went smoothly, and the Wreath Factory is investigating the addition of internet service. In addition, all the batteries have been checked at the substations.

Business Operations – Mrs. Krause gave an update on the open positions at the current time.

Customer and Utility Services – there were no additional questions to the report presented.

Energy Services Representative – General Manager Young reported Sonoco will be receiving a significant rebate on an energy efficiency project for a floating rotor conversion.

Item XI. No one from the Gallery was heard on any items discussed at this Meeting.

Item XII. The motion by Comm. Fahrbach, seconded by Comm. Watson, was unanimously approved at 9:35 a.m. to convene into Closed Session pursuant to 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: Litigation

By: ROBERT H. FAHRBACH
Secretary

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

April 23, 2008

Draft

Commission Vice President Allwardt called the Regular Meeting of the Water and Light Commission to order at 7:30 A.M., with Commissioners Bob Fahrbach, Joe Guidote, Don Merkes, and Carla Watson present on roll call. Also present were Doug Young, General Manager; Melanie Krause, Manager of Business Operations; Steve Grenell, Project Engineer; Lonnie Pichler, Electric Distribution Supervisor; Dave Rodriguez, Customer and Utility Services Manager; Kristin Schalinski, Business Operations Accountant; Dick Sturm, Manager of Steam Production; and the Press.

Item II. People from the Gallery to be heard on any topic of public concern to the Utility.

Mr. Tom Danz, President and COO, George A. Whiting Paper Company, spoke regarding the steam pricing contract. He requested a closed session meeting with the Commission at their earliest convenience to discuss this matter.

Item III. Motion made by Comm. Guidote, seconded by Comm. Watson, was unanimous on roll call to approve the following:

- A. Minutes of the Regular Meeting of March 26, 2008, and the Special Meeting of April 10, 2008.
- B. Minutes of the Closed Sessions of August 22 and Sept. 26, 2007, and January 30, 2008.
- C. Checks dated April 3 - 23, 2008, which includes Net Payroll Voucher Checks, Void O & M Checks #33425 and 33825, and Operation and Maintenance Voucher Checks for a total of \$1,280,472.33, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call.
- D. Correspondence, as listed.
 - Copy of letter dated March 19 to Gerald Sturm, Menasha Utilities, from US EPA, re: Enhanced Surface Water Treatment Rule
 - Copy of letter dated March 25 to Utility Managers, from WPPI, re: Summary of WPPI & Member Risk-Based Assessment
 - Copy of letter dated April 1 to Menasha customers, from Water Plant Supv. Sturm, re: Lead and Copper Testing
 - Copy of letter dated April 10 to City Clerk Galaezzi, from Lee Boushon, WI DNR, re: Water Main Extension Approval

General Manager commented on a few correspondence items. The letter from the DNR regarding meeting the requirements of the Enhanced Surface Water Treatment Rule has a compliance date of 2013.

The other item regarding the March 25 letter from WPPI relates to the NERC reliability standards compliance and certification of critical assets and critical cyber assets. The assessment has been completed.

He noted a copy of a letter sent to customers for Lead and Copper Testing, and the DNR has approved the water main replacement project on Third Street.

Item IV. March Financial and Operations Statement – Manager of Business Operations Krause commented on the electric income statement. The CP3 customers are substantially lower in consumption from last year, and this issue is being investigated. Distribution expenses are lower due to more labor being charged to the work orders and less was charged in tree trimming than anticipated. When the steam budget was prepared, Unit #5 was budgeted to be off line for repairs during March. There were revenues on both units for the month because the repairs are now scheduled for May.

Comm. Allwardt commented the MISO sales appear to be doing very well.

After discussion, the Commission accepted the March Financial and Operations Statement as presented.

Item V. Claims Against The Utility – there were no claims discussed at this meeting.

Item VI. Purchase Orders over \$10,000.00 issued since the last Commission meeting were presented. The purchase order listed for Jordan Transformer has not been approved; it is for miscellaneous parts to finish completion of the rewind.

The motion by Comm. Fahrback, seconded by Comm. Watson, was unanimous on roll call to approve PO #6128 to Jordan Transformer in the amount of \$20,886. A portion of this expense may be recoverable by insurance.

Item VII. Unfinished Business, Workout Plan – Manager of Steam Production Sturm reported the workout plan is being handled on day-to-day operations and appear on the monthly report.

Boiler #3 Outage – Mr. Sturm stated the outage is planned for May 3 through May 10. A four person team is meeting regularly to do the planning for the outage. There will be approximately 8 – 10 different companies in the plant executing the necessary work and inspections during this week.

#5 T/G Schedule – Project Engineer Grenell reported Unit #5 will be shutdown on May 10, and Dresser Rand will be starting their work on May 12. The unit is scheduled for 14 days, and all the parts are here or in Chicago or Wellsville, except for three seals shipped from Brazil which are in customs in Buffalo at the present time.

General Manager Young stated a summary of the items of work to be completed will be provided for the next meeting.

Update on Noise Issue – Mr. Sturm gave an update on the significant progress made with this issue. Three variable speed drives were put into operation last week and the high pitch noise has been virtually eliminated. There was also a complaint on the ash system. A silencer vendor/supplier was on site to review this issue. A low-tone silencer was reinstalled with two

other silencers; all noise has been eliminated from the ash blowing system. He has met with two of the neighbors and they are very happy with the results.

Mayor Merkes asked for a memorandum giving an update to the Common Council, and Mr. Sturm stated he would provide one.

Hiring Process – Mrs. Krause reported an Auxiliaries Operator has been hired and will be starting next week before the maintenance shutdown begins.

Item VIII. New Business, Election of Commission Officers – the motion by Comm. Merkes, seconded by Comm. Guidote, was unanimously approved to nominate Comm. Allwardt as Commission President. A motion was made by Comm. Fahrbach, seconded by Comm. Watson to nominate Comm. Guidote as Vice President. Comm. Guidote asked to have his nomination withdrawn because he does not have a lot of experience on the Commission at this point in time. A motion by Comm. Allwardt, seconded by Comm. Guidote, was unanimously approved to nominate Comm. Fahrbach as Vice President. The motion by Comm. Fahrbach, seconded by Comm. Allwardt was unanimous approved to nominate Comm. Watson as Secretary.

New officers are:

- Mark Allwardt – President
- Bob Fahrbach – Vice President
- Carla Watson - Secretary

Approval to attend PRB Coal Users' Group – Mr. Sturm withdrew his request to attend this meeting because it conflicts with the boiler outage. Comm. Fahrbach suggested he try to obtain information/handouts from this meeting.

2008 WPPI Regional Meetings – General Manager Young stated the closest meeting will be held on May 29 in Green Bay. Commissioners Allwardt and Guidote stated they would attend. A reminder notice will be sent prior to reservations being due.

MUEBA Recommended Changes – Mrs. Krause reported that MUEBA was established in the 1950's and provides dental and vision benefits to employees. The bylaws currently state the committee shall be comprised of two Commissioners and two members of the association. The two Commissioners are no longer on the Commission.

Staff is recommending that changes be made to the bylaws that the association have one member from the Commission, at least one member from Management, and two participating members from the association. Staff is also recommending Carla Watson represent the Commission.

The motion by Comm. Merkes, seconded by Comm. Fahrbach, was unanimous to approve the recommended bylaws changes to the Menasha Utilities Employees Benefit Association.

Item IX. Project Reports, Water Plant Project – in the absence of Supv. Sturm, General Manager Young reported the granular activated carbon is in place, and the programming is being finished. There are still some soda ash issues; however, the vendor is taking care of them one at

a time. There have not been any other significant operational issues in the plant. The intake has been started after the winter months and is working well.

Melissa Substation Transformer Repair – in the absence of Technical Services Engineer Teale, General Manager Young gave an update on the inspection and shipping schedule for the transformer. The transformer is scheduled to ship August 14, 2008.

Item X. Staff Reports, General Manager – there were no additional questions to the report presented.

Electric and Water Distribution/Safety Report – Electric and Water Distribution Supv. Pichler stated work is progressing on the Third Street project; boring is expected to start the week after Memorial Day. Work is being started this week on the UW-Fox Valley project, and a new 2500 amp service is being installed. Water Distribution will begin the annual water main flushing during the month of May.

Steam Utility – Mr. Sturm reported there was contact by the manufacturer of the coal conveying system regarding the failing splice areas. The #3 grate system has been in service without incident since February. A steam leak has developed at the Sonoco manhole and water infiltration is more problematic at this time of the year. He also stated the existing coal supply is being blended until a lake freighter arrives on April 20.

Water Plant - there were no additional questions to the report presented.

Telecommunications & Substations – Comm. Allwardt asked about the Town of Menasha being listed as a future customer. General Manager Young explained ATC has been running some fiber as part of their static wire, and there have been discussions on partnering with them to provide strands to the Town. In addition there is a spare conduit across the Trestle Trail for future connections.

Business Operations – Mrs. Krause added the Safe Water Drinking Application will be filed with the State later today. This is the final piece needed to determine eligibility for funding of the main project on Third Street.

Customer and Utility Services – Manager of Customer and Utility Services Rodriguez reported moratorium disconnects began yesterday.

Energy Services Representative – in the absence of Energy Services Representative Voigtlander, Mr. Rodriguez reported Sonoco has filed for a second rebate. An explanation of the first project was included in the report.

Comm. Allwardt asked about the timing of the solar project an UW- Fox Valley. Mr. Rodriguez stated the formal contract needs to be approved; WPPI is working on putting a contract together.

Item XI. No one from the Gallery was heard on any items discussed at this Meeting.

Item XII. The motion by Comm. Fahrbach, seconded by Comm. Watson, was unanimously approved on roll call at 8:50 a.m. to convene into Closed Session pursuant to 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: Litigation

By: ROBERT H. FAHRBACH
Secretary

NOTE: THESE MINUTES ARE NOT TO BE CONSIDERED OFFICIAL UNTIL ACTED UPON AT THE NEXT REGULAR MEETING, THEREFORE, ARE SUBJECT TO REVISION.

SPECIAL MEETING OF THE WATER AND LIGHT COMMISSION

April 10, 2008

Commission Vice President Allwardt called the Special Meeting of the Water and Light Commission to order at 4:34 P.M., with Commissioners Bob Fahrbach, Joe Guidote, and Carla Watson present on roll call. Also present were Doug Young, General Manager; Melanie Krause, Manager of Business Operations; and Alderman/Mayor-elect Don Merkes.

Item II. No one from the Gallery was heard on any topic of public concern to the Utility.

Comm. Vice President Allwardt advanced Agenda Item IV, New Business, Approval of Agreements Between Water and Light Commission of the City of Menasha and Menasha Utilities Employees Union, Local 1269, AFSCME, AFL-CIO, January 1, 2008 – December 31, 2010, for discussion.

Manager of Business Operations Krause reviewed the modifications to the tentative agreement for the linemen. Stand-by pay would be effective as of January 1, 2008. She also reviewed the insurance changes included in the tentative agreements for both the general and lineman units.

The motion by Comm. Watson, seconded by Comm. Fahrbach, was unanimous on roll call to approve the Agreements Between Water and Light Commission of the City of Menasha and Menasha Utilities Employees Union, Local 1269, AFSCME, AFL-CIO, January 1, 2008 – December 31, 2010.

Item III. The motion by Comm. Fahrbach, seconded by Comm. Guidote, was unanimously approved on roll call at 4:55 pm to convene into Closed Session pursuant to 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: Litigation

At the conclusion of the discussions, the Commission adjourned from Closed Session and convened into Open Session of the Special Meeting of the Water and Light Commission at 5:14 pm.

Item V. No one from the Gallery was heard on any items discussed at this Meeting.

Item VI. The motion by Comm. Fahrbach, seconded by Comm. Guidote, was unanimously approved on roll call to adjourn at 5:14 p.m.

By: ROBERT H. FAHRBACH
Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION
September 26, 2007

Commission President Stan Martenson called the Closed Session to order at 8:15 a.m., upon the unanimously approved motion by Comm. Allwardt, and seconded by Comm. Fahrbach, pursuant to 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: Labor Negotiations

Commissioners Allwardt, Fahrbach, and Laux were present on roll call by Commission President Martenson. Also present were General Manager Young, and Manager of Business Operations Krause.

The purpose of the Closed Session was to discuss bargaining negotiations.

There being no further business, the motion by Comm. Allwardt, seconded by Comm. Fahrbach, was unanimously approved to adjourn at 8:55 a.m.

BY: ROBERT H. FAHRBACH
Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

January 30, 2008

Commission Vice President Mark Allwardt called the Closed Session to order at 9:25 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Watson, pursuant to 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: Litigation and Contract Negotiations

Commissioners Fahrbach, Laux, and Watson were present on roll call by Commission Vice President Allwardt. Also present were General Manager Young and Manager of Steam Production Sturm.

The purpose of the Closed Session was to update the Commission on the current status of litigation and customer contract negotiations.

There being no further business, the motion by Comm. Watson, seconded by Comm. Fahrbach, was unanimously approved to adjourn at 9:40 a.m.

BY: ROBERT H. FAHRBACH
Secretary



MEMORANDUM

TO: Mayor Merkes, Council President Hendricks and the members of the
City of Menasha Common Council

FROM: Thomas Stoffel, City Comptroller/Treasurer *ts*

DATE: 04/25/2008

SUBJECT: City of Menasha Chart of Accounts

Attached to this memorandum is a listing of the Active Funds for the City of Menasha, a listing of the accounting number for the various departments, which compose the General Fund of the City, a complete listing of the expenditure accounts for the Marina and City Garage Fund and a listing of the Cost Type used to identify goods and services purchased. The accounting format is – XXXXX-XX-XX-XXX-XXX; example 31201-54-10-301-212. A breakdown of this code number so all users understand what their general ledger number means follows:

The first two digits, “31”, represent the City of Menasha. The City is the thirty-first customer of WPPI

The next digit can be any number between 1 and 9:

- 1 represents the General Fund
- 2 represents Special Revenue Funds (Marina Fund, Parkland Development Fund, etc)
- 3 represents the Debt Service Fund
- 4 represents Capital Project Funds (Capital Improvements, TIF Districts, etc.)
- 5 is not used at this time
- 6 represents Enterprise Funds
- 7 represents Internal Service Funds (City Garage, Property and Liability Ins., etc.)
- 8 represents Trust and Agency Funds (Hattie Minor, Library Endowment, etc.) and
- 9 represents The General Fixed Assets Account Group

The next two digits are the current Fund numbers, 01 for the Sewage Fund, 33 for Property and Liability Insurance, etc.

The next two digits are the first two digits of the account number: 5 represents expenditures

- 51 represents General Government expenditures
- 52 represents Public Safety expenditures
- 53 represents Health and Human Services expenditures
- 54 represents Public Works expenditures
- 55 represents Culture, Recreation and Education expenditures
- 56 represents Conservation and Development expenditures
- 57 represents Debt Service expenditures
- 58 is not used at this time and
- 59 represents Other Financing Uses expenditures

The next two digits are the department identifier for sorting purposes:

- 01 represents the Mayor's Office
- 02 represents the City Attorney/Personnel Department
- 03 represents the Community Development Department
- 04 represents the Comptroller/Treasurer's Department
- 05 represents the Fire Department
- 06 represents the Library
- 07 represents the Park, Recreation, Forestry and Cemeteries Department
- 08 represents the Police Department
- 09 represents the Public Health Department and
- 10 represents Public Works

The last three digits are the identifier of the cost center, 104 for City Clerk, 101 for Police Department, etc.

So to give you an example of the numbers:

Mayor's Office is 31100-51-01-102-110 for salaries-straight time

City Attorney is 31100-51-02-103-120 for wages-straight time

Community Development Department is 31100-56-03-202-219 for Professional Services-Appraisal

Comptroller/Treasurer's Department is 31100-51-04-106-310 for Supplies-Office.

Fire Department is 31100-52-05-201-240 for Repair/Maintenance of Buildings and

The Library is 31100-55-06-101-314 for Supplies-Library materials

This information should aid you in your review of the Accounts Payable check register and may answer some of your questions before you get to the Administration Committee meeting.

If you do have further questions about the Chart of Accounts and the City's numbering system for accounting purposes, please contact me.

City of Menasha - List of Active Funds

Update: 12/31/2007

Fund Name	Current Fund Number	
City of Menasha General Fund	31 1 00	31 identifies the City of Menasha
Sewerage Fund	31 2 01	The City is the 31st user of the
Wi Develop - 1990 Grant Fund	31 2 02	WPPI Financial Software.
Housing Rehab Revolving Loan Fund	31 2 03	
Parking Lots Fund	31 2 04	Numbers 1-9 identify the Fund
TIF Project #1 Fund	31 2 05	Type:
TIF Project #2 Fund	31 2 06	1-General Fund
Marina Fund	31 2 07	2-Special Revenue Fund
TIF Project #3 Fund	31 2 08	3-Debt Service Fund
Park Development Fund	31 2 09	4-Capital Projects Fund
Debt Service Fund	31 3 10	5-is not used
Retiree's Health Insurance Fund	31 1 20	6-Enterprise Funds
Library Endowment Fund	31 8 21	7-Internal Service Funds
Hattie Miner Scholarship Fund	31 8 22	8-Trust and Agency Funds
Property Taxes Fund	31 8 23	9-Fixed Assets Account Group
Public Safety Donations Fund	31 8 24	
Senior Center Memorials Fund	31 8 25	Numbers 00-90 identify the
Park/Recreation Donation Fund	31 8 26	specific fund
Senior Center Fund Raising Fund	31 8 27	
Menasha 2000 Fund	31 8 28	
City Garage Fund	31 7 31	
Property & Liability Insurance Fund	31 7 33	
Self Funded Dental Insurance Fund	31 7 35	
Street Equipment Fund	31 7 41	
FEMA Grant - 2004 Fund	31 2 53	
DNR Clean Water Capital Projects Fund	31 4 55	
TIF Project #4 Fund	31 4 56	
TIF Project #5 Fund	31 4 57	
1998 Capital Projects Fund	31 4 58	
1999 Capital Projects Fund	31 4 59	
Post Employment Sick Leave Fund	31 2 60	
2006 CDBG Special Projects Fund	31 2 61	
Federal Public Safety Grants Fund	31 2 62	
1993 CDBG Revolving Loan Fund	31 2 63	
1998 Com Dev Block Grant Fund	31 2 65	
Recycling Fund	31 2 66	
Capital Improvements Fund	31 4 70	
TIF Project #6 Fund	31 4 71	
Capital Facilities Fund	31 4 72	
2000 Capital Projects Fund	31 4 73	
2000 Com Dev Block Grant Fund	31 2 74	
Dog Park Fund	31 2 75	
2001 Capital Projects Fund	31 4 76	
Roadways at River's Edge Fund	31 4 77	
Lead Paint Reduction Fund	31 2 78	
2002 Capital Projects Fund	31 4 79	
2003 Capital Projects Fund	31 4 80	
TIF Project #7 Fund	31 4 81	
2004 Capital Projects Fund	31 4 82	
2005 Capital Projects Fund	31 4 83	
TIF Project #8 Fund	31 4 84	
TIF Project #9 Fund	31 4 85	
2006 Capital Projects Fund	31 4 86	
TIF Project #10 Fund	31 4 87	
2007 Capital Projects Fund	31 4 88	
TIF Project #11 Fund	31 4 89	
2008 Capital Projects Fund	31 4 90	

TOTAL EXPENDITURES**GENERAL FUND**

GENERAL GOVERNMENT	31100	51	XX	XXX	XXX
COMMON COUNCIL	31100	51	04	101	XXX
OFFICE OF THE MAYOR	31100	51	01	102	XXX
CITY ATTORNEY	31100	51	02	103	XXX
CITY CLERK	31100	51	02	104	XXX
PERSONNEL DEPARTMENT	31100	51	02	105	XXX
COMPTROLLER/TREASURER	31100	51	04	106	XXX
CITY ASSESSOR	31100	51	04	107	XXX
INFORMATION SYSTEMS	31100	51	04	109	XXX
PROPERTY REVALUATION	31100	51	04	111	XXX
MUNICIPAL COURT	31100	51	02	113	XXX
MUNICIPAL BUILDINGS	31100	51	10	115	XXX
ELECTIONS	31100	51	02	117	XXX
EMPLOYEES SAFETY COMM	31100	51	09	118	XXX
POLICE/FIRE COMMISSION	31100	51	08	119	XXX
BOARD OF APPEALS	31100	51	04	120	XXX
HOUSING AUTHORITY	31100	51	03	121	XXX
UNEMPLOYMENT COMPENSATION	31100	51	04	202	XXX
ILLEGAL TAX/TAX REFUND	31100	51	04	305	XXX
DEBT ISSUANCE EXPENDITURE	31100	51	04	311	XXX

PUBLIC SAFETY

PUBLIC SAFETY	31100	52	XX	XXX	XXX
POLICE DEPARTMENT	31100	52	08	101	XXX
POLICE UNIFORM ALLOW	31100	52	08	102	XXX
CROSSING GUARD PATROL	31100	52	08	103	XXX
POLICE BOAT PATROL	31100	52	08	104	XXX
COMMUNITY SERVICE OFCR	31100	52	08	106	XXX
BICYCLE LICENSES	31100	52	08	107	XXX
AUXILIARY POLICE	31100	52	08	109	XXX
FIRE DEPARTMENT	31100	52	05	201	XXX
FIRST RESPONDERS	31100	52	05	209	XXX
BLDG & PLUMB INSPECTOR	31100	52	03	301	XXX
SEALER OF WGHTS & MEAS	31100	52	09	307	XXX
JAIL/PRISONER MEAL CHG	31100	52	08	602	XXX
EMERGENCY GOVERNMENT	31100	52	05	701	XXX

HEALTH AND HUMAN SERVICES

HEALTH AND HUMAN SERVICES	31100	53	XX	XXX	XXX
HEALTH DEPARTMENT	31100	53	09	102	XXX
ENVIRONMENTAL HEALTH	31100	53	09	103	XXX
HEALTH SCREEN/60+	31100	53	09	104	XXX
PREVENTION PROGRAM	31100	53	09	105	XXX
RADON GRANT	31100	53	09	106	XXX
SCHOOL HEALTH AIDES	31100	53	09	107	XXX
DENTAL SEALANT PROGRAM	31100	53	09	108	XXX
TOBACCO GRANT-MELVIN FUNDS	31100	53	09	109	XXX
TOBACCO GRANT-CONSOLIDATED CON	31100	53	09	110	XXX
IMMUNIZATION OUTREACH	31100	53	09	111	XXX
LEAD PREVENTION GRANT	31100	53	09	112	XXX
IMMUNIZATION GRANT	31100	53	09	113	XXX
MATERNAL CHILD HEALTH	31100	53	09	114	XXX
ANIMAL IMPOUNDMENT	31100	53	09	115	XXX
TOBACCO GRANT-WINN COUNTY	31100	53	09	116	XXX
MARCH OF DIMES GRANT	31100	53	09	117	XXX
BIO-TERRORISM	31100	53	09	118	XXX
TWENTY-FOUR/SEVEN COVERAGE	31100	53	09	119	XXX
SENIOR CENTER	31100	53	09	212	XXX
RETHAVEN CEMETERY OPS	31100	53	07	401	XXX

PUBLIC WORKS	31100	54	XX	XXX	XXX
ENGINEERING/PUB WORKS	31100	54	10	111	XXX
STREET CONSTRUCTION	31100	54	10	121	XXX
STREET CONSTRUCTION/EXCAVATION	31100	54	10	122	XXX
STREET CLEAN/FLUSH	31100	54	10	123	XXX
SNOW AND ICE CONTROL	31100	54	10	124	XXX
SNOW HAULING	31100	54	10	125	XXX
STREET SIGNS/MARKINGS	31100	54	10	131	XXX
SIDEWALKS & CROSSWALKS	31100	54	10	133	XXX
STORM SEWERS & DRAINS	31100	54	10	134	XXX
SIDEWALK REPAIRS/EXCAVATION	31100	54	10	135	XXX
STREET LIGHTING	31100	54	10	143	XXX
PARKING LOTS & METERS	31100	54	10	202	XXX
VALLEY TRANSIT SUBSIDY	31100	54	03	204	XXX
DIAL-A-RIDE SUBSIDY	31100	54	03	205	XXX
CANAL MAINT/CONSTRUCT	31100	54	10	212	XXX
SAN SEWER MAINT/CONST	31100	54	10	301	XXX
WATER MAIN CONSTRUCT	31100	54	10	303	XXX
REFUSE COLLECT/DISPOSE	31100	54	10	304	XXX
COMMERCIAL/RESIDENTIAL OVERFLO	31100	54	10	305	XXX
WEED CONTROL	31100	54	10	502	XXX
CULTURE,RECREATION&EDUCATION	31100	55	XX	XXX	XXX
PUBLIC LIBRARY	31100	55	06	101	XXX
RECREATION DEPARTMENT	31100	55	07	201	XXX
PARKS DEPARTMENT	31100	55	07	202	XXX
SWIMMING POOL	31100	55	07	203	XXX
HECKRODT WETLAND RESRV	31100	55	07	209	XXX
LIFT BRIDGES	31100	55	10	215	XXX
CIVIC COMMEMORATIONS	31100	55	04	221	XXX
ARTS AND CULTURE	31100	55	04	301	XXX
CONSERVATION AND DEVELOPMENT	31100	56	XX	XXX	
FORESTRY	31100	56	07	101	XXX
COMMUNITY DEVELOPMENT	31100	56	03	202	XXX
URBAN REDEVELOPMENT	31100	56	03	501	XXX
DEBT SERVICE	31100	57	XX	XXX	XXX
DEBT SERVICE-PRINCIPAL	31100	57	04	101	XXX
DEBT SERVICE-INTEREST	31100	57	04	201	XXX
PAYING AGENT SERV CHGS	31100	57	04	302	XXX
OTHER FINANCING USES	31100	XX	XX	XXX	XXX
SUNDRY/MISC EXPENSES	31100	59	04	119	XXX
TRANS TO DEBT SERVICE	31100	59	04	210	XXX
TRANS TO EQUIP DEP	31100	59	04	241	XXX

TOTAL EXPENDITURES**MARINA FUND****CULTURE,RECREATION&EDUCATION****MARINA OPERATIONS**

WAGES - STRAIGHT TIME	31207	55	07	205	120
WAGES - OVERTIME/DOUBLETIME	31207	55	07	205	121
EMPLOYER CONTRIB - WORK COMP	31207	55	07	205	161
EMPLOYER CONTRIB - RETIREMENT	31207	55	07	205	154
EMPLOYER CONTRIB - FICA	31207	55	07	205	155
EMPLOYER CONTRIB - HEALTH	31207	55	07	205	151
EMPLOYER CONTRIB - LIFE	31207	55	07	205	152
EMPLOYER CONTRIB - DENTAL	31207	55	07	205	153
EMPLOYER CONTRIB - VISION	31207	55	07	205	157
EMPLOYER CONTRIB-UNEMPLOY COMP	31207	55	07	205	162
REPAIR/MAINT-SPECIALIZED EQUIP	31207	55	07	205	242
SUPPLIES - DEPARTMENT	31207	55	07	205	300
INSURANCE - PROPERTY	31207	55	07	205	513
DUES/MEMBERSHIPS/LICENSES	31207	55	07	205	320
PERIODICALS/SUBSCRIPTIONS	31207	55	07	205	322
TRAVEL EXPENSE - MILEAGE	31207	55	07	205	331
TRAVEL EXPENSE - REGISTRATION	31207	55	07	205	332
TRAVEL EXPENSE - LODGING/MEALS	31207	55	07	205	333
TRAVEL EXPENSE - OTHER EXP	31207	55	07	205	334
OTHER SVCS-ADVERTISING	31207	55	07	205	293
OTHER SERV-VEHICLE/EQUIP RENT	31207	55	07	205	295
REPAIR/MAINT-OFFICE EQUIPMENT	31207	55	07	205	241
SUPPLIES - OFFICE	31207	55	07	205	310
PROFESSIONAL SVCS - LEGAL	31207	55	07	205	211
PROFESSIONAL SVCS-ENGINEERING	31207	55	07	205	212
PROFESSIONAL SVCS-MANGAGEMENT	31207	55	07	205	216
SUPPLIES - POSTAGE	31207	55	07	205	311
OTHER SERVICES - PRINTING	31207	55	07	205	291
OTHER SERVICES - PUBLISHING	31207	55	07	205	292
UTILITY - TELEPHONE SERVICES	31207	55	07	205	221
SUPPLIES - TOOLS & EQUIPMENT	31207	55	07	205	315
SUNDRY/MISCELLANEOUS					N/A
REPAIR/MAINT - BUILDINGS	31207	55	07	205	240
SUPPLIES - HOUSEKEEPING	31207	55	07	205	313
UTILITY - ELECTRICITY	31207	55	07	205	223
UTILITY-WATER/SEWER/HYD	31207	55	07	205	225
UTILITY - HEAT	31207	55	07	205	224
MOTORIZED EQUIPMENT-FUEL	31207	55	07	205	381
CAP OUTLAY - OTHER EQUIPMENT	31207	55	07	205	805
CAPITAL PROJECTS-CONSTRUCTION	31207	55	07	205	822

TOTAL EXPENDITURES**CITY GARAGE FUND****PUBLIC WORKS**

CITY GARAGE

SALARIES - STRAIGHT TIME	31731	54	10	149	110
SALARIES - SICK	31731	54	10	149	114
WAGES - STRAIGHT TIME	31731	54	10	149	120
WAGES - OVERTIME/DOUBLETIME	31731	54	10	149	121
EMPLOYER CONTRIB - WORK COMP	31731	54	10	149	161
EMPLOYER CONTRIB - RETIREMENT	31731	54	10	149	154
EMPLOYER CONTRIB - FICA	31731	54	10	149	155
EMPLOYER CONTRIB - HEALTH	31731	54	10	149	151
EMPLOYER CONTRIB - LIFE	31731	54	10	149	152
EMPLOYER CONTRIB - DENTAL	31731	54	10	149	153
EMPLOYER CONTRIB - VISION	31731	54	10	149	157
EMPLOYER CONTRIB - UNEMPLOY	31731	54	10	149	162
REPAIR /MAINT-TOOLS & EQUIP	31731	54	10	149	242
REPAIR/MAINT-SPECIALIZED EQUIP	31731	54	10	149	243
SUPPLIES - DEPARTMENT	31731	54	10	149	300
DUES/MEMBERSHIPS/LICENSES	31731	54	10	149	320
PERIODICALS/SUBSCRIPTIONS	31731	54	10	149	322
INSURANCE - PROPERTY	31731	54	10	149	513
TRAVEL EXPENSE-MILEAGE	31731	54	10	149	331
TRAVEL EXPENSE-REGISTRATIONS	31731	54	10	149	332
TRAVEL EXPENSE-LODGING/MEALS	31731	54	10	149	333
TRAVEL EXPENSE-OTHER EXPENSES	31731	54	10	149	334
TRAINING- MILEAGE	31731	54	10	149	336
TRAINING - REGISTRATIONS	31731	54	10	149	337
TRAINING - LODGING/MEALS	31731	54	10	149	338
TRAINING - OTHER EXPENSES	31731	54	10	149	339
OTHER SERV-VEHICLE/EQUIP RENT	31731	54	10	149	295
REPAIR/MAINT-OFFICE EQUIPMENT	31731	54	10	149	241
SUPPLIES - OFFICE	31731	54	10	149	310
CONTRACT SVCS - JANITORIAL	31731	54	10	149	201
CONTRACT SVCS - PEST CONTROL	31731	54	10	149	207
PROFESSIONAL SVCS-ENGINEERING	31731	54	10	149	212
PROFESSIONAL SVCS - MEDICAL	31731	54	10	149	215
PROFESSIONAL SVCS - MANAGEMENT	31731	54	10	149	216
SUPPLIES - POSTAGE	31731	54	10	149	311
OTHER SERVICES - PRINTING	31731	54	10	149	291
OTHER SERVICES - PUBLISHING	31731	54	10	149	292
UTILITY - TELEPHONE SERVICE	31731	54	10	149	221
SUPPLIES - TOOLS & EQUIP	31731	54	10	149	315
REPAIR/MAINT-BUILDINGS	31731	54	10	149	240
SUPPLIES - HOUSEKEEPING	31731	54	10	149	313
UTILITY - ELECTRICITY	31731	54	10	149	223
UTILITY-WATER/SEWER/FIRE HYD	31731	54	10	149	225
UTILITY - HEAT	31731	54	10	149	224
MOTORIZED EQUIPMENT-FUEL	31731	54	10	149	381
MOTORIZED EQUIPMENT-TIRES	31731	54	10	149	382
MOTORIZED EQUIPMENT-PARTS	31731	54	10	149	383
MOTORIZED EQUIPMENT-REPAIRS	31731	54	10	149	294
CAP OUTLAY-COMPUTER EQUIPMENT	31731	54	10	149	801
CAP OUTLAY-LAND PURCHASE	31731	54	10	149	802
CAP OUTLAY-MOTORIZED EQUIPMENT	31731	54	10	149	803
CAP OUTLAY-OFFICE EQUIPMENT	31731	54	10	149	804
CAP OUTLAY-OTHER EQUIPMENT	31731	54	10	149	805
CAP PROJECTS-BUILDINGS	31731	54	10	149	821
CAP PROJECTS-CONSTRUCTION	31731	54	10	149	822

Cost Type Description	Number
Salaries - Straight Time	110
Salaries - Sick	114
Wages - Straight Time	120
Wages - Overtime/Doubletime	121
Wages - Holiday	124
Wages - Sick	125
Wages - Longevity	127
Wages - Differential	129
Per Diem	140
Employer Contrib - Health	151
Employer Contrib - Life	152
Employer Contrib - Dental	153
Employer Contrib - Retirement	154
Employer Contrib - FICA	155
Employer Contrib - Def Comp	156
Employer Contrib - Vision	157
Employer Contrib - Work Comp	161
Employer Contrib - Unemploy Comp	162
Education Reimbursement	191
Uniform/Clothing Allowance	193
Uniform/Dry Cleaning Allowance	194
Contract Svcs - Janitorial	201
Contract Svcs - Vending/Catering	202
Contract Svcs - Temp Staffing	203
Contract Svcs - Mechanical Systems	204
Contract Svcs - Entertainment	205
Contract Svcs - Lawn Care/Tree Care	206
Contract Svcs - Pest Control	207
Contract Svcs - Storage Services	208
Contract Svcs-Sanitation	209
Professional Svcs - Legal	211
Professional Svcs - Engineering	212
Professional Svcs - Accounting/Financial	213
Professional Svcs - Computer	214
Professional Svcs - Medical	215
Professional Svcs - Management	216
Professional Svcs - Court Reporter	217
Professional Svcs - Recording Fees	218
Professional Svcs - Appraisal	219
Utility -Telephone Services	221
Utility - Electricity	223
Utility - Heat	224
Utility - Water/Sewer/Hydrant	225
Repair/Maint - Buildings	240
Repair/Maint - Office Equipment	241
Repair/Maint - Tools and Equipment	242
Repair/Maint - Specialized Equipment	243
Repair/Maint- Small Projects	244
Payments to Other Municipal Entities	250
Payments to Other Municipal Funds	251
Other Services - Printing	291
Other Services - Publishing	292
Other Services - Advertising	293
Other Services - Vehicle Repair	294
Other Services - Vehicle/Equip Rental	295
Other Services - Building Rental	296

Supplies - Department	300
Supplies - Office	310
Supplies - Postage	311
Supplies - Computer	312
Supplies - Housekeeping	313
Supplies - Library Materials	314
Supplies - Tools & Equip	315
Supplies - Promotional	316
Supplies - Concessions	317
Dues/Memberships/Licenses	320
Periodicals/Subscriptions	322
Travel Expense - Mileage	331
Travel Expense - Registrations	332
Travel Expense - Lodging/Meals	333
Travel Expense - Other Expenses	334
Training - Mileage	336
Training - Registrations	337
Training - Lodging/Meals	338
Training - Other Expenses	339
Motorized Equipment-Fuel	381
Motorized Equipment-Tires	382
Motorized Equipment-Parts	383
Insurance - Property	513
Insurance - Liability	514
Insurance - Vehicle	515
Insurance - Computer Equipment	516
Insurance - Boiler	517
Insurance - Crime	518
Insurance - Public Liability	519
Depreciation - Buildings	540
Depreciation - Motorized Equipment	541
Principal Repaid on City Debt	610
Interest Paid on City Debt	620
Housing Acquisition/Rehab/Conversion	701
Housing - Relocation Expense	702
Awards and Claim Settlements	730
Capital Outlay - Computer Equipment	801
Capital Outlay - Land Purchase	802
Capital Outlay - Motorized Equipment	803
Capital Outlay - Office Equipment	804
Capital Outlay - Other Equipment	805
Capital Projects - Buildings	821
Capital Projects - Construction	822
Capital Projects - Reimbursement	823



City of Menasha • Office of the City Attorney
Jeffrey S. Brandt, City Attorney

MEMO

TO: Mayor Merkes
Common Council
Department Heads

FROM: Jeff Brandt JSB

SUBJECT: Interplay between DPPA and Wisconsin Public Records Law

DATE: April 30, 2008

I am attaching an opinion of the Wisconsin Attorney General relating to the apparent conflicts between the federal Driver's Protection Policy Act (DPPA) and the Wisconsin Public Records Law. Although it is very long and technical, I believe there are certain things we should all take from it.

1. The opinion reinforces the importance of all Public Officials to understand the Wisconsin Public Records Law, both in terms of legislative intent and in terms of responding to a public records request.
2. The DPPA and the Wisconsin Public Records Law can be read and interpreted together despite conflicts between them.
3. An easy rule in responding to a public records request cannot be made. Each request must be evaluated on its own and a proper decision made regarding release made.
4. Entities who have access to information obtained from the Wisconsin Department of Transportation must only obtain that information for the purpose of carrying out their functions.
5. At a minimum, public officials should carefully examine and understand the Summary of Conclusions on page 2 and the Summary of Key Legal Principles on page 14.
6. Court opinions continue to strongly favor the release of public records.
7. Attorney General Opinions do not carry the same authority as Court Opinions, although they are frequently relied upon as interpretations of the law in Wisconsin.

Please contact me for any questions.



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

J.B. VAN HOLLEN
ATTORNEY GENERAL

Raymond P. Taffora
Deputy Attorney General

114 East, State Capitol
P.O. Box 7857
Madison, WI 53707-7857
608/266-1221
TTY 1-800-947-3529

April 29, 2008

I—02—08

Mr. Robert J. Dreps
Ms. Jennifer L. Peterson
Godfrey & Kahn, S.C.
Post Office Box 2719
Madison, WI 53701-2719

Dear Mr. Dreps and Ms. Peterson:

Your July 3, 2007, letter on behalf of your clients Capital Newspapers Portage, the *Wisconsin State Journal*, *The Capital Times*, *The Janesville Gazette*, the *Milwaukee Journal Sentinel*, and the Wisconsin Freedom of Information Council requests our opinion regarding the interaction between the federal Driver's Privacy Protection Act ("DPPA"), 18 U.S.C. §§ 2721-25, and the Wisconsin Public Records Law, Wis. Stat. §§ 19.31-19.37, in the context of public records requests to law enforcement agencies. Thank you for your patience while we reviewed relevant legal authorities during a period of significant demands on our public records staff, attempted to obtain federal guidance on this issue (given the dearth of interpretive guidance on the DPPA), and developed a comprehensive response to the questions you posed after consultation with a number of authorities.

It long has been the policy of Wisconsin Attorneys General not to issue opinions concerning applicability of federal statutes administered exclusively by federal authorities, except in extraordinary circumstances. *See* 77 Op. Att'y Gen. Preface 2 (1988); 77 Op. Att'y Gen. 287, 291-92 (1988). The United States Department of Justice ("US DOJ") enforces the DPPA, although a federal civil cause of action also is provided for persons whose personal information is obtained, disclosed, or used for a purpose not permitted under the DPPA. *See* 18 U.S.C. §§ 2723-24. Although private parties are not entitled to formal opinions of the Attorney General, *see* 77 Op. Att'y Gen. Preface, at 1, the Attorney General has a unique role in construing the scope of the Public Records Law. *See* Wis. Stat. § 19.39. We also recognize the need for guidance expressed by Wisconsin law enforcement agencies diligently attempting to comply with both the DPPA and the Wisconsin Public Records Law. We recognize, as well, the legitimate interests of your clients in reporting matters of significant public concern and of the public in law enforcement matters implicating public safety and personal liberty. Under these extraordinary circumstances, absent guidance from US DOJ, our analysis therefore is set forth below.

SUMMARY OF CONCLUSIONS

The DPPA identifies permissible uses for which a state motor vehicle department (a “DMV”) may disclose personal information from motor vehicle records. It is a permissible use for a DMV to disclose personal information “[f]or use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.” 18 U.S.C. § 2721(b)(1). The Wisconsin Department of Transportation (“DOT”) may disclose personal information from its motor vehicle records for use by law enforcement agencies in carrying out their functions.¹

The Wisconsin Public Records Law imposes a statutory duty on law enforcement agencies to respond to public records requests. In the course of carrying out its functions, including responding to public records requests, a law enforcement agency may disclose personal information obtained from DOT that is held by the law enforcement agency. Depending on the totality of circumstances related to a particular public records request, non-DPPA statutory, common law, or balancing test considerations may warrant redaction of certain personal information pursuant to the usual Public Records Law analysis.

We further conclude that other DPPA provisions specifically support public records access to personal information in law enforcement records related to vehicular accidents, driving violations, and driver status. These DPPA provisions include the definition of “personal information” in 18 U.S.C. § 2725(3); permissible use under 18 U.S.C. § 2721(b)(14) for uses specifically authorized under law of the state that holds a record, like Wis. Stat. § 346.70(4)(f), if such use is related to the operation of a motor vehicle or public safety; and directed disclosure in 18 U.S.C. § 2721(b) and (b)(2) for use in connection with matters of motor vehicle or driver safety and theft.

DISCUSSION

Policy Objectives of the Wisconsin Public Records Law and the DPPA.

Any analysis of the Wisconsin Public Records Law begins with the Wisconsin Legislature’s declaration that it is “the public policy of this state that all persons are entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them.” Wis. Stat. § 19.31. The Public Records Law

¹Because the focus of this opinion is public records responses by law enforcement agencies, we do not address which DOT subdivisions constitute DMVs for DPPA purposes. We also do not address DMV responsibilities under the DPPA.

Direct Mail Express, Inc., 435 F. Supp. 2d 1199, 1205-06 (S.D. Fla. 2006) (DPPA preempts state law).

Travis v. Reno, 163 F.3d 1000 (7th Cir. 1998), reaches a similar conclusion. In that case, the Wisconsin Department of Transportation intervened in a challenge to the DPPA as applied to Wisconsin. The Seventh Circuit, like the courts cited above, held that the DPPA was a legitimate exercise of federal power that was applicable to Wisconsin. *Id.*, at 1001. Accordingly, it is clear that any release of public records under Wisconsin law must be consistent with disclosures permitted under the DPPA.

The DPPA Permits State DMVs to Disclose Personal Information from Driver Records for Use by Any Government Agency in Carrying Out Its Functions.

We are mindful, in analyzing interaction of the Wisconsin Public Records Law and the DPPA, that both state and federal statutes must be read “with the saving grace of common sense[.]” *Bell v. United States*, 349 U.S. 81, 83 (1955); *State v. Eisch*, 96 Wis. 2d 25, 38, 291 N.W.2d 800 (1980) (internal quotation omitted).

In general, the DPPA prohibits a state DMV or its contractors from disclosing or otherwise making available “personal information”⁴ except as provided in 18 U.S.C. § 2721(b). See 18 U.S.C. § 2721(a)(1); *Parus v. Cator*, 399 F. Supp. 2d 912, 917 (W.D. Wis. 2005) (DPPA prohibits release of motorists’ personal information from DMV database, with specific exceptions). Cf. *Atlas Transit, Inc. v. Korte*, 2001 WI App 286, ¶ 23, 249 Wis. 2d 242, 638 N.W.2d 625 (DPPA does not preclude government agency from releasing information collected and provided by a private employer);⁵ *Locate.Plus.Com v. Iowa Dep’t of Trans.*, 650 N.W.2d 609, 614 (Iowa 2002) (DPPA “generally regulates the authority of state motor vehicle departments to disclose personal information maintained in their records”); *Mattivi v. Russell*, 2002 WL 31949898, *4 (D. Colo. Aug. 2, 2002) (accident report generated by Colorado State Patrol not a DMV “motor vehicle record” subject to disclosure restrictions of DPPA).

⁴ “[P]ersonal information’ means information that identifies an individual, including an individual’s photograph, social security number, driver identification number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver’s status.” 18 U.S.C. § 2725(3).

⁵ A similar conclusion was reached in *O’Brien v. Quad Six, Inc.*, 219 F. Supp. 2d 933 (N.D. Ill 2002). In that case, the court held that the DPPA did not prohibit redisclosure of information obtained by a business from an individual’s driver’s license because the information was procured directly from the individual, not from a state DMV. The court, likewise, held that the DPPA did not apply; the driver’s license was not a “motor vehicle record” because, although it was issued by the state DMV, it was no longer in the custody of the state DMV. *Id.* at 934.

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Section 2721(b), in turn, identifies permissible uses for which personal information must or may be disclosed. Disclosure of the subset of “highly restricted personal information”⁶ is permitted only for four of the permissible uses, unless express consent is obtained from the person to whom the highly restricted personal information applies. *See* 18 U.S.C. § 2721(a)(2).⁷

As for disclosures by a state DMV to other government agencies, “[t]he plain language of the DPPA is written in terms of permissible ‘uses’ rather than permissible ‘users.’” *Russell v. Choicepoint Serv., Inc.*, 302 F. Supp. 2d 654, 665 (E.D. La. 2004) (referring to 18 U.S.C. § 2721(b)). Congress’ intent in the DPPA to regulate *use* of drivers’ personal information, rather than *users* of such information, is demonstrated by DPPA word choice and the different language used in other federal privacy-related statutes that do regulate users. *Russell*, 302 F. Supp. 2d at 666. Congress could have constructed § 2721(b) in terms of persons authorized to access personal information instead of the uses permitted for such data. *Id.* The relevant inquiry, therefore, is not to which specific persons the DPPA authorizes disclosure of personal information from DMV records, but for what purpose.

One of the permissible uses for which a DMV may disclose personal information is “[f]or use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.” 18 U.S.C. § 2721(b)(1). This also is one of the limited permissible uses for which highly restricted personal information may be disclosed by a DMV without express consent of the person to which the information applies. 18 U.S.C. § 2721(a)(2).

The functions for which another government agency permissibly may use personal information pursuant to 18 U.S.C. § 2721(b)(1) are not defined or limited by the statutory language of the DPPA. Nor is the statutory language limited to one “*function*” for which the agency initially might have requested the information—the permissible use is for the agency “in carrying out its *functions*.” It is well established that Congress is presumed to be aware of existing law—including state law—when it passes legislation, particularly if the existing law is pertinent to the legislation. *Goodyear Atomic Corp. v. Miller*, 486 U.S. 174, 184-85 (1988). Therefore, it is appropriate to construe the “*functions*” of a state governmental agency to include, at a minimum, all duties imposed by state law. Legislative history further indicates that the scope should not be narrowly drawn, so as not to impede the abilities of law enforcement and

⁶ “[H]ighly restricted personal information’ means an individual’s photograph or image, social security number, medical or disability information[.]” 18 U.S.C. § 2725(4).

⁷ Unless otherwise indicated, we use the term “personal information” in this letter to refer to both personal information and highly restricted personal information.

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other government agencies to carry out their duties—whatever those might be. *Cf. Kroeplin*, 402 F. Supp. 2d at 1006.

Implicit in the § 2721(b)(1) authorization for a DMV to disclose personal information for “use by any government agency . . . in carrying out its functions” is authorization for the receiving government agency to further disclose the information to other persons as necessary in carrying out the agency’s functions. Because the DPPA is structured in terms of permissible uses, those subsequent disclosures properly made by a government agency in the course of carrying out its functions need not be a permissible use under the DPPA.

In *McQuirter*, for example, a United States district court recently held that the DPPA was not violated when a police officer obtained a driver’s license photo—from state DMV records—that then was used in a press release announcing the results of a prostitution sting operation. Under § 2721(b)(1), the court reasoned, disclosure of the photograph by the police department was a permissible use because the media outlets receiving the press release were “private persons acting on behalf of” the police department in carrying out its law enforcement functions. *McQuirter*, 2008 WL 401360, at *6. Law enforcement functions served by such releases include “appriz[ing] the public of risks created by dangerous suspects at large, [] *bolster[ing] public confidence in law enforcement activities*, [] *advis[ing] the public of information needed to increase public safety*, and [] *act[ing] as both a general and a specific deterrent to criminal activity.*” *Id.* (emphasis added). Unstated, but obvious, was permissibility under § 2721(b)(1) of further disclosure by the media to the public in order to accomplish these identified functions.

In a Connecticut case, similarly, a municipal tax assessor was provided personal information by the commissioner of motor vehicles for the purpose of preparing the municipality’s annual “grand list” of property—including motor vehicles—for public inspection *Davis v. Freedom of Information Comm’n*, 790 A.2d 1188, 1193 (Conn. Super. Ct. 2001), *aff’d*, 787 A.2d 530 (2002) (*per curiam*). The grand lists, by statute, were required to be made available for public inspection. *Davis*, 790 A.2d at 1193. Because neither the DPPA nor state law expressly prohibited disclosure of the DMV information by the assessor, the court reasoned that she was required to disclose the grand lists because to conclude otherwise would require implicit repeal of the grand list statute and Connecticut’s historical practice of making grand lists available to the public for correction and disputation. *Id.* at 1194.

Conversely, a recent federal court decision suggests that redisclosure for purposes other than performance of the receiving government agency’s functions would not be consistent with the § 2721(b)(1) permissible use. *In re Imagitas, Inc., Drivers’ Privacy Protection Act Litigation*, 2008 WL 977333 (M.D. Fla. Apr. 9, 2008). *Imagitas* involves the Florida DMV’s use of a contractor to furnish and mail notices to vehicle owners, reminding them to renew their vehicle registrations. The contractor uses personal information obtained from the DMV to target various advertising materials also included in the renewal envelopes. Advertisers pay the

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must be generally construed to favor disclosure, exceptions must be narrowly construed as instances in derogation of general legislative intent, and exceptions will not be recognized unless explicit and unequivocal. *Hathaway v. Joint Sch. Dist. No. 1*, 116 Wis. 2d 388, 396-97, 342 N.W.2d 682 (1984).²

While the public policy underpinnings of the Public Records Law favor the broadest practical access to government, the presumption of access is not absolute. *Hempel v. City of Baraboo*, 2005 WI 120, ¶¶ 22, 28, 284 Wis. 2d 162, 699 N.W.2d 551. In fact, the broad grant of a right to inspect public records is expressly subject to, and qualified by, other applicable law:

APPLICATION OF OTHER LAWS. Any record which is specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law is exempt from disclosure under s. 19.35(1), except that any portion of that record which contains public information is open to public inspection as provided in sub. (6).

Wis. Stat. § 19.36(1); *see also* Wis. Stat. § 19.35(1)(a) (“*Except as otherwise provided by law, any requester has a right to inspect any record. Substantive common law principles construing the right to inspect, copy or receive copies of records shall remain in effect.*”); *Mayfair Chrysler-Plymouth, Inc. v. Baldarotta*, 162 Wis. 2d 142, 156, 469 N.W.2d 638 (1991) (“Access should also be denied where there is a clear statutory exception . . .”).

Specific public policy objectives also underlie the DPPA. Congress enacted the DPPA to limit the release of personal information contained in state motor vehicle records. *Parus v. Kroeplin*, 402 F. Supp. 2d 999, 1005 (W.D. Wis. 2005). The DPPA legislation was introduced in response to growing concern over crimes committed by individuals who used DMV records to identify and locate their victims, including, most notoriously, murdered actress Rebecca Schaeffer. *Kroeplin*, 402 F. Supp. 2d at 1005-06; *Margan v. Niles*, 250 F. Supp. 2d 63, 68 (N.D.N.Y. 2003). “Through the DPPA, Congress intended to prevent stalkers, harassers, would-be criminals, and other unauthorized individuals from obtaining and using personal information from motor vehicle records.” *Margan*, 250 F. Supp. 2d at 68. Congressional concerns about commercial use of personal information from motor vehicle records also motivated enactment of the DPPA, but it is primarily crime-fighting legislation rather than general privacy protection legislation. *Margan*, 250 F. Supp. 2d at 68 n.4.

² “[T]he general presumption of our law is that public records shall be open to the public *unless there is a clear statutory exception*, unless there exists a limitation under the common law, or unless there is an overriding public interest in keeping the public record confidential.” *Hathaway*, 116 Wis. 2d at 397 (emphasis added).

The DPPA was not intended to impede the ability of law enforcement officers to carry out their duties. *Kroeplin*, 402 F. Supp. 2d at 1006. Senator Harkin, a chief sponsor of the legislation, explained that “‘with respect to law enforcement agencies [a DPPA provision allowing disclosure for use by any government agency in carrying out its functions] should be interpreted so as not to in any way restrict or hinder law enforcement and crime prevention strategies,’ even when those strategies might include releasing personal information to the general public.” *Kroeplin*, 402 F. Supp. 2d at 1006, quoting 139 Cong. Rec. S15962 (Nov. 17, 1993) (Statement of Sen. Harkin); *cf. McQuirter v. City of Montgomery*, 2008 WL 401360, *5 (M.D. Ala. Feb. 12, 2008). *See also* 139 Cong. Rec. S14381 (Oct. 26, 1993) (S. 1589 § 1(b)) (purpose of the Driver’s Privacy Protection Act of 1993, as introduced by Sen. Boxer, “is to protect the personal privacy and safety of licensed drivers consistent with the legitimate needs of business and government”).³

The DPPA Preempts Contrary State Law.

In *Reno v. Condon*, 528 U.S. 141 (2000), the United States Supreme Court upheld Congress’ power, in enacting the DPPA, to restrict a state’s ability to disseminate information:

The DPPA establishes a regulatory scheme that restricts the States’ ability to disclose a driver’s personal information without the driver’s consent. The DPPA generally prohibits any state DMV, or officer, employee, or contractor thereof, from “knowingly disclos[ing] or otherwise mak[ing] available to any person or entity personal information about any individual obtained by the department in connection with a motor vehicle record.” 18 U.S.C. § 2721(a).

528 U.S. at 144 (bracketed changes in original). Consequently, the Court found impermissible conflict between the DPPA and a South Carolina law permitting direct DMV sales of personal information to any person who filled out a form providing the person’s name, address, and affirmation that the information would not be used for telephone solicitation. *Condon*, 528 U.S. at 147. *See also Collier v. Dickinson*, 477 F.3d 1306, 1312 n.3 (11th Cir. 2007) (“Defendants’ argument that there was conflicting state law is unavailing. The law was clear at the relevant time that the DPPA preempted any conflicting state law that regulates the dissemination of motor vehicle record information.”); *State ex rel. Oklahoma Dep’t of Public Safety v. United States*, 161 F.3d 1266, 1272 (10th Cir. 1998) (“the DPPA directly regulates the disclosure of such [personal] information [from motor vehicle records] and preempts contrary state law”); *Rios v.*

³Originally introduced as stand-alone legislation, the DPPA later was incorporated in the Violent Crime Control and Law Enforcement Act of 1993. *See Margan*, 250 F. Supp. 2d at 68; 139 Cong. Rec. S14381 (Oct. 26, 1993) (Statement of Sen. Boxer); 139 Cong. Rec. E2747 (Nov. 3, 1993) (Statement of Rep. Moran); 139 Cong. Rec. S15793 (Nov. 16, 1993) (Statement of Sen. Boxer); 139 Cong. Rec. S15745-01 (Nov. 16, 1993) (Statements of Sen. Boxer and others).

contractor for this targeted advertising service, and their fees offset the costs of registration renewal and other public service announcements included in the mailing. *Imagitas*, 2008 WL 977333 at *1. Analogizing the § 2721(a) prohibition on “otherwise mak[ing] available” personal information unless there exists a permissible use to allowing viewing of the information, the court found that permitting advertisers to include their solicitations in the DMV renewal envelopes did not mean that the contractor “makes available” personal information about vehicle registrants to the advertisers. *Id.*, at *14. Law enforcement agencies complying with the Wisconsin Public Records Law in responding to public records requests differ from the *Imagitas* contractor in two significant respects. First, unlike the Florida DMV contractor, those law enforcement agencies are not contractors directly regulated by 18 U.S.C. § 2721(a). Second, also unlike *McQuirter* and *Davis*, the Florida contractor’s use of personal information does not involve a government agency’s performance of a statutory function requiring public access to information.

Under Wisconsin law, making records available for inspection pursuant to the Public Records Law is a duty of public officers and employees and a routine function of the government agencies by which they are employed. Providing such information is “an essential function of a representative government and an integral part of the routine duties” of officers and employees responsible for providing such access. Wis. Stat. § 19.31. The statutory presumption of openness “reflects the basic principle that the people must be informed about the workings of their government and that openness in government is essential to maintain the strength of our democratic society.” *Linzmeyer v. Forcey*, 2002 WI 84, ¶ 15, 254 Wis. 2d 306, 646 N.W.2d 811.⁸

Reading § 2721(b)(1) so restrictively that law enforcement agencies would be precluded from carrying out public records functions, including redisclosing personal information obtained from the state DMV and used in law enforcement reports, would serve neither of the specific purposes identified by Congress for enacting the DPPA: crime-fighting, and controlling commercial use of driver information in driver records held by DMVs. Instead, it would subvert the important governmental objective of facilitating public oversight of police investigations, *Linzmeyer*, 254 Wis. 2d 306, ¶ 27; impair public confidence in law enforcement activities, *cf. McQuirter*, 2008 WL 401360, at *6; and do exactly what Congress intended to avoid—impede execution by law enforcement officers of their legitimate public duties and responsibilities. If § 2721(b)(1) allows a law enforcement agency to *proactively* release personal

⁸See also *Nichols v. Bennett*, 199 Wis. 2d 268, 275, 544 N.W.2d 428 (1996) (“It is ‘an integral part of [a district attorney’s] routine duties’ to facilitate access to public records in his office and thereby provide the public with information about his own official acts as well as those of other government officials and employees.”); *ECO, Inc. v. City of Elkhorn*, 2002 WI App 302, ¶¶ 21, 24, 26, 31, 259 Wis. 2d 276, 655 N.W.2d 510 (regarding duty to respond under Public Records Law); *State ex rel. Gehl v. Connors*, 2007 WI App 238, ¶ 15, ___ Wis. 2d ___, 742 N.W.2d 530 (Public Records Law addresses duty to disclose records).

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information to the public through media agents for functions including bolstering public confidence in law enforcement activities, it certainly should allow law enforcement agencies to release personal information in their reports when engaged in their statutory function of *responding* to public records requests.

Based on our analysis of the complicated DPPA language and the little available interpretive legal authority, we conclude that after a law enforcement officer has written a report or citation, including certain personal information obtained from the DMV, the officer's agency may provide a copy of the report or citation in response to a public records request. Just like writing the report or citation, responding to a related public records request is a function of the law enforcement agency. *Cf.* Wis. Stat. § 19.31. The DPPA does not require redaction of the personal information from law enforcement records provided in response to the public records request.⁹

We observe that *allowing* a law enforcement agency responding to a public records request to redisclose personal information obtained from the DMV and included in the law enforcement agency's records is not the same as *requiring* redisclosure of that personal information. We recognize that other reasons may exist under the Public Records Law to redact some or all of the personal information in a particular record either pursuant to the Public Records Law's balancing test, a common law exception (Wis. Stat. § 19.35(1)(a)), or pursuant to a specific statutory exception such as Wis. Stat. § 19.36(8) (protecting identities of law enforcement informants). Ordinary public records screening procedures should be followed.

Redisclosure of personal information included in law enforcement records in response to a public records request, pursuant to 18 U.S.C. § 2721(b)(1) as discussed above, is not the type

⁹We also note that the same analysis would apply to the related law enforcement function of providing access to Uniform Traffic Accident Reports and related records pursuant to Wis. Stat. § 346.70(4)(f).

of redisclosure prohibited by another section of the DPPA. Under 18 U.S.C. § 2721(c),¹⁰ resale or redisclosure of personal information by an authorized recipient to other persons or entities is prohibited unless a DPPA permissible use allows the resale or redisclosure. Section 2721(c) only “regulates the resale and redisclosure of drivers’ personal information *by private persons* who have obtained that information *from a state DMV.*” *Condon*, 528 U.S. at 146 (emphasis added); *see also Parus v. Cator*, 2005 WL 2240955, *4 (W.D. Wis. Sept. 14, 2005) (distinguishing between commercial entity authorized under § 2721(c) to resell personal information for a purpose permitted under § 2721(b) and a law enforcement officer permitted to obtain personal information pursuant to § 2721(b)(1)). Section 2721(c) and its recordkeeping requirements therefore do not apply when a government agency that has obtained personal information from a DMV responds to a public records request as part of that agency’s authorized functions. As the Oregon Attorney General has explained,

To the extent a government agency’s functions require that agency to provide information to someone other than a government agency, we believe a court would conclude . . . that the agency’s action was not a “redisclosure” prohibited by 18 USC § 2721(c). Rather, such an action should be a necessary element of carrying out that agency’s functions and therefore a permitted use under 18 USC § 2721(b)(1).

49 Or. Op. Att’y Gen. 127, 1998 WL 665882, *6 (Or. A.G. 1998). *See also Davis*, 790 A.2d at 1193 (§ 2721(c) disclosure prohibitions apply only to DMV, and employee in a government agency may use motor vehicle personal information obtained from DMV in carrying out

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An authorized recipient of personal information (except a recipient under [two specific permissible uses involving the express consent of the person to whom the personal information pertains]) may resell or redisclose the information only for a use permitted under subsection (b) (but not for [those two specific permissible uses]). An authorized recipient under subsection (b)(11) [permissible use for any purpose if the express consent of the person to whom the personal information pertains has been obtained] may resell or redisclose personal information for any purpose. An authorized recipient under subsection (b)(12) [permissible use for bulk distribution for surveys, marketing or solicitations if the express consent of the person to whom the personal information pertains has been obtained] may resell or redisclose personal information pursuant to subsection (b)(12). Any authorized recipient (except a recipient under subsection (b)(11)) that resells or rediscloses personal information covered by this chapter must keep for a period of 5 years records identifying each person or entity that receives information and the permitted purpose for which the information will be used and must make such records available to the motor vehicle department upon request.

18 U.S.C. § 2721(c).

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agency's functions, including distributing information furnished by DMV in furtherance of receiving agency's functions).¹¹

Two recent DPPA cases that have caused concern and confusion for Wisconsin law enforcement agencies do warrant some further comment. These cases involved disclosure of personal information obtained by law enforcement agencies from the state DMV under circumstances involving doubt as to whether the information was obtained for a § 2721(b) permissible use.

In one case, arising from the same northern Wisconsin facts as the *Kroeplin* case cited above, a law enforcement officer had requested the local dispatcher to "run a plate." Why the law enforcement officer requested personal information relating to that license plate later was disputed; one possibility was that the officer's nephew had asked for the information in order to check up on a car parked outside the home of the nephew's former girlfriend. *Parus v. Cator*, 399 F. Supp. 2d 912, 913-17 (W.D. Wis. 2005). When the officer's actions in obtaining and disclosing the information were challenged in a federal lawsuit, the matter was allowed to proceed to jury determination of whether the officer had obtained the personal information about the license plate for a non-law enforcement purpose contrary to 18 U.S.C. § 2721(b)(1). *Cator*, 399 F. Supp. 2d at 918.

Similarly, in *Deicher v. City of Evansville*, 2006 WL 3751402 (W.D. Wis. Dec. 18, 2006), a law enforcement officer accessed DMV records to obtain the address of a requester's former wife. The requester told the officer that he needed his former wife's signature to complete the sale of a house, but used the address information to harass his former wife. It later was disputed whether the officer provided the address information because he believed that the requester needed the information to serve process on his former wife regarding sale of a house related to a divorce. If that were true, then another of the DPPA permissible uses would have applied: 18 U.S.C. § 2721(b)(4), permitting disclosure of personal information for use in connection with court proceedings including service of process. It was unclear, as a factual matter, whether the § 2721(b)(4) permissible use applied to the disclosure; consequently, that matter also was allowed to proceed to a jury determination. *Deicher*, 2006 WL 3751402 at *1-*2.

Neither *Cator* nor *Deicher* involved responses to public records requests for law enforcement records containing personal information obtained from the DMV for permissible uses under 18 U.S.C. § 2721(b). Instead, both cases involved the questionable existence of permissible uses in the first place. So long as a law enforcement agency obtains personal

¹¹Because the permissible extent of § 2721(c) redisclosures and resales presents a pure legal question of federal statutory interpretation, inapplicable in the public records context about which you inquire, we will refrain from any further discussion of that DPPA provision.

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information from DMV records for a permissible use, however, it is our conclusion that the DPPA does not preclude access to that personal information included in the agency's records when a public records request is made for those records.

Uniform Traffic Citations, Uniform Traffic Accident Reports, and Related Records.

Our above analysis applies to all law enforcement records that include personal information obtained from the state DMV for use in carrying out functions of the law enforcement agency. It is our view that additional DPPA provisions also authorize public records access to personal information in law enforcement records related to vehicular accidents, driving violations, and driver status: Uniform Traffic Citations; driving-related warnings; Uniform Traffic Accident Reports, their attachments and related materials; and other law enforcement records related to vehicular accidents, driving violations, and driver status. Several DPPA provisions, which we discuss below, support this view; it further is our view, however, that these types of law enforcement records also may be released in response to public records requests under the analysis outlined in the previous section of this letter.

First, the definition of "personal information" excludes these types of records from the disclosure prohibitions imposed by the DPPA. That definition states:

"[P]ersonal information" means information that identifies an individual, including an individual's photograph, social security number, driver identification number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status.

18 U.S.C. § 2725(3) (emphasis added). As one federal district court has explained, the "plain language of exception in section [2725(3)]¹² makes clear that Congress did not intend 'information on vehicular accidents' to be included within the Act's prohibition of disclosure of 'personal information.'" *Mattivi*, 2002 WL 31949898, *4. The same rationale would apply to information on driving violations and driver status. We believe it is reasonable to interpret this exclusion from the "personal information" definition to mean that information such as a driver's name, address, and telephone number are not encompassed in the personal information protected by the DPPA when that information is incorporated into a document such as an accident report or traffic citation. This construction is consistent with the primary crime prevention purpose of the

¹²In an obvious typographical error, the *Mattivi* decision cites to "section 2725(e)" for the exclusion of "information on vehicular accidents" from the prohibition on disclosing "personal information." There is no 18 U.S.C. § 2725(e). The definition of "personal information" is set forth in 18 U.S.C. § 2725(3) and specifically excludes "information on vehicular accidents, driving violations and driver's status."

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DPPA, as discussed above, and with the legislative history of the DPPA that indicated a clear intention not to hinder law enforcement or crime prevention strategies.

Please note that the DPPA definition of “highly restricted personal information” does not exclude information on vehicular accidents, driving violations, and driver’s status; release of photographs, social security numbers, and medical or disability information therefore would not be authorized pursuant to this same rationale.

Second, one of the DPPA permissible uses authorizes disclosure of personal information “[f]or any other use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety.” 18 U.S.C. § 2721(b)(14). Wisconsin law specifically requires public access to one category of law enforcement records concerning operation of motor vehicles and public safety, namely Uniform Traffic Accident Reports and related records. Under Wis. Stat. § 346.70(4)(f):

Notwithstanding s. 346.73 [prohibiting use of accident reports at trial], any person may with proper care, during office hours, and subject to such orders or regulations as the custodian thereof prescribes, examine or copy such uniform traffic accident reports, including supplemental or additional reports, statements of witnesses, photographs and diagrams, retained by local authorities, the state traffic patrol or any other investigating law enforcement agency.

Section 346.70(4)(f) authorizes broad access to related materials, including officers’ narrative reports. *State ex rel. Young v. Shaw*, 165 Wis. 2d 276, 285-86, 477 N.W.2d 340 (Ct. App. 1991). Unless access is restricted by some other statute, all these materials are subject to access under the Public Records Law. *Id.*, at 291. Consequently, we believe there is a reasonable basis to conclude that the right to obtain accident reports under Wis. Stat. § 346.70(4)(f) constitutes disclosure for a use that “is related to the operation of a motor vehicle or public safety.” *Cf.* 18 U.S.C. § 2721(b)(14). In particular, the right to obtain accident reports is included within a statute that imposes certain obligations on motorists to report accidents, requires law enforcement agencies to prepare written reports using a prescribed format, and requires the Department of Transportation to compile statistics on accidents. Because these provisions are obviously designed to promote safe operation of motor vehicles and public safety, one could also conclude that making accident reports public was also designed to serve the same goal. Therefore, even if some information in Uniform Traffic Accident Reports and related records did constitute personal information—contrary to our conclusion above—release of that information in response to a public records request would be authorized by Wis. Stat. § 346.73(4)(f) and 18 U.S.C. § 2721(b)(14). Again, please note that the § 2721(b)(14) permissible use is not one pursuant to which highly restricted personal information may be released without express consent. *Cf.* 18 U.S.C. § 2721(a)(2).

Third, introductory language in the DPPA permissible use section requires that personal information *shall* be disclosed “for use in connection with matters of motor vehicle or driver safety and theft” and certain other specified purposes and the same language appears in a specific permissible use section, 18 U.S.C. § 2721(b); inexplicably, the same language is employed to describe a discretionary permissive use in 18 U.S.C. § 2721(b)(2). Construing the § 2721(b)(2) permissible use language, one court held that obtaining names and addresses of persons who registered their snowmobiles with a state natural resources department in order to promote snowmobiling and membership in the state snowmobile association was not a use in connection with matters of motor vehicle or driver safety. *Hartman v. Department of Conservation and Nat. Res.*, 892 A.2d 897, 904-05 (Pa. Commw. Ct. 2006). In comparison, we believe that public records disclosure of Uniform Traffic Citations, driving-related warnings, Uniform Traffic Accident Reports and their attachments, and other law enforcement records related to vehicular accidents, driving violations, and driver status facially constitute uses in connection with a matter of motor vehicle and/or driver safety. Again, this provision does not apply to highly restricted personal information. *Cf.* 18 U.S.C. § 2721(a)(2) and (b).

To reiterate, as discussed in the preceding section, we have concluded that the § 2721(b)(1) permissible use by government agencies in carrying out their functions allows disclosure of personal information and highly personal information in law enforcement records in response to public records requests—regardless of the nature of the matter in connection with which law enforcement requested the information from the DMV, so long as it was requested in pursuance of the law enforcement agency’s official duties and functions. We further have concluded, as discussed in this section, that various other DPPA provisions provide additional support for release of personal information in certain types of law enforcement records, namely Uniform Traffic Citations; driving-related warnings; Uniform Traffic Accident Reports; their attachments and related materials; and other law enforcement records related to vehicular accidents, driving violations, and driver status.

Summary of Key Legal Principles.

Under the DPPA, it is our conclusion for the reasons previously set forth that the following basic legal principles apply when a public records request is made to the records custodian of an authority other than a state DMV:

- a. If the authority did not obtain the information from a state DMV, the DPPA does not prohibit disclosure. This is true even if it is the same type of information that is confidential in the hands of a state DMV.
- b. If the requested information does not meet the DPPA’s statutory definitions of “personal information” or “highly restricted personal information,” the DPPA does not limit disclosure.

- c. If the information does meet the DPPA's statutory definition of "personal information" or "highly restricted personal information," *and* was obtained from a state DMV, the information may be used for a permissible use as specified in 18 U.S.C. § 2721(a)(2) (for highly restricted personal information) or § 2721(b) (for personal information).
- d. A permissible use, pursuant to 18 U.S.C. § 2721(b)(1), for both personal information and highly restricted personal information is "use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions." Responding to public records requests is a required function of law enforcement agencies. Personal information or highly restricted personal information obtained from the state DMV and contained in law enforcement records may be provided in response to a public records request unless the public records balancing test or statutory prohibitions other than the DPPA preclude disclosure.
- e. Additional DPPA provisions also authorize disclosure of personal information, but not highly restricted personal information, when the following types of records are disclosed in response to public records requests:
 - Uniform Traffic Citations;
 - Driving-related warnings;
 - Uniform Traffic Accident Reports, their attachments, and related materials; or
 - Other law enforcement records related to vehicular accidents, driving violations, or driver status.
- f. A law enforcement officer may not obtain and/or disclose personal information from DMV records for a purpose not authorized as a permissible use in 18 U.S.C. § 2721(b).

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Thank you for your interest in understanding access to law enforcement records permitted by the DPPA and the Wisconsin Public Records Law.

Sincerely,

A handwritten signature in black ink, appearing to read "J.B. Van Hollen". The signature is written in a cursive style with a prominent flourish at the end.

J.B. Van Hollen
Attorney General

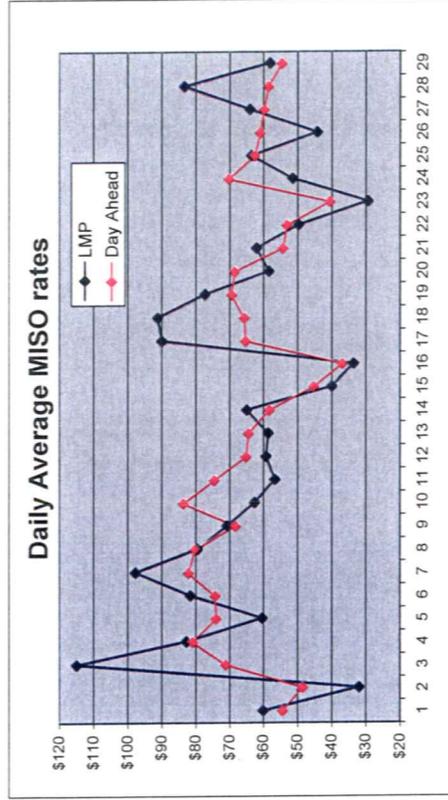
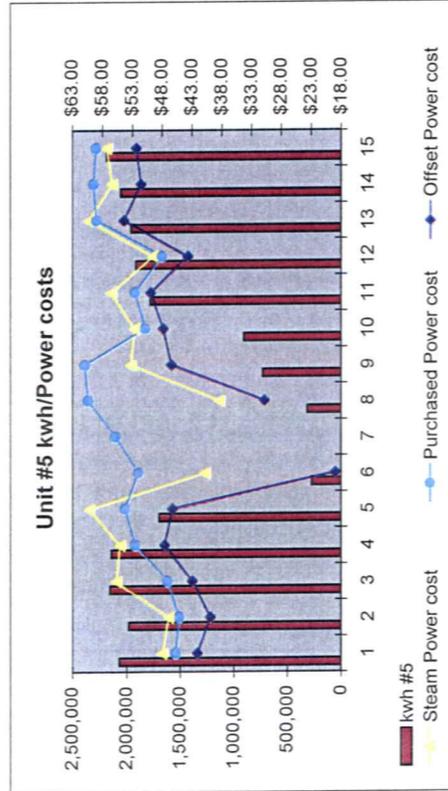
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Menasha Utilities
Steam Detail
For the Three Months Ending March 31, 2008

	Current Month		Actual	Year-to-Date		Annual Budget
	Budget	Variance		Budget	Variance	
Operating Revenues						
Steam Sales - Sonoco	\$738,442.96	(\$109,086.22)	\$2,164,286.67	\$2,572,711.58	(\$408,424.91)	\$9,247,958.92
Steam Sales - Alcan	42,767.90	(4,561.30)	128,764.72	142,193.14	(13,428.42)	457,784.79
Steam Sales - Whiting	41,628.20	(14,413.16)	133,112.50	159,488.99	(26,376.49)	485,503.77
Electric Sales	124,846.66	124,846.66	358,512.37	224,854.21	133,658.16	742,944.54
MISO Sales	288,310.77	(20,971.10)	730,994.75	535,029.22	195,965.53	2,250,064.38
Capacity Payment	13,734.02	400.02	40,802.04	40,002.00	800.04	163,288.00
Forfeited Discounts-Late Charges			592.25		592.25	
Total Operating Revenues	1,249,730.51	(23,785.10)	3,557,065.30	3,674,279.14	(117,213.84)	13,347,544.40
Operation and Maintenance Expenses						
Steam Power Generation						
Labor	107,339.69	(4,060.33)	336,647.95	322,019.07	14,628.88	1,288,076.00
Coal	640,749.45	(181,901.21)	1,336,354.28	1,670,127.71	(333,773.43)	6,154,125.89
Ash Disposal	13,117.89	(539.98)	36,250.86	34,192.08	2,058.78	125,991.80
Other Fuel Expenses	7,500.26	3,833.26	18,730.23	11,001.00	7,729.23	44,004.00
Steam Expenses	931.14	(7,702.19)	1,822.69	25,899.99	(24,077.30)	103,600.00
City Water and Sewer	25,785.57	8,945.30	73,181.23	49,575.19	23,606.04	179,434.14
Electric Expenses	597.00	(1,561.33)	1,197.00	6,474.99	(5,277.99)	25,900.00
Miscellaneous Steam Power Expenses	3,088.11	(1,444.06)	15,261.56	13,596.51	1,665.05	54,386.00
Auxiliary Power	84,004.01	8,956.07	243,745.42	241,571.07	2,174.35	942,020.37
Maintenance of Structures	263.58	(1,031.42)	263.58	3,885.00	(3,621.42)	15,540.00
Maintenance of Boiler Plant	3,706.60	(6,418.40)	21,088.06	30,375.00	(9,286.94)	301,500.00
Maintenance of Electric Plant		(8,333.33)	1,479.86	24,999.99	(23,520.13)	100,000.00
Maintenance of Miscellaneous Steam Plant	1,267.16	433.83	9,797.76	2,499.99	7,297.77	10,000.00
Total Steam Power Generation	701,848.94	(190,823.79)	2,095,820.48	2,436,217.59	(340,397.11)	9,344,578.20
Distribution Expenses						
Chemical Expense	15,832.14	4,263.47	42,766.37	34,706.01	8,060.36	138,824.00
Steam Line Expense	157.92	(157.92)		473.76	(473.76)	1,895.00
Customer Installation	973.62	494.20	2,125.62	1,438.26	687.36	5,753.00
Maintenance of Mains	428.95	(1,181.17)	1,211.96	3,543.51	(3,543.51)	14,174.00
Maintenance of Meters		256.62	8.36	516.99	694.97	2,068.00
Total Distribution Expenses	17,234.71	3,675.20	46,112.31	40,678.53	5,433.78	162,714.00
Administrative and General Expenses						
Administrative and General Salaries	3,551.87	(4,214.09)	9,421.59	23,297.88	(13,876.29)	93,191.52
Office Supplies and Expenses	31.17	(385.50)	694.45	1,250.01	(555.56)	5,000.00
Outside Services Employed	4,459.00	(2,459.00)	43,233.06	21,219.00	22,014.06	80,105.00
Property Insurance	4,552.04	802.04	13,656.12	11,250.00	2,406.12	45,000.00
Injuries and Damages	2,632.48	(835.02)	8,230.62	10,402.50	(2,171.88)	41,610.00
Employee Pensions and Benefits	32,133.19	(1,552.23)	94,263.08	100,608.26	(6,345.18)	403,780.01
Miscellaneous General Expenses	(13.99)	(1,701.99)	2,944.25	6,971.00	(4,026.75)	19,783.00
Vehicle Clearing	101.84	101.83	(294.39)	0.03	(294.42)	
Power Operated Clearing	743.37	743.37	1,407.76	150.00	1,407.76	600.00
Rents	50.00		150.00			
Total Administrative and General Expenses	48,240.97	(9,500.59)	173,706.54	175,148.68	(1,442.14)	689,069.53
Total Operation and Maintenance Expenses	767,324.62	(196,649.18)	2,315,639.33	2,652,044.80	(336,405.47)	10,196,361.73
Other Operating Expenses						
GE Water Treatment Lease Expense	29,166.03		87,498.09			349,992.36

STEAM DISTRIBUTION FOR MARCH 2008

	Monthly Total	Budget	YTD	YTD Budget
Total Steam purchased				
Sonoco	72,114	68,737	211,356	208,655
Alcan	4,277	3,839	13,173	11,532
Whiting	4,163	4,977	13,311	13,416
Steam Total	80,553	77,553	237,840	233,603
Total Generation kwh	On-Peak	Off-Peak	Monthly Total	YTD Budget
	0	0	0	
MISO Market				
Unit #3	2,190,134	2,566,150	4,756,284	5,833,000
Unit #4	0	0	0	4,704,000
Real-Time - MISO	659,941	529,480	1,189,421	3,019,885
Average MISO Price	75.18	49.97	59.39	57.50
Day-Ahead - MISO	1,530,193	2,036,670	3,566,863	10,537,000
Average MISO Price	73.31	50.02	58.49	53.26
Behind the Meter				
Unit #5	870,505	1,310,227	2,180,732	3,877,000
Average Price			57.25	58.00
MW Total	3,060,639	3,876,376	6,937,015	14,414,000





MEMORANDUM

TO: Menasha Common Council
Douglas Young, General Manager

FROM: Dick Sturm

DATE: April 30, 2008

SUBJECT: Steam Plant Noise Update

Menasha Utilities has reported over the last several months the progress on the noise at the Steam Plant. I am happy to report that we have resolved the noise to a level of satisfaction.

We have completed installation of three variable frequency drives to lower the speed on the baghouse fans. We have found this reduces the higher pitched noise that had been the major source of complaint. Additionally, we have installed another silencer on the ash blower also reducing any noise during its intermittent use. The VFD installation along with the additional silencer has reduced the overall sound level in the Water Street area.

I have personally contacted our neighbors who have indicated this is a much better condition. One of our neighbors even contacted me and reported the reduction in noise level, with the comment of "good job". This neighbor also commented that his neighbor is also pleased. Another neighbor whom had reported to the council that he had trouble sleeping now says "he is sleeping like a baby". A fourth neighbor agreed the sound level is much reduced and livable, however he would like to withhold his final approval until the reduction lasts for three months. This is fair enough for me.

The baghouse vendor SP Environmental has stood behind their installation and has covered the approximate \$8,000 cost of the VFD remedy. The additional silencer for the ash blower at a cost of \$1,714 was covered by MU.

As stated in my November memo to the Council: Menasha Utilities and I, myself personally, remain not only committed but active in finding a permanent solution to the noise issue in the local neighborhood. We promised to and intend to be good neighbors. We have kept our promise and will continue to strive for success of the Steam Plant.

*File a request for
Code Enforcement
Service*

Date _____

Violation Address _____

Location on property _____

Details _____

Your Name _____

Phone number _____

* Please note: Your name is optional, however,

If not provided the Code Enforcement Specialist

will not be able contact you for additional

questions or to report the findings.

*How to file a Code Viola-
tion Complaint*

Complaints can be made on a written com-
plaint available at City of Menasha Depart-
ments at the Police Department web site:

www.menashapolice.org

On this pamphlet (left page)

Called in by Phone: 920-967-3548

By Fax: 920-967-5145

By E-mail: jpolzien@ci.menasha.wi.us

Or in Person at the Menasha PD, 430 First St

By Mail

Code Enforcement Unit

C/O Menasha Police Department

430 First St

Menasha, WI 54952

City of Menasha



City of Menasha

CODE
ENFORCEMENT
PROGRAM

*For a Safer, Healthier and a
more beautiful City of
Menasha*



Menasha Police Department
430 First Street
Menasha, WI 54952
920-967-3500 FAX 920-967-5145
www.menashapolice.org

Addressing the Need

In 2007 the City of Menasha established a Code Enforcement Unit to address code violations including the following:

Junk Vehicles

Storage of Junk

Excessive number of animals

Excessive animal excreta accumulation

Accumulation of Refuse

Litter and trash

Dilapidated buildings

Abandoned appliances

Graffiti

Illegal signs/billboards

Vehicle parts or tires

Stagnant water

Breeding places for vermin

Excessive yard waste

Other public nuisances affecting the quality of life, health or safety in the City.



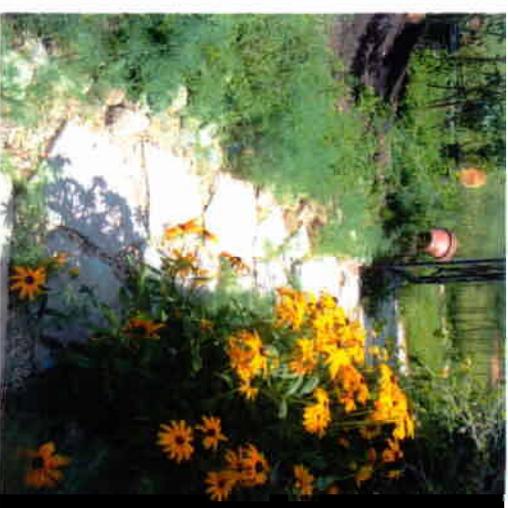
How it works:

The code enforcement Unit is both a proactive and reactive program. Complaints from the community will be addressed, participation from the community is vital to the success of the Code Enforcement Program.

The Code Enforcement Unit will also actively seek out properties in violation of city code and address the violations.

Steps in the Code Enforcement Process:

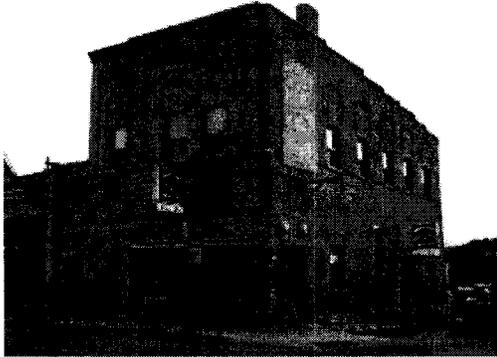
- Verbal or written complaint forwarded to the Code Enforcement Unit
- Code Enforcement Specialist conducts a site visit regarding complaint
- If code violations are found, appropriate notice/citation is issued and a compliance date set
- Reporting person is advised of findings (if their name and phone number is given)



- Code Enforcement Specialist checks property for compliance after deadline.
- If property is still non-compliant, Code Enforcement Specialist issues citations and pursues court action to gain compliance

City of Menasha

Code Enforcement
430 First Street
Menasha, WI 54952
Phone: 920-967-3500
Fax: 920-967-5145
E-mail: jpoltzien@ci.menasha.wi.us



Award Winning Eats and Drinks in Calumet County

Looking for the best of the best? Then look no further than Calumet County! Calumet County is home to several establishments that have been recognized for their delicious drinks and fabulous food!

Midwest Living, a national magazine, recently recognized Schwarz's in Calumet County as one of the two best places to eat in dinner in Wisconsin! *Midwest Living* acknowledged

Schwarz's as a classic supper club where you can "start your steak dinner with a relish plate and a brandy old-fashioned." Stop in today and see why this supper club stands out from the rest! Schwarz's is located at W1688 Sheboygan Road in St. Anna. The phone number is (920) 894-3598. If you want to check out their menu, [click here!](#)

If you prefer to cook your own award-winning meals at home, then head over to Roehrborn Meats in Brillion! Roehrborn Meats has won awards from the Wisconsin Association of Meat Processors three years in a row. Their traditional bratwurst, semi-boneless ham, cooked summer sausage, sectioned and formed ham have all been state champions in the yearly competition. Roehrborn Meats is located at 640 West Ryan in Brillion. The phone number is (920) 756-2400.

What meal is complete without a frosty brew to wash to down? Calumet County is home to Rowland's Calumet Brewing Company which brews about 25 beers and is located in Chilton. Oktoberfest beer made by Rowland's Calumet Brewing Co. was listed in *Draft* magazine's Top 10 Oktoberfest Beers in the country. *Draft* magazine said Rowland's Oktoberfest Beer "never falters." Stop in today and sip on a famous microbrew at the historic firehouse where Rowland's brews their beer. The brewery and beer pub are located at 25 N. Madison Street in Chilton. Call (920) 849-2534 for more information or to see their website, [click here!](#)

Looking for a sweet drink to end your award-winning meal in Calumet County? Look no further than the Heritage Orchard just south of Stockbridge! Heritage Orchard is the Five-Time Wisconsin State Apple Growers Cider Contest Winner! The Sweet Apple Cider is pressed fresh at the Heritage Orchard and available for purchase. Visit the Heritage Orchard to pick your own apples, pumpkins and other locally grown vegetables. The orchard is located at N2963 Lakeshore Drive. Call (920) 849-2158 for more information or to see their website [click here!](#)

Local Bait Shop Owner Hits It Big!

Val Zwiers, owner of Val's Bait and Tackle Shop in Stockbridge will play in America's favorite game show, Family Feud! Val and her family will appear in two episodes on May 15th and 19th, July 17th and 21st, and August 21st and 25th.

Visit Val at her bait and tackle shop at W5135 Carney Road two miles north of Stockbridge off of Highway 55. Call (920) 439-1540 for more information.

**Val's
Bait & Tackle**
LLC

LIVE BAIT • LURES • ACCESSORIES • GIFTS

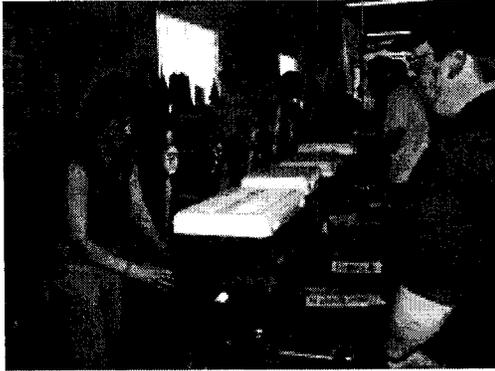


**Environmentally Friendly in
Calumet County**

Another Calumet County attraction was recently added as Travel Green certified!

High Cliff State Park was certified as Travel Green by the Wisconsin Department of Tourism. High Cliff State Park practices wildlife and landscape conservation, energy efficiency, air quality and waste reduction techniques.

High Cliff State Park is located at N7630 State Park Road in Sherwood. The phone number is (920) 989-1106. Visit them at their website.



17th Annual Wisconsin Micro-Brewers Beer Fest

The 17th Annual Micro-Brewer's Beer Fest will take place on Sunday, May 18th from 1-6pm at the Calumet County Fairgrounds in Chilton. Live music by the Jerry Schneider Band and Copper Box will provide participants great entertainment and over one hundred varieties of beer will keep everyone hydrated!

Advanced tickets are required. Tickets are \$30 and can be ordered from Rowland's Calumet

Brewing or The Roll-Inn at 25 N. Madison Street in Chilton. For more information call (920)849-2534 or visit <http://www.rowlandsbrewery.com> for more information.

Wisconsin's New Brand Platform

The Wisconsin Department of Tourism has created a new brand platform that will be used to market Wisconsin as a tourism destination.

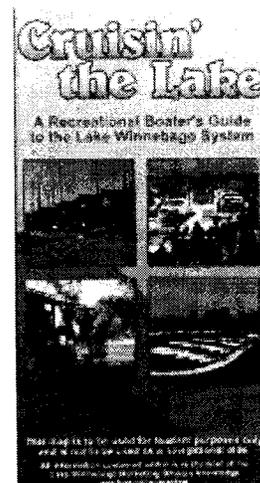
The brand platform is not a slogan, but a concept that can be used for advertising materials and marketing efforts. The brand promise reads: "Because of the passionate nature of the state's people to create fun, express themselves in original ways and feel more comfortable doing it here than anywhere else, in Wisconsin originality rules." A new slogan will come out of the brand promise as well as a new marketing campaign. For more information on the new brand, visit www.travelwisconsin.com!

Get Ready For Boating Season

As boating season nears, it's time to get the boat ready for the water and to order the third edition of the Cruisin' The Lake Guide: A Guide Recreational Boater's Guide to the Lake Winnebago System".

The guide was recently updated and printed and is ready for distribution.

If you would like a copy of the brochure, email info@travelcalumet.com and ask for a copy or else call (920) 849-1493 ext 790 to request a brochure.



WISCONSIN TRAFFIC SAFETY REPORTER

Vol. 11, No. 1
2008

Our challenges this year

Major Daniel Lonsdorf
Director, Bureau of
Transportation Safety

They died on rural highways and city streets. They died while walking, biking, driving or riding. And, in most instances, their deaths were entirely preventable.

Wisconsin ended 2007 with 741 deaths in 659 traffic crashes, according to WisDOT preliminary data, which will be final this spring. Traffic fatalities last year were 29 more than in 2006 but 47 fewer than the five-year average of 788 deaths in 709 crashes.

Much of the increase in fatalities for 2007 can be attributed to more motorcyclists' deaths. Last year, 111 motorcyclists (106 drivers and five passengers) were killed in crashes compared with 93 motorcyclists (91 drivers and two passengers) in 2006. Although the number of fatal crashes was the same in both 2006 and 2007, there were more people killed per crash last year. In 2006, we had an unusually low number of crashes with multiple fatalities while in 2007 the number of such crashes stabilized closer to the average.

Based on years of data analysis, we know how, why, and to whom crashes are likely to occur. Since fatal and serious injury traffic crashes are predictable, then they also are preventable. We will strive in 2008 to implement countermeasures to change behavior that causes deaths and injuries. And we will intensify our efforts to reduce motorcycle crashes as motorcycling continues to increase in popularity.

We face an array of challenges in 2008 and for years to come. But we must take action today to end the inevitability of more than 700 traffic deaths on our roadways every year.

Red-light cameras

Can they help reduce red-light running?

"Study after study has found reductions in both signal violations and crashes," says one of the nation's leading experts on the use of red-light cameras, Richard Retting, senior transportation engineer with the Insurance Institute for Highway Safety [IIHS].

Ten years ago, only a few places were using these cameras, such as New York City and San Francisco, but now they are in 15 states and about 325 communities. Wisconsin law doesn't allow their use, but now legislators are considering a measure, Assembly Bill 528 which, if passed, would specify how they could be used.

Critics worry about Big Brother watching us. They say red-light running can be dealt with in other ways, such as lengthening the yellow-light period. Proponents point to well-designed studies that show cameras as effective, economical, objective and also a better use of officers' time in resource-stretched police departments.

continued on page 2



Badger TraCS is catching on

Badger TraCS is, well, making tracks in helping law enforcement agencies statewide submit a wide variety of data.

TraCS (Traffic and Criminal Software) was initially developed by the state of Iowa in partnership with FHWA, and it serves as a national model for the development of automated reporting systems. TraCS, which is free, runs on laptop computers in squad

continued on page 3



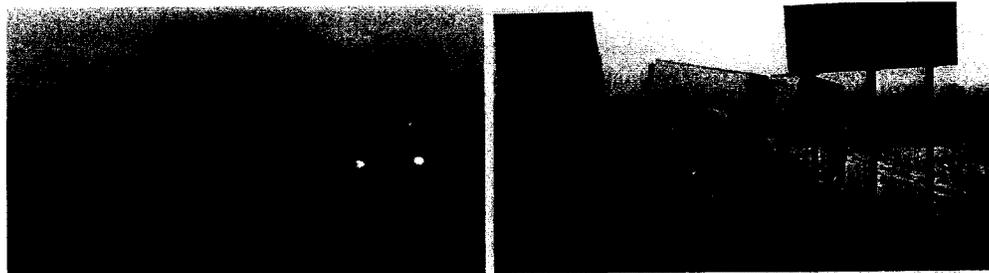
Red-light cameras in Philadelphia

INSURANCE INSTITUTE FOR HIGHWAY SAFETY



View from a red-light camera in El Paso, Texas

REDPLEX TRAFFIC SYSTEMS, INC.



Failure to adjust to weather conditions

On January 6 about 100 vehicles were involved in a smash-up on fog-bound I-90 east of Madison. Two people were killed and many injured—three critically. The local media said, "Fog is blamed for a series of crashes ..." but the real cause was drivers' failure to adjust to conditions, to slow down ... and you don't need a sign to know where that leads. This is a recurring tragedy. A similar foggy crash, the worst in Wisconsin's history, occurred October 11, 2002 on I-43 in Sheboygan County with 49 injured—10 fatally.

PHOTOS: HEATHER DENINGER & DANE OLSEN, CHANNEL 3000.COM

Badger Tracs is catching on *from page 1*

cars and can be used with technologies such as bar code scanners, digital cameras and Global Positioning Systems (GPS).

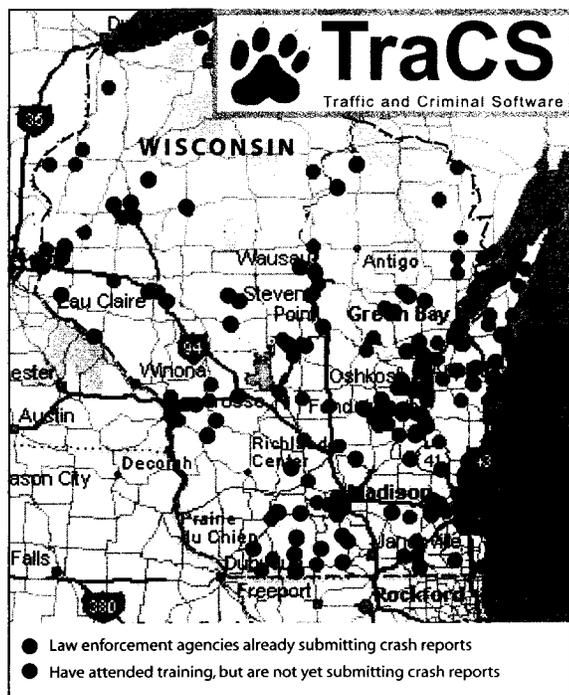
Wisconsin's version is called Badger TraCS. In 2001, the DMV and State Patrol began investigating TraCS and then the DMV Traffic Accident Section signed the licensing agreement with Iowa and began development with support from the Traffic Records Coordinating Committee. In 2005, the first agencies began electronic reporting of crash and citation data, and now Badger TraCS is blossoming into a full suite of forms. These include: the MV4000 crash report and an abbreviated MV4000 for single unit, property damage and vehicle/deer crashes; an amended crash form; Fatal Supplement; Uniform Traffic Citation; Alcohol Incident Reporting Form; Uniform Municipal Citation; traffic warning; Driver Condition or Behavior Form; and an attachment. Via the Forms Advisory Committee (FAC), people can suggest new forms, modifications, etc.

Automated reporting has many benefits (see sidebar) and many officers statewide are welcoming it. For example, the Menasha Police Department is one of the early adopters and serves on the FAC. Officer Martin Schramper says, "DOT time studies showed that the average traffic stop takes 12 to 15 min-

utes to write one ticket. With TraCS, we're down to 5 minutes for a warning and 7 to 8 minutes for everything else."

A Badger TraCS Users Meeting is held each fall for agencies that have been trained in TraCS.

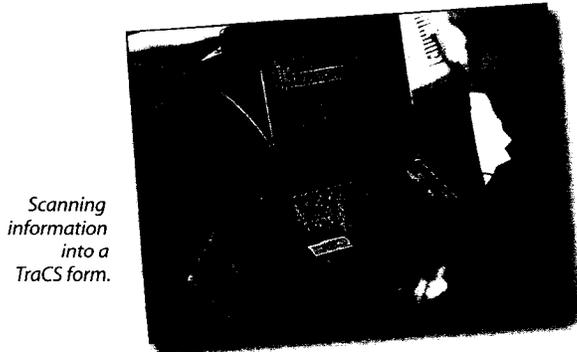
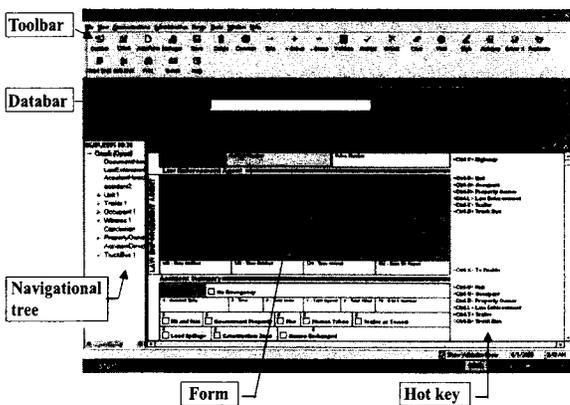
Participants can learn how to get licensed and install TraCS, and they can learn about current issues, share success stories and discuss future developments. As of December, 184 of the state's 620 law enforcement agencies had received training. (The State Patrol is counted as one agency.) Of those, 93 are submitting crash



Basic layout of a Badger TraCS form

The TraCS window is divided into five areas:

- Toolbar** where the TraCS tool buttons are located
- Databar** where the form data is entered
- Navigational tree** allows for quick movement between areas of a form
- Form** where the TraCS form is displayed
- Hot key** used to navigate around the form or enable data fields



Scanning information into a TraCS form.

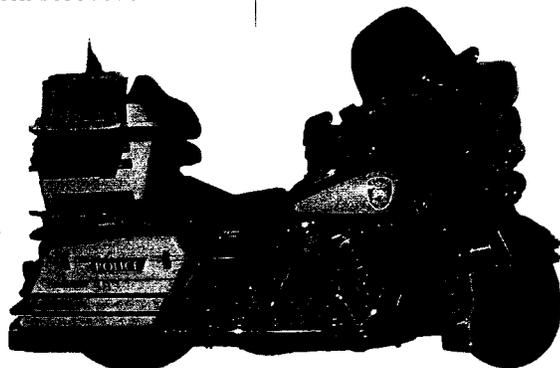
reports electronically and 79 are submitting citations. Both nationally and in Wisconsin, TraCS is growing and offering new capabilities. For example, progress is being made in the way electronic citations are transmitted. Currently, eCitations go onto a floppy disc and then to the Circuit Court. But now electronic transmission is being piloted, with eCitations going first to a DOJ-hosted Web server, and then on to the courts, including municipal courts.

Another new development is the recent launch of a Badger TraCS listserv (discussion group via email). This will complement the national TraCS listserv by providing a forum for discussing issues unique to Wisconsin.

Improving data/decision support systems is one of the top priority issues in the state's 2006-08 Strategic Highway Safety Plan. This newsletter is doing a regular series of articles on progress with these issues. TraCS is one part of the data submission process, and in the next issue we'll go on to consider data access, including resources such as the UW-Madison TOPS Lab's WisTransPortal.

For more information, visit the Badger TraCS section on the WisDOT website.

TraCS-ready. Milwaukee Police Department's 50 motorcycle officers file 65-70% of all the city's crash reports.



Why Badger TraCS?

- Enter info once, use many times. Easily send data to WisDOT, courts, DPW, etc.
- Improves the accuracy, timeliness and ease with which incident data is collected and made available.
- Forms are more legible than with penmanship, so violators can actually read their copy.
- Improves officer safety because less time is spent at traffic stops, especially with multiple citations.



Calumet County Treasurer

206 Court St.
Chilton, WI 53014

Michael V. Schlaak

Chilton (920) 849-1457
Fax (920) 849-1469
Appleton Area (920) 989-2700
Email MikeS@co.calumet.wi.us

April 13th, 2008

Affordable Builders of Wisconsin Inc.
c/o Peter VanderWielen, Registered Agent
905 N Bluemound Dr.
Appleton, WI 54915

RE: Delinquent 2004 and prior Real Estate Taxes

This letter is to inform you that the Calumet County Treasurer's office has entered the final step in the foreclosure process for the property listed in this packet. This parcel is clearly identified by a unique parcel number and tax identification number.

This process is pursuant to Section 75.521 of the Wisconsin State Statutes and is on file in the Calumet County Clerk of Courts and Treasurer's office.

The **FINAL** day to redeem this property is **June 30th, 2008** if delinquent taxes for **ALL** past due tax years are paid in full. After this date, Calumet County will begin court proceedings to take title to this property.

Please contact our office for information on the total amount necessary to redeem this property immediately.

Sincerely,

Michael V. Schlaak
Enclosures

cc: Kenneth G. Cychosz
Anchor Bank, Appleton
Menn Law Firm
City of Menasha Clerk, Debbie Galeazzi
Calumet County Board Chair

APR 18, 2008

HA

dg

IN THE MATTER OF FORECLOSURE OF
TAX LIENS UNDER SECTION 75.521,
WISCONSIN STATUTES, BY
CALUMET COUNTY, LIST OF TAX LIENS
FOR THE YEARS 2004 THROUGH 2007,
No. 1

PETITION AND NOTICE AND
LIST OF TAX LIENS OF CALUMET
COUNTY BEING FORECLOSED BY
PROCEEDING IN REM

Class Code No. 30404

AUTHENTICATED COPY

Case #

08-CV-114

Date

04/08/08

TO THE CIRCUIT COURT FOR CALUMET COUNTY, WISCONSIN:

Calumet County Clerk of Courts

Barbara VanAkkeren

NOW COMES Calumet County, State of Wisconsin, by Michael V. Schlaak, its County Treasurer

and Pamela A. Captain, Corporation Counsel, and files this list of tax liens of Calumet County for the taxes of 2004 through 2007, sales of 2005 through 2008, and alleges and shows to the Court:

1. That each of the following described parcels of land has been sold to Calumet County for delinquent taxes and some tax certificates, therefore, have been outstanding for three or more years.
2. That Calumet County is now the owner and holder of the tax liens for the taxes of the years indicated in this list, as evidenced by the tax sale certificates numbered below.
3. That Calumet County has, pursuant Section 66-1 of the Calumet County Code of Ordinances, elected to proceed under Section 75.521 of the Wisconsin Statutes for the purpose of enforcing tax liens in said county.
4. That said list, made and filed pursuant to the provisions of Wisconsin Statutes Section 75.521, is as follows, to wit:

Interest on the principal sum of each tax lien listed above is charged at the rate of 1 percent per month from January 1 of the year of sale through August 31, 1987, and at the rate of 1 1/2 percent (including penalty) per month from September 1, 1987, to the date of redemption.

All descriptions by lot and block numbers refer to plats and maps filed in the office of the Register of Deeds of Calumet County, WI.

5. That no municipalities other than Calumet County, have any right, title or interest in the above-described lands or in the tax liens or in the proceeds therefor, except as stated herein.

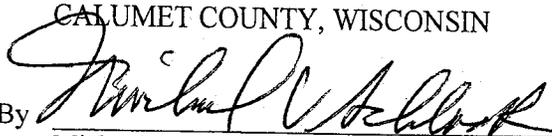
WHEREFORE, Calumet County petitions for judgment vesting title to each of said parcels of land in said Calumet County, Wisconsin, as of the date of entry of judgment in this action, and barring and foreclosing any and all claims whatsoever of the former owner, and any person having any right, title,

interest, claim, lien or equity of redemption and any person claiming through and under them to said lands since the date of filing this list of tax liens in the office of the Clerk of Circuit Court of Calumet County.

Dated April 8, 2008.

CALUMET COUNTY, WISCONSIN

By


Michael V. Schlaak, Calumet County Treasurer


Pamela A. Captain, State Bar #1023192
Calumet County Corporation Counsel

AUTHENTICATED COPY

Case # 08-CV-114

Case No. _____
NOTICE OF COMMENCEMENT PROCEEDING IN REM
TO FORECLOSE TAX LIENS BY CALUMET COUNTY
Calumet County Clerk of Courts
Barbara VanAkkeren

04/08/08

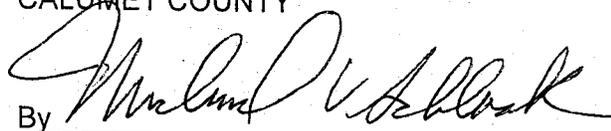
PLEASE TAKE NOTICE that all persons having or claiming to have any right, title or interest in or lien upon the real property described in the list of tax liens, No. 1 on file in the office of the Clerk of Circuit Court of Calumet County dated April 8, 2008, and hereinabove set forth are hereby notified that the filing of such list of tax liens in the office of the Clerk of Circuit Court for Calumet County constitutes the commencement by said Calumet County of a special proceeding in the Circuit Court for Calumet County to foreclose the tax liens therein described by foreclosure proceedings in rem and that a notice of the pendency of such proceedings against each piece or parcel of land therein described was filed in the office of the Clerk of Circuit Court on April 8, 2008. Such proceeding was brought against the real property herein described only and is to foreclose the tax liens described in such list. No personal judgment will be entered herein for such taxes, assessments or other legal charges or any part thereof.

TAKE FURTHER NOTICE that all persons having or claiming to have any right, title, or interest in or lien upon the real property described in said list of tax liens are hereby notified that a certified copy of such list of tax liens has been posted in the office of the County Treasurer of Calumet County and will remain posted for public inspection up to and including **June 30, 2008**, which date is hereby fixed as a last day for redemption.

TAKE FURTHER NOTICE that any person having or claiming to have any right, title, or interest in or lien upon any such parcel may, on or before said **June 30, 2008**, redeem such delinquent tax liens by paying to the County Treasurer of Calumet County, the amount of all such unpaid tax liens and in addition thereto, all interest and penalties which have accrued on said unpaid tax liens, computed to and including the date of redemption.

Dated April 8, 2008.

CALUMET COUNTY

By 
Michael V. Schlaak, County Treasurer

IN THE MATTER OF FORECLOSURE OF
TAX LIENS UNDER SECTION 75.521,
WISCONSIN STATUTES, BY
CALUMET COUNTY, LIST OF TAX LIENS
FOR THE YEARS 2004 THROUGH 2007,
No. 1

**APPLICATION FOR APPOINTMENT
OF GUARDIAN AD LITEM**
Class Code No. 30404

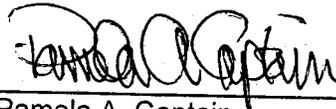
AUTHENTICATED COPY

State of Wisconsin)
) SS.
Calumet County)

Case # 08-CV-114
Date 04/08/08

Calumet County Clerk of Courts
Barbara VanAkkeren

Pamela A. Captain, being first duly sworn, states that she is the Corporation Counsel in and for Calumet County; that the above-entitled proceeding in rem has been commenced and is now pending in this court and is brought for the foreclosure of tax liens pursuant to Wisconsin Statutes Section 75.521. That under the provisions of said Section 75.521 (12), it is necessary that a guardian ad litem be appointed to serve for all persons known or unknown who have or may have an interest in the lands described in the list of tax liens mentioned in the caption herein, and who are or who may be minors or incompetents at the time of the filing of such list of tax liens, and that application, therefore, is hereby made.



Pamela A. Captain
State Bar #1023192
Calumet County Corporation Counsel
206 Court Street
Chilton, WI 53014-1198
(414) 849-1443

Subscribed and sworn to before me on
April 7, 2008.



Lisa A. Jodar, Notary Public
My Commission expires 2-1-2009

STATE OF WISCONSIN

CIRCUIT COURT

CALUMET COUNTY

IN THE MATTER OF FORECLOSURE OF
TAX LIENS UNDER SECTION 75.521,
WISCONSIN STATUTES, BY
CALUMET COUNTY, LIST OF TAX LIENS
FOR THE YEARS 2004 THROUGH
No. 1

ORDER APPOINTING
GUARDIAN AD LITEM

Class Code No. 30404

AUTHENTICATED COPY

Case# 08-CV-114

Date 04/08/08

Calumet County Clerk of Courts
Barbara VanAkkeren

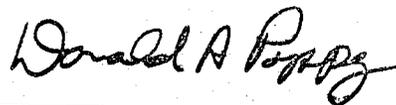
UPON reading the petition of Pamela A. Captain, Corporation Counsel for Calumet County, in the above-entitled proceedings in rem, from which it satisfactorily appears that under the provisions of Section 75.521 (12) of the Wisconsin Statutes, it is necessary that a guardian ad litem be appointed to serve for all persons known or unknown, who have or may have an interest in the lands described in the list of tax liens mentioned in the caption herein, and who are or may be minors or incompetents at the time of the filing of such list of tax liens, and,

Being satisfied that James Ungrodt is a fit, competent, and suitable person to be appointed as such guardian ad litem;

NOW, THEREFORE, IT IS ORDERED That James Ungrodt, an attorney of Calumet County, Wisconsin, be and hereby is appointed guardian ad litem for all persons known or unknown, who have or may have an interest in the land described in the list of tax liens mentioned in the caption herein, and who are or may be minors or incompetents at the time of the filing of such list of tax liens to appear for such persons and protect and defend their interest in the above-entitled proceeding in rem.

Dated April 8, 2008.

BY THE COURT



Donald Poppy, Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT

CALUMET COUNTY

AFFIDAVIT
Class Code No. 30404

AUTHENTICATED COPY

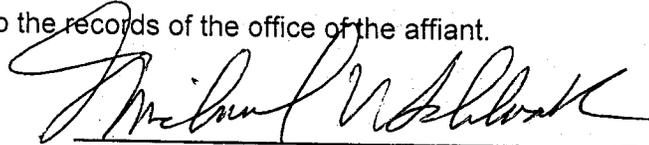
Case # 08-CV-114

Date 04/08/08

Calumet County Clerk of Courts
Barbara VanAkkeren

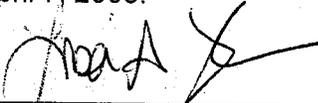
State of Wisconsin)
) SS.
Calumet County)

Michael V. Schlaak, being first duly sworn, on oath states that he is the County Treasurer of Calumet County, Wisconsin, and that the foregoing list of tax liens and statements and data therein contained are true and correct according to the records of the office of the affiant.



Michael V. Schlaak

Subscribed and sworn to before me on
April 7, 2008.



Lisa A. Jodar, Notary Public
My Commission expires 2/1/09

**DESCRIPTION
PARCEL A**

Lot 79, in LAKE PARK HEIGHTS, City of Menasha, Calumet County, Wisconsin.

Tax Key No.: 7-00815-79

ADDRESS: 3062 Winnipeg St., Menasha, WI 54952

INTERESTED PARTIES

Kenneth G. Cychosz

Affordable Builders of WI, Inc. %Peter Vander Wielen, Registered Agent

AnchorBank

Menn Law Firm, Attorney Douglas Hahn

YEAR OF TAX	YEAR OF SALE	PRINCIPAL SUM OF TAX LIEN
2004	2005	\$1,322.27
2005	2006	\$1,220.31
2006	2007	\$1,458.38
	TOTAL	\$4,000.96



CALUMET COUNTY TREASURER
 206 COURT STREET

CHILTON WI 530141198
 Phone: (920) 849-1457
 4/15/08

Parcel Number	28064
251-0000-0000000-000-0-H70815-79-000A	251 H 7 00815 79
	Legal Description
AFFORDABLE BUILDERS OF WI INC	3062 WINNIPEG ST
905 N BLUEMOUND DR	LAKE PARK HEIGHTS
APPLETON, WI 54915	LOT 79

* * D E L I N Q U E N T T A X S T A T E M E N T * *

TAX YEAR	BASE TAX	PENALTY/INT	OTHER +/-	TOTAL DUE
=====	=====	=====	=====	=====
04-2	1,322.27	773.53	200.00	2,295.80
05-2	1,220.31	494.22	.00	1,714.53
06-2	1,458.38	328.14	.00	1,786.52
Total Due	4,000.96	1,595.89	200.00	5,796.85

This is a statement of your delinquent REAL ESTATE TAX ROLL
 as of 04/15/08.

IF THIS STATEMENT LISTS TAX YEARS 2004 OR EARLIER, your property can be foreclosed per WI STAT.75.521. A \$200 IN-REM fee will also be charged to your account. Penalty & interest charges are compounded each month. The total due stated above must be received or post-marked by APRIL 30TH, 2008.

April 18, 2008

Mayor Merkes:

I am resigning my position of commissioner on the Menasha Police Commission because I will be moving out of the City of Menasha. My term is due in May and this should work well in appointing a new commissioner for a full term.

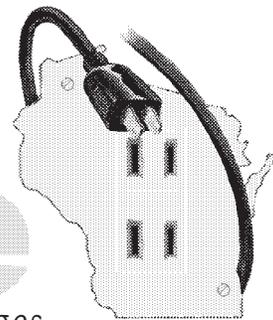
Best wishes in your new position as Mayor of Menasha.

Sincerely,

Larry Buck

A **Coalition**
to preserve
Wisconsin's
Reliable and
Affordable
Electricity

Customers First! the Wire



Plugging you in to electric industry changes

608/286-0784 • P.O. Box 54 • Madison, WI 53701 • www.customersfirst.org • MAY 2008 • Vol. 13, No. 5

POWER breakfast focused on warming

The *Customers First!* Spring POWER Breakfast in April drew nearly a hundred participants, including high-volume energy users and producers with key roles in driving Wisconsin's economy. What they heard was a sobering message about climate change regulation—once the elections are over—and the widespread commitment among policy makers to act.

State and federal officials and a prominent Washington lobbyist appearing at the Madison event predicted aggressive government action to cut utility carbon dioxide emissions, while acknowledging with varying degrees of certainty that nothing concrete will happen before 2009. Wisconsin Congresswoman Tammy Baldwin (D-Madison) said Congress is "focusing in 2008 on designing a mandatory cap and trade program" for carbon dioxide, though she added that passage of legislation this year is "uncertain."

More likely than a global warming bill this year, Baldwin said, is passage of legislation "fairly promptly" in 2009, after the current Congress finishes "laying the groundwork for what the 111th Congress and the 44th president will do."

Public Service Commission (PSC) Chairman Dan Ebert said the energy industry is "entering a new paradigm" and recognizing "the economic realities of not responding" to global warming.

Ebert praised what he called "a significant coming together of opinion leaders, mayors, and city councilmen on climate change strategies." Susan Stratton, formerly of the PSC and now with the Energy Center of Wisconsin, said because "not everyone will voluntarily do as much as they can" to reduce energy use, "a combination of mandatory and voluntary programs" is needed.

Stratton said a recent survey of some 4,000 Wisconsin residents found that 80

percent believe climate change is real and at least partially caused by human activity, but she also acknowledged that respondents ranked climate change tenth on a list of priorities, behind the economy, education, crime, and several other concerns.

Washington priorities are different, according to Robert Talley of Talley and Associates. The regulatory consultant and lobbyist said regardless of what clients plan to discuss with members of Congress, global warming is what the members ask about.

"It is the topic du jour," he said.

Talley suggested there's much to be discussed in terms of regulatory initiatives driving energy costs. "Cost-containment issues are

prominent here," he said. "Utilities will be asked to make carbon dioxide reductions they don't have the technology to do."

"I actually think we're just at the beginning of this discussion," Talley added. 💡



PSC Chair Dan Ebert (speaking); Susan Stratton, executive director of the Energy Center of Wisconsin; and George Edgar, energy policy director of the Wisconsin Energy Conservation Corporation address POWER Breakfast attendees during a panel presentation moderated by CFC Executive Director Matt Bromley

Rail progress reviewed

Though the event was dominated by speculation on what lies ahead in terms of legislation on climate issues, Congresswoman Tammy Baldwin took time at the recent *Customers First!* Coalition POWER Breakfast to address railroad issues in which she has played a prominent role.

Lax federal regulation over the past few decades has been congenial to the railroads, and "the effect on shippers has been striking and has gone largely ignored by the Surface Transportation Board," (STB) she said.

Baldwin cited the example of Dairyland Power Cooperative curtailing generation because of insufficient coal inventories, noting that missed deliveries forcing utilities to purchase power elsewhere "adds cost to consumers."

Baldwin is author of the pending Railroad Antitrust Enforcement Act of 2007, which seeks to restore fairness and competition to the freight rail marketplace. 💡



Rep. Baldwin

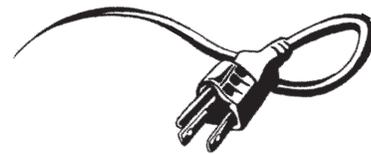
THE WIRE is a monthly publication of the *Customers First!* Coalition—a broad-based alliance of local governments, small businesses and farmers, environmental groups, labor and consumer groups, retirees and low-income families, municipal electric utilities, rural electric cooperatives, wholesale suppliers, and an investor-owned utility. *Customers First!* is a coalition dedicated to preserving Wisconsin's reliable and affordable electricity.

If you have questions or comments about THE WIRE or the *Customers First!* Coalition, please call 608/286-0784.



KEEPING CURRENT

With CFC Executive Director Matt Bromley



Lost amid the headline-grabbing topics of rising fuel prices and climate change is a threat that many in the electric utility industry consider the most pressing for the industry today—the shortage of trained and skilled utility workers.

As the workforce in our state (and nation) ages and baby-boomers retire, electric utilities are scrambling to have in place the next generation of electricians, engineers, line technicians, power plant operators, and gas workers. In its Strategic Energy Assessment titled *Energy 2012*, the Public Service Commission of Wisconsin (PSC) reported that Wisconsin utilities will see the retirement of 700 skilled workers between 2005 and 2010 and more than 1,300 by 2015. Nationally, almost 40 percent of utility workers are currently eligible for retirement, or will be in the next three years.

There is not only concern about the shortage of workers entering the industry but also about the quality of the existing worker pool. Not many highly trained, experienced people are seeking positions in the utility sector, especially when so many other options are available for professionals such as technicians and engineers. Often, utilities rely on more senior workers to train and mentor new hires. The transfer of knowledge from one generation of workers to the next places even greater urgency on getting new workers on board now before the more experienced workers sell their homes and move to Arizona.

Maintaining a sufficient, well-trained workforce should be a top priority for the state. Yes, other industries are affected by the boomer retirement, but any state's overall economy and welfare of its citizens depends heavily on a reliable, secure, and safe energy network. To be sure, utilities bear much of the responsibility to effectively plan and execute work-force plans, but a public-private effort is critical to making sure this challenge is addressed quickly and with minimal cost to ratepayers.

Recently, the PSC and Department of Workforce Development brought stakeholders together to look at state and federal job training resources and opportunities. This was a good start, but more needs to be done to tackle this serious and looming problem. It is our hope that the newly formed Joint Legislative Council Special Committee on Building Wisconsin's Workforce, chaired by Representative Pat Strachota, will include utility workforce issues in its agenda for the coming months. We cannot afford to overlook the needs of a workforce that is responsible for keeping the lights on. 💡



Bromley

Ohio: The final chapter?

Almost exactly a year after outlining it to the public, Ohio Governor Ted Strickland is poised to sign into law a sweeping revision of his state's energy policies.

Stalled in difficult negotiations over details just as House passage appeared imminent (the bill passed the Ohio Senate last year,) the measure finally cleared the House in the last full week of April.

The Democratic governor and Republican legislative leaders said they agreed that the primary objective had been accomplished: They managed to short-circuit electric rate increases feared to be as large as 70 per cent in 2009—when rate caps legislated under the 1999 restructuring law expire.

Key components of the new law include:
• A mandate to obtain 12.5 percent of Ohio electricity sales from renewable sources by 2025,

• Rate stability for large manufacturers who can continue to shop for suppliers but get to lock in three-year plans, and

• Utilities must file traditional rate plans with state regulators but over the next 10 years can move to basing retail rates on wholesale power market prices, with regulatory approval.

Utilities will also be required to show their energy efficiency efforts have allowed customers to cut electricity usage 22 percent by 2025 in order to offset the need for new generation facilities. 💡

EPRI: Efficiency can cut new generation needs

Electricity demand in the United States would rise more than half by 2030 in the absence of existing building codes, appliance efficiency standards, and consumer incentives,

Deerfield (IL) in the spotlight

An Illinois community has filed a class action suit against Commonwealth Edison, alleging the Chicago area subsidiary of Exelon Corp. has failed to perform its most obvious function as an electric utility.

A statement released by the Village of Deerfield late last month charged that ComEd had committed a “gross violation of its agreement to provide reliable [electric] service to the 18,000 residents of the north suburban Chicago community.”

Village officials say between 2000 and 2007, Deerfield suffered 82,347 individual customer power outages during 1,377 separate electrical failures.

Tornado Alley, you say? Not exactly. According to Deerfield officials, only 13 percent of the outages were weather-related.

The lawsuit filed April 17 in Lake County Circuit Court alleges ComEd violated the Illinois Public Utilities Act and its franchise agreement with the village by failing to provide adequate and reliable electric service and failing to maintain infrastructure necessary to provide that service.

Deerfield Mayor Steve Harris characterized the utility’s behavior as “gross and willful dereliction of duty.”

“While the people of Deerfield pay for spoiled food, generators, and sump pumps and even temporary housing again and again, Exelon pockets windfall profits,” Harris said. “Their commitment to fix our electric delivery system remains a dream.”

With almost four million customers and an 82,000-mile transmission and distribution system in northern Illinois, ComEd says it is “committed to improving electric service reliability” and claims the number of outages has been reduced by one-third and their duration cut by 45 percent over the past decade. 💡

and keeping demand growth below 30 percent will require major obstacles to be overcome, the Electric Power Research Institute (EPRI) said in April.

Draft findings released late last month by EPRI and the Edison Electric Institute (EEI) at an Edison Foundation conference said existing standards and incentives are expected to shave about 23 percent off demand growth over the coming two decades.

(EPRI is an industry-funded organization leading research into electric utility technology and systems. EEI is a national trade association of investor-owned utilities.)

More vigorous application of energy efficiency improvements could trim a further 7 to 11 percent of demand growth over the same period, but only “if key barriers can be addressed,” according to the EPRI analysis.

Success in addressing those barriers would ultimately mitigate impacts on the monthly bills of end-use consumers, but they will see rising costs in any case, EEI Executive Director Diane Munns indicated.

“While electricity rates will rise due to increasing across-the-board costs of producing electricity, energy efficiency improvements can

help reduce some of these costs to consumers,” Munns said. “To maximize utility investment in efficiency programs, energy efficiency must be treated as an energy resource on par with new generation.”

“Essential steps” to partially offset need for new generation facilities include more consumer education, more aggressive building codes and appliance standards, and “adoption of electricity pricing policies that more accurately reflect the cost of providing electricity to consumers and give them the information they need to use it wisely,” according to EPRI.

“At the same time,” the report said, “consumers’ ever-increasing appetite for electricity-hungry devices even with continuing efficiency improvements will keep electricity demand on a steady upward trajectory.”

A 42-inch plasma television will consume two and a half times more energy than a standard 27-inch TV set, and many small devices have not achieved the strong efficiency gains seen in large appliances during recent years, the report said. It cited the example of two 30-watt set-top television boxes potentially consuming as much electricity as a large refrigerator. 💡

Declaring victory, going home

Maryland’s lengthy squabble over who owes what to whom for the state’s electric restructuring experiment appeared to end this spring, as elected officials and Constellation Energy settled a lawsuit and both sides claimed to have won.

According to a *Baltimore Sun* report at the end of March, Constellation and Governor Martin O’Malley concluded, “Neither side could afford to keep fighting.”

Energy saver tip

Thinking about sprucing up the house this spring with a new roof or a fresh coat of paint? Think light, as in light colors. Light colors are more reflective, dark colors more absorbent. Light colors on the exterior walls and roof can help save energy and reduce your cooling costs. 💡

One reason nobody could afford to prolong the battle, according to the *Sun*, was that it might have kept the participants from focusing on how to deal with “a looming statewide energy shortfall.”

So the balance sheet now looks like this:

- O’Malley managed to secure rebates of more than a half billion dollars for residential customers of Baltimore Gas and Electric, whose 2006 rate hike of 72 percent triggered the conflict.

- Constellation extricates itself from the political fight that torpedoed its proposed \$12 billion merger with Florida’s FPL Group in 2006 and obtains a promise of no further legislative inquiry into almost a billion dollars in “stranded costs” it collected in compensation for taking over BGE power plants under Maryland’s restructuring law.

A study of how far the state can go in undoing the restructuring law will continue. 💡



Quotable Quotes

“The wholesale electric markets operated by Regional Transmission Organizations under federal supervision have driven up electricity bills twice as fast as in regions without such markets.”

—Mark Crisson, president and CEO of the American Public Power Association (APPA),
quoted in a February 27, 2008
news release from APPA

Be sure
to check out the
Customers First!
web site at



www.customersfirst.org

Help us share our messages with others. If you know of businesses or organizations that would like to learn more about protecting Wisconsin's reliable and affordable electricity, please feel free to copy and share with them all or part of this newsletter, or you can call 608/286-0784 to arrange an informational meeting.

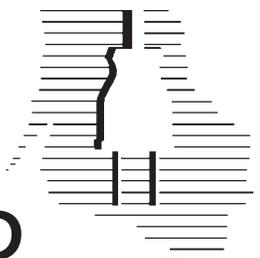
Customers First!
Plugging Wisconsin In



A Coalition
to preserve
Wisconsin's
Reliable
and Affordable
Electricity

P.O. Box 54
Madison, WI 53701

Customers First!



April 30, 2008

Dear Mayor Merkes,

Thank you for your invitation to be a prospective member of the City of Menasha Police Commission. I am pleased to be invited to represent my community in what I understand to be a vital aspect of our city's 'checks and balances' system.

Taking part in Menasha's Citizen's Police Academy has given me invaluable insight to the workings of our Police Department. I have great respect for those who are employed to protect our city and keep our citizens safe.

In my 20 years of experience in the service industry, I have gained immeasurable skills working with, as well as for, many different people. My substitute teaching experience has given me an interesting view of the younger population of Menasha. As a small business owner, I constantly face new challenges, not only working with other businesses, but with my clients as well.

If I were to be a member of the City of Menasha Police Commission, I would take the position seriously knowing that the actions of the commission could potentially affect our community as a whole. I would thoughtfully and cooperatively contribute to decisions that would need to be made by the commission.

I am honored to be asked to be a part of the City of Menasha Police Commission. If I am granted a place on the board, I would treat the position with respect and passion as Menasha is my home. I value this community and would always keep its best interests in mind.

Thank you for your consideration in including me in this aspect of city government.

Respectfully yours,

A handwritten signature in cursive script that reads "Theresa M. Reuss". The signature is written in black ink and is positioned above the typed name and address.

Theresa (Terri) M. Reuss
452 Nicolet Blvd.
Menasha, WI 54952
920-969-9444

GARY A. SCHMUDE

W7176 Manitowoc Road

Menasha, WI 54952

Home: (920) 733-3289 ♦ Cell: (920) 209-0395 ♦ Email: Schmude57@yahoo.com

Professional Objective

To secure a position as a History or Broad Field Social Studies Teacher at a middle or high school where I can use my skills to bring a safe and enjoyable learning experience to students.

Education

Silver Lake College, Manitowoc, WI (Graduate May 2004)

Bachelor of Arts Degree Major: History 21-725 Minor: Broadfield Social Science 21-701

Fox Valley Technical College, Appleton, WI (Graduate May 1998)

Associates of Applied Sciences Degree Major: Police Science

Wisconsin Certifications

♦ Broadfield Social Science 21-701

♦ History 21-725

Teaching Experience

Saint Johns Neumann Middle School (March 2004 - June 2004) Student Teaching
Taught 6th and 7th grade World Cultures and Geography. Organized and created a lesson plan on Europe and its involvement in World War II.

Menasha High School (January 2004 - March 2004) Student Teaching
Taught credit deficient seniors in the Standards-Based School and taught 10th grade World History. Organized and created a lesson plans that compared and contrasted the French and American Revolutions.

Appleton East High School (October 2003 – November 2003) Clinical
Observed 10th grade U.S. History, 11th grade U.S. Military History, and 12th grade AP U.S. History. Taught a lesson on Wisconsin's involvement in the Civil War.

Other Work Experience

Park Central Appleton, Wisconsin April 95 – Present My job consisted of door security, bartender, DJ, and public relations.

Pioneer Inn Oshkosh, Wisconsin October 98 – November 04, May 05- September 05 My job consisted of night security, Manager on duty, and Security Supervisor.

Menasha Joint School Menasha, Wisconsin District October 2004 – June 05, September 05- Present My job consisted of being a substitute teacher.

Military Experience

U.S. Air Force, Mountain Home AFB, Idaho May 89 - May 93 Pavements Maintenance Specialist and Heavy Equipment Operator.

Activities

- ◆ Volunteer wrestling coach, *Oshkosh West High School* (1987-89) (1993-94)
- ◆ Volunteer assistant wrestling coach *Oshkosh Mat Rats* (1987-88)
- ◆ Student Council at Oshkosh West for 2 years, Student Forum at Silver Lake for 2 years.

References

References available upon request.

Building work

- ◆ Involved in remodeling the **Star School Building**.



Memorandum

To: Board of Public Works/Common Council
From: Greg Keil, CDD, *gr* Mark Radtke, DPW *MR*
Date: May 1, 2008
RE: Project Enhancements- Third Street

At its April 22nd meeting the Plan Commission considered several options concerning enhancements to the Third Street reconstruction project. Its recommendation is to install colored stamped concrete in the terraces extending from Manitowoc Street on the east to Milwaukee Street on the west. This same material would be used in the crosswalks at the Milwaukee, Appleton, DePere, and Manitowoc Street intersections. Although the Racine Street intersection is not part of the reconstruction project, the Plan Commission recommended that those crosswalks likewise be replaced with this material. The island at the Manitowoc Street intersection is to be landscaped. Enhanced street lighting including new fiberglass poles will be provided by Menasha Utilities.

The Plan Commission arrived at its recommendation based on the following considerations:

- The desire to have enhancements that would have a significant impact on the appearance of the corridor
- The desire for continuity of appearance throughout the corridor
- The reconstruction project and related enhancements are a long-term investment (50 years +/-) in the community

Installing the improvements as recommended by the Plan Commission will require approximately \$159,000.00 in addition to the \$55,300.00 that DOT has committed to project enhancements. The Capital Improvement Program projected including \$175,000.00 in the 2009 program year for the reconstruction of Third Street. Of this total \$75,000.00 is required to fund the difference between the base project funded by DOT and alternates that were requested by the city in 2006 when the plan was first presented. The differential of \$100,000.00 between the planned expenditure and actual cost could be retained in the 2009 budget to help fund the enhancements.

If the Common Council elects to follow the Plan Commission recommendations, several options exist for funding the project. Although there are many potential funding scenarios, they all would contain one or more of the following elements:

- Budgeting for and levying a tax to generate the funds
- Borrowing for the project and levying a tax to pay off the debt over time
- Funding the project through Tax Increment District #10

The impact on the tax levy of adding \$100,000.00 to the budget is about ten cents per thousand of value. Borrowing for the project would have the effect of distributing the impact over a number of years, but would also add interest cost. Financing the project through TID #10 would not have an impact on the levy, but would extend the life of TID #10 by approximately three years. This is based on using approximately \$35,000 per year of what TID #10 generates in annual increment in excess of current debt retirement costs.



Memorandum

DATE: March 13, 2008

TO: Plan Commission

FROM: Mark Radtke, Director of Public Works

RE: STH 114 Community Sensitive Design Proposed Enhancements

In 2009 the City of Menasha and WisDOT will be reconstructing Third Street (STH 114) from Tayco Street to Manitowoc Street with new concrete pavement. Our project agreement with WisDOT provides for the use of \$55,300 in Community Sensitive Design (CSD) funds. CSD funding may be used for project enhancements such as decorative landscaping, decorative lighting, decorative pavement/walk treatments such as brick pavers or colored concrete, bump outs at intersections, and other aesthetic treatments within the project limits.

The Plan Commission had previously reviewed some of these possible enhancements but no action was taken at that time. Since that meeting, Menasha Utilities (MU) has arranged for the transfer of its distribution line from the south side of Third Street to the ATC poles on the north side of Third Street. The electric service lines to the properties on the south side of the street will be buried to eliminate the unattractive look of overhead wires crossing Third Street. MU will also be installing more decorative street lights along the south side of Third Street. These poles are similar to the poles recently installed along Province Terrace.

MU should be commended for its commitment to enhance the appearance of Third Street with these proposed actions. The City now has its opportunity to expand upon the positive aspects of this reconstruction project. Third Street is a main corridor through Menasha and I feel now is our window of opportunity to make a statement about the image we want to project to the public. The \$55,300 of CSD funding provided by WisDOT is not sufficient in my mind to achieve the desired outcome for this corridor. I feel strongly the City should decide what the optimal enhancement package is for Third Street and try to fund for such if possible. This may mean deferring some other 2009 street project(s) for one year, but I believe the "big picture" approach would justify such.

It is my recommendation the City should install brick pavers or colored stamped concrete in the terraces from Milwaukee Street to Manitowoc Street because of the narrow (3.5") terrace width along that segment. In addition, I think crosswalks from Milwaukee Street to Manitowoc Street should be installed with either brick pavers or colored concrete to break up the continuous concrete ribbon appearance of Third Street. Lastly, I believe an enhanced landscape plan should be included for the traffic island at the intersection of Third Street and Plank Road.

The estimated cost for these work items breaks down as follows:

Decorative Terraces

Milwaukee Street to Racine Street	\$25,000 - \$32,000
Racine Street to Manitowoc Street	\$70,000 - \$90,000

Decorative Crosswalks

Milwaukee Street to Manitowoc Street	\$52,000 - \$75,000
--------------------------------------	---------------------

Island Landscaping

Third Street at Plank Road	\$20,000
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The total estimated cost of proposed enhancements ranges from \$167,000 to \$217,000. The City's portion would range from \$111,700 to \$161,700 after the \$55,300 of CSD funding is applied to these items. WisDOT needs a response from the City by the end of April to allow for design completion of this project according to the proposed bid schedule. We will have plans displayed at the Plan Commission meeting for reference.



Memorandum

DATE: May 18, 2007

TO: Plan Commission

FROM: Mark Radtke, Public Works Director

RE: Proposed Streetscape Amenities for Third Street Reconstruction Project

Third Street from Tayco Street to Manitowoc Street is scheduled to be reconstructed in 2008. As part of this project, WisDOT has allotted the City \$55,300 of Community Sensitive Design (CSD) funds to be used as amenities along the project corridor. A list of eligible items for the CSD funding is attached to this memo.

The amount of CSD funding available for this project does not allow a high level of streetscape amenities without some source of additional City or outside funding. With that in mind, several options were explored. Due to the limited terrace width of 3.5 feet from Milwaukee Street to Manitowoc Street, and the required two foot clear zone from the face of curb, street tree planting is very difficult to successfully accomplish.

The alternative amenities considered were colored concrete crosswalks and colored concrete terraces. Following are the cost estimates for each option.

Colored Concrete Crosswalk - \$54,600 (includes all crosswalks except at Racine Street and Polonia Street)

Colored Concrete Terraces - \$53,000 (Racine to DePere)

\$80,000 (Milwaukee to DePere)

\$80,000 (Racine to Manitowoc)

\$107,000 (Milwaukee to Manitowoc)

Other streetscape items may be considered, but without additional funding sources, it is difficult to accomplish within the allotted CSD funding limit.

AN ORDINANCE RELATING TO SITE, ARCHITECTURAL, LANDSCAPING, AND LIGHTING PLAN REVIEW

Introduced by Alderman Kevin Benner

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

SECTION 1: Section 13-1-12(h)(5) is repealed and recreated as follows:

- (5) Outdoor Lighting Intensity Standards. When outdoor lighting is proposed or required, the following standards in the table on the following page shall apply and the “activities” as described in the table shall be assigned and evaluated by the Menasha Police Department and Community Development Department based on the type of use, the hours of operation and the area in which the use is located.

Light Use	Minimum Horizontal Foot-Candles	Maximum Horizontal Foot-Candles	Additional Regulations
Parking Lot	0.5	5.0	(1) Areas used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking lot lighting. (2) Parking lot lighting shall have a Color Rendition Index (CRI) of 50 or higher.
Outdoor display and sales	-	5.0	-
Canopies and drive through facilities	5.0	20.0	(1) Luminaires mounted on or under canopy ceilings shall be full cutoff, unless indirect lighting is used whereby light is directed upward and then reflected down from the ceiling of the structure. In this case, luminaires must be shielded so that direct illumination is focused exclusively on the ceiling of the structure. (2) Parking lot lights shall not be mounted on the top or sides of a canopy and the sides of a canopy shall not be internally illuminated. Canopy sides may, however, utilize full-cutoff downlighting. (3) Lighting for drive-through facilities must be fully shielded. (4) Canopy and bay lighting shall have a Color Rendition Index (CRI) of 50 or higher
Outdoor activity facility	All outdoor entertainment or recreational/sports facility lighting will be reviewed for compliance with minimum site lighting criteria and light trespass criteria and with		

	regard to the intent of these exterior lighting standards to minimize the impact of light trespass and glare on all surrounding properties and public rights-of-way.		
High Risk Activity (e.g. bank deposit night drop or ATM)	4.0	5.0	Lighting shall have a Color Rendition Index (CRI) of 50 or higher
Medium Risk Activity (e.g. convenience store open 24 hours)	2.0	4.0	Lighting shall have a Color Rendition Index (CRI) of 50 or higher
Low Risk Activity (e.g. place of worship, office)	0.5	2.0	Lighting shall have a Color Rendition Index (CRI) of 50 or higher

SECTION 2: This Ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____, 2008.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ATTORNEY'S NOTE:

RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning May 1, 2008; ending Oct 31, 2008

TO THE GOVERNING BODY of the: Town of } MENASHA
 Village of }
 City of }

County of WINNEBAGO Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE Individual Partnership Limited Liability Company
 Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name) Home Address

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company Menasha Athletic Assn.
 Address of Corporation/Limited Liability Company (if different from licensed premises) P.O. Box 342, Menasha 54952
 All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title	Name (Inc. Middle Name)	Home Address	Post Office & Zip Code
President/Member	<u>John F. Galeazzi</u>	<u>1025 Melissa St.</u>	<u>Menasha 54952</u>
Vice President/Member	<u>Donald R. Kerehl</u>	<u>838 Milwaukee St.</u>	<u>Menasha 54952</u>
Secretary/Member	<u>Joan H. Smogoleski</u>	<u>1306 Dunning St.</u>	<u>Menasha 54952</u>
Treasurer/Member	<u>Gary L. Coopman</u>	<u>1248 Meadowview Dr.</u>	<u>Menasha 54952</u>
Agent	<u>Paul S. Johnson</u>	<u>1312 Lakeshore Dr.</u>	<u>Menasha 54952</u>

- C. 1. Trade Name Menasha Macs Business Phone Number _____
 2. Address of Premises Koslo Park - Geneva Road Post Office & Zip Code Menasha, WI 54952
 3. Is agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
 4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Koslo Park concession stand - coolers
 5. Legal description (omit if street address is given above): _____
 6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any municipality? If yes, complete reverse side Yes No
 b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side Yes No
 7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? Yes No
 If yes, explain. Officer change - President; Agent change
 8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? Yes No
 If not, explain. _____
 9. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown under Section A or B above? [phone (608) 266-2776] Yes No
 10. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
 11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.)

SUBSCRIBED AND SWORN TO BEFORE ME
 this 7th day of April, 2008
Deborah A. Maliazzi
 (Clerk/Notary Public)
 My commission expires 8/10/08

John Galeazzi
 (Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)
Joan H. Smogoleski
 (Officer of Corporation/Member/Manager of Limited Liability Company /Partner)
 (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4/7/08</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Applicant's Wisconsin Seller's Permit Number: <u>243456</u>	
Federal Employer Identification Number (FEIN): <u>39-6175099</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ 50.00
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ 25.00
TOTAL FEE	\$ 75.00
Post Office & Zip Code	

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town/Village/City of MENASHA County of WINNEBAGO

The undersigned duly authorized officer(s)/members/managers of MENASHA ATHLETIC ASSOCIATION
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

MENASHA MACS
(trade name)

located at KDSL0 PARK

appoints PAUL S. JOHNSON
(name of appointed agent)

1312 LAKESHORE DR MENASHA 54952
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?
 Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 20.5 YRS

Place of residence last year MENASHA, WI 54952, 1312 Lakeshore Drive

For: Menasha Athletic Assn. (Maes)
(name of corporation/organization/limited liability company)

By: _____
(signature of Officer/Member/Manager)

And: Joan H. Amogheshi
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, PAUL S. JOHNSON
(print/type agent's name), hereby accept this appointment as agent for the

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature]
(signature of agent) 3/27/08
(date) Agent's age [Redacted]

1312 LAKESHORE DR MENASHA WI 54952
(home address of agent) Date of birth [Redacted]

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on April 23, 2008 by [Signature]
(date) (signature of proper local official) Title Police Chief
(town chair, village president, police chief)

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

INDIVIDUAL'S FULL NAME (Please Print) (Last Name)		(First Name)	(Middle Name)	SOCIAL SECURITY NUMBER	
JOHNSON		PAUL	S.	[REDACTED]	
HOME ADDRESS (Street/Route)			POST OFFICE	STATE	ZIP CODE
1312 LAKESHORE DR			MENASHA	WI	54952
HOME PHONE NUMBER	AGE	DATE OF BIRTH		PLACE OF BIRTH	
920 727 9150	[REDACTED]	[REDACTED]		ROCKFORD, IL	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- MEMBER of MENASHA ATHLETIC ASSOCIATION
(Officer/Director/Member/Manager/Agent) (NAME OF CORPORATION, LIMITED LIABILITY COMPANY OR NONPROFIT ORGANIZATION)
 which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 20.5 YRS
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any municipality? . Yes No
(If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending.) (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any municipality? Yes No
(If yes, describe status of charges pending.)
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
(If yes, identify.) (NAME, LOCATION AND TYPE OF LICENSE/PERMIT)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery permit or wholesale liquor permit in the State of Wisconsin? Yes No
(If yes, identify.) (NAME OF WHOLESALE LICENSEE OR PERMITEE) (ADDRESS BY CITY AND COUNTY)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	From	To
HOME DEPOT	653 N. Westhill Blvd Grandchute WI 54914	1/99	7/99
TECUMSEH	1604 Michigan Ave New Holstein WI 53061	3/93	7/98

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 27th day of March, 2008
Lindsey Muegauer
(CLERK/NOTARY PUBLIC)



[Signature]
(SIGNATURE OF NAMED INDIVIDUAL)

My commission expires 10/16/2011

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

INDIVIDUAL'S FULL NAME (Please Print) (Last Name)		(First Name)	(Middle Name)	SOCIAL SECURITY NUMBER	
Galeazzi		John	F	[REDACTED]	
HOME ADDRESS (Street/Route)		POST OFFICE		STATE	ZIP CODE
1025 Melissa Street		Menasha		WI	54952
HOME PHONE NUMBER	AGE	DATE OF BIRTH		PLACE OF BIRTH	
920-722-0635	[REDACTED]	[REDACTED]		Neenah, WI	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Officer - President of Menasha Athletic Assn.
(Officer/Director/Member/Manager/Agent) (NAME OF CORPORATION, LIMITED LIABILITY COMPANY OR NONPROFIT ORGANIZATION)
which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 49 years
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any municipality? . Yes No
(If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending.) (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any municipality? Yes No
(If yes, describe status of charges pending.)
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
(If yes, identify.) _____
(NAME, LOCATION AND TYPE OF LICENSE/PERMIT)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery permit or wholesale liquor permit in the State of Wisconsin? Yes No
(If yes, identify.) _____
(NAME OF WHOLESALE LICENSEE OR PERMITTEE) (ADDRESS BY CITY AND COUNTY)
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	Employed To
<u>Miller Electric mfg.</u>		<u>8/1977</u>	<u>Present</u>
<u>Menasha Post Office</u>		<u>8/1976</u>	<u>8/1977</u>

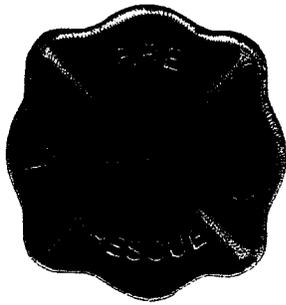
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 18th day of March, 2008
Deborah A. Galeazzi
(CLERK/NOTARY PUBLIC)

John Galeazzi
(SIGNATURE OF NAMED INDIVIDUAL)

My commission expires 8/10/08



Memorandum

TO: Debbie Galeazzi, City of Menasha Clerk

FROM: Assistant Chief/Fire Marshall Al Auxier

DATE: April 25, 2008

RE: Liquor License, Menasha Athletic Association

I did a walk through of the concession stand at Koslo Park-Geneva Road and found the building in a condition that would allow me to approve the liquor license request for this occupancy/organization.

If you have any questions or concerns please email or give me a call.



Menasha

City of Menasha • Department of Community Development

To: Debbie Galeazzi
From: Building Inspection Department
Date: 4/28/08

RE: Liquor License Inspection

MENASHA MACS.

Address: GEVUA. KOLSO PARK

The premise at the above address has been inspected for compliance with State and Local Building Codes and found to be:

COMPLIANT

NON - COMPLIANT
Recommend delaying license approval until all Violations are corrected.

Respectfully submitted

Dennis Jansen

City of Menasha Building Inspector

Dan Coffey

City of Menasha Building Inspector



City of Menasha • Health Services

Date: May 1, 2008

To: City of Menasha Common Council

From: Todd Drew, R.S. – Sanitarian 
City of Menasha Health Department

Re: Liquor License Inspection for Menasha Twins / MACs at Koslo Park

An inspection was conducted at Koslo Park Concession Stand, Menasha, WI for liquor license applications filled by Menasha Twins / MAC Baseball.

The health inspection conducted in this establishment included standard sanitation, equipment condition, food safety, plumbing, employee hygiene, toilet and hand washing facilities, insect and rodent control and general condition using Wisconsin Administrative Code and the Wisconsin Food Code (Food Establishment Code) as a basis for inspection procedures.

The inspection conducted at this location did not cite any health-related violations which would necessitate a recommendation to hold this liquor license application.

If you should have any questions regarding this information, please do not hesitate to contact me.

RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning May, 2008; ending Oct 31, 2008

TO THE GOVERNING BODY of the: Town of } MENASHA
 Village of }
 City of }

County of WINNEBAGO Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE Individual Partnership Limited Liability Company
 Corporation Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Applicant's Wisconsin Seller's Permit Number:	
Federal Employer Identification Number (FEIN):	
LICENSE REQUESTED ▶	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ 50.00
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ 25.00
TOTAL FEE	\$ 75.00

Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company ▶ Menasha Twins Baseball
 Address of Corporation/Limited Liability Company (if different from licensed premises) ▶ _____

Title	Name (Inc. Middle Name)	Home Address	Post Office & Zip Code
President/Member	<u>Jeff Chew</u>	<u>1308 Ninth</u>	<u>Menasha, 54952</u>
Vice President/Member	<u>Debbie Chew</u>	<u>1308 Ninth</u>	<u>Menasha, 54952</u>
Secretary/Member	<u>Scott Milligan</u>	<u>949 Ninth</u>	<u>Menasha 54952</u>
Treasurer/Member	<u>Brian Julius</u>	<u>1300 Dunning</u>	<u>Menasha 54952</u>
Agent ▶	<u>Debbie Chew</u>	<u>1308 Ninth St</u>	<u>Menasha 54952</u>

C. 1. Trade Name ▶ Menasha Twins Business Phone Number _____
 2. Address of Premises ▶ Geneva Road Post Office & Zip Code ▶ Menasha 54952

3. Is agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) CONCESSION STAND
5. Legal description (omit if street address is given above): _____
6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any municipality? If yes, complete reverse side Yes No
- b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side Yes No
7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? Yes No
 If yes, explain. _____
8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? Yes No
 If not, explain. _____
9. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown under Section A or B above? [phone (608) 266-2776] Yes No
10. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.)

SUBSCRIBED AND SWORN TO BEFORE ME
 this 9th day of April, 2008
Deborah A. Saleazzo
 (Clerk/Notary Public)
 My commission expires 8/10/08

Jeffrey J. Chew
 (Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)
Debbie Chew
 (Officer of Corporation/Member/Manager of Limited Liability Company /Partner)

 (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK		
Date received and filed with municipal clerk <u>4/9/08</u>	Date reported to council/board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk



Memorandum

TO: Debbie Galeazzi, City of Menasha Clerk

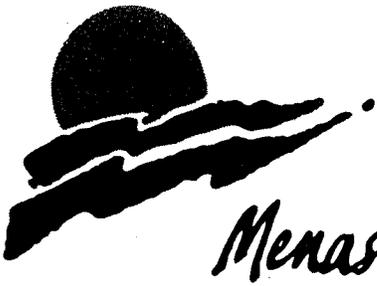
FROM: Assistant Chief/Fire Marshall Al Auxier

DATE: April 25, 2008

RE: Liquor License, Menasha Twins Baseball

I did a walk through of the concession stand at Koslo Park-Geneva Road and found the building in a condition that would allow me to approve the liquor license request for this occupancy/organization.

If you have any questions or concerns please email or give me a call.



City of Menasha • Department of Community Development

To: Debbie Galeazzi
From: Building Inspection Department
Date: 4/20/08

RE: Liquor License Inspection

MENASHA TWINS BASEBALL

Address: GENEVA ST. KOLSO PARK
CONCESSION

The premise at the above address has been inspected for compliance with State and Local Building Codes and found to be:

COMPLIANT

NON - COMPLIANT
Recommend delaying license approval until all
Violations are corrected.

Respectfully submitted

Dennis Jansen

City of Menasha Building Inspector

Dan Coffey

City of Menasha Building Inspector



City of Menasha • Health Services

Date: May 1, 2008

To: City of Menasha Common Council

From: Todd Drew, R.S. – Sanitarian 
City of Menasha Health Department

Re: Liquor License Inspection for Menasha Twins / MACs at Koslo Park

An inspection was conducted at Koslo Park Concession Stand, Menasha, WI for liquor license applications filled by Menasha Twins / MAC Baseball.

The health inspection conducted in this establishment included standard sanitation, equipment condition, food safety, plumbing, employee hygiene, toilet and hand washing facilities, insect and rodent control and general condition using Wisconsin Administrative Code and the Wisconsin Food Code (Food Establishment Code) as a basis for inspection procedures.

The inspection conducted at this location did not cite any health-related violations which would necessitate a recommendation to hold this liquor license application.

If you should have any questions regarding this information, please do not hesitate to contact me.

**AGREEMENT BETWEEN
THE BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM
ON BEHALF OF THE UNIVERSITY OF WISCONSIN OSHKOSH
AND
MENASHA HEALTH DEPARTMENT
FOR THE CONDUCT OF A CLINICAL EDUCATION PROGRAM**

This agreement is between the Board of Regents of the University of Wisconsin System on behalf of the University of Wisconsin Oshkosh, College of Nursing (hereinafter referred to as "University") and MENASHA HEALTH DEPARTMENT, Menasha, Wisconsin, hereinafter referred to as "Facility").

In consideration of the mutual benefits to the respective parties, any and all departments of the University wishing to enter into a field placement with the Facility, and the Facility agree to the terms set forth below.

THE UNIVERSITY AGREES:

1. That each school or college of the University wishing to participate in a clinical education or field placement program with the Facility will provide the Facility with a Program Memorandum, detailing the academic content of the proposed program. Upon acceptance of this Program Memorandum as provided hereafter, it shall become a part of this agreement and shall be incorporated by reference. The Program Memorandum will include discussion of program concepts; the controls which the University and the Facility may exercise or are required to exercise; the rights of the Facility to send representatives to review the University's program; the number of students to be assigned, the qualifications of those students and the schedule of those students; and/or any other matters pertaining to the specific program proposed by the department.
2. To recognize within the extent and limitations of Secs. 895.46(1) and 893.82, Wis. Stats., that the State will pay judgments for damages and costs against its officers, employees and agents arising out of their activities while within the scope of their assigned responsibility in the program at the Facility.
3. To provide the Facility with a listing of students who will be participating under the program and to update that listing periodically.

THE FACILITY AGREES:

1. To review any Program Memorandum concerning a clinical education program, which is submitted by a school or college of the University. Upon review, the Facility will notify the school or college of its acceptance or rejection of the academic program proposal.
2. To satisfy the provisions contained in 45 CFR 46, existing for the protection of human subjects (*to the extent that such regulations are applicable*) to the respective program involved..
3. Not to accept students as participants in the program unless the student is certified as a program participant in writing by the appropriate field work coordinator of a particular University school or college.

THE UNIVERSITY AND THE FACILITY JOINTLY AGREE:

1. That there shall be no discrimination against students on the basis of the students' race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

2. That the State will indemnify University employees, officers, and agents (students in training required for a credit program and/or for graduation) against liability for damages arising out of their activity while acting within the scope of the respective employment or agency, pursuant to secs. 895.46(1) and 893.82, Stats.
3. That the Facility will indemnify its employees, officers and agents against liability for damages arising out of their activity while acting within the scope of their respective employment or agency, either by providing insurance or for political subdivisions of the State of Wisconsin pursuant to sec. 895.46, Stats.
4. By executing this agreement, neither the University nor the Facility waives any constitutional, statutory or common law defenses, nor shall the provisions of agreement create any rights in any third party.
5. This agreement shall be construed and governed by the laws of the State of Wisconsin.
6. See Affiliation Agreement Addendum attached for Caregiver Background Checks.

TERM OF AGREEMENT:

This agreement shall be for a term of three years, commencing June 1, 2008.

Program Memoranda presented by the University and accepted by the Facility shall be for a term of no longer than three years. They may be renewed upon mutual agreement. Such Program Memoranda do not require the further approval of either party provided they contain provisions relating solely to program arrangements and content.

All such Program Memoranda must be approved by the respective school or college within the University. Such Memoranda shall be effective for a period of three years.

All fully executed Program Memoranda shall be incorporated by reference and become a part of this agreement if not inconsistent in any manner with this agreement.

FOR THE BOARD OF REGENTS OF THE
UNIVERSITY OF WISCONSIN SYSTEM:

FOR THE FACILITY:
MENASHA HEALTH DEPARTMENT

Tom Sonneleitner by 4/18/08
Tom Sonneleitner, Vice Chancellor Date
for Administrative Services

Signature of Authorized Official Date

Rosemary Smith
Rosemary Smith, PhD, RN, APNP
Dean and Professor
College of Nursing

Name and Title (type or print) Date

Approved as to form

Jeffrey S. Brandt 4-22-08
Jeffrey S. Brandt, City Attorney

**AFFILIATION AGREEMENT ADDENDUM
FOR CAREGIVER BACKGROUND CHECKS
ON UNIVERSITY OF WISCONSIN STUDENTS**

University shall conduct a caregiver background check in accordance with the Caregiver Background Check statutes (Wis. Stats. §48.685 and §50.065) and regulations (Wis. Admin. Code Ch. HFS 12) for University students who have or are expected to have regular, direct contact with Facility's clients. University shall maintain completed Background Information Disclosure (BID) forms for those students, as well as the information that results from caregiver background checks. University will retain the BID form and caregiver background check results for inspection by the Department of Health and Family Services.

University agrees to notify Facility of any information contained on a BID form and/or caregiver background check results about a student that could bar, as that phrase is defined by the relevant regulations, that student from regular, direct contact, as that phrase is defined by the relevant regulations, with Facility's clients.

Facility shall make the final determination whether a student may have regular, direct contact with Facility's clients. Nevertheless, Facility shall consult with the appropriate University official before barring any such student from regular, direct contact with Facility's clients. If Facility determines a student may not have regular, direct contact with Facility's clients, University agrees not to permit that student to begin participation, or to continue participation that was properly allowed pending the results of the caregiver background check for up to 60 days, in the program created by this Agreement.

University agrees to inform Facility of allegations of caregiver misconduct as defined in Wis. Admin. Code Ch. HFS 13 that come to University's attention.

**UNIVERSITY OF WISCONSIN OSHKOSH
COLLEGE OF NURSING**

PROGRAM MEMORANDUM

- A. The University of Wisconsin Oshkosh College of Nursing hereinafter referred to as "The College."
- B. MENASHA HEALTH DEPARTMENT, Menasha, Wisconsin, hereinafter referred to as "The Agency."

WITNESSETH:

WHEREAS, The College must provide instruction in clinical areas of nursing for all students in order to achieve its objectives, and

WHEREAS, The Agency is willing to make its facilities available to The College for this instruction.

NOW, THEREFORE,

- 1. The College agrees to/that:
 - a. Assign the student to The Agency for the purpose of obtaining clinical experience in nursing as needed in agreement with both parties for the summer session and the fall and spring semesters.
 - b. Notify The Agency of the number of students which it expects to assign for Instruction by May 1 for the summer session, August 1 for the fall semester, and December 1 for the spring semester.
 - c. Assign students who have completed their pre-nursing program.
 - d. On contract with The University the instructors shall:
 - (1) Work in cooperation with The Agency's personnel in planning clinical experiences which are in conformity with The College's policies governing clinical experience.
 - (2) Accept the fact that the official channels of communication between The College and The Agency in the daily working relationships will be between the responsible faculty member and The Agency's Director of Nursing Services or designee. In matters of major policy, the official channel shall be between The College's Dean and The Agency's Director of Nursing Services.
 - (3) Be responsible for all The College's records, including copies which The Agency may wish to include in its files.
 - e. Assure that criminal background checks and background information disclosure forms are completed on all students at the time of admission into the clinical major of The College.
 - f. Maintain required files on all students in clinical experiences, including but not limited to, health information/immunization status, CPR certification and criminal background checks and background information disclosure forms. The College will provide The Agency with a statement verifying that all required documents are on file. The Agency may request copies of the actual documents and/or may review these documents in The College as necessary.
 - g. For purposes of compliance with the Health Insurance Portability and Accountability Act and associated privacy regulations (HIPAA), students shall be considered part of The Agency's "work force" as that term is defined in HIPAA to include trainees and students. Students are not considered work force or employees of The Agency for other purposes, including but not limited to, tax or employment law. The Agency shall provide the necessary training specific to HIPAA. University agrees to advise all students of the importance of complying with all relevant state and federal confidentiality laws, including HIPAA, and with The Agency's policies and procedure relating to HIPAA.

UNIVERSITY OF WISCONSIN OSHKOSH
COLLEGE OF NURSING
PROGRAM MEMORANDUM

2. The Agency agrees to:
 - a. Permit Agency personnel to participate in the program as follows:
 - (1) Joint conferences.
 - (2) Planned discussions with students as arranged by instructor and staff.
 - (3) Allowance of time for Head Nurse to plan jointly with the instructors for clinical assignments for students.
 - b. Provide space for faculty/students conferences and space for minor apparel items.
3. Student Responsibilities:
 - a. The student is expected to meet the requirements of the clinical experience as established by the faculty member and The College and observe The Agency's policy and regulations.
 - b. The student will wear the regulation uniform of The College and comply with The Agency's dress code.
 - c. The Agency has ultimate responsibility for the care of its clients.

GENERAL PROVISIONS

This agreement shall continue in force between the parties for a period of three years between June 1, 2008 to May 31, 2011, unless six months prior to the end of the year one of the parties hereto shall be given written notice of revision or termination whereupon this agreement shall be revised or terminated.

IN WITNESS WHEREOF, The College has executed this agreement which, when executed by the participating Agency, shall bind all parties to the terms thereof.

APPROVED FOR
UNIVERSITY OF WISCONSIN OSHKOSH

APPROVED FOR
MENASHA HEALTH DEPARTMENT

By Tom Sonnleitner
Tom Sonnleitner, Vice Chancellor
for Administrative Services

By _____
Susan Nett
Public Health Director

Date 4/8/08

Date _____

By Rosemary Smith
Rosemary Smith, PhD, RN, APNP
Dean
College of Nursing

By _____
Date _____

Approved as to form

Jeffrey S. Brandt 4-22-08
Jeffrey S. Brandt, City Attorney

DHFS Agent of the State Fees

<u>Category</u>	<u>Current</u>	<u>Proposed 2008</u>
Full Food Service Simple	\$315	\$331
Full Food Service Moderate	\$371	\$390
Full Food Service Complex	\$428	\$449
Limited Food Service	\$185	\$194
No Food Service	\$144	\$151
Mobile Full Food Service Restaurant	\$315	\$331
Mobile Limited Food Service Restaurant	\$185	\$194
Mobile Full Food Service Serving Base	\$315	\$331
Mobile Limited Food Service Serving Base	\$185	\$194
School Food Service Base	\$126	\$132
School Food Service Satellite	\$95	\$100
Special Organization Serving Meals	\$155	\$163
Temporary Restaurant	\$89	\$93
Swimming Pool/Whirlpool	\$252	\$265
Additional Pool/Whirlpool	\$126	\$132
Swimming Pool With Waterslide	\$335	\$352
Pre-inspection Fee	\$225	Same
Re-inspection Fee	\$100	Same
Late Fee	\$100	Same
Penalty Fee for Operating Without a Valid Permit	Double the applicable Establishment fee.	

Tattoo Parlor/Body Piercing Establishments

<u>Category</u>	<u>Current</u>	<u>Proposed 2008</u>
Body Piercing	\$252	\$265
Tattooing	\$252	\$265
Combined Body Piercing/Tattooing	\$371	\$390
Temporary (per event)	\$252	\$265
Pre-inspection Fee	\$225	Same
Re-inspection Fee	\$100	Same
Late Fee	\$100	Same
Penalty Fee for Operating Without a Valid Permit	Double the appropriate per category fee.	Same

DATCP Agent of the State Fees

<u>Category</u>	<u>Current</u>	<u>Proposed 2008</u>
Food sales \$1,000,000 + and process PHF with or without a full food service unit.	\$1086	\$1140
Food sales \$25,000 or more but less than \$1,000,000 and processes PHF.	\$357	\$375
Food sales \$25,000 + and processes non-PHF	\$257	\$270
Food sales less than \$25,000 and processes PHF or non-PHF	\$180	\$189
No food processing but engages in selling PHF or unpackaged food.	\$125	\$131
Mobile retail food unit	\$125	\$131
Temporary retail food unit	\$84	\$88
Pre-Inspection fee	\$225	\$225
Re-inspection fee	\$100	\$100
Late fee	\$100	\$100
Penalty Fee for Operating Without a Valid Permit	Double the per-establishment fee	

State:

Permit increasing for new establishments in 2008 and all the rest in 2009.

Mobile Home Parks

Proposed Fees 2008-2010

<u>Number of Units</u>	<u>Current 2006-08 Fees</u>	<u>Proposed 2008-10 Fees</u>
1-20 Units in Park	\$380.00	\$399.00
21-50 Units in Park	\$575.00	\$604.00
51-100 Units in Park	\$845.00	\$887.00
101-175 Units in Park	\$1095.00	\$1150.00
> 175 Units in Park	\$1305.00	\$1370.00
Pre-Inspection Fee	\$200.00	Same
Re-Inspection Fee	\$100.00	Same
Change in Ownership (New)	\$100.00	Same
Late Fee	\$100.00	Same

NOTE: This is a 2 yr. permit and includes yearly 37% state reimbursement fees.

Wiseguys Pizzeria & Pub

1440 S. Oneida St. Suite J

Menasha, WI 54952

*Menasha City Council
140 Main St.
Menasha, WI 54952*

April 30, 2008

To: Menasha City Council

*We would like to request permission to serve food and alcoholic beverages on our outdoor patio from
May 5, 2008 to November 1, 2008.
Please call me at 920-277-9140 if you have any questions.*

*Thank you,
Brenda Jorgensen
Brenda Jorgensen, Owner
Wiseguys Pizzeria LLC*

CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 4/23/08-5/1/08 Checks # 16604-16785	\$1,561,074.56
Payroll Checks for 4/24/08-5/1/08 Checks # 38147-38369	<u>152,634.81</u>
Total	\$1,713,709.37

**Gaps in the sequence of accounts payable check numbers may be caused by: voiding checks at the start of a new check run to set up printing of the checks correctly, having a large number of invoices on a particular vendor which causes the payment to be printed on more than one accounts payable check , incorrect alphabetizing of a vendor causing the accounts payable check to appear out of sequence or software/printer problems which result in accounts payable checks being printed incorrectly and needing to be discarded.

Menasha Employees Credit Union-Employee Deductions

Menasha Employees Local 1035-Union Dues

Menasha Employees Local 1035B-Union Dues

Wisconsin Support Collections-Child/Spousal Support

United Way-Employee Donations

AMT-Garnishments

Date: Wednesday, April 23, 2008
 Time: 12:15PI
 User: JSASSMAN

CITY OF MENASHA
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 Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
00128 3M	OF32210	31100	55	06-101-243	3,756.00	ANNUAL CONTRACT AGREEMENT
	Check Date 4/23/2008	Check Nbr	016604		Check Total:	3,756.00
01160 ALLIANCE ENTERTAINMENT CORP	PJB30793279	31100	55	06-101-314	105.90	LIBRARY MATERIALS
	PJB30691428	31100	55	06-101-314	1,338.44	LIBRARY MATERIALS
	PJB30937298	31100	55	06-101-314	64.40	LIBRARY MATERIALS
	PJB30951309	31100	55	06-101-314	395.72	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016605		Check Total:	1,904.46
01529 AMAZON	809437303292	31100	55	06-101-314	70.36	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016606		Check Total:	70.36
01729 APPLE BOOKS	83170	31100	55	06-101-314	99.49	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016607		Check Total:	99.49
01805 ARROW AUDIO	3650	31100	55	06-101-315	2,864.07	EQUIPMENT
	Check Date 4/23/2008	Check Nbr	016608		Check Total:	2,864.07

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
02115 BAKER & TAYLOR INC	5008818398	31100	55	06-101-314	25.17	LIBRARY MATERIALS
	H28051040	31100	55	06-101-314	139.51	LIBRARY MATERIALS
	H29180340	31100	55	06-101-314	40.28	LIBRARY MATERIALS
	H29358580	31100	55	06-101-314	14.39	LIBRARY MATERIALS
	H29358581	31100	55	06-101-314	1,105.65	LIBRARY MATERIALS
	H29768810	31100	55	06-101-314	32.35	LIBRARY MATERIALS
	H29840000	31100	55	06-101-314	10.79	LIBRARY MATERIALS
	H30154630	31100	55	06-101-314	220.90	LIBRARY MATERIALS
	H30417700	31100	55	06-101-314	17.96	LIBRARY MATERIALS
	2020536153	31100	55	06-101-314	386.17	LIBRARY MATERIALS
	2020553090	31100	55	06-101-314	531.90	LIBRARY MATERIALS
	2020557591	31100	55	06-101-314	506.99	LIBRARY MATERIALS
	2020572451	31100	55	06-101-314	646.30	LIBRARY MATERIALS
	2020577991	31100	55	06-101-314	605.35	LIBRARY MATERIALS
	2020586317	31100	55	06-101-314	714.78	LIBRARY MATERIALS
	2020603260	31100	55	06-101-314	660.42	LIBRARY MATERIALS
	2020608085	31100	55	06-101-314	536.65	LIBRARY MATERIALS
	2020629487	31100	55	06-101-314	266.95	LIBRARY MATERIALS
	2020645868	31100	55	06-101-314	368.91	LIBRARY MATERIALS
	2020674681	31100	55	06-101-314	310.05	LIBRARY MATERIALS
	2020683316	31100	55	06-101-314	543.63	LIBRARY MATERIALS
	2020718763	31100	55	06-101-314	442.27	LIBRARY MATERIALS
	2020710246	31100	55	06-101-314	316.54	LIBRARY MATERIALS
2020731124	31100	55	06-101-314	599.99	LIBRARY MATERIALS	
2020738965	31100	55	06-101-314	407.15	LIBRARY MATERIALS	
Check Date	4/23/2008	Check Nbr	016611	Check Total:	9,451.05	
02335 BECK ELECTRIC INC	E47	31100	55	06-101-240	34.12	REPAIR & MAINTENANCE
	Check Date	4/23/2008	Check Nbr	016612	Check Total:	34.12

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
02473 BETTER CONTAINERS MFG CO INC	198564	31100	55	06-101-300	115.32	DEPARTMENT SUPPLIES
	Check Date 4/23/2008	Check Nbr	016613		Check Total:	115.32
02628 JOSEPH BONGERS	04172008	31100	55	06-101-331	136.86	MILEAGE REIMBURSEMENT
	04202008	31100	55	06-101-333	456.11	MEAL REIMBURSEMENT
	04222008	31100	55	06-101-334	26.00	PARKING REIMBURSEMENT
	Check Date 4/23/2008	Check Nbr	016614		Check Total:	618.97
02635 BOOK WHOLESALERS INC	M195464A	31100	55	06-101-314	227.35	LIBRARY MATERIALS
	M211113A	31100	55	06-101-314	47.14	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016615		Check Total:	274.49
03115 CAPSTONE PRESS	CI10081061	31100	55	06-101-314	484.45	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016616		Check Total:	484.45
03265 CENTER POINT LARGE PRINT	701084	31100	55	06-101-314	38.94	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016617		Check Total:	38.94
03375 CHILD'S WORLD	NA95271	31100	55	06-101-314	385.00	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016618		Check Total:	385.00
04195 DEMCO INC	3171333	31100	55	06-101-300	223.03	DEPARTMENT SUPPLIES
	Check Date 4/23/2008	Check Nbr	016619		Check Total:	223.03
05111 ELISHA D SMITH PUBLIC LIBRARY	04172008	31100	55	06-101-316	155.00	PROGRAM EXPENSE
	Check Date 4/23/2008	Check Nbr	016620		Check Total:	155.00
06315 FOCOL	04172008	31100	55	06-101-320	25.00	MEMBERSHIP FEE
	Check Date 4/23/2008	Check Nbr	016621		Check Total:	25.00

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
06669 FRIENDS OF HIGH CLIFF STATE PK	04172008	31100	55	06-101-316	33.00	PROGRAM EXPENSE
	Check Date 4/23/2008	Check Nbr	016622		Check Total:	33.00
07044 GALE	15644559	31100	55	06-101-314	726.08	LIBRARY MATERIALS
	15649026	31100	55	06-101-314	138.16	LIBRARY MATERIALS
	15651964	31100	55	06-101-314	48.72	LIBRARY MATERIALS
	15653645	31100	55	06-101-314	38.93	LIBRARY MATERIALS
	15661007	31100	55	06-101-314	55.12	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016623		Check Total:	1,007.01
07075 GANNETT NEWSPAPERS	04172008	31100	55	06-101-314	374.40	SUBSCRIPTION RENEWAL
	Check Date 4/23/2008	Check Nbr	016624		Check Total:	374.40
08087 KATHY HANNAH	04172008	31100	55	06-101-314	91.93	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016625		Check Total:	91.93
09135 INGRAM LIBRARY SERVICES	34849652	31100	55	06-101-314	82.97	LIBRARY MATERIALS
	35079110	31100	55	06-101-314	84.81	LIBRARY MATERIALS
	35273242	31100	55	06-101-314	230.07	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016626		Check Total:	397.85
11155 KITZ & PFEIL INC	03-14-090028	31100	55	06-101-313	21.58	HOUSEKEEPING SUPPLIES
	03-19-090003	31100	55	06-101-313	7.66	HOUSEKEEPING SUPPLIES
	Check Date 4/23/2008	Check Nbr	016627		Check Total:	29.24
12510 MARGE LOCH-WOUTERS	04172008	31100	55	06-101-316	42.34	PROGRAM EXPENSE
	04182008	31100	55	06-101-331	299.97	MILEAGE REIMBURSEMENT
	04192008	31100	55	06-101-332	60.00	REGISTRATION FEE
	04212008	31100	55	06-101-333	177.28	LODGING REIMBURSEMENT
	Check Date 4/23/2008	Check Nbr	016628		Check Total:	579.59

Date: Wednesday, April 23, 2008
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 User: JSASSMAN

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
13045 MANDERFIELD BAKERY	289564	31100	55	06-101-316	30.00	PROGRAM EXPENSE
	Check Date 4/23/2008	Check Nbr	016629		Check Total:	30.00
13073 MARIS ASSOCIATES	5812	31100	55	06-101-314	58.80	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016630		Check Total:	58.80
13610 MIDWEST TAPE	1591141	31100	55	06-101-314	68.97	LIBRARY MATERIALS
	1594764	31100	55	06-101-314	52.97	LIBRARY MATERIALS
	1591337	31100	55	06-101-314	92.34	LIBRARY MATERIALS
	1594763	31100	55	06-101-314	49.32	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016631		Check Total:	263.60
13710 MISTER ANDERSON'S COMPANY	106420	31100	55	06-101-314	648.08	LIBRARY MATERIALS
	106419	31100	55	06-101-316	39.79	PROGRAM EXPENSE
	Check Date 4/23/2008	Check Nbr	016632		Check Total:	687.87
17050 QUALITY BOOKS INC	117799	31100	55	06-101-314	169.43	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016634		Check Total:	169.43
18094 RANDOM HOUSE INC	1084497487	31100	55	06-101-314	18.71	LIBRARY MATERIALS
	1084497488	31100	55	06-101-314	159.20	LIBRARY MATERIALS
	1084529571	31100	55	06-101-314	160.00	LIBRARY MATERIALS
	1084560099	31100	55	06-101-314	32.00	LIBRARY MATERIALS
	1084585957	31100	55	06-101-314	279.20	LIBRARY MATERIALS
	1084618375	31100	55	06-101-314	18.75	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016635		Check Total:	667.86
18480 ROURKE PUBLISHING GROUP	INV056899	31100	55	06-101-314	51.30	LIBRARY MATERIALS
	Check Date 4/23/2008	Check Nbr	016636		Check Total:	51.30

Date: Wednesday, April 23, 2008
 Time: 12:15PI
 User: JSASSMAN

CITY OF MENASHA
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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
19019 TASHA SAECKER	04172008	31100	55	06-101-331	149.48	MILEAGE REIMBURSEMENT
	04212008	31100	55	06-101-333	319.29	LODGING REIMBURSEMENT
	04232008	31100	55	06-101-331	142.92	MILEAGE REIMBURSEMENT
	Check Date 4/23/2008	Check Nbr	016637		Check Total:	611.69
19140 SCHARPF'S OFFICE PRODUCTS INC	383785	31100	55	06-101-310	25.99	OFFICE SUPPLIES
	383838	31100	55	06-101-310	154.49	OFFICE SUPPLIES
	Check Date 4/23/2008	Check Nbr	016638		Check Total:	180.48
21054 UNIQUE MANAGEMENT SERVICES INC	172265	31100	46	04-171-000	232.70	COLLECTION AGENCY FEE
	Check Date 4/23/2008	Check Nbr	016639		Check Total:	232.70
21060 UNITED PAPER CORPORATION	59509	31100	55	06-101-313	51.05	HOUSEKEEPING SUPPLIES
	Check Date 4/23/2008	Check Nbr	016640		Check Total:	51.05
23229 JULIE WING	04172008	31100	55	06-101-300	16.50	DEPARTMENT SUPPLIES
	Check Date 4/23/2008	Check Nbr	016641		Check Total:	16.50
23286 WINNEFOX AUTOMATED LIBRARY	995	31100	55	06-101-310	162.89	OFFICE SUPPLIES
	Check Date 4/23/2008	Check Nbr	016642		Check Total:	162.89
23293 WINNEFOX LIBRARY SYSTEM	2988	31100	55	06-101-314	28.25	LIBRARY MATERIALS
	2988DUP	31100	55	06-101-316	404.65	PROGRAM EXPENSE
	Check Date 4/23/2008	Check Nbr	016643		Check Total:	432.90
14234 THE YEARBOOK STORE	80223	31100	55	06-101-300	179.56	DEPARTMENT SUPPLIES
	Check Date 4/23/2008	Check Nbr	016633		Check Total:	179.56
Grand Total:					26,809.40	

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01315 AIRGAS NORTH CENTRAL	105713979	31731	54	10-149-300	96.28	ACETYLENE/OXYGEN CYLINDERS
	105718529	31731	54	10-149-315	-250.00	PRODUCT TRADE IN
	105755283	31731	54	10-149-242	62.70	OXYGEN
	105755282	31731	54	10-149-242	26.97	ACETYLENE/ARGON/OXYGEN CYL
	Check Date 4/24/2008	Check Nbr 016644			Check Total: -64.05	
01430 LW ALLEN INC	082373	31201	54	10-301-300	82.09	FILTER ELEMENT
		Check Date 4/24/2008	Check Nbr 016645		Check Total: 82.09	
01525 ALWAYS READY SERVICES	88118	31100	13	04-106-000	117.66	MOP SUPPLIES
		Check Date 4/24/2008	Check Nbr 016646		Check Total: 117.66	
01600 AMERICAN MILLWORK & HARDWARE	109508	31100	54	10-121-315	1,100.70	SHOVELS/SPADES/FORKS/HOES
		Check Date 4/24/2008	Check Nbr 016647		Check Total: 1,100.70	
01675 AMT		31100	21	04-299-022	150.00	
		Check Date 4/24/2008	Check Nbr 016648		Check Total: 150.00	
01763 APPLETON SIGN COMPANY	129	31100	52	08-106-295	559.00	VEHICLE GRAPHICS/LETTERING
		Check Date 4/24/2008	Check Nbr 016649		Check Total: 559.00	
01842 ASSOCIATED APPRAISAL	6024	31100	51	04-107-219	4,708.33	PROFESSIONAL SERVICES MARCH
	6024	31100	51	04-107-310	12.54	POSTAGE/SUPPLIES/ENV/PHONE/FAX
		Check Date 4/24/2008	Check Nbr 016650		Check Total: 4,720.87	
01920 AVASTONE TECHNOLOGIES LLC	71677-A	31100	51	04-109-214	42.50	ASSISTANCE WITH ACCESS REPORT
	71676-A	31100	51	04-109-214	21.25	ASSISTANCE WITH ACCESS REPORT
		Check Date 4/24/2008	Check Nbr 016651		Check Total: 63.75	

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03247 CDW GOVERNMENT INC	JWJ3504	31100	51	04-109-315	21.06	SPEAKERS/INVESTIGATORS
	Check Date 4/24/2008	Check Nbr	016653		Check Total:	21.06
03418 HAN CHU	042208	31100	46	04-175-000	80.00	PARK CANCELLATION
	Check Date 4/24/2008	Check Nbr	016654		Check Total:	80.00
04275 DIGICORPORATION	52720	31100	13	04-113-000	-74.75	
	52720	31100	53	09-102-291	150.75	HEALTH ENVELOPES
	52737	31100	51	04-101-291	1,958.04	HORIZON NEWSLETTER
	52737	31266	54	10-307-291	1,413.00	IN THE WORKS NEWSLETTER
	Check Date 4/24/2008	Check Nbr	016655		Check Total:	3,447.04

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05100 ELAN CARDMEMBER SERVICE	041408	31100	13	04-106-000	339.34	FLAGS
	041408	31100	13	04-106-000	43.95	STOCK SUPPLIES
	041408	31100	48	04-319-000	16.20	E-BAY EXPENSE
	041408	31100	51	01-102-312	26.49	BLACKBERRY SUPPLIES
	041408	31100	51	02-103-312	26.48	BLACKBERRY SUPPLIES
	041408	31100	51	02-117-310	24.78	ELECTION LABELS
	041408	31100	51	04-109-312	70.36	COMPRESSED AIR
	041408	31100	51	04-109-315	52.97	BLACKBERRY SUPPLIES
	041408	31100	51	04-109-338	22.88	TRAINING MEALS
	041408	31100	51	04-109-338	12.30	TRAINING MEALS
	041408	31100	51	04-109-338	164.36	TRAINING LODGING
	041408	31100	51	10-115-240	179.68	COUNCIL SOUND/TV
	041408	31100	52	08-101-242	653.00	REPAIR HANDHELDS/TICKETS
	041408	31100	52	08-101-295	4.00	AUTOZONE FROM LAST MONTH
	041408	31100	52	08-101-300	309.00	CAD ZONE
	041408	31100	52	08-101-300	64.90	LEXARMEDIA
	041408	31100	52	08-101-315	194.70	DASH MEDICAL GLOVES
	041408	31100	52	08-101-333	93.00	HOLIDAY INN
	041408	31100	52	08-101-333	93.00	HOLIDAY INN
	041408	31100	52	08-101-337	500.00	PERSONNEL EVALUATION
	041408	31100	52	08-101-337	350.00	AEGIS PROTECTION GROUP
	041408	31100	52	08-101-337	50.00	WCADV
	041408	31100	52	08-101-338	11.07	CULVERS
	041408	31100	52	08-101-338	5.06	CULVER'S
	041408	31100	52	08-101-338	31.13	BRANDED STEER
	041408	31100	52	08-101-338	12.99	CULVER'S
	041408	31100	52	08-101-338	1.89	CULVER'S
	041408	31100	52	08-106-300	156.83	J&R SOUND
	041408	31100	53	09-103-320	78.00	STATE DEPT OF REG/MADISON
	041408	31100	55	06-101-310	225.84	TIGERDIRECTING
	041408	31100	55	06-101-316	14.76	FESTIVAL FOODS
	041408	31100	55	06-101-332	60.00	WLA
	041408	31100	55	06-101-333	28.00	WLA

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	041408	31100	56	03-202-214	19.95	REMOTE ACCESS FOR GOVERN TECH
	Check Date 4/24/2008	Check Nbr	016656		Check Total:	3,936.91
06075 FASTENAL COMPANY	WINEE32954	31100	55	07-202-315	9.54	BLOW TIPS/SAFETY COMPLIANT
	WINEE33001	31100	55	07-202-315	66.76	BLOW TIPS/SAFETY COMPLIANT
	Check Date 4/24/2008	Check Nbr	016657		Check Total:	76.30
06225 FIRST SUPPLY LLC	7271117-01	31100	52	08-101-240	8.75	FOUNTAIN SUPPLIES
	7271117-00	31100	52	08-101-240	14.39	FOUNTAIN SUPPLIES
	Check Date 4/24/2008	Check Nbr	016658		Check Total:	23.14
06565 FOX VALLEY HUMANE ASSOCIATION	041408	31100	53	08-115-250	1,320.29	23 ANIMALS MARCH 2008
	Check Date 4/24/2008	Check Nbr	016659		Check Total:	1,320.29
07345 GRAINGER INC	9603409799	31731	54	10-149-300	77.00	CARDBOARD BIN BOX
	Check Date 4/24/2008	Check Nbr	016660		Check Total:	77.00
09150 INSITUFORM TECHNOLOGIES USA	PR-1450701A-01	31201	19	04-540-000	195,844.00	WASTEWATER COLLECTION SYS
	PR-1450701A-01	31201	21	04-205-000	-9,792.20	WASTEWATER COLLECTION SYS
	Check Date 4/24/2008	Check Nbr	016661		Check Total:	186,051.80
09290 INTERSTATE BATTERY OF GREEN BA	70012075	31731	54	10-149-383	47.95	BATTERY
	Check Date 4/24/2008	Check Nbr	016662		Check Total:	47.95
10320 JEFF JORGENSON	040908	31100	52	08-101-320	159.00	ROTARY DUES
	Check Date 4/24/2008	Check Nbr	016663		Check Total:	159.00
10335 JX ENTERPRISES INC	D280880061	31731	54	10-149-383	63.44	LED RED LIGHT
	Check Date 4/24/2008	Check Nbr	016664		Check Total:	63.44

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11191 KNIGHTS OF COLUMBUS	042108	31100	21	04-229-000	25.00	REFUND OVERPAYMENT
	Check Date 4/24/2008	Check Nbr 016665			Check Total: 25.00	
11365 KUNDINGER FLUID POWER INC	5010966	31731	54	10-149-383	101.70	HOSES/FITTINGS/O-RINGS
	1009963	31731	54	10-149-383	40.69	AUTO LUBE PARTS/STOCK
	5010490	31731	54	10-149-383	67.47	AUTO LUBE PARTS/STOCK
	1010417	31731	54	10-149-383	41.93	AUTO LUBE PARTS/STOCK
	Check Date 4/24/2008	Check Nbr 016666			Check Total: 251.79	
12035 CHERYL LAABS	033108	31100	53	09-102-331	11.36	MILEAGE
	033108	31100	53	09-118-331	29.80	MILEAGE
	033108	31100	53	09-118-336	8.08	MILEAGE
	Check Date 4/24/2008	Check Nbr 016667			Check Total: 49.24	
12092 LAKE PARK VILLAS HOMEOWNERS	033108	31100	54	10-143-223	32.75	UTILITIES
	033108	31482	55	07-202-216	605.23	POND
	033108	31482	55	07-202-223	63.10	UTILITIES
	Check Date 4/24/2008	Check Nbr 016668			Check Total: 701.08	
12110 LAMERS BUS LINES INC	042208	31100	21	04-269-000	105.00	BUS TRIP
	Check Date 4/24/2008	Check Nbr 016669			Check Total: 105.00	
13149 MATTHEWS COMMERCIAL TIRE CTR	024785	31731	54	10-149-382	151.30	TIRE SERVICE
	Check Date 4/24/2008	Check Nbr 016670			Check Total: 151.30	
13345 MENARDS-APPLETON EAST	49441	31100	55	07-203-240	34.12	REPAIRS/POOL
	Check Date 4/24/2008	Check Nbr 016671			Check Total: 34.12	

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13360 MENASHA ELECTRIC & WATER UTILI	002984	31100	53	09-102-214	1,685.00	INSTALL FIBER/HEALTH DEPT
	041608	31100	12	04-399-000	15.80	TRAFFIC LIGHTS
	041608	31100	51	04-109-214	763.00	DARK FIBER CONNECT/140 MAIN
	041608	31100	51	10-115-223	1,395.98	CITY BUILDINGS
	041608	31100	51	10-115-225	259.93	CITY BUILDINGS
	041608	31100	53	09-212-223	285.86	SENIOR CENTER
	041608	31100	53	09-212-225	77.24	SENIOR CENTER
	041608	31100	54	10-131-223	278.63	TRAFFIC LIGHTS
	041608	31201	54	10-301-223	36.95	LIFT STATION
	041608	31100	55	04-221-223	8.48	CURTIS REED SQUARE
	041608	31100	55	07-202-223	478.89	PARKS
	041608	31100	55	07-202-225	194.63	PARKS
	041608	31207	55	07-205-223	385.40	MARINA
	041608	31207	55	07-205-225	26.54	MARINA
	041608	31100	55	10-215-223	253.79	LIFT BRIDGES
	032008	31100	12	04-399-000	6.90	901 AIRPORT RD
	032008	31100	54	10-131-223	20.69	901 AIRPORT RD
Check Date	4/24/2008	Check Nbr	016672	Check Total:	6,173.71	
13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,860.00	
		31100	21	04-299-020	17,158.00	
Check Date	4/24/2008	Check Nbr	016673	Check Total:	19,018.00	
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	241.00	
Check Date	4/24/2008	Check Nbr	016674	Check Total:	241.00	
13377 MENASHA EMPLOYEES LOCAL 1035B		31100	21	04-299-032	248.16	
Check Date	4/24/2008	Check Nbr	016675	Check Total:	248.16	
13400 MENASHA JOINT SCHOOL DISTRICT	041508	31100	41	04-103-000	5,929.00	APRIL MOBILE HOME TAX
Check Date	4/24/2008	Check Nbr	016676	Check Total:	5,929.00	

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13755 MORTON SAFETY	251549	31100	55	07-202-215	21.99	MEDICAL SUPPLIES
	251548	31731	54	10-149-215	104.92	MEDICAL SUPPLIES
	Check Date 4/24/2008	Check Nbr	016677		Check Total:	126.91
14010 N&M AUTO SUPPLY	212145	31731	54	10-149-315	57.81	SHOP SUPPLIES
	212047	31731	54	10-149-383	13.82	HANDLE
	212225	31731	54	10-149-383	58.46	DISCONNECT SWITCH
	Check Date 4/24/2008	Check Nbr	016678		Check Total:	130.09
14131 NATIONWIDE TRAVELERS	2024	31100	21	04-269-000	8,946.00	REDWING MN TRIP
	Check Date 4/24/2008	Check Nbr	016679		Check Total:	8,946.00
14205 CITY OF NEENAH TREASURER	042108	31100	52	05-201-250	234,310.00	N/M FIRE RESCUE MAY 2008
	Check Date 4/24/2008	Check Nbr	016680		Check Total:	234,310.00
14215 NEENAH-MENASHA MUNICIPAL COURT	042108	31100	21	04-229-000	331.00	BOND
	042108	31100	21	04-229-000	449.00	BOND
	042108	31100	21	04-229-000	560.00	BOND
	042108	31100	21	04-229-000	394.00	BOND
	042108	31100	21	04-229-000	87.50	BOND
	042108	31100	21	04-229-000	308.00	BOND
	Check Date 4/24/2008	Check Nbr	016681		Check Total:	2,129.50
14270 NETWORK HEALTH PLAN	00366217	31100	21	04-619-003	111,498.29	EMPLOYEES
	00366217	31100	21	04-650-000	9,589.79	RETIREEES/COBRA
	Check Date 4/24/2008	Check Nbr	016682		Check Total:	121,088.08
15080 OFFICEMAX INC	085928	31731	54	10-149-310	78.75	OFFICE SUPPLIES
	085928	31100	55	07-202-310	44.43	OFFICE SUPPLIES
	Check Date 4/24/2008	Check Nbr	016683		Check Total:	123.18

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16025 PACKER CITY INTERNATIONAL	3280910051	31731	54	10-149-383	-286.00	GEAR RETURN
	3280870001	31731	54	10-149-383	129.96	ELEMENT
	3280870014	31731	54	10-149-383	30.12	AIR/FUEL FILTERS
	3280910017	31731	54	10-149-383	7.26	LIGHT
	3280880037	31731	54	10-149-383	140.19	AIR FILTS/LUBEFILTS/LIGHTS
Check Date	4/24/2008	Check Nbr	016685		Check Total:	21.53
16262 PG GOVERN	MN00000061	31100	51	04-109-243	4,395.00	SOFTWARE MAINTENANCE
	Check Date	4/24/2008	Check Nbr	016686		Check Total:
18200 REINDERS INC	845020-00	31100	55	07-202-300	27.42	MULCH
	Check Date	4/24/2008	Check Nbr	016687		Check Total:
18370 RIESTERER & SCHNELL INC	487001	31731	54	10-149-383	40.93	OIL FILTER/CAP
	Check Date	4/24/2008	Check Nbr	016688		Check Total:
18400 ROAD EQUIPMENT	482027	31731	54	10-149-383	57.11	LASHING RING/SAFETY CHAIN
	Check Date	4/24/2008	Check Nbr	016689		Check Total:
19230 SCHROTH WHOLESALE SUPPLY CO	248318	31100	55	07-202-300	33.70	FLOWERS
	Check Date	4/24/2008	Check Nbr	016690		Check Total:
19370 DR TERESA SHOBERG	042108	31100	53	09-102-215	150.00	CITY PHYSICIAN
	Check Date	4/24/2008	Check Nbr	016691		Check Total:
19725 STREICHERS PROF POLICE EQUIPME	CM223816	31100	52	08-101-315	-970.00	CREDIT/PISTOLS
	511404	31100	52	08-101-315	100.99	SLIMLINE HOLSTER
	Check Date	4/24/2008	Check Nbr	016692		Check Total:

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20145 THEDACARE	9825938	31100	52	08-101-215	441.60	VENIPUNCTURE
	Check Date 4/24/2008	Check Nbr	016693		Check Total:	441.60
20330 TRAFFTECH INC	634	31100	54	10-131-300	1,531.00	ON SITE CUTTER/PLOTTER
	Check Date 4/24/2008	Check Nbr	016694		Check Total:	1,531.00
20405 TRI-COUNTY OVERHEAD DOOR INC	20570	31100	54	10-124-244	493.10	CABLES/SALT SHED
	Check Date 4/24/2008	Check Nbr	016695		Check Total:	493.10
21045 UNIFIRST CORPORATION	0970030051	31731	54	10-149-201	80.58	MAT/MOP/CLOTHING SERVICE
	Check Date 4/24/2008	Check Nbr	016696		Check Total:	80.58
21060 UNITED PAPER CORPORATION	59741	31100	13	04-106-000	114.90	FOAM ANTIBAC
	Check Date 4/24/2008	Check Nbr	016697		Check Total:	114.90
21095 UNITED WAY FOX CITIES		31100	21	04-299-021	100.75	
	Check Date 4/24/2008	Check Nbr	016698		Check Total:	100.75
21227 US OIL CO INC	L33694	31731	54	10-149-242	12.00	SAMPLE
	Check Date 4/24/2008	Check Nbr	016699		Check Total:	12.00
15191 VEOLIA ES TECHNICAL SOLUTIONS	042208	31266	54	10-307-209	237.00	HAZARDOUS WASTE COLLECTION
	Check Date 4/24/2008	Check Nbr	016684		Check Total:	237.00
22430 VISION INSURANCE PLAN OF AMERI	58977	31100	21	04-619-005	1,079.30	EMPLOYEES
	Check Date 4/24/2008	Check Nbr	016700		Check Total:	1,079.30
23023 WAI	041708	31100	52	08-101-320	120.00	MEMBERSHIP DUES (6 @ \$20)
	Check Date 4/24/2008	Check Nbr	016701		Check Total:	120.00

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23122 WAVE BAR AND BALLROOM	042208	31100	21	04-269-000	567.00	DORF KAPELLE TICKETS
	Check Date 4/24/2008	Check Nbr	016702		Check Total:	567.00
03225 WC INDUSTRIAL SUPPLY COMPANY	0000581-IN	31731	54	10-149-383	95.27	STOCK
	0000543-IN	31731	54	10-149-383	108.85	OIL SEALS/BEARINGS
	0000583-IN	31731	54	10-149-383	18.20	V-BELT
	Check Date 4/24/2008	Check Nbr	016652		Check Total:	222.32
23152 WE ENERGIES	040708	31100	55	07-202-224	370.07	2170 PLANK RD
	042108	31100	12	04-399-000	1,574.48	N M FIRE
	042108	31100	51	10-115-224	2,174.43	CITY HALL
	042108	31100	52	08-101-224	2,174.28	POLICE
	042108	31100	53	09-212-224	269.77	SENIOR CENTER
	042108	31731	54	10-149-224	7,120.65	GARAGE
	042108	31100	55	06-101-224	3,563.35	LIBRARY
	042108	31100	55	07-202-224	1,126.85	PARKS
	042108	31100	55	07-203-224	403.06	POOL
	042108	31207	55	07-205-224	50.41	MARINA
	Check Date 4/24/2008	Check Nbr	016703		Check Total:	18,827.35
23209 SCOTT WHITTEMORE	041608	31100	45	04-403-000	25.00	REFUND PARKING CITATION
	Check Date 4/24/2008	Check Nbr	016704		Check Total:	25.00
23348 WISCONSIN DEPARTMENT OF ADMIN	032808	31100	56	03-202-300	1,255.00	BUILDING PERMIT SEALS
	Check Date 4/24/2008	Check Nbr	016705		Check Total:	1,255.00
23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	436.31	
		31100	21	04-299-016	138.40	
		31100	21	04-299-015	894.60	
	Check Date 4/24/2008	Check Nbr	016706		Check Total:	1,469.31

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26200 ZARNOTH BRUSH WORKS INC	116360	31100	54	10-123-315	404.00	MAIN BROOM REFILL
	116360	31731	54	10-149-383	409.00	BROOM REFILL
	116313	31100	54	10-123-315	1,409.55	CONVEYOR BELTS/ROLLER/BUSHING
Check Date	4/24/2008	Check Nbr	016707	Check Total:	2,222.55	
Grand Total:					634,470.55	

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01053 ACCENT BUSINESS SOLUTIONS INC	212122	31100	53	09-118-315	9,139.00	COPY MACHINE
	Check Date 5/1/2008	Check Nbr	016708		Check Total: 9,139.00	
01060 ACCURATE ALIGNMENT INC	8005042	31731	54	10-149-294	3,343.75	LABOR & PARTS
	Check Date 5/1/2008	Check Nbr	016709		Check Total: 3,343.75	
01075 ACCURATE SUSPENSION WAREHOUSE	8005635	31100	54	10-304-315	87.36	RENTAL-DUMPSTER CASTERS
	8005766	31731	54	10-149-294	339.57	VEHICLE SPRING ASSEMBLY
	Check Date 5/1/2008	Check Nbr	016710		Check Total: 426.93	
01450 ALLIED GLOVE & SAFETY PRODUCTS	1/730770	31201	54	10-301-300	52.95	FLASHLIGHT BATTERIES
	Check Date 5/1/2008	Check Nbr	016711		Check Total: 52.95	
01600 AMERICAN MILLWORK & HARDWARE	109648	31100	54	10-121-300	70.90	MARKING PAINT
	109648	31100	54	10-122-300	70.89	MARKING PAINT
	Check Date 5/1/2008	Check Nbr	016712		Check Total: 141.79	
01630 AMERICAN RED CROSS OF NEENAH-	1816	31731	54	10-149-215	155.00	FIRST AID/CPR/AED COURSES
	1816	31100	55	07-202-215	45.00	FIRST AID/CPR/AED COURSES
	Check Date 5/1/2008	Check Nbr	016713		Check Total: 200.00	
01775 CITY OF APPLETON	174377	31100	54	03-204-250	43,541.00	VALLEY TRANSIT 2ND QTR
	Check Date 5/1/2008	Check Nbr	016714		Check Total: 43,541.00	
01805 ARROW AUDIO	3666	31100	51	10-115-240	70.00	SOUND SYSTEM CHECK/COUNCIL CHM
	Check Date 5/1/2008	Check Nbr	016715		Check Total: 70.00	
02040 BADGER HIGHWAYS CO INC	139923	31100	54	10-121-300	85.26	COLD MIX
	139923	31201	54	10-301-300	282.00	COLD MIX
	Check Date 5/1/2008	Check Nbr	016716		Check Total: 367.26	

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02335 BECK ELECTRIC INC	E63	31100	52	05-201-240	76.85	SOFFIT LIGHTS
	E63	31100	52	08-101-240	149.18	SOFFIT LIGHTS
	Check Date	5/1/2008	Check Nbr	016717	Check Total:	226.03
02355 DAN BEHM	042308	31827	53	09-212-205	150.00	ENTERTAINMENT SPRING BANQUET
	Check Date	5/1/2008	Check Nbr	016718	Check Total:	150.00
02410 BERGSTROM	220205	31731	54	10-149-383	87.93	SHAFT
	Check Date	5/1/2008	Check Nbr	016719	Check Total:	87.93
02565 BOARDMAN LAW FIRM	175022	31100	51	02-103-211	112.32	CABLE TV FRANCHISE RENEWAL
	Check Date	5/1/2008	Check Nbr	016721	Check Total:	112.32
02796 BUBRICK'S	119637	31100	52	08-101-310	292.73	OFFICE SUPPLIES
	Check Date	5/1/2008	Check Nbr	016722	Check Total:	292.73
03075 CAMERA CORNER	0374125-IN	31100	51	04-101-805	14,540.28	VIDEO CAMERA EQUIPMENT
	Check Date	5/1/2008	Check Nbr	016723	Check Total:	14,540.28
03145 CAREW CONCRETE & SUPPLY CO INC	759549	31100	54	10-134-300	350.00	724 LAKECREST
	Check Date	5/1/2008	Check Nbr	016724	Check Total:	350.00
03247 CDW GOVERNMENT INC	JXR3347	31100	52	08-101-310	142.38	TONER FOR POLICE
	Check Date	5/1/2008	Check Nbr	016726	Check Total:	142.38
03851 CUMINS ELECTRIC INC &	00062385-IN	31263	56	03-207-701	2,000.00	CDBG REHAB PROGRAM
	Check Date	5/1/2008	Check Nbr	016727	Check Total:	2,000.00

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04005 D&M INTERIORS	026428	31100	52	08-101-240	75.60	FLOORING
	Check Date 5/1/2008	Check Nbr	016728		Check Total:	75.60
04275 DIGICORPORATION	52805	31100	13	04-113-000	-6.58	ADJUSTMENT
	52805	31100	53	09-102-291	50.58	BUSINESS CARDS/JOY MILLER
	Check Date 5/1/2008	Check Nbr	016729		Check Total:	44.00
06065 FAMILY THERAPY & ANXIETY CTR	041708	31100	52	08-101-215	225.00	SERVICES PROVIDED POLICE DEPT
	Check Date 5/1/2008	Check Nbr	016730		Check Total:	225.00
06075 FASTENAL COMPANY	WINEE33142	31100	55	07-202-315	40.32	AIR HOSE
	Check Date 5/1/2008	Check Nbr	016731		Check Total:	40.32
06115 FERRELLGAS	1021645933	31266	54	10-307-216	100.17	LIQUEFIED PETROLEUM GAS
	1021653079	31731	54	10-149-300	63.22	LIQUEFIED PETROLEUM GAS
	Check Date 5/1/2008	Check Nbr	016732		Check Total:	163.39
06225 FIRST SUPPLY LLC	7303805-00	31100	55	07-202-240	4.78	REPAIRS/JEFFERSON EAST
	7303805-01	31100	55	07-202-240	16.80	REPAIRS/OPENING FOR SEASON
	7301941-00	31100	55	07-202-240	102.14	COSTS FOR OPENING BLDGS SEASON
	7317022-00	31100	55	07-203-240	400.45	BALL VALVE REPAIR/POOL
	Check Date 5/1/2008	Check Nbr	016733		Check Total:	524.17
06520 FOX STAMP SIGN & SPECIALTY	153493	31100	51	02-105-310	20.72	UPDATE STAMP MAYORS SIGNATURE
	153493	31100	51	04-106-300	20.73	UPDATE STAMP MAYORS SIGNATURE
	153288	31100	51	10-115-240	18.60	DIRECTORY SIGNS
	Check Date 5/1/2008	Check Nbr	016734		Check Total:	60.05
06680 FRONTLINE UNIFORM	2291	31100	52	08-109-300	29.30	POLICE AUXILIARY
	Check Date 5/1/2008	Check Nbr	016735		Check Total:	29.30

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07055 GALL'S INC	5935359900018	31100	52	08-101-315	79.47	MACE CASE/FLASHLIGHT CASE
	Check Date 5/1/2008	Check Nbr	016736		Check Total:	79.47
07057 GALLS INCORPORATED	5935359900026	31100	52	08-106-300	56.12	RIGID LONG ARM KIT
	5935359900034	31100	52	08-101-193	88.85	TACTICAL GEAR
	Check Date 5/1/2008	Check Nbr	016737		Check Total:	144.97
07195 GERDAU AMERISTEEL	4712020726	31100	54	10-121-300	190.00	EPOXY TIE BAR/200
	Check Date 5/1/2008	Check Nbr	016738		Check Total:	190.00
07455 GREAT LAKES UNDERGROUND EQUIP	14394	31731	54	10-149-383	262.00	8" BULK/FOOT
	Check Date 5/1/2008	Check Nbr	016739		Check Total:	262.00
07580 GUNDERSON UNIFORM & LINEN RENT	1250674	31100	52	08-101-313	31.70	TOWEL/MAT SERVICE
	1248499	31100	52	08-101-313	32.07	TOWEL/MAT SERVICE
	1249529	31100	51	10-115-201	11.29	MOP/MAT/BRUSH SERVICE
	1249529	31100	53	09-212-313	3.46	MOP/MAT/BRUSH SERVICE
	1249529	31100	55	07-202-313	3.46	MOP/MAT/BRUSH SERVICE
	Check Date 5/1/2008	Check Nbr	016740		Check Total:	81.98
07583 GUNSLINGERS LLC	464079	31100	52	08-101-315	835.00	RRA AR15 PATROL RITE
	Check Date 5/1/2008	Check Nbr	016741		Check Total:	835.00
08495 HORN PRECAST	2063	31100	54	10-134-300	937.00	BASIN/RISERS
	Check Date 5/1/2008	Check Nbr	016742		Check Total:	937.00
08505 HORST DISTRIBUTING INC	446380	31741	19	04-530-000	41,982.00	JACOBSEN ROTARY MOWER
	450980	31731	54	10-149-383	226.95	WHLSPINDLE/ROLLER BEARING
	450981	31731	54	10-149-383	22.27	BUSHING
	Check Date 5/1/2008	Check Nbr	016743		Check Total:	42,231.22

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09140 INLAND POWER GROUP INC	2104674-00	31731	54	10-149-294	1,585.40	TRUCK REPAIR
	Check Date	5/1/2008	Check Nbr	016744	Check Total:	1,585.40
09290 INTERSTATE BATTERY OF GREEN BA	90044707	31731	54	10-149-383	85.95	STOCK
	Check Date	5/1/2008	Check Nbr	016745	Check Total:	85.95
09330 IOD INCORPORATED	0022-AG-34390	31100	52	08-101-216	31.11	RETRIEVE FEE
	Check Date	5/1/2008	Check Nbr	016746	Check Total:	31.11
10225 JOE'S POWER CENTER	67422	31100	55	07-202-315	594.91	2 STRING TRIMMERS
	Check Date	5/1/2008	Check Nbr	016747	Check Total:	594.91
11040 KAUKAUNA POLICE DEPARTMENT	042808	31100	21	04-229-000	172.00	BOND
	Check Date	5/1/2008	Check Nbr	016748	Check Total:	172.00
12170 LAPPEN SECURITY PRODUCTS INC	27909	31731	54	10-149-240	189.50	SALT SHED DOOR
	Check Date	5/1/2008	Check Nbr	016749	Check Total:	189.50
12250 LAWSON PRODUCTS INC	6698724	31731	54	10-149-300	262.40	STOCK PARTS
	Check Date	5/1/2008	Check Nbr	016750	Check Total:	262.40
13127 MAS MODERN MARKETING	MMI054011	31100	52	08-101-300	251.00	BADGE STICKER POLICE SHIELD
	Check Date	5/1/2008	Check Nbr	016751	Check Total:	251.00
13149 MATTHEWS COMMERCIAL TIRE CTR	024851	31731	54	10-149-382	350.02	ALUM TRAILERS/MOWERS
	024863	31731	54	10-149-382	101.79	TIRE SERVICE
	Check Date	5/1/2008	Check Nbr	016752	Check Total:	451.81

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13195 BILL MCBRIDE	042908	31100	55	07-201-203	429.25	GOLF INSTRUCTOR
	Check Date 5/1/2008	Check Nbr 016753			Check Total: 429.25	
13255 KATIE MCLAIN	042408	31100	46	04-175-000	45.00	PARK CANCELLATION REFUND
	Check Date 5/1/2008	Check Nbr 016754			Check Total: 45.00	
13270 MCNEILUS TRUCK & MFG COMPANY	699477	31731	54	10-149-383	385.12	VEHICLE PARTS
	Check Date 5/1/2008	Check Nbr 016755			Check Total: 385.12	
13360 MENASHA ELECTRIC & WATER UTILI	040808	31100	54	10-143-223	15,245.90	PUBLIC STREET LIGHTING
	002991	31201	54	10-301-300	961.53	SEWER CLEANING MARCH 2008
	032708	31100	55	07-202-223	8.48	572 RIVERWAY
	Check Date 5/1/2008	Check Nbr 016756			Check Total: 16,215.91	
13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	2,060.00	
	Check Date 5/1/2008	Check Nbr 016757			Check Total: 2,060.00	
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	257.00	
	Check Date 5/1/2008	Check Nbr 016758			Check Total: 257.00	

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13460 MENASHA TREASURER	042808	31100	12	04-399-000	0.41	POSTAGE/MACHINE BROKEN
	042808	31100	51	02-104-311	0.41	POSTAGE/MACHINE BROKEN
	042808	31100	51	02-105-311	2.05	POSTAGE/MACHINE BROKEN
	042808	31100	51	04-106-311	6.97	POSTAGE/MACHINE BROKEN
	042808	31100	51	10-115-313	5.98	SANITATION BAGS
	042808	31100	52	09-307-300	13.00	TIMING DEVICE INSPECTIONS
	042808	31100	53	09-102-310	19.62	WALL CALENDAR
	042808	31100	53	09-113-300	23.26	DRY ICE FOR CLINIC
	042808	31731	54	10-149-311	0.41	POSTAGE/MACHINE BROKEN
	042808	31266	54	10-307-311	2.05	POSTAGE/MACHINE BROKEN
	042808	31100	55	04-221-310	12.57	FRAMES
	042808	31100	55	07-201-311	0.41	POSTAGE/MACHINE BROKEN
	042808	31100	56	03-202-311	1.23	POSTAGE/MACHINE BROKEN
	Check Date	5/1/2008	Check Nbr	016759		Check Total:
13580 MID-AMERICAN RESEARCH CHEMICAL	0357451-IN	31731	54	10-149-300	69.00	GLASS CLEANER
	0357451-IN	31201	54	10-301-300	131.50	FOAMING ROOT CONTROL
	0357542-IN	31731	54	10-149-300	163.40	INDUSTRIAL SOLVENT
Check Date	5/1/2008	Check Nbr	016760		Check Total:	363.90
13597 MIDWEST LAW ENFORCEMENT	11328-IN	31100	52	08-101-315	1,570.00	FIRST CHOICE ARMOR
Check Date	5/1/2008	Check Nbr	016761		Check Total:	1,570.00
13605 MIDWEST SIGN & SCREEN PRINTING	2500946-00	31100	53	09-102-240	366.09	SIGN
	2504325-00	31100	54	10-131-300	541.35	VEHICLE SUPPLIES
Check Date	5/1/2008	Check Nbr	016762		Check Total:	907.44
13755 MORTON SAFETY	280613	31731	54	10-149-300	34.65	SUPPLIES
	279670	31731	54	10-149-300	25.12	SUPPLIES
Check Date	5/1/2008	Check Nbr	016763		Check Total:	59.77

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15030 OCONTO COUNTY CLERK OF COURTS	042808	31100	21	04-229-000	500.00	BOND
	Check Date 5/1/2008	Check Nbr	016764		Check Total:	500.00
16025 PACKER CITY INTERNATIONAL	3280940050	31731	54	10-149-383	24.56	AIR FILT/LUBEFILT
	3280940027	31731	54	10-149-383	4.24	LUBEFILT
	3280990037	31731	54	10-149-383	81.10	CRIMP
	Check Date 5/1/2008	Check Nbr	016765		Check Total:	109.90
16300 PIGGLY WIGGLY #24	8049	31100	53	09-104-300	42.19	WELLNESS SCREENING
	Check Date 5/1/2008	Check Nbr	016766		Check Total:	42.19
16462 MARTY PORTO	042308	31827	53	09-212-205	30.00	ENTERTAINMENT SPRING BANQUET
	Check Date 5/1/2008	Check Nbr	016767		Check Total:	30.00
18160 REDI-WELDING CO	13685	31100	55	07-202-240	115.25	REPAIR SIGNS @ KOSLO
	Check Date 5/1/2008	Check Nbr	016768		Check Total:	115.25
18200 REINDERS INC	1194737-00	31731	54	10-149-383	84.46	CASTER FORK ASM
	845125-00	31100	55	07-202-300	367.27	50# BAGS
	Check Date 5/1/2008	Check Nbr	016769		Check Total:	451.73
19477 SPORT SUPPLY GROUP INC	92640882	31100	55	07-202-300	1,027.05	BASKETBALL/TENNIS NETS/STRAPS
	Check Date 5/1/2008	Check Nbr	016771		Check Total:	1,027.05
02430 STANLEY SECURITY SOLUTIONS INC	WI-473475	31100	55	07-202-244	62.61	ELECTRIC LOCKS/SMITH/JEFFERSON
	WI-473258	31100	55	07-202-244	1,763.93	ELECTRIC LOCKS/SMITH/JEFFERSON
	Check Date 5/1/2008	Check Nbr	016720		Check Total:	1,826.54
19650 STATE CHEMICAL MFG CO	93755101	31100	13	04-106-000	231.63	SOAP
	Check Date 5/1/2008	Check Nbr	016772		Check Total:	231.63

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20405 TRI-COUNTY OVERHEAD DOOR INC	20659	31731	54	10-149-300	137.75	TOUCH PLATE CARDS
	20644	31100	52	08-101-240	1,554.98	REPAIRS/PD
	Check Date 5/1/2008	Check Nbr	016773		Check Total:	1,692.73
21045 UNIFIRST CORPORATION	0970030414	31731	54	10-149-201	80.58	MAT/MOP/CLOTHING SERVICE
	Check Date 5/1/2008	Check Nbr	016774		Check Total:	80.58
21205 US CELLULAR	040108	31100	51	01-102-221	91.86	LAUX
	040108	31100	51	01-102-221	252.36	MERKES
	040108	31100	51	02-103-221	-92.18	BRANDT
	040108	31100	51	02-117-221	51.47	ELECTION
	040108	31100	51	04-106-221	212.55	FINANCE
	040108	31100	51	04-106-221	7.12	STOFFEL
	040108	31100	51	04-109-221	510.49	JAMES/LACEY
	040108	31100	51	10-115-221	95.79	ALIX
	040108	31100	52	08-101-221	764.92	STANKE/POLICE
	040108	31100	53	09-103-221	55.95	DREW
	040108	31100	53	09-119-221	75.56	NETT/HEALTH
	040108	31100	54	10-111-221	332.78	RADTKE/DPW
	040108	31100	54	10-131-221	19.53	CARD
	040108	31731	54	10-149-221	221.40	JACOBSON/PWF
	040108	31201	54	10-301-221	4.52	CONFINED SPACE
	040108	31201	54	10-301-221	7.97	SEWER TRUCK
	040108	31100	55	06-101-221	8.01	POWELL
	040108	31100	55	07-201-221	84.04	TUNGATE
	040108	31100	55	07-202-221	202.20	HUSS/PARK
	040108	31100	55	07-203-221	105.79	POOL
040108	31100	56	03-202-221	16.55	KEIL/BECKENDORF	
	Check Date 5/1/2008	Check Nbr	016777		Check Total:	3,028.68

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21207 US CHARMADE ACCESSORIES INC	1476	31100	52	08-101-300	176.75	MOUTHPIECES FOR ASIII PBT'S
	Check Date 5/1/2008	Check Nbr	016778		Check Total:	176.75
21175 UW-EXTENSION	042408	31100	51	04-107-337	25.00	BOARD OF REVIEW TRAINING REG
	Check Date 5/1/2008	Check Nbr	016776		Check Total:	25.00
21160 UW-FOX VALLEY	08-22143	31100	51	04-101-218	2,985.00	VIDEOTAPING CITY COUNCIL MTGS
	Check Date 5/1/2008	Check Nbr	016775		Check Total:	2,985.00
19185 WAUSAU EQUIPMENT COMPANY INC	130589	31100	54	10-124-300	72.69	STOCK
	Check Date 5/1/2008	Check Nbr	016770		Check Total:	72.69
03225 WC INDUSTRIAL SUPPLY COMPANY	0000612-IN	31731	54	10-149-383	50.54	OIL SEALS/TRANSCOM KIT
	Check Date 5/1/2008	Check Nbr	016725		Check Total:	50.54
23152 WE ENERGIES	041808	31100	54	10-143-223	1,989.89	STREET LIGHTS
	Check Date 5/1/2008	Check Nbr	016779		Check Total:	1,989.89
23250 WINNEBAGO COUNTY CLERK OF COUR	042808	31100	21	04-229-000	292.00	BOND
	042808	31100	21	04-229-000	350.00	BOND
	042808	31100	21	04-229-000	150.00	BOND
	042808	31100	21	04-229-000	150.00	BOND
	Check Date 5/1/2008	Check Nbr	016780		Check Total:	942.00
23297 WINS	0730.08	31100	53	09-114-320	37.50	NEWSLETTER RENEWAL
	Check Date 5/1/2008	Check Nbr	016781		Check Total:	37.50
23305 WISCOLIFT INC	110808	31100	55	07-202-315	22.54	NYLON SLINGS FOR #10
	Check Date 5/1/2008	Check Nbr	016782		Check Total:	22.54

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23415 WISCONSIN HISTORICAL SOCIETY	042408	31100	56	03-202-320	65.00	MEMBERSHIP RENEWAL
	Check Date 5/1/2008	Check Nbr	016783		Check Total:	65.00
23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	536.31	
		31100	21	04-299-016	138.40	
	Check Date 5/1/2008	Check Nbr	016784		Check Total:	674.71
23530 THOMAS WOODWARD	042908	31100	21	04-229-000	50.00	PARKING TICKET OVERPAYMENT
	Check Date 5/1/2008	Check Nbr	016785		Check Total:	50.00
Grand Total:					163,341.56	



WITTMANN DR.

WITTMANN DR.

APP

UNIVERSITY DR.

LUCERNE CT.

LUCERNE DRIVE

LUCERNE DR

EXISTING INTERSECTION SIGNAGE

S = STOP SIGN
Y = YIELD SIGN

APPLE CT.

MEADOWVIEW DR.

BRIARWOOD DRIVE

DRIFTWOOD WAY

GENEVA RD.

Y GROVE ST.

ALVA ST.

MELISSA ST.

WOODLAND DR. Y

JENNE ST.

LAWNDALE DRIVE
LAWNDALE COURT

FIELDCREST DR.

DEERFIELD AVE.

EUGENE ST.

OVIS AVE.

VISGRD ST.

AIRPORT RD.

WOODLAND PL.

GREENDALE COURT

MEADOWVIEW DR.

IDA ST.



MELISSA ST.

WOODLAND DR.

GREENDALE ST.

MARIA LN

STARDUST DR.

ELMWOOD DR.

MARIA LN.

NINTH ST.

DEERFIELD



April 30, 2008

Board of Public Works
City of Menasha
Menasha, WI 54952

RE: Request for Street Light on Riverway near Elm Street (Pole #122)

Members of the Board:

We have received a request to add a street light near the intersection of Riverway and Elm Street. There are three adjacent utility poles along Riverway without a street light. I believe there was a street light on pole #122 at one time, but may have been removed in 2006 as part of the City's initiative to reduce street lighting costs.

In my discussions with Menasha Utilities, there would be no installation cost for adding the street light. There would be a monthly charge of approximately \$7.25/month for a 100 watt lamp and approximately \$8.25/month for a 150 watt lamp.

As you know, we exceeded our 2007 budget for street lighting by a significant amount, due mainly to adding street lights in newly developed areas of Calumet County. Because there is a street light located immediately east of the intersection with Elm Street, it is my recommendation the City not authorize the installation of an additional street light in this location. If the Common Council decides to authorize a street light, I recommend the street light be a 100 watt HPS fixture and lamp.

Sincerely,

Mark Radtke
Director of Public Works

C: Mayor Merkes
Lonnie Pichler, Menasha Utilities

M:\word\BPW letter re Riverway street light request 4-30-08.doc



April 30, 2008

Board of Public Works
City of Menasha
Menasha, WI 54952

RE: Request for Street Light at Northridge Court/Highridge Drive

Members of the Board:

We have received a request from a resident to add a street light at the intersection of Highridge Drive and Northridge Court. The nearest existing street light is located at the intersection of Highridge Drive and Highridge Terrace, approximately 120 feet east of the proposed location for the requested street light. I believe there should be a street light at every public street intersection in the City for traffic safety reasons.

In my discussions with Menasha Utilities, there would be an installation cost of approximately \$800 to extend power via buried cable and install a pole for the street light. There is no cost to the City for the street light fixture itself; however, there would be a monthly charge of approximately \$7.25/month for a 100 watt lamp and approximately \$8.25/month for a 150 watt lamp.

As you know, we exceeded our 2007 budget for street lighting by a significant amount, due mainly to adding street lights in newly developed areas of Calumet County. It is my recommendation the City authorize the installation of a 100 watt high pressure sodium street light at the intersection of Highridge Drive and Northridge Court, but consider waiting until the cost for such can be accommodated in the 2009 Budget. I further recommend the City identify the 100 watt HPS light fixture as the standard street light for low volume residential streets.

Sincerely,

Mark Radtke
Director of Public Works

C: Mayor Merkes
Lonnie Pichler, Menasha Utilities

M:\word\BPW letter re Northridge street light request 4-30-08.doc



Memorandum

To: Board of Public Works/Common Council
From: Greg Keil, CDD, *gr* Mark Radtke, DPW *MR*
Date: May 1, 2008
RE: Project Enhancements- Third Street

At its April 22nd meeting the Plan Commission considered several options concerning enhancements to the Third Street reconstruction project. Its recommendation is to install colored stamped concrete in the terraces extending from Manitowoc Street on the east to Milwaukee Street on the west. This same material would be used in the crosswalks at the Milwaukee, Appleton, DePere, and Manitowoc Street intersections. Although the Racine Street intersection is not part of the reconstruction project, the Plan Commission recommended that those crosswalks likewise be replaced with this material. The island at the Manitowoc Street intersection is to be landscaped. Enhanced street lighting including new fiberglass poles will be provided by Menasha Utilities.

The Plan Commission arrived at its recommendation based on the following considerations:

- The desire to have enhancements that would have a significant impact on the appearance of the corridor
- The desire for continuity of appearance throughout the corridor
- The reconstruction project and related enhancements are a long-term investment (50 years +/-) in the community

Installing the improvements as recommended by the Plan Commission will require approximately \$159,000.00 in addition to the \$55,300.00 that DOT has committed to project enhancements. The Capital Improvement Program projected including \$175,000.00 in the 2009 program year for the reconstruction of Third Street. Of this total \$75,000.00 is required to fund the difference between the base project funded by DOT and alternates that were requested by the city in 2006 when the plan was first presented. The differential of \$100,000.00 between the planned expenditure and actual cost could be retained in the 2009 budget to help fund the enhancements.

If the Common Council elects to follow the Plan Commission recommendations, several options exist for funding the project. Although there are many potential funding scenarios, they all would contain one or more of the following elements:

- Budgeting for and levying a tax to generate the funds
- Borrowing for the project and levying a tax to pay off the debt over time
- Funding the project through Tax Increment District #10

The impact on the tax levy of adding \$100,000.00 to the budget is about ten cents per thousand of value. Borrowing for the project would have the effect of distributing the impact over a number of years, but would also add interest cost. Financing the project through TID #10 would not have an impact on the levy, but would extend the life of TID #10 by approximately three years. This is based on using approximately \$35,000 per year of what TID #10 generates in annual increment in excess of current debt retirement costs.



Memorandum

DATE: March 13, 2008

TO: Plan Commission

FROM: Mark Radtke, Director of Public Works

RE: STH 114 Community Sensitive Design Proposed Enhancements

In 2009 the City of Menasha and WisDOT will be reconstructing Third Street (STH 114) from Tayco Street to Manitowoc Street with new concrete pavement. Our project agreement with WisDOT provides for the use of \$55,300 in Community Sensitive Design (CSD) funds. CSD funding may be used for project enhancements such as decorative landscaping, decorative lighting, decorative pavement/walk treatments such as brick pavers or colored concrete, bump outs at intersections, and other aesthetic treatments within the project limits.

The Plan Commission had previously reviewed some of these possible enhancements but no action was taken at that time. Since that meeting, Menasha Utilities (MU) has arranged for the transfer of its distribution line from the south side of Third Street to the ATC poles on the north side of Third Street. The electric service lines to the properties on the south side of the street will be buried to eliminate the unattractive look of overhead wires crossing Third Street. MU will also be installing more decorative street lights along the south side of Third Street. These poles are similar to the poles recently installed along Province Terrace.

MU should be commended for its commitment to enhance the appearance of Third Street with these proposed actions. The City now has its opportunity to expand upon the positive aspects of this reconstruction project. Third Street is a main corridor through Menasha and I feel now is our window of opportunity to make a statement about the image we want to project to the public. The \$55,300 of CSD funding provided by WisDOT is not sufficient in my mind to achieve the desired outcome for this corridor. I feel strongly the City should decide what the optimal enhancement package is for Third Street and try to fund for such if possible. This may mean deferring some other 2009 street project(s) for one year, but I believe the "big picture" approach would justify such.

It is my recommendation the City should install brick pavers or colored stamped concrete in the terraces from Milwaukee Street to Manitowoc Street because of the narrow (3.5") terrace width along that segment. In addition, I think crosswalks from Milwaukee Street to Manitowoc Street should be installed with either brick pavers or colored concrete to break up the continuous concrete ribbon appearance of Third Street. Lastly, I believe an enhanced landscape plan should be included for the traffic island at the intersection of Third Street and Plank Road.

The estimated cost for these work items breaks down as follows:

Decorative Terraces

Milwaukee Street to Racine Street	\$25,000 - \$32,000
Racine Street to Manitowoc Street	\$70,000 - \$90,000

Decorative Crosswalks

Milwaukee Street to Manitowoc Street	\$52,000 - \$75,000
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Island Landscaping

Third Street at Plank Road	\$20,000
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The total estimated cost of proposed enhancements ranges from \$167,000 to \$217,000. The City's portion would range from \$111,700 to \$161,700 after the \$55,300 of CSD funding is applied to these items. WisDOT needs a response from the City by the end of April to allow for design completion of this project according to the proposed bid schedule. We will have plans displayed at the Plan Commission meeting for reference.



Memorandum

DATE: May 18, 2007

TO: Plan Commission

FROM: Mark Radtke, Public Works Director

RE: Proposed Streetscape Amenities for Third Street Reconstruction Project

Third Street from Tayco Street to Manitowoc Street is scheduled to be reconstructed in 2008. As part of this project, WisDOT has allotted the City \$55,300 of Community Sensitive Design (CSD) funds to be used as amenities along the project corridor. A list of eligible items for the CSD funding is attached to this memo.

The amount of CSD funding available for this project does not allow a high level of streetscape amenities without some source of additional City or outside funding. With that in mind, several options were explored. Due to the limited terrace width of 3.5 feet from Milwaukee Street to Manitowoc Street, and the required two foot clear zone from the face of curb, street tree planting is very difficult to successfully accomplish.

The alternative amenities considered were colored concrete crosswalks and colored concrete terraces. Following are the cost estimates for each option.

Colored Concrete Crosswalk - \$54,600 (includes all crosswalks except at Racine Street and Polonia Street)

Colored Concrete Terraces - \$53,000 (Racine to DePere)

\$80,000 (Milwaukee to DePere)

\$80,000 (Racine to Manitowoc)

\$107,000 (Milwaukee to Manitowoc)

Other streetscape items may be considered, but without additional funding sources, it is difficult to accomplish within the allotted CSD funding limit.



MEMO

TO: Personnel Committee

FROM: Jeff Brandt JSB

SUBJECT: Non – rep bonuses

DATE: May 1, 2008

The Personnel Committee will be considering the Personnel Policy Handbook provision for non- represented bonuses. I am attaching the provision of the handbook authorizing the bonuses. I am also attaching the list of all the Departments where past bonuses were received and the amounts.

The process in the past was that the Mayor approached me as Human Resources Director telling me when the Mayor felt a bonus was appropriate. I created a memo to the affected employee for the Mayor's signature advising as to the bonus and the justification for that bonus. This memo would then be placed in the employees' personnel file. The bonuses of 2008 did not follow this procedure since I was on Family and Medical Leave from April 1 – April 21, 2008. Had I been at work, I would have created those memos in each instance.

The genesis of the bonus provision was the time the City changed from a merit-based pay system for non-reps to a longevity based system. The pay plan included the bonus provision to allow for monetary recognition where a non – represented employee performed in some way during the year deserving of merit. The power was given to the Mayor to avoid personality conflicts that might exist from a specific member of the Common Council. It was also felt that the Mayor had a better ability to observe the employees since his position was full-time compared with any Council member.

Should the Personnel Committee feel that either the Alderman Hendricks or Alderman Pack proposal or another proposal has merit, a motion to recommend such action to the Common Council should be made and considered by the Personnel Committee.

BONUS AUTHORIZATION FROM PERSONNEL POLICY HANDBOOK

14. The Mayor has the authority in his/her discretion to provide any non-represented employee up to a \$500 one-time bonus for any year in which the Mayor feels that the particular employee has performed in such a meritorious manner so as to deserve such monetary recognition. It is intended that this provision will be sparingly used. Such bonus will not be added to that employee's base salary and will be distributed at such time as the Mayor directs.

Bonus Pay -- 1992 to present

Year	Department	Amount
1996	Public Works	\$500
	Public Works	\$500
1998	Community Development	\$500
	Community Development	\$500
1999	Police	\$500
	Fire	\$500
	Fire	\$500
2002	City Attorney/Personnel	\$500
	Fire	\$500
2003	Fire	\$500
2004	City Attorney/Clerk	\$500
	Community Development	\$500
2005	Health	\$500
	Public Works	\$500
2006	City Attorney/Clerk	\$500
	Finance	\$500
	Health	\$500
2007	Public Works	\$500
2008	City Attorney/Personnel	\$500
	City Attorney/Personnel	\$500
	City Attorney/Personnel	\$500
	City Attorney/Clerk	\$500
	City Attorney/Clerk	\$500
	Community Development	\$500
	Community Development	\$500
	Finance	\$500
	Health	\$500
	Park, Rec & Forestry	\$500
	Park, Rec & Forestry	\$500
Police	\$500	
Public Works	\$500	

ORDINANCE O - 3 - 08

AN ORDINANCE RELATING TO PROHIBITED PARKING (River Street)

Introduced by Alderman Wisneski

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

SECTION 1: Sec. 10 – 1 – 26 (af) is created to read as follows:

Both sides of River Street west of the westernmost set of railroad tracks”

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____, 2008.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ORDINANCE O - 4 - 08

AN ORDINANCE RELATING TO PROHIBITED PARKING (Baldwin Street)

Introduced by Alderman Wisneski

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

SECTION 1: Sec. 10 – 1 – 26 (ag) is created to read as follows:

The east side of Baldwin Street.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____, 2008.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ORDINANCE O - 5 - 08

AN ORDINANCE RELATING TO OPERATORS' LICENSES

Introduced by Alderman Wisneski

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

SECTION 1: Sec. 7 – 2 – 21(b) is repealed and recreated to read as follows:

An operator's license for retail Class "A" and "B" malt and liquor license premises pursuant to Sec. 125.17, Wis. Stats., may be issued by the Police Department to any person of legal drinking age who has been a citizen of the United States and a resident of this state continuously for no less than ten (10) days, prior to the date of the filing of the application, upon certification of the Menasha Police Department. The Menasha Police Department will run a criminal history check through the Wisconsin Criminal History Records Information database to determine the applicant's prior criminal history. When an applicant in this state has been convicted of a felony and has not been pardoned, such application shall be submitted to the City Attorney by the Police Department for further review.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____, 2008.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

Attorney's Note: This ordinance allows the Police Department to access the database of the State and federal government in conducting the background check.

AN ORDINANCE RELATING TO SITE, ARCHITECTURAL, LANDSCAPING, AND LIGHTING PLAN REVIEW

Introduced by Alderman Kevin Benner

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

SECTION 1: Section 13-1-12(h)(5) is repealed and recreated as follows:

- (5) Outdoor Lighting Intensity Standards. When outdoor lighting is proposed or required, the following standards in the table on the following page shall apply and the “activities” as described in the table shall be assigned and evaluated by the Menasha Police Department and Community Development Department based on the type of use, the hours of operation and the area in which the use is located.

Light Use	Minimum Horizontal Foot-Candles	Maximum Horizontal Foot-Candles	Additional Regulations
Parking Lot	0.5	5.0	(1) Areas used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking lot lighting. (2) Parking lot lighting shall have a Color Rendition Index (CRI) of 50 or higher.
Outdoor display and sales	-	5.0	-
Canopies and drive through facilities	5.0	20.0	(1) Luminaires mounted on or under canopy ceilings shall be full cutoff, unless indirect lighting is used whereby light is directed upward and then reflected down from the ceiling of the structure. In this case, luminaires must be shielded so that direct illumination is focused exclusively on the ceiling of the structure. (2) Parking lot lights shall not be mounted on the top or sides of a canopy and the sides of a canopy shall not be internally illuminated. Canopy sides may, however, utilize full-cutoff downlighting. (3) Lighting for drive-through facilities must be fully shielded. (4) Canopy and bay lighting shall have a Color Rendition Index (CRI) of 50 or higher
Outdoor activity facility	All outdoor entertainment or recreational/sports facility lighting will be reviewed for compliance with minimum site lighting criteria and light trespass criteria and with		

	regard to the intent of these exterior lighting standards to minimize the impact of light trespass and glare on all surrounding properties and public rights-of-way.		
High Risk Activity (e.g. bank deposit night drop or ATM)	4.0	5.0	Lighting shall have a Color Rendition Index (CRI) of 50 or higher
Medium Risk Activity (e.g. convenience store open 24 hours)	2.0	4.0	Lighting shall have a Color Rendition Index (CRI) of 50 or higher
Low Risk Activity (e.g. place of worship, office)	0.5	2.0	Lighting shall have a Color Rendition Index (CRI) of 50 or higher

SECTION 2: This Ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____, 2008.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ATTORNEY'S NOTE:

RESOLUTION NO. R-10-08

**MUNICIPAL CLERKS WEEK
MAY 4 – May 10, 2008**

Introduced by Mayor Merkes

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels and

WHEREAS, Municipal Clerks have pledged to be ever mindful of the neutrality and impartiality, rendering equal service to all, and

WHEREAS, the Municipal Clerk services as the information center on functions of local government and community, and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and annual meetings of their state, province, country and international professional organizations, and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, Donald Merkes, Mayor of the City of Menasha with the Council concurring do recognize the week of May 4 – May 10, 2008 as Municipal Clerks Week, and further extend appreciate to our Municipal Clerk, Deborah A. Galeazzi and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Passed and Approved this 5th day of May, 2008.

Donald Merkes, Mayor

**MENASHA CITY COUNCIL
RESOLUTION NO. R-11-08**

**DESIGNATING MAY 11TH THROUGH MAY 17ST, 2008
NATIONAL POLICE WEEK
AND MAY 15TH, 2008**

PEACE OFFICERS' MEMORIAL DAY

Introduced by Mayor Merkes

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and
WHEREAS, the members of law enforcement community within the City of Menasha play an essential role in safeguarding the rights and freedoms of our citizens; and
WHEREAS, it is important that citizens recognize and appreciate the duties, hazards, and sacrifices of law enforcement personnel; and
WHEREAS, members of our law enforcement agencies honor their duty to serve the people by safeguarding life and property, by protecting citizens against violence, disorder, and deception and by protecting the weak against oppression; and
WHEREAS, the men and women of the Menasha Police Department continuously provide a vital public service;
NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Menasha with the Mayor concurring proclaim May 11 through May 17, 2008 to be;

NATIONAL POLICE WEEK

in the City of Menasha

BE IT FURTHER RESOLVED that May 15th, 2008 is observed as

PEACE OFFICERS' MEMORIAL DAY

in the City of Menasha, in honor of those law enforcement officers throughout our nation, who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of those fallen heroes.

APPROVED THIS 5TH DAY OF MAY, 2008.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, Clerk



Memorandum

DATE: May 1, 2008

TO: Menasha Common Council

FROM: Mark Radtke, Director of Public Works *MR*

RE: Excavation Permit Invoices to Menasha Utilities

The City of Menasha Public Works Department has been making permanent repairs for excavations done by contractors and utilities for more than twenty years. Attached to this memo is a copy of the portion of the Municipal Code which governs street excavations. The Code requires anyone performing excavation work within public street right of way to obtain a Street Excavation Permit prior to any excavation. The Code also stipulates the City may choose to perform the final restoration work and charge associated costs to the permit holder.

We almost always choose to perform the final restoration work, with exceptions made when a utility has done a large scale, continuous street excavation for which we may not be able to complete in a timely fashion due to our other work commitments. An example of this is the work done by the Town of Menasha Utility last year in the Geneva Road/London Street area.

Regarding our interaction with Menasha Utilities, we operate under a policy established in 1991, which provides that work done by either entity for the other shall not be billed out except for incurred out of pocket costs such as overtime, material costs, etc. The policy also explicitly excludes the street excavation projects that DPW does for MU. Attached is a copy of that policy.

In 2007, Public Works billed out over \$100,000 to Menasha Utilities for street restoration costs resulting from street excavations, probably mostly resulting from water main break repairs. MU has objected to the amount of the billings and has expressed to me they could have this work done cheaper by a contractor. It is my understanding they have paid only approximately half of the billed amount. Our rates for making repairs has stayed constant since 2004, and we review the rates periodically to ensure they reflect our actual costs as closely as possible. Attached to this report is an email thread regarding MU's objection to this billing which will explain what is included in our restoration work. I want to stress how important it is these excavations are properly repaired. If a contractor were allowed to restore these excavations, the Engineering Department would need to inspect the work and those costs would also be billed to the permit holder.

We are hopeful our rates may be lowered this year due to a more cost effective use of our paving process given the increased amount of paving and equipment use, thus driving down the hourly rates. I expressed my desire to work with Menasha Utilities as closely as possible to hold down the rates for street repair and am committed to doing so for the benefit of both our citizens and our ratepayers.

Mark Radtke

From: Jennifer Sassman
Sent: Monday, March 03, 2008 9:45 AM
To: Mark Radtke
Subject: RE: utilities excavation permits

Hi Mark,

Just a FYI that I will be applying the check that they did send to us and apply the next check to the balance of the invoices. I figure we should at least be able to deposit this amount since it is rather large.

-----Original Message-----

From: Mark Radtke
Sent: Thursday, February 21, 2008 3:46 PM
To: 'Doug Young'
Cc: 'Lonnie L. Pichler'; Thomas Stoffel; Jennifer Sassman; Timothy Jacobson; Joe Laux
Subject: RE: utilities excavation permits

Doug,

We received partial payment from MU for the street excavation invoices involving street restoration, but the rate you paid for asphalt pavement restoration is not what was billed to you. I realize you are not in agreement with our unit charges for 4" and 6" asphalt pavement restoration, but I did expect full payment based on our past e-mails (see below).

Our unit price for full restoration includes the following items:

1. Minor maintenance of the trench until permanent restoration is made
2. Marking and measuring by SPW Jacobson of pavement area to be restored
3. All record keeping and billing preparation costs
4. Saw cutting the limits of removal
5. Excavation of repair area, including hauling and disposal of excavated material
6. Preparation (leveling and compacting) of pavement restoration area
7. Placement of binder and surface layers of hot mix asphalt

The unit price does not include traffic control, which is billed as a separate item.

We have not raised these unit prices since 2004, and as I indicated in my e-mail from December 19th, we will review our cost data this year to determine if our rate can be lowered, given our higher use of equipment, which should result in lower equipment use rates. We charge out all our costs (labor, materials, equipment and outside services) to the appropriate City budget for this work. If we don't receive full payment of these costs, the taxpayer has to make up the difference, which is not right. The full cost of pavement repairs resulting from utility work should be borne by that respective utility. That is not even taking into consideration the reduced pavement service life resulting from pavement cuts made in a homogeneous pavement.

The rates you used to determine your payment to the City were no doubt from contractors' quotes provided to you for this type of work. Does their quote include all the items mentioned above? Also, if a contractor were to make the repair, we would need to provide City inspection by our Engineering

Department, with the associated cost being the responsibility of MU.

I am committed to DPW and Engineering Department working in unison with MU, in the best interests of our citizens and ratepayers. As part of that commitment, we will review our 2008 rates for this type of work and make corresponding revisions, hoping for an overall reduction in unit costs billed to MU.

I do expect full payment of past invoices. Please contact me if you have any questions.

Thanks, Mark

Mark Radtke
Director of Public Works
City of Menasha
(920) 967-3610

-----Original Message-----

From: Doug Young [mailto:DYoung@wppisys.org]
Sent: Thursday, December 20, 2007 10:00 AM
To: Mark Radtke
Subject: RE: utilities excavation permits

Mark, I agree. I'll check to see what is the issue on our end.

Doug

>>> "Mark Radtke" <mradtke@ci.menasha.wi.us> 12/19/2007 1:41 PM >>>
Jennifer,

I certainly expect payment on the steam line bill. That is the agreement that was reached between the Mayor and Menasha Utility. Regarding the excavation permit billings, I received an objection from Menasha Utilities about the cost of the pavement restoration, but we are holding tight to the invoice amounts as submitted, so I would expect payment on those as well. We will look at revising the pavement restoration costs starting next year, if our cost data supports such.

Mark

Mark Radtke
Director of Public Works
City of Menasha
(920) 967-3610

-----Original Message-----
From: Jennifer Sassman

Sent: Wednesday, December 19, 2007 11:35 AM
To: Mark Radtke
Subject: utilities excavation permits

Hi Mark,

Is there still talk going on about whether we will be receiving payment for those excavation permit billings to Menasha Utilities? We also billed the Utilities 8083.95 for a steam line to Sonoco. The invoice references "50 % restoration". All of these billings took place in August.....no payments.

Jennifer Sassman

City of Menasha-Deputy Treasurer

(920) 967-3632

(920) 967-5271-Fax

*****As a local governmental entity, the City of Menasha is subject to Wisconsin statutes relating to open records. Any e-mail received by anyone at the City of Menasha, as well as any e-mail sent by someone from the City of Menasha are subject to these laws. Unless otherwise exempted from the Open Records law, senders and receivers of City e-mail should presume that any e-mail is subject to release upon request.*****

shall have the right to petition the Common Council for a variance or exceptions from the terms of said provisions.

- b. Industrial and commercial subdivisions;
 - c. In residential cul-de-sac streets (less than 500 feet in length) and other streets of limited continuity where the density of development is less than 6 units per acre.
 - d. Neighborhood residential streets where topography, trees, insufficient right-of-way, or other unique circumstances make placement of walks on one or both sides of the street impractical and where the absence of such walks will not substantially interrupt pedestrian flow within the block or to parks, schools, or other major pedestrian attractors.
 - e. Where there is a dedication of a pedestrian right-of-way or other alternate means of pedestrian circulation.
 - f. On neighborhood residential streets, upon request of the subdivider, where proposed net density is less than 3.5 units per acre and average daily traffic would not be such to cause sidewalk installation based on traffic engineering warrants.
- (8) Nothing in this ordinance prohibits the installation of sidewalks upon request of the adjoining property owners.
- (i) **UNSAFE SIDEWALKS.** The Common Council may at any time, by ordinance or resolution, order any sidewalk which is unsafe, defective, or insufficient, to be removed and replaced with a sidewalk in accordance with the standard specifications provided for in this Section.
- (j) **ILLEGAL SIDEWALKS.** No sidewalk which shall be constructed contrary to the provisions of this Section shall be considered a legal sidewalk and the same may be ordered to be replaced with a legal sidewalk and one which is in conformity with this Section, the same as if no sidewalk whatever had been built or constructed in the place where any such sidewalk is located.

State Law Reference: Section 66.615, Wis. Stats.

↓

SEC. 6-2-3

**EXCAVATIONS OF STREETS, ALLEYS, PUBLIC WAYS AND
GROUNDS.**

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- (a) **PERMIT REQUIRED.**
- (1) No person, partnership or corporation, or their agents or employees or contractors, shall make or cause to be made any opening or excavation in any public street, public alley, public way, public ground, public sidewalk or City-owned easement within the City of Menasha without a permit therefor from the City Department of Public Works.
 - (2) A permit is required prior to performing any of the following work in the street right-of-way:
 - a. Excavation
 - b. Barricading
 - c. Construction of all types
 - (3) Permits shall be obtained from the City Engineering Department. Such permits shall be issued upon filing an approved plan or diagram or signed statement detailing the location and nature of the street opening and the payment of a fee hereinafter listed.

For emergency work, the required permit shall be obtained the next following business day.

- (b) **EXCEPTION.** The provisions of this Section shall not apply to City excavation work done, including work by City utilities, under the direction of the Director of Public Works.
- (c) **VALIDITY OF PERMIT.** Permits shall be valid for a period of thirty (30) days from the date of approval, except as provided herein for pavement replacement. No permit fees shall be paid by an agency of the City.
- (d) **CITY STANDARDS; FEES.**
 - (1) City Standards. All street work shall be performed in accordance with the current standard specifications for street openings. Any damaged curb and gutter, sidewalk or grass-covered area shall be restored to the condition prior to damage.
 - (2) Fee. The fee for a street opening permit shall be Ten Dollars (\$10.00). The fee for an annual street opening permit shall be One Hundred Dollars (\$100.00). Permit fees shall be paid to the City Treasurer who shall issue his receipt therefor.
- (e) **INSURANCE REQUIRED.** A permit shall be issued only upon condition that the applicant submit to the Director of Public Works satisfactory written evidence that applicant has in force and will maintain during the time the permit is in effect public liability insurance of not less than \$500,000 per one (1) person, \$500,000 for one (1) accident and property damage coverage of not less than \$500,000. The policy shall name the City of Menasha as the third party insured.
- (f) **BOND.**
 - (1) Before a permit for excavating or opening any street or public way may be issued, the applicant must sign a statement that he will indemnify and save harmless the City of Menasha and its officers from all liability for accidents and damage caused by any of the work covered by his permit, and that he will fill up and place in good and safe condition all excavations and openings made in the street, and will replace and restore the pavement pursuant to Section 6-2-4 over any opening he may make as near as can be to the state and condition in which he found it, and keep and maintain the same in such condition, normal wear and tear excepted, to the satisfaction of the Director of Public Works for a period of one (1) year, and that he will pay all fines of forfeitures imposed upon him for any violation of any rule, regulation or ordinance governing street openings or drain laying adopted by the Common Council and will repair any damage done to existing improvements during the progress of the excavation in accordance with the ordinances, rules and regulations of the City. Such statement shall also guarantee that, if the City shall elect to make the street repair, the person opening the street will pay all costs of making such repair and of maintaining the same for one (1) year.
 - (2) Faulty work or materials shall be immediately replaced by the permittee upon notice by the City. Failure to correct deficiencies shall result in a one (1) year revocation of the right to obtain a street opening permit. The City shall repair the deficiencies and bill the permittee for all labor, materials and equipment used plus twenty percent (20%) for administration.
 - (3)
 - a. The person who does such restoration shall be responsible therefor for one (1) year from the date of the completion of the work.
 - b. Before permission shall be granted, the applicant shall deposit with the City Treasurer to insure performance of restoring such streets and terraces to their original conditions the sum to be determined as follows:
 - 1. If the street in such excavation is surfaced with portland cement concrete, the sum of Two Hundred Dollars (\$200.00).

2. Dirt or gravel, the sum of Fifty Dollars (\$50.00).
 3. All other roads, the sum of One Hundred Dollars (\$100.00).
 4. Terraces, the sum of Thirty-five Dollars (\$35.00).
- c. In lieu and instead of the deposit required, any person may execute and file with the City Clerk, and keep in effect a surety bond in the sum of Ten Thousand Dollars (\$10,000.00), with a corporation surety conditioned upon the timely and faithful performance of all conditions prescribed by law and all laws and ordinances applicable in respect to all permits issued such person.
 - d. Public utilities under the jurisdiction of the Public Service Commission doing work in the streets and terraces of the City of Menasha shall be exempt from filing such surety bond but their contractors or subcontractors shall not be excluded.
- (4) Whenever the Director of Public Works shall find that any such work has become defective within two (2) years of the date of completion, he shall give written notice thereof to the contractor or to his surety stating the defect, the work to be done, the cost thereof and the period of time deemed by the Director of Public Works to be reasonably necessary to complete said work. After receipt of such notice, the contractor or the surety must, within the time specified, repair the defect or indemnify the City for the cost of doing the work as set forth in the notice.
 - (5) An annual bond may be given under this Section covering all excavation work done by the principal for one (1) year beginning January 1, which shall be conditioned as specified above and in the amount determined by the Common Council as necessary to adequately protect the public and the City.
- (g) (1) Any property owner may repair or replace his sidewalk or driveway approach provided that the work is done under the supervision of the Department of Public Works and that the provisions of Section 6-2-3 are complied with. Such owner must obtain a permit, but need not furnish a bond and insurance. The deposit provisions of 6-2-3(f)(3) will apply. Such deposit will be refunded upon final inspection by the City Engineering Department.
 - (2) Any property owner may construct a new sidewalk or driveway approach provided that the work is done under the supervision of the Department of Public Works and that the provisions of Section 6-2-3 are complied with. Such owner must obtain a permit, but need not furnish a bond and insurance. The deposit provisions of 6-2-3(f)(3) will apply. Such deposit will be refunded upon final inspection by the City Engineering Department.

SEC. 6-2-4

REGULATIONS GOVERNING EXCAVATIONS AND OPENINGS.

- (a) **FROZEN GROUND.** No openings in the streets, alleys, sidewalks or public ways shall be permitted when the ground is frozen except where it is determined by the Director of Public Works to be an emergency excavation.
- (b) **NOTICES.**
 - (1) Notices to Fire, Police and Sheriff's Departments. The contractor shall give notice in writing to the Fire Department and Police Department at least three (3) days before excavating in or obstructing traffic on any City street. If on County Trunk Highways or State Trunk Highways, three (3) days written notice shall be given to the County Sheriff, County Highway Commissioner and State Highway Commissioner.

- (2) Notice to Utilities, City Bureaus and Governmental Units. The contractor shall notify all utilities, City bureaus and governmental units whose property may be affected by the contractor's operations at least three (3) days before breaking ground. The contractor shall not interfere with said property until the expiration of the time specified in said notice and then only by permission of the Director of Public Works, nor shall the contractor hinder or interfere with any person in the protection of such work, or with the operation of buses, at any time except with the permission of the Director of Public Works.
- (c) **PROTECTION OF EXISTING SURFACE.** Conduits or pipes installed under driveways, sidewalks, curbs or permanent pavements shall be augured or bored, except when permitted to do otherwise by the Director of Public Works or his authorized representative.
- (d) **REMOVAL OF PAVING.** In any opening or excavation all paving or ballasting materials shall be removed with the least possible loss of or injury to surfacing materials and together with the excavated materials from the opening shall be placed so as to cause the least practicable inconvenience to the public and permit free flow of water along gutters.
- (e) **PROTECTION OF PUBLIC.**
- (1) The contractor shall furnish and erect neat and substantial fences or barricades around roadway obstructions, shafts, trench crossings and other excavations as prescribed by law and as may be further required for the protection of the public and of the work. He shall supplement such protective fences or barricades by the use of acceptable lights and flags, watchmen, signs and other measures that may be necessary to afford proper and sufficient protection.
 - (2) Whenever the contractor shall have received a permit to work on any street, alley or public right-of-way open to travel, he shall immediately upon commencing work on such thoroughfare, furnish, erect and maintain substantial barricades across the property affected and shall furnish, post and maintain construction warning signs thereon. Detour signs, when required, shall also be posted and maintained at immediately adjacent street and alley intersections for the convenience and guidance of traffic. Flashing amber lights shall be mounted on all barricades placed within the roadway that are present at night or when visibility is poor.
 - (3) All barricades used by the contractor shall conform to Part VI of the Wisconsin Manual on Uniform Traffic Control Devices and shall have a readable name of the contractor along with the telephone number at which he or his responsible superintendent can be contacted.
 - (4) Any barricading or detouring for work performed in through streets shall be approved by the Director of Public Works and Chief of Police prior to commencement of work.
 - (5) Except by special permission from the Director of Public Works, no trench shall be excavated more than two hundred fifty (250) feet in advance of pipe or conduit laying nor left unfilled more than five hundred (500) feet from where pipe or conduit has been laid.
 - (6) All necessary precautions shall be taken to guard the public effectively from accidents or damage to persons or property through the period of the work. Each person making such opening shall be held liable for all damages, including costs incurred by the City in defending any action brought against it for damages, as well as cost of any appeal, that may result from the neglect by such person or his employees of any necessary precaution against injury or damage to persons, vehicles or property of any kind.
 - (7) Unless otherwise approved, a minimum of one (1) lane of traffic in each direction

shall be provided. Every effort shall be made on the part of the permittee to provide reasonable access to all properties adjacent to his project. In the event traffic is limited to less than one (1) lane in each direction, a flagman or temporary traffic control signal shall be provided so as to safely cycle traffic in each direction past the work area.

- (8) The permittee shall perform the work in such a manner so as not to disrupt the flow of traffic in the area or endanger the safety of workers or passersby. It shall be the responsibility of the permittee to prevent traffic backup during construction operation.

(f) **SAFEGUARDING THE WORK AND THE WORK SITE.** Whenever, in the judgement of the City, the work and work site are not sufficiently safeguarded, the City may order additional protection or in the event that there is not sufficient time for the contractor to provide such safeguards, the City may have the work and work site safeguarded by others and charge the cost to the contractor.

(g) **REPLACING STREET SURFACE.**

- (1) In opening any public street, public alley, public sidewalk, public way, public easement, or public ground, the paving materials, sand, gravel and earth or other material moved or penetrated and all surface monuments or hubs must be removed and replaced as nearly as possible in their original condition or position and the same relation to the remainder as before. Any excavated material which in the opinion of the Director of Public Works is not suitable for refilling shall be replaced with approved backfill material. All rubbish shall be immediately removed.
- (2) The Director of Public Works may order the permittee to remove and replace up to one (1) full lane width of pavement along the patched or excavated area. Special care shall be taken with concrete pavement to produce a vertical face on the existing concrete at the point of the saw cut to insure a full depth of concrete at the joint.
- (3) In refilling the opening, the earth must be puddled or laid in layers not more than six (6) inches in depth and each layer rammed or tamped, or with the permission of the Director of Public Works flushed, to prevent after-settling. All excavations in any type roadway surface, sidewalk, apron or travel area shall be backfilled with approved granular material. "Blow sand" is not acceptable, and will be ordered removed at the contractor's expense.
- (4) When performing trench construction, the permittee shall utilize trench protection practices, including sheathing, shoring and bracing, in accordance with regulations established by the Wisconsin Department of Industry, Labor and Human Relations. No timber, bracing, lagging, sheathing or other lumber shall be left in any trench. At no time shall the street pavement be permitted to overhang the excavation.
- (5) The City may elect to have the opening for any street or sidewalk repaired by the City, in which case the cost of making such repair and of maintaining it for one (1) year shall be charged to the person making the street opening.

(i) **BACKFILLING STANDARDS.**

(1) Jetted Backfill.

- a. Trenches shall be settled by flooding with water after backfill has been placed. The hose shall have a diameter of two (2) inches and a minimum length of two-thirds (2/3) the depth of the trench to the top of the conduit. The sewer trench shall be at least six (6) inches lower than the surrounding terrain at the time of jetting. Insertions shall be made at five (5) foot intervals along the trench and jetted until water ponds on the trench surface.
- b. The nozzle shall be inserted as far as possible without damaging the pipe

foundation. Depression caused by settling shall be filled by the contractor at his expense.

- c. Water for jetting shall be furnished by the contractor at his expense.
- (2) **Tamped Backfill.** Where tamping is required, backfill material shall be placed in six (6) inch to twelve (12) inch layers from the top of the conduit and mechanically tamped prior to adding more fill. All fill shall be uniformly compacted to a dry density which is at least ninety percent (90%) of the maximum dry density for material used, as determined by laboratory compaction test at optimum moisture content. Compaction tests may be made in accordance with ASTM-C-1557, Method D, at the expense of the City.
- (3) **Excavated Material Backfill.**
 - a. Where excavated material is used for backfill, the contractor shall mechanically tamp the excavated backfill material in six (6) inch to twelve (12) inch layers or jet according to Subsection (i)(1) above.
 - b. Trenches backfilled with excavated material during winter months shall be top dressed in spring after the frost has left the soil.
- (j) **BACKFILLING NOTICE.** The Director of Public Works shall be notified at least four (4) hours prior to backfilling and/or restoring the surface.
- (k) **VALIDITY OF PERMIT.** Unless the work shall be commenced within thirty (30) days of the issuance of the permit, the permit shall be void, and a new permit must be obtained and an additional fee charged. The Director of Public Works may extend the time limitation for good cause.
- (l) **EMERGENCY EXCAVATION.** In the event of an emergency any person, firm or corporation, owning or controlling any sewer, gas main, water main, conduit or other utility in or under any public street, alley easement, way or ground and his agents and employees may take immediate proper emergency measure to remedy dangerous conditions for the protection of property, life, health, or safety without obtaining an excavation permit, provided that such person, firm or corporation shall apply for an excavation permit not later than the next business day, shall notify the City Police Department immediately and shall not make any permanent repairs without first obtaining an excavation permit.
- (m) **SURFACING MAINTENANCE.** The permit holder shall be responsible for the excavation, and shall have the temporary patch in place within five (5) working days from the date of issuance of the permit, and in accordance with the requirements of Subsection (n). In the event the permit holder fails to comply with these patching requirements, the City will make one courtesy phone call to notify the permit holder of any deficiencies. Failure to correct any deficiencies by noon the following day will result in the City performing the necessary work and billing a rate pursuant to a schedule on file with the Director of Public Works. No further permits will be issued to such permit holders until such bills have been paid for. Normal maintenance of temporary patches will be done by the City at no charge to the permit holders. Where excessive settlement occurs, the permit holder will be notified to perform the necessary maintenance. If the repairs are not made in the time specified above, the City will do all necessary work and charge the permit holder as specified above.
- (n) **SURFACE REPAIR.**
 - (1) **Grass, Terraces and Boulevard Areas.** The contractor shall be responsible for permanent repair to all grass surface areas including reseeding or sodding.
 - (2) **Pavements, Sidewalks, Aprons, Etc.** The contractor at his expense shall cap the trench areas with three (3) inches of asphalt cold patch material on top of three-fourths (3/4) inch road stone which extends to the earth subgrade.
- (o) **SURFACE CUTTING.**

- (1) Concrete, Asphalt, Asphalt Over Concrete.
 - a. The extent of concrete removal within a given section of pavement is to be determined by a field evaluation of existing conditions, i.e., joints, structures, etc., thickness, reinforcing (if any), subsurface conditions and any other factors pertinent to making a sound engineering evaluation. Such evaluation shall be made by the Director of Public Works or his authorized representative.
 - b. All excavations in concrete or asphalt pavements will be saw-cut before final patching is completed. When a pavement breaker is used to break the pavement before excavation, the area must be outlined by holes drilled on approximately six (6) inch centers. Saw cutting not done by the permit holder will be done by the City when the final patch is made and included in the bill. If the concrete base is disturbed under the pavement adjoining the excavation, the City will remove asphalt surfacing to a solid base up to lines forming a neat geometric patch.
- (2) Graveled, Oiled and/or Road Mix Surfaces. Road surfacing cuts may be made by air hammer or hoe, the same size as excavations, and shall be straight and rectangular in shape.
- (3) Driveways and Sidewalks.
 - a. In concrete driveways, a minimum width of three (3) feet shall be removed. If the distance between the back of curb and the sidewalk is six (6) feet or less, the entire driveway shall be removed. All cuts shall be made with a concrete saw.
 - b. Driveway surfaces shall be restored to the original surface condition except in case of concrete or hot asphalt driveways or sidewalks. Permanent surfaces will be placed by the City and costs billed to the permit holder.
- (p) **CLEAN WORK SITE.** All areas shall be neatly maintained and clean during and after construction. Road surfaces shall be protected to prevent damage by construction machinery. Should the contractor fail to maintain an acceptable site, the City may order the necessary cleanup work to be done and bill the permit holder.
- (q) **COMPLETION NOTIFICATION.** When the work has been completed and the temporary patch is in place, the permit holder shall notify the Department of Public Works.
- (r) **PERMANENT SURFACE REPLACEMENT.**
 - (1) All permanent surfaces of concrete or hot asphalt will be installed by the City. Repairs will be made following one freeze-thaw cycle. The City will perform the repair work under an annual contract bid for the specific purpose of repairing various types of surface cuts, or with City forces.
 - (2) Costs of these repairs will be billed to the permit holders upon completion of the repair.
 - (3) The contractor shall notify the Department of Public Works at which time a representative of the Department will meet with the contractor to make and measure the area disturbed for billing purposes.
 - (4) A bill will then be prepared using the cost plus fifteen percent (15%) and sent to the contractor from the Finance Department. Payment of this bill shall relieve the contractor of his responsibility in the event of excessive settlement.
- (s) **BACKFILL AND CARE OF TERRACES.** When an excavation is made in a boulevard or terrace of the public right-of-way, the permittee shall backfill and tamp in layers not exceeding twelve (12) inches, and shall place a minimum of four (4) inches of good topsoil on the surface. The area shall be leveled to coincide with adjacent turf and shall be seeded

with a mixture and at a rate meeting the approval of the Director of Public Works. The terrace work shall be completed within two (2) weeks of the completion of the work except that the Department of Public Works Inspector may waive this requirement during the months of November through March. No further permit may be issued to anyone who has not completed this work in accordance with this Section.

- (i) **EXCAVATION IN NEW STREETS LIMITED.** Whenever the Common Council determines to provide for the permanent improvement or repaving of any street, such determination shall be made not less than thirty (30) days before the work of improvement or repaving shall begin. Immediately after such determination by the Common Council, the Director of Public Works shall notify in writing each person, utility or other agency owning or controlling any sewer, water main, conduit or other utility in or under said street or any real property abutting said street, that all such excavation work in such street must be completed within thirty (30) days. After such permanent improvement or repaving, no permit shall be used to open or excavate said street for a period of five (5) years after the date of improvement or repaving unless, in the opinion of the Director of Public Works, conditions exist which make it absolutely essential that the permit be issued. Every effort shall be made to place gas, electric, telephone and TV cable lines in street terraces.

SEC. 6-2-5 OBSTRUCTIONS AND ENCROACHMENTS.

- (a) **OBSTRUCTIONS AND ENCROACHMENTS PROHIBITED.** No person shall encroach for a period in excess of five (5) minutes, upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds, or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as provided in Subsections (b) and (c) or where a permit shall first be obtained from the Police Department of the City. The Police shall designate the time and hour such obstruction can take place.
- (b) **EXCEPTIONS.** The prohibition of Subsection (a) shall not apply to the following:
- (1) Public utility encroachments duly authorized by State Law or by the Common Council.
 - (2) Goods, wares, merchandise or fixtures being loaded or unloaded which do not obstruct the width of a sidewalk by more than three (3) feet on a sidewalk, provided such goods, wares, etc., do not remain thereon for more than three (3) hours.
 - (3) Temporary encroachments or obstructions authorized by permit under Section 6-2-6 of this Section pursuant to Sec. 66.045, Wis. Stats.
 - (4) Building materials for the period authorized by Section 6-2-6(d).
 - (5) Excavations and openings permitted under Sections 6-2-3 and 6-2-4 of this Code.
- (c) **REMOVAL BY CITY.** In addition to any other penalty imposed, if the owner or occupant of the premises maintaining a prohibited obstruction or encroachment shall refuse or neglect to remove such unlawful obstruction or encroachment after such notice from the Director of Public Works or Police Department to do so, it shall be the duty of the Director of Public or Police Department to remove such obstruction or encroachment and make return of the costs and expenses thereof to the City Clerk who shall enter such cost on the next annual tax roll as a special charge against the property abutting such obstructed sidewalk, and such sum shall be levied and collected as other special taxes against real estate.

SEC. 6-2-6 STREET PRIVILEGE PERMIT.

2007 MARINA REVENUES & EXPENDITURES

Update: 04/30/08

Compiled by: Finance Department

Council Directives 04/05/2008:

- B1) Provide the Balance for the Marina Fund: \$45,054.98 as of 12/31/2007
- B2) Provide a 12 month spreadsheet. See below

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	YTD TOTAL	ANNUAL BUDGET
REVENUES														
46-04-182-000 Annual Slip Rentals	\$ 15,153.95	\$ 761.90	\$ 578.75	\$ 11,344.97	\$ 46,360.25	\$ 10,356.65	\$ 4,202.71	\$ 3,132.03	\$ 356.58	\$ 1,991.84	\$ 480.00	\$ -	\$ 94,719.63	\$ 91,500.00
46-04-183-000 Transient Slip Rentals	-	-	-	-	-	377.86	773.18	1,092.03	373.73	917.98	61.77	-	3,596.55	2,800.00
46-04-184-000 Concession Receipts	-	-	-	-	-	372.18	566.16	708.50	377.18	472.74	132.53	195.71	2,825.00	2,500.00
46-04-185-000 Gasoline Sales	-	-	-	-	-	10,232.40	27,560.77	43,777.07	22,450.02	24,674.80	5,246.16	-	133,941.22	122,400.00
TOTAL	\$ 15,153.95	\$ 761.90	\$ 578.75	\$ 11,344.97	\$ 46,360.25	\$ 21,339.09	\$ 33,102.82	\$ 48,709.63	\$ 23,557.51	\$ 28,057.36	\$ 5,920.46	\$ 195.71	\$ 235,082.40	\$ 219,200.00
EXPENDITURES														
55-07-205-120 Wages - Straight Time	\$ 9,394.01	\$ 644.60	\$ 747.77	\$ 1,136.04	\$ 2,682.46	\$ 2,251.61	\$ 2,000.88	\$ 4,283.65	\$ 1,733.87	\$ 2,326.75	\$ 1,964.03	\$ 1,147.44	\$ 30,313.11	\$ 8,867.00
55-07-205-121 Wages - Overtime/Dbi	-	-	56.43	16.44	122.21	-	-	-	-	-	-	-	195.08	400.00
55-07-205-151 Employer Cont - Health	-	-	-	-	-	-	-	-	-	-	-	7,924.72	7,924.72	3,976.00
55-07-205-152 Employer Cont - Life	-	-	-	-	-	-	-	-	-	-	-	10.32	10.32	-
55-07-205-153 Employer Cont - Dental	-	-	-	-	-	-	-	-	-	-	-	538.89	538.89	190.00
55-07-205-154 Employer Cont - Ret	-	-	-	-	-	-	-	-	-	-	-	3,258.80	3,258.80	982.00
55-07-205-155 Employer Cont - FICA	-	-	-	-	-	-	-	-	-	-	-	2,291.44	2,291.44	708.00
55-07-205-157 Employer Cont - Vision	-	-	-	-	-	-	-	-	-	-	-	67.84	67.84	26.00
55-07-205-161 Employer Cont - WC	-	-	-	-	-	-	-	-	-	-	-	1,045.63	1,045.63	344.00
55-07-205-216 Prof SVCS-Management	-	-	-	-	-	21,450.00	-	10,725.00	10,725.00	350.00	-	-	350.00	-
55-07-205-221 Utility - Telephone	-	-	-	-	20.86	(20.86)	-	-	-	-	-	-	-	-
55-07-205-223 Utility - Electricity	-	297.01	195.93	411.23	465.00	1,291.32	1,476.43	1,647.05	1,570.80	1,609.26	670.49	891.76	10,526.28	10,500.00
55-07-205-224 Utility - Heat	-	80.15	90.10	53.21	46.78	33.53	41.34	78.26	70.44	62.71	60.53	157.06	774.11	700.00
55-07-205-225 Utility - Water/Sewer/Hyd	56.40	72.94	72.94	72.94	79.24	342.28	(93.61)	142.73	142.73	133.53	110.58	89.48	1,222.18	2,500.00
55-07-205-240 Repair/Maint-Buildings	1,482.89	-	111.52	-	-	551.90	57.85	263.13	-	-	-	72.54	2,539.83	3,500.00
55-07-205-242 Repair/Maint-Specialized	-	-	-	-	-	-	53.46	329.93	-	375.00	-	-	758.39	200.00
55-07-205-251 Pmts to Other Municipal	-	-	-	-	-	-	2,400.00	-	-	-	-	-	2,400.00	2,400.00
55-07-205-291 Other Services - Printing	290.00	-	-	-	-	-	278.31	-	-	91.00	-	-	659.31	700.00
55-07-205-293 Other Services - Advert	280.00	-	-	-	-	-	-	-	-	-	-	-	280.00	900.00
55-07-205-295 Other Services - Veh/Eq	714.31	-	23.11	485.40	388.19	3,363.38	712.43	1,017.92	451.42	466.30	461.87	26.93	8,111.26	4,600.00
55-07-205-300 Supplies - Department	-	-	-	31.98	153.61	1,282.63	483.23	345.68	135.88	-	2,776.19	-	5,177.22	1,200.00
55-07-205-311 Supplies - Postage	28.08	16.38	-	21.22	36.70	70.40	634.29	35.26	3,259.89	-	69.29	0.32	4,075.49	800.00
55-07-205-313 Supplies - Housekeeping	-	-	150.00	-	-	299.00	-	16.77	171.43	-	-	118.13	434.65	600.00
55-07-205-320 Dues/Members/License	-	-	-	-	-	32.60	-	-	-	-	-	-	481.60	400.00
55-07-205-381 Motorized Equipment	-	-	-	-	-	17,937.42	27,226.34	33,798.39	24,976.63	11,796.15	-	-	119,924.04	122,400.00
55-07-205-513 Insurance Property	130.00	-	-	-	-	-	-	-	-	-	-	-	130.00	130.00
55-07-205-822 Capital Projects-Const	13,206.92	5,051.56	-	-	4,582.54	-	-	-	-	-	-	-	22,841.02	35,000.00
TOTAL	\$ 25,582.61	\$ 6,162.64	\$ 1,447.80	\$ 2,228.46	\$ 12,766.70	\$ 48,852.61	\$ 32,870.95	\$ 54,817.98	\$ 40,276.59	\$ 20,470.59	\$ 6,112.98	\$ 17,641.30	\$ 269,231.21	\$ 244,923.00

B3) What Department or person has access to the Marina Fund: Brian Tungate, Robert Huss, Diane Schabach and Thomas Stoffel

B4) Where do the funds come from: User Charges

B5) Date when the Fund was created: 1987

C1) Date of creation of the Marina TIF: 1986 for TIF # 1

C2) Date of Retirement: 2012 is statutory date, can be dissolved by Council action now

C3) Dollar amount invested: \$3,370,000

C4) Balance Owed: \$0 in General Obligation Debt, \$979,911 in advances from City taxpayers

2007 MARINA REVENUES & EXPENDITURES

Update: 04/30/08

Compiled by: Finance Department

Council Directives 04/05/2008:

- B1) Provide the Balance for the Marina Fund: \$45,054.98 as of 12/31/2007
- B2) Provide a 12 month spreadsheet. See below

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	YTD TOTAL	ANNUAL BUDGET
REVENUES														
46-04-182-000 Annual Slip Rentals	\$ 15,153.95	\$ 761.90	\$ 578.75	\$ 11,344.97	\$ 46,360.25	\$ 10,356.65	\$ 4,202.71	\$ 3,132.03	\$ 356.58	\$ 1,991.84	\$ 480.00	\$ -	\$ 94,719.63	\$ 91,500.00
46-04-183-000 Transient Slip Rentals	-	-	-	-	-	377.86	773.18	1,092.03	373.73	917.98	61.77	-	3,596.55	2,800.00
46-04-184-000 Concession Receipts	-	-	-	-	-	372.18	566.16	708.50	377.18	472.74	132.53	195.71	2,825.00	2,500.00
46-04-185-000 Gasoline Sales	-	-	-	-	-	10,232.40	27,560.77	43,777.07	22,450.02	24,674.80	5,246.16	-	133,941.22	122,400.00
TOTAL	\$ 15,153.95	\$ 761.90	\$ 578.75	\$ 11,344.97	\$ 46,360.25	\$ 21,339.09	\$ 33,102.82	\$ 48,709.63	\$ 23,557.51	\$ 28,057.36	\$ 5,920.46	\$ 195.71	\$ 235,082.40	\$ 219,200.00
EXPENDITURES														
55-07-205-120 Wages - Straight Time	\$ 9,394.01	\$ 644.60	\$ 747.77	\$ 1,136.04	\$ 2,682.46	\$ 2,251.61	\$ 2,000.88	\$ 4,283.65	\$ 1,733.87	\$ 2,326.75	\$ 1,964.03	\$ 1,147.44	\$ 30,313.11	\$ 8,867.00
55-07-205-121 Wages - Overtime/Dbi	-	-	56.43	16.44	122.21	-	-	-	-	-	-	-	195.08	400.00
55-07-205-151 Employer Cont - Health	-	-	-	-	-	-	-	-	-	-	-	7,924.72	3,976.00	-
55-07-205-152 Employer Cont - Life	-	-	-	-	-	-	-	-	-	-	-	10.32	10.32	-
55-07-205-153 Employer Cont - Dental	-	-	-	-	-	-	-	-	-	-	-	538.89	190.00	190.00
55-07-205-154 Employer Cont - Ret	-	-	-	-	-	-	-	-	-	-	-	3,258.80	982.00	982.00
55-07-205-155 Employer Cont - FICA	-	-	-	-	-	-	-	-	-	-	-	2,291.44	708.00	708.00
55-07-205-157 Employer Cont - Vision	-	-	-	-	-	-	-	-	-	-	-	67.84	26.00	26.00
55-07-205-161 Employer Cont - WC	-	-	-	-	-	-	-	-	-	-	-	1,045.63	344.00	344.00
55-07-205-216 Prof SVCS-Management	-	-	-	-	-	21,450.00	-	10,725.00	10,725.00	350.00	-	-	350.00	-
55-07-205-221 Utility - Telephone	-	-	-	-	20.86	(20.86)	-	-	-	-	-	-	42,900.00	42,900.00
55-07-205-223 Utility - Electricity	-	297.01	195.93	411.23	465.00	1,291.32	1,476.43	1,647.05	1,570.80	1,609.26	670.49	891.76	10,526.28	10,500.00
55-07-205-224 Utility - Heat	-	80.15	90.10	53.21	46.78	33.53	41.34	78.26	70.44	62.71	60.53	157.06	774.11	700.00
55-07-205-225 Utility - Water/Sewer/Hyd	56.40	72.94	72.94	72.94	79.24	342.28	(93.61)	142.73	142.73	133.53	110.58	89.48	1,222.18	2,500.00
55-07-205-240 Repair/Maint-Buildings	1,482.89	-	111.52	-	-	551.90	57.85	263.13	-	-	-	72.54	2,539.83	3,500.00
55-07-205-242 Repair/Maint-Specialized	-	-	-	-	-	-	53.46	329.93	-	375.00	-	-	758.39	200.00
55-07-205-251 Pmts to Other Municipal	-	-	-	-	-	-	2,400.00	-	-	-	-	-	2,400.00	2,400.00
55-07-205-291 Other Services - Printing	290.00	-	-	-	-	-	278.31	-	-	91.00	-	-	659.31	700.00
55-07-205-293 Other Services - Advert	280.00	-	-	-	-	-	-	-	-	-	-	-	280.00	900.00
55-07-205-295 Other Services - Veh/Eq	714.31	-	23.11	485.40	388.19	3,363.38	712.43	1,017.92	451.42	466.30	461.87	26.93	8,111.26	4,600.00
55-07-205-300 Supplies - Department	28.08	16.38	-	31.98	153.61	1,282.63	483.23	345.68	135.88	-	2,776.19	-	5,177.22	1,200.00
55-07-205-311 Supplies - Postage	-	-	-	21.22	36.70	70.40	634.29	35.26	3,259.89	-	69.29	0.32	4,075.49	800.00
55-07-205-313 Supplies - Housekeeping	-	-	150.00	-	-	299.00	-	16.77	171.43	-	-	118.13	434.65	600.00
55-07-205-320 Dues/Members/License	-	-	-	-	-	32.60	-	-	-	-	-	-	481.60	400.00
55-07-205-381 Motorized Equipment	130.00	-	-	-	-	17,937.42	27,226.34	33,798.39	24,976.63	11,796.15	-	-	119,924.04	122,400.00
55-07-205-513 Insurance Property	13,206.92	5,051.56	-	-	4,582.54	-	-	-	-	-	-	-	130.00	130.00
55-07-205-822 Capital Projects-Const	-	-	-	-	-	-	-	-	-	-	-	-	22,841.02	35,000.00
TOTAL	\$ 25,582.61	\$ 6,162.64	\$ 1,447.80	\$ 2,228.46	\$ 12,766.70	\$ 48,852.61	\$ 32,870.95	\$ 54,817.98	\$ 40,276.59	\$ 20,470.59	\$ 6,112.98	\$ 17,641.30	\$ 269,231.21	\$ 244,923.00

B3) What Department or person has access to the Marina Fund: Brian Tungate, Robert Huss, Diane Schabach and Thomas Stoffel

B4) Where do the funds come from: User Charges

B5) Date when the Fund was created: 1987

C1) Date of creation of the Marina TIF: 1986 for TIF # 1

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C3) Dollar amount invested: \$3,370,000

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MEMORANDUM

To: Mayor and Common Council

From: PRD Tungate

Date: April 29, 2008

RE: Council Directive from Alderman Zielinski

This correspondence is in response to questions raised about check #16472 issued to Beck Electric for \$3,264.68. This payment was for budgeted work done to repair conduit, sealing junction boxes and raising the boxes up at the Marina. These boxes feed the power pedestals. The boxes have occasionally been under water during periods of high water which necessitated the need for the work.

As described in detail in the attached e-mail from Public Works Superintendent Jacobson, Parks Superintendent Huss and Assistant Superintendent of Buildings and Parks Alix. The city has enjoyed a longstanding business relationship first with Becker Electric and then Beck Electric. Beck Electric is owned and operated by Mike Beck. Mr. Beck is a city resident who has invaluable knowledge of the city's electrical systems. The city receives very timely routine and emergency services from Beck Electric. Mr. Beck has saved the city a great deal of money over the years. He has also donated a lot of time to help set up for city events.

It is for these reasons that our department had Beck Electric perform recent work at the Marina without obtaining written quotations and a purchase order. Staff has periodically compared Beck Electric rates with other contractors. Their rates have always been very competitive, usually much lower than others. I concur with the thoughts expressed by Tim Jacobson, Bob Huss and Adam Alix and believe that the manner in which we do business with Beck Electric is in the best interest of the city taxpayer.

-----Original Message-----

* **From:** Timothy Jacobson

Sent: Tuesday, April 29, 2008 3:34 PM

To: Robert Huss; Adam Alix; Brian Tungate

Cc: Mark Radtke

Subject: RE: Council Directives

This goes back many many many years. I've been employed by the City of Menasha for over 31 years. Since that time and I'm sure before as well the City of Menasha used Becker Electric (a prominent downtown business) for all electrical work. There has always been a commitment by the local government to patronize city businesses as long as they remained competitive. While Becker Electric was operating Tom Becker and Mike Beck would always "take care of the city" under the watchful eyes of Elmer. This trio saved the city a lot of money from Elmer finding the decorative light poles downtown for quite a bit less than expected to having Tom and Mike build the alarm system (30 years ago) for the sewage lift stations. After Becker Electric closed Mike started his own business and has kept with the tradition of providing quality service at competitive costs, in fact we don't see some costs because of his dedication to the community.

Tim Jacobson
Public Works Superintendent
City of Menasha
455 Baldwin St.
Menasha, WI 54952
920-967-5160
tjacobso@ci.menasha.wi.us

-----Original Message-----

*

From: Robert Huss

Sent: Tuesday, April 29, 2008 1:29 PM

To: Adam Alix; Brian Tungate

Cc: Timothy Jacobson; Mark Radtke

Subject: RE: Council Directives

I have been employed with the City of Menasha since November of 2000. One of my duties as the Assistant Street Superintendent was to process the invoices for payment. Being the new guy I questioned a lot of the invoices and the services much like the new Council members are doing now. I think it is a great exercise to go through and it gives you a greater understanding of why things are the way they are. When I started Becher Electric was our electrician of choice and since they went out of business it has been Beck Electric. Mike Beck has been the constant in both of these companies. I have seen time and again how devoted he is to the City of Menasha as a contractor as well as a taxpayer. I am constantly amazed at the knowledge he has of all facets of the City's electrical systems from the lift stations to the Marina and everything in between. Mike has proved to be a wealth of knowledge that we have tapped into many times at no cost to the tax payers. He has taken care of many of the City's needs at events on a volunteer basis. As far as his rates go I have checked around periodically and found him to be very competitive. I have

never seen us being charged anything but the flat rate no matter what weird hours we have called him. I realize as a supervisor I may not always follow our policy. In my opinion it is a good thing I don't. If I did things would not always get done on a timely basis or at a reasonable price. Sometimes you just have to trust the people you hired to do what is in the best interest of the taxpayers. I would be happy to speak to the Council on the experiences I have had with response time, knowledge, and quality of work from Mike Beck.

-----Original Message-----

* **From:** Adam Alix
Sent: Tuesday, April 29, 2008 12:36 PM
To: Brian Tungate; Robert Huss
Cc: Timothy Jacobson; Mark Radtke
Subject: RE: Council Directives

Morning,

For as long as I can remember, Becher Electric and then Beck Electric has been the City's choice for its electrical work. With Mike Beck being a principal party in both organizations. Not only have they resided within the City but they have always shown that their interests lie with what is best for the City and its residents, which includes them. The fact that they have been our primary electrical vendor has proven invaluable over the years when we had to troubleshoot problems as they recall the where, the how and the why as you would with any project within your own home. I really believe that we get our best value for electrical services with Beck electric.

Further proof, for me, was evident back in 2004 while Mike Beck was unable to work due to some health issues. We had an electrical contractor working on our remodeling projects take care of a few issues for us at the Public Protection Facility. The response time wasn't what I had expected and the cost to complete a rather simple task of obtaining and replacing a ballast in a exterior fixture ended up costing us approximately \$185. Four years later Beck Electric did the same work but for three different light fixtures at a cost of just over \$225. Four years ago this contractor's labor rates were \$44 (journeymen/helper) and \$55 (master/lead) as compared to \$54 for Mike(one man show back then). Beck Electric's rates currently are \$58 for the help and \$60 for Mike.

I am certain Beck Electric's rates are well within line with the rest of the valley. And with their response times to address emergency type work for us within the City why would we want to look anywhere else for an electrical contractor.

Adam

ARTICLE XII - PURCHASING POLICY

- A. Purchasing of like materials will be done for all departments by one (1) person; i.e., office supplies by Finance Department, janitorial supplies by Building Services Superintendent.
- B. Department employees can make purchases of up to \$1,000.00, which have been budgeted, with Department Head authorization. The Department Head is responsible to determine that a reasonable effort has been made to secure the best possible price. Some equipment, tools or fixtures are listed in the City inventory. The Department Head is responsible to contact the Treasurer to report such items or to determine if such item must be placed in the City inventory.
- C. Purchases over \$1,000.00 to \$2,000.00 require at least two oral quotations and a purchase order.
- D. Purchases of \$2,000.00 require two written quotations and a purchase order.
- E. All employees authorized to make purchases for the City shall instruct vendors to address billing/invoices to the City of Menasha Finance Department. The shipping address for purchases can be different from the billing/invoice address.
- F. Any exceptions to the aforementioned Purchasing Policy will require the written approval of the Mayor and/or Comptroller.