

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

**CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
March 2, 2009
6:45 PM
or immediately following Common Council**

AGENDA

A. CALL TO ORDER

B. ROLL CALL/EXCUSED ABSENCES

C. MINUTES TO APPROVE

1. Administration Committee, 2/16/09

D. ACTION ITEMS

1. Due Process Hearing - Juanita's Hacienda, Inc. d/b/a Korona Klub, Juana Bevers, agent, 190 Main Street, Menasha
2. Agreement and Contract between Advocap, Inc. and Menasha Committee on Aging with Menasha Senior Center, January 1, 2009-December 31, 2009, and authorize signatures.
3. Approval of keeping the Weights and Measures fees for the licensing period July 1, 2009-June 30, 2010 the same as 2008-09 licensing period. (Recommendation of Board of Health)
4. Approval of proposed fees for the licensing period July 1, 2009-June 30, 2010:
a) DHFS Agent of the State; b) DATCP Agent of the State; c) Tattoo Parlor/Body Piercing Establishments. (Recommendation of Board of Health)

E. ADJOURNMENT

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
February 16, 2009
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Wisneski at 6:30 p.m.

B. ROLL CALL/EXCUSED ABSENCES

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

EXCUSED: Ald. Pamenter, Michalkiewicz

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

C. MINUTES TO APPROVE

1. Administration Committee, 2/2/09

Moved by Ald. Pack, seconded by Ald. Hendricks to approve minutes.

Motion carried on voice vote

D. ACTION ITEMS

1. Memorandum of Understanding for Tuberculosis Clinical Services between
Wisconsin Division of Public Health, Bureau of Communicable Disease and
Menasha Health Department, July 1, 2008-June 30, 2009, and authorize signature.

PHD Nett explained this is a new contract with Division of Public Health. It will be up for
renewal in June. The short time frame is do to the Menasha Health Dept. just getting
approved by the State to service tuberculosis cases. This will help City residences that
are uninsured or under-insured.

Moved by Ald. Pack, seconded by Ald. Hendricks to recommend approval to Common
Council.

Motion carried on voice vote

E. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Hendricks to adjourn at 6:35 p.m.

Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

CITY OF MENASHA,
a Wisconsin Municipal Corporation,

Plaintiff,

-vs-

NOTICE OF HEARING

Juanita's Hacienda, Inc. d/b/a Korona Klub
Juana Bevers, agent
190 Main Street
Menasha, Wisconsin 54952,

Defendant.

PLEASE TAKE NOTICE that a hearing will be held by the City of Menasha Common Council at City Hall, 140 Main Street, Menasha, Wisconsin, in the Council Chambers on March 2, 2009 at 6:45 p.m., at which time the City Attorney's office will recommend that the Administration Committee of the Menasha City Council assess 50 demerit points against your license. A copy of the reasons for the recommendation of the City Attorney is attached and served upon you.

This notice is given in compliance with Menasha City Ordinance 7-2-19.

Dated this 5th day of February 2009 at Menasha, Wisconsin.

2/10/09
Juana M Bevers
Joe Pazien
E48 MPD
2-10-09 @ 1:55 P

Deborah A. Galeazzi
Deborah Galeazzi
City Clerk
City of Menasha
140 Main Street
Menasha, WI 54952

CITY OF MENASHA,
a Wisconsin Municipal Corporation,

Plaintiff,

-vs-

Juanita's Hacienda, Inc. d/b/a Korona Klub
Juana Bevers, agent
190 Main Street
Menasha, Wisconsin 54952,

REASONS FOR IMPOSITION OF
DEMERIT POINTS

Defendant.

On March 2, 2009 at 6:45 p.m., the Administration Committee of the Menasha City Council will meet in the Council Chambers at 140 Main Street, Menasha, Wisconsin, at which time the City Attorney's office intends to recommend that 50 demerit points be assessed to the liquor license of Juanita's Hacienda, Inc. d/b/a Korona Klub, Juana Bevers, agent due to a conviction for underage persons on premises, judgment of which is attached. This incident occurred on November 18, 2007.

You are notified that you have the right to require further evidence of this violation prior to the consideration of the suspension. You are also advised that you may be represented by counsel if you wish.

Dated February 6, 2009.

2/10/09
Juana M. Bevers
Joe Pakien
E48MPD
2-10-09 @ 1:55 P

Jeffrey S. Brandt

Jeffrey S. Brandt
City Attorney
140 Main Street
Menasha, Wisconsin 54952
(920) 967-5117

2009 AGREEMENT AND CONTRACT
Between
ADVOCAP, INC.
And
CITY OF MENASHA
MENASHA COMMITTEE ON AGING
With
MENASHA SENIOR CENTER

PURPOSE:

The Winnebago County Nutrition Program funded through the Older Americans Act is administered by ADVOCAP, Inc. through a contract with the Winnebago County Department of Human Services. In consideration of the mutual agreements, ADVOCAP, INC., hereinafter referred to as "Program," having offices at 181 E. North Water Street, Suite 210, Neenah, WI 54956, and the CITY OF MENASHA with the MENASHA SENIOR CENTER elderly facility, located at 116 Main Street, Menasha, WI 54952, hereinafter referred to as "Facility," agree as follows:

FACILITY SHALL PROVIDE:

1. Use of the Main Activity Room and kitchen area at the Menasha Senior Center facility for service of meals Monday through Friday from 9:00 a.m. to 1:00 p.m.
2. Use of necessary storage space in basement.
3. Use of existing refrigerator, utility carts, coffee servers, silverware, coffee makers (100 cup urn) and miscellaneous utensils.
3. For payment of utility charges and garbage removal.
4. General janitorial services and maintenance.
5. Public liability and property damage insurance, and shall furnish Program with certificate of insurance coverage.

PROGRAM SHALL PROVIDE:

1. Meal site management including recruiting, training and scheduling of volunteers who shall be responsible for hosting, serving, cleanup, record keeping, etc. and shall follow health and sanitation procedures. The Meal Site Manager is responsible for all meal site operations. All comments, concerns, and problems regarding the meal site should be directly referred to the Meal Site Manager or the Program Director.
2. Meals served shall contain at least one-third of the RDA (Recommended Daily Allowance) for an older adult and meet the Nutrient Standards Required for Nutrition Program Meals as stated in the Wisconsin Aging Network Manual of Policies, Procedures, & Technical Assistance, Fall, 2004.
3. The Meal Site Manager will, upon consultation with the Senior Center Supervisor, plan and coordinate the following events: birthday parties, seasonal parties (Valentines, Easter, Halloween, Thanksgiving, Christmas and the meal site anniversary party). The Meal Site Manager will arrange for the Program Advisory Council (PAC) meeting when it is scheduled to be held at the Menasha Senior Center.
4. Additional consumables such as disposables (plates, silverware, cups, napkins, etc.) salt, pepper, ketchup, sanitizer, detergent, dishwashing machine detergent, etc.

5. Equipment for meal service including steam table, serving and meal trays, cups, hot food containers for meal delivery, coffee urns (30-36 cup), four coffee servers (white swirl), and a portable dishwasher.
6. Replacement of damaged or broken facility equipment and furnishings which are regularly used by the Program. Maintenance of the portable dishwasher.
7. Arrangements for garbage pickup or additional services for the meal site program over and above normal service.
8. Laundering of towels.
9. Public Liability and Property Damage Insurance and Liability Insurance for the action of ADVOCAP, Inc. staff and volunteers at the meal site program.

FACILITY AND PROGRAM SHALL AGREE AS FOLLOWS:

1. Meal service shall be open to the following persons:
 - a. individuals, sixty (60) years of age and older, living in the community and their spouses;
 - a. persons with disabilities who reside at home with and accompany older individuals to the meal site,
 - b. individuals whose meals are paid for by the Community Options Program or other programs operated by the Winnebago County Department of Human Services; and
 - c. individuals granted a Non-Elderly Waiver by Greater Wisconsin Agency on Aging Resources.
2. No meals will be served on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day before Christmas, and Christmas Day. If any of these holidays fall on a weekend, a date during the work week will be designated by ADVOCAP for the holiday.
3. Supply each other with the job description of the Menasha Senior Center Coordinator and the Menasha Meal Site Manager.
4. Conduct a semi-annual inventory of mutual supplies used in connection with the meal site program.
5. Conduct regular meetings with Program and Facility staff to review meal site operation.
6. The Menasha Senior Center Coordinator is responsible for planning all programs and activities within the Facility with exception of the special events so designated under Item 3 above.
7. The modified storage space and shelving shall remain in the Facility, when and if, the Nutrition Program discontinues its service at the Facility.
8. The Program has permission to use the Facility telephone as needed.
9. Both parties will observe Federal laws and regulations pertaining to nondiscrimination in the provision of services and in employment practices. To that end, no person shall, on the grounds of race, creed, color, sex, national origin or physical condition or handicap be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under this Program or any of its activities carried out by the subcontractor.
10. Comprehensive general liability insurance will be maintained by both parties with certificate of insurance coverage being furnished mutually by each party. If changes should occur, a new certificate of insurance should be submitted immediately.

**CITY OF MENASHA
MENASHA SENIOR CENTER
2009 AGREEMENT AND CONTRACT**

This Contract represents the Agreement in effect between the Facility and the Program. This Agreement is in effect from January 1, 2009, through December 31, 2009. However, either party may, at any time during the life of the Agreement, terminate this Agreement by giving thirty (30) days notice in writing to the other party of the intention to do so.

IN WITNESS OF THIS AGREEMENT, the duly authorized officers sign APPROVED this day:

(Date)

**CITY OF MENASHA
MENASHA SENIOR CENTER**

ADVOCAP, INCORPORATED

BY: _____

BY: _____

DON MERKES
Mayor, City of Menasha

MICHAEL BONERTZ
Executive Director

BY: _____

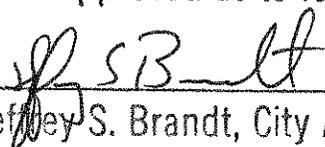
BY: _____

DEBORAH GALEAZZI
City Clerk, City of Menasha

THERESA M. STERN
Director
Winnebago County Nutrition Program

BY: _____


SYLVIA BULL
Supervisor, Menasha Senior Center

Approved as to form
 2-16-09
Jeffrey S. Brandt, City Attorney

Weights and Measures Proposed Fees (Same as Current)

Licensing Period 7-1-09 to 6-30-10

<u>Device Category</u>	<u>Current Fee</u>
Scales 0 to 30 lbs.	\$44.00
Scales 31 to 1000 lbs.	\$83.00
Vehicle Scales	\$150.00
Point of Sale Systems	\$57.00
Scanner	\$83.00 (1-4 Scanners) additional \$16 per scanner for each scanner over 4
Prepack Scales	\$44.00
High Accuracy Scales (Pharmacy, Jewelers, Precious Metals)	\$83.00
Estimate only Scales	\$17.00
Weight Sets	\$14.00
Rules/Tapes	\$9.00
Linear (Fabric, Wire, Rope Meters)	\$42.00
Computing Pumps (Previously known as metering chambers)	\$42.00
Vehicle Tank and Bulk Plant Meters	\$110.00
Timing Devices	\$29.00
Taximeters	\$52.00
Electric Pill Counters	\$44.00
Recycling Machines	\$137.00
Specialized and Non Categorical Devices	\$44.00/hr.
Annual License Processing Fee	\$90.00
Re-Inspection Fee	\$75.00
Late Payment Fee	\$100.00
Penalty Fee for Device Non-Registration	Double the per device fee

DHFS Agent of the State Fees

<u>Category</u>	<u>Current</u>	<u>Proposed 2009</u>
Full Food Service Simple	\$331	\$331
Full Food Service Moderate	\$390	\$390
Full Food Service Complex	\$449	\$449
Limited Food Service	\$194	\$194
No Food Service	\$151	\$151
Mobile Full Food Service Restaurant	\$331	\$331
Mobile Limited Food Service Restaurant	\$194	\$194
Mobile Full Food Service Serving Base	\$331	\$331
Mobile Limited Food Service Serving Base	\$194	\$194
School Food Service Base	\$132	\$132
School Food Service Satellite	\$100	\$100
Special Organization Serving Meals	\$163	\$163
Temporary Restaurant	\$93	\$93
Swimming Pool/Whirlpool	\$265	\$265
Additional Pool/Whirlpool	\$132	\$132
Swimming Pool With Waterslide	\$352	\$352
Pre-inspection Fee	\$225	\$225 Simple \$300 Moderate \$350 Complex
Re-inspection Fee	\$100	\$100 Simple \$150 Moderate \$200 Complex
Late Fee	\$100	\$100
Penalty Fee for Operating Without a Valid Permit	Double the applicable establishment fee.	Double the applicable establishment fee.
Temporary (Not for Profit)	\$25 (Requires food safety training) \$50 (Inspection required)	\$25 (Requires food safety training) \$50 (Inspection re-required or more than 1 food booth)

DATCP Agent of the State Fees

<u>Category</u>	<u>Current</u>	<u>Proposed 2009</u>
Food sales \$1,000,000 + and process PHF with or without a full food service unit. (A)	\$1140	\$1140
Food sales \$25,000 or more but less than \$1,000,000 and processes PHF. (B)	\$375	\$375
Food sales \$25,000 + and processes non-PHF	\$270	\$270
Food sales less than \$25,000 and processes PHF or non-PHF	\$189	\$189
No food processing but engages in selling PHF or unpackaged food.	\$131	\$131
Mobile retail food unit	\$131	\$131
Temporary retail food unit	\$88	\$88
Pre-Inspection fee	\$225	\$225 \$300 (B) \$350 (A)
Re-inspection fee	\$100	\$100 \$150 (B) \$300 (A)
Late fee	\$100	\$100
Penalty Fee for Operating Without a Valid Permit	Double the per-establishment fee	Double the per-establishment fee

State:
Permit fees increasing in 2009.

Tattoo Parlor/Body Piercing Establishments

<u>Category</u>	<u>Current</u>	<u>Proposed 2009</u>
Body Piercing	\$265	\$265
Tattooing	\$265	\$265
Combined Body Piercing/Tattooing	\$390	\$390
Temporary (per event)	\$265	\$265
Pre-inspection Fee	\$225	\$225
Re-inspection Fee	\$100	\$100
Late Fee	\$100	\$100
Penalty Fee for Operating Without a Valid Permit	Double the appropriate per category fee.	Double the appropriate per Category fee.

Menasha aldermen occasionally attend meetings of this body. It is possible that a quorum of Common Council, Board of Public Works, Administration Committee, Personnel Committee may be attending this meeting. (No official action of any of those bodies will be taken).

**CITY OF MENASHA
BOARD OF HEALTH
Menasha Health Department
316 Racine Street, Menasha**

2-11-2009

MINUTES

- A. Meeting called to order at 8:25 AM by Chairman C. Rusin.
- B. Present: Dorothy Jankowski, Candyce Rusin, Lori Asmus, Dr. Teresa Shoberg, Susan Nett
- C. MINUTES TO APPROVE
1. Motion to approve minutes from January 28, 2009 meeting made by T. Shoberg and seconded by D. Jankowski. Motion carried.
- D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
1. January 2009 Communicable Disease Report distributed and discussed.
 2. S. Nett explained the project that will be done using radon grant funds. The science classes at the high school will have the students do radon testing in their homes and then will map out the results. It is expected that there will be 330 students participating.
 3. The health department just recently submitted to the state for review, the policies and procedures to become a TB Dispensary Site. S. Nett is waiting for the state to approve the policies and procedures and once approved, an MOU can be brought to the common council for their support.
 4. An order for 210 doses of flu vaccine for the 2009 influenza season has been placed. Cost per dose will stay the same at \$6.
 5. 2008 Consolidated Contract Grant Review was completed by the state. All objectives were met despite the turnover in nursing staff.
 6. Staff Development Report—the orientation of the new nurses continues. All three will be training to become CPR instructors.
- E. ACTION ITEMS
1. Review Wts/Measures Fees 2009-10. S. Nett presented information on the weights and measures program. 20% of the sanitarian's time is spent doing weights and measures inspections. After doing an evaluation of expenditures and revenues, S. Nett reported the current fees would adequately fund this program for 2009. C. Rusin questioned why the fees didn't need to be increased when the sanitarian received a salary increase. S. Nett explained the addition of another health insurance plan at a lower cost to the city kept the personnel costs for the

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha Health Department at 967-3520 at least 24-hours in advance of the meeting for the City to arrange special accommodations."

sanitarian the same as in this past year. Motion to recommend to the common council for approval keeping the weights and measures fees for 2009-10, the same as 2008-09 made by L. Asmus and seconded by T. Shoberg. Motion carried.

F. HELD OVER BUSINESS

1. S. Nett reviewed the current Agent of the State DHS fees with board members. 60% of the sanitarian's time in the environmental health program is spent doing inspections related to food safety. S. Nett is proposing keeping the same fees with the exception of the temporary not for profit food permit and the preinspection and reinspection fees. The sanitarian has requested a tiered fee structure for preinspection and reinspection fees based on the complexity of the food establishment. This is what the state is currently doing and would have us be consistent. Proposed for the not for profit temporary food permit is keeping the \$25 fee and requirement for food safety training and changing the \$50 permit fee to include inspection required or more than one food booth. The reason for the change is to cover the sanitarian's time to do an onsite inspection especially for the larger events such as Seafood Fest and EATS at UW-Fox Valley. L. Asmus questioned if these permits cover just one event. S. Nett explained that each temporary permit allows the permittee 3 different events in one licensing period. L. Asmus also questioned when the state was going to raise their fees and what impact does that have on our fees. S. Nett explained the state is raising its fees this year but won't impact us until in 2010. According to state statute, each agent is required to reimburse the state 10% of the state's fee. This is done in September and is based on the licensed establishments from the previous licensing period. The 2010 fees will need to be adjusted to cover the state increase. Motion to recommend for approval to the common council the proposed DHS Agent of the State fees for 2009-10 made by D. Jankowski and seconded by T. Shoberg. Motion carried.
2. S. Nett presented the proposed DATCP Agent of the State fees for 2009-10. Again, the sanitarian is requesting a tiered fee structure for preinspections and reinspections to remain consistent with the state's permitting fee structure. C. Rusin questioned if and how the farmers' market booths fit into the fee structure. S. Nett explained that currently most of the farmers' market booths need wts. and measures permits and that those booths that come with processed food usually come with a state permit. Home canned foods are not permitted. L. Asmus questioned if these state fees were increasing. S. Nett indicated they are also increasing in 2009 to 20% and the same reimbursement process is in effect as for DHS agent fees. Motion to recommend for approval the proposed DATCP Agent of the State fees for 2009-10 made by L. Asmus and seconded by D. Jankowski. Motion carried.
3. S. Nett explained that even though there currently is no tattoo/body piercing establishment in Menasha, the fees still need to be reviewed and determined so they are in place if an establishment were to open. Motion to recommend for approval to the common council the proposed fees for tattoo/body piercing establishments for 2009-10 made by T. Shoberg and seconded by L. Asmus. Motion carried.

- G. Motion to adjourn at 9:45 AM made by D. Jankowski and seconded by L. Asmus.
Motion carried.
Submitted by Susan Nett