

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

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday January 17, 2011
6:00 PM
AGENDA**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
- D. PUBLIC HEARING
 - 1. [Proposing an amendment to Title 13, Article E of the Code of Ordinances relating to the paving of driveways.](#)
 - 2. [Special Use Permit, Appanasha Pet Clinic, 1205 Wittmann Drive, Menasha](#)
- E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
- F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
 - 1. [CDD Keil – Update on 81-87 Racine/504 Broad Street \(Ald. Taylor\)](#)
 - 2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
Minutes to receive:
 - a. [Administration Committee, 1/4/11](#)
 - b. [Board of Public Works, 1/4/11](#)
 - c. [Board of Health, 11/10/10](#)
 - d. [City Hall Safety Committee, 11/4/10](#)
 - e. [Committee on Aging, 11/11/10](#)
 - f. [NM Fire Rescue Joint Finance & Personnel, 12/28/10](#)
 - g. [Park & Recreation Board, 1/10/11](#)
 - h. [Plan Commission 1/11/11](#)
 - i. [Public Works/Parks Dept. Safety Committee, 11/30/10](#)
 - j. [Water & Light Commission, 12/15/10](#)
 - k. [Water & Light Commission Special Meeting 12/22/10](#)
 - l. [Water & Light Commission Closed Session, 7/21/10, 10/27/10, 11/17/10, 12/15/10](#)Communications:
 - m. [Richard DeKleyn to Ald. Englebert, 1/5/11; Ordinance requiring paving of driveways](#)
 - n. [Dina Mitchell to Mayor Merkes, CDD Keil and Aldermen, 1/7/11; Driveway Installation Policy](#)
 - o. [Jennifer Sunstrom to Plan Commission, 1/11/11; Paving of Driveways](#)
 - p. [Wisconsin Urban Forestry Council 2009 Report](#)
 - q. [Menasha Utilities, Customers First! The Wire newsletter, 1/11](#)
 - r. [Public Works Facility; December 2010 Disposal Violations](#)
 - s. [League of Women Voters Public Forum Jan. 31, 2011](#)

G. CONSENT AGENDA

(Prior to voting on the Consent Agenda, items on the Consent Agenda may be removed at the request of any Alderman and place immediately following action on the Consent Agenda. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)

Minutes to approve:

1. Common Council, 1/4/11

Administration Committee, 1/4/11; recommends approval of:

- Grant Agreements between Winnebago County and City of Menasha for the term Jan. 1, 2011 to Dec. 31, 2011 for: a) Senior Center Supervisor b) Senior Center Activity Coordinator c) Older Adult Health Screening Program

Personnel Committee, 12/20/10; recommends approval of:

- Amend City of Menasha Personnel Policy Handbook, Article IX-Training, Travel and Meal Expense Policy.

N-M Fire Rescue Joint Finance & Personnel, 12/28/10; recommends approval of:

- NMFR's initiatives to move forward with endorsing fundraising through private funding and/or grants to fund the start up costs of a dive team for NMFR and initiate discussions with Winnebago County to formulate a long term structure for maintenance costs, per statutory requirement.

Plan Commission, 1/11/11; recommends approval of:

- Granting a Special Use Permit for a Kennel License for Appanasha Pet Clinic at 1205 Wittmann Drive for up to 50 animals with the condition that a site plan be submitted for review by the Plan Commission and approval by the Common Council as part of the Special Use Permit
- An alternative ordinance be drafted requiring the paving of driveways and driveway aprons for new one and two family residential dwellings in the R-1, R-1A, R2 and R2A Districts, and for the paving of driveways, driveway aprons and parking lots in the R-3, R-4, C-1, C-2, C-3, C-4, I-1, I-2 and GU Districts, except for existing one and two family residential dwellings.

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS

- Accounts payable and payroll for the term of 1/4/11 to 1/13/11 in the amount of \$7,768.329.98

J. ORDINANCES AND RESOLUTIONS

- O-18-10 An Ordinance Relating to Paving of Driveways (Introduced by Ald. Taylor & Zelinski)
- O-22-10 An Ordinance Relating to Parking Regulations (Angle Parking on 2nd St.) (Introduced by Ald. Wisneski & Taylor)
- O-23-10 An Ordinance Relating to School Bus Loading Zones (Introduced by Ald. Wisneski)
- R-1-11 Resolution Opposing the Reduction in Size of the Winnebago County Board of Supervisors (Recommendation of Administration Committee) (Introduced by Ald. Englebert)
- R-3-11 Resolution Pertaining to Changes in Fees for Parks and Recreation Programs and Services for 2011 (Recommendation of Parks and Recreation Board) (Introduced by Ald. Langdon)

K. APPOINTMENTS

L. HELD OVER BUSINESS

M. CLAIMS AGAINST THE CITY

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
(five (5) minute time limit for each person)

O. ADJOURNMENT

MEETING NOTICE

**February 7, 2011 - Council Chambers
Common Council – 6:00 p.m.
Administration Committee – 6:30 p.m.
Board of Public Works – 7:00 p.m.**

**CITY OF MENASHA
Public Hearing Notice**

NOTICE IS HEREBY GIVEN that the City of Menasha is proposing an amendment to Title 13, Article E of the Code of Ordinances relating to the paving of driveways and parking lots. Persons interested in the proposed change to the zoning code are encouraged to provide oral or written comments for consideration at the public hearings. For more information and/or copies of the proposed ordinance, please contact the Department of Community Development at (920) 967-3650.

Plan Commission - Informal Hearing
Tuesday, January 11, 2011 at 3:30 pm or shortly thereafter

Common Council - Formal Public Hearing
Monday, January 17, 2011 at 6:00 pm or shortly thereafter

Both hearings will be held at: Menasha City Hall
Council Chambers, 3rd Floor
140 Main Street
Menasha, WI 54952

Publish: January 3 and January 9, 2011

City of Menasha
Public Hearing

NOTICE IS HEREBY GIVEN that public hearings will be held by the Menasha Plan Commission and Common Council on an application for a Special Use Permit for a kennel license by the Appanasha Pet Clinic. This license is being applied for in conjunction with the proposed development of a veterinary clinic on a vacant site within the Midway Business Park (Parcel Number 6-01647-00) located at 1205 Wittmann Drive. The Plan Commission hearing will be held on Tuesday, January 11, 2011 at 3:30 PM in the Council Chambers of Menasha City Hall located at 140 Main Street. The Common Council will hold its public hearing on this matter at 6:00 PM on Monday, January 17, 2011 at the same location. All persons interested in commenting on the application for a kennel license are invited to attend.

Run: January 3 & 9, 2011



MEMORANDUM

To: Common Council

From: Greg Keil, CDD

Date: January 13, 2011

RE: Report on Marketing and Environmental Status of the City –Owned Lots on Racine Street

I've drafted this memo in response to Alderman Taylor's inquiry about the above. In October of 2010 the city entered into a listing agreement with the Drifka Group for city – owned lots at 81-87 Racine Street and 504 Broad Street. This agreement extends until October 2011. Please see the attached email correspondence from Bob Drifka regarding the status of marketing efforts.

With regard to the environmental condition of these properties, there is a Closure Letter from the Department of Natural Resources essentially stating that the site remediation has been completed and no further work is needed at 81 Racine Street. There is/was no known contamination at 504 Broad Street. At 87 Racine, site remediation has been completed (see attached correspondence from Konicek Environmental Consulting, LLC), however site monitoring is ongoing (see attached Department of Commerce correspondence). The site remediation at 87 Racine consisted of removal of all soil to within about five feet of the property line down to bedrock. The site was then filled with clear stone. Despite removal of this soil as a source of contamination, indicators of contamination continued to show up in groundwater samples. This is the reason for the new round of sampling that was authorized by the Department of Commerce in August of 2010. If this new round of sampling shows that the contamination has diminished to levels below permitted maximums, a Closure Letter may be issued. I'm hoping this will occur sometime this year.

Greg M. Keil

From: Bob Drifka [bob@drifkagroup.com]
Sent: Tuesday, January 11, 2011 8:16 AM
To: Greg M. Keil
Subject: RE: Report of Officers Request

Greg:

No inquiries to date. The property is posted on two local / national web-sites and was sent to all brokers. Due to the 90 sign limitation I felt that it would be best to place the sign on it March 1st when our selling season is hitting it's peak. The last three months of a calendar year are the slowest months in commercial real estate. I have a sign that is ½ the size of normal commercial real estate signs. It is my hope that it would be allowed to stay for a longer period.

Bob Drifka

Broker/Owner
DRIFKA GROUP INC.
N9601 Crystal Drive
Appleton, WI 54915
Phone: 920.993.9065
Mobile: 920.450.2876

From: Greg M. Keil [mailto:gkeil@ci.menasha.wi.us]
Sent: Monday, January 10, 2011 4:48 PM
To: Bob Drifka
Subject: FW: Report of Officers Request

Bob: Have you had any inquiries about this property? Also, the listing agreement called for the placement of a real estate sign for a period not to exceed 90 days. When should I tell them to expect the sign will be placed.

Thanks.

Greg

From: Debbie Galeazzi
Sent: Monday, January 10, 2011 3:56 PM
To: Greg M. Keil
Cc: Don Merkes; Pamela Captain
Subject: Report of Officers Request

Greg – Ald. Taylor has requested an update on 81-87 Racine/504 Broad Street. He would like a report on any interest to purchase the area, signage, environmental issues.

Deb

*****As a local governmental entity, the City of Menasha is subject to Wisconsin statutes relating to open records. Any e-mail received by anyone at the City of Menasha, as well as any e-mail sent by someone from the City of Menasha are subject to these laws. Unless otherwise exempted from the Open Records law, senders and receivers of City e-mail should presume that any e-mail is subject to release upon request.*****

Konicek Environmental Consulting LLC

July 19, 2010

Mr. Kevin McKnight
Wisconsin Department of Natural Resources
Oshkosh Office
625 East County Road Y, Suite 700
Oshkosh, Wisconsin 54901

Reference: *Remedial Action Groundwater Results Letter*
Former Barth Property
87 Racine Street
Menasha, Wisconsin
BRRTS #: 03-71-001607
COMM #: 54952-3156-87

Konicek Environmental Consulting, LLC
File No. 0701003

Dear Mr. McKnight:

The purpose of this letter is to provide the results of remedial action groundwater sampling results conducted at the above referenced site associated with the Wisconsin Department of Commerce (COMM) Bid Document, Round 46 letter for the above referenced site. Konicek Environmental Consulting, LLC (KEC) on behalf of The City of Menasha prepared this letter.

SITE HISTORY

The subject site was formerly occupied by a former gas station/auto repair business. All site buildings were removed in 2006. Petroleum contaminated soil and groundwater exists on-site to depths extending to bedrock (approximately 20 feet below ground surface (bgs)). Groundwater impacts extend off-site. Detailed information is included in the WDNR case file.

As stated in the COMM Bid Document (Bid Round 46), the goal of remedial action activities was to do the following:

1. Excavate highly contaminated soils and dispose at a licensed landfill
2. Install sump well within excavation
3. Abandon and replace PZ-18, MW-15, PZ-12 and MW-12.
4. Collect and submit appropriate sidewall and base soil samples from the excavation.
5. Conduct 4 vacuum extraction events from the installed sump.
6. Conduct six groundwater sampling events from MW-5, MW-7, MW-8, MW-9, MW-12, PZ-12, MW-13, PZ-13, MW-14, MW-15, PZ-15, MW-16, PZ-16 and PZ-18).
Groundwater samples to be collected and analyzed by a certified laboratory for analysis of petroleum volatile organic compounds (PVOCs) and naphthalene.

SOIL EXCAVATION ACTIVITIES

In April 2007, approximately 4,670 tons of petroleum contaminated soil was excavated by Environmental Services Plus, transported and disposed of at Veolia ES Hickory Meadows Landfill. A copy of the landfill ticket listing is included in Attachment 1. Prior to soil excavation activities, MW-12, PZ-12, MW-15 and PZ-18 were abandoned in accordance with NR 141 requirements. A copy of the abandonment forms is included in Attachment 1.

Confirmation soil samples were collected from 18 locations (S-1 through S-18) within the excavation. The soil samples were submitted to Synergy Environmental Lab (Synergy) for analysis of PVOCs and naphthalene. A summary of the soil sample excavation confirmation analytical results is included on Table 1 and a copy of the analytical laboratory reports is included as Attachment 1. A site figure with the confirmation soil sample locations is included in Attachment 1.

Benzene was detected at concentrations exceeding its NR 746 Table 2 values in 13 of 18 confirmation soil samples collected. Benzene was detected at concentrations exceeding its NR 746 Table 1 values in 2 of 18 confirmation soil samples collected. Ethylbenzene and naphthalene were detected at concentrations exceeding its NR 746 Table 1 values in 16 of 18 confirmation soil samples collected. Toluene and 1,2,4-trimethylbenzenes were detected at concentrations exceeding its NR 746 Table 1 values in 1 of 18 confirmation soil samples collected. 1,3,5-trimethylbenzenes was detected at concentrations exceeding its NR 746 Table 1 values in 11 of 18 confirmation soil samples collected. Xylenes were detected at concentrations exceeding its NR 746 Table 1 values in 12 of 18 confirmation soil samples collected.

Upon completion of the soil excavation activities, one sump well was installed within the west central portion of the excavation. A geomembrane was installed (to prevent groundwater infiltration) and the excavation was properly backfilled with appropriate stone and compacted clay.

INSTALLATION OF REPLACEMENT WELLS

Replacement wells MW-12R, PZ-12R, MW-15R and PZ-18R were installed within or near the excavation area on May 17, 2007 by Environmental Drilling Services. A copy of the monitoring well construction and boring logs are included in Attachment 2.

A site location map is included on Figure 1. The well locations are depicted on site layout figures included in Attachment 2.

POST REMEDIAL ACTION GROUNDWATER RESULTS

Groundwater sampling events were conducted on November 1, 2007, March 20, 2008, June 18, 2008, October 16, 2008, April 9, 2009 and August 5, 2009. Pumping of the sump well was conducted prior to 4 of the sampling events. A summary of the groundwater sample analytical results is included on Table 2. Copies of the Synergy analytical reports are included in Attachment 3.

November 1, 2007 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 enforcement standard (ES) in groundwater samples collected from the Sump, MW-7, MW-9, PZ-12R, PZ-16, PZ-18R, and MW-16. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from MW-9 and PZ-18R. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from MW-9 and PZ-18R. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers. Approximately 1,200 gallons of groundwater was pumped from the sump and discharged to the City of Menasha sanitary sewer system.

March 20, 2008 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from the Sump, MW-7, MW-9, MW-15R, PZ-16 and PZ-18R. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-9. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-9. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

Approximately 1,400 gallons of groundwater was pumped from the sump and discharged to the City of Menasha sanitary sewer system.

June 18, 2008 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from the Sump, MW-7, MW-9, MW-12R, MW-15R, PZ-16 and PZ-18R. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-9. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-9. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

October 16, 2008 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from the Sump, MW-7, MW-9, MW-12R, PZ-12R, MW-15R, MW-16, PZ-16 and PZ-18R. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from MW-9, PZ-12R and MW-15R. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from PZ-12R and MW-15R. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

Approximately 1,200 gallons of groundwater was pumped from the sump and discharged to the City of Menasha sewer system.

April 9, 2009 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from the Sump, MW-7, MW-9, MW-12R, PZ-12R, MW-15R, MW-16, PZ-16 and PZ-18R. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

August 5, 2009 Groundwater Results

Benzene was detected at concentrations exceeding its NR 140 ES in groundwater samples collected from MW-7, MW-9, MW-12R, MW-16, PZ-16 and PZ-18R. Naphthalene was detected at a concentration exceeding its NR 140 ES in the groundwater sample collected from MW-12R. Trimethylbenzenes was detected at a concentration exceeding its NR 140 ES in the groundwater samples collected from MW-12R and PZ-12R. There were no other concentrations of PVOCs or naphthalene detected above NR 140 ESs in the groundwater samples collected from the monitoring wells/piezometers.

Approximately 1,300 gallons of groundwater was pumped from the sump and discharged to the City of Menasha sewer system.

CONCLUSIONS

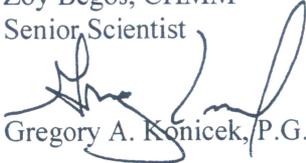
Based upon laboratory analysis, petroleum VOCs were detected in on and off-site monitoring wells and/or piezometers. The groundwater concentrations generally have a steady to decreasing trend within each monitoring well/piezometer, with the exception of MW-12R, which has an increasing trend and PZ-12R and MW-15R which has no trend or non-stable trend. Mann-Kendall statistical tests were conducted for MW-7, MW-9, PZ-12R, MW-15R and PZ-18R. A copy of these results is included in Attachment 4.

KEC recommends two additional rounds of groundwater sampling from the sump, MW-7, MW-9, MW-12R, PZ12R, MW-15R, PZ-16, MW-16, PZ-18R and the sump for petroleum volatile organic compounds.

Sincerely,

Konicek Environmental Consulting, LLC


Zoy Begos, CHMM
Senior Scientist


Gregory A. Konicek, P.G., CHMM

Attachments: Analytical	Table 1	Summary of Soil Sample Excavation Confirmation Results
	Table 2	Summary of Groundwater Results
	Figure 1	Site Location Map
	Attachment 1	Site Layout with Confirmation Soil Sample locations
		Site Layout with Monitoring Well/Piezometer Locations
		Monitoring Well Abandonment Forms
		Veolia Landfill Ticket Listing
	Attachment 2	Synergy Laboratory Report (confirmation soil samples)
		Soil Boring Logs
		Monitoring Well Construction Forms
	Attachment 3	Site layout figures
		Synergy Laboratory Reports (groundwater) Mann-Kendall Statistical Tests

CC: **Mr. Greg Keil, City of Menasha**

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August 26, 2010

Gregory Keil
City of Menasha
140 Main St
Menasha, WI 54952-3190

RE: **Public Bidding Deferred – Cost Cap Approved**

Commerce # 54952-3156-87-A DNR BRRTS # 03-71-001607
Barth Property, 87 Racine St, Menasha

On August 26, 2010, the Wisconsin Department of Commerce (Commerce) received a scope of work (SOW) and cost estimate utilizing the Comm 47, Wisconsin Administrative Code, Usual and Customary Cost Schedule (Cost Schedule) for the site referenced above.

Commerce has determined that the submitted SOW is reasonable and **approves** the additional costs. This site will be deferred from the public bidding process at this time. Commerce will contact you if this site will be bid in the future.

The SOW includes two rounds of groundwater sampling, abandonment of certain unused monitoring wells, and a closure request. A copy of Commerce’s worksheet for the Cost Schedule tasks is enclosed for your reference. It should be noted that Commerce removed the cost of the Letter Report/Addendum (LRA05) from your original request and replaced it with the Closure Request (CR05) and GIS Package (CR15).

Deferment Cost Cap Approved: \$ 6,605.00

Be reminded that annual web reports are required until this case is closed.

Costs for activities included in this approval will only be reimbursed at a rate equal to or less than what is allowed on the Cost Schedule, and are reimbursed based upon the maximum allowable cost that is in effect at the time the activity is performed. Costs for activities not included in this approval are not reimbursable without prior Commerce authorization and must be approved prior to the activity being performed.

Regulatory Correspondence (Task 7, Activity RC05), Claim Submittal (Task 27, Activity CS05) and Standardized Invoice (Task 28, Activity SI05) costs are not included in the cap approved above. These activities will be reimbursed according to the task specifications and with proper supporting documentation submitted with the PECFA claim.

Commerce considers the consultant the primary controller of costs during these activities. This approval does not guarantee eligibility of any specific costs that have been incurred or that may be incurred in the future. Final determination regarding the eligibility of costs will be made by the claim reviewer when the entire claim, including all invoices and reports, is submitted for payment.

Note: If you have not submitted a reimbursement claim in the past 12 months, Commerce encourages you to do so at this time. In the future, we may review your claim submittal history and require a claim. Failure to submit a claim at that time would result in denial of reimbursement for corresponding interest costs. If you need a claim packet or would like assistance with filing your claim, please contact Renee' Dickey at (608) 264-8765.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 424-0025.

Sincerely,



Tom Verstegen
Department of Commerce
PECFA - Site Review Section

Enclosure: Usual and Customary Cost Schedule Worksheet

cc: Zoy Begos - Konicek Environmental Consulting
Kevin McKnight - DNR Project Manager

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
January 4, 2011
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Wisneski at 7:18 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Englebert, Benner, Roush, Taylor, Wisneski, Langdon, Hendricks, Zelinski

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, FC Auxier, CDD Keil, DPW Radtke, C/T Stoffel, Clerk Galeazzi, and the Press

C. MINUTES TO APPROVE

1. [Administration Committee, 12/20/10](#)

Moved by Ald. Zelinski, seconded by Ald. Roush to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. [Reserve "Class B" Liquor License Policy \(Held 12/20/10\)](#)

Staff is recommending holding off on this item until a few issues are resolved.

Moved by Ald. Langdon, seconded by Ald. Roush to table until issues resolved.

Motion carried on voice vote.

2. Grant Agreements between Winnebago County and City of Menasha for the term Jan. 1, 2011 to Dec. 31, 2011 for:

- a) [Senior Center Supervisor](#)
- b) [Senior Center Activity Coordinator](#)
- c) [Older Adult Health Screening Program](#)

PHD Nett explained the grant agreements are the same as in previous years.

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

Motion carried on voice vote.

3. [O-1-11 An Ordinance Relating to the Keeping of Fowl \(Introduced by Ald. Roush\) \(Recommendation of Sustainability Board and Plan Commission\)](#)

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

A lengthily debate ensued on the pros and cons of allowing chickens in the City.

Comments made: recommended by Sustainability Board and Plan Commission; more people want to grow their own food; would only allow chickens, no roosters; only allowed on owner-occupied properties; consider rights of property owner; chickens are pets just like dogs and cats. Concerns: chickens are farm animals, could lead to allowing other farm animals in the City; health issues; complaints from neighbors; chickens roaming neighborhood; appearance of coops and were located on property; too many unanswered questions.

PHD Nett commented the ordinance does not address certain health issues.

Moved by Ald. Benner, seconded by Ald. Englebert to table this item for more clarification.

Motion carried on voice vote. Ald. Taylor voiced – nay.

4. [R-1-11 Resolution Opposing the Reduction in Size of the Winnebago County Board of Supervisors \(Introduced by Ald. Englebert\)](#)

Discussion ensued. Comments made were what is the right number of County Supervisors; should the City get involved at this time; should wait until after final census; need fair representation at County level; should wait until more information is available on appropriate size of County Board.

Moved by Ald. Englebert, seconded by Ald. Roush to recommend approve to Common Council. Motion carried on voice vote. Ald. Zelinski, Hendricks voiced – nay.

E. ADJOURNMENT

Moved by Ald. Roush, seconded by Ald. Langdon to adjourn at 8:30 p.m. Motion carried on voice vote.

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

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
Tuesday, January 4, 2011
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Taylor at 8:35 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Englebert, Benner, Roush, Taylor, Wisneski, Langdon, Hendricks, Zelinski

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, FC Auxier, DPW Radtke, CDD Keil, C/T Stoffel, Clerk Galeazzi, and the Press.

C. MINUTES TO APPROVE

1. [December 20, 2010](#)

Moved by Ald. Roush, seconded by Ald. Langdon to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

None

E. ADJOURNMENT

Moved by Ald. Langdon, seconded by Ald. Hendricks to adjourn at 8:36 p.m.

Motion carried on voice vote.

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

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
Minutes
11-10-2010**

A. Meeting called to order by Chairman C. Rusin at 8:05 AM.

B. Present: Candyce Rusin, Lori Asmus, Dr. Teresa Rudolph, Susan Nett
Excused: Dorothy Jankowski

C. MINUTES TO APPROVE

1. Motion to approve minutes from October 13, 2010 meeting made by T. Rudolph, and seconded by L. Asmus. Motion carried.

D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS

1. October 2010 Communicable Disease Report distributed and discussed.
2. Seasonal Influenza Vaccine Update—378 doses of flu vaccine were administered at BDM school to adults and children on Nov. 2nd. Requests are still coming in for adult flu vaccine so the department is in the process of trying to procure additional adult doses. Flu clinics are scheduled for the next two Tuesdays and then on Dec. 6th. Many adults are indicating they have limited incomes and appreciate the low cost of the adult vaccine.
3. Needs Assessment Requirement – BRFSS. The needs assessment survey is completed and St. Norbert's will start calling residents during the next few months with an expected completion date in December. The needs assessment report should be available in Feb. or March.
4. Consolidated Grant 2011 – Update. We are still waiting to hear what the dollar amount is for preparedness. MCH dollars were decreased by \$2000. The remaining funds are the same as 2010.
5. Dental Sealant Program Update. The health department applied and received funding from Seal A Smile to restart the school dental sealant program. Additional funding for the program will come from Medicaid reimbursements.
6. Fluoride Varnish Program Update. The fluoride varnish program in the preschool will be funded by prevention dollars next year, Medicaid reimbursements, and United Way Dental Clinic funding.
7. Faith Based Community Workgroup Update. The workgroup has finished an article for publication in the Journal of Public Health and is now working on finalizing an article for the Christian Parish Nurse Journal. These are national journals and it is a privilege for the Menasha health director to be an author for an article.
8. N-M Health Department Merger Study Update. The trial study is written and ready to be presented pending arrangement by Mayor Merkes.
9. Winnebago County Consolidation Study. Winnebago County is accepting proposals to do a study of consolidating health services, either city/city or city/ county. L. Asmus will represent the BOH on the study committee.

"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."

E. ACTION ITEMS

1. None

F. HELD OVER BUSINESS

1. None

G. ADJOURNMENT

1. Motion to adjourn at 9:15 AM made by L. Asmus and seconded by T. Rudolph. Motion carried. Next meeting December 8, 2010.

Submitted by Susan Nett



City Hall Safety Committee Meeting

November 4, 2010

MINUTES

Meeting called to order at 1:20 PM.

Present: Kate Clausing, Susan Nett, Pam Captain, Todd Drew, Adam Alix,

Excused: Tom Stoffel, Kristi Heim, Tasha Saecker

A. Motion to approve the minutes from September 2, 2010 meeting made by P. Captain and seconded by S. Nett - Motion carried.

B. Old Business

1. Health Department walk thru – report reviewed.

C. New Business

1. Monthly Safety Topic distributed – “Learn the ABCs of extinguishers and you won’t get burned”
2. Injury Review—One injury at the Library:
 - Employee fell down stairs while carrying items. Request T. Saecker bring report for review at the December meeting.
3. Library Walk Thru – walk thru conducted report to be reviewed at December meeting.
4. Other items for discussion – City Hall back door issues have improved, P. Captain to discuss with T. Stoffel regarding having finance unlock doors at 8:00am.

D. Training

1. Fire Extinguisher Training Review – Training was good, quick review with hands on for City Hall, Library and Health Department staff.
2. Ergonomics training – training scheduled for January 18, 2011 2 sessions one in the morning and one in the afternoon.
3. Bloodborne Pathogen Training – T. Drew will talk to Patrick (IT) regarding putting the training on the share for employees to complete in December.
4. Additional Training Suggestions- No new training items raised.

E. Meeting adjourned at 2:45 PM following Library walk thru.

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
COMMITTEE ON AGING
November 11, 2010
Minutes**

A. Meeting called to order at 7:50 AM by Chairman J. Klundt.

B. Present: Joyce Klundt, Mary Lueke, Sue Steffen, Lee Murphy, Susan Nett, Jean Wollerman
Excused: Bob Jankowski, Roy Rogers

C. MINUTES TO APPROVE

1. Motion to approve minutes from October 14, 2010 meeting made by L. Murphy and seconded by M. Lueke. Motion carried.

D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS

1. Older Adult Program Coordinator, J. Wollerman presented the monthly report for the senior center. There were 1027 visits to the center with an average of 256 visits/week. Committee members commended J. Wollerman on the changing look of the center. The new television is installed. DVD needs to be installed yet and also looking at the possibility of internet connection. J. Wollerman also reviewed the past month's activities at the center and discussed activities occurring before the end of the year.

E. DISCUSSION

1. Rental Policy Review and Update. J. Wollerman distributed the current rental policy and rental rates and requested committee members review as this needs to be updated for 2011 at the December meeting. Clarification is needed on the deposit requirement and what is considered a rental period.
2. Donation Pass. The committee on aging had passed a motion earlier this year to initiate a donation pass for the senior center for seniors who preferred a one time fee pass versus giving a donation on each visit. The new fee schedule does not include the donation pass—committee members were asked to discontinue the donation pass. S. Nett requested this item be included on the December agenda so members not in attendance today could also have input.

F. HELD OVER BUSINESS

1. Naming of Senior Center Rooms. Discussion continued about naming of the rooms at the senior center. L. Murphy suggested that an effort be made in 2011 to look for sponsors for the rooms. J. Wollerman suggested the rooms could still be named in the interim until a more definite plan was in place. Committee members were asked to bring name suggestions to the December meeting to be voted on at that time.

G. ADJOURNMENT

Motion to adjourn at 9:05 AM made by L. Murphy and seconded by S. Steffen. Motion carried.
Next meeting December 9, 2010.

Submitted by Susan Nett

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha Senior Center at 967-8530 or 24-hours if advance of the meeting for the City to arrange special accommodations."

Neenah-Menasha Fire Rescue
Joint Finance & Personnel Committee Meeting
December 28, 2010 – 5:30 p.m.
3rd Floor Council Chambers – City of Menasha

Present: Ald. Stevenson, Ahles, Ramos, Wisneski and Zelinski.

Excused: Ald. Hendricks.

Also Present: Chief Auxier, Assistant Chief Sipin, Finance Director Stoffel and Administrative Assistant Theisen.

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

Approval of Minutes: The Committee reviewed the meeting minutes from November 23, 2010. **MSC Ahles/Wisneski to approve the meeting minutes from November 23, 2010, all voting aye.**

November 2010 Budget Report: The Committee reviewed the November 2010 budget report. Ald. Stevenson questioned why the FVTC rent payments are overdue. Chief Auxier said he would follow up with Director Easker and let everyone know why that is a negative balance. The overtime budget was reviewed and it was noted that we received reimbursement for the disaster training drill that was held in March from OJA and this was applied to our overtime budget and offset those wages. **MSC Wisneski/Ramos to accept the November 2010 budget report and place on file, all voting aye.**

November Activity Report: The Committee reviewed the November 2010 activity report. **MSC Ahles/Wisneski to accept the November 2010 activity report and place on file, all voting aye.**

Regional Special Operations Response Team: Assistant Chief Sipin explained the State of Wisconsin is looking at creating to a specialty response rescue team for collapsed buildings. Currently there are many teams in the State and the State is looking at creating a single team that would respond all over the State of Wisconsin. AC Sipin reviewed the costs that would be incurred by NMFR if one of our employees were called up to respond on this team if they are both on and off duty. The State of Wisconsin will pay back-fill for us to fill on duty spots. The reimbursement to NMFR will be a flat rate regardless if the person is on duty or not.

There are four required training sessions for the team members to attend per year. These training sessions will be held over multiple days so team members can attend on off duty days and NMFR will not occur any overtime. We will be reimbursed wages for the team members to attend but they are not paid for travel time or mileage to and from the training site. This would be the responsibility of NMFR. There are staff vehicles that members can use so this would eliminate mileage pay. Ald. Stevenson asked if the members who are interested in being on the State team would continue training and if

there would be costs incurred. AC Sipin explained the costs incurred and also said that once this training is received it will be brought back and shared with all NMFR members trained to a level that we would handle if something happened in this area.

Ald Stevenson asked if the contract has been reviewed by the City of Attorneys. AC Sipin said the contract is being finalized and once it is completed it will be forwarded to the City Attorneys to review before anything is signed. AC Sipin also noted that if a response is needed it would go through the State and our employees who respond would be then become “State” employees and covered under their work comp insurance, etc.

Ald. Wisneski asked if there is a possibility of all team members being called up at once since this would create a burden for other members to cover our Cities while they are gone. AC Sipin said there would be three equal teams created for the State and members would be divided equally so not all members are called from one Department. **MSC Ahles/Ramos to endorse the concept of NMFR’s participation in this State team and once a contract is created it is to be reviewed by both City Attorneys and then come back to this Committee for final review and recommendation, all voting aye.**

Confined Space Contract: Chief Auxier explained that we have been approached by private organizations to provide confined space back-up. Both City Attorneys are in the process of reviewing a proposed contract and we are waiting for final input from them. This contract would be with private industries that are looking for back up for confined space entry. This contract would cover all liability and would be revenue for the Department. Ald. Ahles asked how mutual aid situations with other Departments would be covered. It was noted that language would be in the contract that enables us to leave and go to the mutual aid request. It was also asked how we would manage this if we get a lot of requests. Chief Auxier said we would only contract with organizations that we can manage and would only schedule to provide this service when we are able to. After a lengthy discussion, it was decided by Chief Auxier and AC Sipin that this would be reviewed more internally and discussions will be held with both City Attorneys and reported back to the Committee at a future date.

Dive Team Information: The Committee reviewed the answers to the questions that were brought up at the last meeting. It was noted again by Chief Auxier that the funds to start this team would be funded by private donations and grants. These funds would be tracked and if the goals were not met then the funds would be returned to the donors. The goal is to improve response times in situations where a dive is needed for a rescue. It was also noted that if a call were received everyone who is currently called up for a response would continue to be called upon. The goal is to get our team members on scene quicker. A lengthy discussion was held on the duplication of services this would provide, the short falls of the current situation and how this would affect responses. The Committee asked that we move forward with this proposal and have the appropriate elected officials meet with the County and show them our proposal, that we can fund the start up costs through private donations and review yearly maintenance costs with the County. **MSC Wisneski/Ramos recommends the City of Neenah and Menasha Common Councils approve NMFR’s initiatives to move forward with endorsing**

fundraising through private funding and/or grants to fund the start up costs of a dive team for NMFR and initiate discussions with Winnebago County to formulate a long term structure for maintenance costs, per statutory requirements, all voting aye.

Automatic Aid Update: Chief Auxier noted that an automatic aid agreement has been drafted and is currently being reviewed by both City Attorneys. He noted that once this agreement has been reviewed it would be presented to this Committee for review.

MSC Ahles/Ramos to adjourn at 7:20 p.m., all voting aye.

Respectfully Submitted,

Al Auxier
Chief

AA/tt

CITY OF MENASHA
Parks and Recreation Board
Council Chambers, City Hall – 140 Main Street
January 10, 2011
DRAFT MINUTES

A. CALL TO ORDER

The meeting was called to order by Chr. D Sturm at 6:00 p.m.

B. ROLL CALL/EXCUSED ABSENCES

MEMBERS PRESENT: Chr. Dick Sturm, Ald. Mark Langdon, Sue Pawlowski, Ron Suttner, Lisa Hopwood, Nancy Barker and Steve Krueger

MEMBERS EXCUSED: None

OTHERS PRESENT: Ald. Joanne Roush, Eric Roush, Merikay Suttner, Sarah Paterson, PRD Tungate, and PS Maas

C. MINTUES TO APPROVE

1. **Minutes of the December 8, 2010 Joint Meeting of the City of Menasha Parks and Recreation Board, City of Neenah Park Commission and Town of Menasha Parks Commission Board**

Moved by N. Barker, seconded by R. Suttner to approve the December 8, 2010 meeting minutes. Motion carried 7-0.

D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA

Five (5) minute time limit for each person.

1. **E-mail from Sarah Paterson, 204 Elm Street**

The Board listened to comments by Sarah Paterson about building a sledding hill in Smith Park. Discussion was held with others in attendance. Staff was asked to bring back a recommendation by March or April on this topic. It was felt that just building a hill out of snow as not a good idea.

E. REPORT OF DEPARTMENT HEADS/STAFF/YOUTH LIAISON OR CONSULTANTS

1. **Park Project and Vandalism Report – PS Maas**

Minor graffiti incident inside Hart Park shelter, Marina decking project almost complete, new sign installed at Memorial Building, Park Caretaker retired, second urban forestry grant for removing ash trees awarded to the city.

2. **Director's Report – Upcoming Programs, Gilbert Site and Koslo Park Fundraising – PRD Tungate**

Upcoming meeting with Greg Karch to discuss youth fishing program, Winter Gala on February 5, ice rink having a good season so far, engineering work for the Gilbert site expected to begin soon, a plan for increasing revenue from groups using Koslo Park has been determined. It includes raising fees for use of the field.

F. DISCUSSION

1. **None**

G. ACTION ITEMS

1. **Approval of Menasha Utilities Sign for 441/Calder Location**

Moved by N. Barker, seconded by S. Pawlowski to approve Menasha Utilities sign for the

441/Calder location. Staff will try to install it, at a minimum during Public Power Week. Motion carried 7-0.

2. **Recommend Approval of Parks and Recreation Fees for 2011**

Considerable discussion was held on fees for 2011. The Board supported the notion of keeping youth program fees as reasonable as possible given the socioeconomic makeup of the community. A 50% cost recovery for youth programs and 100% or greater for adult programs was a goal they would like to see. PRD Tungate gave some information on program examples where this goal is being met. Moved by S. Pawlowski, seconded by N. Barker to recommend the program and service fee changes recommended by staff for 2011. Motion carried 7-0.

3. **Recommend Approval of Pool Fee Reciprocity for all YMCA Members**

Motion by R. Suttner, seconded by S. Krueger to recommend approval of pool fee reciprocity with the YMCA. A draft agreement was discussed. In return for receiving fee reciprocity, the YMCA will provide a comprehensive marketing plan for the pool in an effort to increase revenues. It was noted that the pool has sufficient capacity to accommodate more daily users, so that residents will not be turned away. It was expected that a final agreement will be brought to the Common Council. Motion carried 7-0.

H. PUBLIC COMMENT ON ANY MATTER LISTED ON THE AGENDA

Five (5) minute time limit for each person

1. Next month: election of officers, proposal for donated kayak launches.

I. ADJOURNMENT

Moved by R. Suttner, seconded by N. Barker to adjourn at 8:10 p.m. Motion carried 7-0.

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
January 11, 2011
DRAFT MINUTES

3:30 PM ***Informal Public Hearing – Special Use Permit – Kennel License of Appanasha Pet Clinic at 1205 Wittmann Drive***

No one spoke.

3:35 PM ***Informal Public Hearing – Ordinance Relating to the Paving of Driveways and Parking Lots***

Mike Hagens Objected to the proposed ordinance based on the following:

- If final occupancy permits are not granted prior to closing interest rates may increase on permanent financing
- If driveways need to be constructed over lateral trenches, 9 months does not allow sufficient time for trench settling and will cause pavement failure
- The amount required for escrow deposits is often 1 1/2 to 2 times the amount actually needed to complete the work, placing additional cash demands on the buyer at closing
- Borrowers are often maxed-out on loans and cannot support additional costs –

Jennifer Sunstrom – Government Affairs Director REALTORS Association of Northeast Wisconsin, Inc. stated the association is opposed to the ordinance based on the following and the comments contained in their letter of 1/11/11:

- The time of sale requirement could add \$3,000+ to the home sale price
- The application of the requirement at closing creates timing issues related to financing commitments
- The majority of Menasha's home sales are under \$100,000 – the additional cost for driveway paving is significant
- Other improvements to the home are often deeded and the money spent on the driveway may have greater impact on the home and neighborhood if spent elsewhere
- The driveway requirement may discourage reinvestment in older homes

Dina Mitchell – Dina Mitchell objected to the proposed ordinance for the following reasons and those outlined in her email of 1/7/11.

- Difficulties in obtaining bank financing for the driveway at closing
- The driveway requirements will further suppress sales of foreclosure and other distressed properties
- The money spent on driveway paving may be needed for foundation or other repairs
- Now is not the time to place additional burdens on homebuyers due the depressed housing market

Jim Smith – Realtor/Appraisal - spoke in opposition to the proposed ordinance based on the following:

- The passage of a similar ordinance in Appleton was not well know when it was adopted in 2005, and is now having negative impact on home sales in Appleton
- There is presently a year's worth of housing inventory for sale in Menasha, the driveway ordinance will further slow sales
- The ordinance will have a disproportionate effect on lower cost homes that are a substantial portion of Menasha's housing stock

K. C. Maurer – Remax 24/7 – spoke in opposition to the ordinance based on the following:

- Now is not the time to place more restraints on an already depressed housing market

- Investing in energy efficiency is a better long term option for homebuyers
- If the ordinance is adopted it should be made applicable to everyone, not just at the time of sale
- All property owners with unpaved driveways/aprons should be notified prior to adoption of the ordinance

Mayor Merkes asked the Realtors to comment on what effect the Appleton driveway ordinance has had on home sales. Comments were as follows:

- In 2005 when Appleton adopted its ordinance the housing market was much stronger and lending standards were much less stringent so it didn't have a great impact. That has now changed in the current market
- It would have a more positive neighborhood impact if homeowners would have the ability to use the money that would have been spent on the driveway for siding, windows, or other improvements to the structure
- There is a need to create a positive environment to encourage home sales in Menasha as opposed to creating barriers

A. CALL TO ORDER

The meeting was called to order at 3:35 p.m. by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Commissioners Sturm, Schmidt and Homan, and DPW Radtke

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Cruickshank and Ald. Benner

OTHERS PRESENT: CDD Keil, Ald. Eric R. Hendricks, Michael H. Hagens, Murray Hurlburt, Philip Langohr, Dina Mitchell, James H. Smith, Jennifer Sunstrom, K. C. Maurer and Todd Murphy

C. MINTUES TO APPROVE

1. **Minutes of the December 21, 2010 Plan Commission Meeting**
Motion by Comm. Homan, seconded by DPW Radtke to approve the December 21, 2010 Plan Commission meeting minutes.

The motion carried.

D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA

1. No one spoke.

E. DISCUSSION

1. **Comprehensive Plan Annual Review**
This item was held.

F. ACTION ITEMS

1. **Special Use Permit – Kennel License for Appanasha Pet Clinic At 1205 Wittmann Drive**
CDD Keil stated that Appanasha Pet Clinic has outgrown its existing facilities on Appleton Road, and is in the process of purchasing a lot in the Midway Business Park to construct a new facility. Due to the nature of their business, a Kennel License is required, which may be issued after a Special Use Permit is granted. Appanasha wants to be assured a Kennel License will be issued prior to proceeding to closing on the land purchase. It is proposed that the Special Use Permit be granted for the purpose of the Kennel License, with the condition that a site plan meeting ordinance requirements be subsequently reviewed and approved by the Plan Commission and

Common Council.

Dr. Murray Hurlburt described the tentative plans for the new clinic and how the facility will be operated.

Commissioners discussed potential impacts on neighboring properties relating to activities that may be conducted outdoors and whether the facility was be used for boarding pets. .

Dr. Hurlburt explained that planned outdoor activities may include puppy classes and other staff supervised activities. Occasionally single animals would be left out unsupervised for brief periods. All outdoor use of the site would be within a fenced enclosure. Tentative plans contemplate placing the enclosure on the east side of the site. Boarding will be incidental to the clinic operations. It is however expected that pets with medical conditions will be boarded and requests for emergency boarding will be accommodated. The number of animals on-site will be highly variable, ranging from as few as five to as many as 50, with an average of around 15.

Comm. Homan made and DPW Radtke seconded a motion to recommend granting a Special Use Permit for a Kennel License for up to 50 animals with the condition that a site plan be submitted for review by the Plan Commission and approval by the Common Council as part of the Special; Use Permit.

The motion carried.

2. **Ordinance Relating to the Paving of Driveways and Parking Lots**

Commissioners discussed issues raised in the course of the public hearing and made the ensuing motion based on the following findings:

- That the driveway requirements as may be applied to existing one and two family properties will increase home ownership costs and adversely affect affordability
- The existing housing market and lending climate is unfavorable, and placing additional cost and procedural requirements on transactions will create further barriers to the sale of existing homes
- The funds used to pave driveways may be used by the homeowner for other improvements to the structure that would have greater long-term impact on the property's value and positive contribution to the neighborhood

Motion by DPW Radtke, seconded by Comm. Homan that an alternative ordinance be drafted requiring the paving of driveways and driveway aprons for new one and two family residential dwellings in the R-1, R-1A, R2 and R2A districts, and for the paving of driveways, driveway aprons and parking lots in the R-3, R-4, C-1, C-2, C-3, C-4, I-1, I-2 and GU Districts, except for existing one and two family residential dwellings. The motion carried.

3. **US 10 Highway Corridor Study Recommendation on Preliminary Alternatives**

Commissioners continued discussion of this item held over from the last Plan Commission meeting. Considerations included:

- Safety and aesthetic considerations of the raised median vs. center turn lane options
- Maintenance of medians
- Bike and pedestrian accommodations on street and off road
- Future trail routes
- Bike/pedestrian crossing locations and implications of roundabouts vs. signalized intersections
- Maintenance of cross access at existing street intersections

Kara Homan made and Mark Radtke seconded a motion that the Plan Commission forward its comments to the Wisconsin Department of Transportation with the following recommendations:

- That the street configuration incorporate raised medians for safety and aesthetic reasons

- That the intersection configurations incorporate roundabouts at STH114/Oneida Street, Manitowoc Road/Oneida Street and STH 114/CTH LP, for traffic flow and safety reasons
- That cross access be maintained at existing intersections and preserved for existing businesses where removing cross access would have a substantial adverse impact on business operations
- That consideration be given to establishing a bike pedestrian overpass in proximity to the STH 114/Oneida Street intersection to provide a safe crossing to the state Friendship Trail

The motion carried.

G. ADJOURNMENT

Motion by DWP Radtke, seconded by Comm. Schmidt to adjourn at 5:07 p.m.

The motion carried.

Minutes respectfully submitted by Greg Keil, Community Development Director.

Greg M. Keil

From: Dina Mitchell [ballardmgr@gmail.com]
Sent: Friday, January 07, 2011 5:21 PM
To: Greg M. Keil; Don Merkes; Joanne Roush; Michael Taylor.; Sue Wisneski; Mark Langdon; Eric Hendricks; Daniel Zelinski; Jim Englebert; Kevin Benner
Subject: driveway installation policy
Attachments: Dina Mitchell.vcf

To Whom It May Concern,

I am writing in regards to the City of Menasha proposed ordinance with various new requirements for the paving of driveways – **including requiring existing gravel driveways be paved at “Time of Sale” with related fees and permits.** I am a licensed Real Estate Broker that is also a resident of the City of Menasha, I also serve on the Menasha Housing Authority. I have done some research on the impact this ordinance would have on the real estate market growth in the City of Menasha and I feel very strongly that the Council should vote against adding this ordinance.

Currently there are 119 residential properties for sale in the City of Menasha. Of those 119 properties, 47% are under \$100,000. As I am sure you are aware, many of those 47% are foreclosures or short sales. The banks and the sellers of these properties would be incapable/or unwilling to pay for the driveways to be paved at time of sale, therefore, if the City passed this ordinance, the responsibility would fall to the purchaser. Many of whom are purchasing the property via FHA loans that require minimum down payment and they do not have additional monies.

This would further depress the real estate market in Menasha because the homes that drive the market would not be purchased. Very few purchasers will spend an additional \$3-5000(average cost to pave a driveway) to purchase a property, this would apply to investors that flip houses as well. The ordinance would cut into their profits. They would /will simply purchase properties in other communities and rehab them.

I am a very strong advocate of all of the benefits the City of Menasha has to offer their residents. This is a time when the council should focus their energies on enhancing the market in Menasha, not cause further suppression of the home sales.

The market is showing signs of stabilization I strongly encourage the Council to vote against this ordinance and work toward establishing a desirable purchase experience in an effort to continue the growth of the City.

Regards,
Dina Mitchell

THE REAL ADVANTAGE





MEMORANDUM

TO: Menasha Plan Commission

FROM: Jennifer Sunstrom, Government Affairs Director

DATE: January 11, 2011

RE: Amendment to Title 13, Article E – Paving of Driveways

The REALTORS Association of Northeast Wisconsin (RANW) appreciates the opportunity to share our thoughts and concerns regarding the proposal to require existing homeowners to pave their driveways within 9 months of the sale of their home.

Our Board of Directors has a standing position in opposition to the required paving of existing gravel driveways due to the negative impact on housing affordability, as well as the time of sale provision which can create many difficulties in the real estate transaction.

Problems that communities face related to expansion of driveways, as well as illegal parking, can be easily remedied by creating clear guidelines for the dimensions of parking areas and enforcing those ordinances.

Ordinances such as the one being proposed are essentially based upon aesthetic preferences rather than on public health or safety concerns. However, we believe that whatever questionable benefit this is to the community, it is far out-weighted by the negative impact on housing affordability. Most of the homes impacted by this ordinance are older homes that provide the bulk of affordable workforce housing in the community. These homes often fall within the \$60,000-\$100,000 price range. The homes also are often in need of essential upgrades and repairs to things such as electrical and heating systems, roofing, siding, and foundations. If this ordinance is adopted, homeowners will be forced to pay thousands of dollars to replace a driveway rather than making these more important types of improvements.

In addition to the fact that enforcement of this requirement is triggered at the time of sale, it fails to take into consideration current real estate market conditions and the number of homes that have seen depreciation in value, are mortgaged for more than their house is currently worth, or are in foreclosure. According to data from our Multiple Listing Service (MLS), during the period of 1-2-10 to 1-3-11, the city of Menasha had 138 sales reported. Of those sales, 39 were foreclosures. From those sales:

- 77% sold under \$63,000
- 13% sold between \$63,000 and \$99,000



- 10% sold over \$100,000

As these statistics demonstrate, the vast majority of homes facing foreclosure in Menasha would be the very same homes that would be impacted by this ordinance.

Regarding homes not facing foreclosure, it is a common misconception that the costs of housing repairs or upgrades are more easily funded through the home financing process. In the current real estate market, this is often the worst time to incur such costs. In addition to closing costs and moving costs, many sellers have seen depreciation in their home value and do not have extra funds available. Buyers are typically required to have a much higher down-payment than in the past and they, too, are unlikely to have additional available funds.

On behalf of the many homeowners who will be negatively impacted by this ordinance, we respectfully request that the provisions which require the paving of driveways in existing homes be removed.



**PUBLIC WORKS / PARKS DEPARTMENT SAFETY COMMITTEE
November 30, 2010
MINUTES**

Meeting called to order at 9:05 AM

Present: Jim Julius, Mark Radtke, Adam Alix, Corey Gordon, Todd Drew, Ken Popelka, Vince Maas, Tim Jacobson, Sue Nett, Pamela Captain, Mike Resch (substituting for Bill Basler Sr.)

Absent: Bill Basler Sr., Brian Tungate, Ken Popelka

Approval of Minutes – Motion to approve minutes from the October 26, 2010 meeting made by M. Radtke second V. Maas.

A. Old Business

1. **EOEP Maps** – Jefferson Park Bathhouse in process.
2. **Recycle Truck** – No options were presented re: the issue previously brought to the committee. Alterations to the equipment would impact warranty and manufacturer specifications. Possible rotation options could be looked into.

C. New Business

1. **Monthly Safety Topic** – “You must investigate to correct the mistake” was distributed and discussed.
2. **Injury Review** – Two injuries reported
 - DPW employee twisted knee stepping down off of the garbage truck onto a metal gate. Extenuating circumstances cited as the dumpster position was difficult to access. Same employee re-twisted the same knee the following day by stepping on a large branch and later the same day stepped on a piece of wood which was dropped and fell in his path. Suggestions from the committee were that if possible the dumpster should be relocated if possible and also that he be more aware of his surroundings.
 - Parks employee injured his back while trying to pick up stairs. Suggestions from the committee were to ask for assistance when lifting a large awkward item. Supervisor reinforced proper lifting techniques provided in training.
3. **Other new items for discussion** – P. Captain brought up issue related to witnessing an employee in a City vehicle not following general motor vehicle regulations. Committee agreed that City employees driving City

vehicles must abide by all motor vehicle regulations and should set the example for other drivers. Issue was relayed to those in attendance and to be reinforced in their departments with employees who use City vehicles.

Another issue was raised by T. Jacobson regarding discipline for blatant violations of safety policy and procedures. T. Drew stated that he would consult with B. Rank at CVMIC regarding other municipalities who may have policies. T. Drew also stated that historically immediate supervisors and department head would handle disciplinary actions for injuries / issues which are result from failure to follow in place policies.

D. Training

1. Status of Computer Trainings – T. Drew requested that employees be reminded to complete trainings.
2. Chain Saw Training – Consensus of attendees was that the training was very good. Additional interest was raised regarding having hands on training. T. Drew to research other options with DNR, etc.
3. Other training suggestions- Committee discussed the need for a practical refresher on proper lifting techniques given recent injuries resulting from poor lifting techniques. Specific tasks such as manhole castings, push vs. pull of dumpsters, partner lifting and consideration of engineering options vs. manual lifting will be included in this training. T. Drew to consult B. Rank CVMIC to schedule training in early 2011.

E. Adjourn: Motion P. Captain second by J. Julius @ 9:55 AM

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

December 15, 2010

Draft

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 7:35 A.M., with Commissioners Bob Fahrbach, Joe Guidote, Don Merkes, and Joanne Roush present on roll call. Also present were Melanie Krause, Co-General Manager/Business Operations; Dick Sturm, Co-General Manager/Engineering and Operations; Steve Grenell, Project Engineer; Kristin Hubertus, Business Operations Accountant; Lonnie Pichler, Electric and Water Distribution Supervisor; Jerry Sturm, Water Plant Supervisor; John Teale, Technical Services Engineer; and the Press.

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

Mary Nebel, 713 First Street, spoke regarding the transition of email systems, generating revenue, cutting costs, and potential future updates to the water system.

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

- A. Minutes of the Regular Meeting of November 17, 2010.
- B. Approve and warrant payments summarized by checks dated Nov. 18 – Dec. 15, 2010, which includes Net Payroll Voucher Checks, Void O & M Checks #040692, 040830, and 040763, and Operation and Maintenance Voucher Checks for a total of \$664,606.76, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call.
- C. Correspondence, as listed.
 - Copy of Proposed Minutes from Sept. 17 & Oct. 14-15 WPPI Energy Board of Directors Meetings and Oct. 22 & Nov. 4 Executive Committee Meetings
 - Copy of memorandum to WPPI Energy Directors, Alternates, Representatives and Managers dated Nov. 12, from Roy Thilly, re: Developments
 - Copy of memorandum to WPPI Energy Member Managers dated Dec. 1, from Tammy Freeman, re: Typical Bill Comparison Summary
 - Copy of letter to Menasha Utilities dated Dec. 6 from Daniel Kiefer, Food Pantry Coordinator, Evangel Worship Center, re: Thank You

Item IV. November Financial and Operations Statement – Cable testing, the PCAC, and operating expenses being under budget were discussed. Comm. Merkes requested the memorandum provided to the Commission be added to the web site meeting documents.

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

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

Item VI. Purchase Orders over \$10,000.00 issued since the last Commission meeting were presented for informational purposes.

Discussion was held regarding the annual purchase orders for 2011 chemicals at the Water Plant and the amounts being over budgeted amounts. Water Plant Supervisor Jerry Sturm stated a five year maximum average was used for the purchase orders in order to cover a worst case scenario, and the budget was prepared on normal usage.

Comm. Roush expressed concern with these items being at odds with the 2011 budget amounts.

Co-General Manager/Engineering & Operations Dick Sturm added the rate case has a chemical stabilization fund built into it and allows monies to be banked for use of additional chemical purchases in an abnormal year. The fund is currently very small because we are only several months into the new rates, and it is also for the GAC replacement as well.

Comm. Fahrback recommended the purchase orders be issued for the budgeted amounts with an option to purchase additional quantities at the price quoted if needed.

After discussion, the Commission requested the purchase orders be issued for the budgeted amount with an option to purchase additional quantities at the quoted price.

Item VII. Unfinished Business – there was no unfinished business discussed at this meeting.

Item VIII. New Business, APPA Legislative Rally – Co-General Manager/Business Operations Krause added WPPI Energy Executive Committee extended the grant to a designee if the Mayor was not able to participate. The deadline for the travel grant application is January 10.

Comm. Roush expressed interest in attending if Mayor Merkes is not able to attend.

Deep Water Intake – Mr. Dick Sturm reviewed the brief history provided in the meeting packet and meetings held recently with the DNR and with McMahon Associates to start preliminary discussions on next steps. Pros and cons of both a deep water intake and the deficiencies of the current intake system were also discussed. Water quality and security are the main issues with the current system. These types of improvements are major capital items and will affect water rates and the water utility for a long time.

City Attorney Pamela Captain arrived at 8:20 am, and Project Engineer Grenell departed at 8:45 am

The results of the DNR Sanitary Survey need to be received and an appropriate response prepared requesting to schedule a meeting to discuss the next steps. The survey will be communicated to the Commission when it is received. Copies of the Capital Improvement Plan for the Water Treatment Facilities, October 2003, revised February 2004 and Preliminary Engineering & Process Design Report for the Water Treatment Facilities, September 2004, revised November 2005 will also be provided to the Commission.

An update on this item was requested for the January Commission meeting.

2011 Commission Meeting Calendar – after discussion, it was decided to add strategic planning meetings for September 7 and 14, thus eliminating the September 21 meeting. The October 19 regular meeting will include the water budget, and the remainder of the budget to be discussed at the October 26 meeting.

Comm. Roush requested the October 26 meeting be held in the evening so more members of the public could attend. Comm. Merkes requested to change the start time of the 2011 Commission meetings to 5 pm in order to better serve the public; the Commission concurred with the change.

Tentative Bargaining Agreements – Mrs. Krause reported the contracts have not been ratified.

Item IX. Project Reports, UV Certification – Mr. Jerry Sturm stated a tracer study needs to be completed on the CT basin and this will be done next week.

WPPI Energy Transaction – there was nothing new to report.

Item X. Staff Reports, Co-General Manager/Engineering and Operations – there were no questions to the report presented.

Electric and Water Distribution/Safety Report – Electric and Water Distribution Supervisor Pichler added staff is working on the Subway project on Midway Road. There was only one outage related to the winter storm this past weekend, and tree trimming will begin shortly.

Water Plant – Mr. Jerry Sturm reported the hypochlorite storage tank replacement is on schedule.

Project Engineer – there were no questions to the report presented.

Telecommunications & Substations– Technical Services Engineer Teale stated the fire station project should take place in February.

Co-General Manager/Business Operations, Customer and Utility Services, and Energy Services Representative/Key Accounts – there were no questions to the report presented.

Item XI. People from the Gallery to be heard on any items discussed at this Meeting:

Mary Nebel, 713 First Street – commented on budgeting for capital projects, and projecting trust and reassurance to the community.

Comm. President Allwardt stated the Non-Represented Salary and Benefits will be discussed in open session at a future meeting.

Item XII. The motion by Comm. Fahrbach, seconded by Comm. Guidote, was unanimously approved on roll call at 9:10 a.m. to convene into Closed Session pursuant to Section 19.85 (1) (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Litigation

B. And pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Bargaining

There being no further discussion, the motion by Comm. Merkes, seconded by Comm. Roush, was unanimously approved to adjourn from Closed Session and to reconvene into Open Session of the Water and Light Commission.

The Commission requested a special meeting be scheduled for Wednesday, December 22, at 7:30 am to address the tentative bargaining agreements and the non-represented salaries and benefits.

There being no further business, the motion by Comm. Merkes, seconded by Comm. Fahrback, was unanimously approved to adjourn at 10:30 a.m.

By: MARK L. ALLWARDT
President

JOSEPH P. GUIDOTE
Secretary

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

SPECIAL MEETING OF THE WATER AND LIGHT COMMISSION

December 22, 2010

Draft

Commission President Allwardt called the Special Meeting of the Water and Light Commission to order at 7:35 A.M., with Commissioners Bob Fahrbach, Joe Guidote, Don Merkes, and Joanne Roush present on roll call. Also present were Melanie Krause, Co-General Manager/Business Operations; Kristin Hubertus, Business Operations Accountant; Lonnie Pichler, Electric and Water Distribution Supervisor; Dave Rodriguez, Customer and Utility Services Manager; and John Teale, Technical Services Engineer.

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

Item III. Purchase Orders over \$10,000.00 issued since the last Commission meeting were presented for informational purposes. All purchase orders listed were 2011 annual purchase orders and were approved as part of the budget.

Item IV. Unfinished Business, Tentative Bargaining Agreements – Co-General Manager/Business Operations Krause reported both contracts were ratified at the union meeting last night. Comm. Merkes stated he had issues with across the board salary increases for the general bargaining unit and some of the salary scales were way out of line compared to the private sector, the City, and other areas. He asked to vote on each of the agreements separately.

The motion by Comm. Fahrbach, seconded by Comm. Guidote, was made to approve the Agreement Between the Water and Light Commission of the City of Menasha and the Menasha Utilities Employees Union, General Bargaining Unit, for January 1, 2011 – December, 31, 2013. Upon roll call Commissioners Allwardt, Fahrbach, Guidote, and Roush voted aye; Comm. Merkes voted no. The motion passed 4 - 1.

The motion by Comm. Fahrbach, seconded by Comm. Guidote, was unanimous to approve the Agreement Between the Water and Light Commission of the City of Menasha and the Menasha Utilities Employees Union, Lineman Bargaining Unit, for January 1, 2011 – December, 31, 2013

Non-Represented Salary and Benefits – Mrs. Krause reviewed meetings held with management staff to hear concerns regarding salaries and benefits offered. The top three areas of concern were disparity in wages between represented and non-represented employees, maintaining the WRS contributions, and to consider changes to the PTO policy and the post employment health plan.

Mayor Merkes stated the City is looking at a 0% wage increase with potential of furlough days as well in lieu of layoffs. He felt across the board increases for management people have no relationship to performance, and there should be a tie to performance for management staff.

Mrs. Krause added annual performance reviews are done, and there are ten steps to each management position salary range.

Comm. Roush commented percentage increases should be off the table this year, but if there are step increases for people who are at a lower level of seniority they should be based on merit performance. There is not a contract with management staff so this issue can be reviewed in a year.

Comm. Guidote expressed his opinion that management needs to be compensated at least as much as represented employees, and treated as fairly.

Comm. Allwardt added for the past ten years non-represented wages between the City and Utility have been nearly identical. The Utility created financial issues for the City, and it will help perception in the community to hold wages at their current level.

Comm. Fahrbach stated he agreed with comments made; we have an excellent staff but unfortunately the economic situation and the specific issue with the City an additional increase in 2011 cannot be justified.

Comm. Allwardt proposed a 0% wage increase, step increases based on performance, WRS employer contribution to increase from 6.2% up to 7% of the employee share, and review of the PTO policy during the year. Comm. Roush suggested the 2011 dollars budgeted for an increase to be used to help stabilize the post employment fund liability. The Commission agreed disparity/compression issues could be brought back to the Commission at the January meeting.

The motion by Comm. Allwardt was made to have a 0% wage increase for non-represented employees for the year, step increases based on performance, increase the WRS contribution up to 7%, and review the PTO policy; Comm. Fahrbach seconded the motion.

Upon roll call Comm. Allwardt, Fahrbach, Merkes, and Roush voted aye; Comm. Guidote voted no.

ATC Notice of Call for voluntary Additional Capital Contribution in 2011 – The motion by Comm. Merkes, seconded by Comm. Fahrbach, was unanimously approved on roll call to allow WPPI Energy to purchase the additional ATC shares if they desire.

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

Item VI. The motion by Comm. Roush, seconded by Comm. Fahrbach, was unanimously approved on roll call to adjourn at 8:25 a.m.

By: MARK L. ALLWARDT
President

JOSEPH P. GUIDOTE
Secretary

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

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

July 21, 2010

Commission President Mark Allwardt called the Closed Session to order at 7:45 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Guidote, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Labor Negotiations

Commissioners Fahrbach and Guidote were present on roll call by Commission President Allwardt. Also present was Co-General Manager/Business Operations Krause.

The purpose of the Closed Session was to discuss upcoming union negotiations.

There being no further business, the motion by Comm. Fahrbach, seconded by Comm. Guidote, was unanimously approved to adjourn at 9:30 a.m.

BY: JOSEPH P. GUIDOTE
Acting Secretary

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

October 27, 2010

Commission President Mark Allwardt called the Closed Session to order at 5:00 p.m., upon the unanimously approved motion by Comm. Roush, and seconded by Comm. Fahrbach, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Bargaining

Commissioners Fahrbach, Guidote, Merkes, and Roush were present on roll call by Commission President Allwardt. Also present were Co-General Manager/Business Operations Krause and Co-General Manager/Engineering & Operations Sturm.

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

Comm. Fahrbach departed at 5:45 pm.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Roush, was unanimously approved to adjourn at 5:47 p.m. and to reconvene into Open Session of the Special Meeting of the Water and Light Commission.

BY: JOSEPH P. GUIDOTE
Secretary

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

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

November 17, 2010

Commission President Mark Allwardt called the Closed Session to order at 9:55 a.m., upon the unanimously approved motion by Comm. Roush, and seconded by Comm. Fahrbach, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Bargaining

Commissioners Fahrbach, Merkes, and Roush were present on roll call by Commission President Allwardt. Also present were Co-General Manager/Business Operations Krause and Co-General Manager/Engineering & Operations Sturm.

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

There being no further business, the motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved to adjourn at 10:40 a.m.

BY: JOANNE ROUSH
Acting Secretary

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

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

December 15, 2010

Commission President Mark Allwardt called the Closed Session to order at 10:00 a.m., upon the unanimously approved motion by Comm. Merkes, and seconded by Comm. Roush, pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Bargaining

Commissioners Fahrbach, Guidote, Merkes, and Roush were present on roll call by Commission President Allwardt. Also present were Co-General Manager/Business Operations Krause, Co-General Manager/Engineering and Operations Sturm, and City Attorney Pamela Captain.

The purpose of the Closed Session was to discuss bargaining.

Comm. Guidote departed at 10:20.

There being no further discussion, the motion by Comm. Merkes, seconded by Comm. Roush, was unanimously approved to adjourn from Closed Session and to reconvene into Open Session of the Water and Light Commission.

The Commission requested a special meeting be scheduled for Wednesday, December 22, at 7:30 am to address the tentative bargaining agreements and the non-represented salaries and benefits.

There being no further business, the motion by Comm. Merkes, seconded by Comm. Fahrbach, was unanimously approved to adjourn at 10:30 a.m.

BY: JOSEPH P. GUIDOTE
Secretary

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

Debbie Galeazzi

From: Jim Englebert
Sent: Wednesday, January 05, 2011 11:19 AM
To: Debbie Galeazzi
Subject: FW: Question, Comment, or Request from Website Visitor

From: rdekley@new.rr.com [mailto:rdekley@new.rr.com]
Sent: Wed 1/5/2011 5:41 AM
To: Jim Englebert
Subject: Question, Comment, or Request from Website Visitor

Name: Richard DeKleyn
Company: Coldwell Banker The Real Estate Group, Inc.
Phone: 920-993-5432
EmailConfirm: rdekley@new.rr.com
Method: Email

Comments: Re: Ordinance requiring paving of driveways.

1. There is no public health or safety reason for requiring existing homes to pave the driveway at time of sale. Such requirements are based solely on aesthetics.
2. Most of the existing properties that would be impacted are the older affordable housing stock. These homes are often in need of more important repairs such as upgrades to electric, heating, roofs, siding and foundations. This ordinance would force the homeowners to invest as much as \$5,000 to pave a driveway rather than addressing more necessary repairs.
3. The financial implications of paving a driveway are not less for individuals trying to buy or sell a home. It is a common misconception that the costs of housing repairs or upgrades are more easily funded through the home financing process. In the current real estate market, this is often the worst time to incur such costs. In addition to closing costs and moving costs, many sellers have seen depreciation in their home value and do not have extra funds available. Buyers are typically required to have a much higher down payment than in the past and they, too, are unlikely to have additional available funds.

For these points please vote no to this ordinance.

Thank you,

Richard DeKleyn

Greg M. Keil

From: Dina Mitchell [ballardmgr@gmail.com]
Sent: Friday, January 07, 2011 5:21 PM
To: Greg M. Keil; Don Merkes; Joanne Roush; Michael Taylor.; Sue Wisneski; Mark Langdon; Eric Hendricks; Daniel Zelinski; Jim Englebert; Kevin Benner
Subject: driveway installation policy
Attachments: Dina Mitchell.vcf

To Whom It May Concern,

I am writing in regards to the City of Menasha proposed ordinance with various new requirements for the paving of driveways – **including requiring existing gravel driveways be paved at “Time of Sale” with related fees and permits.** I am a licensed Real Estate Broker that is also a resident of the City of Menasha, I also serve on the Menasha Housing Authority. I have done some research on the impact this ordinance would have on the real estate market growth in the City of Menasha and I feel very strongly that the Council should vote against adding this ordinance.

Currently there are 119 residential properties for sale in the City of Menasha. Of those 119 properties, 47% are under \$100,000. As I am sure you are aware, many of those 47% are foreclosures or short sales. The banks and the sellers of these properties would be incapable/or unwilling to pay for the driveways to be paved at time of sale, therefore, if the City passed this ordinance, the responsibility would fall to the purchaser. Many of whom are purchasing the property via FHA loans that require minimum down payment and they do not have additional monies.

This would further depress the real estate market in Menasha because the homes that drive the market would not be purchased. Very few purchasers will spend an additional \$3-5000(average cost to pave a driveway) to purchase a property, this would apply to investors that flip houses as well. The ordinance would cut into their profits. They would /will simply purchase properties in other communities and rehab them.

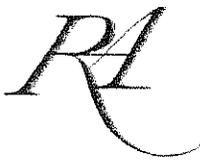
I am a very strong advocate of all of the benefits the City of Menasha has to offer their residents. This is a time when the council should focus their energies on enhancing the market in Menasha, not cause further suppression of the home sales.

The market is showing signs of stabilization I strongly encourage the Council to vote against this ordinance and work toward establishing a desirable purchase experience in an effort to continue the growth of the City.

Regards,
Dina Mitchell

THE REAL ADVANTAGE





MEMORANDUM

TO: Menasha Plan Commission
FROM: Jennifer Sunstrom, Government Affairs Director
DATE: January 11, 2011
RE: Amendment to Title 13, Article E – Paving of Driveways

The REALTORS Association of Northeast Wisconsin (RANW) appreciates the opportunity to share our thoughts and concerns regarding the proposal to require existing homeowners to pave their driveways within 9 months of the sale of their home.

Our Board of Directors has a standing position in opposition to the required paving of existing gravel driveways due to the negative impact on housing affordability, as well as the time of sale provision which can create many difficulties in the real estate transaction.

Problems that communities face related to expansion of driveways, as well as illegal parking, can be easily remedied by creating clear guidelines for the dimensions of parking areas and enforcing those ordinances.

Ordinances such as the one being proposed are essentially based upon aesthetic preferences rather than on public health or safety concerns. However, we believe that whatever questionable benefit this is to the community, it is far out-weighted by the negative impact on housing affordability. Most of the homes impacted by this ordinance are older homes that provide the bulk of affordable workforce housing in the community. These homes often fall within the \$60,000-\$100,000 price range. The homes also are often in need of essential upgrades and repairs to things such as electrical and heating systems, roofing, siding, and foundations. If this ordinance is adopted, homeowners will be forced to pay thousands of dollars to replace a driveway rather than making these more important types of improvements.

In addition to the fact that enforcement of this requirement is triggered at the time of sale, it fails to take into consideration current real estate market conditions and the number of homes that have seen depreciation in value, are mortgaged for more than their house is currently worth, or are in foreclosure. According to data from our Multiple Listing Service (MLS), during the period of 1-2-10 to 1-3-11, the city of Menasha had 138 sales reported. Of those sales, 39 were foreclosures. From those sales:

- 77% sold under \$63,000
- 13% sold between \$63,000 and \$99,000

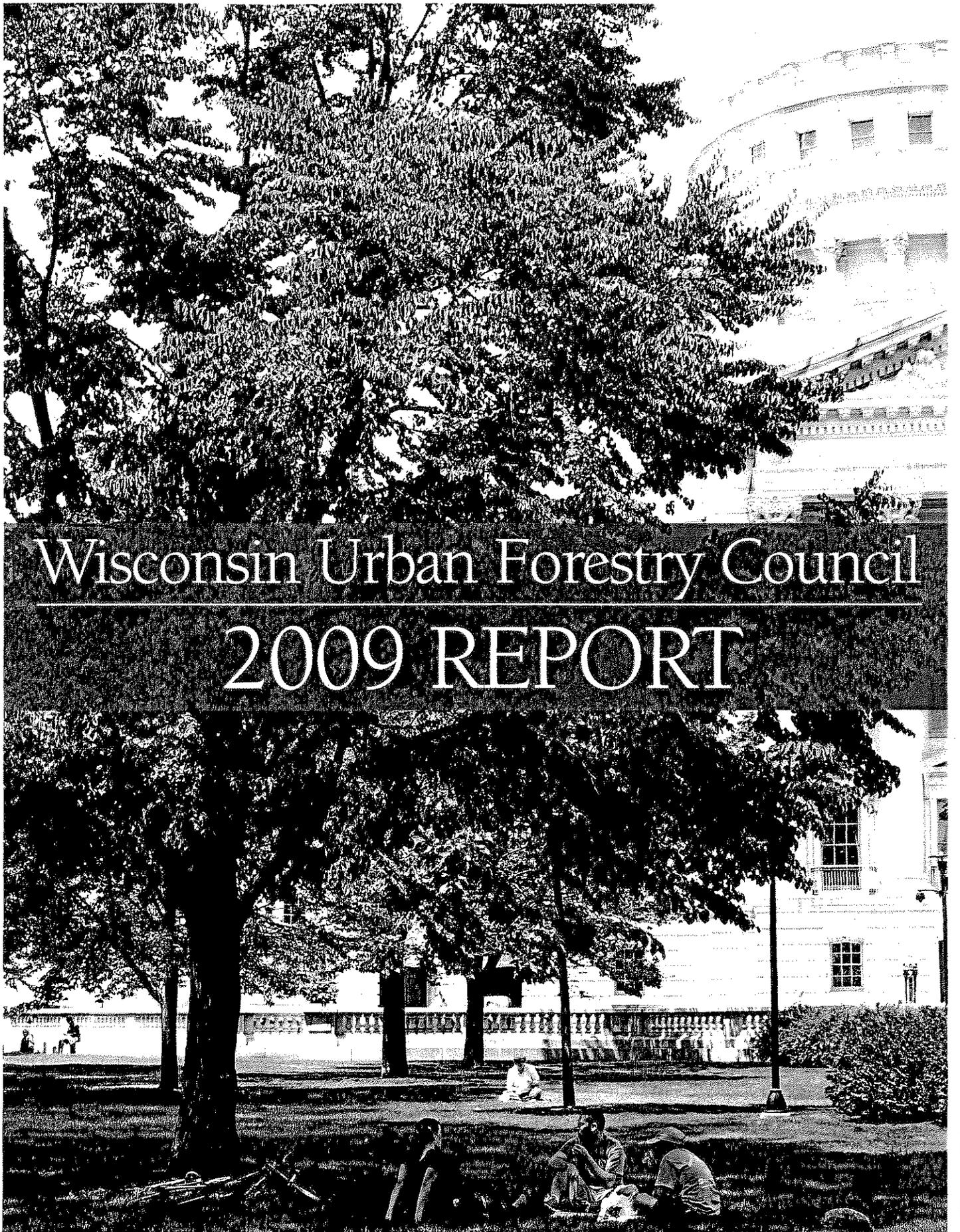


- 10% sold over \$100,000

As these statistics demonstrate, the vast majority of homes facing foreclosure in Menasha would be the very same homes that would be impacted by this ordinance.

Regarding homes not facing foreclosure, it is a common misconception that the costs of housing repairs or upgrades are more easily funded through the home financing process. In the current real estate market, this is often the worst time to incur such costs. In addition to closing costs and moving costs, many sellers have seen depreciation in their home value and do not have extra funds available. Buyers are typically required to have a much higher down-payment than in the past and they, too, are unlikely to have additional available funds.

On behalf of the many homeowners who will be negatively impacted by this ordinance, we respectfully request that the provisions which require the paving of driveways in existing homes be removed.



Wisconsin Urban Forestry Council
2009 REPORT

PRESENTED TO THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES

Common Council 1/17/11 Page 46

"Trees and greenspace are necessary components of a properly designed, maintained, and functioning community infrastructure."

"Trees are a necessity, not a nicety."

— BOB SKJERA
CITY FORESTER,
MILWAUKEE 1973-1990
INDUCTED INTO
WISCONSIN FORESTRY
HALL OF FAME — 2006

On behalf of the Wisconsin Urban Forestry Council, I proudly present the Urban Forestry Council's 2009 report to the Department of Natural Resources. This report describes progress made since our 2007 report, identifies issues that remain and new issues that have arisen, and provides recommendations to address the most critical issues. Adopting these recommendations will help to ensure sustainability of Wisconsin's urban forests and maintain and improve the services they provide to the citizens of the state.

Dr. Les Werner, Chair
Wisconsin Urban Forestry Council

WISCONSIN URBAN FORESTRY COUNCIL

OFFICERS

Dr. Les Werner, Chair
UW- Stevens Point
Representing UW system

Ms. Kelli Tuttle, Vice-Chair
Bluestem Forestry Consulting,
Drummond

Mr. Ken Ottman, Past Chair
First Choice Tree Care,
Junction City
Representing the Wisconsin
Council on Forestry

MEMBERS

Dr. R. Bruce Allison
Allison Tree Care, Verona
Representing commercial arborists

Dr. Robert Brush
Landscape Architect, Plover
Professor emeritus,
UW- Stevens Point

Mr. Robert Dahl
Representing Department of
Agriculture, Trade and Consumer
Protection

Mr. Thomas Dunbar, FASLA
Center for Resilient Cities,
Executive Director

Mr. John Gall
Wachtel Tree Science, Merton
Representing Wisconsin Arborist
Association

Mr. Leif Hubbard
Representing Department of
Transportation

Mayor Dennis Kropp
City of Menomonie

Mr. Thomas Landgraf
UW School of Business,
Madison

Ms. Shirley Brabender Mattox
Tree Advocate, Oshkosh

Ms. Deena Murphy
City Planner, City of Onalaska

Ms. Logan Nelson
Blue Sky Tree Care, Stoughton

Dr. Arthur Ode
Volunteer Forester, City of
Bayfield

Mr. Vijai Pandian
Brown County Extension

Mr. Bruce Slagoski
Terrace Operations Supervisor,
City of Beloit

Mr. Bryan Spencer
Superintendent of Parks &
Forestry, City of Oconomowoc
Representing Wisconsin Parks &
Recreation Association

Mr. Dan Traas
Ranger Services, Inc., Appleton

Mr. Jeff Treu
We Energies, Milwaukee
Representing utilities

Mr. Kevin Westphal
Superintendent of Parks &
Forestry, Village of Cedarburg
Representing municipal arborists

Mr. Joseph Wilson
Greening Milwaukee,
Executive Director

Mr. Jeff Wolters
Johnson's Nursery
Representing Wisconsin Green
Industry Federation

EX-OFFICIO MEMBERS

Ms. Lisa Burban
USDA Forest Service Urban
Forestry

Mr. Richard Rideout
State Urban Forestry
Coordinator, DNR

Mr. Jeffrey Roe
Urban Forestry Coordinator,
DNR Southern Region

Ms. Laura Wyatt
Urban Forestry Council Liaison,
DNR

THE PURPOSE OF THE COUNCIL IS TO ADVISE THE WISCONSIN STATE FORESTER AND WISCONSIN DEPARTMENT OF NATURAL RESOURCES ON THE BEST WAYS TO PRESERVE, PROTECT, EXPAND AND IMPROVE WISCONSIN'S URBAN AND COMMUNITY FOREST RESOURCES, AS AUTHORIZED BY WISCONSIN STATUTE 15.04 (1)(C).

Executive Summary

URBAN FORESTS ARE SIGNIFICANT CONTRIBUTORS TO THE QUALITY LIFE IN WISCONSIN AND IF MANAGED PROPERLY, A PARTIAL SOLUTION TO OUR STATE'S MOST PRESSING ENVIRONMENTAL ISSUES. THE BENEFITS DERIVED FROM THE MILLIONS OF URBAN TREES INCLUDE: REDUCTIONS IN ENERGY CONSUMPTION AND THE SEQUESTRATION OF ATMOSPHERIC CARBON, REDUCTIONS IN STORM WATER DISCHARGE INTO OUR LAKES AND RIVERS, AND REDUCED AIR POLLUTION. EVERY DOLLAR INVESTED IN MANAGING OUR URBAN FORESTS RETURNS THREE DOLLARS IN QUANTIFIABLE BENEFITS.¹

Much has been accomplished since the presentation of our first 2007 advisory report:

- 99% of appropriation for urban forestry grants restored in the 2009-11 budget
- Development of Urban Forestry BMPs for Invasive Species
- Urban forestry policy included in **Global Warming Task Force** final report to the Governor.
- Expanded outreach to partners including the League of Wisconsin Municipalities

Unfortunately, Wisconsin's urban forests are under attack. The introduction and expansion of emerald ash borer (EAB) in Wisconsin, inadequate funding for urban/community forestry at all levels, lost benefits resulting from below average canopy coverage in most Wisconsin communities, reduced levels of on-the-ground management, and an urban forest comprised of relatively few tree species all pose significant individual threats. Collectively, these threats warrant immediate attention if we are to protect a resource that is currently valued at more than \$10.9 billion.²

Immediate Needs

- The Urban Forestry Council recommends the implementation of a continuous statewide urban forestry inventory and canopy analysis to assist with resource allocation decisions and to provide technical assistance to developing programs.
- The Urban Forestry Council recommends a \$1 million increase in the urban forestry grant appropriation to assist communities with developing urban forestry programs and to combat EAB.
- The Urban Forestry Council recommends hiring of a permanent full-time Partnership Coordinator using new funding or the reallocation of an existing vacant position. State and local agencies must explore inter-departmental collaborations

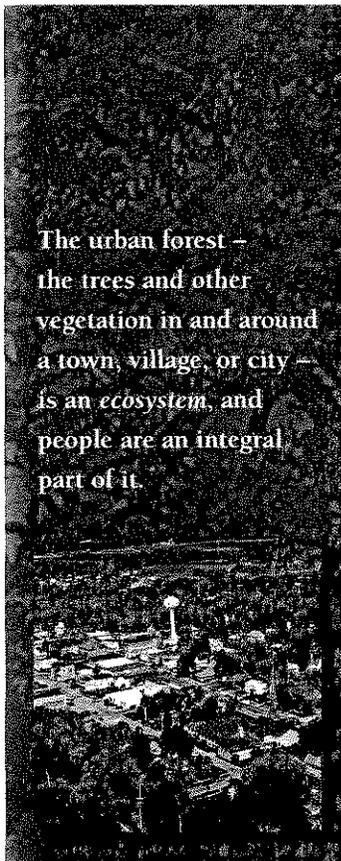
to address common problems, such as EAB, and form new private-public partnerships to support urban forestry efforts and expand the urban forestry funding base.

- The Urban Forestry Council believes there needs to be a stronger commitment of DNR staff resources to assist with on-the-ground efforts to combat EAB and implement the newly developed BMPs for Invasive Species.
- The Urban Forestry Council recognizes the valuable role of tree planting and maintenance in reducing the State's carbon footprint. As such, we request the inclusion of urban forestry within the framework of new legislation to address climate change or energy conservation.
- The council recommends the DNR increase urban forestry program support by allocating an additional 2% from the Forestry mil tax.

Future Needs

The Urban Forestry Council's long term goals for urban forestry in Wisconsin are to maintain our current urban forests, plant more trees, and increase species diversity. Despite the continuing economic downturn, the Urban Forestry Council believes there are unique and historic opportunities to advance urban forestry efforts at the local level and to renew Wisconsin's reputation as a national leader in urban forestry:

- Stimulate and support economic development and the creation of new markets within and for the urban forestry industry.
- Enact innovative legislation that provides incentives to homeowners and landowners to reduce heating and cooling demands through tree planting and long-term maintenance.
- Explore opportunities within municipal accounting standards to accurately reflect the increasing value of trees over time.



The urban forest – the trees and other vegetation in and around a town, village, or city – is an ecosystem, and people are an integral part of it.

Economics of 100 large public trees over 40 years:

Benefits\$379,000

Energy savings
Air quality
Water runoff management
Real estate values

Costs\$148,000

Planting and pruning
Removal and disposal
Irrigation
Sidewalk repair
Litter
Legal and administration

Net Benefits ...\$231,000

Source: U.S. Forest Service, 2005

Wisconsin's Green Industry produces, installs and maintains our landscapes, directly contributing \$2.7 billion in goods and services and 43,000 jobs to Wisconsin's economy.³

Challenges & Opportunities

COMMUNITIES THROUGHOUT WISCONSIN ARE FACING BOTH DIFFICULT CHALLENGES AND INCREDIBLE OPPORTUNITIES AS THEY STRUGGLE TO MANAGE THEIR URBAN FOREST RESOURCE. FIVE CRITICAL ISSUES IDENTIFIED IN THE 2007 COUNCIL'S ADVISORY REPORT CONTINUE TO CHALLENGE THE GROWTH AND SUSTAINABILITY OF WISCONSIN'S URBAN FORESTS AND THE BENEFITS AND SERVICES THEY PROVIDE TO THE ECONOMY, ENVIRONMENT AND PEOPLE OF THE STATE.

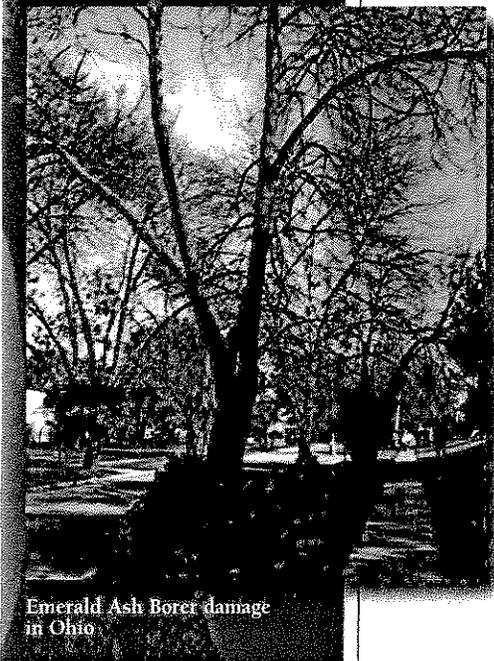
Challenges

- Emerald Ash Borer**
 EAB has been found in seven locations in the state. The number of infestations and geographic extent of this pest will continue to increase. Statewide, EAB threatens 5.2 million urban ash trees; 20% of the urban forest and as much as 50% of public trees in some communities. The cost of **removal and replacement will be more than \$3 billion.**
- Inadequate Funding**
 Despite a 3-to-1 economic return on investment, inadequate funding is one of the greatest threats to urban forestry programs in Wisconsin. Historically underfunded, community forestry programs now face unprecedented challenges resulting from escalating costs, reductions in shared revenue and associated penalties for increases in local levy assessments.
- Insufficient Tree Cover**
 Average canopy cover in Wisconsin's communities is 14–20%, well below the 40% value suggested to maximize benefits. Currently, only 60% of public tree planting spaces are filled.
- Lack of Management & Care**
 Maximum benefits from urban canopy coverage are fully realized when trees are properly managed. Proper management extends the tree's service life and reduces liability. Currently, only 7% of Wisconsin communities fully manage their urban forests (USDA Forest Service).
- Species Diversity**
 Maple and ash trees comprise 43% of the trees in Wisconsin's communities. Reduced species diversity increases the potential for catastrophic losses from introduced pests and climate change.²

Opportunities

The Urban Forestry Council's long term goals for urban forestry in Wisconsin are to maintain our current urban forests, plant more trees, and increase species diversity. Despite the continuing economic downturn, the Urban Forestry Council believes there are unique and historic opportunities to advance urban forestry efforts at the local level and to renew Wisconsin's reputation as a national leader in urban forestry.

- Economic development**
 A healthy urban forest requires management to avoid becoming an expensive liability and is the source of the original "green jobs." Increasing the urban canopy will increase the corresponding job market. Additional opportunities exist in the development of value added markets for urban wood residues, development of urban wood residue biofuel markets, revitalization of the landscape nursery industry to improve species diversity and replace trees lost to EAB.
- Energy conservation**
 Trees that shade our houses and block winter winds save Wisconsin residents \$13 million in heating costs and \$11 million in cooling costs every year! This equates to 38,000 passenger cars worth of carbon from the power plants that would have produced the energy.²
- Environmental services**
 Wisconsin's urban forests capture 119,000 tons of carbon annually, the equivalent of keeping 91,000 passenger cars off the road. And they store over 2 million tons of carbon, equivalent to the annual emissions of five and one-half 200 megawatt power plants! Wisconsin's community trees remove 6,400 tons of pollutants like ozone, particulates, nitrogen dioxide, sulfur dioxide and carbon monoxide every year, valued at \$36 million. Community trees also reduce non-point source pollution by reducing storm water runoff and peak flow.²
- Partnerships and collaborations**
 Interest in trees and green infrastructure has never been higher. Partnerships with businesses, nonprofits, service groups and professional associations can leverage public investment and revitalize community pride.



Emerald Ash Borer damage in Ohio

Raising Our Voices

Advocating for Urban Forests — Progress Since 2007

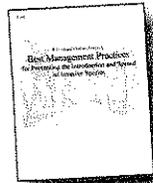
RESPONDING TO A CHALLENGE BY STATE FORESTER PAUL DeLONG, THE WISCONSIN URBAN FORESTRY COUNCIL HAS AMPLIFIED THE VOICE OF WISCONSIN URBAN FORESTRY BY STRENGTHENING STRATEGIC ALLIANCES AND ENGAGING STAKEHOLDERS AND LOCAL, STATE AND NATIONAL POLICY MAKERS IN CRITICAL CONVERSATIONS ADDRESSING ISSUES FACING WISCONSIN.

Grants

- As a result of the Council's proposed Wisconsin Tree Planting Initiative, 20 Million by 2020, the **Natural Resources Board amended the DNR's 2009-11 budget to add \$1 million for urban tree planting.** Although the initiative was not included in the Governor's final budget the action by the Board was noteworthy.
- The Governor's budget eliminated the long-standing urban forestry grant program. Working with municipal stakeholders, nonprofit organizations and legislators, council members were **successful in having 99% of the appropriation restored by the legislature.** The program remains over-subscribed and under-funded.
- The first urban forestry grants, totaling \$71,421, were awarded in response to **catastrophic storm damage** to the Kenosha County and the Town of Wheatland. Signed into law in 2007, the DNR is authorized to expedite urban forestry grants to communities following catastrophic storm damage in an urban area for which the governor has declared a state of emergency.

Invasives

- The Wisconsin Urban Forestry Council led the **development of Urban Forestry Best Management Practices for Invasive Species** with 21 representatives of the green industry and staffing from DNR Forestry. This is a national model for both the BMPs and the process for other states to develop their own.
- Emerald ash borer was finally found in Wisconsin in 2008. The council has been advocating for an aggressive response by both state and federal agencies. **The DNR successfully targeted its urban forestry grants resulting in 94% of the funds being used for EAB readiness and response.**



Quantifying the Urban Forest

- Urban forestry grants funded 38 local inventory projects during '08 and '09 including a cutting-edge hyper-spectral analysis to identify

ash in Milwaukee and Mequon. A statewide assessment is still necessary to set resource goals, identify new threats, measure progress and quantify benefits to the public

Benefits Beyond Beauty

- Council member **Ron Zillmer** (Wisconsin Rapids) served on the Forestry & Agriculture work group of the **Governor's Global Warming Task Force** and was successful in having an urban forestry policy included in the Task Force's final report.



Manage the Trees We Have

- In 2010, DNR Urban Forestry initiated the first **Wisconsin Community Tree Management Institute (WCTMI).** The 5-day program provided 30 communities with the technical and managerial skills to effectively manage their urban forests.

Facilitate Partnerships and Collaboration

- Council member **Mayor Dennis Kropp** (Menomonie) initiated a new partnership between urban forestry and the League of Wisconsin Municipalities to improve mayoral understanding of the threat of EAB.
- Council members **Dan Traas** (Appleton) and **Shirley Brabender Mattox** (Oshkosh) are working with the **Oshkosh Area Community Foundation's Taking Root Fund** to raise \$500,000 in private funding for community tree planting.

Federal Budget Support

- Council members continue conversation with congressional representatives and staff regarding the importance USDA Forest Service support to state urban forestry programs. Congress **restored the last administration's proposed 82% cut** to the Forest Service's Urban & Community Forestry program in 2009 and the current administration kept the 2010 appropriation essentially flat.

Tree City USA

Wisconsin is home to 181 Tree City USAs making Wisconsin the third highest ranking state in the nation. To be recognized as a Tree City USA, a community must meet four requirements. It must have 1) a designated tree board or forestry department, 2) an annual forestry program expenditure of at least \$2 per capita, 3) a tree ordinance, and 4) observe and proclaim Arbor Day.

COUNCIL TESTIMONY

"I have had the opportunity to work with over 100 Wisconsin communities and thousands of Wisconsin residents on UF projects supported by the DNR Urban Forestry grant program. This program allows the benefits of Wisconsin's urban forests the avenue to be delivered and enhanced to communities and residents throughout the state. I employ 17 people at Ranger Services Inc. and have had up to 12 of them working on different UF projects at one time."

— DAN TRAAAS, PRESIDENT
RANGER SERVICES INC.
APPLETON, WI

"First and foremost, Greening Milwaukee would not be in existence if it were not for the DNR Urban Forestry grant program. Thirteen years ago Greening Milwaukee was founded to re-build the urban forest canopy in Milwaukee following the devastation created by the Dutch Elm Disease. DNR was quick to recognize the role we would play in getting citizens engaged in planting and caring for trees. Since our efforts DNR support has been key to our creative, innovative and dynamic response to the needs of the greater Milwaukee urban forest."

— JOE WILSON
EXECUTIVE DIRECTOR
GREENING MILWAUKEE

Recommendations

WHAT IS NEEDED FOR SUSTAINABILITY? IN 2007, THE COUNCIL IDENTIFIED FOUR STRATEGIC DIRECTIONS TO FOCUS ON THE MOST CRITICAL ISSUES FACING THE URBAN FORESTRY COMMUNITY. THESE CONTINUE TO BE OUR PRIORITY STRATEGIES FOR THE FUTURE.



- **Manage the trees we have** – Maintaining the health and safety of existing trees will increase their benefits and services to communities. Building sustainable programs to manage forest health and longevity is critical to maximizing these benefits through time.
- **Plant more trees** – Wisconsin's urban tree canopy cover is only 14%. Wisconsin could triple the services provided by its urban trees if communities planted more trees and reached the 40% canopy goal.
- **Increase biodiversity** – Ash and maple trees make up over 43% of Wisconsin's urban forest. This has set communities up for catastrophic loss to exotic diseases and insects. Planting a diverse population is essential to a sustainable resource.
- **Facilitate partnerships and collaboration** – DNR Forestry is uniquely positioned to act as a convener and facilitator for urban forestry efforts at the state level. Investment in the DNR Urban Forestry program is necessary to create and support the collaboration of partnerships, networks and consortiums leading to increased leverage of public and private resources needed to support a sustainable urban forest for the benefits of all Wisconsin's residents.

What Needs To Be Done

Investing a little money now will save trees and leverage additional resources.

Wisconsin has a rich forestry tradition and is seen as a national leader. The Wisconsin forestry mil tax is a legendary resource providing support for Wisconsin's forests, including Wisconsin's urban & community forests. **Over 62% of the mil tax revenues that fund DNR Forestry comes from Wisconsin's cities and villages. However, only 2% of Forestry's expenditures are allocated to urban forestry.** While it is clear that all Wisconsin residents benefit from the primary and secondary products of traditional forests, it is equally clear that Wisconsin's 4+ million community residents benefit directly from our urban forests.

In Wisconsin's "forward" tradition, the DNR must provide the leadership and investment to leverage additional public and private collaborative efforts and resources to support a resilient urban forest for the benefit of all. The council recommends that the DNR increase urban forestry program support by allocating an additional 2% from the Forestry mil tax.

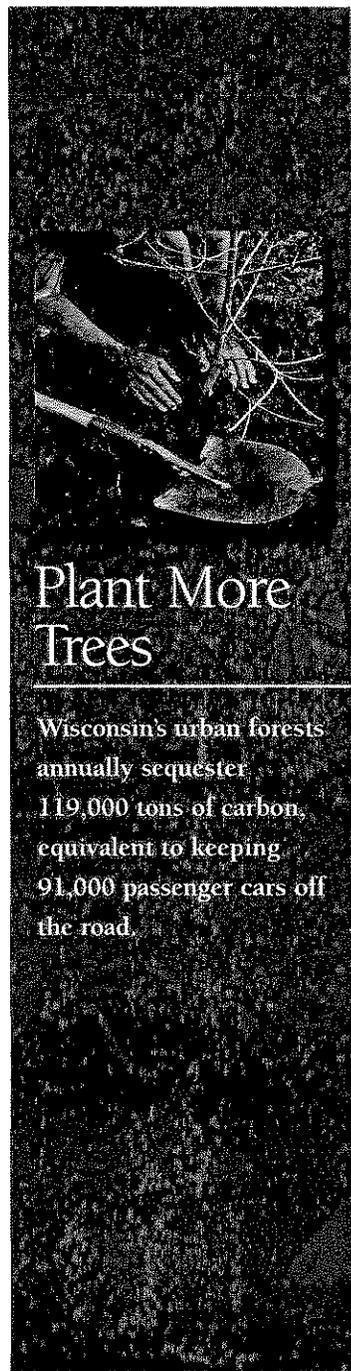
RECOMMENDATIONS: The council understands the current economic situation makes it difficult to acquire new state spending authority. Given this environment, the council makes the following specific recommendations to the DNR to address the critical challenges and opportunities in Wisconsin urban forestry:

- **Institute a continuous urban forest inventory and canopy analysis** to set resource goals, identify new threats, measure initiative results and quantify benefits to the public. The council believes that a continuous statewide urban forest inventory will provide state and local governments and their partners the tools and data to develop accurate plans for sustaining and enhancing their forest resource and assess management strategies.
- **Increase the urban forestry grant appropriation by \$1 million.** The Wisconsin Urban Forestry Grant (50-50 match) program has been a successful stimulus to encourage and enable municipalities, nonprofits and tribes to address existing and emerging needs of urban forest management while also leveraging the increased investment of local public and private funds.

Grant projects not only directly support green jobs, but the focus on sustainability – engaging new communities, establishing basic management standards, and enhancing existing management programs – helps communities recognize urban trees as a capital asset that provides direct ecological, social and economic services.

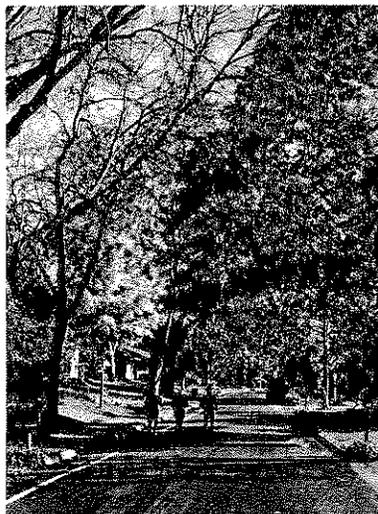
Multiple demands are converging on the urban forestry grant funds. In 2009 there was a 35% unmet demand due to EAB, increases in the number of Emergency Storm Response Grant applicants, and a program revision targeting non-participating small communities and non-profits.

- **Hire a permanent full time Partnership Coordinator.** The Wisconsin Urban Forestry Council fully supports State Forester Paul DeLong's statement in the 2008 DNR Division of Forestry Annual Report, "we (DNR) realize more than ever that we can best meet our mission by working with others who are equally committed to our common goals." With only 15% of the urban forest on public property, sustainable management of the urban forest requires collaboration and participation amongst numerous public and private agencies.
- **Increase commitment of DNR staff resources to assist with on-the-ground efforts to combat EAB and implement the newly developed BMP's for Invasive Species.** The DNR is perhaps the sole state agency in the position to assist with the creation, implementation, and enforcement of consistent statewide management standards to combat the spread and economic damage resulting from exotic pests.
- **Compete for federal and private funding beyond the Forest Service** to expand urban forestry's funding base. The federal urban forestry base grant to Wisconsin is being reduced as part of the State & Private Forestry Redesign. Additional staff resources will be needed to locate and secure outside funding opportunities and assist with the development of competitive proposals to support the development of sustainable urban forestry strategies.
- **Include urban forestry in all state climate change and energy conservation legislation.** The economic and environmental benefits derived from urban forests are well established. The technology to effectively and efficiently implement urban forestry strategies that could reduce our carbon footprint and demand for energy is currently in place. What's missing is legislative authority that provides an incentive to make these urban forestry outcomes a reality.

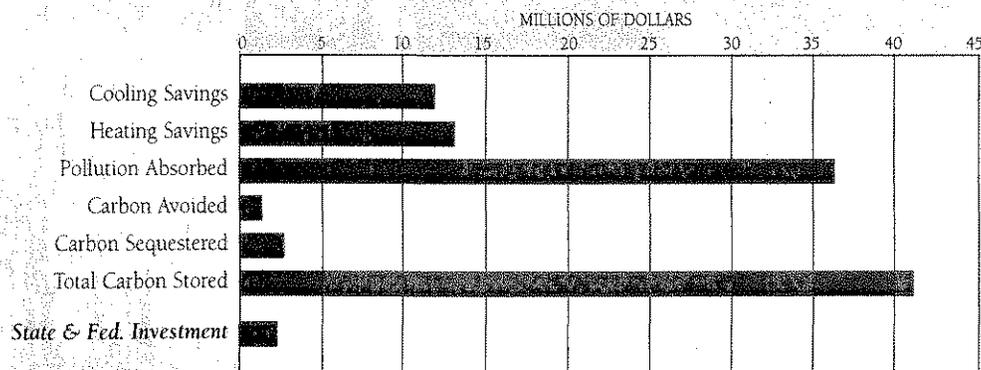


Plant More Trees

Wisconsin's urban forests annually sequester 119,000 tons of carbon, equivalent to keeping 91,000 passenger cars off the road.



Value of Annual Services Provided by Wisconsin's Urban Forests vs. State & Federal Program Investment



Wisconsin Urban Forestry Council Awards

THE WISCONSIN URBAN FORESTRY COUNCIL ANNUALLY PRESENTS THE URBAN FORESTRY AWARDS IN RECOGNITION OF OUTSTANDING EFFORTS OF INDIVIDUALS, ORGANIZATIONS AND COMMUNITIES THAT FURTHER URBAN FORESTRY IN WISCONSIN.

2008 Winners

Distinguished Service – Harley McMillen

In recognition of leadership exhibited through the organization of Trees for Viola tree planting project and a community forestry program in response to devastating tornados of 2005.

Elected Official Distinguished Service – Representative Mary Williams, 87th State Assembly District

In recognition of leadership in the passage of 2007 Wisconsin Act 13 that allows the DNR to expedite urban forestry grants following catastrophic storm damage in urban areas for which the governor has declared a state of emergency.

Project Partnership – Town of Greenville and We Energies

Recognizes how one community merged the efforts of municipal volunteers and power company officials to landscape a power substation at the intersection of two busy highways. The tangible benefits include the conversion of a necessary eyesore into an environmental and aesthetic showcase.

Innovations in Urban Forestry – Village of Clinton Volunteer Foresters

Recognizes and celebrates the ingenuity and spirit of the Village of Clinton volunteer foresters in establishing and managing a community forestry program that preserves and advances forestry throughout the community with the active participation of residents of all ages.

2009 Winners

Lifetime Achievement – Cliff Englert

In recognition of career achievements that “planted the seed” for a Janesville urban forestry legacy through the creation, development and nurturing of the Janesville Shade Tree Advisory Committee which will continue to guide and sustain Janesville’s community forestry program.

Distinguished Service – LaVerne Peterson

In recognition of sustained leadership in working with members of the Village of Amherst community to establish and maintain a community forestry program that preserves and advances forestry throughout the community.

Project Partnership – Short Elliott Hendrickson, Inc & City of Superior – Superior Tree Board

Recognizes the merged efforts of a municipality, community volunteers and a private contractor to increase tree canopy while redesigning and reconstructing a major transportation corridor.

Innovations in Urban Forestry – Urban Brownfield Phytoremediation – City of Menasha, Winnebago County, OMNI Associates, Environmental Forestry Consultants, LLC

Recognizes the innovated use of trees to assist in the cleanup of contaminated soil and groundwater at a contaminated brownfield property in the City of Menasha.

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2. Cumming, A.B., D.J. Nowak, D.B. Twardus, R. Hoehn, M. Mielke, R. Rideout. 2007. *Urban Forests of Wisconsin: Pilot Monitoring Project 2002*. NA-FR-05-07. Newton Square, PA: U.S. Department of Agriculture, Forest Service, Northeastern Area State and Private Forestry.
3. Battaglia, R.J. and L.G. Jull. 2004. *Economic Impact of Wisconsin's Green Industry*. wa-0151.qxd 04/04. Wisconsin Agricultural Statistics Service.
4. R. Rideout. 2009. *Impact of the Wisconsin DNR Urban Forestry Grant Program*. A Report Request by the Wisconsin Urban Forestry Council.

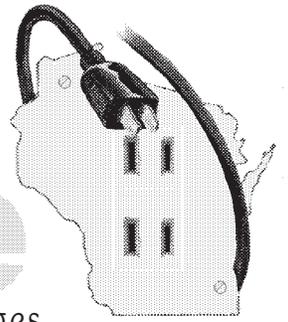
References which are available electronically will be posted on the Wisconsin Urban Forestry Council Web page at <http://dnr.wi.gov/forestry/UF/council/>.

WISCONSIN URBAN FORESTRY COUNCIL

A Coalition
to preserve
Wisconsin's
Reliable and
Affordable
Electricity

Customers First! the Wire

Plugging you in to electric industry changes



608/286-0784 • P.O. Box 54 • Madison, WI 53701 • www.customersfirst.org • JANUARY 2011 • Vol. 16, No. 1

Wind-siting rules finalized

The four-year quest for uniform, statewide wind-energy siting standards came to an end in December with the adoption of a final administrative rule created by the Public Service Commission (PSC).

Local governments that regulate development and operation of wind-energy systems smaller than 100 megawatts capacity will now have to make sure their ordinances are no more restrictive than the statewide rule provisions.

The PSC rolled out a draft final rule last fall but legislative oversight committees requested changes. The PSC adopted its revised rule early last month and the committees did not ask for further modification. Notable changes include:

- A minimum setback will be required—1,250 feet or three times total turbine height, whichever is less—as measured from any occupied community building or the residence of any neighbor not participating in the project. There is no standard for setback from neighboring property lines.
- Developers will be required to “reasonably minimize” any conversion of land from agricultural use.
- Farm operators who are unable to use aerial spraying within 1/2 mile of a turbine may be eligible for compensation if they suffer crop losses as a result.

- Non-participating neighbors whose residence is within 1/2 mile of a turbine can receive monetary compensation and the amount increases with the number of turbines inside the half-mile radius.

The changes are consistent with positions advocated by the *Customers First!* Coalition, which favored creation of uniform standards. They also met with approval from RENEW Wisconsin, the Madison-based renewable energy advocacy group.

“The final rules strike a reasonable balance between protecting public health and safety and advancing wind energy generation, a proven pathway for creating well-paying jobs and increasing revenues to local governments,” said RENEW Executive Director Michael Vickerman, adding, “Wind develop-

ers in Wisconsin can look forward to a set of workable statewide permitting standards that will facilitate the development of well-designed wind projects.”💡



Vickerman

CapX2020 said to bring jobs

The CapX2020 transmission upgrade, to be built mainly in Minnesota, will facilitate delivery of renewable energy to Wisconsin and points east. Project officials and University of Minnesota researchers say it will also mean thousands of new jobs during the five-year construction period.

Groundbreaking on the first segment of the project, a new 345-kilovolt line between Monticello and St. Cloud, Minnesota, took place in November and officials released an economic impact study detailing job creation associated with the multi-year construction program.

Continued on page 3...

Focus funding approved ...for now

The Legislature's Joint Finance Committee last month approved a new funding plan that provides a big revenue boost for energy efficiency programs, primarily under the Focus on Energy program. The question now is whether the new Legislature will allow the plan to be carried out.

Developed by the Public Service Commission (PSC), the new funding plan increases the expenditures required of regulated utilities for energy efficiency and renewables programs by raising the percentage of their annual operating revenues to be used for those purposes. It's estimated the plan will raise \$120 million for energy efficiency and renewables programs in 2011, \$160 million in 2012, \$204 million in 2013, and \$256 million in 2014.

That compares with roughly \$100 million annually utilities have been required to contribute under the old funding formula.

After being held in the finance committee since mid-November following an objection by now-retired State Rep. Phil Montgomery (R-Ashwaubenon), the plan won approval December 14 on a party-line,



Montgomery

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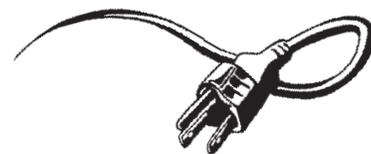
THE WIRE is a monthly publication of the *Customers First!* Coalition—a broad-based alliance of local governments, small businesses and farmers, environmental groups, labor and consumer groups, retirees and low-income families, municipal electric utilities, rural electric cooperatives, wholesale suppliers,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

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



KEEPING CURRENT

With CFC Executive Director Matt Bromley



A new year brings major changes to Wisconsin state government. For the first time since 1938 the governor's office and both legislative chambers flipped from one party's control to another. Republican Scott Walker takes over as governor on January 3, and with Republicans gaining majorities in both the Senate and Assembly, he will work with a Legislature led by members of his own party.

The Republican-controlled statehouse announced its new leaders and committees shortly after the November elections. Former Assembly Minority Leader Jeff Fitzgerald of Horicon is now speaker, the top post in the Assembly, and Scott Suder from Abbotsford is majority leader. Speaker Fitzgerald's brother, Scott Fitzgerald of Juneau, takes over as majority leader in the Senate. The minority leaders are Mark Miller from Monona in the Senate and Peter Barca from Kenosha in the Assembly.



Bromley

The new administration and Legislature face a \$2 billion-plus budget shortfall and an anemic economy in which the state has seen significant job losses the last few years. Governor Walker and legislative leaders have made it clear that job number one is jobs, and their first order of business will be a special legislative session focused on job creation. Among the proposals expected to be considered are tax cuts for small businesses and a restructuring of the Department of Commerce that would give a new entity more ability to promote economic development.

While the Legislature dives into its jobs agenda, those interested in energy and utility regulation will likely be most interested in the appointment of a new commissioner for the Public Service Commission.

The term of current Commissioner and Governor Doyle appointee Mark Meyer ends March 1 giving Governor Walker the opportunity to not only appoint a new regulator in the coming weeks but also to make that person the chair of the three-person commission.

Among the potential legislative issues affecting electricity customers, don't expect to see much of the clean energy proposals that came out of Governor Doyle's Task Force on Global Warming. They were considered by, but failed to pass, the Legislature last year. One exception could be the lifting of the state's ban on new nuclear power plants as that issue seems to have greater support in the new Legislature than it's had in previous ones.

Whatever legislation of interest to electricity customers is introduced, it is likely to go to the Senate Committee on Energy, Biotechnology and Consumer Protection, chaired by Senator Rob Cowles of Green Bay, or the Senate Committee on Judiciary, Utilities, Commerce and Government Operations chaired by Senator Rich Zipperer of Pewaukee. In the Assembly, expect energy legislation to be reviewed by the Energy and Utilities Committee, chaired by Representative Mark Honadel of South Milwaukee. 

Tentatively decisive

Some months back we told you about an affiliate company of Ohio's American Electric Power (AEP) running afoul of state law prohibiting "significantly excessive" profits—as compared, we suppose, with ones that are a little bit excessive. We've been waiting to tell you how the case was resolved.

Maybe next time.

On the last day of November, AEP announced a rate freeze for its affiliate in exchange for parties to the case agreeing that the previous earnings were not "significantly excessive." AEP

would also forego recovery of some regulatory costs and make investments in economic development.

But two weeks later, AEP announced it was withdrawing the agreement because regulators had agreed to a timeline that would push their final decision to ratify it into the second quarter of this year.

We're never sure about these things but suspect the decision might now be pushed back considerably farther than the second quarter of this year. Something to look forward to. 

Exception to the rule?

The last of the legislated electric rate caps expired for Pennsylvania utilities as of December 31 and more consumers are likely to be shopping for an alternative provider in a market that's had its ups and downs. The lingering question is: Has it been worth it?

You can easily get an answer that it has been worthwhile and another that says maybe not so much. Interestingly, you can get them both from the same source.

Rate caps have expired at different times for different Pennsylvania utilities. According to the *Pittsburg Post-Gazette*, Public Utilities Commission Chairman James Cawley last year examined a typical customer's monthly bill and found it to be within pennies of the amount that customer would have paid in 1992. Factor in inflation and it's slightly less.

But over those years, customer choice of alternative power providers has swung up and down, climbing to about 800,000 participants and plummeting to fewer than 140,000, as suppliers have entered and abandoned the market. It now stands at about 652,000.

There are expectations that more providers will enter the market as the last caps come off. Theoretically that would increase competition and make for better deals. Skeptics, however, point to industry consolidation—Allegheny Energy is set to merge with FirstEnergy, which already owns three Pennsylvania utilities—and say it will probably cancel out any competitive surge. 💡

CapX2020 said to bring jobs

Continued from page 1...

The series of additions to the high-voltage transmission grid serving Minnesota and the surrounding region—most conspicuously featuring three new 345-kilovolt lines equivalent in capacity to the largest lines existing in Wisconsin—is expected to be under construction through 2015. One segment of line is to cross the Mississippi River near Alma, in Buffalo County, terminating at a substation just north of La Crosse.

A study by the University of Minnesota-Duluth's Bureau of Business and Economic Research estimated 2010 would see the creation of 571 jobs (direct, indirect, and induced). The number is expected to rise to 2,257 this year, to 4,580 in 2012, and to peak at 7,802 in 2013.

Job impacts for subsequent years are projected at 5,907 in 2014 and 2,425 in 2015, the study said. UMD researchers note that because the jobs may be carried over from year to year, the numbers can't be added together.

By ensuring electric reliability and providing transmission access for new power generation outlets, located particularly in southern and western Minnesota and the Dakotas, the project will provide lasting benefit to the Upper Midwest, according to Terry Grove of Elk River, Minnesota's Great River Energy and co-executive director of CapX2020.

The economic study also estimates the generation of a collective \$50 million in tax revenue

to the four states in which the projects will be built—Minnesota, the Dakotas, and Wisconsin. The full study is posted at www.CapX2020.com. 💡

Offshore project still battling

State and federal regulators have been doing their best to advance what would be the nation's first offshore wind-energy farm, but high wholesale power rates for its output continue to draw legal challenges—most recently from a business group with several thousand members.

The Associated Industries of Massachusetts asked the state's highest court to vacate the agreement under which the utility National Grid would buy half the electricity produced by the Cape Wind project. The business group, with about 6,000 members, claimed state utility regulators exceeded their authority in approving the agreement outside competitive bidding procedures.

The business group objects to the wholesale price of power set forth in the agreement. National Grid would pay 18.7 cents per kilowatt-hour with annual 3.5 percent increases for the life of the contract. The price is approximately twice that of electricity from traditional generation sources in Massachusetts. 💡

Focus funding

Continued from page 1...

11-4 vote. (One Assembly committee seat was vacant.)

But one member who voted in the minority last month—State Rep. Robin Vos (R-Racine)—returns this month holding the gavel as the



Vos

joint committee's Assembly co-chair. Vos derided the PSC plan as "a \$740 million rate increase" and said it would be overturned in the 2011-12 budget bill, which he will have



Cowles

a significant hand in writing.

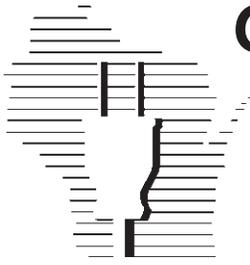
Separately, State Sen. Robert Cowles (R-Green Bay) indicated in December he would seek an audit of the Focus on Energy program by

the Legislative Audit Bureau. Cowles was the chief sponsor of the 2005 Act 141 renewable energy legislation, a key component of which was language making it harder to divert energy conservation money from the Focus program to finance other state spending.

That provision, to see that the program's funds were actually spent for their designated use, was a key *Customers First!* Coalition priority in supporting Act 141. 💡

Energy saver tip

It will probably be as cold this month as it's going to get all year and there are some simple things you can do to get the most out of your heating dollar. Use inexpensive heat deflectors to send warm air from floor registers across the floor. They'll help heat your rooms more efficiently and keep you more comfortable than if the output from your furnace is allowed to rise straight to the ceiling. 💡



Customers First!

P.O. Box 54
Madison, WI 53701

A Coalition
to preserve
Wisconsin's
Reliable
and Affordable
Electricity

Be sure
to check out the
Customers First!
website at



www.customersfirst.org



Quotable Quotes

“Resolution of AEP Ohio’s 2009 Significantly Excessive Earnings Test Creates Value for Customers”
—Headline, American Electric Power press release, November 30, 2010

“AEP Ohio Withdraws from Resolution of 2009 Significantly Excessive Earnings Test”—Headline, American Electric Power press release, December 16, 2010

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

Customers First!
Plugging Wisconsin In



December 2010 Disposal Violations

<u>Date</u>	<u>Address</u>	<u>QTY</u>	<u>Comment</u>
12/20/10	unknown		TV in Broad St Alley
12/20/10	unknown		fridge in scrap metal #6986 \$15.00
12/30/10	unknown		dehumidifier in scrap metal #6990 \$15.00
12/31/10	unknown		microwave in Broad St Alley #6991 \$15.00
12/31/10	unknown		entertainment center in scrap metal area during open hours
12/31/10	unknown		monitor dropped at 1st roundabout on Kernan Ave off of Hwy 114
		3	***FREON APPLIANCES, MICROWAVES, BALLASTS, and PROPANE TANKS IN SCRAP METAL THAT ARE NOT CAUGHT GO TO PROCESSING AT SADOFF. IF DISCHARGED AT THEIR FACILITY WE RISK NOT HAVING SCRAP METAL COLLECTED IN THE FUTURE BY SADOFF OR ANY OTHER METAL VENDOR. WE HAVE BEEN CONTACT AGAIN RECENTLY BY SADOFF IN REGARDS TO ILLEGAL ITEMS BEING INCLUDED IN OUR SCRAP METAL.
	Disposal cost TBD	2	***ELECTRONICS MUST BE RECYCLED BY US WHEN DROPPED OFF AT OUR FACILITY ILLEGALLY OR WHEN RESIDENTS DO NOT REMOVE FROM THE TERRACE AFTER WE TAG - (CURRENTLY \$2.00 per electronic - when brought to Winnebago County Recycling Center)
			Clear fill (concrete, sod, etc) dumping violations - we must transport to Badger Hwys for disposal (Badger charges \$)
	Disposal cost TBD		Hazardous material disposal violations - cost to remove unk - removed twice each year approx cost \$1000/year
	\$15.00	1	Bulky item disposal (\$15.00 each)
	\$45.00	3	Freon or Microwave Disposal Permits (\$15.00 each)
			LP Tank disposal (\$4.50 each)
			Tire disposal \$3.00, \$5.00, or \$7.00 each
			Refuse disposal violations (\$45/2 yard dumpster rental)
			Yardwaste disposal violations (\$35/min pickup charge)
		6	Total disposal violations-cleanup (15 minutes/cleanup X \$33.66/hr wage + benefits)
	\$60.00		DEC 2010 TOTALS

Not included: gas cans () & compressed gas cylinders () will be disposed of with other hazaradous waste left here illegally.

Incident like those listed above are reasons other communities have closed their drop off sites.

**A Fresh Look at County Board
Organization
A PUBLIC FORUM**

**Monday, January 31, 2011
6:30 - 8:00 pm**

Coughlin Building, 625 E. County Road Y, Oshkosh

Panel Members

James Dwyer, Waukesha County Board Chair

Martin Farrell, Fond du Lac County Board Chair

Lance Pliml, Wood County Board Chair

The census data is here! This means that the Winnebago County Board has an opportunity to re-examine its size and structure before the redistricting process begins. Come to hear a panel of representatives from other counties discuss their experiences with smaller county boards and restructured committees.

The Winnebago County League of Women Voters is sponsoring this public meeting to provide background information about changes the Winnebago County Board can consider when it looks at what size and committee structure will best meet present and future needs.



The League of Women Voters is a nonpartisan network of concerned women and men who act to make a difference in the lives of citizens. We bring people and communities together to have open civil dialogue about important public policies.

Contact Kathy Propp at 920-231-4770 or email league@lwvwinnebago.org with questions about this meeting.

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
TUESDAY JANUARY 4, 2011
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Englebert, Benner, Roush, Taylor, Wisneski, Langdon, Hendricks, Zelinski
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, FC Auxier, DPW Radtke, CDD Keil,
C/T Stoffel, PRD Tungate, PHD Nett, Lt. Sahr, Clerk Galeazzi and the Press

D. PUBLIC HEARING

None

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

(five (5) minute time limit for each person)

Sadie Schroeder, 634½ Broad Street. Support Ordinance O-1-11 allowing chickens in City. Many positive reasons.

Roger Kanitz, 516 Riverway. Support Ordinance O-1-11 allowing chickens in City. It is the way of the future.

Stan Sevenich, 645 9th Street. 1) Question payment to Hunton & Williams for professional service for Utilities. 2) Opposed to Ordinance O-1-11 allowing chickens in the City.

Mary Nebel, 713 1st Street. Council should not address Resolution R-1-11 until more information is available.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

a. [Administration Committee, 12/20/10](#)

b. [Board of Public Works, 12/20/10](#)

c. [Plan Commission 12/21/10](#)

d. [Personnel Committee, 12/20/10](#)

e. [Library Board, 12/16/10](#)

f. [Neenah-Menasha Sewerage Commission, 11/23/10](#)

g. [Joint Park Board/Commission of Menasha, Neenah and Town of Menasha Parks and Recreation, 12/8/10](#)

Communications:

h. [CVMIC to PC Stanke, 12/15/10; 2010 Member Workers' Compensation Dividend and EPLI Rebate](#)

Ald. Englebert: Minutes C (Plan Comm.) identifying and creating city neighborhoods in Comprehensive Plan. CDD Keil explained the Comprehensive Plan identifies portions of the city with similar interests, similar makeup.

Ald. Wisneski: Comm. H (CVMIC) the amount of the check received from CVMIC. C/T Stoffel responded the amount was approx. \$34,000

G. CONSENT AGENDA

(Prior to voting on the Consent Agenda, items on the Consent Agenda may be removed at the request of any Alderman and place immediately following action on the Consent Agenda. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)

Minutes to approve:

1. [Common Council, 12/20/10](#)

Administration Committee, 12/20/10; recommends approval of:

2. Offer to Purchase – Chute Street Parking Lot
3. [City of Menasha Special Event Policy \(Held 12/20/10\)](#)

Board of Public Works, 12/20/10; recommends approval of:

4. [Street Use Application – Team Hailey 5K Run/Walk; Saturday, April 16, 2011; 8:00 AM – 10:30 AM \(Team Hailey/PLGA Foundation\)](#)
5. [Change Order; MOD# 0016-00; Neenah-Menasha Fire Rescue Station 36; Miron Job #101520; DEDUCT: \\$863.00](#)

Ald. Wisneski requested Item 3 be removed from Consent Agenda.

Ald. Taylor requested Item 2 be removed from Consent Agenda.

Moved by Ald. Hendricks, seconded by Ald. Roush to approve Items 1,4 & 5 of Consent Agenda.
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Hendricks, seconded by Ald. Wisneski to approve item 3 (Special Event Policy)
Discussion on the wording in the policy on when insurance is required; discounts for non-profit organizations.

Motion carried on roll call 8-0.

Moved by Ald. Hendricks, seconded by Ald. Benner to approve item 2 (Chute St. Parking Lot)
Discussion on funds to purchase parking lot; maintenance of parking lot.

Motion carried on roll call 5-3

Ald. Roush, Taylor, Hendricks, Englebert, Benner – yes

Ald. Wisneski, Langdon, Zelinski – no

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 12/20/10 to 12/30/10 in the amount of \\$730,499.87](#)

Moved by Ald. Wisneski, seconded by Ald. Langdon to approve accounts payable and payroll.

Discussion/Questions on expenditures.

Motion carried on roll call 8-0.

2. [“Class A” Liquor License Application: J.K. Petroleum, Inc., Kashmir Gill, agent for the premise at 1200 Plank Road, Menasha for the 2010-2011 licensing year.](#)

Moved by Ald. Hendricks, seconded by Ald. Benner to approve liquor license application only upon proof of a valid Sellers Permit.

Discussion: Clerk Galeazzi explained the importance of a valid Sellers Permit.

Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. [O-22-10 An Ordinance Relating to Parking Regulations \(Angle Parking on 2nd St.\) \(Recommendation from Parking Committee\) \(Introduced by Ald. Wisneski & Taylor\)](#)

No Action

2. [O-23-10 An Ordinance Relating to School Bus Loading Zones \(Recommendation from Parking Committee\) \(Introduced by Ald. Wisneski\)](#)

No Action

K. APPOINTMENTS

None

L. HELD OVER BUSINESS

None

M. CLAIMS AGAINST THE CITY

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

(five (5) minute time limit for each person)

Linda Stoll, 1525 Rue Reynard. Urban agriculture growing trend, need to be proactive. Chickens in urban setting need to be cared for properly.

O. ADJOURNMENT

Moved by Ald. Hendricks, seconded by Ald. Roush to adjourn at 7:16 p.m.

Motion carried on voice vote.

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

DRAFT

GRANT AGREEMENT

Between

WINNEBAGO COUNTY

and

City of Menasha

for

Menasha Senior Center Coordinator

This GRANT AGREEMENT is made and entered into this 1st day of January 2011 by and between WINNEBAGO COUNTY, hereinafter referred to as "**COUNTY**," whether a department, board or agency thereof and City of Menasha, 140 Main Street, Menasha WI 54952, hereinafter referred to as "**GRANTEE**".

WITNESSETH:

WHEREAS the COUNTY by its Human Services Department whose address is 220 Washington Avenue, Oshkosh, Wisconsin 54901 desires to provide financial grant assistance to **GRANTEE** for the purpose of providing Menasha Senior Center Coordinator program services in Winnebago County and WHEREAS the **GRANTEE** whose address is 140 Main Street, Menasha, WI 54952, is able and willing to provide such program services; NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and sufficiency of which is acknowledged by each party for itself, the **COUNTY** and the **GRANTEE** do agree as follows:

SECTION I: RESPONSIBILITIES OF GRANTEE

1. **TERM** – The term of this GRANT AGREEMENT shall commence as of the 1st day of January 2011, and shall terminate as of the 31st day of December 2011.
2. **GRANTEE** agrees to use monies provided through this GRANT AGREEMENT to undertake the aforementioned service program as described in the Winnebago County's Plan for Services to the Elderly 2010-2012, to consumers of Winnebago County Department of Human Services, which is hereby incorporated by reference into this GRANT AGREEMENT.

GRANTEE agrees to obtain prior approval from the **COUNTY** if funds covered under this GRANT AGREEMENT are to be used for purposes other than those described in Section III of the aforementioned Plan and Budget.

3. **GRANTEE** agrees to obtain prior approval by written amendment from the **COUNTY** for funds covered under this GRANT AGREEMENT to be used for purposes other than those described in GRANT AGREEMENT.

4. **ASSIGNMENT – GRANTEE** shall not assign any interest or obligation in this agreement and shall not transfer any interest or obligation in this agreement, whether by assignment or novation, without the prior consent of the **COUNTY**.

SECTION II: BUDGET AND PAYMENT PROCEDURES

1. **COUNTY** agrees to provide the **GRANTEE** with funding for the total amount of \$15,820.00, payable in monthly payment upon receipt of invoice by **GRANTEE** to **COUNTY** for the purpose of providing Menasha Senior Center Coordinator.
2. **GRANTEE** may in no case obligate Federal, State, or County monies provided through this GRANT AGREEMENT beyond December 31, 2011. Obligated funds not actually expended by **GRANTEE** must be returned to the **COUNTY** within thirty (30) days following end of Grant period as specified herein.
3. **GRANTEE** agrees to provide **COUNTY** monthly fiscal reports **within ten (10) working days** of the end of each calendar month and to complete other reports as requested by **COUNTY**. **COUNTY** shall reimburse **GRANTEE** within ten (10) days of the report due date with payment based upon actual expenses report by **GRANTEE**. **GRANTEE** agrees to submit a final year-end report, if applicable, by February 18, 2011.
4. **GRANTEE** shall in accordance with the Department of Treasury Internal Revenue Service Tax Equity and Fiscal Responsibility Act of 1982 submit to the **COUNTY** the **GRANTEE'S** Taxpayer Identification Number and Certification by completing and signing the Form W-9 attached hereto. **COUNTY** will comply with the reporting provisions assigned by federal and state tax laws.

SECTION III: AUDIT AND RECORD DISCLOSURES

1. **GRANTEE** shall maintain financial and accounting records, supporting documents, reports, and other materials pertinent to this GRANT AGREEMENT in accordance with the Wisconsin Department of Health Services Allowable Cost Policies Manual and shall retain such records and supporting documentation for a period of at least three years from the date of termination of this GRANT AGREEMENT.
2. **GRANTEE** shall, upon request, allow representative(s) of the State and **COUNTY** to have access to such records as may be necessary to confirm compliance with the specifications of this GRANT AGREEMENT.
3. **GRANTEE** shall submit to **COUNTY** a certified annual financial and compliance audit report completed in accordance with the Wisconsin Department of Health Services GRANTEE Agency Audit Guide and (for government agencies) the Federal Government Office of Management and Budget OMB Circular A-128 or (for non-governmental agencies) the Federal Government Office of Management and Budget OMB Circular A-133, if required by amount of funding within 180 days following end of Grant period as specified herein. In order for the audit requirements to be waived, **COUNTY'S** approval must be obtained prior to execution of this GRANT AGREEMENT.

4. **GRANTEE** shall submit to **COUNTY** complete copies of all management and internal control reports/letters prepared by the auditor. Copies of **GRANTEE'S** response to the reports/letters shall be submitted to **COUNTY**. These documents shall be submitted to the **COUNTY** within 30 days of receipt and/or completion by **GRANTEE**.
5. In the event that the **COUNTY** determines that amounts are owed to it by the **GRANTEE** subsequent to receiving the audit report, **COUNTY** is hereby authorized to deduct such sums from any funds approved for payment by **COUNTY** to **GRANTEE**.

SECTION IV: HOLD HARMLESS

1. **GRANTEE** agrees to at all times during the term of this agreement, indemnify, save harmless and defend the **COUNTY**, its boards, commissions, agencies, officers, employees and representatives against any and all liability, losses, damages, costs or expenses, whether personal injury or property damage, that the **COUNTY**, its officers, employees, agencies, boards, commissions and representatives may sustain, incur or be required to pay by reason of the **GRANTEE** furnishing the services or goods required to be provided under this agreement, provided, however, that the provision of this section shall not apply to liabilities, losses, charges, costs, or expenses caused by or resulting from the acts or omissions of the **COUNTY**, its agencies, boards, commissions, officers, employees or representatives.
2. In no event shall the making of any payment required by this agreement constitute or be construed as a waiver by the **COUNTY** of any breach of the covenants of this agreement or a waiver of any default of the **GRANTEE** and the making of any such payment by the **COUNTY** while any such default or breach shall exist shall in no way impair or prejudice the right of the **COUNTY** with respect to recovery of damages or other remedy as a result of such breach or default.

SECTION V: CIVIL RIGHTS COMPLIANCE/DISCRIMINATION

1. **GRANTEE** agrees to comply with any and all applicable Equal Opportunity requirements under Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title VI and XVI of the Public Service Health Act; the Age Discrimination Act of 1975; the Age Discrimination in Employment Act of 1967; the Omnibus Budget Reconciliation of 1981; and the Americans with Disabilities Act (ADA) of 1990; and, the Wisconsin Fair Employment Act.

The **GRANTEE** agrees to provide evidence of compliance of said federal requirements as determined by the US Department of Health and Human Services and the US Department of Agriculture per the following:

GRANTEE agrees to submit a Civil Rights Letter of Assurance (LOA) with the appropriate attachments as required by the State of Wisconsin regardless of the number of employees and the amount of the state and/or federal funding received.

GRANTEE'S that employ twenty-five (25) or more employees and has a total contracted dollar amount of \$25,000 or more throughout this time period agrees to complete a Civil Rights Compliance (CRC) plan with the appropriate attachments as required by the State of Wisconsin. The CRC plan must be kept on file and produced upon the **COUNTY'S** request.

2. **GRANTEE** agrees that:

- a. No otherwise qualified person shall be excluded from participation in or employment, or be denied the benefits of the same, or otherwise be subject to discrimination in employment in any manner on the basis of age, race, religion, color, sex, national origin, ancestry, disability (as defined in Section 504 of the Rehabilitation Act and the Americans with Disabilities Act), arrest, or conviction record, sexual orientation, political affiliation, marital status, or military participation. All employees are expected to support goals and programmatic activities relating to non-discrimination in program participation and employment.
- b. The **GRANTEE** shall post the Equal Opportunity Policy, the name of the Equal Opportunity Coordinator and the discrimination complaint process in conspicuous places available to applicants and consumers of services, and applicants for employment and employees. The complaint process shall be according to **COUNTY'S** standards and made available in languages/formats understandable to applicants, consumers, and employees.
- c. **GRANTEE** agrees that through its normal selection of staff, it shall employ staff with special language skills or find qualified persons who are available within a reasonable period of time and who can communicate with limited or non-English speaking or hearing impaired consumers at no cost to the consumer, provide aids, assistive devices or other reasonable accommodations to the consumer during the application process, in the receipt of services and in the process of complaints or appeals; train staff in human relations techniques and sensitivity to persons with disabilities and sensitivity to cultural characteristics; make programs and facilities accessible, as appropriate, through outstations, authorized representatives adjusted work hours, ramps, doorways, elevators, or ground floor rooms, and Braille, large print, or typed information for visually impaired; posted and/or available informational materials in languages and formats appropriate to the needs of the consumer population.
- d. The **GRANTEE** agrees to comply with and follow Section 51.61 of the Wisconsin Statutes which establishes rights for individuals who receive purchased services and HFS 94 Wisconsin Administrative Code – Patient Rights, including the establishment of a Patient/Consumer Rights Grievance Procedure. The **GRANTEE** shall make available to the **COUNTY** a copy of the grievance procedure as required in Section 51.61 of the Wisconsin State Statutes. Further, the **GRANTEE** agrees to make available to the **COUNTY** information and statistics regarding the use of such a grievance procedure.

SECTION VI: GRANT AGREEMENT REVISIONS AND/OR TERMINATIONS

1. Failure to comply with any part of this GRANT AGREEMENT may be considered cause for revision up to and including termination.
2. **GRANTEE** shall return any grant funds to **COUNTY** not used for the intended purpose stated in this GRANT AGREEMENT.

3. Revision of this GRANT AGREEMENT must be agreed to by **COUNTY** and **GRANTEE** by an addendum signed by the authorized representatives of both parties.
4. **GRANTEE** shall notify **COUNTY** whenever it is unable to provide the required quality or quantity of services. Upon such notification, **COUNTY** and **GRANTEE** shall determine whether such inability will require a revision or cancellation of this GRANT AGREEMENT.
5. If **COUNTY** finds it necessary to terminate the GRANT AGREEMENT prior to the GRANT AGREEMENT expiration date for reasons other than non-performance by the **GRANTEE**, actual cost incurred by the **GRANTEE** may be reimbursed for an amount determined by mutual agreement of both parties.
6. This GRANT AGREEMENT can be terminated by 30-day written notice by either party.

SECTION VII: CONDITIONS OF THE PARTIES OBLIGATIONS

1. This GRANT AGREEMENT is contingent upon authorization of Wisconsin and United States laws and any material amendment or repeal of the same affecting relevant funding or authority of the **COUNTY** shall serve to terminate this GRANT AGREEMENT, except as further agreed to by the parties hereto.
2. Nothing contained in this GRANT AGREEMENT shall be construed to supersede the lawful powers or duties of either party.
3. It is understood and agreed that the entire GRANT AGREEMENT between the parties is contained herein, and that this GRANT AGREEMENT supersedes all oral agreements and negotiations between the parties relating to the subject matter thereof.
4. **GRANTEE** shall comply with Wisconsin Administrative Code Chapters DHFS 12 and 13 and any related statutes in relationship to all persons employed or contracted with by **GRANTEE** to provide any services pursuant to this GRANT AGREEMENT and shall provide **COUNTY** with appropriate proof as to said compliance.

SECTION VIII: GRANTEE'S LEGAL STATUS

1. **GRANTEE** warrants that it has complied with all necessary requirements to do business in the State of Wisconsin, and that the persons executing this agreement on its behalf are authorized to do so. **GRANTEE** shall notify **COUNTY** immediately, in writing, of any change in address or **GRANTEE'S** legal status.
2. **WISCONSIN LAW CONTROLLING** – It is expressly understood and agreed to by the parties hereto that in the event of any disagreement or controversy between the parties, Wisconsin law shall be controlling.

GRANT AGREEMENT

Between

WINNEBAGO COUNTY

and

City of Menasha

for

Menasha Senior Center Activity Coordinator

This GRANT AGREEMENT is made and entered into this 1st day of January 2011 by and between WINNEBAGO COUNTY, hereinafter referred to as "**COUNTY**," whether a department, board or agency thereof and City of Menasha, 140 Main Street, Menasha WI 54952, hereinafter referred to as "**GRANTEE**".

WITNESSETH:

WHEREAS the COUNTY by its Human Services Department whose address is 220 Washington Avenue, Oshkosh, Wisconsin 54901 desires to provide financial grant assistance to **GRANTEE** for the purpose of providing Menasha Senior Center Activity Coordinator program services in Winnebago County and WHEREAS the **GRANTEE** whose address is 140 Main Street, Menasha, WI 54952, is able and willing to provide such program services; NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and sufficiency of which is acknowledged by each party for itself, the **COUNTY** and the **GRANTEE** do agree as follows:

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- b. The **GRANTEE** shall post the Equal Opportunity Policy, the name of the Equal Opportunity Coordinator and the discrimination complaint process in conspicuous places available to applicants and consumers of services, and applicants for employment and employees. The complaint process shall be according to **COUNTY'S** standards and made available in languages/formats understandable to applicants, consumers, and employees.
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1. Failure to comply with any part of this GRANT AGREEMENT may be considered cause for revision up to and including termination.
2. **GRANTEE** shall return any grant funds to **COUNTY** not used for the intended purpose stated in this GRANT AGREEMENT.

3. Revision of this GRANT AGREEMENT must be agreed to by **COUNTY** and **GRANTEE** by an addendum signed by the authorized representatives of both parties.
4. **GRANTEE** shall notify **COUNTY** whenever it is unable to provide the required quality or quantity of services. Upon such notification, **COUNTY** and **GRANTEE** shall determine whether such inability will require a revision or cancellation of this GRANT AGREEMENT.
5. If **COUNTY** finds it necessary to terminate the GRANT AGREEMENT prior to the GRANT AGREEMENT expiration date for reasons other than non-performance by the **GRANTEE**, actual cost incurred by the **GRANTEE** may be reimbursed for an amount determined by mutual agreement of both parties.
6. This GRANT AGREEMENT can be terminated by 30-day written notice by either party.

SECTION VII: CONDITIONS OF THE PARTIES OBLIGATIONS

1. This GRANT AGREEMENT is contingent upon authorization of Wisconsin and United States laws and any material amendment or repeal of the same affecting relevant funding or authority of the **COUNTY** shall serve to terminate this GRANT AGREEMENT, except as further agreed to by the parties hereto.
2. Nothing contained in this GRANT AGREEMENT shall be construed to supersede the lawful powers or duties of either party.
3. It is understood and agreed that the entire GRANT AGREEMENT between the parties is contained herein, and that this GRANT AGREEMENT supersedes all oral agreements and negotiations between the parties relating to the subject matter thereof.
4. **GRANTEE** shall comply with Wisconsin Administrative Code Chapters DHFS 12 and 13 and any related statutes in relationship to all persons employed or contracted with by **GRANTEE** to provide any services pursuant to this GRANT AGREEMENT and shall provide **COUNTY** with appropriate proof as to said compliance.

SECTION VIII: GRANTEE'S LEGAL STATUS

1. **GRANTEE** warrants that it has complied with all necessary requirements to do business in the State of Wisconsin, and that the persons executing this agreement on its behalf are authorized to do so. **GRANTEE** shall notify **COUNTY** immediately, in writing, of any change in address or **GRANTEE'S** legal status.
2. **WISCONSIN LAW CONTROLLING** – It is expressly understood and agreed to by the parties hereto that in the event of any disagreement or controversy between the parties, Wisconsin law shall be controlling.

GRANT AGREEMENT

Between

WINNEBAGO COUNTY

and

City of Menasha

for

Older Adult Health Screening Program

This GRANT AGREEMENT is made and entered into this 1st day of January 2011 by and between WINNEBAGO COUNTY, hereinafter referred to as "**COUNTY**," whether a department, board or agency thereof and City of Menasha, 140 Main Street, Menasha WI 54952, hereinafter referred to as "**GRANTEE**".

WITNESSETH:

WHEREAS the COUNTY by its Human Services Department whose address is 220 Washington Avenue, Oshkosh, Wisconsin 54901 desires to provide financial grant assistance to **GRANTEE** for the purpose of providing Older Adult Health Screening Program program services in Winnebago County and WHEREAS the **GRANTEE** whose address is 140 Main Street, Menasha, WI 54952, is able and willing to provide such program services; NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and sufficiency of which is acknowledged by each party for itself, the **COUNTY** and the **GRANTEE** do agree as follows:

SECTION I: RESPONSIBILITIES OF GRANTEE

1. **TERM** – The term of this GRANT AGREEMENT shall commence as of the 1st day of January 2011, and shall terminate as of the 31st day of December 2011.
2. **GRANTEE** agrees to use monies provided through this GRANT AGREEMENT to undertake the aforementioned service program as described in the Winnebago County's Plan for Services to the Elderly 2010-2012, to consumers of Winnebago County Department of Human Services, which is hereby incorporated by reference into this GRANT AGREEMENT.

GRANTEE agrees to obtain prior approval from the **COUNTY** if funds covered under this GRANT AGREEMENT are to be used for purposes other than those described in Section III of the aforementioned Plan and Budget.

3. **GRANTEE** agrees to obtain prior approval by written amendment from the **COUNTY** for funds covered under this GRANT AGREEMENT to be used for purposes other than those described in GRANT AGREEMENT.

4. **ASSIGNMENT – GRANTEE** shall not assign any interest or obligation in this agreement and shall not transfer any interest or obligation in this agreement, whether by assignment or novation, without the prior consent of the **COUNTY**.

SECTION II: BUDGET AND PAYMENT PROCEDURES

1. **COUNTY** agrees to provide the **GRANTEE** with funding for the total amount of \$23,551.00, payable in monthly payment upon receipt of invoice by **GRANTEE** to **COUNTY** for the purpose of providing Older Adult Health Screening Program.
2. **GRANTEE** may in no case obligate Federal, State, or County monies provided through this GRANT AGREEMENT beyond December 31, 2011. Obligated funds not actually expended by **GRANTEE** must be returned to the **COUNTY** within thirty (30) days following end of Grant period as specified herein.
3. **GRANTEE** agrees to provide **COUNTY** monthly fiscal reports **within ten (10) working days** of the end of each calendar month and to complete other reports as requested by **COUNTY**. **COUNTY** shall reimburse **GRANTEE** within ten (10) days of the report due date with payment based upon actual expenses report by **GRANTEE**. **GRANTEE** agrees to submit a final year-end report, if applicable, by February 18, 2011.
4. **GRANTEE** shall in accordance with the Department of Treasury Internal Revenue Service Tax Equity and Fiscal Responsibility Act of 1982 submit to the **COUNTY** the **GRANTEE'S** Taxpayer Identification Number and Certification by completing and signing the Form W-9 attached hereto. **COUNTY** will comply with the reporting provisions assigned by federal and state tax laws.

SECTION III: AUDIT AND RECORD DISCLOSURES

1. **GRANTEE** shall maintain financial and accounting records, supporting documents, reports, and other materials pertinent to this GRANT AGREEMENT in accordance with the Wisconsin Department of Health Services Allowable Cost Policies Manual and shall retain such records and supporting documentation for a period of at least three years from the date of termination of this GRANT AGREEMENT.
2. **GRANTEE** shall, upon request, allow representative(s) of the State and **COUNTY** to have access to such records as may be necessary to confirm compliance with the specifications of this GRANT AGREEMENT.
3. **GRANTEE** shall submit to **COUNTY** a certified annual financial and compliance audit report completed in accordance with the Wisconsin Department of Health Services GRANTEE Agency Audit Guide and (for government agencies) the Federal Government Office of Management and Budget OMB Circular A-128 or (for non-governmental agencies) the Federal Government Office of Management and Budget OMB Circular A-133, if required by amount of funding within 180 days following end of Grant period as specified herein. In order for the audit requirements to be waived, **COUNTY'S** approval must be obtained prior to execution of this GRANT AGREEMENT.
4. **GRANTEE** shall submit to **COUNTY** complete copies of all management and internal control reports/letters prepared by the auditor. Copies of **GRANTEE'S** response to the reports/letters shall be submitted to **COUNTY**. These documents shall be submitted to the **COUNTY** within 30 days of receipt and/or completion by **GRANTEE**.

5. In the event that the **COUNTY** determines that amounts are owed to it by the **GRANTEE** subsequent to receiving the audit report, **COUNTY** is hereby authorized to deduct such sums from any funds approved for payment by **COUNTY** to **GRANTEE**.

SECTION IV: HOLD HARMLESS

1. **GRANTEE** agrees to at all times during the term of this agreement, indemnify, save harmless and defend the **COUNTY**, its boards, commissions, agencies, officers, employees and representatives against any and all liability, losses, damages, costs or expenses, whether personal injury or property damage, that the **COUNTY**, its officers, employees, agencies, boards, commissions and representatives may sustain, incur or be required to pay by reason of the **GRANTEE** furnishing the services or goods required to be provided under this agreement, provided, however, that the provision of this section shall not apply to liabilities, losses, charges, costs, or expenses caused by or resulting from the acts or omissions of the **COUNTY**, its agencies, boards, commissions, officers, employees or representatives.
2. In no event shall the making of any payment required by this agreement constitute or be construed as a waiver by the **COUNTY** of any breach of the covenants of this agreement or a waiver of any default of the **GRANTEE** and the making of any such payment by the **COUNTY** while any such default or breach shall exist shall in no way impair or prejudice the right of the **COUNTY** with respect to recovery of damages or other remedy as a result of such breach or default.

SECTION V: CIVIL RIGHTS COMPLIANCE/DISCRIMINATION

1. **GRANTEE** agrees to comply with any and all applicable Equal Opportunity requirements under Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title VI and XVI of the Public Service Health Act; the Age Discrimination Act of 1975; the Age Discrimination in Employment Act of 1967; the Omnibus Budget Reconciliation of 1981; and the Americans with Disabilities Act (ADA) of 1990; and, the Wisconsin Fair Employment Act.

The **GRANTEE** agrees to provide evidence of compliance of said federal requirements as determined by the US Department of Health and Human Services and the US Department of Agriculture per the following:

GRANTEE agrees to submit a Civil Rights Letter of Assurance (LOA) with the appropriate attachments as required by the State of Wisconsin regardless of the number of employees and the amount of the state and/or federal funding received.

GRANTEE'S that employ twenty-five (25) or more employees and has a total contracted dollar amount of \$25,000 or more throughout this time period agrees to complete a Civil Rights Compliance (CRC) plan with the appropriate attachments as required by the State of Wisconsin. The CRC plan must be kept on file and produced upon the **COUNTY'S** request.

2. **GRANTEE** agrees that:
 - a. No otherwise qualified person shall be excluded from participation in or employment, or be denied the benefits of the same, or otherwise be subject to discrimination in employment in any manner on the basis of age, race, religion, color, sex, national origin, ancestry, disability (as defined in Section 504 of the Rehabilitation Act and the

Americans with Disabilities Act), arrest, or conviction record, sexual orientation, political affiliation, marital status, or military participation. All employees are expected to support goals and programmatic activities relating to non-discrimination in program participation and employment.

- b. The **GRANTEE** shall post the Equal Opportunity Policy, the name of the Equal Opportunity Coordinator and the discrimination complaint process in conspicuous places available to applicants and consumers of services, and applicants for employment and employees. The complaint process shall be according to **COUNTY'S** standards and made available in languages/formats understandable to applicants, consumers, and employees.
- c. **GRANTEE** agrees that through its normal selection of staff, it shall employ staff with special language skills or find qualified persons who are available within a reasonable period of time and who can communicate with limited or non-English speaking or hearing impaired consumers at no cost to the consumer, provide aids, assistive devices or other reasonable accommodations to the consumer during the application process, in the receipt of services and in the process of complaints or appeals; train staff in human relations techniques and sensitivity to persons with disabilities and sensitivity to cultural characteristics; make programs and facilities accessible, as appropriate, through outstations, authorized representatives adjusted work hours, ramps, doorways, elevators, or ground floor rooms, and Braille, large print, or typed information for visually impaired; posted and/or available informational materials in languages and formats appropriate to the needs of the consumer population.
- d. The **GRANTEE** agrees to comply with and follow Section 51.61 of the Wisconsin Statutes which establishes rights for individuals who receive purchased services and HFS 94 Wisconsin Administrative Code – Patient Rights, including the establishment of a Patient/Consumer Rights Grievance Procedure. The **GRANTEE** shall make available to the **COUNTY** a copy of the grievance procedure as required in Section 51.61 of the Wisconsin State Statutes. Further, the **GRANTEE** agrees to make available to the **COUNTY** information and statistics regarding the use of such a grievance procedure.

SECTION VI: GRANT AGREEMENT REVISIONS AND/OR TERMINATIONS

1. Failure to comply with any part of this GRANT AGREEMENT may be considered cause for revision up to and including termination.
2. **GRANTEE** shall return any grant funds to **COUNTY** not used for the intended purpose stated in this GRANT AGREEMENT.
3. Revision of this GRANT AGREEMENT must be agreed to by **COUNTY** and **GRANTEE** by an addendum signed by the authorized representatives of both parties.
4. **GRANTEE** shall notify **COUNTY** whenever it is unable to provide the required quality or quantity of services. Upon such notification, **COUNTY** and **GRANTEE** shall determine whether such inability will require a revision or cancellation of this GRANT AGREEMENT.

5. If **COUNTY** finds it necessary to terminate the GRANT AGREEMENT prior to the GRANT AGREEMENT expiration date for reasons other than non-performance by the **GRANTEE**, actual cost incurred by the **GRANTEE** may be reimbursed for an amount determined by mutual agreement of both parties.
6. This GRANT AGREEMENT can be terminated by 30-day written notice by either party.

SECTION VII: CONDITIONS OF THE PARTIES OBLIGATIONS

1. This GRANT AGREEMENT is contingent upon authorization of Wisconsin and United States laws and any material amendment or repeal of the same affecting relevant funding or authority of the **COUNTY** shall serve to terminate this GRANT AGREEMENT, except as further agreed to by the parties hereto.
2. Nothing contained in this GRANT AGREEMENT shall be construed to supersede the lawful powers or duties of either party.
3. It is understood and agreed that the entire GRANT AGREEMENT between the parties is contained herein, and that this GRANT AGREEMENT supersedes all oral agreements and negotiations between the parties relating to the subject matter thereof.
4. **GRANTEE** shall comply with Wisconsin Administrative Code Chapters DHFS 12 and 13 and any related statutes in relationship to all persons employed or contracted with by **GRANTEE** to provide any services pursuant to this GRANT AGREEMENT and shall provide **COUNTY** with appropriate proof as to said compliance.

SECTION VIII: GRANTEE'S LEGAL STATUS

1. **GRANTEE** warrants that it has complied with all necessary requirements to do business in the State of Wisconsin, and that the persons executing this agreement on its behalf are authorized to do so. **GRANTEE** shall notify **COUNTY** immediately, in writing, of any change in address or **GRANTEE'S** legal status.
2. **WISCONSIN LAW CONTROLLING** – It is expressly understood and agreed to by the parties hereto that in the event of any disagreement or controversy between the parties, Wisconsin law shall be controlling.

SECTION X: AUTHORIZATION

COUNTY enters into this GRANT AGREEMENT pursuant to and by authority of Winnebago County. **GRANTEE** enters into this GRANT AGREEMENT pursuant to and by authority of its Board of Directors, governing body, or other delegated designee, which has legal authority to enter into contractual agreements.

SECTION XI: INDEPENDENT CONTRACTOR STATUS

The parties agree that the **GRANTEE** is an independent contractor and that the **GRANTEE**, its employees and agents are not employees of **COUNTY**. **GRANTEE** agrees to secure at **GRANTEE'S** own expense all personnel necessary to carry out **GRANTEE'S** obligations under this agreement. Such personnel shall not be deemed to have any direct contractual relationship with the **COUNTY**.

GRANTEE
City of Menasha

COUNTY
WINNEBAGO COUNTY

Donald Merkes

Mark L. Harris **Date**
Winnebago County Executive

Date

Sue Ertmer **Date**
County Clerk

ARTICLE IX - TRAINING, TRAVEL AND MEAL EXPENSE POLICY

The purpose of this policy is to establish uniform standards covering all City employees regarding training, travel, and meal expense reimbursement.

1. Automobile Expenses. The City shall reimburse allowable mileage expense at the ~~current~~ rate per mile set by the Mayor, which shall not exceed the current Internal Revenue Service rate, for all miles traveled while on City business. Eligible mileage expense shall be for the most direct route possible. Employees shall not be reimbursed for miles traveled between their residence and their normal work location.

Reimbursement for mileage for using personal vehicles will only be allowed if the claimant has filed with his/her Department Head or with the Comptroller in the event the claimant is a Department Head, Mayor or Alderman, a current declaration sheet showing that the claimant has automobile insurance on their personal vehicle in at least the following amounts:

\$100,000/person
300,000/incident
50,000/property damage.

The claimant is responsible to make sure that this filing is kept current at all times.

No reimbursement will be made to any employee who uses his/her personal vehicle when a City-owned vehicle in working condition is assigned to that employee's Department and made available to the employee by his/her supervisor.

2. Lodging Expense. Overnight lodging expenses, at single room rates where possible, are allowable. Lodging costs are not reimbursable where the lodging is within 40 miles of the City of Menasha unless specifically approved in advance by the Mayor. Receipts are required when requesting lodging reimbursement. Only direct lodging costs are eligible for reimbursement. Personal long distance telephone calls to their home will be eligible for reimbursement not to exceed \$5.00 per night stay on City business.

In order to be reimbursed for lodging expenses the night prior to the meeting, conference, or seminar, the site must be at least 40 miles from the City of Menasha and the starting time of the event must be no later than 9:00 a.m. Exceptions to this provision must be authorized in advance by the Mayor.

2. Meal Expenses. While on City business outside the Fox Cities area, employees may be reimbursed for meals based upon the following schedule:

Breakfast	\$ 8.00
Lunch	\$10.00
Dinner	\$20.00

The above reimbursements are maximums per meal, including tip, and may not be reimbursed without receipts. If meals are included in the registration fee, the City will not pay the cost of both. The Fox Cities area includes: Appleton, Combined Locks, Greenville, Kaukauna, Kimberly, Little Chute, Menasha, Neenah and the towns of Buchanan, Grand Chute, Menasha and Neenah. ~~Each Department Head may impose a rule requiring employees within the department to submit receipts.~~ Occasionally, ~~City business may require the employee to attend meetings at a location where the above amounts are insufficient. In those instances, reimbursement will be made for the actual cost of the meal with a receipt and with Mayoral approval.~~ Exceptions to this provision may be authorized by the Mayor upon extenuating circumstances.

~~When travel includes an overnight stay, an employee may claim \$38/day to be used for all meals at the employee's discretion. If the employee elects this amount, no additional claim may be made, no matter what the actual cost of the meal is. If the cost of the conference includes one or more meals, or the meal is otherwise provided, an employee may not elect the daily aggregate.~~

3. Registration Fees. Registration fees must either be prepaid through the Finance Department or are reimbursable upon proof of payment after the event.
4. Miscellaneous Expenses. Alcoholic beverages are not eligible for reimbursement. Incidental expenses such as taxi fares, City-business-related telephone charges, automobile rental, etc., are reimbursable. Where possible, receipts are to be provided.
5. Aldermen. Council members will receive the current mileage rate for use of private automobile for authorized City business. Sixty Dollars (\$60.00) per diem will be paid for the following meetings: League of Wisconsin Municipalities, Alliance of Cities, any seminar outside the Corporate limits, depositions and Court appearances as a result of City litigation, and Collective Bargaining Agreement negotiating sessions exceeding four hours. Other expense allowance for travel and lodging will be reimbursed pursuant to City policy.

City of Menasha

SPECIAL ZONING APPROVAL

Owner Appanasha Pet Clinic

Case or Plan No. _____

Address 1160 Appleton Rd

Fee [#] 350 to be paid later

Applicant (if different than Owner) —

Address _____

Zoning C-4 Business Park

Parcel Number(s) #12 / ⁶⁻¹⁶⁴⁷⁻⁰⁰ 1205 Wittmann Dr

PLEASE INDICATE WHICH REQUEST IS BEING MADE

Rezoning

Special Use

Flood Plain Map Amendment

Appeal or Variance

PUD Plan Approval

Description of Request: See Attached.

Owner/Agent

Murray Hurlburt (Murray Hurlburt)
Signature

(If applicable)

Formal Hearing 1/17/11

Informal Hearing 1/11/11

Notice Mailed 1/5/11

Notice Mailed 1/5/11

Notice Mailed _____

Action Taken: _____ 20____

APPROVED

DENIED

Conditions (if any): _____

Appanasha Pet Clinic Special Use/Kennel License Application

1/3/2011

Appanasha Pet Clinic, a small animal veterinary clinic, has been located at 1160 Appleton Road, Menasha since 1963. Our current hours of operation are M-Th 7:30 AM-7:00 PM, F 7:30 AM-6:00 PM, Sa 8:00 AM-3:00 PM. We plan to relocate our clinic to 1205 Wittmann Drive (Lot 12 in the Midway Business Park). Blue Design Group, the architectural firm that designed the Fox Valley Humane Association, will design our new facility. We do not currently have formal site plans; design of the new facility will begin in the spring of 2011, with construction beginning in early spring of 2012.

During the course of daily operations, an average of approximately 15 dogs and cats may be on the premises at any one time. Appanasha Pet Clinic offers boarding services for patients with special needs. Post-surgical and sick dogs will be housed routinely over night, but will be inside the facility with no access to outside runs. The indoor commercially purchased kennel cages will be approximately 4' x 8' for large dogs and somewhat smaller for cats and small dogs. We will also have a privacy fenced outdoor area to be used by dogs under staff supervision; on occasion a dog may be in the fenced outdoor area without direct supervision during daytime hours but only for very brief periods of time. The location of the fenced yard will minimize interactions with people. Puppy classes or seminars may be held on occasion with a number of dogs present both inside and outside the facility.

We request a kennel license which will provide flexibility as our business continues to grow. We understand that final approval of this license will be contingent on final site plan approval.



January 4, 2011

RE: Special Use Permit Application for 1205 Wittman Drive

Dear Property Owner:

Appanasha Pet Clinic has applied for a Special Use Permit for parcel number 6-1647-00 located at 1205 Wittman Drive. The property owner has requested the Special Use Permit in order to obtain a kennel license as part of future veterinarian services at the site. The subject site is zoned C-4 Commercial Business Park District and requires Special Use Permit for a kennel license.

The City of Menasha Plan Commission will be considering this request at an informal public hearing on Tuesday, January 11, 2011 at 3:30 p.m. or shortly thereafter in the City Hall Council Chambers at 140 Main Street, Menasha.

The City of Menasha Common Council will also be considering this request at a formal public hearing scheduled for Monday, January 17, 2011 at 6:00 p.m. or shortly thereafter in the City Hall Council Chambers, 140 Main Street, Menasha. A copy of the notice of the Common Council hearing on this proposal is attached along with an area map identifying the location of the property.

Persons interested in this matter will be given an opportunity to comment on the request; written comments will also be considered. The City of Menasha is notifying you because you own property within one hundred (100) feet of the proposed special use. If you have any questions, please contact me.

Sincerely,

Amy I. Wagner Kester, M.P.A.
Principal Planner

C: Plan Commission
City Clerk Galeazzi

City of Menasha
Public Hearing

NOTICE IS HEREBY GIVEN that public hearings will be held by the Menasha Plan Commission and Common Council on an application for a Special Use Permit for a kennel license by the Appanasha Pet Clinic. This license is being applied for in conjunction with the proposed development of a veterinary clinic on a vacant site within the Midway Business Park (Parcel Number 6-01647-00) located at 1205 Wittmann Drive. The Plan Commission hearing will be held on Tuesday, January 11, 2011 at 3:30 PM in the Council Chambers of Menasha City Hall located at 140 Main Street. The Common Council will hold its public hearing on this matter at 6:00 PM on Monday, January 17, 2011 at the same location. All persons interested in commenting on the application for a kennel license are invited to attend.

Run: January 3, 2011 and January 9, 2011

Swimtastic Swim School
900 Tesch Ct
Waukesha, WI 53188

Patod Management LLC
1330 University Ave
Menasha, WI 54952

Tarsus LLC
12545 W Buleigh Ste 3
Brookfield, WI 53005

London Place LLC
1000 Lucerne Dr
Menasha, WI 54952

Trident Real Estate LLC
5509 Brookview
Appleton, WI 54913

W Huffer LLP
303 Midway Rd
Menasha, WI 54952

CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 1/4/11-1/13/11 Checks # 28180-28339	\$ 7,597,315.17
Payroll Checks for 1/6/11-1/13/11	<u>171,014.81</u>
Total	\$ 7,768,329.98

Medical Expense Reimbursement Trust-Retirement Pay Out

Menasha Employees Credit Union-Employee Deductions

Wisconsin Council 40 Per Capita Tax-Union Dues

Wisconsin Support Collections-Child/Spousal Support

United Way-Employee Donations

**A gap in check numbers is due to more invoices being paid than fits on one check stub. In that case the last check stub used for that vendor is the check number that will show on the check register.

AP Check Register
Check Date: 1/4/2011

Date: 1/4/2011

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
DUMKE & ASSOCIATES &	28180	1/4/2011	JAN2011	100-0903-531.29-06	2,077.50	316 RACINE ST RENTAL
			Total for check: 28180		2,077.50	
CITY OF NEENAH	28181	1/4/2011	NMFIRERESC	100-0501-522.25-01	257,692.00	NM FIRE RESCUE JAN 2011
			Total for check: 28181		257,692.00	
DR TERESA RUDOLPH	28182	1/4/2011	JAN2011	100-0903-531.21-05	150.00	CITY PHYSICIAN JAN 2011
			Total for check: 28182		150.00	
					259,919.50	

AP Check Register

Check Date: 1/6/2011

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
ACCURATE	28183	1/6/2011	1038334	731-1022-541.30-18	129.34	DRILL BITS
		1/6/2011	1040778	731-1022-541.38-03	152.92	ROTOR/BRAKE PADS
		1/6/2011	1040886	731-1022-541.30-18	56.44	NUTS/BOLTS
		1/6/2011	1040888	731-1022-541.30-18	143.56	SHOP SUPPLIES
		1/6/2011	1040977	731-1022-541.30-18	28.32	SHOP SUPPLIES
			Total for check: 28183		510.58	
AIRGAS NORTH CENTRAL	28184	1/6/2011	105605070	731-1022-541.30-18	57.45	OXYGEN CYLINDERS
		1/6/2011	105605071	731-1022-541.21-06	524.45	ANNUAL MAINTENANCE EXTINGUISHERS
			Total for check: 28184		581.90	
AMBROSIUS CONCRETE SUPPLIES INC	28185	1/6/2011	258292	100-0704-552.24-03	2,264.00	CONCRETE SUPPLIES
			Total for check: 28185		2,264.00	
APPLETON HYDRAULIC COMPONENTS	28186	1/6/2011	20402	731-1022-541.29-04	1,122.16	REPAIR HYDRAULIC CYLINDER
			Total for check: 28186		1,122.16	
AVASTONE TECHNOLOGIES LLC	28187	1/6/2011	138451-A	100-0403-513.34-02	1,900.00	ACCESS TRAINING BLOCK
			Total for check: 28187		1,900.00	
BAHCALL RUBBER CO INC	28188	1/6/2011	522419-002	731-1022-541.38-03	28.27	NIPPLES/COUPLERS
			Total for check: 28188		28.27	
BECK ELECTRIC INC	28189	1/6/2011	G166	100-1012-541.21-06	960.00	RELAMP/REPAIR DOWNTOWN STREET LIGHTS
			Total for check: 28189		960.00	
BERGSTROM	28190	1/6/2011	113968FOR	731-1022-541.38-03	127.64	SEAT BELT
			Total for check: 28190		127.64	

AP Check Register
Check Date: 1/6/2011

Date: 1/6/2011

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
BRAZEE ACE HARDWARE	28191	1/6/2011	011891	207-0707-552.82-02	13.74	SIL/ACR CAULK
			Total for check: 28191		13.74	
CDW GOVERNMENT INC	28192	1/6/2011	WCS6566	743-0403-513.80-01	13,191.15	MS OVG OFFICE PP LIC/SA 1YR/1 PROMO
			Total for check: 28192		13,191.15	
CONGER TOYOTA LIFT	28193	1/6/2011	27505	731-1022-541.38-02	188.89	REPAIR SEAT CUSHION OIL FILTER
			Total for check: 28193		188.89	
DEPARTMENT OF WORKFORCE DEVELOPMENT	28194	1/6/2011	UTILITY	267-0102-581.15-09	342.00	UNEMPLOYMENT INSURANCE UTILITY
			Total for check: 28194		342.00	
DIGICORPORATION	28195	1/6/2011	106856	100-1016-543.29-01	82.60	BULKY ITEM TAGS
		1/6/2011	106859	100-1016-543.29-01	937.00	OVERFLOW REFUSE TAGS
			Total for check: 28195		1,019.60	
EJ ARENA SPORTS	28196	1/6/2011	574116	100-0702-552.30-18	74.00	SKATE SHARPENINGS
			Total for check: 28196		74.00	
ESRI	28197	1/6/2011	92253208	743-0403-513.24-04	1,900.00	ARCVIEW MAINTENANCE 2/23/2011-2/22/2012
			Total for check: 28197		1,900.00	
FASTENAL COMPANY	28198	1/6/2011	WINEE59806	207-0707-552.82-02	24.25	STOCK
			Total for check: 28198		24.25	
FORCE AMERICA DISTRIBUTING LLC	28199	1/6/2011	02102506	731-1022-541.38-03	184.54	JOYSTICK BASE
			Total for check: 28199		184.54	

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FOX VALLEY HUMANE ASSOCIATION	28200	1/6/2011	NOV2010	100-0806-532.25-01	1,626.02	8 ANIMALS NOV 2010
			Total for check: 28200		1,626.02	
FOXTAL TRAINING CENTER	28201	1/6/2011	K9	824-0801-521.21-06	90.00	BOARDING FOR GOMEZ
			Total for check: 28201		90.00	
GUNDERSON CLEANERS	28202	1/6/2011	946084	100-0803-521.19-03	22.00	ALTERATIONS
			Total for check: 28202		22.00	
HEARTLAND LABEL PRINTERS INC	28203	1/6/2011	137104-H	100-0403-513.21-04	12.95	DNS HOSTING AGREEMENT DECEMBER 2010
			Total for check: 28203		12.95	
JX ENTERPRISES INC	28204	1/6/2011	G203440013	731-1022-541.38-03	78.65	AIR CLEANER CAP
			Total for check: 28204		78.65	
AMY KESTER	28205	1/6/2011	JANDEC	100-0304-562.33-01	101.60	MILEAGE JAN-DEC 2010
				625-0304-562.33-01	87.60	MILEAGE JAN-DEC 2010
			Total for check: 28205		189.20	
LAKE PARK VILLAS HOMEOWNERS ASSN	28206	1/6/2011	123110	100-0703-553.22-03	14.37	ELECTRIC BILLS
				100-1012-541.22-03	39.07	ELECTRIC BILLS
				625-1010-541.22-03	71.24	ELECTRIC BILLS
			Total for check: 28206		124.68	
LEAGUE OF WISCONSIN MUNICIPALITIES	28207	1/6/2011	DUES	100-0405-513.32-01	4,220.12	2011 LEAGUE/ALLIANCE DUES
			Total for check: 28207		4,220.12	

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LOGIN/IACP NET	28208	1/6/2011	15336	100-0801-521.22-01	800.00	ANNUAL FEE 1/14/2011-1/13/2012
			Total for check: 28208		800.00	
MATTHEWS TIRE & SERVICE CENTER	28209	1/6/2011	36701	731-1022-541.38-02	200.00	TIRE SERVICE
		1/6/2011	36759	731-1022-541.38-02	35.34	FLAT REPAIR
			Total for check: 28209		235.34	
MENARDS-APPLETON WEST	28210	1/6/2011	64314	100-1006-541.30-15	145.50	SNOW SHOVELS
			Total for check: 28210		145.50	
MENASHA EMPLOYEES CREDIT UNION	28211	1/6/2011	20110106	100-0000-202.05-00	2,074.00	PAYROLL SUMMARY
			Total for check: 28211		2,074.00	
MENASHA POLICE DEPARTMENT	28212	1/6/2011	PETTYCASH	100-0801-521.30-11	0.17	POSTAGE
				100-0801-521.30-18	10.40	SUPPLIES
			Total for check: 28212		10.57	
MENASHA UTILITIES	28213	1/6/2011	050710	100-0703-553.22-05	93.79	WATER/SEWER JEFFERSON PAV
		1/6/2011	060810	100-0703-553.22-05	350.52	WATER/SEWER JEFFERSON PAV
		1/6/2011	070810	100-0703-553.22-05	450.14	WATER/SEWER JEFFERSON PAV
		1/6/2011	080510	100-0703-553.22-05	483.58	WATER/SEWER JEFFERSON PAV
		1/6/2011	090710	100-0703-553.22-05	483.58	WATER/SEWER JEFFERSON PAV
		1/6/2011	100710	100-0703-553.22-05	492.01	WATER/SEWER JEFFERSON PAV
		1/6/2011	110810	100-0703-553.22-05	553.22	WATER/SEWER JEFFERSON PAV
		1/6/2011	BILLING#2	100-1008-541.22-03	229.61	ELEC OR STORM OR WATER
				100-0703-553.22-03	482.60	ELEC OR STORM OR WATER
				100-0703-553.22-05	135.84	ELEC OR STORM OR WATER
				100-0703-553.22-06	91.25	ELEC OR STORM OR WATER
				100-0000-123.00-00	8.10	ELEC OR STORM OR WATER
				100-0305-562.22-06	2.50	ELEC OR STORM OR WATER
				100-0903-531.22-03	131.75	ELEC OR STORM OR WATER

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MENASHA UTILITIES...	28213...	1/6/2011...	BILLING#2...	100-0903-531.22-05	48.19	ELEC OR STORM OR WATER
				601-1020-543.22-03	61.00	ELEC OR STORM OR WATER
				100-0703-553.22-03	15.16	ELEC OR STORM OR WATER
				Total for check: 28213		
MODERN BUSINESS MACHINES	28214	1/6/2011	26236663	100-1001-514.24-04	386.90	TONER FOR COPIERS
				Total for check: 28214		
MU DENTAL ALUMNI ASSN	28215	1/6/2011	MUDENTAL	100-0909-531.30-18	80.00	TOOTHBRUSH CAMPAIGN
				Total for check: 28215		
N&M AUTO SUPPLY	28216	1/6/2011	342218	731-1022-541.30-18	46.90	WHITE GREASE CARTRIDGE
				731-1022-541.30-18	46.90	WHITE GREASE CARTRIDGE
				731-1022-541.38-03	79.95	BATTERY/CORE DEPOSIT
				731-1022-541.38-03	(30.62)	SERPENTINE BELT CREDIT
				731-1022-541.38-03	95.46	OIL FILTER/SOLENOIDS
				731-1022-541.30-18	64.28	PISTOL GRIP GREASE GUN
				731-1022-541.38-03	84.20	NAPA HYDRAULIC FILTR
				731-1022-541.38-03	20.40	SPARK PLUG
Total for check: 28216				407.47		
NEENAH-MENASHA MUNICIPAL COURT	28217	1/6/2011	BOND	100-0000-201.03-00	202.00	BOND
				100-0000-201.03-00	202.00	BOND
				100-0000-201.03-00	134.00	BOND
				Total for check: 28217		
NEWSC	28218	1/6/2011	605	625-1010-541.32-01	1,500.00	2011 MEMBERSHIP DUES
				Total for check: 28218		

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NORTH AMERICAN SALT CO	28219	1/6/2011	70602669	100-1006-541.30-18	20,767.61	BULK HIGHWAY COARSE SALT
			Total for check: 28219		20,767.61	
NPELRA	28220	1/6/2011	CAPTAIN29258	100-0201-512.32-01	160.00	2011 ANNUAL MEMBERSHIP CAPTAIN
			Total for check: 28220		160.00	
OSHKOSH TENT & AWNING CO INC	28221	1/6/2011	41469	826-0703-553.30-18	810.40	PLASTIC LETTERS MEM/HISTORICAL SOCIETY
			Total for check: 28221		810.40	
PACKER CITY INTERNATIONAL	28222	1/6/2011	3-203490062	731-1022-541.38-03	41.26	CRIMP FI
		1/6/2011	3203430007	731-1022-541.38-03	32.48	LAMP
			Total for check: 28222		73.74	
POSTAL ANNEX	28223	1/6/2011	170349	100-0801-521.30-11	7.04	POSTAGE
		1/6/2011	170597	731-1022-541.30-11	9.03	POSTAGE
		1/6/2011	171809	100-0801-521.30-11	7.19	POSTAGE
		1/6/2011	171936	100-1001-514.30-11	9.31	POSTAGE
			Total for check: 28223		32.57	
QUARLES & BRADY	28224	1/6/2011	1632075	267-0102-581.21-01	781.00	PROFESSIONAL SERVICES UTILITY
			Total for check: 28224		781.00	
DENISE QUICK	28225	1/6/2011	123110	100-1001-514.33-01	12.25	MILEAGE JULY-NOV 2010
			Total for check: 28225		12.25	
RESERVE ACCOUNT	28226	1/6/2011	123110	100-0000-133.00-00	6,000.00	REPLENISH POSTAGE METER
			Total for check: 28226		6,000.00	
ROLAND MACHINERY EXCHANGE	28227	1/6/2011	21061469	731-1022-541.38-03	187.08	SEAL/RING/WASHER

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ROLAND MACHINERY EXCHANGE...	28227...	1/6/2011	2185748	731-1022-541.38-03	158.73	LOCK
			Total for check: 28227		345.81	
SANOFI PASTEUR INC	28228	1/6/2011	98245093	100-0903-531.30-18	55.80	TUBERSOL TEST ANTIGEN
			Total for check: 28228		55.80	
PAUL SCHEPPF	28229	1/6/2011	K9	824-0801-521.30-18	65.79	K9 TRAINING/TREATS
			Total for check: 28229		65.79	
SCHROTH WHOLESALE SUPPLY CO	28230	1/6/2011	265698	100-1008-541.30-18	7.50	CHRISTMAS DECORATIONS DOWNTOWN
			Total for check: 28230		7.50	
SHAWANO CO TREASURER	28231	1/6/2011	60892	100-0903-531.30-18	100.00	1 VIAL OF FLUZONE
			Total for check: 28231		100.00	
SPEEDY CLEAN	28232	1/6/2011	51980	601-1020-543.21-02	12,000.00	CLEAN/TELEWISE SEWERS PARTIAL PAYMENT
			Total for check: 28232		12,000.00	
STAPLES ADVANTAGE	28233	1/6/2011	3146701638	100-0702-552.30-10	9.97	OFFICE SUPPLIES
				100-0304-562.30-10	9.97	OFFICE SUPPLIES
				100-1002-541.30-10	20.84	OFFICE SUPPLIES
				100-1001-514.30-10	7.17	OFFICE SUPPLIES
			Total for check: 28233		47.95	
SWIDERSKI EQUIPMENT INC	28234	1/6/2011	IF05492	731-1022-541.38-03	169.85	CABLE
			Total for check: 28234		169.85	

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UNIFIRST CORPORATION	28235	1/6/2011	097 0077986	731-1022-541.20-01	107.58	MAT/MOP/CLOTHING SERVICE
			Total for check: 28235		107.58	
UNIFORM SHOPPE	28236	1/6/2011	193671	100-0804-521.30-18	50.95	SHIRT/AUXILIARY
			Total for check: 28236		50.95	
UNITED PAPER CORPORATION	28237	1/6/2011	33470	100-0000-132.00-00	208.26	MULTI DISINFECTANT
		1/6/2011	33620	266-1028-543.30-18	150.24	ROLLER WRAP YELLOW
			Total for check: 28237		358.50	
UR WASHINSTUFF INC	28238	1/6/2011	10034	100-0801-521.29-05	28.55	5 CAR WASHES
			Total for check: 28238		28.55	
US CELLULAR	28239	1/6/2011	200267787-082	100-0101-511.22-01	52.33	MONTHLY CELL PHONE MERKES
				100-0201-512.22-01	36.31	MONTHLY CELL PHONE CAPTAIN
				100-0401-513.22-01	13.51	MONTHLY CELL PHONE STOFFEL
				100-1019-552.22-01	10.08	MONTHLY CELL PHONE BRIDGES
				100-0403-513.22-01	91.44	MONTHLY CELL PHONE JAMES/LACEY
				601-1020-543.22-01	4.86	MONTHLY CELL PHONE CONFINED SPACE
				100-1001-514.22-01	121.63	MONTHLY CELL PHONE ALIX
				100-0601-551.22-01	18.27	MONTHLY CELL PHONE POWELL
				100-0801-521.22-01	355.20	MONTHLY CELL PHONE STANKE/POLICE
				100-0919-531.22-01	53.85	MONTHLY CELL PHONE NETT
				100-0904-531.22-01	66.67	MONTHLY CELL PHONE DREW
				100-1002-541.22-01	102.29	MONTHLY CELL PHONE RADTKE/DPW
				100-0702-552.22-01	33.96	MONTHLY CELL PHONE TUNGATE
				100-0706-561.22-01	(14.77)	MONTHLY CELL PHONE FORESTRY INTERN
				100-0703-553.22-01	177.59	MONTHLY CELL PHONE MAAS/PARK
				100-0304-562.22-01	17.89	MONTHLY CELL PHONE KEIL
				731-1022-541.22-01	93.87	MONTHLY CELL PHONE JACOBSON/PWF
				100-1008-541.22-01	6.37	MONTHLY CELL PHONE CARD

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US CELLULAR...	28239...	1/6/2011...	200267787-082...	601-1020-543.22-01	15.55	MONTHLY CELL PHONE SEWER TRUCK
			Total for check: 28239		1,256.90	
US OIL CO	28240	1/6/2011	L40779	731-1022-541.21-06	12.00	SAMPLE
			Total for check: 28240		12.00	
WALHDAB	28241	1/6/2011	DUES	100-0903-531.32-01	300.00	MEMBERSHIP RENEWAL 2011
			Total for check: 28241		300.00	
WC INDUSTRIAL SUPPLY COMPANY	28242	1/6/2011	0011480-CM	731-1022-541.38-03	(35.02)	BEARING CREDIT
		1/6/2011	0011535-IN	731-1022-541.38-03	26.30	RIV CHAIN
		1/6/2011	0011761-IN	731-1022-541.38-03	27.96	INSERT BRG
			Total for check: 28242		19.24	
WE ENERGIES	28243	1/6/2011	122010	100-1012-541.22-03	2,152.48	STREET LIGHTS
			Total for check: 28243		2,152.48	
WIL-KIL PEST CONTROL	28244	1/6/2011	1769387	731-1022-541.20-07	64.00	COMMERCIAL CONTRACT
			Total for check: 28244		64.00	
WINNEBAGO COUNTY CLERK OF COURTS	28245	1/6/2011	BOND	100-0000-201.03-00	150.00	BOND
				100-0000-201.03-00	150.00	BOND
			Total for check: 28245		300.00	
WINNEBAGO COUNTY TREASURER	28246	1/6/2011	ATS	310-0409-571.61-01	5,674.92	ATS PAYMENT
				310-0410-571.61-02	3,459.77	ATS PAYMENT
			Total for check: 28246		9,134.69	

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WISCOLIFT INC	28247	1/6/2011	121801	731-1022-541.30-18	91.25	ALLOY CHAIN
			Total for check: 28247		91.25	
WISCONSIN CHIEFS OF POLICE ASSN INC	28248	1/6/2011	DUES	100-0801-521.32-01	100.00	2011 DUES STANKE
			Total for check: 28248		100.00	
WISCONSIN COUNCIL 40 PER CAPITA TAX	28249	1/6/2011	20110106	100-0000-202.06-00	270.00	PAYROLL SUMMARY
			Total for check: 28249		270.00	
WISCONSIN PARK & RECREATION ASSN	28250	1/6/2011	17307	100-0702-552.32-01	175.00	ANNUAL MEMBERSHIP TUNGATE
			Total for check: 28250		175.00	
WISCONSIN SUPPORT COLLECTIONS	28251	1/6/2011	20110106	100-0000-202.03-00	440.23	PAYROLL SUMMARY
			Total for check: 28251		440.23	
WPELRA	28252	1/6/2011	DUES	100-0201-512.34-02	90.00	2011 ANNUAL CONFERENCE CAPTAIN
			Total for check: 28252		90.00	
					97,468.60	

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ACCENT FLORAL & GIFTS LLC	28253	1/13/2011	27269	100-0408-552.30-16	40.00	GREEN PLANT FATHER OF LINDA PALMBACH
			Total for check: 28253		40.00	
ACCURATE	28254	1/13/2011	1041196	731-1022-541.30-18	17.96	GREASE GUN HALOGEN HEADLAMP
				731-1022-541.38-03	30.24	MINI LAMP/HEADLAMP/BELT
		1/13/2011	1041234	731-1022-541.30-18	27.21	NYLON TIES
			Total for check: 28254		75.41	
AIRGAS NORTH CENTRAL	28255	1/13/2011	105613699	731-1022-541.21-06	166.31	ANNUAL EXTINGUISHER MAINTENANCE
		1/13/2011	105613701	100-1001-514.20-01	130.43	ANNUAL MAINTENANCE
		1/13/2011	105613702	100-0801-521.24-03	85.55	ANNUAL MAINTENANCE
		1/13/2011	105613703	100-0920-531.24-03	78.76	EXTINGUISHER MAINTENANCE
			Total for check: 28255		461.05	
AMERICAN RECYCLING CENTER INC	28256	1/13/2011	2010-6767	100-0703-553.80-05	20,000.00	URETHANE BINDERS/GRANULESBUFFINGS
			Total for check: 28256		20,000.00	
ANDY BATH	28257	1/13/2011	BATH	100-1016-543.30-18	50.00	MAILBOX DAMAGE
			Total for check: 28257		50.00	
APPLETON SCHOOL DISTRICT	28258	1/13/2011	TAX	100-0000-203.05-00	708,432.36	2010/2011 TAXES
			Total for check: 28258		708,432.36	
BADGER LAB & ENGINEERING INC	28259	1/13/2011	INV000043620	601-1020-543.21-02	280.00	WASTEWATER SAMPLING MENASHA UTILITIES
			Total for check: 28259		280.00	
BAHCALL RUBBER CO INC	28260	1/13/2011	522419-001	731-1022-541.38-03	87.40	NIPPLES/COUPLERS
			Total for check: 28260		87.40	

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BECK ELECTRIC INC	28261	1/13/2011	G178	100-0801-521.24-03	176.21	HANDICAP DOOR OPENERS
			Total for check: 28261		176.21	
BRAZEE ACE HARDWARE	28262	1/13/2011	012036	100-0801-521.30-13	11.99	ICE MELT
			Total for check: 28262		11.99	
BUBRICK'S	28263	1/13/2011	406955	100-0801-521.30-10	198.70	OFFICE SUPPLIES
			Total for check: 28263		198.70	
CALUMET COUNTY TREASURER	28264	1/13/2011	TAX	100-0000-203.01-00	497,520.16	2010/2011 TAXES
				100-0000-203.08-00	21,782.40	2010/2011 TAXES
			Total for check: 28264		519,302.56	
CASPERS TRUCK EQUIPMENT INC	28265	1/13/2011	48864	731-1022-541.38-03	273.00	WING PLOW LIGHT
			Total for check: 28265		273.00	
VALERIE DAVIS	28266	1/13/2011	DEC2010	100-0903-531.33-01	26.20	MILEAGE
			Total for check: 28266		26.20	
DEPARTMENT OF WORKFORCE DEVELOPMENT	28267	1/13/2011	DEC2010	100-1019-552.15-09	3,668.00	UNEMPLOYMENT INSURANCE DECEMBER 2010
				100-1001-514.15-09	237.00	UNEMPLOYMENT INSURANCE DECEMBER 2010
				100-0601-551.15-09	711.00	UNEMPLOYMENT INSURANCE DECEMBER 2010
				100-0702-552.15-09	148.14	UNEMPLOYMENT INSURANCE DECEMBER 2010
			Total for check: 28267		4,764.14	
DEWITT ROSS & STEVENS SC	28268	1/13/2011	905733	267-0102-581.21-01	5,947.25	PROFESSIONAL SERVICES UTILITY
			Total for check: 28268		5,947.25	

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DIGICORPORATION	28269	1/13/2011	107777	100-0702-552.29-01	1,370.08	WINTER ACTIVITY GUIDE
			Total for check: 28269		1,370.08	
DOMINION VOTING SYSTEMS INC	28270	1/13/2011	DVS100981	100-0204-512.24-04	756.90	VOTING HARDWARE MAINTENANCE/SOFTWARE
			Total for check: 28270		756.90	
ENDRIES INTERNATIONAL INC	28271	1/13/2011	7547419-00	207-0707-552.82-02	700.47	SCREWS/LOCK WASHERS/ NUTS
		1/13/2011	7918021-00	207-0707-552.82-02	66.00	FENDER WASHER ZINC
			Total for check: 28271		766.47	
FACTORY MOTOR PARTS CO	28272	1/13/2011	18-978217	731-1022-541.38-03	237.11	PUMP KIT/ARM/BRACKET ASSY
			Total for check: 28272		237.11	
FERRELLGAS	28273	1/13/2011	1036652306	266-1027-543.30-18	103.53	LIQUEFIED PETROLEUM GAS
			Total for check: 28273		103.53	
FORCE AMERICA DISTRIBUTING LLC	28274	1/13/2011	02102624	731-1022-541.38-03	713.43	JOYSTICK/PULSE AUGER
			Total for check: 28274		713.43	
FOX VALLEY TECHNICAL COLLEGE	28275	1/13/2011	TAX	100-0000-203.04-00	735,737.36	2010/2011 TAXES
			Total for check: 28275		735,737.36	
GANNETT WISCONSIN MEDIA	28276	1/13/2011	5251317	100-0405-513.29-02	597.84	LEGAL NOTICES
			Total for check: 28276		597.84	
GOVERNMENT FINANCE OFFICERS	28277	1/13/2011	1230004	100-0401-513.32-01	190.00	MEMBERSHIP RENEWAL
			Total for check: 28277		190.00	
GRAINGER INC	28278	1/13/2011	9418969615	100-0703-553.24-03	39.72	LAMP HOLDER

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GRAINGER INC...	28278...	1/13/2011	9418969623	100-0703-553.24-03	31.19	BALLAST/LAMP
			Total for check: 28278		70.91	
GRAYBAR	28279	1/13/2011	951570207	100-1012-541.80-05	12,471.00	ALUMINUM INDUCTION LIGHTSLED CONTROL
			Total for check: 28279		12,471.00	
GUNDERSON UNIFORM & LINEN RENTAL	28280	1/13/2011	1389575	100-0801-521.30-13	29.15	TOWEL/MAT SERVICE
			Total for check: 28280		29.15	
HOME DEPOT CREDIT SERVICES	28281	1/13/2011	3071434	100-0703-553.30-15	188.97	IMP DRIVER/TLPRECCUTGDE
			Total for check: 28281		188.97	
INDEPENDENT INSPECTIONS LTD	28282	1/13/2011	304534	100-0301-523.21-06	5,495.31	PERMITS FOR DEC 2010
			Total for check: 28282		5,495.31	
INTERSTATE BATTERY OF GREEN BAY	28283	1/13/2011	176651	731-1022-541.38-03	139.95	BATTERY
		1/13/2011	90065519	731-1022-541.38-03	166.90	BATTERIES
			Total for check: 28283		306.85	
JX ENTERPRISES INC	28284	1/13/2011	G203540015	731-1022-541.38-03	130.46	POLY BELTS/TIE ROD/LAMP
			Total for check: 28284		130.46	
KAEMPFER & ASSOCIATES INC	28285	1/13/2011	15897	601-1020-543.21-02	1,642.47	IND DISC REG PROG SEWER MONITORING
		1/13/2011	15898	601-1020-543.21-02	2,026.27	IND DISC REG PROG NEEN SS DISC TO MENASHA
		1/13/2011	15899	601-1020-543.21-02	177.19	PHASE 4 SSES PROJ MGMT
		1/13/2011	15900	601-1020-543.21-02	1,139.82	PHASE 4 SSES SEWER TELEVISIONING
			Total for check: 28285		4,985.75	
KITZ & PFEIL INC	28287	1/13/2011	112314-0007	100-0703-553.24-03	11.20	AERO LOCK DE-ICER

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KITZ & PFEIL INC...	28287...	1/13/2011	112314-0042	100-0703-553.24-03	9.89	ANGLE
		1/13/2011	112414-0013	100-1006-541.30-18	20.97	HARDWARE MISC
		1/13/2011	112414-0049	100-0703-553.30-18	1.78	DOWNTOWN TREE LIGHTS
		1/13/2011	112909-0021	100-1016-543.30-18	12.58	SANITATION BAGS
		1/13/2011	112914-0078	100-1001-514.30-18	5.83	PPF DOOR CONTACTS
		1/13/2011	113009-0010	100-0703-553.30-18	51.84	EXT CORDS
		1/13/2011	113014-0081	625-1010-541.30-18	7.64	HARDWARE MISC STORM PROJ/UNIVERSITY
		1/13/2011	120109-0030	100-0703-553.30-18	11.69	MULTI PROG PLUG INTIMER
		1/13/2011	120114-0104	100-0704-552.30-18	0.89	VINYL STICKER
		1/13/2011	120209-0032	100-0703-553.30-18	22.35	HARDWARE MISC CHRISTMAS TRAILER
		1/13/2011	120314-0040	100-1008-541.30-18	14.39	CABLE TIES CITY HALL GARLAND
		1/13/2011	120314-0095	100-1001-514.30-13	31.48	BATTERIES
		1/13/2011	120714-0013	100-0703-553.30-18	13.64	PRIMER/ENAMEL
		1/13/2011	120809-0004	100-0703-553.24-03	8.97	HARDWARE MISC/HART PK
		1/13/2011	120814-0115	100-0703-553.30-18	16.95	STRIP REMOVER/BRUSHES SMITH BENCHES
		1/13/2011	120914-0040	100-1001-514.30-13	4.04	SPRAY PAINT
				100-0000-132.00-00	95.94	FASTMELT MELTER
		1/13/2011	120914-0081	100-0703-553.30-18	4.49	ENAMEL
		1/13/2011	121014-0090	100-0703-553.30-18	16.05	SAWZA BLADE INSERT BIT TIP
		1/13/2011	121014-0111	100-0903-531.30-13	5.94	SPIRAL BULB
		1/13/2011	121314-0040	731-1022-541.30-18	164.75	HARDWARE MISC MAINTENANCE SHOP
		1/13/2011	121314-0048	100-1002-541.30-18	15.09	RED MARKING PAINT TRAFFIC SIGNALS
		1/13/2011	121514-0028	100-0703-553.30-18	3.56	SCREW EYE RIVERWALK
		1/13/2011	121614-0014	100-1001-514.30-18	4.10	JUMPER CLIPS ALLIGATOR SHIELDING
		1/13/2011	121614-0090	100-0703-553.30-18	13.48	LIQUID TAPE
		1/13/2011	121614-0102	100-0703-553.30-18	10.79	VEHICLE WASH BRUSH
		1/13/2011	121714-0148	100-0703-553.30-18	6.72	CAULK
		1/13/2011	122009-0031	100-0703-553.30-18	4.08	HARDWARE MISC
		1/13/2011	122014-0025	100-0703-553.30-18	8.27	TAP & DRILL SET
				100-0703-553.24-03	7.19	TAP & DRILL SET
					Total for check: 28287	
					606.58	

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KRISTIN LARSON	28288	1/13/2011	LARSON	100-0000-441.23-00	115.00	SMITH PARK REFUND
			Total for check: 28288		115.00	
KUNDINGER FLUID POWER INC	28289	1/13/2011	50121109	731-1022-541.38-03	47.12	NOVAFLEX VAC/PRESS
			Total for check: 28289		47.12	
LOCAL GOVERNMENT PROPERTY INS FUND	28290	1/13/2011	22258	733-0206-512.51-04	305.00	POLICY RENEWAL
				733-0206-512.51-04	17,515.00	POLICY RENEWAL
		1/13/2011	22292	733-0206-512.51-04	698.00	POLICY RENEWAL
			Total for check: 28290		18,518.00	
MANAWA TELEPHONE CO	28291	1/13/2011	JAN2011	743-0403-513.22-01	39.95	INTERNET SERVICE JAN 2011
			Total for check: 28291		39.95	
MARSHALL & ILSLEY TRUST COMPANY NA	28292	1/13/2011	4011411	100-0202-512.21-06	260.00	CURRENT MONTHLY FEES FLEX BENEFIT FEE
			Total for check: 28292		260.00	
MENARDS-APPLETON EAST	28293	1/13/2011	69789	100-0703-553.30-18	83.86	TREATED AG
			Total for check: 28293		83.86	
MENASHA EMPLOYEES CREDIT UNION	28294	1/13/2011	20110113	100-0000-202.05-00	19,610.00	PAYROLL SUMMARY
			Total for check: 28294		19,610.00	
MENASHA EMPLOYEES CREDIT UNION	28295	1/13/2011	20110113	100-0000-202.10-00	92.30	PAYROLL SUMMARY
			Total for check: 28295		92.30	
MENASHA JOINT SCHOOL DISTRICT	28296	1/13/2011	TAX	100-0000-203.03-00	3,201,932.55	2010/2011 TAXES
			Total for check: 28296		3,201,932.55	

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MENASHA TREASURER	28297	1/13/2011	PETTYCASH	625-1010-541.30-18	11.85	PETTY CASH		
				100-0304-562.30-11	0.17	PETTY CASH		
				266-1027-543.30-11	0.44	PETTY CASH		
				Total for check: 28297		12.46		
MENASHA UTILITIES	28298	1/13/2011	DEC2010	100-1012-541.22-03	19,186.65	PUBLIC STREET LIGHTING DEC 2010		
				Total for check: 28298		19,186.65		
MID-STATES ORGANIZED CRIME	28299	1/13/2011	93046-15155	100-0801-521.32-01	200.00	MEMBERSHIP FEES		
				Total for check: 28299		200.00		
MINNESOTA LIFE INSURANCE COMPANY	28300	1/13/2011	FEB2011	100-0000-204.07-00	3,032.78	LIFE INSURANCE		
				Total for check: 28300		3,032.78		
MORPHOTRAK	28301	1/13/2011	103684	743-0403-513.24-04	401.11	MAINTENANCE FAST ID 1/1/11-12/31/11		
				Total for check: 28301		401.11		
N&M AUTO SUPPLY	28302	1/13/2011	344075	731-1022-541.38-03	10.68	AIR FILTER		
				Total for check: 28302		10.68		
NEENAH-MENASHA SEWERAGE COMMISSION	28303	1/13/2011	2011-002	601-1021-543.25-01	71,676.70	WASTEWATER TREATMENT JAN 2011		
				1/13/2011	2011-008	601-1021-543.25-01	13,180.00	BOND ISSUE INTEREST JAN 2011
						Total for check: 28303		84,856.70
NIELSON COMMUNICATIONS	28304	1/13/2011	FV10-26035	731-1022-541.24-04	146.31	ADAPTERS MOBILE ANTENNA		
				Total for check: 28304		146.31		

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NORTH AMERICAN SALT CO	28305	1/13/2011	70603809	100-1006-541.30-18	8,689.41	BULK HIGHWAY COARSE SALT
			Total for check: 28305		8,689.41	
OFFICE DEPOT	28306	1/13/2011	1268991	100-0202-512.30-10	143.58	OFFICE SUPPLIES
				100-0201-512.30-10	3.09	OFFICE SUPPLIES
				100-0203-512.30-10	6.14	OFFICE SUPPLIES
			Total for check: 28306		152.81	
ONE COMMUNICATIONS	28307	1/13/2011	DEC2010	100-0402-513.22-01	3.69	ASSESSOR DEC 2010
				100-0201-512.22-01	9.45	ATTORNEY DEC 2010
				100-0000-123.00-00	8.04	BUILD INSPECT DEC 2010
				100-0203-512.22-01	11.97	CLERK DEC 2010
				100-0304-562.22-01	16.47	COM DEV DEC 2010
				100-1001-514.22-01	76.01	CITY HALL DEC 2010
				100-0401-513.22-01	31.99	FINANCE DEC 2010
				731-1022-541.22-01	23.11	GARAGE DEC 2010
				100-0903-531.22-01	50.46	HEALTH DEC 2010
				100-0403-513.22-01	15.99	IT DEC 2010
				100-0601-551.22-01	160.99	LIBRARY DEC 2010
				100-0101-511.22-01	8.00	MAYOR DEC 2010
				100-0702-552.22-01	17.58	REC DEC 2010
				100-0703-553.22-01	47.48	PARKS DEC 2010
				100-0202-512.22-01	12.07	PERSONNEL DEC 2010
				100-0801-521.22-01	285.80	POLICE DEC 2010
				100-1002-541.22-01	39.22	ENGINEERING DEC 2010
				100-0920-531.22-01	7.38	SENIOR CENTER DEC 2010
				100-1008-541.22-01	3.69	SIGN DEC 2010
				100-0502-522.22-01	44.26	EOC DEC 2010
				207-0000-123.00-00	20.48	MARINA DEC 2010
				100-0000-123.00-00	281.58	UTILITIES DEC 2010
		1/13/2011	JAN2011	100-0402-513.22-01	3.76	ASSESSOR JAN 2011
				100-0201-512.22-01	7.41	ATTORNEY JAN 2011
				100-0000-123.00-00	8.36	BUILD INSPECT JAN 2011

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ONE COMMUNICATIONS...	28307...	1/13/2011...	JAN2011...	100-0203-512.22-01	12.02	CLERK JAN 2011
				100-0304-562.22-01	16.76	COM DEV JAN 2011
				100-1001-514.22-01	78.01	CITY HALL JAN 2011
				100-0401-513.22-01	35.51	FINANCE JAN 2011
				731-1022-541.22-01	24.70	GARAGE JAN 2011
				100-0903-531.22-01	40.51	HEALTH JAN 2011
				100-0403-513.22-01	15.98	IT JAN 2011
				100-0601-551.22-01	162.09	LIBRARY JAN 2011
				100-0101-511.22-01	8.21	MAYOR JAN 2011
				100-0702-552.22-01	15.08	REC JAN 2011
				100-0703-553.22-01	43.95	PARKS JAN 2011
				100-0202-512.22-01	13.38	PERSONNEL JAN 2011
				100-0801-521.22-01	268.60	POLICE JAN 2011
				100-1002-541.22-01	40.81	ENGINEERING JAN 2011
				100-0920-531.22-01	7.53	SENIOR CENTER JAN 2011
				100-1008-541.22-01	3.76	SIGN JAN 2011
				100-0502-522.22-01	45.18	EOC JAN 2011
				207-0000-123.00-00	20.57	MARINA JAN 2011
			100-0000-123.00-00	269.06	UTILITIES JAN 2011	
			Total for check: 28307		2,316.95	
PACKER CITY INTERNATIONAL	28308	1/13/2011	3-203500025	731-1022-541.38-03	109.88	RESISTOR ASSY LUBEFILT/AIRFILT
		1/13/2011	3-203500041	731-1022-541.38-03	17.94	TERMINAL/BODY
		1/13/2011	3-203540006	731-1022-541.38-03	8.46	LAMP
		1/13/2011	3-203540026	731-1022-541.38-03	18.48	KIT
		1/13/2011	3-203540047	731-1022-541.38-03	9.24	KIT
				Total for check: 28308		164.00
PREMIER MATERIALS TECHNOLOGY INC	28309	1/13/2011	37461	207-0707-552.82-02	2,839.20	WHITE BUMPER
		1/13/2011	37462	207-0707-552.82-02	296.33	UNIVERSAL CORNER
				Total for check: 28309		3,135.53

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REGISTRATION FEE TRUST	28310	1/13/2011	PLATES	100-0801-521.32-01	4.00	DUPLICATE PLATE FEE
			Total for check: 28310		4.00	
SAFEGUARD BUSINESS SYTEMS	28311	1/13/2011	26589826	100-0202-512.30-10	109.92	W2'S/ENVELOPES
			Total for check: 28311		109.92	
LAUREN SCHULTZ	28312	1/13/2011	SPRING	822-0413-554.30-16	250.00	HATTIE MINOR SCHOLARSHIP SPRING 2011
			Total for check: 28312		250.00	
SERVICEMASTER BUILDING MAINTENANCE	28313	1/13/2011	129749	100-0801-521.20-01	1,395.00	JANITORIAL SERVICE
		1/13/2011	129798	100-0801-521.20-01	50.00	JANITORIAL SERVICE CLEAN GARAGE
			Total for check: 28313		1,445.00	
STAPLES ADVANTAGE	28314	1/13/2011	3146996348	100-0703-553.30-10	23.70	OFFICE SUPPLIES
		1/13/2011	3146996349	731-1022-541.30-10	25.48	OFFICE SUPPLIES
				100-0703-553.30-10	4.39	OFFICE SUPPLIES
			Total for check: 28314		53.57	
STATE INDUSTRIAL PRODUCTS	28315	1/13/2011	94897008	100-0000-132.00-00	132.16	FRAGRANCE PAK
			Total for check: 28315		132.16	
THEA SCHNEIDEWEND	28316	1/13/2011	SCHNEIDEWEND	100-0000-441.25-00	24.00	CLASS REFUND
			Total for check: 28316		24.00	
THEDACARE	28317	1/13/2011	9200330426	100-0801-521.21-05	168.00	VENIPUNCTURE
			Total for check: 28317		168.00	

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UNIFIRST CORPORATION	28318	1/13/2011	097 0078414	731-1022-541.20-01	107.58	MAT/MOP/CLOTHING SERVICE
			Total for check: 28318		107.58	
UNITED WAY FOX CITIES	28319	1/13/2011	20110113	100-0000-202.09-00	137.78	PAYROLL SUMMARY
			Total for check: 28319		137.78	
UW-FOX VALLEY	28320	1/13/2011	11-22038	100-0000-441.25-00	214.20	PROGRAM REIMBURSEMENT LITTLE DRIBBLERS CLINIC
			Total for check: 28320		214.20	
VALLEY DIESEL INJECTION INC	28321	1/13/2011	360706	731-1022-541.38-03	64.86	HYDRAULIC FILTER CARTRIDG
			Total for check: 28321		64.86	
VISION INSURANCE PLAN OF AMERICA	28322	1/13/2011	93115	100-0000-204.10-00	1,084.00	MONTHLY PREMIUM JANUARY 2011
			Total for check: 28322		1,084.00	
WAUSAU EQUIPMENT COMPANY INC	28323	1/13/2011	142168	731-1022-541.38-03	224.82	DOUBLE BEARING
			Total for check: 28323		224.82	
WAVERLY SANITARY DISTRICT	28324	1/13/2011	122810	100-0703-553.22-05	38.77	BARKER FARM PARK PAVILION
			Total for check: 28324		38.77	
WAVERLY SANITARY DISTRICT	28325	1/13/2011	TAX	100-0000-203.07-00	72,586.10	2010/2011 TAXES
			Total for check: 28325		72,586.10	
WAYNE ENGINEERING CORP	28326	1/13/2011	75036	731-1022-541.38-03	48.00	DOUBLE CT PIN ASSY
			Total for check: 28326		48.00	

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WC INDUSTRIAL SUPPLY COMPANY	28327	1/13/2011	0011813-IN	731-1022-541.24-03	55.78	MAINTENANCE SHOP EXH FAN SHAFT/W/KEY
			Total for check: 28327		55.78	
2011 WCPA CONFERENCE	28328	1/13/2011	CONFERENCE	100-0801-521.34-02	325.00	2011 WINTER CONFERENCE REGISTRATIONS
			Total for check: 28328		325.00	
WE ENERGIES	28329	1/13/2011	122310	100-0703-553.22-03	36.65	CONSERVANCY
			Total for check: 28329		36.65	
WINNEBAGO COUNTY REGISTER OF DEEDS	28330	1/13/2011	RD101139	100-0203-512.21-08	30.00	GOLDEN EAGLE PROP DOCUMENT 1556299
				100-0304-562.21-08	30.00	GERHARD GEIGER DOCUMENT 1557300
			Total for check: 28330		60.00	
WINNEBAGO COUNTY TREASURER	28331	1/13/2011	ELECTIONS	100-0204-512.29-02	95.62	ELECTION PUBLICATIONS
				100-0204-512.30-18	35.28	VOTER NUMBERS
			Total for check: 28331		130.90	
WINNEBAGO COUNTY TREASURER	28332	1/13/2011	TAX	100-0000-203.02-00	1,712,333.18	2010/2011 TAXES
				100-0000-203.08-00	53,984.07	2010/2011 TAXES
			Total for check: 28332		1,766,317.25	
WINTER EQUIPMENT COMPANY	28333	1/13/2011	IV08624	100-1006-541.30-15	197.20	PLOWGUARD JR
			Total for check: 28333		197.20	
WISCONSIN COUNCIL 40 PER CAPITA TAX	28334	1/13/2011	20110113	100-0000-202.06-00	270.00	PAYROLL SUMMARY
			Total for check: 28334		270.00	

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WISCONSIN COUNCIL 40 PER CAPITA TAX	28335	1/13/2011	20110113	100-0000-202.07-00	298.95	PAYROLL SUMMARY
			Total for check: 28335		298.95	
WISCONSIN DEPT OF REVENUE	28336	1/13/2011	01112011	100-0402-513.25-01	6,192.12	FEE FOR ASSESSING MANUFACTURING PROP
			Total for check: 28336		6,192.12	
WISCONSIN FBI NATIONAL ACADEMY	28337	1/13/2011	DUES	100-0801-521.32-01	75.00	ASSOCIATION DUES
			Total for check: 28337		75.00	
WISCONSIN SUPPORT COLLECTIONS	28338	1/13/2011	20110113	100-0000-202.03-00	1,297.32	PAYROLL SUMMARY
			Total for check: 28338		1,297.32	
WMCA	28339	1/13/2011	DUES	100-0203-512.32-01	90.00	ANNUAL DUES
			Total for check: 28339		90.00	
					7,239,927.07	

ORDINANCE O-18-10

AN ORDINANCE RELATING TO PAVING OF DRIVEWAYS

Introduced by Aldermen Taylor and Zelinski

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

SECTION 1: Amend Title 13, ARTICLE E, SEC.13-1-51(b)(1) and (2) and (e)(3) of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

Title 13 – Zoning

ARTICLE E

Traffic Visibility, Loading, Parking and Access

SEC. 13-1-51 OFF-STREET PARKING.

- ...
- (b)
 - (1) R-1, R-1 A, R-2 and R-2 A Districts.
 - ...
 - e. All driveways shall be surfaced with asphalt, concrete or other durable dust-free material acceptable to the Department of Community Development with the minimum standards set forth below in paragraph (2) a. 14., within one (1) year of construction. Those properties with existing driveways that are not currently surfaced with asphalt, concrete or other durable dust-free material shall be so surfaced prior to the sale of the property or, within six (6) months after the property is sold.
 - (2) R-3, R-4, C-1, C-2, C-3, C-4, I-1, I-2 and GU Districts.
 - ...
- (e)
 - (3)
 - ...
 - d. or
 - e. If the property is sold.

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

Passed and approved this day of , 2010.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ORDINANCE O – 22 – 10

AN ORDINANCE RELATING TO PARKING REGULATIONS
(Angle Parking on Second Street)

Introduced by Alderman Wisneski

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

SECTION 1: Amend Title 10, Article C of the Code of Ordinances of the City of Menasha, Wisconsin repealing SEC.10-1-25(f) as follows:

Title 10 – Motor Vehicles and Traffic

ARTICLE C
Parking Regulations

SEC. 10-1-25 ANGLE PARKING.

~~(f) South side of Second Street from Appleton Street to DePere Street.~~

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

Passed and approved this day of , 2011.

Donald J. Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ORDINANCE O – 23 – 10

AN ORDINANCE RELATING TO SCHOOL BUS LOADING ZONES

Introduced by Alderman Wisneski

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

SECTION 1: Amend Title 10, Article C, SEC. 10-1-28 of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

Title 10 – Motor Vehicles and Traffic

ARTICLE C

Parking Regulations

SEC. 10-1-28 SCHOOL BUS LOADING ZONES.

- (i) The east side of Nassau Street from a point Ninety (90) feet south of Ahnaip Street to a point ~~One Hundred Eighty (180)~~ Two Hundred Sixty (260) feet south of Ahnaip Street.

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

Passed and approved this day of , 2011.

Donald J. Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

RESOLUTION R-1-11

RESOLUTION OPPOSING THE REDUCTION IN SIZE OF THE
WINNEBAGO COUNTY BOARD OF SUPERVISORS

INTRODUCED BY ALDERMAN ENGLEBERT

WHEREAS, the Common Council of the City of Menasha, Winnebago County, Wisconsin has an obligation to serve its residents for the governing and operating of the City of Menasha; and

WHEREAS, in serving our community, the City of Menasha needs representation at the county level for its residents and its businesses; and

WHEREAS, the Winnebago County Board has studied various alternatives pertaining to the size of the County Board; and

WHEREAS, the Winnebago County Board, after having reviewed and discussed this matter thoroughly has determined that the size of the Winnebago County Board should remain at 36 members to be effective;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Menasha recommends that the Winnebago County Board of Supervisors remain a Board of Supervisors of 36 to encourage representation of all municipalities, residents and businesses within Winnebago County.

Passed and approved this day of , 2011

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

RESOLUTION R-3-11

RESOLUTION PERTAINING TO CHANGES IN FEES FOR PARKS AND RECREATION PROGRAMS AND SERVICES FOR 2011

Introduced by Ald. Langdon

WHEREAS, SECTION 2-4-6(e), of the Code of Ordinances of the City of Menasha provides that the Parks and Recreation Board will establish fees for parks and recreation programs and services subject to approval of the Common Council; and,

WHEREAS, the Parks and Recreation Board has reviewed all current fees and recommends approval of changes for 2011 as forth below and deemed necessary for the proper operation of recreation programs and other activities under the Board's control.

NOW, THEREFORE BE IT RESOLVED that the Common Council accepts the recommendations of the Parks and Recreation Board and approves fee changes for 2011 as follows:

	Current		Proposed	
	Fee	NR	Fee	NR
Tot Lot	\$13	\$29	\$15	\$34
Youth Baseball	\$13	\$29	\$15	\$34
Youth Kickball	\$7	\$15	\$10	\$18
Youth Tennis	\$13	\$29	\$15	\$34
Youth Gymnastics	\$13	\$29	\$15	\$34
Grunski Runski	\$15		\$16	
Cut off dates	\$17		\$18	
Adult Softball (sponsor)	\$180		\$185	
Adult Softball (team)	\$315		\$320	
Coed Softball (sponsor)	\$105		\$110	
Coed Softball (team)	\$225		\$260	
Youth Dance	\$24	\$30	\$27	\$33
Tiny Tots	\$60	\$115	\$70	\$125
Slimnastics (adult)	\$20	\$40	\$26	\$46
Feel 'n Fit (adult)	\$20	\$40	\$26	\$46
Adult Basketball (sponsor)	\$185		\$190	
Adult Basketball (team)	\$245		\$250	
Adult Grave Opening	\$525	\$700	\$575	\$750
Infant Grave Opening	\$225	\$275	\$250	\$300
Weekend Opening (add charge)	\$150	\$175	\$165	\$190
Jefferson Slip	\$95	\$110	\$100	\$115
Slip 49/50	\$125	\$140	\$130	\$145
Koslo Field	*\$34/game		\$75/game	
Softball Field	*\$11/game		\$15/game	

*average, including lights

Passed and approved this _____ day of _____, 2011.

Donald Merkes, Mayor

Deborah A. Galeazzi, City Clerk



MEMORANDUM

To: Mayor and Common Council

From: PRD Tungate and Parks and Recreation Board

Date: January 11, 2011

RE: Resolution R-3-11

On January 10, 2011 the Park Board reviewed all current fees for programs and services. Resolution R-3-11 lists the recommended changes for approval by the Common Council. A summary of the Board's action includes:

- A sensitivity for keeping summer youth programs as affordable as possible and not excluding any child due to fees
- Adult programs like softball and basketball league will continue to cover all direct program costs and in some cases (i.e. softball) may go beyond 100% cost recovery to help offset youth program expenses
- The topic of Koslo Park cost recovery received considerable discussion. In December a meeting was held with all field users. The objective was to come up with a plan to increase revenue and thus lower the amount subsidized by the city. A three-pronged approach was recommended. First, increase the fees charged on a per game basis. A fee was chosen that would not cause an undue hardship to the teams and force them to look elsewhere for a place to play. We anticipate generating approximately \$5,000 in fees (compared to \$1,800 in 2010). Second, a scoreboard sign sponsorship program will be initiated. At a minimum, we expect this to generate \$2,000 in 2011. Thirdly, the group plans to conduct a fundraising event with the goal of raising at least \$2,000. \$9,000 in field revenue will recover close to 30% of compared to less than 5% in 2010.