

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.

AMENDED

CITY OF MENASHA
Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
June 2, 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, 5/19/08

[Attachments](#)

B. Special Common Council, 5/19/08

[Attachments](#)

Minutes to receive:

C. Administration Committee, 5/19/08

[Attachments](#)

D. Board of Public Works, 5/19/08

[Attachments](#)

E. Board of Health, 4/9/08

[Attachments](#)

F. IT Steering Committee, 4/16/08

[Attachments](#)

G. Landmarks Commission, 4/23/08

[Attachments](#)

H. Library Board, 5/15/08

[Attachments](#)

I. N-M Sewerage Commission, 4/22/08

- J. NM Fire Rescue, 5/27/08; Finance and Personnel Committee [Attachments](#)
- K. NM Fire Rescue, 5/28/08; Joint Fire Commission [Attachments](#)
- L. Plan Commission, 5/20/08 [Attachments](#)
- M. Police Commission, 5/15/08 [Attachments](#)
- N. Safety Committee, 4/2/08; City Hall [Attachments](#)
- O. Safety Committee, 4/17/08; Police [Attachments](#)
- P. Safety Committee, 4/29/08; Public Works and Parks [Attachments](#)

Communications:

- A. Cities and Villages Mutual Insurance Company, 5/19/08; Certificate of Attendance for Jeff Brandt in the Contractual Risk Transfer training [Attachments](#)
- B. Cities and Villages Mutual Insurance Company, 5/19/08; Certificate of Attendance for Jeff Brandt in the Introduction to Succession Planning training [Attachments](#)
- C. Heckrodt Wetland Reserve, 5/29/08; *Fox Cities Passport to Nature* Brochure [Attachments](#)
- D. Menasha Utilities, 4/08; Steam detail for the four months ending April 30, 2008 [Attachments](#)
- E. Menasha Utilities, 5/20/08; Letter from McMahon regarding Water Treatment Plant Modifications [Attachments](#)
- F. AP Beckendorf, 5/29/08; Plan Commission Resolution 01-2008 [Attachments](#)
- G. Public Works Facility, 5/19/08; Jan-April 2008 Disposal Violations [Attachments](#)
- H. CDD Keil, 5/23/08; TIF District Maps (Ald. Taylor request) [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. Accept resignation letter of Amy Ristow from the Police Commission [Attachments](#)
- B. Mayor's Appointment to the Police Commission: [Attachments](#)
 - 1. Craig Wussow, 608 First St., for the term of June 2, 2008 - May 1, 2010
- C. Mayor's Committee Appointment
 - 1. Approval of appointment of Alderman Jason Pamenter to the Landmarks Commission (April 2008-April 2009)
 - 2. Approval of appointment of Alderman Dan Zelinski to the NM Fire Rescue

Joint Finance & Personnel Committee (April 2008-April 2009)

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. 5/20/08; Recommends that the city retain ownership of 81 Racine and 504 Broad with the understanding that staff will work with the businesses desiring parking to identify needs and alternatives. [Attachments](#)

2. 5/20/08; recommends approval of the transfer of Outlot 1 of Southfield West plat for stormwater pond purposes. [Attachments](#)

B. Administration Committee:

1. Accept Report on 2008 Financings for Capital Projects and Refinancing Existing Debt - Carol Wirth, RBC Capital Markets (documentation to be available at meeting) [Attachments](#)

2. Licenses: Renewal liquor and malt beverage applications on file for the licensing year July 1, 2008-June 30, 2009 [Attachments](#)

3. Offer to Purchase for 81 Racine Street and 504 Broad Street, Parcels #71-0006200 & #71-000610, Riverside Builders, Inc. not to exceed \$36,000 (Held 5/19/08) [Attachments](#)

4. Accounts payable and payroll for 5/20/08-5/29/08 in the amount of \$973,452.48 [Attachments](#)

C. Board of Public Works:

1. Street Use Application - Communityfest Parade; Thursday, July 3, 2008; 7:00 PM - 10:15 PM (Communityfest Committee) [Attachments](#)

2. Change Order - CD Smith Construction, Inc.; Water Treatment Plant Modifications; Contract Unit No. M002-940266.02; Add: \$4,104.00 (Change Order No. 15) [Attachments](#)

3. Recommendation to Reject Bids, Contract Unit No. PRD 2008-02; Pleasants Park Tennis Courts Armor Crack Repair and Color Coating [Attachments](#)

4. Request for Change Order to Eliminate Pedestrian Trail Connecting Tana Lane and Lugano Street; Contract Unit No. 2008-01

5. Request to Change Lugano/Tana Trail from 8' Wide Asphalt Trail to 5' Wide Concrete Walk (Held) [Attachments](#)

6. Authorization to Execute WisDOT Bridge Operation Agreement for Fiscal Year 2009 [Attachments](#)

10. ORDINANCES AND RESOLUTIONS

A. O-7-08 - An Ordinance Relating to Construction Site Erosion Control [Attachments](#)

B. O-8-08 - An Ordinance Relating to Outdoor Food and Alcoholic Beverages Service [Attachments](#)

11. HELD OVER BUSINESS

- A. Motion to remove from table - Request of Wiseguys Pizzeria & Pub to serve alcohol beverages and food on their outside patio from May 19-Oct. 31, 2008 (Ald. Benner) [Attachments](#)

12. COUNCIL DIRECTIVES

- A. CA/HRD Brandt - Motions to hold vs. Motions to table (Ald. Taylor) [Attachments](#)
- B. 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 timelines. (Ald. Taylor)
- C. CDD Keil - Update on Planning Grant for Gilbert Site (Ald. Taylor)
- D. CDD Keil - Explanation of fence issue on the corner of 2nd Street and Racine Street. (Ald. Taylor)
- E. Comp Stoffel - Information on TIF #3, date created, retirement date, expenditures. (Ald. Taylor) [Attachments](#)

13. CITIZEN REPRIZE (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

MEETING NOTICE: June 16, 2008

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
May 19, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Mayor Merkes at 8:00 p.m.

2. PLEDGE OF ALLEGIANCE

A. [Pledge of Allegiance](#)

3. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

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

4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 5/5/08](#)

Moved by Alderman Pack, seconded by Alderman Hendricks to approve Common Council Minutes

Discussion: Ald. Taylor-Item #12D, instruct Clerk to add sentence there will be a balance due when TIF #2 is retired.

Motion Carried on voice vote

Results:

Minutes to receive:

B. [Administration Committee, 5/5/08](#)

C. [Board of Public Works, 5/5/08](#)

D. [Plan Commission, 5/6/08](#)

E. [Parks and Recreation Board, 4/14/08](#)

Communications:

A. [Comp Stoffel, 5/12/08; Payments to Beck Electric](#)

B. [Waverly Sanitary District, 4/8/08](#)

C. [School Nutrition Association of WI to PHN Nett, 5/15/08; Thank you](#)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve Minutes to Receive B-E and Communications A-C

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](#)

Guy Heggs, 1355 Dunning Street. Encourage Council to attend Menasha School Board meeting, issues with books available in school library.

Paul Eisner, 1807 Brighton Beach. Winn County Board of Supervisors scholarship winners; holding informational meetings for residents on June 16.

Dan Zelinski, 641 Paris Street. Status of fence on corner of Racine & 2nd St.

Dan Scharenbrock, 1012 Lugano. Opposed to Lugano/Tana trail.

Larry Briar, 1016 Lugano. Opposed to Lugano/Tana trail

Brad Buchanan, Vice-President, North Star Asset Mgmt. Sale of 81 Racine Street, support growth in Menasha.

Rick & Renee Brey, owners Nauts Landing. Ordinance O-8-08, questions on changes.

James Taylor, 340 Broad Street. Community Forward sponsoring upcoming event downtown.

Mary Nebel, 713 1st Street. New Community Enforcement Program good asset to community.

Vern Larsen, 59 Racine Street. Sale of 81 Racine Street, help keep business in Menasha.

Michael Taylor, American Legion Post 152. Neenah-Menasha Memorial Day Parade.

6. APPOINTMENTS

A. [Mayor's Appointments to the Protocol Committee:](#)

[1. Ald. Hendricks, Ald. Wisneski, Police Chief Stanke, Attorney Brandt and Mayor Merkes](#)

Moved by Alderman Pack, seconded by Alderman Taylor to approve appointments

Motion Carried on voice vote

Results:

7. CLAIMS AGAINST THE CITY

A. [Tracy Strasler Claim \(No Action\)](#)

CA/HRD Brandt explained the claims procedure. CVMIC handles claims.

8. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. [None](#)

9. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. [Plan Commission:](#)

[1. 5/6/08; No recommendations](#)

B. [Administration Committee:](#)

[1. Accept quote of The Post Crescent as the official City newspaper, May 2008-May 2009](#)

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to accept quote of The Post Crescent

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

2. Approval of Consulting Agreement with McClone Agency, Inc. for the period July 1, 2008 to June 30, 2009, and authorize signature

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to approve Consulting Agreement with McClone Agency

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

3. Declaration of Official Intent 2008-02, Lake Park Heights, Walker and Northridge Manor II Subdivisions Street Construction.

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to approve Declaration of Official Intent

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

4. Offer to Purchase for 81 Racine Street and 504 Broad Street, Parcels #71-0006200 & 71-000610, Riverside Builders, Inc, not to exceed \$36,000.

Held in Administration Committee

5. Request of Wiseguys Pizzeria & Pub to serve alcohol beverages and food on their outside patio from May 19 - Nov. 1, 2008 (Held 5/5/08)

Moved by Alderman Michalkiewicz, seconded by Alderman Benner to move to table

Roll Call:

AYES: Benner , Michalkiewicz , Pack , Pamerter , Taylor , Zelinski (6)
NAYS: Hendricks , Wisneski (2)

6. Accounts payable and payroll for 5/8/08 - 5/15/08 in the amount of \$507,114.03

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to approve accounts payable and payroll

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

C. Board of Public Works:

1. Street Use Application - Steak Fry for Boaters & Guests; Saturday, June 14, 2008; 4:00 PM - 10:00 PM (City of Menasha Marina)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve Street Use Application

Motion Carried on voice vote

Results:

2. Street Use Application - Labor Day Corn Roast for Boaters & Guests; Saturday, August 30, 2008; 4:00 PM - 10:00 PM (City of Menasha Marina)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve Street Use Application

Motion Carried on voice vote

Results:

3. Payment - DeGroot, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3; Contract No. E145-07-01C Sanitary Sewer Replacement; \$179,595.05 (Payment No. 1)

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to approve payment-DeGroot, Inc

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

4. Payment - Infrastructure Technologies; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3; Contract No. E145-07-01D Sanitary Manhole Lining; \$30,495.91 (Payment No. 2)

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to approve payment-Infrastructure Technologies

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

5. Recommendation to Award - Badger Highways, Inc.; Contract Unit No. 2008-01; Lake Park Heights Subdivision, Walker Subdivision, Northridge Manor Subdivision and First Street from DePere Street to Ice Street - New Street Construction - Concrete Curb and Gutter/Asphalt Pavement; Street Reconstruction - Concrete Curb & Gutter/Asphalt Pavement; \$795,137.13

Moved by Alderman Pack, seconded by Alderman Wisneski to approve Recommendation to Award-Badger Highways, Inc.

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

6. Request for Street Light at Northridge Court/Highridge Drive and North End of Northridge Court (Held)

Moved by Alderman Pack, seconded by Alderman Wisneski to approve installation of street light immediately

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

7. Request to Change Lugano/Tana Trail from 8' Wide Asphalt Trail to 5' Wide Concrete Walk

Held in Board of Public Works

10. ORDINANCES AND RESOLUTIONS

A. O-5-08 - An ordinance relating to Operators' Licenses

Moved by Alderman Pack, seconded by Alderman Wisneski to adopt O-5-08

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

B. O-6-08 - An ordinance relating to site, architectural, landscaping and lighting plan review

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to adopt O-6-08

Roll Call:

AYES: Benner , Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (8)
Zelinski

C. 0-7-08 An Ordinance Relating to Construction Site Erosion Control

No Action

D. O-8-08 - An Ordinance Relating to Outdoor Food and Alcoholic Beverages Service

Moved by Alderman Pack, seconded by Alderman Taylor to hold O-8-08

E. R-12-08 - Proclamation for National Public Works Week, May 18-24, 2008

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to adopt R-12-08

Motion Carried on voice vote

Results:

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 timelines. (Ald. Taylor)

CDD Keil reported the cost estimates for various site improvements to the property would be around \$15,000. The time line for completion of the work is 60-90 days. Transfer of the property to the RDA would require Council approval. The removal of the telephone pole by AT&T would be 60-90 days. Ald. Taylor explained a little back history on the project and RDA recommendations.

B. Comp Stoffel - Information on TIF #2, date created, retirement date, expenditures. (Ald. Taylor)

C/T Stoffel explained the timeline of revenues and expenditures. TIF #2 was created in 1987. The retirement date is 2013. All bond debt is paid, however there is approximately \$115,000 still owed to taxpayers. Approximately \$60,000 is paid back each year.

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

Vern Larsen, 59 Racine Street. What happens with Offer to Purchase for 81 Racine and 504 Broad Street.

14. ADJOURNMENT

A. Adjournment

Moved by Alderman Pack, seconded by Alderman Taylor to adjourn at 8:55 p.m.

Motion Carried on voice vote

Results:

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

DRAFT

CITY OF MENASHA
Special Session Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
May 19, 2008

MINUTES

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1. CALL TO ORDER

Meeting Called to Order by Mayor Merkes at 6:34 p.m.

2. PLEDGE OF ALLEGIANCE

A. [Pledge of Allegiance](#)

3. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

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

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

DEPT. HEAD EXCUSED: PHD Nett

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

Five (5) minute time limit for each person

A. [Public comments only pertaining to appointment of District 1 Alderman](#)

Renee Brey, owner of Nauts Landing. Support Jason Pamerter for Alderman.

Eileen Rutten, 10 Main Street. Support Jason Pamerter for Alderman.

Dick Malueg, 163 Marina Place. Support Jason Pamerter for Alderman

5. DISCUSSION

A. [Presentation by candidates for District 1 Alderman:](#)

[1. Gordon Eckrich](#)

[2. Scott Francis](#)

[3. Chris Klein](#)

[4. Jason Pamerter](#)

[5. Tim Maurer](#)

Each candidate gave a brief history of themselves and their interest in serving as alderman for District 1. Candidates answered questions from Council members.

6. ACTION ITEMS

A. [Appointment of District 1 Alderman](#)

Clerk Galeazzi took a roll call for appointment of District 1 Alderman

Roll call result: Ald. Taylor, Wisneski, Hendricks, Benner – Jason Pamerter

Ald. Pack, Michalkiewicz – Tim Maurer
Ald. Zelinski – Gordon Eckrich

Jason Pamenter was declared the winner and new District 1 Alderman.

7. ADJOURNMENT

A. Adjournment

Moved by Alderman Wisneski, seconded by Alderman Taylor to adjourn at 7:30 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
May 19, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Chairman Wisneski at 5:30 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

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

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Administration Committee Minutes, 5/5/08](#)

Moved by Alderman Pack, seconded by Alderman Taylor to approve Administration Committee Minutes,
5/5/08

Motion Carried on voice vote

Results:

4. DISCUSSION

A. [Presentation of Patriot Award to Park Superintendent Bob Huss from Employer Support of the Guard and Reserve](#)

Leroy Brohm from ESGR committee presented and read the Patriot Award plaque to Park Superintendent Bob Huss. Pk, Supt Huss was nominated by Park employee Glen Pemrich who is a member of the Wisconsin National Guard and is currently serving with the National Guard. The award is presented to an employer who has supported their employee who serve their country during war time. Mr. Brohm also presented a plaque to Mayor Merkes for display at City Hall.

B. [Accept quote of The Post Crescent as the official City newspaper, May 2008-May 2009](#)

CA/HRD Brandt explained state statute requiring municipalities to publish council proceeding and other City advertising in a daily and/or weekly newspaper. Quotes need to be obtained. The Post Crescent was the only newspaper that submitted a quote.

C. [Approval of Consulting Agreement with McClone Agency, Inc. for the period July 1, 2008 to June 30, 2009, and authorize signature](#)

CA/HRD Brandt explained the agreement with McClone Agency is the same as previous years. The renewal

fee of \$2,000 has not changed since 1993 when the City first entered into a Consulting Agreement with McClone Agency. When asked about the City having all their insurance with McClone, CA/HRD Brandt explained the different types of insurance coverage the City has. Also the City has saved premiums through CVMIC and will be receiving bond refunds.

D. Declaration of Official Intent 2008-02, Lake Park Heights, Walker and Northridge Manor II Subdivisions Street Construction.

No Questions or Discussion.

E. Offer to Purchase for 81 Racine Street and 504 Broad Street, Parcels #71-0006200 & 71-000610, Riverside Builders, Inc, not to exceed \$36,000.

Discussion ensued on supporting local business; parcels are part of the main corridor to the downtown area, need to look at all options; current price being offered doesn't cover cost put into clearing parcels; Plan Commission should review offer.

Moved by Ald. Michalkiewicz, seconded by Ald. Pack to refer Offer to Purchase to Plan Commission and hold item in Administration Committee.

CA/HRD Brandt explained the motion is not germane.

Ald Michalkiewicz and Ald. Pack withdrew motion.

Moved by Ald. Michalkiewicz, seconded by Ald. Pack to hold item.

F. O-8-08 - An Ordinance Relating to Outdoor Food and Alcoholic Beverages Service

This ordinance will clean up some inconsistencies with the current ordinance relating to serving food and/or alcoholic beverages on decks and/or patios and beer gardens.

Discussion ensued on changes to the ordinance and how it will affect businesses.

G. Request of Wiseguys Pizzeria & Pub to serve alcohol beverages and food on their outside patio from May 19-Oct. 31, 2008 (Held 5/5/08)

Brenda Jorgenson from Wiseguys Pizzeria presented a plan showing where the deck will be located and how it will be set up.

Discussion ensued on if the plan will follow the requirement of the proposed ordinance O-8-08.

6:30p.m. – Recessed to the Special Common Council meeting

7:38p.m. – Reconvened

H. R-12-08 - Proclamation for National Public Works Week, May 18-24, 2008

No Questions or Discussion.

I. Accounts payable and payroll for 5/8/08 - 5/15/08 in the amount of \$507,114.03

Ck. #16836-Orbit Screens-\$65,775.00 – screening plant for asphalt (budget item)

Ck. #16879-Dumke & Assoc.-\$2,977.75 – rent for Health Dept.

5. ADJOURNMENT

A. Adjournment

Moved by Alderman Pack, seconded by Alderman Taylor to adjourn at 7:41 p.m.

Motion Carried on voice vote

Results:

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

DRAFT

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers, 140 Main Street, Menasha, WI
May 19, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Chairman Pack at 7:42 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. -

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

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

A. [May 5, 2008](#)

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to approve minutes of May 5, 2008

Motion Carried on voice vote
Results:

4. DISCUSSION

A. [Street Use Application - Steak Fry for Boaters & Guests; Saturday, June 14, 2008; 4:00 PM - 10:00 PM \(City of Menasha Marina\)](#)

DPW Radtke explained the closing of the street will be the intersection of Main and Center Street by the Marina office. Will not affect any other area of Main Street.

B. [Street Use Application - Labor Day Corn Roast for Boaters & Guests; Saturday, August 30, 2008; 4:00 PM - 10:00 PM \(City of Menasha Marina\)](#)

No Questions or Discussion

C. [Payment - DeGroot, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3; Contract No. E145-07-01C Sanitary Sewer Replacement; \\$179,595.05 \(Payment No. 1\)](#)

No Questions or Discussion

D. [Payment - Infrastructure Technologies; City of Menasha Wastewater Collection System Rehabilitation Improvements Project - Phase 3; Contract No. E145-07-01D Sanitary Manhole Lining; \\$30,495.91 \(Payment No. 2\)](#)

No Questions or Discussion

E. Recommendation to Award - Badger Highways, Inc.; Contract Unit No. 2008-01; Lake Park Heights Subdivision, Walker Subdivision, Northridge Manor Subdivision and First Street from DePere Street to Ice Street - New Street Construction - Concrete Curb and Gutter/Asphalt Pavement; Street Reconstruction - Concrete Curb & Gutter/Asphalt Pavement; \$795,137.13

DPW Radtke explained they received very competitive bids for this project. It will be slightly above budget due to cost of asphalt and fuel. There was a savings on the pulverizing of the street. There are extra funds available for this work. The Water Utilities will need to do some repair work on water mains on Konemac Street

F. Request for Street Light at Northridge Court/Highridge Drive and North End of Northridge Court (Held)

Discussion ensued on placing street lights at the intersection and an additional light at the north end of Northridge Court to be done before completing the construction of new street, curb and gutter. One existing street light would be relocated to one of these new locations resulting in a net addition of one light.

G. Request to Change Lugano/Tana Trail from 8' Wide Asphalt Trail to 5' Wide Concrete Walk

Ald. Benner explained a petition has been signed by residents in the subdivision and a majority of them do not want a sidewalk and/or trail.

Moved by Ald. Benner, seconded by Ald. Taylor to hold.

H. 0-7-08 An Ordinance Relating to Construction Site Erosion Control

No Questions or Discussion

5. ADJOURNMENT

A. -

Moved by Alderman Michalkiewicz, seconded by Alderman Hendricks to adjourn at 7:55 p.m.

Motion Carried on voice vote

Results:

Deborah A. Galeazzi

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Board of Health
Health Department 316 Racine St. Menasha WI 54952
April 9, 2008

MINUTES

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1. CALL TO ORDER

Meeting called to order by Chairman C. Rusin at 8:16 AM. Members present: Candyce Rusin, Dorothy Jankowski, Lori Asmus, Dr. Teresa Shoberg, Susan Nett.

2. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [March 12, 2008 Board of Heath Meeting](#)

Moved by Dorothy Jankowski, seconded by Lori Asmus to approve Minutes

Motion Passed

Results:

3. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. [March 2008 Communicable Disease Report](#)

S.Nett gave a report on the communicable disease numbers for the month of March. All of the reportable diseases for this month were sexually transmitted diseases.

B. [School Based Clinics - Update](#)

The health department has scheduled immunization clinics in the schools during the month of April to help families meet the new vaccine requirements for the coming school year. To date, parental response on returns of consent forms has been low. A second memo will be sent out to parents before the end of the week.

C. [Fox Valley Consortia Preparedness Carry -Over Funds - Update](#)

S. Nett updated board members on the carry-over funds from the preparedness grant. The state has sent out an approved list of uses for the monies. The carry-over funds can be targeted toward the purchase of radios, updating the EOC, copiers/printers for making educational booklets and pamphlets to be distributed to the public, mass clinic supplies such as a portable lap top and portable printer as well as medical supplies, etc. As soon as the finance department verifies the amount for carry-over, we can begin to use the funds.

D. [2008 Burden of Diabeties in Wisconsin](#)

S. Nett shared a report recently received from the state on the burden of diabetes in Wisconsin. This report targeted the adult population and shows an increase in adults who have been diagnosed with diabetes.

E. [Special Populations Project Update](#)

An update on the special populations project for emergency preparedness in Winnebago County was given. To date, the special populations have been identified along with those groups who provide services to a specific special population. A database with contact information has been developed and distributed to each health department in Winnebago County. In addition, pandemic flu information kits were assembled and distributed to the WIC population. The committee has approved the next distribution of kits to the elderly populations and will be distributed at the senior centers in the county and at the elderly meal sites. S. Nett was asked about the special populations for Calumet County. This will be the next part of the project to complete for Menasha.

F. [2007 WI Act 130](#)

S. Nett provided information to board members on the recently passed 2007 Wisconsin Act 130. This law will now allow the local health officer or designee to request a special inspection warrant if needed when investigating human health hazards. This law also allows state agency status for physicians who provide advisory services to a local health department.

G. [2007 WI Act 120](#)

S. Nett updated board members on the recently passed 2007 Wisconsin Act 120 which now allows public health nurses to certify individuals for disability permits from the Department of Transportation.

H. [2007 - 2008 Legislative Grid](#)

S. Nett shared with board members the 2007-08 Legislative Grid of Assembly and Senate bills pertaining to health and safety that were introduced and either passed or didn't.

4. ACTION ITEMS

A. [2009 Winnebago County Committee on Aging Grant](#)

The grant application for 2009 was received from Winnebago County this past week. A letter sent with the application requests there be no increase in grant funding based on 2008 approved grant funds. S. Nett related she had been in contact with a member of the County Committee on Aging and asked if the application would be rejected if an increase in funds for 2009 was requested. The answer was we can only award what funding we have available. Consensus of the board members was to ask for a 3% increase as that is normally the pay increase our staff receives.

B. [Election of Officers](#)

Moved by Dorothy Jankowski, seconded by Dr. Teresa Shoberg to move to nominate C. Rusin as chairman and L. Asmus as vice chairman

S. Nett volunteered to continue as secretary.

Motion Passed
Results:

5. HELD OVER BUSINESS

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

Moved by Lori Asmus, seconded by Dorothy Jankowski to recommend to the common council for approval mobile home park fees for the licensing period 7-1-08 to 6-30-10 (2 year license)

S. Nett explained this is a two year license with pass through fees to the Department of Commerce (\$370). The proposed fee shows a 5% increase to cover personnel increases related to salary and health insurance over the course of the next two years.

Motion Passed
Results:

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

Moved by Lori Asmus, seconded by Dorothy Jankowski to recommend to the common council for approval Agent of the State-DHFS Fees for the 7-1-08 to 6-30-09 licensing period

S. Nett reviewed the DHFS Agent of the State program with board members. Under this program all of the eating and drinking establishments, swimming and whirlpools are licensed and inspected on a regular basis to ensure compliance with state statutes. A portion of the license fee collected is reimbursed to the state per the agent contract. The health department was recently notified the reimbursement fee will double from 10% to 20% for fees collected during this licensing period payable in September 2009. S. Nett is recommending increasing the fees this licensing period 5% and then 5% for the next licensing period. L. Asmus asked how much time the sanitarian spends doing the required inspections and follow-ups. S. Nett related the time spent doing all food related and swimming pool etc. inspections has increased from 30% to 40% due to the increased complexity of the inspections and the need to assure safety for the public. S. Nett reminded the board members that if there were to be a communicable disease outbreak related to one of the food establishments, the cost to the business owner as well as the affected individuals can be quite extensive. In these situations, the business place is often closed until the outbreak is resolved and for the affected individuals, there is the time lost from work, treatment costs etc. The sanitarian carefully checks all food handling processes etc. utilizing a critical hazard analysis tool. D. Jankowski reminded board members that these fees are established to cover our time doing inspections and follow-up and the costs should not be put on the tax paying citizens of this city. Chairman C. Rusin agreed. She also felt an outbreak incident sometimes is enough to put a place out of business, and the more guidance we can provide the better. L. Asmus mentioned that these types of places serve not only the citizens of Menasha but others from surrounding communities. As for the 5% fee increase, T. Shoberg felt it was reasonable to do half of the increase now, and the remaining half at the next licensing period as a more reasonable accomodation for the businesses that are currently licensed. Board members were in consensus with this.

Motion Passed
Results:

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

Moved by Lori Asmus, seconded by Dorothy Jankowski to recommend to the common council for approval DHFS Agent of the State License Fees for Tattoo Parlors for 7-1-08 to 6-30-09 licensing period

S. Nett explained there is one tattoo/body piercing facility in Menasha currently licensed. The sanitarian is responsible for inspecting the facility for cleanliness, hygiene practices, and

compliance with state regulations which includes assuring that no minors are being served without parental consent. The health department just licenses the facility. The tattoo artists/operators must have state certification to do body piercings and tattoos. As there is the potential for transmission of bloodborne pathogens at this type of establishment the sanitarian needs to spend time during the inspection observing the tattoo artist at work and also after when doing the equipment cleaning and sanitizing. The state reimbursement fee is increasing from 10% to 20% with the next licensing period. Board members had no questions or comments.

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 Lori Asmus, seconded by Dorothy Jankowski to recommend to the common council for approval Agent of the State- Department of Agriculture, Trade, and Consumer Protection license fees for 7-1-08 to 6-30-08 licensing period

Chairman C. Rusin requested an overview of this program as a review for board members. S. Nett explained this food inspection program is very similar to the eating and drinking establishment inspection program except this is to inspect all retail food places such as grocery stores, convenience stores, bakeries, etc. The sanitarian must check for expiration dates on food packages. A recent example of an expired product on a food shelf was expired baby formula. The sanitarian ordered the item off the shelf and then needed to do follow-up to assure the product was replaced with current formula. Sometimes a repeat inspection shows the expired product is back out on the shelf. In the majority of the incidences, this is not done intentionally but rather is the result of a shelf stocker not paying attention to dates. The department also follows-up on complaints of old meat, moldy cheese etc. being sold. The DATCP is increasing their reimbursement fee from 10% to 20% with this licensing period for all new establishments and increasing the reimbursement for the existing businesses at the next licensing period. L. Asmus related she was in favor of the 5% increase now for the same reasons already stated. D. Jankowski reiterated the cost of these inspections needs to come from the businesses and not the taxpayers. Chairman C. Rusin asked if this inspection program was part of the 40% time previously mentioned. S. Nett confirmed it was.

Motion Passed
Results:

E. Aurora Community Needs Assessment Review

S. Nett discussed with board members the results of the community needs assessment by Aurora completed late last year. This survey showed the same needs as the LIFE study done in cooperation with the Fox Cities United Way in 2006. Lack of activity leading to increases in obesity, and cardiovascular problems remains a concern and is being addressed by the largely successful Walk To Win program. The health department along with the senior center, school district, and park and rec department has promoted a winter walking program at the high school, and a summer program where elementary students can earn a bike and all the safety accessories that go along with it (and an opportunity to bike with the senior citizens in their summer biking program). Access to dental care remains a big issue not only locally but statewide. The health department has successfully done a sealant program and a fluoride varnish program in the schools. Lack of access to appropriate mental health services is apparent and there are initiatives in the Fox Valley to address this situation. Board members requested updates as appropriate

6. ADJOURNMENT

A.

Moved by Dorothy Jankowski, seconded by Dr. Teresa Shoberg to move to adjourn at 9:20 AM

Motion Passed

Results:

CITY OF MENASHA
IT Steering Committee
Gegan Room, Menasha Public Library
April 16, 2008

MINUTES

 [← Back](#)  [Print](#)

1. CALL TO ORDER

Meeting called to order at 8:15 a.m. by Chairman Wisneski.

2. ROLL CALL/EXCUSED ABSENCES

Present: CHAIRMAN Wisneski, AP Beckendorf (8:35), CLERK Galeazzi, COMP Stoffel, ITMgr Lacey, PC Stanke and PWD Radtke (8:35)

Also Present: ITSupv James, PL Brunn, Mr. Larry Schmitz of Schenck Technology Solutions, Mr. Prosser of One Communications and Ms. Amy Miller, Mr. Dave Battaglia and Mr. Srikanth Gomattam of One Communications by teleconference.

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

A. [Approval of Minutes of March 11, 2008 IT Steering Committee meeting.](#)

Moved by ITMgr Lacey, seconded by PC Stanke to approve the minutes of the March 11, 2008 IT Steering Committee meeting.

Motion Carried on voice vote

Results:

Communications:

A. [Letter from One Communications of April 4, 2008](#)

CHAIRMAN Wisneski requested to have the letter from One Communications of April 4, 2008 be placed on file.

4. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. [Committee monthly update on status of projects/operations/costs](#)

ITMgr Lacey distributed the monthly report and commented on various projects; the Health Department move went well and did not require the assistance of Unitel for the telephone changeover, saving the City money; researching the possible purchase of a **Storage Area Network (SAN)** to be used to store Police Department interview videos and could be used for other storage. ITMgr Lacey is also making sure that the unit purchased would be expandable in the future; he also commented that the video equipment for taping Common Council meetings has been installed, but now a fourth camera at the rear of the room has been suggested by Tom Frantz. The Committee also discussed having a permanent projection system, such as a plasma television, as suggested in one of the original quotes for the video equipment. This would be a very bright unit and could be used with the Council Chamber lights on. This addition could help turn the Council Chambers into a training room and get more functionality out of it during the day. The City Sanitarian has been issued a tablet PC which is a portable PC that can be used like a writing tablet. This, along with his wireless printer, allows him to issue reports on the spot

and have a permanent record for filing in the office. ITSupv James is developing a replacement database to replace the "Champs" software, which is used for tracking and reporting patient's health history. When completed, this will save the City the \$4,000 annual "Champs" maintenance fee.

5. ACTION ITEMS

A. [One Communications presentation to Committee concerning telephone outages of March 26th, 29th, and April 2nd, 2008.](#)

Mr. Prosser of "One Communications" explained how a software issue took the system off line on the dates listed. This was a state-wide problem for all "One Communications" customers. New procedures are now in place which should keep this from happening again. PC Stanke commented that although it was a disruption of communications, it was a good drill for the Police Department to go through. ITSupv James suggested installing an analog line, through a different provider, at the Police Department to create some redundancy.

The Committee then was brought into the conference call with the technical staff of "One Communications" to hear further explanations of what had gone wrong and what was being done to prevent it in the future. Mr. Schmitz questioned how the problem was being addressed. The technicians explained in detail what has been done since the system went off line and the "One Communications" technicians are very confident it will not reoccur. ITSupv James stated that their proposed changes made sense. It was hard to determine that there was a problem originally because internal telephone calls would still make connection. The Menasha Utilities was also affected by this outage.

B. [Committee update and discussion on eBay sales inquiries/time commitments.](#)

ITMgr Lacey opened the discussion by explaining how time consuming it has become to list items on eBay, take pictures, and answer questions. He was looking to have departments list their own merchandise and answer the inquiries that come in. It is very labor intensive with little monetary gain for the City. Mr. Schmitz suggested that all of the items to be disposed of should be gathered up and the City should have an auction. What is left should be placed in a landfill because the public has now determined it has no value. The problem there is keeping items in storage; there is just so much available space to keep items protected. It was also discussed that perhaps the City should contract with a company to place these items on eBay. CHAIRMAN Wisneski suggested that the current City ordinance on disposal of property be reviewed by Committee members and brought back to Committee for discussion at the next IT Steering Committee meeting.

C. [Committee update and discussion on NOVUS AGENDA software.](#)

ITSupv James informed the Committee that the minutes which had not been written in NOVUS AGENDA are being transferred and the City is getting caught up. They are now searchable and fully functional. Some staff members actually enjoy doing the minutes but still find agenda building very tedious. ITSupv James feels the City is on the right track and to abandon NOVUS AGENDA would be a setback. Not only would there be a time gap in when a new software package could be implemented, but there would be new training and no guarantee that new software would work better. There is a new upgrade available through NOVUS AGENDA but that will not be implemented until all minutes are up to date. ITSupv James has created a user manual but there is still a huge workaround to get "DRAFT" written onto the minutes. There were also some complaints about the shortness of the timeout, which ITSupv James will relay to the company.

D. [Committee discussion and recommendation on next IT Steering Committee meeting date - May 21st, third Wednesday.](#)

After discussion, by consensus of the members present, the Next information Technology Steering Committee meeting will be held on Wednesday, May 21, at 8:15 AM in the Gegan Room of the Menasha Public Library.

6. ADJOURNMENT

A.

Moved by PC Stanke, seconded by ITMgr Lacey to adjourn at 9:50 a.m.

Motion Carried on voice vote

Results:

Respectfully submitted,

Thomas Stoffel
Committee Secretary

	Budget \$	YTD \$	% used YTD
Total Budget	\$380,821	\$87,070	22.86%

January 2008 through March 2008

**I.T. Department
Projects
March 11, 2008 through April 15, 2008**

- Novus Agenda assistance
- Continue monitoring virus activity and block SPAM e-mail.
- Monitor and administrate City Network.
- Monitor and administrate City phone system.
- Project and Training planning for 2008
- Work with Assessor Consultants on Assessor database.
- Common Council Video Project
- Configured and deployed new PCs for Police
- Research and analyze different options for replacement of City Finance/HR software.
- Website administration.
- Health Department move.
- Research solutions for a Storage Area Network (SAN) to accommodate long term secured storage for Police Interview Videos and City GIS maps.
- Research solutions for e-mail archiving for open records compliance.
- Transition all Mayor data instances and IT references from Joe Laux to Don Merkes.
- Deployed Tablet PC to City Sanitarian.
- Deployed new cell phones to PWF crew.
- PWF Excavation Database Project Phase 2.
- Health Department Charting/Time Reporting Database Project.

CITY OF MENASHA
LANDMARKS COMMISSION
COUNCIL CHAMBERS OR _____
DATE: 4-23-08

MINUTE NOTES
CHE—SECRETARY

0. SPECIAL MEETING

1. CALL TO ORDER

- a. TIME: 4:05 p.m.
- b. CHAIR: Patti

2. ROLL

- a. LANDMARKS MEMBERS (Mark Present or Absent)
 - i. Chair: _____
 - ii. Vice Chair: Patti Rudolph Present
 - iii. Ald. _____
 - iv. Kristi Lynch Absent
 - v. Mary Nebel Present
 - vi. Chris Evenson Present
 - vii. Charlie Cross Present
 - viii. Joe Weidert Present
- b. OTHERS PRESENT
 - i. Mayor Don Merkes
 - ii. Jessica Beckendorf
 - iii. Otter Creek representatives
 - iv. _____
 - v. _____

3. MINUTES

- a. Date(s) of meeting minutes: 4-9-08
- b. Motions:
- c. Amendments: None
 - i. Motion to approve:
 - 1. By: Mary
 - 2. 2nd: Joe
 - 3. Result: Approved

4. PUBLIC COMMENT

- a. Item: Mary—Minutes format and availability on line; Jessica to review with Chris

5. SUBSTANTIVE AGENDA ITEMS

- A. Façade Improvement Proposal—226 Main St.
 - i. Action Item
 - ii. Attachments: Proposed sample paint and design for sign; Two bids for transom window work; Photos of type of glass and lighting proposed; Grant request for front façade.
 - iii. Presenters: Jessica and Otter Creek Reps.
 - iii. Discussion: Jessica reviewed map showing building footprints and number of facades; Jessica confirmed in excess of \$10,000 available in Landmarks account; Commission reviewed Omni and Tri-City quotes for front transom windows; Sign design and color presented; Request to allow extension of iron fence, two alternative presented.
 - iv. Motion: To approve the proposed front façade improvements, including windows and sign with following specific colors: Indian bead, ryegrass, Armagnac, autumnal and firebrick, and sconce lights, and subject to compliance with other city code provisions.
 - 1. By: Joe
 - 2. 2nd: Charlie
 - 3. Result: Approved
 - v. Motion: To approve grant of \$2,500 for front façade improvements approved by commission.
 - 1. By: Mary
 - 2. 2nd: Joe
 - 3. Result: Approved
 - vi. Motion: To approve rear decorative fence extension, using either option at Otter Creek's discretion, subject to compliance with other city code provisions.
 - 1. By: Patti
 - 2. 2nd: Mary
 - 3. Result: Approved

7. ADJOURNMENT
 - a. TIME: 4:29 p.m.
 - b. MOTION
 - i. BY: Joe
 - ii. 2ND: Charlie
 - iii. Result: Approved

DRAFT
MINUTES OF REGULAR MEETING
ELISHA D. SMITH PUBLIC LIBRARY TRUSTEES
May 15, 2008

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

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

Absent: Foth, Stanke

Also present: Director Saecker, J. Bongers (Head of Adult & Technical Services), K. Seefeldt (Administrative Assistant), Jeff Gilderson-Duwe (Director of Winnefox Library System and Oshkosh Public Library)

Public Comment

Jeff Gilderson-Duwe, Director of Winnefox Library System and Oshkosh Public Library, introduced himself to the Board. He was aware that the Board had noted on their annual report to the State that Winnefox Library System failed to provide effective leadership and adequately meet the needs of our Library. His purpose in attending this meeting was to discuss the Board's reasons for this. President Fuchs clarified that our Board felt that it was not in the best interest of our library to have one individual serving the dual role of director of the library system and the Oshkosh Public Library. Gilderson-Duwe noted that this issue was addressed and resolved by the Winnefox Board prior to his being hired to fill the dual position. He also noted that an independent study of the library system was conducted last year that included questions pertaining to this issue. The majority of member libraries responded that this was no longer a concern. If this continues to be a concern for our Board, he recommended that they address the issue at a Winnefox Library System Board meeting.

Sue Werley joined the meeting at 4:39 p.m.

There was a consensus from the Board to survey other member libraries to see if they support a change in the organizational structure of the dual directorship position.

Authorization of Bills

1. Motion to authorize payment of the May list of bills from the 2008 budget by Eisen, seconded by Englebert and carried unanimously.

Consent Business

2. Approve minutes from the Library Board meeting of April 17, 2008.

Motion

Motion to approve the minutes from the Library Board meeting of April 17, 2008 by Werley, seconded by Eckstein, and carried unanimously.

Director's Report/Information Items

3. Statistics. Statistics continue to be outstanding. April lending was up 22.7% overall from last year. Adult book circulation was up 16.8%, while children's books had an increase of 45.2%.

The 1000 Books Before Kindergarten program continues to have a significant impact on circulation, as well as our on-going efforts to provide creative programming that appeals to the interests of the community.

4. Donations. \$25.00 was donated in memory of Tom Ropella for children's materials. East Central WI Regional Planning Commission donated \$50 for use of our meeting rooms during their recent relocation. Menasha-Neenah Homemakers, who have held meetings here for many years, are disbanding. They donated \$100 in appreciation for use of our meeting rooms.
5. Investments. In May we reinvested three \$5,000 CDs. Investment terms were staggered to give us flexibility if we need to have access to the funds.
6. Fox Cities Book Festival. The Book Festival exceeded all expectations. Director Saecker hopes to bring larger name authors to Menasha for the Festival in 2009.
7. Fox Cities Reads. The 2008 Fox Cities Reads concluded on a successful note on April 17th and 18th. Planning is already under way for the 2009 Fox Cities Reads.
8. COLAND Visioning Summit. Director Saecker recently attended the 2008 WI Council on Library and Network Development Strategic Visioning Summit. She expects to implement many ideas from the summit in coming years.
9. Staff Surveys. Director Saecker summarized the results obtained from a recent staff survey. Areas of concern were identified. The issue of staff morale was addressed. Director Saecker noted that a Staff Recognition Committee had recently been formed. It will be the responsibility of that committee to make recommendations to the Board on meaningful ways to recognize staff achievements. Discussion ensued.
10. Library Presentation. At a recent staff meeting, Director Saecker reviewed statistical summary results which showed that our library compared very favorably to other public libraries in the state. We excel over most of the libraries in terms of circulation per capita, hours open per week, material expenditures per capita, and collection size.
11. Trustee Essentials. This publication is produced by the Department of Public Instruction specifically for Library Board trustees. Copies of this document were issued to our Library Board members. Director Saecker will begin reviewing chapters of the document with our Board at their June meeting. Issues routinely faced by Library Boards will be discussed.

Discussion/Action Items

12. Library Board Term Limits. According to State statutes, we are not allowed as a library to have policies that limit the number of terms that a Library Board Trustee may serve. Only the Mayor or other appointing board, such as the County, may determine a limit for the number of terms served. The City of Menasha has not set term limits for any boards or commissions, therefore Director Saecker recommended that we revise our library policy to reflect this change.

Motion

Motion to amend Chapter VI, 3c to read *Members serve terms of three years on a staggered basis. Partial terms of less than three years resulting from mid-term appointments shall count as a full term* by Eisen, seconded by Werley, and carried unanimously.

13. Department Head Exemption Letters. To legally declare our department head positions as exempt, the Board must provide a letter to the City explaining how the positions fit into exempt laws. Director Saecker recommended that they cite Administrative Exemption, which includes 1) The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week; 2) The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of

the employer or the employer's customers; and 3) The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

Motion

Motion to cite Administrative Exemption as presented when declaring Department Head positions status as exempt to the City and the Department Heads by Werley, seconded by Enos, and carried unanimously.

14. Media Rating Policy Draft. In response to recent public comment, Director Saecker recommended adding language to existing library policies to restrict materials according to rating and patron age.

Motion

Motion to add *Patrons 17 or younger are prohibited from checking out R-rated movies, music CDs with parental advisory labels, or M-rated video games* by Englebert, seconded by Enos, and carried unanimously.

Werley asked that the Director contact the patron personally who requested that the Board consider this policy change to update her on the Board's decision. She also recommended that the information be included in our Library newsletter.

Adjournment

Motion to adjourn the meeting at 5:30 p.m. by Werley, seconded by Englebert, and carried unanimously.

Future meeting dates

The next regular board meeting will be held in the Gegan Room on Thursday, June 19, 2008 at 4:30 p.m.

Respectfully submitted,
Kris Seefeldt, recording secretary

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday April 22, 2008

Meeting called to order by Commission President W. Zelinski at 8:00 a.m.

Present: Commissioners R. Zielinski, G. Cowling, W. Helein, D. Youngquist, J. Jurgenson, W. Zelinski; Manager Much, Attorney Gunz, Accountant Voigt.

Excused: Commissioner K. Bauer.

Also Present: Rob Franck, Paul Much (MCO); Mike Sambs (Waverly S.D.); David Maccoux (Schenck SC); students from Fox Valley Lutheran H.S.

Motion made by Commissioner R. Zielinski, seconded by Commissioner W. Helein to approve the minutes of the Regular Meeting of March 25, 2008. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed.

Budget, Finance, Personnel

Accountant Voigt presented to the Commission the unaudited financial statements for March 2008. Accountant Voigt pointed out the income generated for March and May will be close to what is budgeted. The rainfall and loadings in April should provide income higher than budget for the month of June. After discussion, moved by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the unaudited financial statements for the month of March 2008 and place them on file. Motion carried unanimously.

David Maccoux (Schenck SC) presented and discussed the 2007 financial audit of the NMSC. Mr. Maccoux reviewed with the Commission the Annual Financial Report and the Management Letter with Other Comments and Observations. Plant operations for 2007 will result in \$71,725 being returned to the contract users. It was reported to the Commissioners of new auditing standards for 2007 which required additional time in completing the audit. As in previous years, the report of internal control over financial reporting reported a deficiency in the lack of segregation of duties. After discussion, motion made by Commissioner J. Jurgenson, seconded by Commissioner R. Zielinski to approve the 2007 Financial Audit as presented. Voting aye: Commissioners R. Zielinski, G. Cowling, W. Helein, J. Jurgenson; abstaining: Commissioner D. Youngquist. Motion carried.

Accountant Voigt presented MCO invoice #12540 in the amount of \$107,236.49 for the month of May 2008. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve MCO invoice #12540 in the amount of \$107,236.49 for the month of May 2008 and to pay the invoice after May 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of March 2008. The interest rates on the money-market accounts and with the State Pool have continued to drop from the previous month. MCO generated \$2,700 in additional income for the Commission; restricted cash balances totaled \$2,447,000 at the end of March. Motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of March 2008. Motion carried unanimously.

Accountant Voigt presented the following invoices from McMahon Associates for payment:

#40433	Biosolids Management Plan'	\$1,250.00.
#40432	Sludge to Sludge Heat Exchanger - Design	\$ 795.00.

Motion made by Commissioner D. Youngquist, seconded by Commissioner J. Jurgenson to approve for payment invoices #40433 and #40432 to McMahon Associates. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of March 2008. Everything is working well. With the rainfall received in April, the Neenah-Menasha WWTP has seen the highest level of flows in 10 years. The Neenah flume recorder has been off the chart for 3-days. The work being done in Menasha is paying off in reducing I/I to the plant. The Town of Neenah Sanitary District is televising their system. In past years, we would have seen plant flows over 100 MGD; we received only around 60 MGD. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve the operating report for the month of March 2008 and to place the report on file. Motion carried unanimously.

Chad Olsen (McMahon Associates) updated the Commission on the Sludge-to-sludge heat exchanger pilot unit. On March 31st the unit was cleaned. Grease was found in the raw sludge tubing; a piping loop was installed to allow the higher temperature thermophilic digester sludge to be re-circulated into the raw sludge line to hopefully melt and clean grease from the raw sludge tubing. The raw sludge heat transfer has remained constant at around 8 degrees F; the heat transfer on the thermophilic side has been sporadic. Primary sludge has significantly more grease than secondary grease. Manager Much pointed out that a source of the grease is due the lack of enforced grease trap ordinances by the contract users.

Chad Olsen updated the Commission on the Primary Electric Underground Distribution Replacement. The contractor is purchasing cable from Menasha Utilities; box pads are shipping May 16th with the remainder of the electrical equipment shipping May 20th. If the ground is dry enough, the contractor would like to begin installing cable in June.

Chad Olsen updated the Commission on activity with the Biosolids Management Plan. We are waiting for topographical site maps from the County. The County will be contacted to see what the status is for these maps. It was questioned about the County seeing our current sludge storage facility and if it would be possible for the Commission to see the facility also. Randy Much will arrange for the Commission to view the facility after the next meeting in May.

Old Business

Ordinance Contract incorporate revisions update. Attorney Gunz promised to have this at the meeting in May or June.

Sewer ownership update. The City of Neenah has approved, Attorney Gunz suggested he should re-approach the City of Menasha on this issue with the new mayor.

Other Business to Legally Come Before the Commission

Commissioner G. Cowling announced this will be the last meeting he will be serving as Commissioner for the NMSC. He has sold his house and will be moving into the City of Neenah. President W. Zelinski publicly thanked George for his years of service on the Commission and he will be missed.

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to convene into closed session under Section 19.85(1)(g) and 19.85 (1)(e) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by the NMSC with respect to their joint defense with the Cities of Neenah and Menasha in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation and to discuss strategies for negotiations with representatives of the United States of America and the State of Wisconsin on compromise settlement of potential CERCLA liability, indemnification, contribution protection and municipal entities infrastructure concerns with respect to the Lower Fox River/Green Bay. Motion carried unanimously. Closed Session meeting began at 8:35 am.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the Closed Session and re-open into Regular Open Session. Motion carried unanimously. Closed Session adjourned and re-opened into Regular Session at 8:58 am.

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson, to approve Operating and Payroll Fund Vouchers #130255 thru #130308 in the amount of \$234,754.61 for the month of March 2008. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner J. Jurgenson to adjourn the meeting. All present voting aye; nays, none. Meeting adjourned at 9:00 a.m.



President



Secretary

THE NEXT REGULAR MEETING IS ON TUESDAY May 27th, 2008 – Followed by a tour of the Sludge Storage Building located in the Town of Utica.

Neenah-Menasha Fire Rescue
Finance & Personnel Committee Meeting
Tuesday, May 27, 2008
Hauser Room – City of Neenah

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

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

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

Approval of Minutes: The Committee reviewed the minutes from April 22, 2008. **MSC Lange/Ahles to approve the minutes from April 22, 2008, all voting aye.**

Month End Budget Report: The Committee reviewed the April 2008 month end budget report. Chief Vander Wyst reviewed the overtime budget. At this time we are under budget, however, there will be three more FMLA's in the next couple of months. Ald. Ahles asked about maintenance of vehicles and if everything was fixed on the Quint truck. Chief Vander Wyst said all repairs were made, however, we didn't receive all of the invoices yet so there will be more monies coming out of this account. The Committee reviewed the gas/oil budget for the department. Director Easker commented that all departments within the City of Neenah are over budget due to the increase in fuel costs. He said when the budget was put together they did increase this amount for everyone but the costs are greater than what was anticipated. He did comment that NMFR is the only department that is not that far over budget. **MSC Ahles/Stevenson to place the April 2008 month end budget report on file, all voting aye.**

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

Joint Fire Commission Minutes: The Committee reviewed the minutes of April 23, 2008 for the Joint Fire Commission. This is informational only and no action is required.

Election of Chair: Discussion was held that a representative from the City of Neenah needs to be elected as Chair for the next year. **MSC Lange/Hendricks to elect Ald. Stevenson as Chair of the Joint Finance and Personnel Committee, all voting aye.**

Election of Vice-Chair: A representative from the City of Menasha does need to be elected at Vice-Chair for the next year. **MSC Hendricks/Ahles to elect Ald. Wisneski as Vice-Chair of the Joint Finance and Personnel Committee, all voting aye.**

Ald. Stevenson took over as Chair of the meeting.

HVAC Work at Station 32: Chief Vander Wyst reported that the new air-conditioning units at Station 32 (125 E. Columbian Ave.) have been installed. We did apply for rebates for a total of \$780. We are not guaranteed to receive these. He said he would report back to the committee once he finds out if we were awarded these. Director Easker confirmed that if we received the money it would be put back into the general fund.

June 24, 2008 Meeting: Chief Vander Wyst noted that he will be out of town and questioned if a meeting should be held in June. The Committee decided to wait until it gets closer and if there is a lack of agenda items the meeting will be cancelled.

The Committee requested a report of the meetings being held with Appleton Fire Department as a standing agenda item for future meetings.

MSC Ahles/Lange to adjourn at 5:55 p.m., all voting aye.

Respectfully Submitted,

Len Vander Wyst
Chief

LV/tt

Neenah-Menasha Fire-Rescue
Joint Fire Commission Meeting Minutes
Wednesday, May 28, 2008 – 12:00 p.m.
Hauser Room – City of Neenah

Commissioner Brotski called the meeting to order at 12:05 p.m.

Present: Commissioners Jim Liebhauser, Dave Brotski, Bill Mattes, and Elizabeth Nevitt.

Excused: Chris Wales-Magners and Gary Schmude.

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

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

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

Department Budget Report: The Commission reviewed the April 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 April 22, 2008 Joint Finance & Personnel Committee Meeting. This is informational only and no action is required.

Election of Chair: Discussion was held that a representative from the City of Menasha needs to be elected as Chair. **MSC Mattes/Liebhauser to elect Elizabeth Nevitt as Chair of the Joint Fire Commission, all voting aye.**

Election of Vice-Chair: Discussion was held that a representative from the City of Neenah needs to be elected as Vice-Chair. **MSC Mattes/Nevitt to elect Chris Wales-Magners as Vice-Chair of the Joint Fire Commission, all voting aye.**

Review of Automatic Aid Discussions with Appleton Fire Department: Chief Vander Wyst explained a meeting was held last week. Discussions are currently taking place for automatic aid for structure fires. Information is being gathered by both departments for areas of need and call numbers. We are also working on seamless dispatch issues. He will continue to update the group as progress is made.

June 25, 2008 Meeting: Chief Vander Wyst said he would be out of town during the next meeting. It was decided to cancel the meeting unless a need came up.

MSC Liebhauser/Mattes to adjourn at 12:40 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
May 20, 2008

DRAFT MINUTES

1. CALL TO ORDER

Mayor Merkes called the meeting to order at 3:34 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A.

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, DPW Radtke, Ald. Benner, and Commissioners Schmidt, Cruickshank, and Sturm.

PLAN COMMISSION MEMBERS EXCUSED: Norm Sanders

OTHERS PRESENT: CDD Keil, AP Beckendorf, Ald. Steve Pack, Bonnie Delfosse, James Taylor, Pastor Mike Huff, Bob Acord, Joanne Roush, and Ald. Dan Zelinski

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. May 6, 2008 Plan Commission Meeting Minutes

Moved by Alderman Benner, seconded by Comm. Schmidt to approve the May 6, 2008 Plan Commission meeting minutes.

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.

Ald. Steve Pack, 823 Emily Street, spoke about the merits of selling 81 Racine Street and 504 Broad Street to Dr. Larsen.

Joanne Rausch, 409 Cleveland, spoke against selling the properties at this time and suggested the city instead look at all other options.

James Taylor, 340 Broad Street, stated that the city can accommodate NorthStar in one of the other empty

downtown buildings rather than building a parking lot at 81 Racine and 504 Broad. Mr. Taylor also stated that there is ample parking in the downtown. Mr. Taylor then commented on the site plan amendment of Trinity Lutheran Church. There are lighting issues, landscaping has not been installed, and the school's park should close at night.

5. DISCUSSION

A. None

6. ACTION ITEMS

A. Sale of 81 Racine Street and 504 Broad Street

Moved by Comm. Cruickshank, seconded by Comm. Schmidt to recommend that the city retain ownership of 81 Racine and 504 Broad with the understanding that staff will work with the businesses desiring parking to identify needs and alternatives.

CDD Keil reviewed the history leading up to the current proposal. He then explained that the council took action in 2004 to condemn the properties with the purpose of retaining them for greenspace and parking. A corridor plan was then developed for the Third/Racine Street corridors which agreed with the intended use as directed by the council. Based on this direction, Otter Creek was engaged to prepare a design which incorporated greenspace and some parking. The plan was advanced to the Council by the Plan Commission and returned to the Plan Commission for reconsideration. The plan was then returned to the Council with the recommendation that parking be public to preserve options for potential future site development. The Council then sent the plan to the Redevelopment Authority and the Plan Commission for further consideration. The Redevelopment Authority recommended minimal landscaping and marketing the site. An offer to purchase was reviewed by the Council at the May 19 meeting but state statutes dictate that action must first be taken by the Plan Commission before the Council can take action.

CDD Keil stated that the Plan Commission's original recommendation was for a well-conceived plan that would help to soften a hard corridor. Further direction has been given by the RDA that the city should concentrate on the marketability of the Third Street corridor at this time. However, if the properties are sold, the city would have additional funds for Third Street enhancements and would fill a local business need.

Commissioners discussed the following:

- The city had a good plan that accommodated the needs of the business.
- The Plan Commission's original recommendation was sound.
- Costs of implementing the original plan for greenspace and parking.
- The short-sightedness of privately owned parking in a downtown.
- Whether every business in the downtown needs its own parking lot.
- Working with the business to accommodate their needs while retaining ownership of the properties.
- The possibility of utilizing on-street angle parking.
- The possibility of leasing the properties.
- Safety concerns with crossing Racine Street to reach the Broad Street parking lot.
- If parking is developed on the properties, it should be public.
- The possible use of traffic calming measures at the Broad/Racine intersection.

Motion Passed
Results:

Roll Call:

AYES: Benner
, Cruickshank
, Merkes

(6)

, Radtke
, Schmidt
, Sturm

ABSENT: Sanders

(1)

B. Site Plan Amendment - Foursquare Crossroads Church - London Street

Moved by DPW Radtke, seconded by Comm. Sturm to approve the site plan amendment of Foursquare Crossroads Church.

CDD Keil described the proposed changes which include the extension of a driveway from the rear parking lot to the front parking area and placing the north plantings in a grouping rather than a straight line.

Motion Carried on voice vote

Results:

C. Site Plan Amendment - Trinity Lutheran - 300 Broad Street

Moved by DPW Radtke, seconded by Comm. Sturm to approve the site plan amendment for Trinity Lutheran, 300 Broad Street, with the condition that area "A" be developed in conformance with the plan submitted by CDD Keil as modified to extend junipers along the length of the house with sand cherry trees added at each end for variety.

CDD Keil described the proposed amendment to alter the transitional area in the northwest region of the church grounds and described an alternate plan prepared by city staff. The alternate plan shows a mix of junipers and sand cherry trees along the property line shared by Ms. Delfosse.

Commissioners discussed the following:

- The width and grade of the proposed planting area.
- The addition of slats to the chain link fence bordering Ms. Delfosse's rear yard.
- Extending the junipers to at least the length of the house.
- Asking the church to alter their lighting, such as shielding or shutting it off at night.

Motion Carried on voice vote

Results:

D. Acceptance of Transfer of Outlot 1 for Stormwater Pond - Southfield West Plat

Moved by DPW Radtke, seconded by Comm. Cruickshank to recommend approval of the transfer of Outlot 1 of Southfield West plat for stormwater pond.

CDD Keil explained that it was the city's intention from the beginning to own this property.

Motion Carried on voice vote

Results:

E. Plan Commission Resolution - 01-2008 - Recommending Adoption of the City of Menasha Year 2030 Comprehensive Plan

CDD Keil explained that before the city can release the plan for public hearings, the Plan Commission needs to adopt the plan.

Commissioners discussed the following:

- Changes to the Table of Contents
- The soils map should also show town soils
- The existing and proposed Land Use maps should show town land use as well

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



7. ADJOURNMENT

A.

Moved by Comm. Schmidt, seconded by DPW Radtke to adjourn at 5:28 p.m.

Motion Carried on voice vote

Results:



MENASHA POLICE COMMISSION MEETING MINUTES

DATE: May 15, 2008

Commissioner Liebhauser called the regular bimonthly meeting to order at 5:00pm at the Menasha Safety Building, 430 First Street, Menasha, WI.

Present: Barb Ballard, Jim Liebhauser, Terri Reuss, Lt. Michael Brunn and Mayor Don Merkes

Absent: Joe Cruickshank, Amy Ristow.

- I. Minutes of the last meeting: M/S/C Reuss/Liebhauser to accept the 3/20/2008 Meeting Minutes.
- II. Elections: President – Jim Liebhauser M/S/C Ballard/Reuss; Vice President – Terri Reuss M/S/C Ballard/ Liebhauser; Secretary – Barb Ballard M/S/C Reuss/ Liebhauser.
- III. Police Report – Lt Brunn.
 1. Training Certificates:
 - Emergency Vehicle Operation & Control (EVOC), Fox Valley Technical College (FVTC) – Ann Anderson, Aaron Zemlock, Brett Halderson, Jim Verkuilen, Mark Mauthe, Jamal Kawar, Chris Groeschel, Sara Swenson, Amy Cook, Jeff Jorgenson, Dave Jagla, Matt Albrecht.
 - Field Training Officer (FTO), FVTC –Matt Albrecht.
 - Pre-employment Interviewing, Milwaukee County Sheriffs Department – Mike Brunn and Bob Stanke.
 - Intoximeter Training, Department of Transportation - Aaron Zemlock.
 - Pre-Employment Interviewing PE, County Village Municipal Insurance Corporation (CVMIC) – Mike Brunn and Brett Halderson.
 - Selection and Interviewing, CVMIC – Angela Hanchek.
 - Unified Tactical Update-Firearms and Defensive and Arrest Tactics, North Central Technical College – Brett Halderson, Matt Albrecht, and Paul Scheppf.
 - Homicide Investigation Training Seminar, Northeast Wisconsin Technical College (NWETC) – Jim Verkuilen.
 - “Heating Up Cold Cases”, Eau Claire – Mark Mauthe.
 - Gang Identification, FVTC – Amy Cook.
 - Sex Crime Seminar, FVTC – Jim Verkuilen, Amy Cook.
 - Midwest Gang Training Seminar, Minneapolis, MN – Paul Scheppf and Angie Hanchek, Aaron Zemlock and Ann Golner.
 - Officer Involved Shooting Investigations, FVTC – Ron Bouchard, Dave Jagla, Tim Styka, Roger Picard and Angela Hanchek.
 - Radar Operations, Law Enforcement Emergency Response, Drugs that Impair Driving, Driving While Intoxicated Detection and Standardized Field Sobriety Testing, FVTC – Pete Sawyer.
 2. The Menasha Police Department (MPD) received a thank you letter from Illinois State Attorney Richard Devine for the assistance Officer Stephanie Gruss provided their office in a homicide trial.
 3. Pete Sawyer graduated from the recruit academy at FVTC on April 11, 2008.
 4. Larry Bonneville and Nick Oleszak have received Master Degrees. Nick, Master in Management, was one of three “Outstanding Graduate Students” in a class of 136 at the University of Wisconsin Oshkosh. Lt. Bonneville completed his degree at Lakeland College. The MPD now has four employees with Master Degrees.
 5. The MPD will be testing applicants for an opening due to officer retirement. The test will be held in Company E Room of the Menasha Public Library on May 17 and 21 and will be administered by Lt. Brunn.
- IV. Old Business: None.

- V. New Business: None.
- VI. Correspondence: None.
- VII. Schedule next meeting: Thursday, July 17, 2008 at 5:00pm. .
- VIII. Adjournment: 5:50 pm M/S/C Ballard/ Reuss.

Respectfully submitted,

Barb Ballard
Commissioner, Secretary

City Hall Safety Committee Meeting
Minutes
April 2, 2008

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

Absent: Kristi Heim, Adam Alix, Jeff Brandt

Meeting called to order at 1:30 PM

- A. Motion to approve minutes from March 5, 2008 made by Tasha Saecker and seconded by Todd Drew. Motion carried.

- B. Old Business
 1. Tasha Saecker and Kristi Heim agreed to assist with updating the Emergency Operations and Evacuation Plan for the Library and City Hall.
 2. No problems noted with new incident reports being distributed.

- C. New Business
 1. Monthly safety topic distributed on “General Safety Tips on and off the Job.”
 2. Injury review – 14 year old girl tripped on her shoe lace and fell on granite display by front entrance of Library. Girl received 14 stitches to her leg. No known way to prevent this type of injury from occurring.
 3. Seasonal Employees that will need picture ID badges are the Park and Recreation pool manager and 3 assistant pool managers and one summer program supervisor per Brian Tungate’s request.
 4. Tom Stoffel requested City staff and contractors be made aware of asbestos locations in the City Hall Building. Todd Drew stated he would assist with this request due to his knowledge in this area.
 5. Sylvia Bull stated elderly at Senior Center exit back door of Center and it is not handicap accessible. Suggestion given to have sign that states “watch your step” to indicate there is one step to use when exiting out the back door.

- D. Training
 1. Fire Extinguisher training is scheduled for May 27 from 2-3 PM and May 28 from 9-10 AM at the DPW facility. To sign up contact the Health Dept.
 2. CPR & AED training to be done May 1, 2008 and classes available in the summer also. To sign up contact the Health Dept.
 3. Seasonal employees through the Park and Recreation Dept. receive a safety manual that will include new incident forms for employees and non-employees. Brian Tungate reports he has his seasonal employees sign their name on a form showing they received this manual. Training set up for Blood borne Pathogens/ Harassment / Haz Com for pool staff May 22nd at the Menasha City Library. Todd Drew to assist with Haz Com training unit.

- E. Meeting adjourned at 2:25 PM. Next meeting date is May 7 at 1:15 PM

Police Safety Committee Meeting
Minutes
April 17, 2008

Present: Mike Brunn, Chuck Sahr, Dave Jagla, Aaron Zemlock, Bev Sawyer,
Peggy Murphy

Absent: Jeff Brandt, Mark Mauthe, Sue Nett

Meeting called to order at 2:35 PM

- A. Motion to approve amended minutes made by Mike Brunn and seconded by Chuck Sahr. Minutes amended to say Neenah Police Station was discussed as possible evacuation site for Menasha Police Station. Recommendation given that Chief Stanke was the best person to contact Neenah Police Chief to make this determination. Motion carried.
- B. Old Business
 1. Emergency Operations and Evacuation Plan – reviewed plan and made changes as recommended by safety committee members. Current *unusual occurrences and circumstances* policies already in place at the police station will be reviewed at next meeting and eventually added to EOEP. Aaron Zemlock suggested tabs be placed in EOEP to find information easier.
 2. Hearing screenings completed as scheduled per Tina at Affinity Occupational Health.
 3. Adam Alix in process of fixing water fountain and he fixed flooring that was coming up by offices.
- C. New Business
 1. Monthly safety topic on thinking about general safety tips on and off the job sent via e-mail to Chuck Sahr and will be distributed electronically.
 2. No injuries to report. Mike Brunn is concerned about violating HIPPA Guidelines by discussing injuries at safety meetings even though personal information is not given.
 3. Chuck Sahr asked about radon testing for city buildings. Todd Drew, City Sanitarian will be asked about this issue.
- D. Training
 1. Police clerks will have option of having fire extinguisher and fire safety training May 27 or 28 at the DPW facility. All police officers can watch the CVMIC fire safety video available in May also.
- E. Meeting adjourned at 3:30 PM. Next meeting date is for May 15, 2008 at 2:30 PM.



Public Works and Parks Safety Committee
April 29, 2008
Minutes

Meeting called to order at 9:05 AM.

Present: Jim Julius, Bob Huss, Tim Jacobson, Jeff Nieland, Adam Alix, Ken Popelka, Jeff Brnadt, Sue Nett

Absent: Mark Radtke, Brian Tungate, Corey Gordon, Matt Schultz, Peggy Murphy

- A. Motion to approve minutes from March 25, 2008 meeting made by K. Popelka and seconded by J. Julius.
- B. Old Business
 - 1. Report given from the subcommittee which has started revising the Emergency Operations and Evacuation Plan. The subcommittee requested input on the evacuation process of the PWF needed to be evacuated because of a hazardous materials release. Discussion centered around having employees meet at a central location such as Smith Park (if safe) or Koslo Park (if safe). S. Nett will work with sub committee to revise this section in the plan.
 - 2. Bill Basler and Jim Card need to be respiratory fit tested. Todd Drew to schedule a time and let J. Jacobson know a day in advance.
 - 3. Hearing screening needs to be completed on Matt Schultz and Bill Basler. Affinity Occupational Health needs to be called prior to sending employees for the screening.
 - 4. Fire extinguisher access in the sanitation vehicles hasn't been addressed yet. T. Jacobson will do.
- C. New Business
 - 1. The monthly safety topic of "being safe, no matter the location, home or work" was distributed.
 - 2. Injury review – employee slipped while stepping up into truck. Three point system for entering and exiting truck reviewed with employee.
- D. Training
 - 1. Fire extinguisher training has been scheduled for the end of May. Waiting for confirmation of dates. Notification to be sent as soon as training is confirmed. Video review will be offered to employees who have been trained in the past.
 - 2. PPE Policy was reviewed when T. Drew did respiratory protection in-service.
- E. Meeting adjourned at 10:05 AM.

Cities and Villages Mutual Insurance Company

This is to Certify that:

Jeff Brandt, Menasha

has participated in and attended:

Contractual Risk Transfer

and is awarded this Certificate of Attendance. This training was presented on 5/28/2008 in Kimberly, Wisconsin. The program offered by the Further Learning Series of Cities and Villages Mutual Insurance Company's Risk Management and Loss Control Program lasted 6 hours and represented 6 continuing education hours.

This program has been approved by the Supreme Court of Wisconsin Board of Bar Examiners for use toward the Wisconsin mandatory continuing legal education requirement. The hours earned include total earned CLE hours: 6

In witness whereof we have signed this 5/28/2008

Michael L DeMoss Gary Martin, Senior Managing Consultant

CVMIC Executive Director

Trainers



Cities and Villages Mutual Insurance Company



This is to Certify that:
Jeff Brandt, Menasha
has participated in and attended:
Introduction to Succession Planning
and is awarded this Certificate of Attendance. This training was
presented on 5/19/2008 in Kimberly, Wisconsin. The program
offered by the Further Learning Series of Cities and Villages Mutual
Insurance Company's Risk Management and Loss Control Program
lasted 6 hours and represented 5 continuing education hours.

In witness whereof we have signed this 5/19/2008

Michael L DeMoss CVMIC Staff
CVMIC Executive Director Trainers

Let's Get Out and Play!

The program runs:

Memorial Day - Labor Day.

Visit and experience any of these great outdoor sites:

1,000 Islands Environmental Center

Bubolz Nature Preserve

Gardens of the Fox Cities

Heckrodt Wetland Reserve

High Cliff State Park

Trestle Trail, Menasha

CE Trail

Memorial Park, Neenah

Lutz Park, Appleton



Take part in suggested activities listed inside or come up with your own. Be sure to note down some observations you make on your visit.

When you complete each visit, receive a **sticker** for your passport at each staffed site. Stickers for the locations that are not staffed can be obtained at any of the participating libraries.

After at least **five sites** have been visited, passports can be turned in at any of the **outdoor centers** listed on the back for a **"Passport to Nature" pin** while supplies last.

Sponsoring Organizations

Outdoor Centers:

1,000 Islands Environmental Center
Bubolz Nature Preserve
Gardens of the Fox Cities
Heckrodt Wetland Reserve
High Cliff State Park

Libraries:

Appleton Public Library
Kaukauna Public Library
Kimberly Public Library
Little Chute Public Library
Menasha Public Library
Neenah Public Library

Park and Recreation Departments:

City of Appleton
City of Menasha
City of Neenah



This program is funded through a grant from the *Environmental Stewardship Fund*, a field of interest within the **Community Foundation for the Fox Valley Region** as well as in-kind contributions from all participating organizations and the Winnefox and Outagamie-Waupaca Library Systems.

Fox Cities Passport To

Nature



A program brought to you
by your Fox Cities
Outdoor Centers
Public Libraries
Park & Recreation Depts

"If a child is to keep alive his inborn sense of wonder, he needs the companionship of at least one adult who can share it, rediscovering with him the joy, excitement and mystery of the world we live in." Rachel Carson

Heckrodt Wetland Reserve

1305 Plank Road, Menasha 920 720-9349
www.heckrodtwetland.com

Activities to try:

- Check out an *Explorer's Companion Pack* and take a hike on the trails.
- Check out a *Digger's Companion Pack* and spend some time at *The World Beneath Your Feet*.

List some things you saw:

Lutz Park, Appleton

1320 Lutz Drive, Appleton
www.appleton.org

Activities to try:

- Take a fishing pole and fish off the pier
- Enjoy the playground equipment!

List some things you saw:

Trestle Trail

East End: End of Broad St at the Lock in city of Menasha
West End: Fritse Park off Lake St, Town of Menasha
www.cityofmenasha-wi.gov (includes video of Trail)

Activities to try:

- Check out the fish, birds and other wildlife as you walk the trail
- Watch boats going through the lock while you hike or bike

List some things you saw:

High Cliff State Park

N7630 State Park Rd, Sherwood, WI 54169 920-989-1106
<http://www.dnr.state.wi.us/org/land/parks/specific/highcliff>

*A State Park Admission Sticker is required to enter the park; a free day pass is available for children enrolled in Catch the Reading Bug summer reading programs at sponsoring libraries.

Activities to try:

- Find a hidden treasure box in the *High Cliff Quest*
- Hike the *Lime Kiln trail* that follows Lake Winnebago and the Niagara Escarpment

List some things you saw:

1000 Islands Environmental Center

1000 Beaulieu Ct, Kaukauna, WI 54130 920-766-4733
www.1000islandsenvironmentalcenter.com

Activities to try:

- Hike the trails and visit the *Eagle Nest Outlook*
- Go fishing on the Fox River

List some things you saw:

CE Trail

North side of County CE between Matthias St. and Loderbrauer Rd

Activities to try:

- Take a bike ride along the trail
- Walk your dog and see what you see around you!

List some things you saw:

Gardens of the Fox Cities

1313 E. Witzke Blvd, Appleton 920 993-1900
www.gardensfoxcities.org

Activities to try:

- Pick up a garden activity sheet; do activities as you tour the gardens
- Visit the butterfly garden; then count the number of butterflies you see while touring all of the gardens

List some things you saw:

Bubolz Nature Preserve

4815 N. Lynndale Dr, Appleton 54913 920 731-6041
www.bubolzpreserve.org

Activities to try:

- Feel like you are "up north" on a walk through our lush, lowland cedar swamp trails within minutes of downtown Appleton, stop by one of the ponds to watch for turtles and ducks
- visit one of the wildlife observation towers to look out over the prairies.

List some things you saw:

Memorial Park, Neenah

1131 Tullar Road
www.neenahgov.org

Activities to try:

- Walk quietly, look up and see if you can find any animals in the trees
- As you walk in the woods, how many different colors do you see and different sounds do you hear? Take a deep breath, even the smells are different than in the park!

List some things you saw:

Menasha Utilities
Steam Detail
For the Four Months Ending April 30, 2008

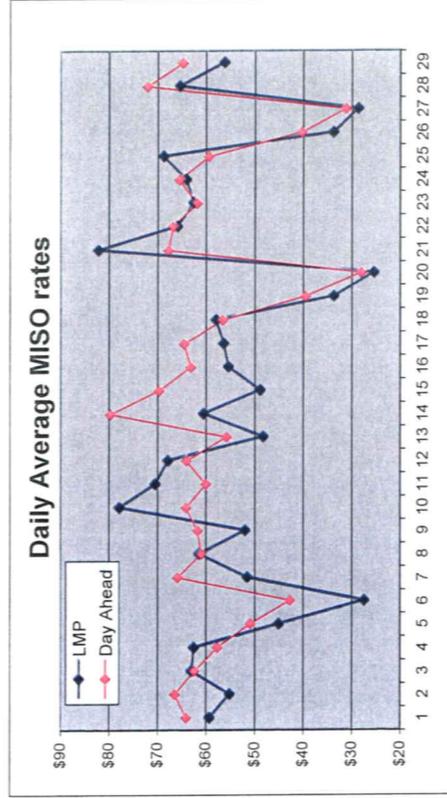
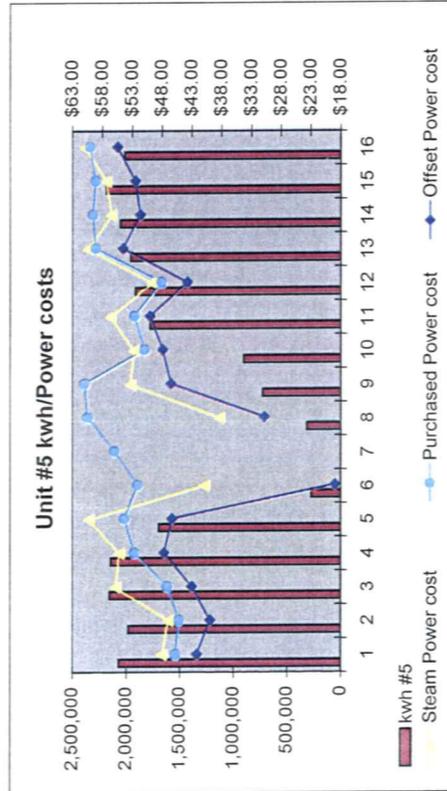
	Current Month		Actual	Year-to-Date		Annual Budget
	Budget	Variance		Budget	Variance	
Operating Revenues						
Steam Sales - Sonoco	\$683,336.29	\$803,746.09	\$2,847,622.96	\$3,376,457.67	\$9,247,958.92	
Steam Sales - Alcan	32,324.80	38,529.03	161,089.52	180,722.17	457,784.79	
Steam Sales - Whiting	33,955.60	32,896.62	167,068.10	192,385.61	485,503.77	
Electric Sales	122,226.24	35,615.31	480,738.61	260,469.52	742,944.54	
MISO Sales	249,588.95	179,197.55	980,583.70	714,226.77	2,250,064.38	
Capacity Payment	13,734.02	13,334.00	54,536.06	53,336.00	163,288.00	
Forfeited Discounts-Late Charges			592.25	1,200.06		
Total Operating Revenues	1,135,165.90	1,103,318.60	4,692,231.20	4,777,597.74	13,347,544.40	
Operation and Maintenance Expenses						
Steam Power Generation						
Labor	100,815.79	107,339.69	437,463.74	429,358.76	1,288,076.00	
Coal	431,339.95	512,803.66	1,767,694.23	2,182,931.37	6,154,125.89	
Ash Disposal	14,286.39	10,498.49	50,537.25	44,690.57	125,991.80	
Other Fuel Expenses	6,948.61	3,667.00	25,678.84	14,668.00	44,004.00	
Steam Expenses	1,271.44	8,633.33	3,094.13	34,533.32	103,600.00	
City Water and Sewer	22,414.09	17,075.65	95,595.32	66,650.84	179,434.14	
Electric Expenses	350.50	2,158.33	1,547.50	8,633.32	25,900.00	
Miscellaneous Steam Power Expenses	5,823.51	4,532.17	21,085.07	18,128.68	54,386.00	
Auxiliary Power	82,774.73	81,115.42	326,520.15	322,686.49	942,020.37	
Maintenance of Structures		1,295.00	263.58	5,180.00	15,540.00	
Maintenance of Boiler Plant	4,520.89	100,125.00	25,608.95	130,500.00	301,500.00	
Maintenance of Electric Plant	1,852.52	8,333.33	3,332.38	33,333.32	100,000.00	
Maintenance of Miscellaneous Steam Plant	3,035.11	833.33	12,832.87	3,333.32	10,000.00	
Total Steam Power Generation	675,433.53	858,410.40	2,771,254.01	3,294,627.99	9,344,578.20	
Distribution Expenses						
Chemical Expense	11,528.41	11,568.67	54,294.78	46,274.68	138,824.00	
Steam Line Expense	3,809.52	157.92	3,809.52	631.68	1,895.00	
Customer Installation	219.50	479.42	2,345.12	1,917.68	5,753.00	
Maintenance of Mains		1,181.17		4,724.68	14,174.00	
Maintenance of Services	570.13	172.33	1,782.09	689.32	2,068.00	
Maintenance of Meters			8.36			
Total Distribution Expenses	16,127.56	13,559.51	62,239.87	54,238.04	162,714.00	
Administrative and General Expenses						
Administrative and General Salaries	3,262.81	7,765.96	12,684.40	31,063.84	93,191.52	
Office Supplies and Expenses	518.27	416.67	1,212.72	1,666.68	5,000.00	
Outside Services Employed	67,341.14	7,383.00	110,574.20	28,602.00	80,105.00	
Property Insurance	4,552.04	3,750.00	18,208.16	15,000.00	45,000.00	
Injuries and Damages	2,610.30	3,467.50	10,840.92	13,870.00	41,610.00	
Employee Pensions and Benefits	35,835.41	33,461.42	130,098.49	134,069.68	403,780.01	
Miscellaneous General Expenses	529.13	2,301.00	3,473.38	9,272.00	19,783.00	
Vehicle Clearing	12.52	0.01	(281.87)	0.04		
Power Operated Clearing	743.37		2,151.13			
Rents	50.00	50.00	200.00	200.00	600.00	
Total Administrative and General Expenses	115,454.99	58,595.56	289,161.53	233,744.24	689,069.53	
Total Operation and Maintenance Expenses	807,016.08	930,565.47	3,122,655.41	3,582,610.27	10,196,361.73	
Other Operating Expenses						
GE Water Treatment Lease Expense	29,166.03	29,166.03	116,664.12	116,664.12	349,992.36	

Menasha Utilities
Steam Detail
For the Four Months Ending April 30, 2008

	Current Month		Variance	Actual	Year-to-Date		Variance	Annual	
	Actual	Budget			Budget	Actual		Budget	Budget
Taxes	\$8,625.62	\$8,862.67	(\$237.05)	\$31,098.64	\$35,450.68	(\$4,352.04)	\$106,352.00	\$106,352.00	
Total Other Operating Expenses	37,791.65	38,028.70	(237.05)	147,762.76	152,114.80	(4,352.04)	456,344.36	456,344.36	
Total Operating Expenses	844,807.73	968,594.17	(123,786.44)	3,270,418.17	3,734,725.07	(464,306.90)	10,652,706.09	10,652,706.09	
Net Operating Income (Loss)	290,358.17	134,724.43	155,633.74	1,421,813.03	1,042,872.67	378,940.36	2,694,838.31	2,694,838.31	
Other Income									
Interest and Dividend Income	5,912.26	7,433.00	(1,520.74)	54,558.88	31,078.00	23,480.88	98,406.00	98,406.00	
Total Other Income	5,912.26	7,433.00	(1,520.74)	54,558.88	31,078.00	23,480.88	98,406.00	98,406.00	
Income Before Interest Charges	296,270.43	142,157.43	154,113.00	1,476,371.91	1,073,950.67	402,421.24	2,793,244.31	2,793,244.31	
Interest Charges									
Interest on Long-Term Debt	100,658.32	100,517.50	140.82	402,633.28	402,070.00	563.28	1,206,210.00	1,206,210.00	
Interest on Debt to Municipality	77,140.05	77,140.00	0.05	308,560.20	308,560.00	0.20	925,680.00	925,680.00	
Other Interest Expense	2,417.44		2,417.44	9,543.10		9,543.10			
Total Interest Charges	180,215.81	177,657.50	2,558.31	720,736.58	710,630.00	10,106.58	2,131,890.00	2,131,890.00	
Net Income (Loss)	116,054.62	(35,500.07)	151,554.69	755,635.33	363,320.67	392,314.66	661,354.31	661,354.31	

STEAM DISTRIBUTION FOR APRIL 2008

	Monthly Total	Budget	YTD	YTD Budget
Total Steam purchased				
Sonoco	66,732	65,186	278,088	273,841
Alican	3,272	3,125	16,446	14,657
Whiting	3,396	3,222	16,707	16,638
Steam Total	73,400	71,533	311,241	305,136
Total Generation kwh	Monthly Total	Budget	YTD	YTD Budget
MISO Market				
Unit #3	2,299,052	1,980,116	16,743,607	5,833,000
Unit #4	0	0	0	8,093,000
Real-Time - MISO				
Average MISO Price	558,001	254,578	3,832,464	56.34
	67.97	37.77	56.34	
Day-Ahead - MISO				
Average MISO Price	1,741,051	1,725,538	12,911,143	13,926,000
	72.02	40.29	57.91	53.16
Behind the Meter				
Unit #5	886,292	1,124,340	8,199,914	4,491,000
Average Price			59.02	58.00
MW Total	3,185,344	3,104,456	24,943,521	18,417,000



McMAHON ASSOCIATES

ENGINEERS | ARCHITECTS | SURVEYORS | PROJECT MANAGERS

May 20, 2008

Mr. Doug Young
Menasha Utilities
321 Milwaukee Street
P.O. Box 340
Menasha, WI 54952-0340

Re: Menasha Utilities - City Of Menasha, Wisconsin
Water Treatment Plant Modifications
Project Update Report
McM. No. M0002-940266.06

Dear Doug:

This letter serves as a Project Update Report on the construction completion of the Water Treatment Plant.

C.D. Smith Construction Contract:

The following list summarizes remaining work tasks that C.D. Smith is responsible for under their contract:

1. Re-paving on ^{BEAD} Third Street. This should be completed by June 15, 2008.
2. Minor concerns with wintertime condensation on unit heater vent stacks.
3. Minor problems with pulse signals from a few of the magnetic flow meters.
4. On-going adjustments to the soda ash pumping system to reduce vibration.
5. Close-out tasks for the Trojan Ultraviolet (UV) system. With all of the regulatory and certification requirements that the Department of Natural Resources (DNR) has imposed, I would predict 6-months to complete this before the contract gets closed-out. The Neenah UV system has been operational since February 2007, and they are still not certified/closed-out.



Page 2
May 20, 2008

Mr. Doug Young
Menasha Utilities

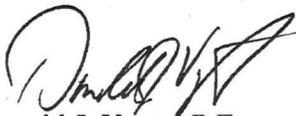
Other Necessary Tasks

1. Several other work tasks in the existing Water Treatment Facilities have been identified, which are necessary for efficient and proper operation of the new plant. This list includes the following:
 - a. Modifications to the Broad Street clearwell piping to reduce air entrainment in the UV reactors.
 - b. Laboratory improvements to accommodate sample lines from the new plant addition and to accommodate improved analytical operations.
 - c. Additional security camera to allow viewing of the west side of the plant. All other sides of the plant are covered.
 - d. Automation of the existing sludge scrapers and blow down system to reduce lost water, reduce chemical use and to improve settled water quality being delivered to the new plant.
 - e. Plumbing system modifications to separate utility water systems made necessary by new chemical systems in the new plant, and new utility water metering requirements.

Please contact me should you have any questions relative to this Project Update Report.

Very truly yours,

McMahon Associates, Inc.



Donald J. Voogt, P.E.
Senior Project Engineer / Associate

DJV:smdt



M E M O R A N D U M

To: Common Council

From: Jessica Beckendorf, AP

Date: May 28, 2008

RE: Plan Commission Resolution 01-2008

At its May 27, 2008 special meeting, the Plan Commission adopted Plan Commission Resolution 01-2008 recommending adoption of the City of Menasha Year 2030 Comprehensive Plan, thereby releasing the draft document for review.

A workshop on the comprehensive plan will be scheduled on June 16, 2008 before the Common Council meeting. At this workshop our planning consultant will summarize the planning process and review the content of the plan. We are expecting that the public will be able to comment and/or ask questions during this session. A formal public hearing will be scheduled for the end of July or the first week in August at which the plan will be presented and public comment will be accepted.

The draft plan document will be distributed to Common Council as soon as we are able to complete printing and will also be made available for review at the library and on the city's website.



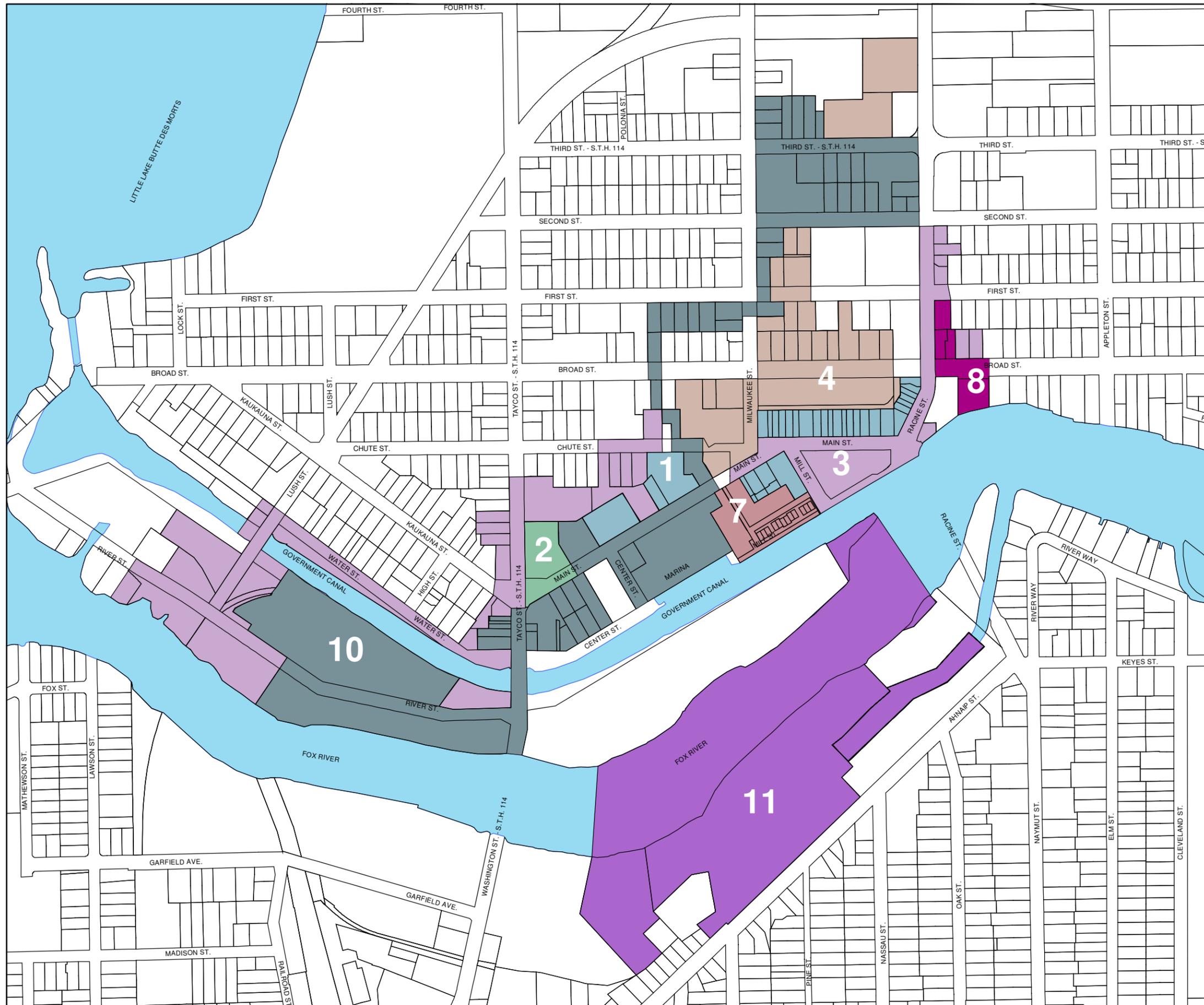
Memorandum

TO: Common Council
FROM: Greg Keil, CDD
Date: May 28, 2008
RE: TIF District Boundaries

Alderman Taylor requested maps of the current TIF district boundaries. The maps are attached to this memo.

I wish to make you aware that the boundaries of districts, particularly districts #1 through #4, are substantially different than the district boundaries as originally created. This is due to TIF project plan and boundary amendments and the subsequent creation of new districts whose boundaries overlap those of older districts

City of Menasha TIF Districts TID's 1, 2, 3, 4, 7, 8, 10 and 11



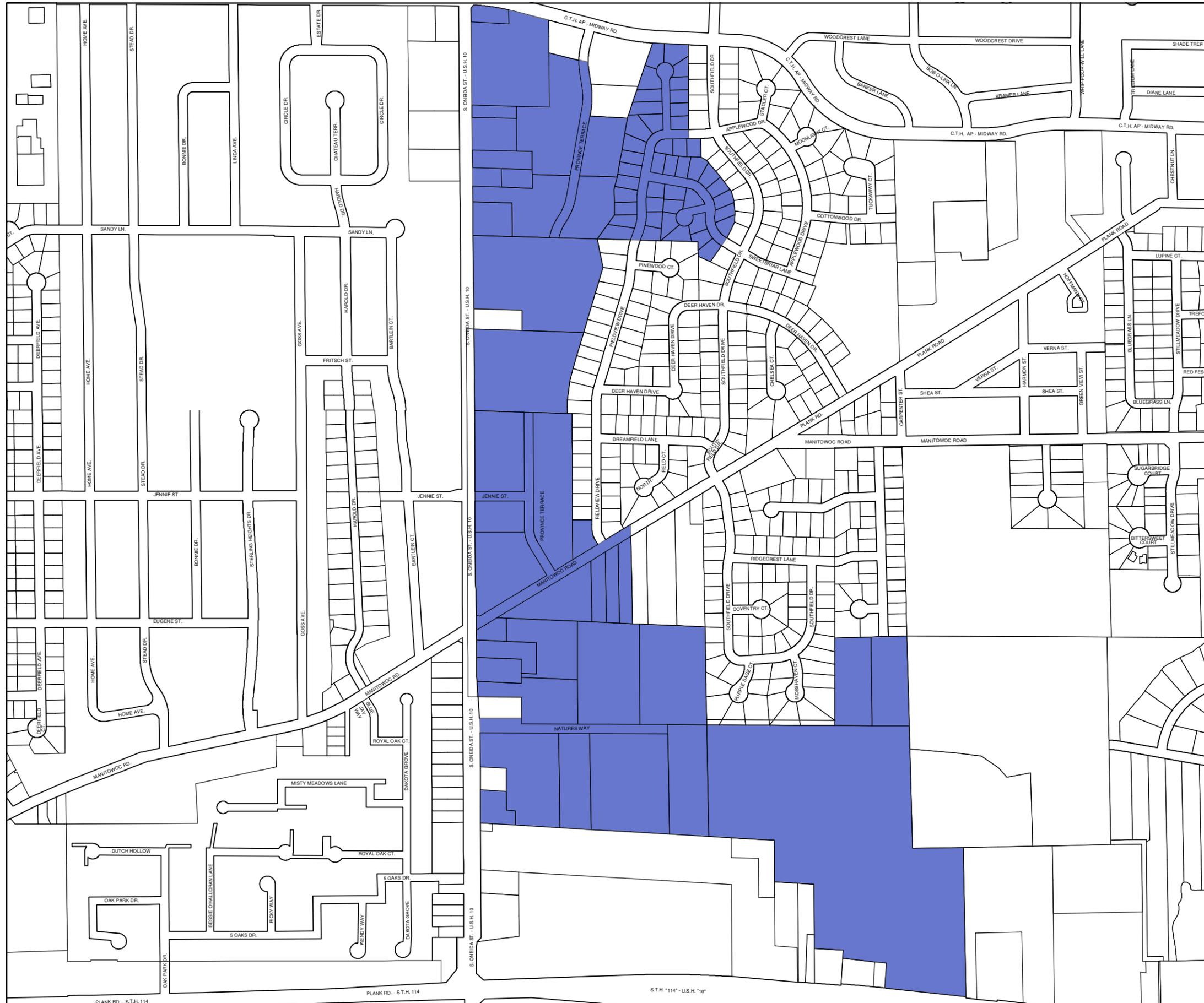
TIF Boundaries

- TID #1
- TID #2
- TID #3
- TID #4
- TID #7
- TID #8
- TID #10
- TID #11



0 137.5 275 550 825 1,100 Feet

City of Menasha TIF Districts TID #9

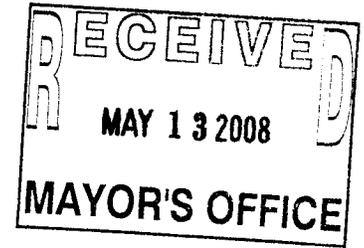


PLANK RD. - S.T.H. 114

PLANK RD. - S.T.H. 114

S.T.H. 114 - U.S.H. 10

Amy L. Ristow
2079 Ridgecrest Lane
Menasha, Wisconsin 54952
920-205-1203



May 9, 2008

Mayor Don Merkes
City of Menasha
City Hall
140 Main Street
Menasha, Wisconsin 54952

Dear Mayor Merkes,

I am currently serving on the Police Commission for the City of Menasha. Within the next few weeks, I will be moving out of Menasha as I've relocated to the City of Appleton. Due to my relocation, I will no longer be able to serve as a Police Commissioner.

I sincerely appreciated the opportunity to serve the City of Menasha. If you need any additional information or paperwork from me, please contact me at (920) 205-1203.

Sincerely,

A handwritten signature in cursive script that reads "Amy L. Ristow".

Amy L. Ristow

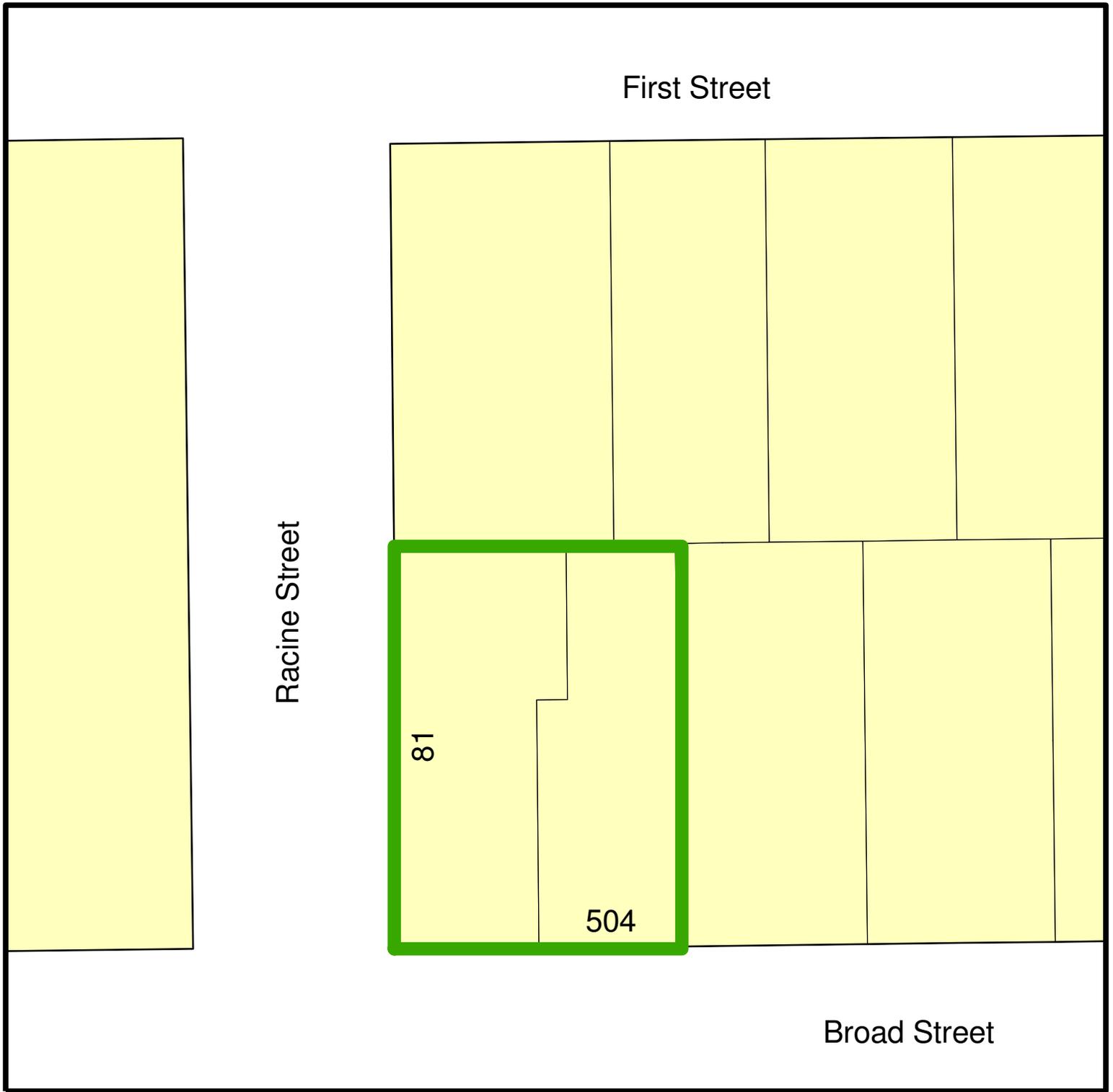
May 28, 2008

To Mayor Don Merkes and the Common Council of Menasha,

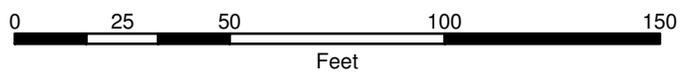
First I want to say thank-you for considering me as an appointment to the Police Commission. I was introduced to the City of Menasha in 1985 while serving in the U.S. Coast Guard. I have been a resident of Menasha from 1985-1991 then from 1995 to the present. I am married and have two young children. I was active duty Coast Guard for four years and in the Army Reserve in the First Gulf War with boots on the ground in the Middle East. I have been at Appleton Papers as a Journeyman Pipefitter for eighteen years. I have served my community and my job in several ways: Foster Parent, Neighborhood watch Captain, Apprenticeship Board of Review, Safety Committee, Fox Valley Technical College Board of Trustees, United Steelworkers/Sierra Club Blue-Green Alliance. I completed the Citizens Police Academy in Menasha and am a member of the VFW, American Legion and DAV. I think these experiences along with my interest in keeping Menasha a good place to live for my family and everyone else, will help me be a asset to the Police Commission.

A handwritten signature in black ink, appearing to read "Craig Wussow". The signature is written in a cursive, flowing style.

Craig Wussow
608 First St.



Proposed Sale of 81 Racine Street and 504 Broad Street





RBC Capital Markets Corporation
Suite 1500
1000 N. Water Street
Milwaukee, WI 53202
(414) 347-7133
(414) 347-7140 Fax
(866) 612-3208 Toll Free

Report to City of Menasha
Administration Committee
On 2008 Financings for Capital Projects
And Refinancing Existing Debt

Dated: June 2, 2008

PRESENTED BY:
CAROL A. WIRTH, MANAGING DIRECTOR
RICH GEBHART, VICE PRESIDENT
DANIEL J. PECANAC, ASSOCIATE

Introduction

The City of Menasha has identified capital project needs to be undertaken in 2008 and 2009. In addition, the City has outstanding five short-term Note Anticipation Notes (NANs) and Bond Anticipation Notes (BANs), which are either coming due, or are callable, on September 1, 2008 and need to be refinanced in accordance with an appropriate financing structure. The existing issues are within their "window" for refinancing. Since current interest rates are favorable for refinancing, it is recommended that the City utilize this window and refinance five existing note issues with two note issues. The outstanding NANs and BANs, are a combination of tax-exempt and taxable issues, which originally provided funds for a number of Tax Incremental District projects between 2003 and 2006. The proposed 2008 and 2009 capital projects would be funded with tax-exempt debt. Therefore, RBC has structured two separate General Obligation Note issues – one tax-exempt and one taxable. The tax-exempt note combines all the purposes that are eligible to be financed with tax-exempt debt such as the capital projects and any tax-exempt NANs or BANs being refinanced. The taxable note combines all the purposes that must be financed with taxable debt such as the refinancing of taxable NANs and BANs. Consolidating all these purposes into two note issues for marketing not only creates efficiencies in issuance expenses, but also results in a more attractive structure for soliciting investors. For City record keeping, the respective amortization schedule for each purpose will be identified separately and supported by the appropriate revenue stream.

This report contains the detailed purposes for a **tax-exempt General Obligation Note** in the total amount of **\$5,280,000**; and a **taxable General Obligation Note** in the total amount of **\$4,715,000**. Also included is a timetable of events identifying the important benchmarks at which specific components of the financing process will be completed.

Upon approval by the City to proceed with the 2008 financings, RBC will prepare the City for a rating analysis by Moody's Investors Service, and for market entry. RBC will also coordinate the preparation of legal documents with the City's Bond Counsel, Quarles & Brady. Final rating and marketing results will be presented for Council consideration in report form containing the resolutions with the final interest rates at the July 21st meeting.

\$5,280,000 General Obligation Promissory Notes – 2008 (Tax-Exempt)

The proceeds of the tax-exempt Notes will be used to provide funds for the City’s 2008 and 2009 Capital Improvement Projects (\$970,000), for TID #5 Projects (\$480,000) and to refinance a 2006 NAN originally issued for TID #3 and TID #9 Projects (\$1,440,000) and to refinance a 2004 BAN originally issued for TID #7, TID #8 and TID #9 Projects (\$2,380,000). The detailed source and application of funds demonstrates the allocation of the amount of the 2008 Notes to each purpose or tax incremental district. Below is the combined debt service schedule to be used for marketing the \$5,280,000 tax-exempt notes. The individual debt service schedules for each purpose are also included within this report.

2008 Tax Exempt
\$5,280,000 G.O. Promissory Notes

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
03/01/2009			113,983.33	113,983.33	
09/01/2009	100,000	3.000%	97,700.00	197,700.00	311,683.33
03/01/2010			96,200.00	96,200.00	
09/01/2010	175,000	3.000%	96,200.00	271,200.00	367,400.00
03/01/2011			93,575.00	93,575.00	
09/01/2011	300,000	3.250%	93,575.00	393,575.00	487,150.00
03/01/2012			88,700.00	88,700.00	
09/01/2012	465,000	3.250%	88,700.00	553,700.00	642,400.00
03/01/2013			81,143.75	81,143.75	
09/01/2013	590,000	3.500%	81,143.75	671,143.75	752,287.50
03/01/2014			70,818.75	70,818.75	
09/01/2014	395,000	3.500%	70,818.75	465,818.75	536,637.50
03/01/2015			63,906.25	63,906.25	
09/01/2015	465,000	3.750%	63,906.25	528,906.25	592,812.50
03/01/2016			55,187.50	55,187.50	
09/01/2016	490,000	3.750%	55,187.50	545,187.50	600,375.00
03/01/2017			46,000.00	46,000.00	
09/01/2017	2,300,000	4.000%	46,000.00	2,346,000.00	2,392,000.00
	5,280,000		1,402,745.83	6,682,745.83	6,682,745.83

Net Interest Rate 3.807
Bond Years 36,845.00
Average Life 6.978

Source and Application of Funds - Tax Exempt Issue

Source of Funds:	CIP	TID 5 Projects	----- Refinancing -----				Combined Total Tax Exempt
			TID 3	TID 7	TID 8	TID 9	
Note Proceeds	\$970,000	\$480,000	\$860,000	\$560,000	\$215,000	\$2,195,000	\$5,280,000
Premium Paid by Inv.	11,618	5,749	10,300	6,707	2,575	26,290	63,240
Investment Earnings (Est.)	<u>7,140</u>	<u>7,500</u>	<u>1,780</u>	<u>1,200</u>	<u>500</u>	<u>4,620</u>	<u>22,740</u>
Total Source of Funds	<u>\$988,758</u>	<u>\$493,249</u>	<u>\$872,080</u>	<u>\$567,907</u>	<u>\$218,075</u>	<u>\$2,225,910</u>	<u>\$5,365,980</u>

Application of Funds:

Project Costs/Refinancing	\$970,000	\$483,500	\$855,000	\$560,000	\$215,000	\$2,190,000	\$5,273,500
Issuance Expenses*	7,140	4,000	6,780	1,200	500	9,620	29,240
Und. Expenses (Est.)	<u>11,618</u>	<u>5,749</u>	<u>10,300</u>	<u>6,707</u>	<u>2,575</u>	<u>26,290</u>	<u>63,240</u>
Total Application of Funds	<u>\$988,758</u>	<u>\$493,249</u>	<u>\$872,080</u>	<u>\$567,907</u>	<u>\$218,075</u>	<u>\$2,225,910</u>	<u>\$5,365,980</u>

*** Issuance Expenses:**

RBC Fee	\$14,560
Quarles & Brady	9,500
Moody's Inv. Services	3,180
Official Statements, DTC, CUSIP	<u>2,000</u>
	<u>\$29,240</u>

Tax-Exempt Note Detail – City Purposes (\$970,000)

Following is the list of 2008 and 2009 City capital improvement projects to be funded with a portion of the tax-exempt notes:

Street Construction	\$570,000
Sidewalk Construction	\$ 45,000
Lake Park Storm Water Pond	\$125,000
Paving Southfield West Streets	\$ 35,000
Sidewalks – Midway Road	<u>\$195,000</u>
Total City Purpose Capital Projects	\$970,000

Below is the amortization schedule for the City projects, along with the illustration of the impact on the net tax levy after offsetting special assessments.

2008 Tax Exempt City Purposes				
	Dated Date	08/01/2008		
	Delivery Date	08/04/2008		
Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009	50,000	3.000%	35,939.58	85,939.58
09/01/2010	75,000	3.000%	31,675.00	106,675.00
09/01/2011	75,000	3.250%	29,425.00	104,425.00
09/01/2012	240,000	3.250%	26,987.50	266,987.50
09/01/2013	275,000	3.500%	19,187.50	294,187.50
09/01/2014	75,000	3.500%	9,562.50	84,562.50
09/01/2015	55,000	3.750%	6,937.50	61,937.50
09/01/2016	50,000	3.750%	4,875.00	54,875.00
09/01/2017	75,000	4.000%	3,000.00	78,000.00
	970,000		167,589.58	1,137,589.58

Net G.O. Debt Tax Levy

Budget Year	Existing Net G.O. Tax Levy Debt Service	New Issue Debt Service	Less Special Assessment Revenue Est.	Net G.O. Tax Levy Debt Service
2008	\$574,760	---		\$ 574,760
2009	557,785	\$ 85,940		643,725
2010	572,162	106,675		678,837
2011	634,950	104,425		739,375
2012	364,218	266,988	\$(200,000)	431,206
2013	973,847	294,188	(250,000)	1,018,035
2014		84,563	(40,000)	44,563
2015		61,938	(30,000)	31,938
2016		54,875	(30,000)	24,875
2017		78,000	(55,000)	23,000

Tax-Exempt Note Detail TID 5 Purposes (\$480,000)

Following are the TID 5 projects to be funded with a portion of the tax-exempt notes:

Street Construction (concrete)	\$450,000
Sidewalk Construction	<u>\$ 30,000</u>
Total TID 5 Projects	\$480,000

Below is the amortization schedule for the TID 5 projects and a summary analysis of the TID 5 cash flow.

2008 Tax Exempt
TID 5 Purposes

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009	50,000	3.000%	18,768.75	68,768.75
09/01/2010	25,000	3.000%	15,825.00	40,825.00
09/01/2011	25,000	3.250%	15,075.00	40,075.00
09/01/2012	25,000	3.250%	14,262.50	39,262.50
09/01/2013	25,000	3.500%	13,450.00	38,450.00
09/01/2014	25,000	3.500%	12,575.00	37,575.00
09/01/2015	100,000	3.750%	11,700.00	111,700.00
09/01/2016	100,000	3.750%	7,950.00	107,950.00
09/01/2017	105,000	4.000%	4,200.00	109,200.00
	480,000		113,806.25	593,806.25

Tax Incremental District No. 5 Cash Flow Analysis Summary:

Based on estimated increases in future incremental values of approximately \$1 million per year, it is anticipated that the future tax increments will be sufficient to support the current debt and the new project cost of \$480,000.

In addition, TID 5 will also be applying \$280,000 of funds on hand to the refinancing of \$560,000 taxable BANs. The remaining \$285,000 will be included in the 2008 taxable General Obligation Notes debt structure.

Tax-Exempt Note Detail Refinancing (\$3,830,000)

The 2006 NANs and 2004 BANs are short-term notes issued for various tax incremental districts. The dollar amount of the 2008 Tax-Exempt Notes allocated to each district are as follows:

TID #3	\$860,000
TID #7	\$560,000
TID #8	\$215,000
TID #9	<u>\$2,195,000</u>

Total Refinancing Purposes \$3,830,000

The existing NANs and BANs are callable on September 1, 2008, at which time the interest to existing bondholders will stop.

Following are the respective amortization schedules for each tax incremental district:

2008 Tax Exempt TID 3 Refinancing				
	Dated Date	08/01/2008		
	Delivery Date	08/04/2008		
Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009			32,811.46	32,811.46
09/01/2010			30,287.50	30,287.50
09/01/2011	125,000	3.250%	30,287.50	155,287.50
09/01/2012	125,000	3.250%	26,225.00	151,225.00
09/01/2013	140,000	3.500%	22,162.50	162,162.50
09/01/2014	145,000	3.500%	17,262.50	162,262.50
09/01/2015	155,000	3.750%	12,187.50	167,187.50
09/01/2016	170,000	3.750%	6,375.00	176,375.00
	<u>860,000</u>		<u>177,598.96</u>	<u>1,037,598.96</u>

2008 Tax Exempt
TID 7 Refinancing

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009			21,639.58	21,639.58
09/01/2010	50,000	3.000%	19,975.00	69,975.00
09/01/2011	50,000	3.250%	18,475.00	68,475.00
09/01/2012	50,000	3.250%	16,850.00	66,850.00
09/01/2013	75,000	3.500%	15,225.00	90,225.00
09/01/2014	75,000	3.500%	12,600.00	87,600.00
09/01/2015	80,000	3.750%	9,975.00	89,975.00
09/01/2016	90,000	3.750%	6,975.00	96,975.00
09/01/2017	90,000	4.000%	3,600.00	93,600.00
	560,000		125,314.58	685,314.58

2008 Tax Exempt
TID 8 Refinancing

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009			8,233.33	8,233.33
09/01/2010	25,000	3.000%	7,600.00	32,600.00
09/01/2011	25,000	3.250%	6,850.00	31,850.00
09/01/2012	25,000	3.250%	6,037.50	31,037.50
09/01/2013	25,000	3.500%	5,225.00	30,225.00
09/01/2014	25,000	3.500%	4,350.00	29,350.00
09/01/2015	25,000	3.750%	3,475.00	28,475.00
09/01/2016	25,000	3.750%	2,537.50	27,537.50
09/01/2017	40,000	4.000%	1,600.00	41,600.00
	215,000		45,908.33	260,908.33

2008 Tax Exempt
TID 9 Refinancing

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009			94,290.63	94,290.63
09/01/2010			87,037.50	87,037.50
09/01/2011			87,037.50	87,037.50
09/01/2012			87,037.50	87,037.50
09/01/2013	50,000	3.500%	87,037.50	137,037.50
09/01/2014	50,000	3.500%	85,287.50	135,287.50
09/01/2015	50,000	3.750%	83,537.50	133,537.50
09/01/2016	55,000	3.750%	81,662.50	136,662.50
09/01/2017	1,990,000	4.000%	79,600.00	2,069,600.00
	2,195,000		772,528.13	2,967,528.13

\$4,715,000 General Obligation Promissory Notes – 2008 (Taxable)

The proceeds of the taxable Notes will be used to refinance a 2003 NAN originally issued for TID #7 Projects (\$1,180,000), and to refinance a 2004 BAN originally issued for TID #5, TID #8 and TID #9 Projects (\$1,740,000), and to refinance a 2006 NAN originally issued for TID #9 Projects (\$1,725,000). The detailed source and application of funds demonstrates the allocation of the amount of the 2008 Notes to each tax incremental district. Below is the combined debt service schedule to be used for marketing the \$4,715,000 taxable notes. The individual debt service schedules for each tax incremental district purpose are also included within this report.

2008 Taxable
\$4,715,000 G.O. Promissory Notes

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
03/01/2009			131,640.83	131,640.83	
09/01/2009	150,000	4.600%	112,835.00	262,835.00	394,475.83
03/01/2010			109,385.00	109,385.00	
09/01/2010	175,000	4.600%	109,385.00	284,385.00	393,770.00
03/01/2011			105,360.00	105,360.00	
09/01/2011	180,000	4.800%	105,360.00	285,360.00	390,720.00
03/01/2012			101,040.00	101,040.00	
09/01/2012	210,000	4.800%	101,040.00	311,040.00	412,080.00
03/01/2013			96,000.00	96,000.00	
09/01/2013	4,000,000	4.800%	96,000.00	4,096,000.00	4,192,000.00
	4,715,000		1,068,045.83	5,783,045.83	5,783,045.83

Net Interest Rate 5.038
Bond Years 22,272.92
Average Life 4.724

Source and Application of Funds – Taxable Issue

<u>Source of Funds:</u>	----- Refinancing -----				<u>Combined Total Taxable</u>
	<u>TID 7</u>	<u>TID 5</u>	<u>TID 8</u>	<u>TID 9</u>	
Note Proceeds	\$1,200,000	\$285,000	\$760,000	\$2,470,000	\$4,715,000
Inv. Earnings Est.	2,009	580	1,560	4,323	8,472
Funds on Hand	<u> </u>	<u>280,000</u>	<u> </u>	<u> </u>	<u>280,000</u>
Total Source of Funds	\$1,202,009	\$565,580	\$761,560	\$2,474,323	\$5,003,472
<u>Application of Funds:</u>					
Refinancing	\$1,180,000	\$560,000	\$750,000	\$2,435,000	\$4,925,000
Issuance Expenses*	8,209	2,303	2,820	10,918	24,250
Und. Expenses Est.	<u>13,800</u>	<u>3,277</u>	<u>8,740</u>	<u>28,405</u>	<u>54,222</u>
Total Application of Funds	<u>\$1,202,009</u>	<u>\$565,580</u>	<u>\$761,560</u>	<u>\$2,474,323</u>	<u>\$5,003,472</u>
* <u>Issuance Expenses:</u>					
RBC Fee	\$13,430				
Quarles & Brady	6,000				
Moody's Inv. Services	2,820				
Official Statements, DTC, CUSIP	<u>2,000</u>				
	\$24,250				

Taxable Note Detail Refinancing (\$4,715,000)

The 2003 NANs, the 2004 BANs and the 2006 NANs are short-term notes issued for various tax incremental districts. The dollar amount of the 2008 Taxable Notes allocated to each district are as follows:

TID #5	\$285,000
TID #7	\$1,200,000
TID #8	\$760,000
TID #9	<u>\$2,470,000</u>

Total Refinancing Purposes \$4,715,000

The existing NANs and BANs are either coming due or are callable on September 1, 2008, at which time the interest to existing bondholders will stop.

Following are the respective amortization schedules for each tax incremental district:

2008 Taxable
TID 5 Refinancing

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009	50,000	4.600%	14,549.17	64,549.17
09/01/2010	75,000	4.600%	11,130.00	86,130.00
09/01/2011	80,000	4.800%	7,680.00	87,680.00
09/01/2012	80,000	4.800%	3,840.00	83,840.00
	285,000		37,199.17	322,199.17

2008 Taxable
TID 7 Refinancing

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009	25,000	4.600%	62,291.67	87,291.67
09/01/2010	25,000	4.600%	56,350.00	81,350.00
09/01/2011	25,000	4.800%	55,200.00	80,200.00
09/01/2012	25,000	4.800%	54,000.00	79,000.00
09/01/2013	1,100,000	4.800%	52,800.00	1,152,800.00
	1,200,000		280,641.67	1,480,641.67

2008 Taxable
TID 8 Refinancing

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009	25,000	4.600%	39,411.67	64,411.67
09/01/2010	25,000	4.600%	35,230.00	60,230.00
09/01/2011	25,000	4.800%	34,080.00	59,080.00
09/01/2012	25,000	4.800%	32,880.00	57,880.00
09/01/2013	660,000	4.800%	31,680.00	691,680.00
	760,000		173,281.67	933,281.67

2008 Taxable
TID 9 Refinancing

Dated Date 08/01/2008
Delivery Date 08/04/2008

Period Ending	Principal	Coupon	Interest	Debt Service
09/01/2009	50,000	4.600%	128,223.33	178,223.33
09/01/2010	50,000	4.600%	116,060.00	166,060.00
09/01/2011	50,000	4.800%	113,760.00	163,760.00
09/01/2012	80,000	4.800%	111,360.00	191,360.00
09/01/2013	2,240,000	4.800%	107,520.00	2,347,520.00
	2,470,000		576,923.33	3,046,923.33

TID Cash Flow Analysis Summary

Tax Incremental District 3:

Based on reduction in increment beginning in 2009, it is anticipated that the current cash balance together with future increments will support the debt service thru 2011. General Fund advances may be required in 2012 thru 2016.

Tax Incremental District 7:

The incremental value was adjusted downward beginning in 2008. On that basis, either sharing of tax increments with other districts that have surplus increments or General Fund advances would be required to meet the annual debt service requirement.

Tax Incremental District 8:

Growth in the current increment would be required to meet the annual debt service requirement without General Fund advances.

Tax Incremental District 9:

Current increment does not reflect the potential growth which would be required to meet the annual debt service requirement without General Fund advances.

**Calculation of Borrowing Capacity
After 2008 Financings**

Equalized Valuation 2007 Including TID	\$998,654,000
Legal Debt Limit – 5% of Equalized Value	\$ 49,932,700
General Obligation Debt Outstanding as of 12/31/07	(\$36,872,334)
NANS and BANs Reserving Current Debt Capacity	(\$ 6,250,000)
NANS and BANs Reserving 2009 Debt Capacity	<u>(\$ 3,165,000)</u>
Total Outstanding General Obligation Debt, NANS & BANs	(\$ 46,287,334)
2008 Scheduled Principal Payments on G.O. Debt	\$ 2,448,724
2008 Scheduled Principal Payments on NANS & BANS	<u>\$ 345,000</u>
Legal Debt Limit Capacity After 2008 Principal Payments	\$ 6,439,090
2008 Financings for Projects and Refinancing:	
Tax-Exempt G.O. Notes	(\$ 5,280,000)
Taxable G.O. Notes	(\$ 4,715,000)
Subtract BANs and NANS Being Refinanced on 9/01/08:	
9/01/03 Taxable NAN	\$1,180,000
6/01/06 Tax-Exempt NAN	\$1,440,000
6/01/06 Taxable NAN	\$1,725,000
12/15/04 Taxable BAN	\$2,020,000
12/14/04 Tax-Exempt BAN (partial)	<u>\$2,380,000</u>
Total BANs & NANS Being Refinanced	<u>\$ 8,745,000</u>
Legal Debt Capacity After 2008 Financings	\$ 5,189,090

Note: On August 15, 2008, the City's 2008 Equalized Valuation will be announced. This will result in additional legal debt limit capacity. Historically, this has resulted in approximately \$2 million. In 2009, the regularly scheduled principal payments for all General Obligation Debt, NANS and BANs will also increase the City's debt limit capacity. However, the City does have a \$2,675,000 Taxable NAN outstanding for Steam Utility purposes which is pledging the City's debt capacity available in 2011. This is not shown in the calculation above since the debt limit pledge applies to the year 2011.

Timetable of Events

Presentation of Financing Report to Administration Committee	June 2
Preparation of Official Statement and Rating Presentation Materials	Month of June
Rating Conference Call	July 9 – 14
Marketing of Securities to Investors Begins	July 17
Final Results of Sale Presented to Council in Resolution Form Resolution Authorizes “Call” of Outstanding Securities	July 21
30-Day Call Notice Disseminated to Bondholders of Existing Debt	July 29
Closing, Delivery of Funds	August 4
Outstanding Issues Paid Off on Call or Maturity Date	September 1



May 29, 2008

To: Administration Committee

From: Debbie Galeazzi, Clerk *dg*

Subject: Liquor License Applications, July 1, 2008-June 30, 2009

Renewal applications to deal in intoxicating liquor and/or fermented malt beverages for the July 1, 2008-June 30, 2009 licensing period have been filed:

CLASS "A" MALT

Quality State Oil Co., Inc., 2201 Calumet Dr, Sheboygan (Qmart #220) 1515 Appleton Rd.
53083, Emily Hein/Agent
Valley Petroleum, LLC, 1320 Oak Creek Dr., Green Bay 54313 (Southsider Citgo) 1490 S. Oneida, Appleton
Steve Rosek/Agent
Van Zeeland Oil Co., Inc., PO Box 7777, Appleton 54912 (Midway Marathon) 1492 Appleton Rd.
Todd Van Zeeland/Agent

CLASS "B" MALT

St. John the Baptist Catholic Church, 628 – 5th, Menasha Lois Zelinski-Henkel/Agent
St. Patrick's Parish, 324 Nicolet Blvd, Menasha, Joyce Naps/Agent
Fox Cinema, Inc., 421 George St, #191, DePere 54115 (Fox Cinema) 400 3rd St.
Vicki Radue/Agent

"CLASS A" LIQUOR AND MALT

Doris A. Szymanski, 701 Keyes, Menasha 54952 (Club Liquor) 234 Main
Fresh Brands Distributing, Inc., 2215 Union Ave., (Piggly Wiggly Supermarket #24)
Sheboygan 53082, John Braunreiter/Agent 1151 Midway Rd.
Kwik Trip, Inc, 1626 Oak Street, LaCrosse, 54602 Kwik Trip #743, 1870 USH 10/114
Sonja A. Nolay/Agent
Stop N Go LLC, 21 Diane Lane, Appleton, 54915 (Stop N Go LLC) 1200 Plank Rd
Kamaljit Gill/Agent
U.S. Oil Co., Inc., 425 S. Washington, Combined Locks 54113 (Express Convenience Centers) 700 3rd St.
Gerald Smith/Agent

"CLASS B" LIQUOR AND MALT

Paul C. Beck, 422 6th St., Menasha (Beck's Home Plate) 422 6th St.
Andrew J. Brodzinski, 1027 Brighton Dr. Menasha (Fish Fry Tavern) 528 Milwaukee
Christopher Donner, 2155 Cottonwood, Menasha (R) (The Vault) 175 Main St.
Patricia J. Kersten, 10 Tayco, Menasha (Pat's Legend Inn) 10 Tayco
Jean Redlin, 2340 Strobe Island Dr., Appleton 54914 (The Redliner) 977 Plank Rd.
David Seidl, 8879 Pioneer Rd., Larsen 54947 (City Limits) 544 – 4th
Thomas J. Siegel, 1221 Beechwood Ln, Menasha (Tony's Bar) 212 Manitowoc
Steven C. Szymanski, 361 Elm St. Menasha (Club Tavern) 56 Racine
Americanos Drum & Bugle Corp Inc., 1615 Drum Corps Dr. (Americanos Centre), 1615 Drum Corps Dr.
Sandra Barlow/Agent (R)
BDD&G Holdings of Appleton, 320 Chute St, Menasha (Germania Hall) 320 Chute St
Lori Masiak/Agent
Castillo, LLC, 503 Riverway, Saul Castillo/Agent (Salsa Bar) 6 Tayco
Franky's of Menasha, LLC, 200 Main St., Frank Prokash/Agent (Franky's), 200 Main St.

“CLASS B” LIQUOR AND MALT (Cont’d)

Hanks Fifth Ward Tavern, Inc., 3524 County Rd A, Oshkosh 54901 Dawn M. Van Vonderen/Agent	(Hank’s Tavern) 600 Broad St,
Hot Brass, LLC, 800 Plank Rd., Frederick Schroeder/Agent	(The Locker Room) 800 Plank Rd.
Hotel Pub, LLP, Thomas P. Theisen, 177 Main, #212 and Brian K. Ritchie, 514 N. Meade, Appleton 54915	(Hotel Pub) 177 Main St.
Jitter’s Bar, LLC, 104 River St, Kaukauna Peter Kemps/Agent	(Jitters Lounge) 23 Main St.
Juanita’s Hacienda Inc, 190 Main St., Juana M. Bevers/Agent	(Korona Klub), 190 Main St.
M N S Corp., 332 Ahnaip, Matteo Sollena/Agent	(Luigi’s Pizza & Pasta) 332 Ahnaip St.
Menasha Grill, Inc., 204 Main St., Charlie Cross/Agent	(Menasha Grill) 204 Main St.
Mr. Steak of Menasha, Inc., 3341 S. Oneida St, Appleton Robert A. John/Agent	(B.J. Clancy’s) 3341 S. Oneida St, Appleton
Nauts Landing, Inc., 124 Main St., Richard E. Brey/Agent	(Nauts Landing) 124 Main St.
Neenah-Menasha Elks Lodge #676 of B.P.O.E., 328 Nicolet Blvd., Robert Green/Agent (R)	(Neenah-Menasha Elks Lodge #676) 328 Nicolet Blvd.
Neenah-Menasha K of C Building Assn., 746 – 3 rd , H. Dale Berken/Agent	(Knights of Columbus) 746 – 3 rd
The Old Grog, 209 Dakota Grove St., Paul M. Ehrlicke/Agent	(The Old Grog) 546 Broad St.
Ramsey & Ramsey, Inc., 2 Tayco, Kathleen Bayer/Agent	(R & R Bar) 2 Tayco
Solea Mexican Grill, LLC, 250 Misty Meadow Eduardo Sanchez/Agent	(Solea Mexican Grill) 705 Appleton Rd.
Stone Toad Inc, 1109 S. Oneida Rd., Jennifer Lynn Weinandt/Agent	(Stone Toad Bar-Grill) 1109 S. Oneida Rd.
Wiseguys Pizzeria & Pub LLC, 1440 S. Oneida Street, Menasha Brenda Jorgensen/Agent (R)	(Wiseguys Pizzeria & Pub), 1440 S. Oneida Rd

(R) – Reserve “Class B” Liquor and Malt

The Police Depart. has done a background check on all of the above mentioned applicants and has no reason to withhold any license based on their findings.

The Fire Depart. has inspected all the above listed properties and recommends approving the renewal of all the applicants listed.

The Health Dept. has inspected all the above listed properties and recommends approving the renewal of all the applicants listed.

The Menasha Utilities recommends deferring action until the June 16 meeting on Christopher Donner, d/b/a The Vault as the account is in arrears.

The Building Inspectors have completed their inspection of all the above listed properties and they recommend deferring action until the June 16 meeting on Menasha Grill, The Vault, and Korona Klub.

C/T Stoffel has checked the 2007 taxes for the above listed properties and finds Juanita’s Hacienda, d/b/a Kornona Klub and Christopher Donner, d/b/a The Vault both owe 2007 taxes.

We’ve received notice from a local wholesale distributor that The Vault has outstanding bills that are 30 days in arrears.



To: City Clerk Galeazzi
From: Police Chief Stanke
Date: May 08, 2008
Re: Liquor Establishment Licensing

We have reviewed and checked the criminal records of the listed liquor license applicants that you provided. We do not object to the licensing of anyone on that list.



Memorandum

TO: Debbie Galeazzi, City of Menasha Clerk

FROM: Assistant Chief/Fire Marshall Al Auxier

DATE: May 23, 2008

RE: Liquor License Renewal Inspections

Neenah-Menasha Fire Rescue, NMFR, completed the liquor license renewal inspections of the occupancy on the list that you provided and found that all the applicants that were listed could have their liquor license renewals approved.

If you have any questions or concerns please feel free to contact me.

Al Auxier
Assistant Chief/Fire Marshall
Neenah-Menasha Fire Rescue
aauxier@nmfire.org
(920)886-6203, office
(920)209-9509, cell



Date: May 29, 2008

To: City of Menasha Common Council

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

Re: Liquor License Renewal Inspections (08-09)

An inspection was conducted at all establishments which submitted a liquor license renewal application for the July 1, 2008 - June 30, 2009 license year.

The health inspection conducted in these establishments 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 inspections conducted in these establishments did not cite any health-related violations which would necessitate a recommendation to hold any of the liquor license applications.

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



MEMORANDUM

TO: City Clerk Galeazzi
FROM: Dan Coffey, Building Inspector
DATE: 05/29/08
SUBJECT: 2008 Liquor License Inspections

The Building Inspection Department is recommending approval of all submitted liquor license applications expect for the following:

Menasha Grill – 204 Main Street
(Need exit lighting, will do follow-up inspection)

The Vault Lounge – 175 Main Street
(Unable to contact applicant to schedule inspection)

Korona Club – 190 Main Street
(Unable to contact applicant to schedule inspection)

If anything changes, another report will be submitted on Monday, June 2.


5/29/08



MEMORANDUM

TO: City Clerk Galeazzi
FROM: City Comptroller/Treasurer Stoffel
DATE: 05/28/08
SUBJECT: Delinquent Real Estate Taxes, Personal Property Taxes or other financial claims unpaid by Liquor License Applicants

The following Liquor License Applicants are either in arrears on their 2007 Real Estate and/or Personal Property Taxes or have another financial claim by the City that is unpaid as of this date. This report is prepared in expectation of all other applicants paying the third property tax installment in a timely manner.

<u>NAME</u>	<u>TYPE OF UNPAID CLAIM</u>	<u>AMOUNT</u>
1. Korona Klub	Real Estate, Snow Removal	
	Refuse Collection	\$ 2,256.53
2. The Vault	Real Estate (Landlord)	<u>4,451.76</u>
	Total	\$ 6,708.29



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WB-13 VACANT LAND OFFER TO PURCHASE

1 **BROKER DRAFTING THIS OFFER ON** 5/13/2008 **[DATE] IS (AGENT OF SELLER) (AGENT OF BUYER) (DUAL AGENT)** **[STRIKE TWO]**
2 **[GENERAL PROVISIONS]** The Buyer, Riverside Building, Inc.
3 offers to purchase the Property known as **[Street Address]** 81 Racine St and 504 Broad St Parcel ID# 710006200
4 71000610 in the **City** of Menasha, County of Winnebago
5 Wisconsin, (Insert additional description, if any, at lines 179 - 187 or attach as an addendum, line 188), on the following terms:
6 ■ **PURCHASE PRICE:** Thirty-Six thousand
7 _____ Dollars (\$ 36,000).
8 ■ **EARNEST MONEY** of \$ _____ accompanies this Offer and earnest money of \$ 1000.00
9 will be paid within 5 days of acceptance.
10 ■ **THE BALANCE OF PURCHASE PRICE** will be paid in **cash** or equivalent at closing unless otherwise provided below.
11 ■ **ADDITIONAL ITEMS INCLUDED IN PURCHASE PRICE:** Seller shall include in the purchase price and transfer, free and clear of
12 encumbrances, all fixtures, as defined at lines 15 - 18 and as may be on the Property on the date of this Offer, unless excluded at line 14,
13 and the following additional items: none
14 ■ **ITEMS NOT INCLUDED IN THE PURCHASE PRICE:** none
15 A "Fixture" is defined as an item of property which is physically attached to or so closely associated with land so as to be treated as part
16 of the real estate, including, without limitation, physically attached items not easily removable without damage to the Property, items
17 specifically adapted to the Property, and items customarily treated as fixtures including but not limited to all: perennial crops; garden
18 bulbs; plants; shrubs and trees. CAUTION: Annual crops are not included in the purchase price unless otherwise agreed at line 13.
19 ■ **ZONING:** Seller represents that the Property is zoned Commercial
20 **[ACCEPTANCE]** Acceptance occurs when all Buyers and Sellers have signed an identical copy of the Offer, including signatures on
21 separate but identical copies of the Offer. **CAUTION: Deadlines in the Offer are commonly calculated from acceptance. Consider**
22 **whether short term deadlines running from acceptance provide adequate time for both binding acceptance and performance.**
23 **[BINDING ACCEPTANCE]** This Offer is binding upon both Parties only if a copy of the accepted Offer is delivered to Buyer on or
24 before June 15, 2008. **CAUTION: This Offer may be withdrawn prior to delivery of the accepted Offer.**
25 **[DELIVERY OF DOCUMENTS AND WRITTEN NOTICES]** Unless otherwise stated in this Offer, delivery of documents and written notices
26 to a Party shall be effective only when accomplished by one of the methods specified at lines 27 - 36.
27 (1) By depositing the document or written notice postage or fees prepaid in the U.S. Mail or fees prepaid or charged to an account with
28 a commercial delivery service, addressed either to the Party, or to the Party's recipient for delivery designated at lines 30 or 32 (if any),
29 for delivery to the Party's delivery address at lines 31 or 33.
30 Seller's recipient for delivery (optional): City of Menasha
31 Seller's delivery address: 140 Main St. Menasha, WI 54952
32 Buyer's recipient for delivery (optional): Riverside Building, Inc.
33 Buyer's delivery address: 59 Racine St. Menasha, WI 54952
34 (2) By giving the document or written notice personally to the Party or the Party's recipient for delivery if an individual is designated at lines 30 or 32.
35 (3) By fax transmission of the document or written notice to the following telephone number:
36 Buyer: (920) 722-4293 Seller: (_____) _____
37 **[OCCUPANCY]** Occupancy of the entire Property shall be given to Buyer at time of closing unless otherwise provided in this Offer (lines
38 179 - 187 or in an addendum per line 188). Occupancy shall be given subject to tenant's rights, if any. **Caution: Consider an agreement**
39 **which addresses responsibility for clearing the Property of personal property and debris, if applicable.**
40 **[LEASED PROPERTY]** If Property is currently leased and lease(s) extend beyond closing, Seller shall assign Seller's rights under said
41 lease(s) and transfer all security deposits and prepaid rents thereunder to Buyer at closing. The terms of the (written) (oral) **[STRIKE ONE]**
42 lease(s), if any, are _____
43 **[PLACE OF CLOSING]** This transaction is to be closed at the place designated by Buyer's mortgagee or Title company
44 _____ no later than June 15, 2008, unless another date or place is agreed to in writing.
45 **[CLOSING PRORATIONS]** The following items shall be prorated at closing: real estate taxes, rents, private and municipal charges,
46 property owner's association assessments, fuel and _____
47 _____. Any income, taxes or expenses shall accrue to Seller, and be prorated, through the day prior to closing.
48 Net general real estate taxes shall be prorated based on (the net general real estate taxes for the current year, if known, otherwise on
49 the net general real estate taxes for the preceding year) (_____)
50 _____). **[STRIKE AND COMPLETE AS APPLICABLE]**
51 **CAUTION: If proration on the basis of net general real estate taxes is not acceptable (for example, completed/pending**
52 **reassessment, changing mill rate, lottery credits), insert estimated annual tax or other formula for proration.**
53 **[PROPERTY CONDITION PROVISIONS]**
54 ■ **PROPERTY CONDITION REPRESENTATIONS:** Seller represents to Buyer that as of the date of acceptance Seller has no notice
55 or knowledge of conditions affecting the Property or transaction (see below) other than those identified in Seller's Real Estate Condition
56 Report dated _____, which was received by Buyer prior to Buyer signing this Offer and which is made a part of this Offer
57 by reference **[COMPLETE DATE OR STRIKE AS APPLICABLE]** and _____
58 _____ **[INSERT CONDITIONS NOT ALREADY INCLUDED IN THE CONDITION REPORT]** .

59 A "condition affecting the Property or transaction" is defined as follows:

60 (a) planned or commenced public improvements which may result in special assessments or otherwise materially affect the Property
61 or the present use of the Property;

62 (b) completed or pending reassessment of the Property for property tax purposes;

63 (c) government agency or court order requiring repair, alteration or correction of any existing condition;

64 (d) any land division involving the subject Property, for which required state or local approvals had not been obtained;

65 (e) any portion of the Property being in a 100 year floodplain, a wetland or shoreland zoning area under local, state or federal laws;

66 (f) conditions constituting a significant health or safety hazard for occupants of Property;

67 (g) underground or aboveground storage tanks on the Property for storage of flammable or combustible liquids including but not limited to
68 gasoline and heating oil which are currently or which were previously located on the Property; **NOTE: Wis. Adm. Code, Chapter**
69 **Comm 10 contains registration and operation rules for such underground and aboveground storage tanks.**

70 (h) material violations of environmental laws or other laws or agreements regulating the use of the Property;

71 (i) high voltage electric (100 KV or greater) or steel natural gas transmission lines located on but not directly serving the Property;

72 (j) any portion of the Property being subject to, or in violation of, a Farmland Preservation Agreement under a County Farmland Preservation
73 Plan or enrolled in, or in violation of, a Forest Crop, Woodland Tax, Managed Forest, Conservation Reserve or comparable program;

74 (k) boundary disputes or material violation of fence laws (Wis. Stats. Chapter 90) which require the erection and maintenance of legal
75 fences between adjoining properties where one or both of the properties is used and occupied for farming or grazing purposes;

76 (l) wells on the Property required to be abandoned under state regulations (Wis. Adm. Code NR 112.26) but which are not abandoned;

77 (m) cisterns or septic tanks on the Property which are currently not servicing the Property;

78 (n) subsoil conditions which would significantly increase the cost of the development proposed at lines 271-272, if any, including, but not limited
79 to, subsurface foundations, organic or non-organic fill, dumpsites or containers on Property which contained or currently contain toxic or
80 hazardous materials, high groundwater, soil conditions (e.g. low load bearing capacity) or excessive rocks or rock formations on the Property;

81 (o) a lack of legal vehicular access to the Property from public roads;

82 (p) prior reimbursement for corrective action costs under the Agricultural Chemical Cleanup Program; (Wis. Stats. §94.73.)

83 (q) other conditions or occurrences which would significantly increase the cost of the development proposed at lines 271 to 272 or
84 reduce the value of the Property to a reasonable person with knowledge of the nature and scope of the condition or occurrence.

85 ■ **PROPERTY DIMENSIONS AND SURVEYS:** Buyer acknowledges that any land dimensions, total square footage/acreage figures,
86 or allocation of acreage information, provided to Buyer by Seller or by a broker, may be approximate because of rounding or other
87 reasons, unless verified by survey or other means. **CAUTION: Buyer should verify land dimensions, total square footage/acreage**
88 **figures or allocation of acreage information if material to Buyer's decision to purchase.**

89 ■ **ISSUES RELATED TO PROPERTY DEVELOPMENT:** WARNING: If Buyer contemplates developing Property for a use other than the
90 current use, there are a variety of issues which should be addressed to ensure the development or new use is feasible. Municipal and zoning
91 ordinances, recorded building and use restrictions, covenants and easements may prohibit certain improvements or uses and therefore should
92 be reviewed. Building permits, zoning variances, Architectural Control Committee approvals, estimates for utility hook-up expenses, special
93 assessments, charges for installation of roads or utilities, environmental audits, subsoil tests, or other development related fees may need
94 to be obtained or verified in order to determine the feasibility of development of, or a particular use for, a property. Optional contingencies
95 which allow Buyer to investigate certain of these issues can be found at lines 271 - 314 and Buyer may add contingencies as needed in
96 addenda (see line 188). Buyer should review any plans for development or use changes to determine what issues should be addressed
97 in these contingencies.

98 ■ **INSPECTIONS:** Seller agrees to allow Buyer's inspectors reasonable access to the Property upon reasonable notice if the inspections
99 are reasonably necessary to satisfy the contingencies in this Offer. Buyer agrees to promptly provide copies of all such inspection
100 reports to Seller, and to listing broker if Property is listed. Furthermore, Buyer agrees to promptly restore the Property to its original
101 condition after Buyer's inspections are completed, unless otherwise agreed in this Offer. An "inspection" is defined as an observation
102 of the Property which does not include testing of the Property, other than testing for leaking LP gas or natural gas used as a fuel source,
103 which are hereby authorized.

104 ■ **TESTING:** Except as otherwise provided, Seller's authorization for inspections does not authorize Buyer to conduct testing of the Property.
105 A "test" is defined as the taking of samples of materials such as soils, water, air or building materials from the Property and the laboratory
106 or other analysis of these materials. If Buyer requires testing, testing contingencies must be specifically provided for at lines 179 - 187 or
107 in an addendum per line 188. Note: Any contingency authorizing testing should specify the areas of the Property to be tested, the purpose
108 of the test, (e.g., to determine if environmental contamination is present), any limitations on Buyer's testing and any other material terms of
109 the contingency (e.g., Buyer's obligation to return the Property to its original condition). Seller acknowledges that certain inspections or tests
110 may detect environmental pollution which may be required to be reported to the Wisconsin Department of Natural Resources.

111 ■ **PRE-CLOSING INSPECTION:** At a reasonable time, pre-approved by Seller or Seller's agent, within 3 days before closing, Buyer shall
112 have the right to inspect the Property to determine that there has been no significant change in the condition of the Property, except for
113 changes approved by Buyer.

114 ■ **PROPERTY DAMAGE BETWEEN ACCEPTANCE AND CLOSING:** Seller shall maintain the Property until the earlier of closing or
115 occupancy of Buyer in materially the same condition as of the date of acceptance of this Offer, except for ordinary wear and tear. If, prior
116 to closing, the Property is damaged in an amount of not more than five percent (5%) of the selling price, Seller shall be obligated to repair
117 the Property and restore it to the same condition that it was on the day of this Offer. If the damage shall exceed such sum, Seller shall
118 promptly notify Buyer in writing of the damage and this Offer may be canceled at option of Buyer. Should Buyer elect to carry out this
119 Offer despite such damage, Buyer shall be entitled to the insurance proceeds relating to the damage to the Property, plus a credit towards
120 the purchase price equal to the amount of Seller's deductible on such policy. However, if this sale is financed by a land contract or a
121 mortgage to Seller, the insurance proceeds shall be held in trust for the sole purpose of restoring the Property.

122 ■ **FENCES:** Wisconsin Statutes section 90.03 requires the owners of adjoining properties to keep and maintain legal fences in equal
123 shares where one or both of the properties is used and occupied for farming or grazing purposes. **CAUTION: Consider an agreement**
124 **addressing responsibility for fences if Property or adjoining land is used and occupied for farming or grazing purposes.**

125 ■ **DELIVERY/RECEIPT:** Unless otherwise stated in this Offer, any signed document transmitted by facsimile machine (fax) shall be treated
126 in all manner and respects as an original document and the signature of any Party upon a document transmitted by fax shall be considered
127 an original signature. Personal delivery to, or actual receipt by, any named Buyer or Seller constitutes personal delivery to, or actual receipt
128 by Buyer or Seller. Once received, a notice cannot be withdrawn by the Party delivering the notice without the consent of the Party receiving
129 the notice. A Party may not unilaterally reinstate a contingency after a notice of a contingency waiver has been received by the other Party.
130 **The delivery provisions in this Offer may be modified when appropriate (e.g., when mail delivery is not desirable (see lines 25 - 36)).**
131 Buyer and Seller authorize the agents of Buyer and Seller to distribute copies of the Offer to Buyer's lender, appraisers, title insurance companies
132 and any other settlement service providers for the transaction as defined by the Real Estate Settlement Procedures Act (RESPA).

133 PROPERTY ADDRESS: 81 Racine St. & 504 Broad St. Menasha, WI [page 3 of 5, WB-13]

134 **TIME IS OF THE ESSENCE** "Time is of the Essence" as to: (1) earnest money payment(s); (2) binding acceptance; (3) occupancy; (4)
135 date of closing; (5) contingency deadlines **STRIKE AS APPLICABLE** and all other dates and deadlines in this Offer except _____

136 _____, If "Time is of the Essence"
137 applies to a date or deadline, failure to perform by the exact date or deadline is a breach of contract. If "Time is of the Essence" does
138 not apply to a date or deadline, then performance within a reasonable time of the date or deadline is allowed before a breach occurs.

139 **DATES AND DEADLINES** Deadlines expressed as a number of "days" from an event, such as acceptance, are calculated by excluding
140 the day the event occurred and by counting subsequent calendar days. The deadline expires at midnight on the last day. Deadlines
141 expressed as a specific number of "business days" exclude Saturdays, Sundays, any legal public holiday under Wisconsin or Federal
142 law, and other day designated by the President such that the postal service does not receive registered mail or make regular deliveries
143 on that day. Deadlines expressed as a specific number of "hours" from the occurrence of an event, such as receipt of a notice, are
144 calculated from the exact time of the event, and by counting 24 hours per calendar day. Deadlines expressed as a specific day of the
145 calendar year or as the day of a specific event, such as closing, expire at midnight of that day.

146 **THE FINANCING CONTINGENCY PROVISIONS AT LINES 148 - 162 ARE A PART OF THIS OFFER IF LINE 148 IS MARKED,**
147 **SUCH AS WITH AN "X". THEY ARE NOT PART OF THIS OFFER IF LINE 148 IS MARKED N/A OR IS NOT MARKED.**

148 **FINANCING CONTINGENCY:** This Offer is contingent upon Buyer being able to obtain a _____
149 **INSERT LOAN PROGRAM OR SOURCE** first mortgage loan commitment as described below, within _____ days of acceptance of this
150 Offer. The financing selected shall be in an amount of not less than \$ _____ for a term of not less than _____ years,
151 amortized over not less than _____ years. Initial monthly payments of principal and interest shall not exceed \$ _____.
152 Monthly payments may also include 1/12th of the estimated net annual real estate taxes, hazard insurance premiums, and private
153 mortgage insurance premiums. The mortgage may not include a prepayment premium. Buyer agrees to pay a loan fee not to exceed
154 _____% of the loan. (Loan fee refers to discount points and/or loan origination fee, but DOES NOT include Buyer's other closing
155 costs.) If the purchase price under this Offer is modified, the financed amount, unless otherwise provided, shall be adjusted
156 to the same percentage of the purchase price as in this contingency and the monthly payments shall be adjusted as necessary to maintain
157 the term and amortization stated above. **CHECK AND COMPLETE APPLICABLE FINANCING PROVISION AT LINE 158 OR 159.**

158 **FIXED RATE FINANCING:** The annual rate of interest shall not exceed _____%.
159 **ADJUSTABLE RATE FINANCING:** The initial annual interest rate shall not exceed _____%. The initial interest rate shall
160 be fixed for _____ months, at which time the interest rate may be increased not more than _____% per year. The maximum
161 interest rate during the mortgage term shall not exceed _____%. Monthly payments of principal and interest may be adjusted
162 to reflect interest changes.

163 **LOAN COMMITMENT:** Buyer agrees to pay all customary financing costs (including closing fees), to apply for financing promptly, and
164 to provide evidence of application promptly upon request by Seller. If Buyer qualifies for the financing described in this Offer or other
165 financing acceptable to Buyer, Buyer agrees to deliver to Seller a copy of the written loan commitment no later than the deadline for loan
166 commitment at line 149. Buyer's delivery of a copy of any written loan commitment to Seller (even if subject to conditions) shall
167 satisfy the Buyer's financing contingency unless accompanied by a notice of unacceptability. **CAUTION: BUYER, BUYER'S LENDER**
168 **AND AGENTS OF BUYER OR SELLER SHOULD NOT DELIVER A LOAN COMMITMENT TO SELLER WITHOUT BUYER'S PRIOR**
169 **APPROVAL OR UNLESS ACCOMPANIED BY A NOTICE OF UNACCEPTABILITY.**

170 **SELLER TERMINATION RIGHTS:** If Buyer does not make timely delivery of said commitment, Seller may terminate this Offer if Seller
171 delivers a written notice of termination to Buyer prior to Seller's actual receipt of a copy of Buyer's written loan commitment.

172 **FINANCING UNAVAILABILITY:** If financing is not available on the terms stated in this Offer (and Buyer has not already delivered an
173 acceptable loan commitment for other financing to Seller), Buyer shall promptly deliver written notice to Seller of same including copies
174 of lender(s)' rejection letter(s) or other evidence of unavailability. Unless a specific loan source is named in this Offer, Seller shall then
175 have 10 days to give Buyer written notice of Seller's decision to finance this transaction on the same terms set forth in this Offer and this
176 Offer shall remain in full force and effect, with the time for closing extended accordingly. If Seller's notice is not timely given, this Offer shall
177 be null and void. Buyer authorizes Seller to obtain any credit information reasonably appropriate to determine Buyer's credit worthiness
178 for Seller financing.

179 **ADDITIONAL PROVISIONS/CONTINGENCIES**
180 _____
181 _____
182 _____
183 _____
184 _____
185 _____
186 _____
187 _____

188 **ADDENDA:** The attached Addendum A, Exhibit A is/are made part of this Offer.

189 **TITLE EVIDENCE**
190 **CONVEYANCE OF TITLE:** Upon payment of the purchase price, Seller shall convey the Property by warranty deed (or other
191 conveyance as provided herein) free and clear of all liens and encumbrances, except: municipal and zoning ordinances and
192 agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use
193 restrictions and covenants, general taxes levied in the year of closing and _____

194 _____
195 _____ (provided none of the foregoing prohibit present use of the Property), which constitutes merchantable title
196 for purposes of this transaction. Seller further agrees to complete and execute the documents necessary to record the conveyance.

197 **FORM OF TITLE EVIDENCE:** Seller shall give evidence of title in the form of an owner's policy of title insurance in the amount of the
198 purchase price on a current ALTA form issued by an insurer licensed to write title insurance in Wisconsin. **CAUTION: IF TITLE**
199 **EVIDENCE WILL BE GIVEN BY ABSTRACT, STRIKE TITLE INSURANCE PROVISIONS AND INSERT ABSTRACT PROVISIONS.**
200 **PROVISION OF MERCHANTABLE TITLE:** Seller shall pay all costs of providing title evidence. For purposes of closing, title evidence
201 shall be acceptable if the commitment for the required title insurance is delivered to Buyer's attorney or Buyer not less than 3 business
202 days before closing, showing title to the Property as of a date no more than 15 days before delivery of such title evidence to be
203 merchantable, subject only to liens which will be paid out of the proceeds of closing and standard title insurance requirements and
204 exceptions, as appropriate. **CAUTION: BUYER SHOULD CONSIDER UPDATING THE EFFECTIVE DATE OF THE TITLE**
205 **COMMITMENT PRIOR TO CLOSING OR A "GAP ENDORSEMENT" WHICH WOULD INSURE OVER LIENS FILED BETWEEN THE**
206 **EFFECTIVE DATE OF THE COMMITMENT AND THE DATE THE DEED IS RECORDED.**
207 **TITLE ACCEPTABLE FOR CLOSING:** If title is not acceptable for closing, Buyer shall notify Seller in writing of objections to title by
208 the time set for closing. In such event, Seller shall have a reasonable time, but not exceeding 15 days, to remove the objections, and
209 the time for closing shall be extended as necessary for this purpose. In the event that Seller is unable to remove said objections, Buyer
210 shall have 5 days from receipt of notice thereof, to deliver written notice waiving the objections, and the time for closing shall be extended
211 accordingly. If Buyer does not waive the objections, this Offer shall be null and void. Providing title evidence acceptable for closing does
212 not extinguish Seller's obligations to give merchantable title to Buyer.
213 **SPECIAL ASSESSMENTS:** Special assessments, if any, for work actually commenced or levied prior to date of this Offer shall be
214 paid by Seller no later than closing. All other special assessments shall be paid by Buyer. **CAUTION: Consider a special agreement**
215 **if area assessments, property owner's association assessments or other expenses are contemplated.** "Other expenses" are one-
216 time charges or ongoing use fees for public improvements (other than those resulting in special assessments) relating to curb, gutter,
217 street, sidewalk, sanitary and stormwater and storm sewer (including all sewer mains and hook-up and interceptor charges), parks, street
218 lighting and street trees, and impact fees for other public facilities, as defined in Wis. Stat. § 66.55(1)(c) & (f).
219 **ENTIRE CONTRACT** This Offer, including any amendments to it, contains the entire agreement of the Buyer and Seller regarding the
220 transaction. All prior negotiations and discussions have been merged into this Offer. This agreement binds and inures to the benefit of
221 the Parties to this Offer and their successors in interest.
222 **DEFAULT**
223 Seller and Buyer each have the legal duty to use good faith and due diligence in completing the terms and conditions of this Offer. A
224 material failure to perform any obligation under this Offer is a default which may subject the defaulting party to liability for damages or
225 other legal remedies.
226 If Buyer defaults, Seller may:
227 (1) sue for specific performance and request the earnest money as partial payment of the purchase price; or
228 (2) terminate the Offer and have the option to: (a) request the earnest money as liquidated damages; or (b) direct Broker to return
229 the earnest money and have the option to sue for actual damages.
230 If Seller defaults, Buyer may:
231 (1) sue for specific performance; or
232 (2) terminate the Offer and request the return of the earnest money, sue for actual damages, or both.
233 In addition, the Parties may seek any other remedies available in law or equity.
234 The Parties understand that the availability of any judicial remedy will depend upon the circumstances of the situation and the
235 discretion of the courts. If either Party defaults, the Parties may renegotiate the Offer or seek nonjudicial dispute resolution instead of
236 the remedies outlined above. By agreeing to binding arbitration, the Parties may lose the right to litigate in a court of law those disputes
237 covered by the arbitration agreement.
238 **NOTE: IF ACCEPTED, THIS OFFER CAN CREATE A LEGALLY ENFORCEABLE CONTRACT. BOTH PARTIES SHOULD READ**
239 **THIS DOCUMENT CAREFULLY. BROKERS MAY PROVIDE A GENERAL EXPLANATION OF THE PROVISIONS OF THE OFFER BUT**
240 **ARE PROHIBITED BY LAW FROM GIVING ADVICE OR OPINIONS CONCERNING YOUR LEGAL RIGHTS UNDER THIS OFFER OR**
241 **HOW TITLE SHOULD BE TAKEN AT CLOSING. AN ATTORNEY SHOULD BE CONSULTED IF LEGAL ADVICE IS NEEDED.**
242 **EARNEST MONEY**
243 **HELD BY:** Unless otherwise agreed, earnest money shall be paid to and held in the trust account of the listing broker (buyer's agent
244 if Property is not listed or seller if no broker is involved), until applied to purchase price or otherwise disbursed as provided in the Offer.
245 **CAUTION: Should persons other than a broker hold earnest money, an escrow agreement should be drafted by the Parties**
246 **or an attorney. If someone other than Buyer makes payment of earnest money, consider a special disbursement agreement.**
247 **DISBURSEMENT:** If negotiations do not result in an accepted offer, the earnest money shall be promptly disbursed (after clearance
248 from payor's depository institution if earnest money is paid by check) to the person(s) who paid the earnest money. At closing, earnest
249 money shall be disbursed according to the closing statement. If this Offer does not close, the earnest money shall be disbursed according
250 to a written disbursement agreement signed by all Parties to this Offer (Note: Wis. Adm. Code § RL 18.09(1)(b) provides that an offer
251 to purchase is not a written disbursement agreement pursuant to which the broker may disburse). If said disbursement agreement has
252 not been delivered to broker within 60 days after the date set for closing, broker may disburse the earnest money: (1) as directed by
253 an attorney who has reviewed the transaction and does not represent Buyer or Seller; (2) into a court hearing a lawsuit involving the
254 earnest money and all Parties to this Offer; (3) as directed by court order; or (4) any other disbursement required or allowed by law.
255 Broker may retain legal services to direct disbursement per (1) or to file an interpleader action per (2) and broker may deduct from the
256 earnest money any costs and reasonable attorneys fees, not to exceed \$250, prior to disbursement.
257 **LEGAL RIGHTS/ACTION:** Broker's disbursement of earnest money does not determine the legal rights of the Parties in relation to this
258 Offer. Buyer's or Seller's legal right to earnest money cannot be determined by broker. At least 30 days prior to disbursement per (1)
259 or (4) above, broker shall send Buyer and Seller notice of the disbursement by certified mail. If Buyer or Seller disagree with broker's
260 proposed disbursement, a lawsuit may be filed to obtain a court order regarding disbursement. Small Claims Court has jurisdiction over
261 all earnest money disputes arising out of the sale of residential property with 1-4 dwelling units and certain other earnest money disputes.
262 Buyer and Seller should consider consulting attorneys regarding their legal rights under this Offer in case of a dispute. Both Parties
263 agree to hold the broker harmless from any liability for good faith disbursement of earnest money in accordance with this Offer or
264 applicable Department of Regulation and Licensing regulations concerning earnest money. See Wis. Adm. Code Ch. RL 18. **NOTE:**
265 **WISCONSIN LICENSE LAW PROHIBITS A BROKER FROM GIVING ADVICE OR OPINIONS CONCERNING THE LEGAL RIGHTS**
266 **OR OBLIGATIONS OF PARTIES TO A TRANSACTION OR THE LEGAL EFFECT OF A SPECIFIC CONTRACT OR CONVEYANCE.**
267 **AN ATTORNEY SHOULD BE CONSULTED IF LEGAL ADVICE IS REQUIRED.**

268 PROPERTY ADDRESS: 81 Racine St & 504 Broad St Menasha, WI [page 5 of 5, WB-13]

269 OPTIONAL PROVISIONS: THE PARAGRAPHS AT LINES 271 - 314 WHICH ARE PRECEDED BY A BOX ARE A PART OF THIS OFFER IF
270 MARKED, SUCH AS WITH AN "X". THEY ARE NOT PART OF THIS OFFER IF MARKED N/A OR ARE LEFT BLANK.

271 PROPOSED USE CONTINGENCY: Buyer is purchasing the property for the purpose of:

272 _____ This Offer is contingent upon Buyer obtaining the following:

273 Written evidence at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense from a qualified soils expert that the Property is free of any subsoil
274 condition which would make the proposed development impossible or significantly increase the costs of such development.

275 Written evidence at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense from a certified soils tester or other qualified expert that indicates that
276 the Property's soils at locations selected by Buyer and all other conditions which must be approved to obtain a permit for an acceptable private
277 septic system for: _____ [insert proposed use of Property; e.g., three

278 bedroom single family home] meet applicable codes in effect as of the date of this offer. An acceptable system includes all systems approved
279 for use by the State for the type of property identified at line 277. An acceptable system does not include a holding tank, privy, composting
280 toilet or chemical toilet or other systems (e.g. mound system) excluded in additional provisions or an addendum per lines 179 - 188.

281 Copies at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense of all public and private easements, covenants and restrictions affecting the
282 Property and a written determination by a qualified independent third party that none of these prohibit or significantly delay or increase
283 the costs of the proposed use or development identified at lines 271 to 272.

284 Permits, approvals and licenses, as appropriate, or the final discretionary action by the granting authority prior to the issuance
285 of such permits, approvals and licenses at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense for the following items related to the proposed
286 development _____

287 Written evidence at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense that the following utility connections are located as follows (e.g.,
288 on the Property, at the lot line across the street, etc.): electricity _____; gas _____; sewer
289 _____; water _____; telephone _____; other _____

290 This proposed use contingency shall be deemed satisfied unless Buyer within _____ days of acceptance delivers
291 written notice to Seller specifying those items of this contingency which cannot be satisfied and written evidence substantiating why each
292 specific item included in Buyer's notice cannot be satisfied.

293 MAP OF THE PROPERTY: This Offer is contingent upon (Buyer obtaining) (Seller providing) ~~STRIKE ONE~~ a map of the Property prepared
294 by a registered land surveyor, within _____ days of acceptance, at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense. The map shall identify the legal
295 description of the Property, the Property's boundaries and dimensions, visible encroachments upon the Property, the location of improvements,
296 if any, and: _____

297 _____ ~~STRIKE AND COMPLETE AS APPLICABLE~~ Additional map features
298 which may be added include, but are not limited to: specifying how current the map must be; staking of all corners of the Property; identifying
299 dedicated and apparent street, lot dimensions, total acreage or square footage, easements or rights-of-way. CAUTION: Consider the cost
300 and the need for map features before selecting them. The map shall show no significant encroachment(s) or any information materially
301 inconsistent with any prior representations to Buyer. This contingency shall be deemed satisfied unless Buyer, within five days of the earlier

302 of: 1) Buyer's receipt of the map, or 2) the deadline for delivery of said map, delivers to Seller, and to listing broker if Property is listed, a copy
303 of the map and a written notice which identifies the significant encroachment or the information materially inconsistent with prior representations.

304 INSPECTION CONTINGENCY: This Offer is contingent upon a qualified independent inspector(s) conducting an inspection(s), at
305 Buyer's expense, of the Property and _____

306 _____ which discloses no defects as defined below. This contingency shall be deemed satisfied
307 unless Buyer within _____ days of acceptance delivers to Seller, and to listing broker if Property is listed, a copy of the inspector's
308 written inspection report and a written notice listing the defects identified in the report to which Buyer objects. This Offer shall be null and
309 void upon timely delivery of the above notice and report. CAUTION: A proposed amendment will not satisfy this notice requirement.

310 Buyer shall order the inspection and be responsible for all costs of inspection, including any inspections required by lender or follow-up to
311 inspection. Note: This contingency only authorizes inspections, not testing, see lines 98 to 110. For the purposes of this contingency a defect
312 is defined as any condition of the Property which constitutes a significant threat to the health or safety of persons who occupy or use the
313 Property or gives evidence of any material use, storage or disposal of hazardous or toxic substances on the Property. Defects do not include
314 conditions the nature and extent of which Buyer had actual knowledge or written notice before signing this Offer.

315 This Offer was drafted on 5/13/08 [date] by [Licensee and Firm] Riverside Building

316 (X) _____
317 Buyer's Signature ▲ Print Name Here: ► Vernon A Larsen Pres. Riverside Building, Inc Social Security No. or FEIN ▲ Date ▲ 5/13/08

318 (X) _____
319 Buyer's Signature ▲ Print Name Here: ► _____ Social Security No. or FEIN ▲ Date ▲

320 EARNEST MONEY RECEIPT Broker acknowledges receipt of earnest money as per line 8 of the above Offer. (See lines 242 - 267)

321 _____ Broker (By)

322 SELLER ACCEPTS THIS OFFER. THE WARRANTIES, REPRESENTATIONS AND COVENANTS MADE IN THIS OFFER SURVIVE CLOSING AND
323 THE CONVEYANCE OF THE PROPERTY. SELLER AGREES TO CONVEY THE PROPERTY ON THE TERMS AND CONDITIONS AS SET FORTH
324 HEREIN AND ACKNOWLEDGES RECEIPT OF A COPY OF THIS OFFER.

325 (X) _____
326 Seller's Signature ▲ Print Name Here: ► City of Menasha Social Security No. or FEIN ▲ Date ▲

327 (X) _____
328 Seller's Signature ▲ Print Name Here: ► _____ Social Security No. or FEIN ▲ Date ▲

329 This Offer was presented to Seller by _____ on _____, _____, at _____ a.m./p.m.

330 THIS OFFER IS REJECTED _____ THIS OFFER IS COUNTERED [See attached counter] _____
331 Seller Initials ▲ Date ▲ Seller Initials ▲ Date ▲

ADDENDUM A
TO OFFER TO PURCHASE FOR
81 Racine St & 504 Broad St
City of Menasha
May 13, 2008

The following terms and conditions shall be deemed to be a part of the foregoing attached Offer to Purchase dated May 13, 2008 ("Offer") by Riverside Building, Inc. for the real estate described in the Offer ("Property").

1. This Offer is not subject to the sale of other property or financing; cash at closing.
2. Buyer agrees to allow seller an easement across the property for the use of a trail and landscaping to be constructed and maintained by Seller. Seller shall have the right to come on to the property after closing to construct and maintain said trail and landscaping.
3. Buyer is purchasing the property for the purpose of private parking only.
4. Seller agrees to surrender all previous environmental tests or audits results pertaining to this parcel to Buyer within 5 days after acceptance of this Offer. Seller acknowledges to Buyer that they have no knowledge of any underground storage tanks or any other contaminants that may be on the property. This Offer is subject to Buyer, at Buyers expense, within 15 days from acceptance, conducting any environmental test or audits of any nature, which Buyer may elect to carry out on the property. If, for any reason, said tests or audits indicate any unsatisfactory condition, Buyer shall serve written notice on Seller to that effect within 21 days of acceptance; and this Offer shall become null and void, and all earnest money shall be returned to Buyer. Should Buyer fail to serve said written notice, Seller shall deem this contingency waived.
5. Buyer had relied upon its own examination, investigation and inspection of the property and the environmental conditions relating hereto, and Buyer agrees to take the same "AS IS" and "WITH ALL FAULTS" in its present condition without warranty or representative of Seller. If for any reason, Buyer is unsatisfied with the condition of said real estate, Buyer shall serve written notice on Seller to that effect within 15 days of acceptance; and this Offer shall become null and void, and all earnest money shall be returned to Buyer. Should Buyer fail to serve written notice within 15 days of acceptance, Seller shall deem this contingency waived.
6. Buyer and Seller acknowledge facsimiles of the Offer to Purchase and/or all Attachments in the form of a fax and/or e-mail transmission signed or fully executed shall be deemed as an original document.

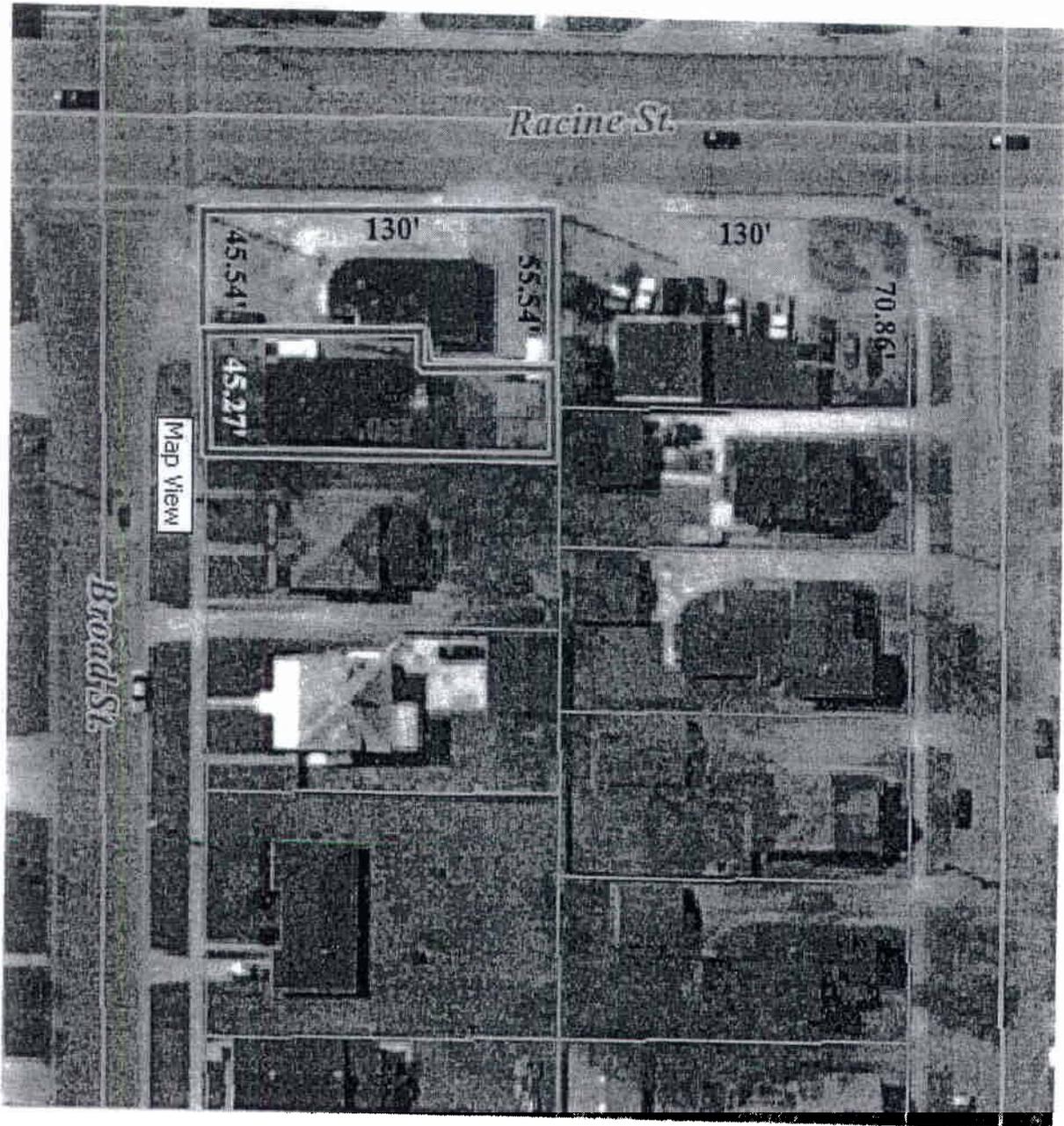


Exhibit A

Former bankers team up to manage assets as North Star

By Edward Lowe
For The Post-Crescent

Team spirit amounts to more than a casual concept at North Star Asset Management Inc., a relatively new Menasha money-management corporation.

In a sense, it's the firm's reason for being.

So says Kenneth J. Brusda, one of five trust investment officers who departed Associated Banc-Neenah when it seemed their chances of working together in the long term were fading quickly due to corporate changes they could not control.

Further concerns about an eventual acquisition of state's third-largest bank holding company led them to trade professional insurances for a more identifiable risk in forming their own corporation. Prosper or fail, Brusda and his colleagues would do so as a team.

North Star established June 26, 1996, now manages assets totaling \$250 million and lists clients in 10 states.

The venture, held by former bank vice presidents Brusda and Michael D. Flesch, former assistant vice president Eric F. Richter, and fellow former trust investment officers Geoffrey A. Penn and David W. Risgaard, offers testament to the value of risk as a means toward high returns.

"At this point, I would say we have done better than we expected," said Brusda, the corporation's president.

Of North Star's five owners, all of whom have worked in the same building since 1990, "I do own the largest share of the stock, but it's less than the majority — much less, in fact."

SMALL BUSINESS SPOTLIGHT

NORTH STAR ASSET MANAGEMENT INC.

- ADDRESS: 59 Racine St. Suite A, Menasha
- OWNERS: Kenneth Brusda, Michael Flesch, Eric Richter, Geoffrey Penn and David Risgaard
- FOUNDED: 1996
- EMPLOYEES: 9
- BUSINESS: Manages equity and bond investments for individuals and corporations in nine states.

LET US KNOW...

Know an interesting small business we can write about? Call Arlen Boardman at 933-1000, ext. 293, or write in care of The Post-Crescent, P.O. Box 59, Appleton WI 54912. Or email at: PCNews@athenet.net

in November, cater to fewer than 100 relationships in all, Brusda said.

In limiting its number of accounts per manager, the firm is able to maintain close working relationships with each client, he said.

"We believe we have to take the time we devote to research, and balance that with portfolio management and talking to our clients," Brusda said. "The thing I really like about North Star is that we are able to limit the number of client relationships with each of our managers. We don't want our managers to be responsible for more than a couple dozen clients at the same time."

Roughly 80% of the money it manages is split between corporate pension plans and personal investment portfolios, Brusda said. The remainder involves IRA rollovers, irrevocable trusts and endowment funds.

About two-thirds of the firm's client base arose from professional relationships the team members struck before North Star was formed, Brusda said.

"When we started out, we had no clients," Brusda said. "That was the risk."

Client relationships range from less than \$1 million to more than \$25 million each, he said.

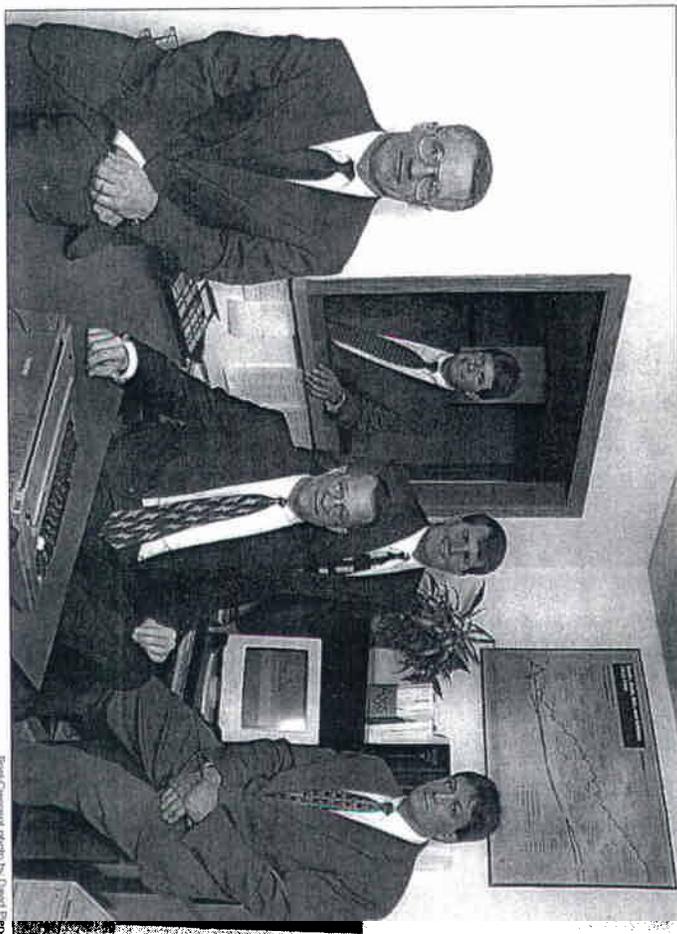
North Star's standard annual service fee amounts to 0.6% of market value, with a minimum charge of \$6,000 per year.

North Star typically invests no more than 7% of any portfolio in a single investment. Individual equities are held an average of five years, resulting annual investment turnover rate of 20%.

Brusda said equities amount to 80% to 85% of its overall investment mix, meaning North Star believes there is ample long-term investment opportunity in the commercial sector.

Concerns that interest rates must increase in the near future are unfounded, he said.

He calls Federal Reserve Board Chairman Alan Greenspan "a real



NORTH STAR ASSET MANAGEMENT INC.'S principals include, from left, Eric Richter, Michael Flesch, Kenneth Brusda (seated), David Risgaard and Geoffrey Penn.

hero," but one who may be overly cautious in limiting the money supply.

"The next rate change by the Fed may be a decrease," he proposed. "I think the Fed really has a foot on the brake right now."

Even so, North Star and its clientele continue to prosper thanks in part to a robust national economy. But regardless of what the future of the national economy holds, North Star's long-term focus is designed to provide returns that consistently outperform the market as a whole.

"We all decided we wanted to keep this group together because we shared the same general investment philosophy," said Brusda, a 22-year veteran of a single bank's

trust investment department before North Star was formed.

"We felt it was inevitable that the group would be broken up if we stayed at Associated. This was one way to make sure that this group stayed together."

"I would never have done this on my own — none of us would have done that. If you lose your investment team, you've got to start over with strangers. At North Star, we have depth and credentials and a proven track record. It wasn't the institution that made us successful, it was the individuals and the team."

It's a team that went to great lengths to stay together, and to remain in the Fox Valley, where each investment manager honed

his investment acumen and established a record of success.

"While North Star might look like an overnight success, it was really 70 years in the making," Brusda said, adding up the staff's years of investment experience in the Fox Valley.

The name of the firm was chosen both to reflect its geographic position in the country, and, less concretely, as a metaphor for a source of directional guidance.

"For each of us, North Star represented the second and last career move," Brusda said.

"We wanted to stay together as a team and we wanted to stay right here. By establishing North Star on the Fox River in midtown Menasha, we guaranteed that."

North Star's investment philosophy supports rigorous research of prospective investments.

As a result, much of the principals' time is spent traveling from coast to coast, conducting on-site interviews with company decision-makers, Brusda said.

The corporation targets well-

CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 5/20/08-5/29/08 Checks # 16940-17137	\$ 809,283.84
Payroll Checks for 5/22/08-5/29/08 Checks # 38598-38820	<u>164,168.64</u>
Total	\$ 973,452.48

**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: Tuesday, May 20, 2008
 Time: 08:44AM
 User: MGRIESBACH

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
01053 ACCENT BUSINESS SOLUTIONS INC	210163	31100	55	06-101-243	89.32	REPAIR & MAINTENANCE - SPEC EQ
	Check Date 5/20/2008	Check Nbr	016940		Check Total:	89.32
01160 ALLIANCE ENTERTAINMENT CORP	PJB31008038	31100	55	06-101-314	50.65	LIBRARY MATERIALS
	PJB31089885	31100	55	06-101-314	29.68	LIBRARY MATERIALS
	PJB31196559	31100	55	06-101-314	19.93	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016941		Check Total:	100.26
01729 APPLE BOOKS	83529	31100	55	06-101-314	60.74	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016942		Check Total:	60.74
02115 BAKER & TAYLOR INC	2020759413	31100	55	06-101-314	264.64	LIBRARY MATERIALS
	2020773232	31100	55	06-101-314	571.85	LIBRARY MATERIALS
	2020780232	31100	55	06-101-314	326.00	LIBRARY MATERIALS
	2020795410	31100	55	06-101-314	312.49	LIBRARY MATERIALS
	2020808209	31100	55	06-101-314	387.55	LIBRARY MATERIALS
	2020829810	31100	55	06-101-314	312.76	LIBRARY MATERIALS
	2020830038	31100	55	06-101-314	450.06	LIBRARY MATERIALS
	2020858368	31100	55	06-101-314	279.84	LIBRARY MATERIALS
	2020858078	31100	55	06-101-314	298.87	LIBRARY MATERIALS
	2020872483	31100	55	06-101-314	401.20	LIBRARY MATERIALS
	2020880074	31100	55	06-101-314	704.63	LIBRARY MATERIALS
	2020898697	31100	55	06-101-314	344.96	LIBRARY MATERIALS
	2020932323	31100	55	06-101-314	292.54	LIBRARY MATERIALS
	2020937383	31100	55	06-101-314	899.14	LIBRARY MATERIALS
	2020957941	31100	55	06-101-314	603.48	LIBRARY MATERIALS
	2020975294	31100	55	06-101-314	295.81	LIBRARY MATERIALS
	5008870073	31100	55	06-101-314	73.26	LIBRARY MATERIALS
	5008922121	31100	55	06-101-314	117.56	LIBRARY MATERIALS
	H30733090	31100	55	06-101-314	14.38	LIBRARY MATERIALS
	H30733091	31100	55	06-101-314	148.94	LIBRARY MATERIALS
	H31237330	31100	55	06-101-314	207.96	LIBRARY MATERIALS

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
	H31770040	31100	55	06-101-314	166.24	LIBRARY MATERIALS
	H32261650	31100	55	06-101-314	84.92	LIBRARY MATERIALS
	H32326770	31100	55	06-101-314	390.68	LIBRARY MATERIALS
	H32326780	31100	55	06-101-314	142.45	LIBRARY MATERIALS
	H32381360	31100	55	06-101-314	21.59	LIBRARY MATERIALS
	S25526370	31100	55	06-101-314	43.19	LIBRARY MATERIALS
	H32761900	31100	55	06-101-314	120.15	LIBRARY MATERIALS
	H32851440	31100	55	06-101-314	21.59	LIBRARY MATERIALS
Check Date	5/20/2008	Check Nbr	016945		Check Total:	8,298.73
02335 BECK ELECTRIC INC	E64	31100	55	06-101-313	80.34	HOUSEKEEPING SUPPLIES
Check Date	5/20/2008	Check Nbr	016946		Check Total:	80.34
02628 JOSEPH BONGERS	05132008	31100	55	06-101-331	33.84	MILEAGE REIMBURSEMENT
	05102008	31100	55	06-101-332	60.00	REGISTRATION REIMBURSEMENT
	05152008	31100	55	06-101-333	95.29	MEAL REIMBURSEMENTS
Check Date	5/20/2008	Check Nbr	016947		Check Total:	189.13
02634 BOOK FARM INC	0011323	31100	55	06-101-314	699.05	LIBRARY MATERIALS
Check Date	5/20/2008	Check Nbr	016948		Check Total:	699.05

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
02635 BOOK WHOLESALERS INC	2964619	31100	55	06-101-314	-86.51	CREDIT
	M132949A	31100	55	06-101-314	2.95	LIBRARY MATERIALS
	M222990A	31100	55	06-101-314	49.06	LIBRARY MATERIALS
	M216509A	31100	55	06-101-314	64.89	LIBRARY MATERIALS
	M216510A	31100	55	06-101-314	20.92	LIBRARY MATERIALS
	M233820A	31100	55	06-101-314	21.91	LIBRARY MATERIALS
	M229663A	31100	55	06-101-314	113.67	LIBRARY MATERIALS
	M237082A	31100	55	06-101-314	9.08	LIBRARY MATERIALS
	M241101A	31100	55	06-101-314	73.67	LIBRARY MATERIALS
	M235597A	31100	55	06-101-314	39.04	LIBRARY MATERIALS
M238346A	31100	55	06-101-314	11.92	LIBRARY MATERIALS	
Check Date	5/20/2008	Check Nbr	016949	Check Total:	320.60	
02660 BORSCHE ROOFING PROFESSIONALS	16298	31100	55	06-101-240	415.32	REPAIRS & MAINTENANCE
	Check Date	5/20/2008	Check Nbr	016950	Check Total:	415.32
02673 THOMAS BOUREGY & CO INC	52687A	31100	55	06-101-314	138.50	LIBRARY MATERIALS
	Check Date	5/20/2008	Check Nbr	016951	Check Total:	138.50
03247 CDW GOVERNMENT INC	KDT5278	31100	55	06-101-310	68.03	OFFICE SUPPLIES
	KJZ8327	31100	55	06-101-310	55.97	OFFICE SUPPLIES
	Check Date	5/20/2008	Check Nbr	016952	Check Total:	124.00
03265 CENTER POINT LARGE PRINT	705156	31100	55	06-101-314	38.94	LIBRARY MATERIALS
	Check Date	5/20/2008	Check Nbr	016953	Check Total:	38.94
03359 CHICAGO DISTRIBUTION CENTER	5419143	31100	55	06-101-314	105.81	LIBRARY MATERIALS
	Check Date	5/20/2008	Check Nbr	016954	Check Total:	105.81

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
05186 ENCYCLOPAEDIA BRITANNICA INC	2007393RR	31100	55	06-101-314	425.00	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016955		Check Total:	425.00
07044 GALE	15668775	31100	55	06-101-314	106.24	LIBRARY MATERIALS
	15671318	31100	55	06-101-314	27.96	LIBRARY MATERIALS
	15675561	31100	55	06-101-314	53.52	LIBRARY MATERIALS
	15679961	31100	55	06-101-314	54.32	LIBRARY MATERIALS
	15702365	31100	55	06-101-314	27.96	LIBRARY MATERIALS
	15707430	31100	55	06-101-314	38.93	LIBRARY MATERIALS
	15711477	31100	55	06-101-314	27.16	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016956		Check Total:	336.09
07110 GAYLORD BROTHERS INC	1159497	31100	55	06-101-300	80.07	DEPARTMENT SUPPLIES
	Check Date 5/20/2008	Check Nbr	016957		Check Total:	80.07
07344 SHARI GRAHAM	05152008	31100	55	06-101-314	17.00	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016958		Check Total:	17.00
08395 HIGHSMITH COMPANY INC	1443517-001	31100	55	06-101-300	438.64	DEPARTMENT SUPPLIES
	Check Date 5/20/2008	Check Nbr	016959		Check Total:	438.64
09135 INGRAM LIBRARY SERVICES	35522803	31100	55	06-101-314	162.72	LIBRARY MATERIALS
	35578678	31100	55	06-101-314	83.16	LIBRARY MATERIALS
	35647541	31100	55	06-101-314	82.50	LIBRARY MATERIALS
	35772649	31100	55	06-101-314	83.74	LIBRARY MATERIALS
	35828283	31100	55	06-101-314	143.28	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016960		Check Total:	555.40
11235 KONE INC	17753727	31100	55	06-101-240	336.33	REPAIR & MAINTENANCE
	Check Date 5/20/2008	Check Nbr	016961		Check Total:	336.33

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
12355 LERNER PUBLISHING GROUP	814083	31100	55	06-101-314	323.18	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016962		Check Total:	323.18
12425 LIBRARY STORE INC	696226	31100	55	06-101-300	20.55	DEPARTMENT SUPPLIES
	Check Date 5/20/2008	Check Nbr	016963		Check Total:	20.55
12510 MARGE LOCH-WOUTERS	05142008	31100	55	06-101-316	16.06	PROGRAM SUPPLIES
	05122008	31100	55	06-101-331	76.76	MILEAGE REIMBURSEMENT
	05152008	31100	55	06-101-314	14.36	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016964		Check Total:	107.18
13045 MANDERFIELD BAKERY	289124	31100	55	06-101-316	18.00	PROGRAM SUPPLIES
	Check Date 5/20/2008	Check Nbr	016965		Check Total:	18.00
13140 MATAS MUSIC STUDIO	4451	31100	55	06-101-243	95.00	PIANO TUNING
	Check Date 5/20/2008	Check Nbr	016966		Check Total:	95.00
13610 MIDWEST TAPE	1599448	31100	55	06-101-314	14.99	LIBRARY MATERIALS
	1599449	31100	55	06-101-314	90.95	LIBRARY MATERIALS
	1603859	31100	55	06-101-314	52.96	LIBRARY MATERIALS
	1608285	31100	55	06-101-314	48.97	LIBRARY MATERIALS
	1612761	31100	55	06-101-314	47.23	LIBRARY MATERIALS
	16112994	31100	55	06-101-314	76.95	LIBRARY MATERIALS
	1617883	31100	55	06-101-314	108.11	LIBRARY MATERIALS
	1618009	31100	55	06-101-314	83.94	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016967		Check Total:	524.10
13675 MINITEX-CPP	51428	31100	55	06-101-300	571.00	DEPARTMENT SUPPLIES
	Check Date 5/20/2008	Check Nbr	016968		Check Total:	571.00

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
14085 NATIONAL PEN COMPANY	104680109	31100	55	06-101-316	277.35	PROGRAM SUPPLIES
	Check Date 5/20/2008	Check Nbr	016969		Check Total:	277.35
15046 OFFICE DEPOT	156110142	31100	55	06-101-300	99.97	DEPARTMENT SUPPLIES
	Check Date 5/20/2008	Check Nbr	016971		Check Total:	99.97
15045 OFFICE DEPOT CREDIT PLAN	428215838-001	31100	55	06-101-310	395.88	OFFICE SUPPLIES
	Check Date 5/20/2008	Check Nbr	016970		Check Total:	395.88
15151 OMNI GLASS & PAINT INC	0081077-IN	31100	55	06-101-240	212.00	REPAIR & MAINTENANCE
	Check Date 5/20/2008	Check Nbr	016972		Check Total:	212.00
15241 OSHKOSH PUBLIC LIBRARY	615	31100	55	06-101-310	69.67	OFFICE SUPPLIES
	Check Date 5/20/2008	Check Nbr	016973		Check Total:	69.67
15244 GREG OTTE	05152008	31100	55	06-101-314	19.00	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016974		Check Total:	19.00
16092 DAVE PARKER	05142008	31100	55	06-101-205	300.00	PROGRAM
	Check Date 5/20/2008	Check Nbr	016975		Check Total:	300.00
18094 RANDOM HOUSE INC	1084614975	31100	55	06-101-314	64.00	LIBRARY MATERIALS
	1084642600	31100	55	06-101-314	272.00	LIBRARY MATERIALS
	1084642601	31100	55	06-101-314	104.80	LIBRARY MATERIALS
	1084642199	31100	55	06-101-314	64.00	LIBRARY MATERIALS
	1084699299	31100	55	06-101-314	56.00	LIBRARY MATERIALS
	1084709737	31100	55	06-101-314	64.80	LIBRARY MATERIALS
	1084734400	31100	55	06-101-314	135.20	LIBRARY MATERIALS
	1084734401	31100	55	06-101-314	20.96	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016976		Check Total:	781.76

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
18115 RECORDED BOOKS INC	3988389	31100	55	06-101-314	464.59	LIBRARY MATERIALS
	3988384	31100	55	06-101-314	20.85	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016977		Check Total:	485.44
18460 ROSEN PUBLISHING GROUP	445455	31100	55	06-101-314	379.75	LIBRARY MATERIALS
		Check Date 5/20/2008	Check Nbr	016978	Check Total:	379.75
19140 SCHARPF'S OFFICE PRODUCTS INC	384256DUP	31100	55	06-101-300	23.98	DEPARTMENT SUPPLIES
	384256	31100	55	06-101-310	14.99	OFFICE SUPPLIES
	Check Date 5/20/2008	Check Nbr	016979	Check Total:	38.97	
20115 TESCH CHEMICAL CO INC	TC110449	31100	55	06-101-313	49.42	HOUSEKEEPING SUPPLIES
		Check Date 5/20/2008	Check Nbr	016980	Check Total:	49.42
21054 UNIQUE MANAGEMENT SERVICES INC	173132	31100	46	04-171-000	358.00	COLLECTION AGENCY FEES
		Check Date 5/20/2008	Check Nbr	016981	Check Total:	358.00
21240 US POSTAL SERVICE	05142008	31100	55	06-101-311	505.00	REPLENISH POSTAGE IN METER
		Check Date 5/20/2008	Check Nbr	016982	Check Total:	505.00
23293 WINNEFOX LIBRARY SYSTEM	3016	31100	55	06-101-316	42.44	PROGRAM SUPPLIES
	3028	31100	55	06-101-314	26.50	LIBRARY MATERIALS
	Check Date 5/20/2008	Check Nbr	016983	Check Total:	68.94	
Grand Total:					18,549.43	

Date: Thursday, May 22, 2008
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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
01037 CARRIE ABEL	051508	31100	46	04-176-000	16.00	PROGRAM REFUND
	Check Date 5/22/2008	Check Nbr	016984		Check Total:	16.00
01075 ACCURATE SUSPENSION WAREHOUSE	8007023	31731	54	10-149-383	29.84	CONDUCTOR WIRE
	Check Date 5/22/2008	Check Nbr	016985		Check Total:	29.84
01315 AIRGAS NORTH CENTRAL	105683434	31731	54	10-149-315	-77.72	SALES RETURN/GASES
	105837578	31731	54	10-149-300	19.84	RETAINING RING
	105855012	31731	54	10-149-300	52.99	OXYGEN CYL
	105841884	31731	54	10-149-300	34.85	HYP NOZZLE SHIELDED PAC 55 AMP
	Check Date 5/22/2008	Check Nbr	016986		Check Total:	29.96
01430 LW ALLEN INC	082589	31201	54	10-301-300	128.45	FILTER ELEMENT
	Check Date 5/22/2008	Check Nbr	016987		Check Total:	128.45
01630 AMERICAN RED CROSS OF NEENAH-	1831	31100	53	09-102-337	125.00	INSTRUCTOR COURSE/MATERIALS
	Check Date 5/22/2008	Check Nbr	016988		Check Total:	125.00
01670 AMMUNITION	166670	31100	52	08-101-300	522.50	ACCUBOND BH BOLD/100
	Check Date 5/22/2008	Check Nbr	016989		Check Total:	522.50
01675 AMT		31100	21	04-299-022	150.00	
	Check Date 5/22/2008	Check Nbr	016990		Check Total:	150.00
01680 ANCHOR BANK	050708	31100	52	08-101-216	120.00	SUBPEONA RESEARCH/FRAUD
	Check Date 5/22/2008	Check Nbr	016991		Check Total:	120.00
01755 APPLETON RADIATOR INC	8365	31731	54	10-149-294	140.00	CLEAN/TEST/FLUSH/REPAIR
	Check Date 5/22/2008	Check Nbr	016992		Check Total:	140.00

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01850 ASSESSMENT TECHNOLOGIES LLC	1871	31100	51	04-107-214	82.50	CUSTOM PROGRAMMING
	Check Date 5/22/2008	Check Nbr	016993		Check Total:	82.50
19120 AT&T	920R09453005	31100	51	10-115-221	83.10	MONTHLY CHARGES
	920R09453005	31100	51	10-115-221	0.76	MONTHLY CHARGES
	920R09453005	31201	54	10-301-221	221.70	MONTHLY CHARGES
	920R09453005	31201	54	10-301-221	1.83	MONTHLY CHARGES
	Check Date 5/22/2008	Check Nbr	017040		Check Total:	307.39
02040 BADGER HIGHWAYS CO INC	140169	31100	54	10-121-300	111.48	COLD MIX
	Check Date 5/22/2008	Check Nbr	016994		Check Total:	111.48
02260 BAYCOM INC	204849	31100	52	08-101-295	1,332.50	INSTALL LIGHTBAR/DECK LTS
	204850	31100	52	08-101-295	875.69	INSTALL/REMOVE POLICE EQPT
	208374	31100	52	08-101-295	422.50	INSTALL WIRELSS MIC UPGRADE
	2044250	31100	52	08-101-295	987.38	INSTALL POLICE EQUIPMENT
	29461	31100	52	08-101-295	21.00	ACCESSORY
	205646	31100	52	08-101-295	37.50	REPLACE DOCK POWER CABLE
	Check Date 5/22/2008	Check Nbr	016995		Check Total:	3,676.57
02545 BLUE PRINT SERVICE CO INC	14219	31100	54	10-111-212	527.08	COLOR PHOTO PRINTS/BOND
	Check Date 5/22/2008	Check Nbr	016997		Check Total:	527.08
02675 BOUWER PRINTING INC	76861	31100	52	08-101-291	209.00	CRIME VICTIM INFO FORMS
	76733	31100	52	08-101-291	286.50	PUBLIC NUISANCE/CODE FORMS
	Check Date 5/22/2008	Check Nbr	016998		Check Total:	495.50
02796 BUBRICK'S	125369	31100	52	08-101-310	153.53	OFFICE SUPPLIES
	125879	31100	52	08-101-310	300.00	MECHANISM FOR CHAIR
	Check Date 5/22/2008	Check Nbr	016999		Check Total:	453.53

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03810 CRI RECYCLING SERVICE INC	19392	31266	54	10-307-216	140.00	GRANULAR RECYCLE FEE/DRUM REPL
	Check Date 5/22/2008	Check Nbr	017001		Check Total: 140.00	
04139 VALERIE DAVIS	040308	31100	53	09-102-331	15.45	MILEAGE
	040308	31100	53	09-102-336	22.22	MILEAGE
	040308	31100	53	09-104-331	2.83	MILEAGE
	Check Date 5/22/2008	Check Nbr	017002		Check Total: 40.50	
04191 DEGROOT INC	052108	31201	19	04-540-000	184,900.89	WASTEWATER COLLECTION SYS REHB
	052108	31201	21	04-205-000	-5,305.84	
	Check Date 5/22/2008	Check Nbr	017003		Check Total: 179,595.05	
06075 FASTENAL COMPANY	WINEE33866	31100	55	07-202-315	17.89	HOLE SAW
	Check Date 5/22/2008	Check Nbr	017004		Check Total: 17.89	
06115 FERRELLGAS	1022091286	31266	54	10-307-216	56.02	LIQUEFIED PETROLUEM GAS
	Check Date 5/22/2008	Check Nbr	017005		Check Total: 56.02	
06225 FIRST SUPPLY LLC	7301966-00	31100	55	07-202-240	3.72	TOILET PARTS
	7303805-02	31100	55	07-202-240	8.88	TOILET PARTS
	Check Date 5/22/2008	Check Nbr	017006		Check Total: 12.60	
06680 FRONTLINE UNIFORM	2409	31100	52	08-109-300	36.00	POLICE AUXILIARY
	Check Date 5/22/2008	Check Nbr	017007		Check Total: 36.00	
07055 GALL'S INC	5938425300015	31100	52	08-101-295	178.47	CENTER OPTION ROTATOR
	Check Date 5/22/2008	Check Nbr	017008		Check Total: 178.47	
07130 GE CHEMICAL	3673	31731	54	10-149-300	286.25	GALLON DRUM
	Check Date 5/22/2008	Check Nbr	017009		Check Total: 286.25	

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07305 GOVERNMENT FINANCE OFFICERS	00143665	31100	51	04-106-320	50.00	RENEWAL 6/1/08-5/31/09
	Check Date 5/22/2008	Check Nbr	017010		Check Total:	50.00
07580 GUNDERSON UNIFORM & LINEN RENT	1253804	31100	51	10-115-201	15.26	MOP/MAT SERVICE
	1253804	31100	53	09-212-313	3.46	MOP/MAT SERVICE
	1253804	31100	55	07-202-313	3.46	MAT/MOP SERVICE
	1254782	31100	52	08-101-313	31.70	TOWEL/MAT SERVICE
	Check Date 5/22/2008	Check Nbr	017011		Check Total:	53.88
09128 INFRASTRUCTURE TECHNOLOGIES	052108	31201	19	04-540-000	33,836.93	WASTEWATER COLLECT SYSTEM REHB
	052108	31201	21	04-205-000	-3,341.02	
	Check Date 5/22/2008	Check Nbr	017012		Check Total:	30,495.91
10230 JOHN'S SAW SERVICE	8171	31731	54	10-149-383	327.91	AIR FILTERS/REBUILD KIT
	Check Date 5/22/2008	Check Nbr	017013		Check Total:	327.91
11075 GREG KEIL	051508	31100	56	03-202-331	157.07	MILEAGE
	051508	31100	56	03-202-332	19.00	MEALS
	051508	31100	56	03-202-334	1.25	PARKING
	Check Date 5/22/2008	Check Nbr	017014		Check Total:	177.32
11365 KUNDINGER FLUID POWER INC	5014647	31731	54	10-149-383	231.46	MALE CONNECTORS
	Check Date 5/22/2008	Check Nbr	017015		Check Total:	231.46
12320 LEE'S PLUMBING	051508	31201	54	10-301-212	200.00	REIMBURSE SSES PROGRAM
	Check Date 5/22/2008	Check Nbr	017016		Check Total:	200.00
12375 LEVENHAGEN CORPORATION	0032311-IN	31207	55	07-205-240	275.00	PUMPED WATER FROM TANKS
	Check Date 5/22/2008	Check Nbr	017017		Check Total:	275.00

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13149 MATTHEWS COMMERCIAL TIRE CTR	025111	31731	54	10-149-382	6.75	TUBE
	025110	31731	54	10-149-382	17.34	ATV TUBE REPLACED
	025110	31731	54	10-149-382	17.34	ATV TUBE
	025122	31731	54	10-149-382	17.34	TUBE
	025126	31731	54	10-149-382	238.99	TIRE REPAIR
	025144	31731	54	10-149-382	206.20	TIRE SERVICE
	025145	31731	54	10-149-382	427.03	TIRE SERVICE
	025143	31731	54	10-149-382	-8.00	TIRE DISPOSAL CREDIT
Check Date	5/22/2008	Check Nbr	017018	Check Total:	922.99	
13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,970.00	
		31100	21	04-299-020	16,893.00	
Check Date	5/22/2008	Check Nbr	017019	Check Total:	18,863.00	
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	261.00	
Check Date	5/22/2008	Check Nbr	017020	Check Total:	261.00	
13377 MENASHA EMPLOYEES LOCAL 1035B		31100	21	04-299-032	248.16	
Check Date	5/22/2008	Check Nbr	017021	Check Total:	248.16	
13445 MENASHA PUBLIC WORKS FACILITY	052008	31100	54	10-304-300	3.15	PENCIL BOXES
	052008	31100	54	10-502-311	42.00	STAMPS
	052008	31100	55	07-202-300	2.00	CUT OFF STEEL CHARGE
Check Date	5/22/2008	Check Nbr	017022	Check Total:	47.15	
13755 MORTON SAFETY	286022	31100	55	07-201-300	8.90	FIRST AID SUPPLIES
Check Date	5/22/2008	Check Nbr	017023	Check Total:	8.90	
14020 NACCHO	050508	31100	53	09-102-320	55.00	MEMBERSHIP DUES 2009
Check Date	5/22/2008	Check Nbr	017024	Check Total:	55.00	

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14385 NOFFKE LUMBER INC	080520511847	31100	54	10-121-300	5.82	OAK ST WALL AROUND TREE
	Check Date 5/22/2008	Check Nbr	017025		Check Total:	5.82
14525 NOVUSOLUTIONS	051508	31100	51	04-109-243	2,900.00	SOFTWARE MAINTENANCE
	Check Date 5/22/2008	Check Nbr	017026		Check Total:	2,900.00
15080 OFFICEMAX INC	460801	31100	53	09-212-310	10.99	OFFICE SUPPLIES
	Check Date 5/22/2008	Check Nbr	017027		Check Total:	10.99
15090 OGDEN PLUMBING & HEATING INC	54997	31100	52	05-201-240	723.92	WATER HEATER STATION 36
	54892	31100	55	07-202-204	75.00	ANNUAL BACKFLOW TEST
	Check Date 5/22/2008	Check Nbr	017028		Check Total:	798.92
16025 PACKER CITY INTERNATIONAL	3281150005	31731	54	10-149-383	510.49	DASHCONT/VALVES/SWITCH/COVER
	3281140023	31731	54	10-149-383	4.45	MODEL 26
	3281140007	31731	54	10-149-383	28.62	LIGHT
	3281150072	31731	54	10-149-383	81.93	VALVE/HANDLE
	3281190012	31731	54	10-149-383	18.85	UNIVERSA
	3281160026	31731	54	10-149-383	53.08	KIT
	3281160057	31731	54	10-149-383	41.07	AIR FILT/LUBEFILT
	3281190006	31731	54	10-149-383	103.50	FLUID
	3281290026	31731	54	10-149-383	-232.69	VALVE
	Check Date 5/22/2008	Check Nbr	017030		Check Total:	609.30
16805 PRO-X SYSTEMS LAWCARE	88776	31100	55	07-202-206	194.01	FERTILIZER
	Check Date 5/22/2008	Check Nbr	017031		Check Total:	194.01
16864 PROFESSIONAL PROCESS SERVICE	6269	31100	51	02-103-211	35.00	SUBPEONA
	Check Date 5/22/2008	Check Nbr	017032		Check Total:	35.00

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18101 ROB RAUEN	050908	31827	53	09-212-205	55.00	ENTERTAINMENT JUNE PARTY
	Check Date 5/22/2008	Check Nbr	017033		Check Total:	55.00
18145 RED	0B120857	31100	52	08-101-193	221.03	CLOTHING
	Check Date 5/22/2008	Check Nbr	017034		Check Total:	221.03
18160 REDI-WELDING CO	13692	31731	54	10-149-300	227.00	DUMP TRUCK FRAME
	Check Date 5/22/2008	Check Nbr	017035		Check Total:	227.00
18190 REGISTRATION FEE TRUST TVRP	052108	31731	54	10-149-295	78.50	TRAILER REGISTRATION
	Check Date 5/22/2008	Check Nbr	017036		Check Total:	78.50
18200 REINDERS INC	1198021-00	31731	54	10-149-383	84.47	ROUND SHAFT
	Check Date 5/22/2008	Check Nbr	017037		Check Total:	84.47
18400 ROAD EQUIPMENT	483281	31731	54	10-149-383	84.75	WIRE CABLE
	483423	31731	54	10-149-383	16.11	JUNCTION BOX/STOCK
	483484	31731	54	10-149-383	168.39	VALVE/TUBE/D-RING/CLIP/MISC
	Check Date 5/22/2008	Check Nbr	017038		Check Total:	269.25
19065 SAGE SECURITY SOLUTIONS	214726	31100	55	07-202-240	41.00	PADLOCK
	Check Date 5/22/2008	Check Nbr	017039		Check Total:	41.00
19150 SCHENCK BUSINESS SOLUTIONS	269267	31100	51	04-109-214	1,441.74	PROFESSIONAL SERVICES/IT
	Check Date 5/22/2008	Check Nbr	017041		Check Total:	1,441.74
19225 SCHREITER AUTO SUPPLY CO	120043	31731	54	10-149-383	36.00	STOCK
	Check Date 5/22/2008	Check Nbr	017042		Check Total:	36.00

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19320 SHADE TODAY NURSERY	6239	31100	56	07-101-300	280.00	TREES
	6239	31826	56	07-101-300	110.00	LAUX TREE DONATION
	Check Date	5/22/2008	Check Nbr	017043	Check Total:	390.00
19380 SHOPKO STORES INC	51923	31100	52	08-101-300	13.47	PAIN RELIEF/BATTERIES
		Check Date	5/22/2008	Check Nbr	017044	Check Total:
19477 SPORT SUPPLY GROUP INC	92665260	31100	55	07-202-300	131.00	BASKETBALL NETS
		Check Date	5/22/2008	Check Nbr	017045	Check Total:
19585 SPORTS GRAPHICS	418B	31100	52	08-106-193	43.98	CODE ENFORCEMENT SPECIALIST
		Check Date	5/22/2008	Check Nbr	017046	Check Total:
02430 STANLEY SECURITY SOLUTIONS INC	WI-475524	31207	55	07-205-300	81.38	MARINA KEYS
		Check Date	5/22/2008	Check Nbr	016996	Check Total:
19707 THOMAS STOFFEL	051508	31100	51	04-106-331	12.63	MILEAGE/DIRECTOR'S MEETING
		Check Date	5/22/2008	Check Nbr	017047	Check Total:
19709 STONE TOAD BAR-GRILL	051408	31827	53	09-212-205	759.00	SPRAING BANQUET MEAL
		Check Date	5/22/2008	Check Nbr	017048	Check Total:
19714 STOP N GO II INC	051908	31100	44	04-101-000	87.00	REFUND LIQ LIC FEES/209 RACINE
	051908	31100	44	04-101-000	525.00	WITHDRAWN APPLICATION
	051908	31100	44	04-103-000	100.00	2008-2009
		Check Date	5/22/2008	Check Nbr	017049	Check Total:

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19725 STREICHERS PROF POLICE EQUIPME	CM223816	31100	52	08-101-315	-970.00	CREDIT/PISTOLS
	CM223785	31100	52	08-101-315	-89.99	CREDIT HOLSTER
	I517017	31100	52	08-101-315	948.00	PISTOL
Check Date	5/22/2008	Check Nbr	017050		Check Total:	-111.99
19787 SWIDERSKI EQUIPMENT INC	001188	31741	19	04-530-000	22,330.00	INTERSTATE TRAILER
	Check Date	5/22/2008	Check Nbr	017051		Check Total:
20010 T2 SYSTEMS INC	117778	31100	52	08-101-243	653.00	KEYBOARD ASSEMBLY
	117780	31100	52	08-101-243	502.14	KEYBOARD ASSEMBLY
	Check Date	5/22/2008	Check Nbr	017052		Check Total:
20115 TESCH CHEMICAL CO INC	TC110538	31100	55	07-202-315	28.56	FLOOR BRUSH
	Check Date	5/22/2008	Check Nbr	017053		Check Total:
20270 TOTAL ENERGY SYSTEMS LLC	181813	31100	52	05-201-240	389.39	GENERATOR REPAIR
	181813	31100	52	08-101-240	389.39	GENERATOR REPAIR
	Check Date	5/22/2008	Check Nbr	017054		Check Total:
21045 UNIFIRST CORPORATION	0970031504	31731	54	10-149-201	80.58	MAT/MOP/CLOTHING PROTECTION
	Check Date	5/22/2008	Check Nbr	017055		Check Total:
21095 UNITED WAY FOX CITIES		31100	21	04-299-021	8.00	
		31100	21	04-299-021	77.75	
	Check Date	5/22/2008	Check Nbr	017056		Check Total:

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21226 US OIL CO INC	715904	31100	13	04-103-000	12,622.04	NO LEAD GAS
	715909	31100	13	04-103-000	17,451.33	FUEL OIL
	Check Date 5/22/2008	Check Nbr 017057			Check Total: 30,073.37	
22244 BECKY VANBERKEL	L33982	31731	54	10-149-242	24.00	SAMPLES
	Check Date 5/22/2008	Check Nbr 017058			Check Total: 24.00	
	051908	31100	46	04-175-000	57.50	PARK CANCELLATION REFUND
Check Date 5/22/2008	Check Nbr 017059			Check Total: 57.50		
15190 VEOLIA ENVIRONMENTAL SERVICES	B4713180	31100	12	04-399-000	75.28	BROAD ST LOT
	Check Date 5/22/2008	Check Nbr 017029			Check Total: 75.28	
	03225 WC INDUSTRIAL SUPPLY COMPANY	0000829-IN	31731	54	10-149-383	6.10
	0000828-IN	31731	54	10-149-383	8.30	OIL SEAL
Check Date 5/22/2008	Check Nbr 017000			Check Total: 14.40		
23152 WE ENERGIES	050608	31100	55	07-202-224	158.37	2170 PLANK RD
	050508	31100	55	07-202-223	35.18	CONSERVANCY
	Check Date 5/22/2008	Check Nbr 017060			Check Total: 193.55	
23160 WERNER ELECTRIC SUPPLY CO	S2451347.001	31100	13	04-106-000	178.38	LIGHTS
	Check Date 5/22/2008	Check Nbr 017061			Check Total: 178.38	
	23275 WINNEBAGO COUNTY TREASURER	1044	31100	56	03-202-291	10.00
Check Date 5/22/2008	Check Nbr 017062			Check Total: 10.00		
23348 WISCONSIN DEPARTMENT OF ADMIN	042508	31100	51	04-106-322	20.00	ADMINISTRATIVE CODE RENEWAL
	Check Date 5/22/2008	Check Nbr 017063			Check Total: 20.00	

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23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	536.31	
		31100	21	04-299-016	138.40	
	Check Date 5/22/2008	Check Nbr 017064			Check Total: 674.71	
		31100	21	04-299-015	65.00	ANNUAL FEE
		31100	21	04-299-015	65.00	ANNUAL FEE
	Check Date 5/22/2008	Check Nbr 017065			Check Total: 130.00	
		31100	21	04-299-015	894.60	
	Check Date 5/22/2008	Check Nbr 017066			Check Total: 894.60	
26200 ZARNOTH BRUSH WORKS INC	117052	31100	54	10-123-315	1,542.00	BROOM REFILL
	Check Date 5/22/2008	Check Nbr 017067			Check Total: 1,542.00	
Grand Total:					306,882.36	

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01210 AFFINITY OCCUPATIONAL HEALTH	222746	31100	51	02-105-215	5.00	CONSORTIUM MEMBER CHANGE
	221305	31100	51	02-105-215	923.00	AUDIOMETRIC SCREENING/EXAM
	Check Date 5/29/2008	Check Nbr	017068		Check Total:	928.00
01315 AIRGAS NORTH CENTRAL	105887038	31731	54	10-149-242	60.60	ACETYLENE/ARGON/OXYGEN CYL
	105887037	31100	55	07-202-204	26.10	ACETYLENE/ARGON/OXYGEN CYL
	105898609	31731	54	10-149-300	41.00	HYP NOZZLE SHIELDED PAC 55 AMP
	Check Date 5/29/2008	Check Nbr	017069		Check Total:	127.70
01450 ALLIED GLOVE & SAFETY PRODUCTS	1/734450	31731	54	10-149-300	234.03	LEATHER GLOVES
	Check Date 5/29/2008	Check Nbr	017070		Check Total:	234.03
01710 APEX SOFTWARE	27830-341216	31100	51	04-109-243	215.00	MAINTENANCE RENEWAL
	Check Date 5/29/2008	Check Nbr	017071		Check Total:	215.00
01842 ASSOCIATED APPRAISAL	6133	31100	51	04-107-219	4,708.33	PROFESSIONAL SERVICES
	6133	31100	51	04-107-310	64.32	POSTAGE/SUPPLIES/ENV/PHONE/FAX
	6133	31100	51	04-107-310	8.74	PROPERTY PHOTOS
	6133	31100	51	04-107-310	36.90	IMAGE PROCESSING
	Check Date 5/29/2008	Check Nbr	017072		Check Total:	4,818.29
02040 BADGER HIGHWAYS CO INC	140201	31100	54	10-134-300	150.19	COLD MIX
	140246	31100	54	10-134-300	80.85	COLD MIX YARD
	140246	31100	54	10-202-300	150.68	COLD MIX
	Check Date 5/29/2008	Check Nbr	017073		Check Total:	381.72
02335 BECK ELECTRIC INC	E121	31100	54	10-143-216	54.00	PARKING RAMP PHOTO EYE REPLACE
	E121	31100	54	10-143-300	15.99	PHOTO CONTROL
	Check Date 5/29/2008	Check Nbr	017074		Check Total:	69.99

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02382 KEVIN BENNER	051608	31100	51	04-101-336	6.06	LEAGUE SEMINAR
	Check Date 5/29/2008	Check Nbr	017075		Check Total:	6.06
02410 BERGSTROM	FOCS115298	31100	52	08-101-295	589.52	REPAIR INSTRUMENT PANEL
	221323	31731	54	10-149-383	105.69	SWITCH
	221442	31731	54	10-149-383	116.27	CYL ASM/KEY IGN
	221449	31731	54	10-149-383	27.14	CAM/PARTS
	Check Date 5/29/2008	Check Nbr	017076		Check Total:	838.62
02796 BUBRICK'S	127033	31100	52	08-101-310	139.78	OFFICE SUPPLIES
	126279	31731	54	10-149-310	46.83	OFFICE SUPPLIES
	126279	31100	55	10-215-300	5.99	OFFICE SUPPLIES
	Check Date 5/29/2008	Check Nbr	017077		Check Total:	192.60
03036 PAT CAIN	052208	31100	46	04-175-000	81.50	2ND INSTALLMENT CANCEL PK RENT
	Check Date 5/29/2008	Check Nbr	017078		Check Total:	81.50
03700 AMY COOK	050908	31100	52	08-101-338	39.32	MEALS/APRIL/MAY
	Check Date 5/29/2008	Check Nbr	017079		Check Total:	39.32
03860 CWAG	051908	31100	53	09-212-332	75.00	REGISTRATION CONVENTION
	Check Date 5/29/2008	Check Nbr	017080		Check Total:	75.00
04255 DIEBOLD INC	30567874	31100	51	04-106-310	17.13	HEIGHT MARKERS
	Check Date 5/29/2008	Check Nbr	017081		Check Total:	17.13

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04275 DIGICORPORATION	53127	31100	13	04-113-000	-32.90	ADJUSTMENT
	53127	31100	51	01-102-291	62.16	BUSINESS CARDS/ALDERMAN
	53127	31100	51	04-101-291	151.74	BUSINESS CARDS/MAYOR
	53124	31100	13	04-113-000	-62.80	ADJUSTMENT
	53124	31100	51	01-102-291	70.40	LETTERHEAD/MAYOR
	53124	31100	51	02-103-291	70.40	LETTERHEAD/ATTY
Check Date	5/29/2008	Check Nbr	017082	Check Total:	259.00	
04388 DRAINAGE INDUSTRIES	174945-00	31100	54	10-134-300	2.70	SPLIT COUPLER/END CAP
	Check Date	5/29/2008	Check Nbr	017083	Check Total:	2.70
04418 DUMKE & ASSOC AND	052708	31100	53	09-102-296	2,977.75	RENTAL/316 RACINE ST
	Check Date	5/29/2008	Check Nbr	017084	Check Total:	2,977.75

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05100 ELAN CARDMEMBER SERVICE	052708	31100	21	04-269-000	60.00	FOX CITIES PAC
	052708	31100	51	04-109-315	109.76	NETWORK HUBS/ADHOC NETWORKS
	052708	31100	51	10-115-201	108.00	WATER
	052708	31100	51	10-115-300	28.12	CABLE GUARD
	052708	31100	51	10-115-310	90.50	TONER/FAX/CITY HALL
	052708	31100	52	08-101-240	123.90	PD WATER COOLER
	052708	31100	52	08-101-295	64.37	HOLIDAY STORE/MN
	052708	31100	52	08-101-313	52.50	PD BOTTLED WATER
	052708	31100	52	08-101-313	144.94	TRASH COMPACTOR
	052708	31100	52	08-101-315	144.00	AMAZON.COM
	052708	31100	52	08-101-315	88.75	STEARNS WEAR
	052708	31100	52	08-101-338	22.98	WATER ST GRILL
	052708	31100	52	08-101-338	63.00	AMERIHOST INN
	052708	31100	52	08-101-338	62.00	RAMADA INN/STEVENS PT
	052708	31100	52	08-101-338	219.98	PLAZA HOTEL/EAU CLAIRE
	052708	31100	52	08-101-338	12.85	COUNTRY KITCHEN
	052708	31100	52	08-101-338	125.25	BUBBA GUMP REST/MN
	052708	31100	52	08-101-338	79.69	RUBY TUESDAY/MN
	052708	31100	52	08-101-338	73.09	HOOTERS/MN
	052708	31100	52	08-101-338	37.25	BOULEVARD CAFE/MN
	052708	31100	52	08-101-338	45.56	BOUELVARD CAFE/MN
	052708	31100	52	08-101-338	340.95	RAMADA MALL/MN
	052708	31100	52	08-101-338	340.95	RAMADA MALL/MN
	052708	31100	52	08-106-300	35.93	OPTICS PLANET
	052708	31100	52	08-106-300	174.26	GALLS INC
	052708	31100	52	08-106-300	-20.76	GALLS RETURN
	052708	31100	55	06-101-315	48.00	RED PHONE/LIBRARY
	052708	31100	55	06-101-315	262.49	CIRCUIT CITY
	052708	31100	56	03-202-214	19.95	REMOTE ACCESS/COM DEV
	Check Date	5/29/2008	Check Nbr	017085	Check Total:	2,958.26

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05239 ENVIROTECH	050308-114	31201	54	10-301-300	179.27	MANHOLE HOOK
	Check Date 5/29/2008	Check Nbr	017086		Check Total:	179.27
06115 FERRELLGAS	1022272116	31266	54	10-307-216	57.60	LIQUEFIED GAS
	Check Date 5/29/2008	Check Nbr	017087		Check Total:	57.60
06565 FOX VALLEY HUMANE ASSOCIATION	051508	31100	53	08-115-250	1,799.24	14 ANIMALS/APRIL 2008
	Check Date 5/29/2008	Check Nbr	017088		Check Total:	1,799.24
06615 FOX VALLEY TECHNICAL COLLEGE	TPB38573	31100	52	08-101-337	290.00	GANG ID/RADAR OPERATIONS CLASS
	EC47165	31100	52	08-101-337	25.00	FTO INSTRUCTIONS/CERTIFICATION
	Check Date 5/29/2008	Check Nbr	017089		Check Total:	315.00
06680 FRONTLINE UNIFORM	2418	31100	52	08-106-300	64.17	POLICE/PANTS
	Check Date 5/29/2008	Check Nbr	017090		Check Total:	64.17
07055 GALL'S INC	5939465000010	31100	52	08-101-295	62.99	CENTER OPTION ROTATOR FAST
	Check Date 5/29/2008	Check Nbr	017091		Check Total:	62.99
07345 GRAINGER INC	9628315310	31100	55	07-202-240	27.00	ADAPTER FOR WATER TRUCK
	9629666109	31100	55	07-202-240	216.84	DOOR LATCH/VANDAL DETER
	9628315328	31100	55	07-202-240	60.46	DOOR LATCH/VANDAL DETER
	9630742022	31100	55	07-202-240	-49.14	CREDIT/LATCH
	9633072443	31100	55	07-202-240	156.78	MOTOR/MIRON FOUNTAIN
	9633072450	31100	55	07-202-240	4.38	HART HAND PUMP
	Check Date 5/29/2008	Check Nbr	017092		Check Total:	416.32
08188 HASTINGS AIR-ENERGY CONTROL	26762	31100	52	05-201-240	838.54	VEHICLE EXHAUST SYSTEM
	Check Date 5/29/2008	Check Nbr	017093		Check Total:	838.54

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08495 HORN PRECAST	2061	31100	54	10-134-300	490.00	RISERS
	Check Date 5/29/2008	Check Nbr	017094		Check Total:	490.00
08505 HORST DISTRIBUTING INC	460160	31100	55	07-202-300	311.60	PAINT/ATHLETIC FIELDS
	Check Date 5/29/2008	Check Nbr	017095		Check Total:	311.60
09290 INTERSTATE BATTERY OF GREEN BA	90045403	31731	54	10-149-383	237.85	STOCK
	Check Date 5/29/2008	Check Nbr	017096		Check Total:	237.85
11030 KAEMPFER & ASSOCIATES INC	13872	31201	54	10-301-212	759.78	IND DISC REG PROG/WAVERLY
	13873	31201	19	04-540-000	5,855.13	WW COLL SYS REHAB IMPROV
	Check Date 5/29/2008	Check Nbr	017097		Check Total:	6,614.91

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11155 KITZ & PFEIL INC	042114-0014	31207	55	07-205-240	17.13	REPAIRS/MARINA
	042114-0021	31100	55	07-202-315	22.49	ECONOMY FISH TAPE
	042114-0131	31100	51	10-115-315	6.74	BUBBLER DRAIN
	042114-0131	31100	52	08-101-240	6.74	GRIP HACKSAW
	042214-0006	31207	55	07-205-240	32.53	MARINA REPAIRS
	042214-0106	31100	55	07-202-315	18.98	SAW BLADES
	042214-0151	31100	54	10-124-300	38.67	MAILBOX/624 DEPERE/LOCK NUTS
	042214-0162	31100	55	07-202-240	7.97	REPAIRS/JEFFERSON
	042309-0024	31100	55	10-215-313	12.84	MOP REFILL/TOWELS/LIQ BLEACH
	042314-0004	31100	55	07-202-240	28.73	BRUSHES/ROLLER COVERS
	042314-0005	31100	55	07-202-240	-5.40	RETURN CREDIT
	042314-0042	31100	55	07-202-240	20.37	PARK MISC HARDWARE/CENT PUNCH
	042314-0162	31100	52	08-101-295	4.00	KEY
	042403-0020	31731	54	10-149-383	8.98	AIR FILTER
	042409-0025	31100	52	08-101-240	6.74	BUBBLER DRAIN REPAIR
	042414-0050	31100	55	07-202-240	8.98	REPAIRS/SMITH
	042414-0050	31100	55	07-202-300	15.08	KOSLO INFIELD
	04244-0180	31100	52	08-101-240	6.37	BUBBLER DRAIN REPAIR
	042514-0097	31100	55	07-202-315	112.96	TOOLS FOR JEFFERSON SHOP
	042809-00374	31100	55	07-202-300	69.20	SKATEPARK CLEANING SUPPLIES
	042814-0005	31100	55	07-202-244	25.46	DOOR LOCK/JEFFERSON
	042814-0006	31100	55	07-202-240	2.41	HARDWARE/KOSLO
	042814-0083	31731	54	10-149-383	1.48	HARDWARE MISC
	042814-0096	31100	52	08-101-240	5.60	MEN'S LOCKER FAUCET
	042914-0007	31731	54	10-149-383	13.10	HARDWARE MISC
	042914-0010	31100	55	07-202-240	15.02	TOILET REPAIR/CLOVIS
	042914-0129	31100	55	10-215-313	17.53	KITCHEN BAGS/BATTERY
	043009-0061	31100	55	07-202-240	8.64	NUTS/BOLTS
	050109-0001	31100	53	09-212-241	4.75	BINGO MACHINE REPAIR
	050114-0001	31731	54	10-149-300	1.44	EYE WASH
	050114-0005	31100	55	07-202-240	17.26	ELECTRONIC LOCK PARTS
	050114-0060	31731	54	10-149-383	5.64	ELBOW/COUPLINGS
050209-0021	31100	54	10-202-300	16.15	ENAMEL FOR LIGHT POLES	

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	050214-0016	31100	55	07-202-240	4.31	JEFFERSON/HOT WATER HEATER
	050214-0081	31100	54	10-202-300	19.39	PRIMER FOR LIGHT POLES
	050214-0084	31731	54	10-149-383	8.35	ELBOW/SEAL
	050214-0148	31100	55	07-201-300	3.59	WIRE BRUSH
	050514-0157	31100	53	09-102-240	3.00	KEY
	050514-0158	31100	51	10-115-315	6.29	SIDE CUT PLIERS
	050514-0176	31731	54	10-149-383	5.90	ELBOW
	050514-0193	31100	54	10-304-300	7.19	DUMPSTER AREA STAIN
	050614-0104	31100	55	07-202-313	23.38	SPONGE MOP/FINISH
	050714-0055	31100	55	07-202-240	9.60	ELECTRICAL REPAIRS
	050814-0018	31100	54	10-304-300	8.09	SITE STAIN
	050814-0116	31100	55	07-202-240	9.09	KEYS/WIRE/MISC
	050903-0017	31731	54	10-149-383	12.32	AIR FILTER STOCK
	050903-0019	31731	54	10-149-383	3.78	FILTER/FILTER COVER
	051214-0089	31100	55	07-202-240	7.10	VANDALISM REPAIR/HART
	051214-0209	31100	55	07-202-315	42.73	MAGNET/RAKE
	051214-0258	31100	55	07-202-315	-0.01	CREDIT
	051314-0133	31100	55	07-202-315	17.09	BLADE
	051314-0178	31100	54	10-202-300	14.36	COUPLING NUT
	051414-0030	31100	51	10-115-300	20.23	RESTROOM EXHAUST FAN
	051414-0030	31100	53	09-102-240	3.56	RESTROOM EXHAUST FAN
	051414-0060	31100	54	10-202-300	8.54	ROD
	051414-00680	31100	53	09-102-240	1.06	EXHAUST FAN REPAIR
	051414-0143	31100	54	10-202-300	19.96	CONC MIX
	051514-0007	31100	54	10-131-300	58.60	POSTSET/HARDWARE MISC
	051514-0024	31100	55	10-215-300	29.10	DROP CLOTHS/DRY TAPE
	051514-0160	31100	55	07-202-240	13.28	TURN ON WATER SYSTEM
	051614-0044	31100	55	07-202-240	4.12	SHELF BRACKET
	051914-0005	31100	55	07-203-240	2.06	POOL TUNNEL REPAIR
	052014-0022	31100	53	09-212-240	18.27	CABINET MOUNTING HARDWARE
Check Date	5/29/2008	Check Nbr	017102	Check Total:	958.91	

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12092 LAKE PARK VILLAS HOMEOWNERS	043008	31482	54	10-143-223	31.33	UTILITIES	
	043008	31482	55	07-202-223	61.34	UTILITIES	
	043008	31482	56	03-501-513	454.72	INSURANCE	
	Check Date	5/29/2008	Check Nbr	017104	Check Total:	547.39	
12090 LAKELAND CHEMICAL SPECIALTIES	27145	31100	13	04-106-000	1,121.04	BIOBROM/CHEMICAL TREATMENT	
		Check Date	5/29/2008	Check Nbr	017103	Check Total:	1,121.04
13120 MARTENSON & EISELE INC	43102	31731	54	10-149-212	1,165.00	REFERENCE DRAWING	
	43133	31100	54	10-134-212	3,533.75	STORM WATER UTILITY STUDY	
	Check Date	5/29/2008	Check Nbr	017105	Check Total:	4,698.75	
13149 MATTHEWS COMMERCIAL TIRE CTR	025173	31731	54	10-149-382	18.94	TIRE SERVICE	
		Check Date	5/29/2008	Check Nbr	017106	Check Total:	18.94
13360 MENASHA ELECTRIC & WATER UTILI	051508	31100	12	04-399-000	15.77	ONEIDA/MANITOWOC	
	051508	31100	51	04-109-214	763.00	DARK FIBER CONNECTION	
	051508	31100	51	10-115-223	1,558.55	CITY BUILDINGS	
	051508	31100	51	10-115-225	259.93	CITY BUILDINGS	
	051508	31100	53	09-212-223	241.05	SENIOR CENTER	
	051508	31100	53	09-212-225	77.24	SENIOR CENTER	
	051508	31100	54	10-131-223	296.22	TRAFFIC LIGHTS	
	051508	31201	54	10-301-223	42.69	LIFT STATION	
	051508	31100	55	04-221-223	8.48	CURTIS REED SQUARE	
	051508	31100	55	07-202-223	589.33	PARKS	
	051508	31100	55	07-202-225	245.52	PARKS	
	051508	31207	55	07-205-223	374.43	MARINA	
	051508	31207	55	07-205-225	26.54	MARINA	
	051508	31100	55	10-215-223	138.03	LIFT BRIDGES	
	003009	31201	54	10-301-822	1,237.39	WATER USAGE/SEWER CLEANING	
		Check Date	5/29/2008	Check Nbr	017107	Check Total:	5,874.17

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13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,970.00	
	Check Date 5/29/2008	Check Nbr	017108		Check Total:	1,970.00
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	261.00	
	Check Date 5/29/2008	Check Nbr	017109		Check Total:	261.00
13400 MENASHA JOINT SCHOOL DISTRICT	052708	31100	41	04-103-000	5,940.03	MAY MOBILE HOME
	Check Date 5/29/2008	Check Nbr	017110		Check Total:	5,940.03
13455 MENASHA SENIOR CENTER	052008	31827	53	09-212-300	5.95	DOUGH FOR BAKE SALE
	052008	31827	53	09-212-300	16.40	POSTAGE STAMPS
	052008	31827	53	09-212-300	19.67	RAFFLE PRIZES/SPRING BANQUET
	052008	31827	53	09-212-300	4.20	NAPKINS FOR PARTY
	052008	31827	53	09-212-300	30.91	SNACKS/HOST WASC MTG
	Check Date 5/29/2008	Check Nbr	017111		Check Total:	77.13
13755 MORTON SAFETY	286893	31731	54	10-149-300	315.30	GATORADE/EYEWASH
	288571	31100	55	07-201-300	22.98	FIRST AID KIT SUPPLIES
	Check Date 5/29/2008	Check Nbr	017112		Check Total:	338.28
14205 CITY OF NEENAH TREASURER	052708	31100	52	05-201-250	234,310.00	N/M FIRE RESCUE SERVICES JUNE
	Check Date 5/29/2008	Check Nbr	017113		Check Total:	234,310.00
14270 NETWORK HEALTH PLAN	00369723	31100	21	04-619-003	113,484.71	EMPLOYEES
	00369723	31100	21	04-650-000	10,014.74	RETIREEES/COBRA
	Check Date 5/29/2008	Check Nbr	017114		Check Total:	123,499.45
14325 NEWMAN TRAFFIC SIGNS	TI-0192151	31100	54	10-131-300	4,621.20	SHEETING
	Check Date 5/29/2008	Check Nbr	017115		Check Total:	4,621.20

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16025 PACKER CITY INTERNATIONAL	3281210105	31731	54	10-149-383	52.04	AIR FILT
	Check Date 5/29/2008	Check Nbr	017116		Check Total:	52.04
16454 POOL WORKS INC	212809	31100	55	07-202-240	201.87	FOUNTAIN SUPPLIES
	Check Date 5/29/2008	Check Nbr	017117		Check Total:	201.87
16775 DAVID POWELL	011808	31100	51	10-115-331	26.31	MILEAGE
	Check Date 5/29/2008	Check Nbr	017118		Check Total:	26.31
18145 RED	B120857A	31100	52	08-101-193	277.65	UNIFORMS
	Check Date 5/29/2008	Check Nbr	017119		Check Total:	277.65
18190 REGISTRATION FEE TRUST TVRP	052908	31100	45	04-403-000	500.00	PARKING TICKET PROCESS FEE
	Check Date 5/29/2008	Check Nbr	017120		Check Total:	500.00
18200 REINDERS INC	846067-00	31100	55	07-202-300	250.08	HERBICIDE/SEED
	Check Date 5/29/2008	Check Nbr	017121		Check Total:	250.08
18400 ROAD EQUIPMENT	483584	31731	54	10-149-383	248.00	HOOK/WIRESPLIT/SOCKET
	483755	31731	54	10-149-383	23.70	GLAD HAND ASSY
	Check Date 5/29/2008	Check Nbr	017122		Check Total:	271.70
19370 DR TERESA SHOBERG	052708	31100	53	09-102-215	150.00	CITY PHYSICIAN SERVICES
	Check Date 5/29/2008	Check Nbr	017123		Check Total:	150.00
19380 SHOPKO STORES INC	51948	31100	52	08-103-333	68.14	SNACKS/POP/CROSSING GUARD LUNC
	Check Date 5/29/2008	Check Nbr	017124		Check Total:	68.14

Date: Thursday, May 29, 2008
 Time: 09:28AM
 User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

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 Report: 03630Alt.rpt
 Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
19585 SPORTS GRAPHICS	460B	31100	52	08-106-300	230.00	CITY OF MENASHA/POLOS
	Check Date 5/29/2008	Check Nbr	017125		Check Total:	230.00
19748 TIM STYKA	052108	31100	52	08-101-338	34.60	MEALS
	Check Date 5/29/2008	Check Nbr	017126		Check Total:	34.60
20260 BRENDA TORBECK	052808	31100	21	04-229-000	20.00	REFUND DUPLICATE P TICKET PAYM
	Check Date 5/29/2008	Check Nbr	017127		Check Total:	20.00
20430 TRUCK COUNTRY	052908	31741	19	04-530-000	61,036.00	DUMP TRUCK
	Check Date 5/29/2008	Check Nbr	017128		Check Total:	61,036.00
21045 UNIFIRST CORPORATION	0970031847	31731	54	10-149-201	80.58	MAT/MOP/CLOTHING SERVICE
	Check Date 5/29/2008	Check Nbr	017129		Check Total:	80.58
21085 UNITED TRANSLATORS INC	08000537	31100	52	08-101-216	35.00	SPANISH INTERPRET
	Check Date 5/29/2008	Check Nbr	017130		Check Total:	35.00
22025 VALLEY CHEMICAL LLC	0018596-IN	31100	55	07-202-300	84.08	SUPPLIES FOR FOUNTAINS
	Check Date 5/29/2008	Check Nbr	017131		Check Total:	84.08
23090 WATERBLAST LLC	10213	31731	54	10-149-300	311.00	PRESSURE WASHER SOAP
	Check Date 5/29/2008	Check Nbr	017132		Check Total:	311.00

Date: Thursday, May 29, 2008
 Time: 09:28AM
 User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

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 Report: 03630Alt.rpt
 Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
23152 WE ENERGIES	052308	31100	12	04-399-000	940.09	NM FIRE
	052308	31100	51	10-115-224	714.43	CITY HALL
	052308	31100	52	08-101-224	1,298.23	POLICE
	052308	31100	53	09-212-224	116.90	SENIOR CENTER
	052308	31731	54	10-149-224	1,890.21	GARAGE
	052308	31100	55	06-101-224	1,966.07	LIBRARY
	052308	31100	55	07-202-224	583.85	PARKS
	052308	31100	55	07-203-224	322.21	POOL
	052308	31207	55	07-205-224	48.10	MARINA
Check Date	5/29/2008	Check Nbr	017133		Check Total:	7,880.09
23165 WEST PAYMENT CENTER	815914537	31100	51	02-103-322	100.27	INFORMATION CHARGES
	Check Date	5/29/2008	Check Nbr	017134		Check Total:
23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	536.31	
		31100	21	04-299-015	0.00	
		31100	21	04-299-016	138.40	
Check Date	5/29/2008	Check Nbr	017135		Check Total:	674.71
26200 ZARNOTH BRUSH WORKS INC	117245	31731	54	10-149-315	1,203.15	BROOM REFIL/GUTTER BROOM
	Check Date	5/29/2008	Check Nbr	017136		Check Total:
26395 JULANE ZIELINSKI	052208	31100	52	08-103-300	21.13	GUNDERSON CLEANERS
	Check Date	5/29/2008	Check Nbr	017137		Check Total:
Grand Total:					483,354.85	

Menasha

City of Menasha • Department of Public Works

STREET USE APPLICATION

Sponsored by: Communitfest Committee

Responsible Person: Gaule Schultz

Address: PO Box 1855

Appleton WI 54912-1855

Phone: 920-734-7101

Street Use Date:	<u>7/3/08</u>
Start Time:	<u>7pm Line Up</u>
End Time:	<u>10:15 pm</u>
Number of Units:	<u>32</u>

8:45 Run
9:15 parade

Street Route: (Attach Map) Line Up Broad + First Streets from Racine
Description of Use st on the east to Tayco st on the west
Proceed on Milwaukee St to Main St, west
to Tayco and south to Nicolet

LIABILITY INSURANCE HAS BEEN SECURED IN THE AMOUNT OF \$ _____ WITH
THE CITY OF MENASHA NAMED AS ADDITIONAL INSURED.

Insurance Company Covered by city policy per Policy No. _____
(Attached is a copy of the insurance certificate). Mayor Merkes

NOTE TO EVENTS PLANNING TO USE CITY PARKS AND/OR GREENSPACE: Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

DATE: 5-12-08

APPLICANT'S SIGNATURE: [Signature]

TO BE COMPLETED BY CITY STAFF

SCHEDULED PARK & RECREATION BOARD REVIEW DATE: _____

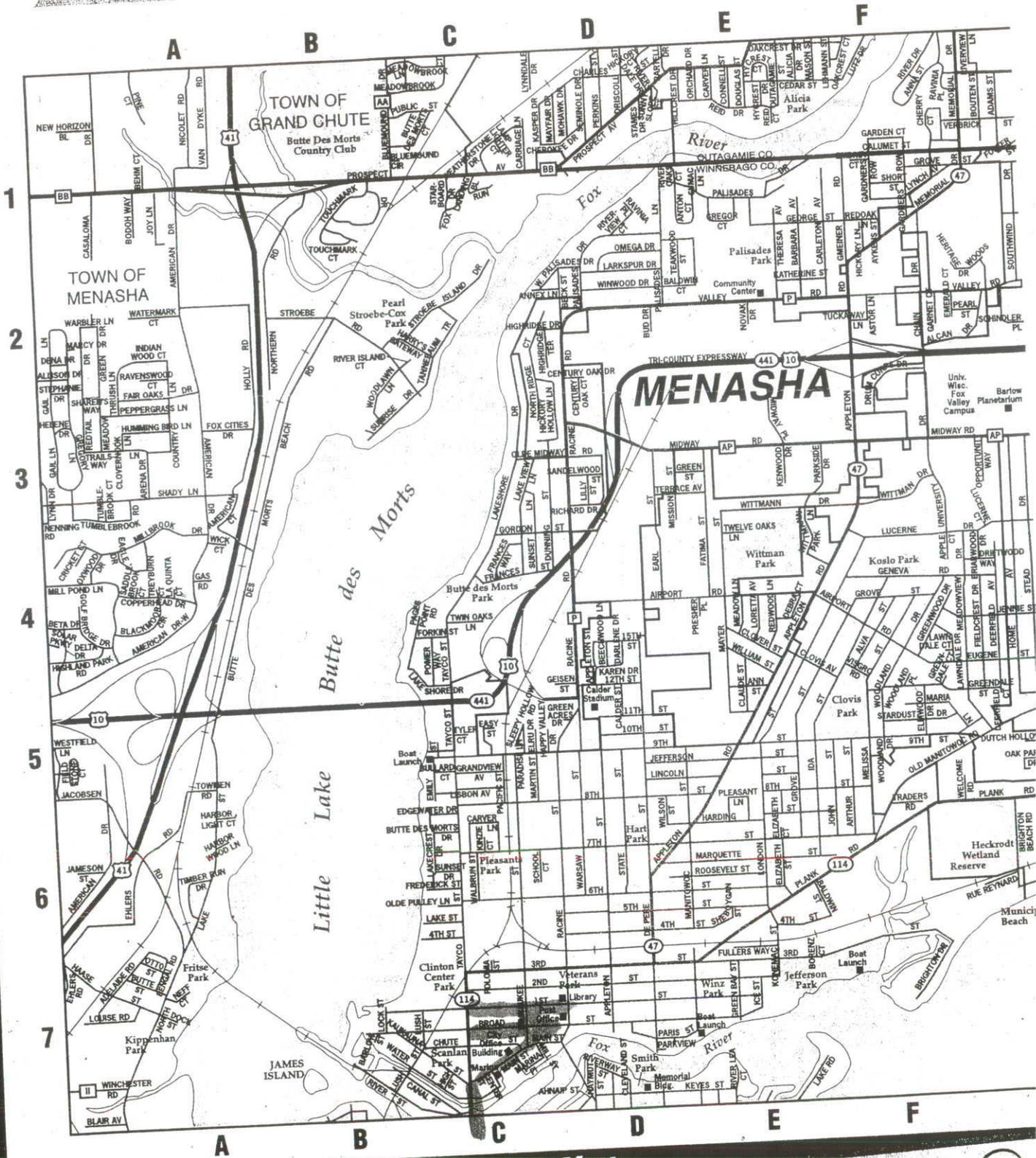
NOT REQUIRED: _____ APPROVED: _____ DENIED: _____

SCHEDULED COMMON COUNCIL REVIEW DATE: 6-2-08

APPROVED: _____ DENIED: _____

APPROVAL: [Signature]
Police Dept. _____ Fire Dept. LVW Public Works Dept. MR City Attorney JSB

Menasha (West)



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CHANGE ORDER

DATE: May 16, 2008

CHANGE ORDER NO: 15

CONTRACTOR: CD Smith Construction, Inc

CONTRACT NO.: M002-940266.02

PROJECT: Water Treatment Plant Modifications

You are directed to make the changes noted below in the subject contract unit number.

15.1 Per RFI #127, install receptacles for Sample Pump & Lights at old Plant connection at the request of the owner ADD \$2,846.00

15.2 Per RFI #128, increase size of Fluoride Injection Piping to accommodate Fluoride Feed from the old Plant ADD \$1,258.00

TOTAL \$4,104.00

The Menasha Common Council approved the CD Smith contract Change Order authorizes changes

Approved by MU Commission, May 28, 2008

Council Approval

The changes result in the following adjustments:

	CONTRACT - TOTAL	TIME
Prior to this Change Order	\$ 10,410,332.00	_____ Days
Adjustments per this Change Order	\$ 4,104.00	_____ Days
Current Contract Status	\$ 10,414,426.00	_____ Days

Directed/Authorized
City of Menasha Dept. of Public Works

Accepted

BY: _____

BY: _____

DATE: _____

DATE: _____



May 27, 2008

Board of Public Works
City of Menasha
Menasha, WI 54952

RE: Contract Unit No. PRD 2008-02
Pleasants Park Tennis Courts
Armor Crack Repair and Color Coating of Four Tennis Courts

Members of the Board:

Bids were opened for Contract Unit No. PRD 2008-02 on Tuesday, May 27, 2008. Attached is the bid tabulation for the two bids received.

At the bid opening we realized there was a discrepancy between the two bidders on the lineal feet of the repair they were bidding on. It is our intention to rebid the project after we clarify the exact length and method of repair. We will also inquire if the project can still be done this year.

Based on this information, it is my recommendation that you reject these two bids.

Sincerely,

Brian Tungate
Director of Parks and Recreation

BT/cs
Attachment

Cc: Bob Huss, Park Superintendent
Mark Radtke, Director of Public Works

Itemized Bid Tab

City of Menasha Contract Unit No. PRD 2008-02
 Pleasants Park Tennis Courts
 Armor Crack Repair and Color Coating of Four Tennis Courts

ITEM	QUANTITY	DESCRIPTION	*Munson, Inc.		**Valley Sealcoat, Inc.	
			UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	1	Armour Crack Repair and Color Coating for Four (4) Tennis Courts at Pleasants Park in Accordance with U.S. Tennis Association Specifications	\$ 34,196.00	\$ 34,196.00	\$ 54,825.00	\$ 54,825.00

*Price includes 535 L.F. of Armor Crack Repair.

**Total bid cost represents 1500 LF of Armor Crack Repair. Additional Lineal Feet will be charged at \$19.20/LF. Note: work cannot be completed until September 15, 2008.

NOTE: A recommendation is being made to the Common Council to reject the above bids.



May 15, 2008

Board of Public Works
City of Menasha
Menasha, WI 54952

RE: Request to Change Lugano/Tana Trail from 8' Wide Asphalt Trail to 5' Wide Concrete Walk

Members of the Board:

The Mayor recently received an email from a resident in Lake Park Heights Subdivision requesting consideration to change a proposed asphalt trail to a concrete walk. The proposed trail links Tana Lane to Lugano Street and is within a twenty foot easement centered along the common side yard lot lines of four properties.

There are several issues to consider regarding this request. Based on recently received bid prices, the cost for installing a 5' wide concrete walk will be approximately \$3,225 more than the cost of the proposed 8' wide asphalt trail. This cost would be distributed among all the subdivision property owners per the assessment schedule (based on street frontage).

There is a distinction made between trails and walks regarding snow removal regulations. Currently the Municipal Code section regarding removal of snow is applied to and enforced only for walks. The removal of snow from trails has not been required although the City has removed snow on some trails if it were deemed cost effective based on frequency of trail use. If this pedestrian way were to be a 5' wide concrete walk, the abutting property owners would be responsible to maintain a minimum four foot clear width through the winter season. If the segment remains as currently proposed, an 8' wide asphalt trail, the City would have the option of plowing it, or not plowing it, based on demand and available resources.

Sincerely,

Mark Radtke
Director of Public Works

Attachment

<http://www.ci.menasha.wi.us/portal/size/walks/19072.doc>

BRIDGE OPERATION AGREEMENT
TAYCO STREET BRIDGE, (B-70-97)
RACINE STREET BRIDGE, (B-70-01)
WINNEBAGO COUNTY – WISCONSIN
0070-01-52
FISCAL 2009

MEMORANDUM OF AGREEMENT, made this ____ day of _____, 20____, by and between the State of Wisconsin, Department of Transportation, party of the first part, hereinafter called the State, and the City of Menasha, Winnebago County, Wisconsin represented by the Mayor and City Clerk, party of the second part, hereinafter called the City.

WITNESSETH: That for and in consideration of payments covering the operating costs of the Tayco Street Bridge and the Racine Street Bridge to be made by the State to the City as permitted under the provisions of Section 84.10 Statutes, said City agrees as follows:

- (1) To operate the bridges during the period of July 1, 2008, thru June 30, 2009, in accordance with the pertinent laws, rules and regulations governing navigation, pedestrian and vehicular traffic.
- (2) To provide operating personnel as described in subparagraphs (2a) through (2g) and as may be otherwise affected herein, all in accordance with existing City policies, procedures and the provisions of applicable labor agreements.
 - (2a) To employ the services of up to six (6) operators, up to four (4) full time and up to two (2) part time during the navigation season. The State will notify the City each year of the start and ending days of the navigation season. The operators will be considered as seasonal employees eligible for unemployment compensation during the non-navigation period. The hours and dates of navigation will be defined by the Commander, Ninth Coast Guard District.
 - (2b) To employ the services of a substitute operator if needed, as determined by the City, who shall serve on both bridges during vacation periods, periods of illness, and for other periods as may be deemed appropriate, and to minimize the need for premium overtime pay.
 - (2c) To establish the monthly or hourly salaries and bonus payment, if any, to be paid to the operators subject to the review and approval of the State. A certified copy of the action by the governing body establishing such salaries and bonus payments, if any, shall be filed with the State at the time the agreement is returned for execution by the State. The City may alter the salaries and provide for or alter bonus payments during the life of this agreement in the event it is necessary to make adjustments on account of changing economic conditions. A certified copy of the action to alter salaries or to provide for or alter bonus payments shall be filed with the State and will be subject to the approval of the State.
 - (2d) To notify the State, as to the name, address and telephone number, if any, of each of the operators. The City Street Superintendent shall be in

charge of all operators and he shall receive and carry out such orders or instructions as received pertaining to the proper operation and care of the bridge. The State shall reimburse the City for that portion of time that the Street Superintendent spends checking the operators and the bridges.

- (2e) Except as stated below, no operator shall work more than eight (8) hours in any twenty-four (24) hours or 40 hours in any week. During periods of emergencies operators shall work not more than twelve (12) hours each in any twenty-four (24) hours. When an operator is to be absent from duty, the State shall be notified by the Street Superintendent and advised as to the probable extent of such absence. The Street Superintendent shall review each bridge operator's building weekly after the navigation season is closed to check for appropriate heat.
 - (2f) To grant such vacation and sick leave with pay to each operator as may be due in accordance with applicable rules and regulations governing the matter of vacation and sick leave for other employees of the City covered by a labor agreement with Local 1035. A certified current copy of the action governing same shall be filed with the State at the time the agreement is returned for execution by the State. Vacations charged to the State shall be prorated according to the number of months served per year by the employees as bridge operator.
 - (2g) To terminate the service of any operator when it can be shown that the operator is negligent in his/her duty or is otherwise conducting himself in a manner detrimental to the best interest of the State and/or the City as provided in the collective bargaining covering full time non-probationary bridge tenders.
- (3) To assume the cost of roadway lighting system and snow and ice removal and control.
 - (4) To make such reports and records as may be required by the City and/or the State.
 - (5) To furnish the necessary supplies subject to reimbursement by the State except for such items as may be furnished directly by the State.
 - (6) To immediately notify the State in case of any emergency.
 - (7) To submit a monthly signed statement, in duplicate, on official invoice or letterhead form for reimbursement of operation costs to the Transportation Region Office, State of Wisconsin, at Green Bay, Wisconsin. Statements are to be submitted no later than fifteenth (15) of the following month and are to include all the costs for the preceding calendar month, together with a copy of electric bills on utility company forms. Each bridge should be listed separately but may be submitted on one (1) sheet. Statements will include the cost of premiums on worker's compensation insurance, liability insurance, and contributions made by the City to its unemployment reserve account in the event that the City is operating under the provisions of Chapter 108, Wisconsin Statutes. Statements

may include contributions made to employee retirement or made to employee retirement under the provisions of Chapter 66, Wisconsin Statutes.

(8) The amount of this agreement is estimated at \$186,300.

In connection with the performance of work under this contract the City agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, developmental disability as defined in Statute 51.01 (5), sexual orientation as defined in Statute 111.32 (13m) or national origin. Employees must meet qualifications and requirements as specified by the Wisconsin Department of Transportation. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship. Except with respect to sexual orientation, the City further agrees to take affirmative action to ensure equal employment opportunities. The City agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

And the said State, in consideration of the faithful performance by the City of the conditions as outlined, agrees to reimburse the said City upon submission of invoice covering said operating costs. The State reserves the right, if necessary, to make inquiries to verify the items in the invoice.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures, the City on the day and year above written and the State on the ____ day of _____, 20____.

STATE OF WISCONSIN
DEPARTMENT OF TRANSPORTATION

By _____
Northeast Region Transportation Director

By _____
DIV. Of Transportation Systems Development
Director, Bureau Highway Operations

CITY OF MENASHA
WINNEBAGO COUNTY
WISCONSIN

By _____
Mayor

By _____
City Clerk

AN ORDINANCE RELATING TO CONSTRUCTION SITE EROSION CONTROL

Introduced by Alderman Pack

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

SECTION 1: Title 6, Chapter 6 is created as follows:

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CHAPTER 6

CONSTRUCTION SITE EROSION CONTROL

6-6-1 AUTHORITY.

- (1) This ordinance is adopted under the authority granted by s. 62.234, Wis. Stats.. This ordinance supersedes all provisions of an ordinance previously enacted under s. 62.23, Wis. Stats., that relate to construction site erosion control. Except as otherwise specified in s. 62.234 Wis. Stats., s. 62.23 Wisconsin Statute applies to this ordinance and to any amendments to this ordinance.
- (2) The provisions of this ordinance are deemed not to limit any other lawful regulatory powers of the same governing body.
- (3) The Common Council of the City of Menasha hereby designates the Department of Public Works to administer and enforce the provisions of this ordinance.
- (4) The requirements of this ordinance do not pre-empt more stringent erosion and sediment control requirements that may be imposed by any of the following:
 - (a) Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under ss. 281.16 and 283.33, Wis. Stats.
 - (b) Targeted non-agricultural performance standards promulgated in rules by the Wisconsin Department of Natural Resources under s. NR 151.004, Wis. Adm. Code.

6-6-2 FINDINGS OF FACT.

The Common Council of the City of Menasha finds that runoff from land disturbing construction activity carries a significant amount of sediment and other pollutants to the waters of the state in the City of Menasha.

6-6-3 PURPOSE.

It is the purpose of this ordinance to further the maintenance of safe and healthful conditions; prevent and control water pollution; prevent and control soil erosion; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth, by minimizing the amount of sediment and other pollutants carried

by runoff or discharged from land disturbing construction activity to waters of the state in the City of Menasha.

6-6-4 APPLICABILITY AND JURISDICTION.

(1) APPLICABILITY.

(a) This ordinance applies to the following land disturbing construction activities except as provided under sub. (b):

1. A construction site, which has 4,000 square feet or greater of land disturbing construction activity.
2. A construction site, which has 100 cubic yards or greater of excavation volume, filling volume, or some combination of excavation and filling volume.
3. A construction site, which has 100 linear feet or greater of land disturbance to a highway, street, driveway, swale, ditch, waters of the state, wetland, protective area, or other non-agricultural drainage facility which conveys concentrated flow. Wetlands shall be delineated in accordance with s. NR 103.08(1m).

(b) This ordinance does not apply to the following:

1. Land disturbing construction activity that includes the construction of 1- and 2-family residential dwellings that are not part of a larger common plan of development or sale and that result in less than 1 acre of disturbance. These construction sites are regulated by the Wisconsin Department of Commerce under s. COMM 21.125 Wis. Adm. Code and must adhere to the provisions of Title 15, Chapter 2 of the Menasha Code of Ordinances.
2. A construction project that is exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under chapter 40, Code of Federal Regulations, part 122, for land disturbing construction activity.
3. Nonpoint discharges from agricultural activity areas.
4. Nonpoint discharges from silviculture activities.
5. Mill and crush operations.

(c) Notwithstanding the applicability requirements in paragraph (a), this ordinance applies to construction sites of any size that, in the opinion of the Department of Public Works, are likely to result in runoff that exceeds the safe capacity of the existing drainage facilities or receiving body of water, that causes undue channel erosion, that increases water

pollution by scouring or the transportation of particulate matter or that endangers property or public safety.

(2) JURISDICTION.

This ordinance applies to land disturbing construction activity on construction sites located within the boundaries and jurisdiction of the City of Menasha.

(3) EXCLUSIONS.

This ordinance is not applicable to activities conducted by a state agency, as defined under s. 227.01 (1), Wis. Stats., but also including the office of district attorney, which is subject to the state plan promulgated or a memorandum of understanding entered into under s. 281.33 (2), Wis. Stats.

6-6-5 DEFINITIONS.

(1) "Administering authority" means a governmental employee, or a regional planning commission empowered under s. 62.234 Wis. Stats., that is designated by the Common Council of the City of Menasha to administer this ordinance.

(2) "Agricultural activity area" means the part of the farm where there is planting, growing, cultivating and harvesting of crops for human or livestock consumption and pasturing or outside yarding of livestock, including sod farms and silviculture. Practices in this area may include waterways, drainage ditches, diversions, terraces, farm lanes, excavation, filling and similar practices. The agricultural activity area does not include the agricultural production area.

(3) "Agricultural production area" means the part of the farm where there is concentrated production activity or impervious surfaces. Agricultural production areas include buildings, driveways, parking areas, feed storage structures, manure storage structures, and other impervious surfaces. The agricultural production area does not include the agricultural activity area.

(4) "Average annual rainfall" means a calendar year of precipitation, excluding snow, which is considered typical. For purposes of this ordinance, average annual rainfall means measured precipitation in Green Bay, Wisconsin between March 29 and November 25, 1969.

(5) "Best management practice" or "BMP" means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.

(6) "Business day" means a day the office of the Department of Public Works is routinely and customarily open for business.

(7) "Cease and desist order" means a court-issued order to halt land disturbing construction activity that is being conducted without the required permit.

(8) "Common plan of development or sale" means a development or sale where multiple separate

and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan. A common plan of development or sale includes, but is not limited to, subdivision plats, certified survey maps, and other developments.

- (9) "Construction site" means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development.
- (10) "Development" means residential, commercial, industrial, institutional, or other land uses and associated roads.
- (11) "Division of land" means the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future of sale or building development.
- (12) "Erosion" means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.
- (13) "Erosion and sediment control plan" means a comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.
- (14) "Extraterritorial" means the unincorporated area within 3 miles of the corporate limits of a first, second, or third class city, or within 1.5 miles of a fourth class city or village.
- (15) "Final stabilization" means that all land disturbing construction activities at the construction site have been completed and that a uniform perennial vegetative cover has been established, with a density of at least 70 percent of the cover, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.
- (16) "Governing body" means city council, village board of trustees or village council.
- (17) "Land disturbing construction activity" (or "disturbance") means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the state or off-site. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities, and soil stockpiling.
- (18) "MEP" or "maximum extent practicable" means a level of implementing best management practices in order to achieve a performance standard specified in this chapter which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.
- (19) "Performance standard" means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.
- (20) "Permit" means a written authorization made by the Department of Public Works to the applicant

to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.

- (21) "Pollutant" has the meaning given in s. 283.01 (13), Wis. Stats.
- (22) "Pollution" has the meaning given in s. 281.01 (10), Wis. Stats.
- (23) "Protective area" has the meaning given in Section 6-6-7(3)(d) of the City of Menasha Post-Construction Storm Water Management Ordinance.
- (24) "Responsible party" means any entity holding fee title to the property or performing services to meet the performance standards of this ordinance through a contract or other agreement.
- (25) "Runoff" means storm water or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.
- (26) "Sediment" means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.
- (27) "Separate storm sewer" means a conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:
 - (a) Is designed or used for collecting water or conveying runoff.
 - (b) Is not part of a combined sewer system.
 - (c) Is not draining to a storm water treatment device or system.
 - (d) Discharges directly or indirectly to waters of the state.
- (28) "Site" means the entire area included in the legal description of the land on which the land disturbing construction activity is proposed in the permit application.
- (29) "Stop work order" means an order issued by the City of Menasha which requires that all construction activity on the site be stopped.
- (30) "Technical standard" means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.
- (31) "Waters of the state" has the meaning given in s. 281.01 (18), Wis. Stats.

6-6-6 TECHNICAL STANDARDS.

- (1) DESIGN CRITERIA, STANDARDS AND SPECIFICATIONS. All BMPs required to comply with this ordinance shall meet the design criteria, standards and specifications based on any of the following:
 - (a) Design guidance and technical standards identified or developed by the Wisconsin Department of Natural Resources under subchapter V of chapter NR 151, Wis. Adm. Code.
 - (b) Technical standards and other guidance identified within the City of Menasha Storm Water Reference Guide.

- (c) For this ordinance, average annual basis is calculated using the appropriate annual rainfall or runoff factor, also referred to as the R factor, or an equivalent design storm using a type II distribution, with consideration given to the geographic location of the site and the period of disturbance.
- (2) OTHER STANDARDS. Other technical standards not identified or developed in sub. (1), may be used provided that the methods have been approved by the Department of Public Works.

6-6-7 PERFORMANCE STANDARDS.

- (1) RESPONSIBLE PARTY. The responsible party shall implement an erosion and sediment control plan, developed in accordance with Section 6-6-9 that incorporates the requirements of this section.
- (2) PLAN. A written erosion and sediment control plan shall be developed in accordance with Section 6-6-9 and implemented for each construction site.
- (3) REQUIREMENTS. The erosion and sediment control plan shall meet the following minimum requirements to the maximum extent practicable:
 - (a) BMPs shall be designed, installed and maintained to control total suspended solids carried in runoff from the construction site as follows.
 - 1. For construction sites with 1 acre or greater of land disturbing construction activity, reduce the total suspended solids load by 80%, on an average annual basis, as compared with no sediment or erosion controls until the construction site has undergone final stabilization. No person shall be required to exceed an 80% sediment reduction to meet the requirements of this paragraph. Erosion and sediment control BMPs may be used alone or in combination to meet the requirements of this paragraph. Credit toward meeting the sediment reduction shall be given for limiting the duration or area, or both, of land disturbing construction activity, or other appropriate mechanism.
 - 2. For construction sites with less than 1 acre of land disturbing construction activity, reduce the total suspended solids load using BMPs from the City of Menasha Storm Water Reference Guide. These sites are not required to satisfy a numeric performance standard.

- (b) Notwithstanding par. (a), if BMPs cannot be designed and implemented to reduce the sediment load by 80%, on an average annual basis, the plan shall include a written and site-specific explanation as to why the 80% reduction goal is not attainable and the administering authority will review and approve to the maximum extent possible.
- (c) Where appropriate, the plan shall include sediment controls to do all of the following to the maximum extent practicable:
 - 1. Prevent tracking of sediment from the construction site onto roads and other paved surfaces.
 - 2. Prevent the discharge of sediment as part of site de-watering.
 - 3. Protect the separate storm drain inlet structure from receiving sediment.
- (d) The use, storage and disposal of building materials, chemicals, cement, concrete truck washout, litter, sanitary waste, and other compounds and materials used on the construction site shall be managed during the construction period, to prevent their entrance into storm sewers and waters of the state. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this paragraph.

- (4) LOCATION. The BMPs used to comply with this section shall be located prior to runoff entering waters of the state.
- (5) ALTERNATE REQUIREMENTS. The Department of Public Works may establish requirements more stringent than those set forth in this section if the Department of Public Works determines that an added level of protection is needed for sensitive resources.

6-6-8 PERMITTING REQUIREMENTS, PROCEDURES AND FEES.

- (1) PERMIT REQUIRED. No responsible party may commence a land disturbing construction activity subject to this ordinance without receiving prior approval of an erosion and sediment control plan for the site and a permit from the Department of Public Works.
- (2) PERMIT APPLICATION AND FEES. At least one responsible party desiring to undertake a land disturbing construction activity subject to this ordinance shall submit an application for a permit and an erosion and sediment control plan that meets the requirements of Section 6-6-9 and shall pay an application fee as established by the Department of Public Works. By submitting an application, the applicant is authorizing the Department of Public Works to enter the site to obtain information required for the review of the erosion and sediment control plan.

- (3) REVIEW AND APPROVAL OF PERMIT APPLICATION. The Department of Public Works shall review any permit application that is submitted with erosion and sediment control plan, and the required fee. The following approval procedure shall be used:
- (a) Within 10 business days of the receipt of a complete permit application, as required by sub. (2), the Department of Public Works shall inform the applicant whether the application and plan are approved or not approved based on the requirements of this ordinance.
 - (b) If the permit application and plan are approved, the Department of Public Works shall issue the permit.
 - (c) If the permit application or plan is not approved, the Department of Public Works shall state in writing the reasons for not approving.
 - (d) The Department of Public Works may request additional information from the applicant. If additional information is submitted, the Department of Public Works shall have 10 business days from the date the additional information is received to inform the applicant that the plan is either approved or disapproved.
 - (e) Failure by the Department of Public Works to inform the permit applicant of a decision within 10 business days of a required submittal shall be deemed to mean approval of the submittal and the applicant may proceed as if a permit had been issued.
- (4) SURETY BOND. As a condition of approval and issuance of the permit, the Department of Public Works will require the applicant to deposit a surety bond, cash escrow, or irrevocable letter of credit to guarantee a good faith execution of the approved erosion control plan and any permit conditions. The Department of Public Works shall release the portion of the financial guarantee established under this section, less any cost incurred by the Department of Public Works to implement erosion control measures, following the final site stabilization and verification of said stabilization by the Department of Public Works.
- (5) PERMIT REQUIREMENTS. All permits shall require the responsible party to:
- (a) Notify the Department of Public Works within 48 hours of commencing any land disturbing construction activity.
 - (b) Notify the Department of Public Works of completion of any BMPs within 10 business days after their installation.
 - (c) Obtain permission in writing from the Department of Public Works prior to any modification pursuant to Section 6-6-8(3) of the erosion and sediment control plan.
 - (d) Install all BMPs as identified in the approved erosion and sediment control plan.
 - (e) Maintain all road drainage systems, stormwater drainage systems, BMPs and other facilities identified in the erosion and sediment control plan.

- (f) Repair any siltation or erosion damage to adjoining surfaces and drainage ways resulting from land disturbing construction activities and document repairs in weekly inspection reports.
 - (g) Conduct construction site inspections at least once per week and within 24 hours after a precipitation event of 0.5 inches or greater. Repair or replace erosion and sediment control BMPs as necessary within 24 hours of an inspection or notification that repair or replacement is needed. Maintain, at the construction site, weekly written reports of all inspections. Weekly inspection reports shall include all of the following: date, time and location of the construction site inspection; the name of individual who performed the inspection; an assessment of the condition of erosion and sediment controls; a description of any erosion and sediment control BMP implementation and maintenance performed; and a description of the present phase of land disturbing construction activity at the construction site.
 - (h) Allow the Department of Public Works to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the control plan. Keep a copy of the erosion and sediment control plan, storm water management plan, amendments, weekly inspection reports, and permit at the construction site until permit coverage is terminated.
 - (i) The permit applicant shall post the "Certificate of Permit Coverage" in a conspicuous location at the construction site.
- (6) PERMIT CONDITIONS. Permits issued under this section may include conditions established by Department of Public Works in addition to the requirements set forth in sub. (5), where needed to assure compliance with the performance standards in Section 6-6-7.
- (7) PERMIT DURATION. Permits issued under this section shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Department of Public Works may extend the period one or more times for up to an additional 180 days. The Department of Public Works may require additional BMPs as a condition of the extension if they are necessary to meet the requirements of this ordinance.
- (8) MAINTENANCE. The responsible party throughout the duration of the construction activities shall maintain all BMPs necessary to meet the requirements of this ordinance until the site has undergone final stabilization.

6-6-9 EROSION AND SEDIMENT CONTROL PLAN, STATEMENT, AND AMENDMENTS.

- (1) **PLAN REQUIREMENTS.** The erosion and sediment control plan required under Section 6-6-7(2) shall comply with the City of Menasha Storm Water Reference Guide and contain at a minimum the following information:
 - (a) Name, address, and telephone number of the landowner and responsible parties.
 - (b) A legal description of the property proposed to be developed.
 - (c) A site map with property lines, disturbed limits, and drainage patterns.
 - (d) Total area of the site and total area of the construction site that is expected to be disturbed by construction activities.
 - (e) Performance standards applicable to site.
 - (f) Proposed best management practices.

- (2) **EROSION AND SEDIMENT CONTROL PLAN STATEMENT.** For each construction site identified under Section 6-6-4(1)(c), an erosion and sediment control plan statement shall be prepared. This statement shall be submitted to the Department of Public Works. The control plan statement shall briefly describe the site, including a site map. Further, it shall also include the best management practices that will be used to meet the requirements of the ordinance, including the site development schedule.

- (3) **AMENDMENTS.** The applicant shall amend the plan if any of the following occur:
 - (a) There is a change in design, construction, operation or maintenance at the site which has the reasonable potential for the discharge of pollutants to waters of the state and which has not otherwise been addressed in the plan.
 - (b) The actions required by the plan fail to reduce the impacts of pollutants carried by construction site runoff.
 - (c) The Department of Public Works notifies the applicant of changes needed in the plan.

- (4) **ALTERNATE REQUIREMENTS.** The Department of Public Works may prescribe requirements less stringent for applicants seeking a permit for a construction site with less than 1 acre of disturbance.

6-6-10 FEE SCHEDULE.

The fees referred to in other sections of this ordinance shall be established by the Common Council of the City of Menasha. A schedule of the fees established by the Common Council of the City of Menasha shall be available for review in the Building Inspection Department.

6-6-11 INSPECTION.

- (1) The responsible party shall submit inspection reports as outlined in the Construction Site Erosion Control Guide.
- (2) If land disturbing construction activities are being carried out without a permit required by this ordinance, the Department of Public Works may enter the land pursuant to the provisions of ss. 66.0119(1), (2), and (3), Wis. Stats.

6-6-12 ENFORCEMENT.

- (1) The Department of Public Works may post a stop-work order if any of the following occurs:
 - (a) Any land disturbing construction activity regulated under this ordinance is being undertaken without a permit.
 - (b) The erosion and sediment control plan is not being implemented.
 - (c) The conditions of the permit are not being met.
- (2) If the responsible party does not cease activity as required in a stop-work order posted under this section or fails to comply with the erosion and sediment control plan or permit conditions, the Department of Public Works may revoke the permit.
- (3) If the responsible party, where no permit has been issued, does not cease the activity after being notified by the Department of Public Works, or if a responsible party violates a stop-work order posted under sub. (1), the Department of Public Works may request the city attorney to obtain a cease and desist order in any court with jurisdiction.
- (4) The Department of Public Works, or the Board of Appeals may retract the stop-work order issued under sub. (1) or the permit revocation under sub. (2).
- (5) After posting a stop-work order under sub. (1), the Department of Public Works may issue a notice of intent to the responsible party of its intent to perform work necessary to comply with this ordinance. The Department of Public Works may go on the land and commence the work after issuing the notice of intent. The costs of the work performed under this subsection by the

Department of Public Works, plus interest at the rate authorized by Department of Public Works shall be billed to the responsible party or recovered from the surety bond, cash escrow, or irrevocable letter of credit. In the event a responsible party fails to pay the amount due, the clerk shall enter the amount due on the tax rolls and collect as a special assessment against the property pursuant to subch. VII of ch. 66, Wis. Stats.

- (6) Any person violating any of the provisions of this ordinance shall be subject to a forfeiture in accordance with Section 1-1-7 and the costs of prosecution for each violation. Each day a violation exists shall constitute a separate offense.
- (7) Compliance with the provisions of this ordinance may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctive proceedings.

6-6-13 APPEALS.

- (1) **BOARD OF PUBLIC WORKS.** The Board of Public Works created pursuant to section 2-2-5 of the city's ordinance pursuant to s.62.23(7)(e), Wis. Stats.:
 - (a) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Department of Public Works in administering this ordinance except for cease and desist orders obtained under Section 6-6-12(3).
 - (b) Upon appeal, may authorize variances from the provisions of this ordinance which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship; and
 - (c) Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.
- (2) **WHO MAY APPEAL.** Appeals to the Board of Appeals may be taken by any aggrieved person or by any office, department, board, or bureau of the City of Menasha affected by any decision of the Department of Public Works.

6-6-14 SEVERABILITY.

If a court of competent jurisdiction judges any section, clause, provision or portion of this ordinance unconstitutional or invalid, the remainder of the ordinance shall remain in force and not be affected by such judgment.

6-6-15 EFFECTIVE DATE.

This ordinance shall be in force and effect from and after its adoption and publication. The above and foregoing ordinance was duly adopted by the Common Council of the City of Menasha on the [number] day of [month], 2008.

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:

STORMWATER REFERENCE GUIDE
FOR THE:
CONSTRUCTION SITE EROSION CONTROL ORDINANCE

DATE:
May 15, 2008

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EXECUTIVE SUMMARY

The Menasha Stormwater Reference Guide (Reference Guide) has been created to act as a companion to the Construction Site Erosion Control Ordinance (Ordinance). The Ordinance cites the Reference Guide as the resource for details that were omitted from the Ordinance. Items in the Reference Guide can be changed without the public hearing process as the changes are typically administrative and/or technical and do not affect the Ordinance’s intent and requirements. The Reference Guide is organized similar to the Construction Site Erosion Control Ordinance for ease of relating the comments in the Reference Guide to the appropriate sections in the Ordinance.

Construction Site Erosion Control Ordinance					
Site	Requirements^a				
	Sediment (TSS)	Prevent Tracking	Perform De-Watering	Protect Storm Drain Inlets	Manage Building Materials
Less than 1 Acre	No Numeric Standard ^b	Yes	Yes	Yes	Yes
1 Acre or More	80%	Yes	Yes	Yes	Yes

^a Summary of Section 6-6-7 Performance Standards of the Construction Site Erosion Control Zoning Ordinance. See Ordinance and this Reference Guide for specific requirements, exemptions and prohibitions.

^b Construction sites regulated by the Wisconsin Department of Commerce are required to achieve a 40% sediment reduction for sites with less than 1 acre of land disturbance. See COMM 60.20(3)(c) and COMM 21.125(3)(c) for specific requirements. The local municipality may also be acting as an agent of the Department of Commerce.

6-6-1 AUTHORITY

6-6-2 FINDINGS OF FACT

6-6-3 PURPOSE

6-6-4 APPLICABILITY AND JURISDICTION

- (1) **APPLICABILITY**
- (2) **JURISDICTION**
- (3) **EXCLUSIONS**

The Wisconsin Department of Transportation (WisDOT) has entered into a memorandum of understanding with the Wisconsin Department of Natural Resources that satisfies s. 281.33 (2), Wis. Stats., such that activities directed and supervised by WisDOT are exempt from this Ordinance.

Activities directed and supervised by the local municipality are covered by this Ordinance.

6-6-5 DEFINITIONS

6-6-6 TECHNICAL STANDARDS

- (1) **DESIGN CRITERIA, STANDARDS AND SPECIFICATIONS**

Below is a list of Technical Standards and Guidance Documents that shall be used to satisfy Performance Standards contained in the ordinance. Technical Standards specify the minimum criteria for a best management practice (BMP). Guidance Documents contain recommendations and additional "how to" guidance. Performance Standards take precedence over Technical Standards and Technical Standards take precedence over Guidance Documents.

(a) **Technical Standards:** The following are applicable Wisconsin Department of Natural Resources (DNR) Conservation Practice Standards or Technical Standards:

- 1050 Land Application of Anionic Polyacrylamide
- 1051 Interim Sediment Controls: Water Application of Polymers
- 1052 Non-Channel Erosion Mat
- 1053 Channel Erosion Mat
- 1054 Vegetative Buffer for Construction Sites
- 1055 Sediment Bale Barrier (Non-Channel)
- 1056 Silt Fence
- 1057 Stone Tracking Pad and Tire Washing
- 1058 Mulching for Construction Sites
- 1059 Seeding for Construction Site Erosion Control
- 1060 Storm Drain Inlet Protection for Construction Sites
- 1061 De-watering

- 1062 Ditch Check (Channel)
- 1063 Sediment Trap
- 1064 Sediment Basin
- 1065 Rip-rap / Stabilized Outlet (pending completion)
- 1066 Construction Site Diversion
- 1067 Temporary Grading Practices for Erosion Control
- 1068 Dust Control on Construction Sites
- 1069 Turbidity Barrier
- 1070 Silt Curtain

These standards may be found on the DNR website at
<http://dnr.wi.gov/org/water/wm/nps/stormwater/techstds.htm>

- (b) **Local Modifications to Technical Standards:** The following are local requirements which are intended to supplement, clarify, or supersede DNR Technical Standards.
- (c) **Guidance Documents:** The following are the applicable Guidance Documents:
- Guidance for the Establishment of Protective Areas for Wetlands
 - "Construction Site" Definition – "Common Plan of Development"
 - Applicability of NR216 Subchapter III to Mill and Crush Operations
 - Meeting New State Standards: Construction Erosion Control Workshops
http://dnr.wi.gov/org/water/wm/nps/stormwater/constr_workshops
 - Estimating Residue Using the Line Transect Method (UW-Extension A3533).
 - Wisconsin Department of Transportation - Erosion Control Product Acceptability Lists (PAL) for Multi-Modal Applications
 - Wisconsin Department of Transportation - Facilities Development Manual
 - Wisconsin DOT Standard Specifications for Highway and Structure Construction
 - Other National Publications

(2) OTHER STANDARDS

6-6-7 PERFORMANCE STANDARDS

(1) RESPONSIBLE PARTY

(2) PLAN

(3) EROSION AND OTHER POLLUTANT CONTROL REQUIREMENTS

(a) TOTAL SUSPENDED SOLIDS

Construction sites with 1 acre or more of land disturbance are required to meet the ordinance's numeric performance standards. All other construction sites are not required to meet these numeric performance standards. BMP design guidance is provided below in Section (b) for sites with less than 1 acre of land disturbance.

Computer Models:

The Wisconsin Department of Natural Resources (DNR) is working with the EPA, NRCS, and several other states to develop a Windows version of RUSLE2 for

construction site erosion control. Until this software is available for statewide use, BMPs shall be designed using the Technical Standards listed in S.06. The Wisconsin Department of Commerce (COMM) is using the RUSLE2 spreadsheet developed by Dane County until the new RUSLE2 software is available. Use of the spreadsheet is not required by COMM, but is encouraged.

Design Clarifications:

Erosion Control Practices- Erosion control practices are used to prevent sediment particles from becoming dislodged and suspended in runoff. Erosion control practices include land application of polyacrylamide, mulching, seeding, and erosion mats. Grading practices can be used to supplement these practices.

Sediment Control Practices- Sediment control practices are used to remove sediment particles that are suspended in runoff and being transported. Sediment control practices used for sheet flow conditions include vegetative buffers, sediment bale barriers (non-channel), and silt fence. Sediment control practices used for concentrated flow conditions include storm drain inlet protection (< 1 acre), ditch checks (< 1 acre), sediment traps (< 5 acres), sediment basins (< 100 acres), and polymers. Sediment control practices used for lakes, rivers, and streams include turbidity barriers and silt curtains.

Construction Site Diversions- Construction site diversions are used to divert clear-water runoff away from disturbed areas. Construction site diversions are also designed to convey sediment-laden runoff from disturbed areas to sediment control practices such as ditch checks, sediment traps, and sediment basins.

Dust Control Practices- Dust control practices are used to prevent wind erosion.

Dewatering- Dewatering practices are used to remove sediment from ponding surface water or groundwater. A DNR permit is required for pumping 70 gpm or more. The discharge must be sampled in accordance with DNR requirements.

Non-Erosive Flows- Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel, as necessary, to provide a non-erosive flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected. Velocity dissipation devices could include erosion mat (channel), rip-rap, drop structures, stilling basins, and other energy dissipation devices.

Permissible Velocities for Channels			
Channel Cover	Slope Range %	Erosion-resistant soils	Easily eroded soils
Bare Soil	0-5	3-6 fps*	1.5-2 fps*
	Do not use on slopes steeper than 5%, except for side slopes in a combination channel		
Bermuda Grass	0-5	8 fps	6 fps
	5-10	7 fps	5 fps
	>10	6 fps	4 fps
Buffalo grass, Kentucky bluegrass, Smooth brome, blue grama	0-5	7 fps	5 fps
	5-10	6 fps	4 fps
	>10	5 fps	3 fps

Grass mixture	0-5	5 fps	4 fps
	5-10	4 fps	3 fps
	Do not use on slopes steeper than 10%		
Lespedeza sericea, weeping love grass Ischaemum (yellow bluestem), kudzu, alfalfa, crabgrass	0-5	3.5 fps	2.5 fps
	Do not use on slopes steeper than 5%, except for side slopes in a combination channel		
Annuals – used on mild slopes or as temporary protection until permanent covers are established, common lespedeza, Sudan grass	0-5	3.5 fps	2.5 fps
	Use on slopes steeper than 5% is not recommended		

* Permissible velocities dependant on specific soil properties.

Materials- No sediment or solid materials, including building materials, may be discharged in violation of the following federal, state, and local regulations:

- Navigation, Dams, & Bridges (Chapter 30 and 31, Stats.)
- Wetland Water Quality Standards (NR 103)
- Wetlands (US Army Corps of Engineers Section 404 regulations)
- Shoreland Management (NR 115, NR 117, & local regulations)
- Floodplain Management (NR 116 & local regulations).

Wetland Delineations- Wetland delineations shall be performed by a professional soil scientist, professional hydrologist, or other qualified individual approved by the administering authority. The individual performing the delineation shall classify the wetland as a less susceptible wetland, highly susceptible wetland, exceptional resource water, or outstanding resource water.

Protective Areas- Protective areas may be disturbed as part of a construction project, if necessary. Disturbed areas must be stabilized from erosion and restored with a self-sustaining vegetation. Best Management Practices (ponds, swales, etc.) may be located in protective areas.

Type of Vegetation- It is recommended that seeding of non-aggressive vegetative cover be used in the protective areas. Vegetation that is flood and drought tolerant and can provide long-term bank stability because of an extensive root system is preferable. Vegetative cover can be measured using the line transect method described in the University of Wisconsin Extension publication number A3533, titled "Estimating Residue Using the Line Transect Method".

Adjacent Property Owners- If a stream or channel is permanently placed or relocated along a property line, an easement is required from any property owners impacted by the protective area's new location. Also, if a stormwater facility or structure is proposed within an onsite stream or channel, 100-year flood elevations shall be evaluated to determine if offsite property owners are impacted by backwater or a flood elevation increase. An easement or letter of permission is required from any property owners impacted by backwater. Proposed changes to a stream, wetland, or channel should be identified in the application materials.

Changes to a navigable stream, wetland or other waters of the state will require permits from the DNR, Army Corps of Engineers, and local municipality.

Agricultural Activity Areas- Agricultural Activity Areas (i.e. farm fields and other cropland areas) are exempt from the ordinance.

(b) SITES WITH LESS THAN 1 ACRE OF LAND DISTURBANCE

Pursuant to S.07(5) of the ordinance, the municipality may establish erosion control requirements more stringent than those set forth in this section if the municipality determines that an added level of protection is needed. Discharge of sediment off-site is prohibited.

Design Clarifications:

For a construction site with less than 1 acre of land disturbance, the applicant shall install best management practices to prevent or reduce all of the following:

1. Tracking of sediment onto streets by vehicles.
2. Discharge of sediment into stormwater inlets.
3. Discharge of sediment into abutting waters of the state.
4. Discharge of sediment to drainage ways.
5. Discharge of sediment by de-watering activities.
6. Discharge of sediment from soil stockpiles existing for more than 7 days.
7. Discharge of sediment off-site.

In addition, the applicant will properly use, store and dispose of building materials, chemicals, cement, concrete truck washout, litter, sanitary waste, and other compounds and materials used on the construction site.

Construction sites also regulated by the Wisconsin Department of Commerce are required to achieve a 40% sediment reduction for sites with less than 1 acre of land disturbance. See COMM 60.20(3)(c) and COMM 21.125(3)(c) for specific requirements.

(4) LOCATION

While regional treatment facilities are appropriate for control of post-construction pollutants, they should not be used for construction site sediment removal.

(5) ALTERNATE REQUIREMENTS

6-6-8 PERMITTING REQUIREMENTS, PROCEDURES AND FEES

(1) PERMIT REQUIRED

(2) PERMIT APPLICATION AND FEES

(3) REVIEW AND APPROVAL OF PERMIT APPLICATION

Meetings between the permit applicant, designer, and plan reviewer are encouraged during the pre-design, design, and plan review process. The meetings are used to

educate each other about regulatory requirements, environmentally sensitive areas, and design challenges. The number of meetings held is typically commensurate with the size and complexity of the project. Meetings can be face-to-face or via telephone.

A pre-construction conference is encouraged before the start of all construction projects. For sites with 1 acre or more of land disturbance, a pre-construction conference is required. The permit applicant, designer, plan reviewer, contractor, and inspector are encouraged to attend. The purpose of the meeting is to exchange contact information, review the Erosion & Sediment Control Plan, and identify individuals responsible for permit compliance, plan amendments, and weekly inspection reports.

(4) SURETY BOND

Construction sites with 1 acre or more of land disturbance are required to deposit a financial guarantee in the form of a cash escrow deposit with the City, or a letter of credit for the benefit of the City and in the name of the City. The financial guarantee includes the cost associated with erosion and sediment control BMPs, site inspections, project administration, and contingencies.

Construction sites with less than 1 acre of land disturbance are not typically required to have a financial guarantee.

Portions of the financial guarantee may be released as the construction project progresses. The last portion of the financial guarantee is not released until the municipal inspector performs a final inspection and the permit applicant pays final inspection fees.

(5) PERMIT REQUIREMENTS

The permit applicant is required to post the "Certificate of Permit Coverage" in a conspicuous place at the construction site.

(6) PERMIT CONDITIONS

(7) PERMIT DURATION

(8) MAINTENANCE

(9) ALTERNATE REQUIREMENTS

6-6-9 EROSION AND SEDIMENT CONTROL PLAN, STATEMENT AND AMENDMENTS

(1) EROSION AND SEDIMENT CONTROL PLAN REQUIREMENTS

The erosion and sediment control plan for construction sites with 1 acre or more of land disturbance shall contain, at a minimum, the following information:

- (a) The name, contact person, title, mailing address, e-mail address, telephone number, and fax number of the following individuals or organizations: permit applicant, landowner, consultant or plan preparer, and contractor (if known).
- (b) Anticipated project start date and projected project end date.
- (c) Description of the construction site and the nature of the land disturbing construction activity, including representation of the limits of land disturbance on a map no smaller than a scale of 1:100.
- (d) Description of the intended sequence of major land disturbing construction activities for major portions of the construction site, including clearing; stripping

- topsoil; rough grading; installation of erosion and sediment controls; construction of utilities, streets, and buildings; finish grading; and permanent stabilization.
- (e) Estimates of the total area of the construction site and the total area of the construction site that is expected to be disturbed by land disturbing activities.
 - (f) Available data describing the surface soil as well as sub-soils, including representation of the limits of land disturbance on a NRCS soils map.
 - (g) Wherever permanent infiltration devices will be employed or were evaluated, the depth to the nearest seasonal high groundwater elevation or top of bedrock shall be identified.
 - (h) If applicable, name of the immediate named receiving water from the United States Geological Service 7.5 minute series topographic maps.
 - (i) Calculations to show the expected percent reduction in the average annual sediment load carried in runoff as compared to no sediment or erosion controls (calculations may not be feasible until RUSLE2 is completed).

The erosion and sediment control plan for construction sites with 1 acre or more of land disturbance shall include a site map. The site map shall include the following items and shall be at a scale not greater than 100 feet per inch and at a contour interval not to exceed two feet:

- (a) Existing topography, vegetative cover, impervious surfaces, natural and engineered drainage systems, roads, surface waters, and 100-year floodplains.
- (b) Boundaries of the construction site.
- (c) Drainage patterns and approximate slopes anticipated after grading activities.
- (d) Areas of soil disturbance, including soil stockpile locations.
- (e) Location of major structural and non-structural controls identified in the erosion and sediment control plan, including standard detail drawings and specifications where appropriate.
- (f) Location of areas where stabilization practices will be employed.
- (g) Areas that will be vegetated following land disturbing construction activities.
- (h) Area and location of wetland acreage on the construction site and locations where stormwater is discharged to a surface water or wetland within one-quarter mile downstream of the construction site.
- (i) Areas used for infiltration of post-construction stormwater runoff.
- (j) An alphanumeric or equivalent grid overlying the entire construction site.

The erosion and sediment control plan for construction sites with 1 acre or more of land disturbance shall include a description of appropriate erosion and sediment control best management practices that will be installed and maintained at the construction site to prevent pollutants from reaching waters of the state. The erosion and sediment control plan shall clearly describe the appropriate erosion and sediment control best management practices for each major land disturbing construction activity and the timing during the period of land disturbing construction activity that the erosion and sediment control best management practices will be implemented. The description of erosion controls shall include, when appropriate, the following minimum requirements:

- (a) Description of any interim and permanent stabilization practices, including a schedule for implementing the practices. The erosion and sediment control plan shall ensure that existing vegetation is preserved where attainable and that disturbed portions of the construction site are stabilized.
- (b) Description of any structural practices to divert flow away from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from the construction site. Unless otherwise specifically approved in writing by the local municipality, structural measures shall be installed on upland soils.
- (c) Management of overland flow at all areas of the construction site, unless otherwise controlled by outfall controls.

- (d) Trapping of sediment in channelized flow.
- (e) Staging land disturbing activities to limit exposed soil areas subject to erosion. Soil stockpiles exposed for more than 7 days shall be stabilized.
- (f) Protection of downslope drainage inlets where they occur.
- (g) Minimization of tracking at all vehicle and equipment entry and exit locations of the construction site.
- (h) Clean up of off-site sediment deposits by the end of each work day.
- (i) Proper disposal of building and waste material.
- (j) Stabilization of drainage ways.
- (k) Installation of permanent stabilization as soon as possible after final grading.
- (l) Minimization of dust to the maximum extent practicable.

(2) EROSION AND SEDIMENT CONTROL PLAN STATEMENT

For construction sites with 1 acre or more of land disturbance, prepare a narrative describing the following: site location, total site area and disturbed area, purpose of project, drainage system and outfalls, drainage area for each outfall, stream and wetland locations, topsoil and subsoils, depth to groundwater and bedrock, erosion and sediment controls, sequence of construction, BMP inspection and maintenance responsibilities, weekly inspection reports, and plan amendments.

The erosion and sediment control plan statement shall require the following: (a) erosion and sediment control practices be repaired or replaced within 24 hours of an inspection; and (b) when the failure of erosion or sediment control practices results in an immediate threat of sediment entering waters of the state or an offsite drainage system, procedures shall be implemented immediately to repair or replace the practices.

(3) AMENDMENTS

(4) ALTERNATE REQUIREMENTS

6-6-10 FEE SCHEDULE

6-6-11 INSPECTION

6-6-12 ENFORCEMENT

6-6-13 APPEALS

(1) BOARD OF APPEALS OR ADJUSTMENT

(2) WHO MAY APPEAL

6-6-14 SEVERABILITY

6-6-15 EFFECTIVE DATE

ORDINANCE O – 8 - 08

AN ORDINANCE RELATING TO OUTDOOR FOOD AND ALCOHOLIC BEVERAGE SERVICE

Introduced by Alderman Hendricks

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

SECTION 1: Sec. 7 – 2 – 17 is repealed and recreated to read as follows:

SEC. 7-2-17 ~~BEER GARDEN~~ OUTDOOR FOOD AND ALCOHOLIC BEVERAGE PERMITS REQUIRED FOR OUTDOOR CONSUMPTION AT CLASS "B" PREMISES.

- (a) **REQUIRED FOR OUTDOOR CONSUMPTION.** No licensee shall permit the consumption of alcohol beverages on any part of the licensed premises not enclosed within the building, except under permit granted by the Common Council. The permits are a privilege in which no rights vest and, therefore, may be revoked by the Common Council at its pleasure at any time. ~~or shall otherwise expire on June 30.~~ *The request shall accompany the original or renewal license application.* No person shall consume or have in his or her possession alcoholic beverages on any unenclosed part of a licensed premise which is not described in a valid ~~Beer Garden~~ *Outdoor Food and Alcoholic Beverage* permit.
- (b) **LIMITATIONS ON ISSUANCE OF ~~BEER GARDEN~~ OUTDOOR FOOD AND ALCOHOLIC BEVERAGE PERMITS.** No permit shall be issued for *Outdoor Food and Alcoholic Beverage service* if any part of the *outdoor seating area* ~~Beer Garden~~ is within one hundred (100) feet of a the property line ~~of a~~ *of improved property with a structure used exclusively for residential purposes, except residential uses located in the same structure as the licensed premises.* No *Food and Outdoor Alcoholic Beverage* permit shall be issued for an ~~Beer Garden~~ if the *outdoor seating* ~~Beer Garden~~ area is greater than fifty percent (50%) of the gross floor area of the ~~adjoining~~ licensed premises enclosed within the building. Each applicant for an *Outdoor Food and Alcoholic Beverage* ~~Beer Garden~~ permit shall accurately describe the area intended for use as an *outdoor seating area* ~~Beer Garden~~ and shall indicate the nature of fencing or other measures intended to provide control over the operation of the *outdoor seating area* ~~Beer Garden~~. *Except for the entryway, every outdoor seating area* ~~Beer Garden~~ shall be completely enclosed with a fence or wall not less than ~~six (6) feet~~ *forty-two (42) inches* in height measured from the hard surface on which the *outdoor seating area* is constructed. ~~No amplified sound or music is permitted outside the enclosed (building) premises.~~ *Amplified sound or music is not permitted in the outdoor seating area provided such music may not be audible within 150 feet of the outdoor seating area or the nearest structure used exclusively for residential purposes whichever is less.*

- ~~Beer Garden. There shall be~~ A licensed operator shall have control over the *outdoor seating area* ~~with the Beer Garden~~ at all times the *outdoor seating area* ~~Beer Garden~~ is in operation.
- (c) **TIME OF OPERATION.** *The outdoor seating area may only be open from ten a.m. until one-half hour before the closing time required by State law.. No one may be in the outdoor seating area beyond those hours unless they are employees of the licensed premise and are actually involved in the process of clean-up, maintenance or repair. The shift commander of the Police Department has the authority to order any outdoor seating area to be closed down at any time the Shift Commander believes it is in violation of this ordinance.*
- (d) **ADJOINING PROPERTY OWNERS TO BE NOTIFIED OF PENDENCY OF APPLICATIONS.** All property owners within one hundred fifty (150) feet of the proposed *outdoor seating area measured from property line to property line* ~~Beer Garden~~ shall be notified of the pendency of application for a ~~Beer Garden~~ permit by first class mail.
- (e) **STATE STATUTES ENFORCED WITHIN *OUTDOOR SEATING AREA BEER GARDEN*.** Every permittee under this Section shall comply with and enforce all provisions of Ch. 125, Wis. Stats., applicable to Class "B" licensed premises, except insofar as such provisions are clearly inapplicable. Violation of the provisions of Ch. 125, Wis. Stats., shall be grounds for immediate revocation of the ~~Beer Garden~~ *Outdoor Food and Alcoholic Beverage* permit by the ~~Common Council-Administration Committee~~.
- (f) **PERMIT REVOCABLE.** *Three violations of this ordinance shall constitute prima facie evidence that the Outdoor Food and Alcoholic Beverage permit shall be revoked. Such revocation shall be preceded by a hearing with the Administration committee whose decision shall be final. There shall be no use of the Outdoor Food and Alcoholic Beverage permit from the time the third violation is alleged to have occurred and the hearing. Each violation shall also carry 40 points pursuant to sec. 7 – 2 – 19(b).*
- (g) **FEE REQUIRED.** *The Common Council shall approve the fee for Outdoor Food and Beverage Service permits.*
- (h) **TEMPORARY EXPANDED PREMISES.**
- (1) Premises Defined. Consumption means dispensation or sale of fermented malt beverages and intoxicating liquors on licensed premises shall be restricted to the building itself and no fermented malt beverages or intoxicating liquors may be consumed, dispensed or sold outside the building.
- (2) Permit Issued. Whenever a licensee under this Subsection desires to expand the selling, dispensation of fermented malt beverages or intoxicating liquors on an area adjacent to said building, such as a parking lot, for a special event, it may do so by applying to the Chief of Police. Such permission shall not be unreasonably withheld. Should the Chief of Police withhold such permit, he shall immediately notify the ~~Secretary of the Public Protection Committee~~ *City Clerk*. It is the intention of this Subsection to permit scheduled special events and to prohibit extended use of off-premises sales, dispensation or consumption.

Cross Reference: Section 7-2-4(e)

SECTION 2: Sec. 7 – 2 – 19 (b) is amended by adding:

Violation of Outside Food and Beverage Service - 40 points

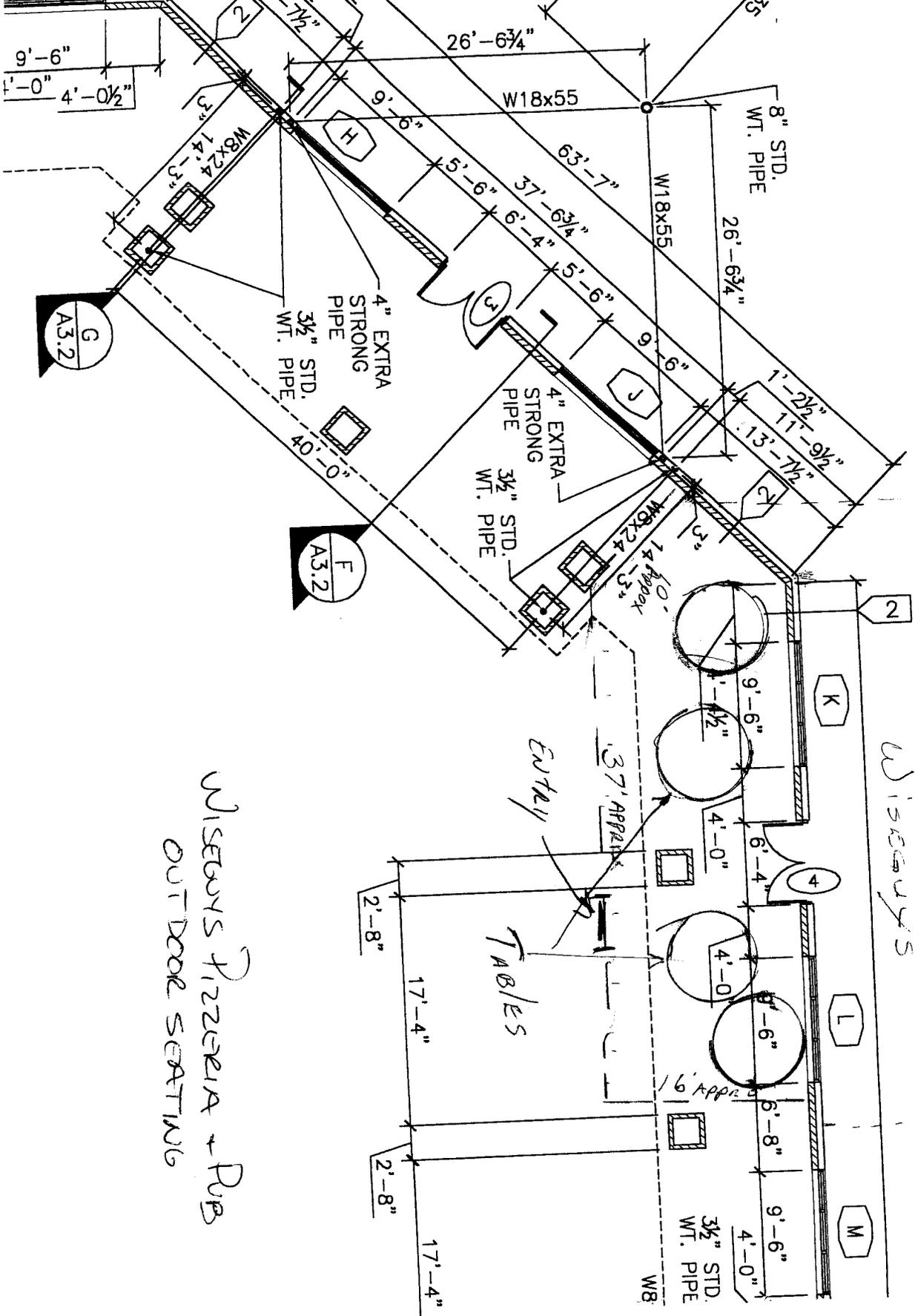
SECTION 3: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____, 2008.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

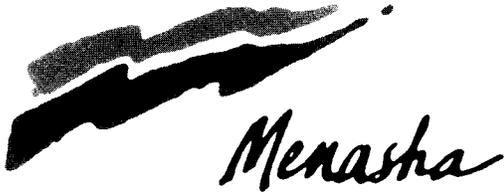


WISCONSIN'S
 OUTDOOR SEATING
 PIZZERIA + PUB

ENTRY
 TABLES

WISCONSIN'S

PE



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

MEMO

TO: Common Council

FROM: Jeff Brandt JSB

SUBJECT: Motions to hold
Motions to table

DATE: May 29, 2008

Alderman Taylor asked me to comment on the relationship between the motions to hold and the motions to table. While both of these motions are generally used either by the minority to slow down the process, they also can be used as a method to defer an item to gain additional information.

Motion to Hold

This is not recognized under Robert's Rules of Order. Instead, it is a local rule that appears at sec. 2 – 2 – 16 (d) (2) b. c. and d. It was originally approved March 2, 1993 to allow an individual Alderman the opportunity to slow down any item until the subsequent meeting. If used, that Alderman then had the opportunity to elicit support or to convince the majority to change its mind. It was amended October 1, 2001 since it was believed that giving this power to a single Alderman created the opportunity to abuse the privilege. The Amendment required a second Alderman to second the motion.

The limitations on the motion to hold were:

1. It could only be done once for any item. It does not matter whether that is done in Committee or at the Council level.
2. Once the motion is made and seconded all debate or consideration of the issue ceases until the next meeting.
3. The matter will reappear on the next agenda of the meeting where the hold took place.
4. It could not be used if the effect would be to cause the issue to be defeated. Examples of this are at the sine die meeting or when there is an actual deadline imposed by law or some other entity. Usually, this is a deadline to submit a proposal or a response to an offer to purchase.
5. Challenges to a decision that the motion is out of order because its effect would be to defeat the proposal are through a Point of Order and a motion to challenge the ruling

of the Chair. The Chairman of the Committee or the Mayor makes the original decision in consult with the Parliamentarian, the City Attorney.

Motion to table

The motion to table is recognized by Robert's Rules. A discussion of the motion can be found at pages 202 and 290. It is generally used when there is a specific reason why the maker wants to delay action. An example would be to gain more information or an instance where a member may need to leave the meeting and wants the opportunity to have a recorded vote. In studying the motion to lay on the table, the maker of the motion should identify a reason for it or the motion should be ruled out of order.

The characteristics of a motion to lay on the table are:

1. It needs to be seconded.
2. It is non-debatable.
3. It requires a majority vote.
4. It needs to have a reason stated.
5. The result will be that the issue will not appear on another agenda until someone notifies the Clerk of the intent to make the companion motion to remove from the table.

A motion to remove from the table has the same characteristics. Open meetings law and its interpretation by the Court of Appeals and Supreme Court require that a motion to remove from the table be placed on an agenda.

Motion to indefinitely postpone

This is a related motion that is almost never used in Menasha. It is similar to a motion to table in that the action is delayed until sometime in the future. It would be used when the member wishes to defer action without a motion to reject the proposal or a vote of no on a motion to approve the action. It has the advantage that indefinitely postponing a matter does not prevent the body from later considering the same item before the sine die adjournment. If used, an Alderman who wanted to bring up the issue that had been indefinitely postponed would need to notify the Clerk to place the mater on an Agenda to comply with the Open Meetings Law.

Its characteristics are:

1. It requires a second.
2. It is debatable.

3. It requires a majority vote.

The motions to hold and to table are generally looked at a method for the minority to slow down the majority. The motion to indefinitely postpone is generally looked at as an alternative to “killing” a proposal.

I would be happy to answer further questions under the Council directives portion of the meeting or would invite anyone to discuss these by contacting me.

CITY OF MENASHA
TIF # 3. (FUND.08)
Compiled by: Peggy DeLeeuw
Updated by: Tom Stoffel

Council Directives 06/02/2008:
D1) Information on TIF # 3:

See below

TIF Value Increment	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	TOTAL
Tax Increments	\$ -	\$ -	\$ -	\$ 19,524	\$ 169,085	\$ 103,222	\$ 121,176	\$ 117,792	\$ 124,308	\$ 122,574	\$ 123,769	\$ 99,479	\$ 102,051	\$ 101,984	\$ 104,012	\$ 105,837	\$ 106,555	\$ 108,675	\$ 106,170	\$ 1,736,213
Tax from Development Group	-	-	-	31,285	-	-	-	-	-	-	-	-	60,958	94,137	104,170	83,677	77,347	162,690	297,315	31,285
State Aid - Computers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	956,845
State Grant - Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	349,532
Local Government-Street Patch	-	-	-	2,814	2,829	2,091	3,490	2,546	2,881	-	-	-	-	-	-	-	-	-	-	8,084
Interest on Investments	-	11,404	4,848	-	-	-	-	-	-	-	-	-	-	-	-	-	-	22,664	3,772	59,329
Donations	167,068	35,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	202,068
Bond Note Proceeds	-	980,000	150,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,005,000	-	2,135,000
Other Financing Sources	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUES	167,068	1,026,404	154,848	53,623	171,914	105,313	124,666	120,338	127,189	122,574	123,769	160,437	196,188	206,154	187,689	182,388	183,902	1,299,019	764,873	\$ 5,478,356

EXPENDITURES

Independent Auditing	-	-	-	1,700	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 2,955
Debt Issuance Expense	8,297	19,994	1,901	255	-	-	-	-	-	-	-	1,255	-	-	-	-	-	18,365	-	48,812
Engineering/Public Works	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	52,808	-	117,491
Rep Streets/Alleys	-	100,547	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	637,370	55,618	753,138
Street Signs/Markings	-	6,194	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15,221	32,015
Storm Sewers/Drains	-	4,900	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	25,821	62,350
Street Lighting	-	50,582	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	61,097	(3,647)	50,982
Urban Redevelopment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,850	156,883
Water Main Construction	-	1,014,388	-	-	48,635	-	-	-	795	18,175	-	-	-	-	-	-	-	154,033	2,850	1,175,019
Transfer to TIF # 1Fund	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,053	-	115,861
Transfer to Debt Service Fund	-	-	104,650	88,028	96,340	104,816	107,663	110,183	132,370	122,575	123,769	124,418	92,244	116,787	160,727	240,475	194,902	393,600	282,450	2,595,997
TOTAL EXPENDITURES	8,297	1,196,605	106,551	89,883	144,975	104,816	107,663	110,183	133,165	140,750	123,769	125,673	92,244	116,787	160,727	240,475	411,801	1,318,326	378,313	\$ 5,111,103
Year End Balance	\$ 158,771	\$ (11,430)	\$ 36,867	\$ 507	\$ 27,446	\$ 27,943	\$ 44,946	\$ 55,101	\$ 49,125	\$ 30,949	\$ 30,949	\$ 65,713	\$ 169,657	\$ 259,024	\$ 285,986	\$ 227,899	\$ -	\$ (19,307)	\$ 367,253	\$ 367,253

D2) Date of Creation of TIF # 3: 1990 for TIF # 3
D3) Date of Retirement of TIF # 3: 2016 is statutory date
D4) Expenditures of TIF # 3: See above