

**CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, October 3, 2011**

**6:00 PM  
AGENDA**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
- D. PUBLIC HEARING
- 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 – Introduction of new Associate Planner, Kara Homan
  - 2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:  
Minutes to receive:
    - a. [Administration Committee, 9/19/11](#)
    - b. [Board of Public Works, 9/19/11](#)
    - c. [Board of Health, 8/10/11](#)
    - d. [NM Fire Rescue, Joint Finance & Personnel Committee, 9/20/11](#)
    - e. [NM Sewerage Commission, 7/26/11, 8/23/11](#)
    - f. [Safety Committee, 8/4/11; City Hall](#)
    - g. [Safety Committee, 8/23/11; Public Works & Parks](#)
    - h. [Redevelopment Authority, 9/26/11](#)  
Communications:
    - i. [CA/HRD Captain to Thomas Schanke, 9/16/11; Notice of exercise of right to repurchase parcel #2 \(lot 16\) Menasha WI](#)
    - j. [Calumet County Planning, Zoning & Farmland Preservation Committee; 9/20/11, public hearing notice Dept. of the Army Corps of Engineers, 9/7/11; Lake Winnebago outflow in the lower Fox River meeting](#)
    - k. [CDD Keil, 9/29/11; Transfer of vacant land & lots in Lake Park Villas to the Redevelopment Authority](#)
    - l. [League of Wisconsin Municipalities, 9/2011; Public Records and Open Meetings Law Seminar](#)
    - m. [Town of Harrison, 9/20/11; notice to incorporate portions of the Towns of Harrison and Buchanan to a village](#)
    - n. [Proclamation, 9/27/11; Congratulating the "What do you love about Miller Park?" Contest winner from Menasha](#)
    - o. [Proclamation, 10/1/11; Wisconsin Disability Employment Awareness Month](#)
    - p. [USPS, 9/19/11; Notice of intent to conduct area mail processing study](#)
    - q. [US Senator Kohl's Office to Ald. Sevenich; Menasha's postal delivery service](#)
- 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, 9/19/11](#)

Administration Committee, 9/19/11; recommends approval of:

2. [Accept donation from Gold Cross Ambulance to Menasha Police Department](#)

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 9/21/11 to 9/29/11 in the amount of \\$ 880,917.47](#)

J. ORDINANCES AND RESOLUTIONS

1. [O-14-11 An Ordinance Relating to Regulation of Firearms and Explosives](#)(Recommended by Administration Committee)(1<sup>st</sup> Introduction)
2. [O-15-11 An Ordinance Relating to Carrying Concealed Weapons](#)(Recommended by Administration Committee)(1<sup>st</sup> Introduction)
3. [Substitute Amendment #1 to O-15-11-An Ordinance Relating to Carrying Concealed Weapons](#)
4. [O-16-11 An Ordinance Relating to Disorderly Conduct](#)(Recommended by Administration Committee)(1<sup>st</sup> Introduction)
5. [O-17-11 An Ordinance Relating to Council Procedures \(Introduced by Ald. Taylor\)](#)(Recommended by Administration Committee)(1<sup>st</sup> Introduction)
6. [R-35-11 Resolution Supporting Application Of A 20122 WI DNR Urban Forestry Grant For Emerald Ash Borer Implementation Plan And Tree Planting \(Introduced by Mayor Merkes\)](#)
7. [R-36-11 Resolution Opposing USPS transfer of carrier routes from Menasha Post office to Neenah Post Office](#)

K. APPOINTMENTS

1. Mayor's reappointments to the Parks and Recreation Board
  - a. Richard Sturm, 1203 Greenwood Ct, for the term of October 1, 2011 – October 1, 2014
  - b. Nancy Barker, 506 Keyes St., for the term of October 1, 2011 – October 1, 2014
2. Mayor's reappointments to the Board of Appeals
  - a. James Koslowski, 729 9<sup>th</sup> St., for the term of October 3, 2011 – February 1, 2014

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**

**Monday, October 17, 2011 -Regular Common Council Meeting —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  
ADMINISTRATION COMMITTEE  
Third Floor Council Chambers  
140 Main Street, Menasha  
September 19, 2011  
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Klein at 7:55 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Krueger, Zelinski, Englebert, Klein, Taylor, Sevenich, Langdon

EXCUSED: Alderman Benner

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, Acting PC Brunn, DPW Radtke, CDD Keil, C/T Stoffel, PHD Nett, LD Lenz, Clerk Galeazzi and the Press.

C. MINUTES TO APPROVE

1. Administration Committee, 9/6/11

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

**Motion carried on voice vote.**

D. ACTION/DISCUSSION ITEMS

1. Appeal of Operator's License – Cortany Shearer

Cortney Shearer, 1724 N. Eugene Street, Appleton explained why she should receive her operator's license. She explained the circumstances for which she received citations for alcohol related offences.

Acting PC Brunn explained the reasons for denying Ms. Shearer an operator's license and the guidelines.

General discussion ensued on Ms. Shearer offenses.

Moved by Ald. Taylor, seconded by Ald. Krueger to approve Operator's License for Cortany Shearer.

**Motion failed on roll call 3-4.**

**Ald. Taylor, Krueger, Langdon – yes**

**Ald. Klein, Sevenich, Zelinski, Englebert – no**

2. Accept donation from Gold Cross Ambulance to Menasha Police Department.

Acting PC Brunn explained Gold Cross has offered to donate one of their ambulance units to the Police Department. The only cost to the City would be for removing the current markings and retrofitting some equipment. The donated vehicle would replace the current Crime Scene Unit.

Moved by Ald. Taylor, seconded by Ald. Zelinski to recommend approval to Common Council to accept donation from Gold Cross Ambulance to Menasha Police Department.

**Motion carried on voice vote**

3. O-14-11 An Ordinance Relating to Regulation of Firearms and Explosives

CA/HRD Captain explained that changes in State Statutes have made it necessary for the City of amend their ordinances to be consistent with State laws. Cities have authority to locally regulate firearms by ordinance if the ordinance is the same, or similar to, and no

more stringent than the State Statute. Changes to the State Statutes are effective on November 1, 2011.

General discussion ensued on the new laws and how they will affect residents and employees. Responsibility of the municipalities was also discussed.

Moved by Ald. Zelinski, seconded by Ald. Krueger to forward O-14-11 to Common Council.

**Motion carried on voice vote.**

4. O-15-11 An Ordinance Relating to Carrying Concealed Weapons

CA/HRD Captain explained that a change in State Statute allows a permitted person to carry concealed weapons in City buildings. The Police Station is exempt. The City can adopt an ordinance prohibiting this action. Signs would need to be posted on the buildings notifying the public. The City is unable to prohibit permitted persons from carrying concealed weapons on City grounds or in parking facilities.

General discussion ensued on how changes affect City employees.

Moved by Ald. Zelinski, seconded by Ald. Krueger to forward O-15-11 to Common Council.

**Motion carried on voice vote.**

5. O-16-11 An Ordinance Relating to Disorderly Conduct

CA/HRD Captain explained the change in State Statute relating to disorderly conduct when a permitted person with a concealed weapon is involved.

General discussion ensued on working with the municipal court on incidents.

Moved by Ald. Zelinski, seconded by Ald. Krueger to forward O-16-11 to Common Council.

**Motion carried on voice vote.**

6. O-17-11 An Ordinance Relating to Council Procedures (Ald. Taylor)

Moved by Ald. Taylor, seconded by Ald. Zelinski to forward O-17-11 to Common Council

**Motion carried on voice vote.**

7. Regulations on Mobile Restaurants (Ald. Sevenich)

Lengthy discussion ensued on mobile restaurants not paying taxes and other fees like the brick-and-mortar restaurants in the City. General discussion on where mobile restaurants can set up in comparison to the downtown restaurants. It was suggested to check with neighboring communities on their regulations of mobile restaurants.

PHD Nett explained the City's current policy on licensing mobile restaurants. The City acts as an agent for the State and if a vendor is licensed through the State, that license is honored in other municipalities. The City currently does not restrict where a mobile unit may set up. All State codes are followed when licensing a mobile restaurant.

Chairman Klein opened the discussion up to people in the gallery.

Rick Brey, Naut's Landing. Commented on the real estate property taxes and fees paid by established restaurants. Mobile restaurants are not required to pay real estate property taxes.

Renee Brey, Naut's Landing. Regulate where mobile restaurants set up and how often.

Janet Haufe, Mihms Charcoal Grill. Brick-and-mortar restaurants pay real estate and personal taxes, what are mobile restaurants required to pay?

Randy Haufe, Mihms Charcoal Grill. Hot-dog vendor only around for a limited time, mobile restaurants can set up anywhere, any time.

Jay Barnes, Kangaroostaurant Mobile Restaurant. They were happy to participate in Menasha's Farm Fresh Market and introduced their followers to the market; licensed and regulated through State and based out of Appleton; not their intent to set up in front of an established restaurant.

Committee members will work on a change in the ordinance and have business owners input.

#### 8. Status of Menasha Post Office (Ald. Sevenich)

Ald. Sevenich commented that he heard the Menasha Post Office would be moving their day to day operations from Menasha to Neenah Post Office. The window would remain open and the PO boxes would still be maintained. He was concerned the Menasha Post Office may eventually close down.

Mayor Merkes reported that he checked with the Post Master for the Menasha Post Office and was told the mail carriers would start and end their day at the Neenah Post Office. Window service and PO boxes would remain at the Menasha Post Office. The Council could send a letter or a Resolution to Congressmen Petri.

It was requested by the Committee that the Mayor prepare a letter or Resolution.

#### E. ADJOURNMENT

Moved by Ald. Taylor, seconded by Ald. Sevenich to adjourn at 9:25 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  
September 19, 2011  
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Taylor at 5:50 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Krueger, Zelinski, Englebert, Klein, Taylor, Sevenich, Langdon

EXCUSED: Alderman Benner

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, C/T Stoffel, MUGM Krause and Sturm, Clerk Galeazzi and the Press

C. MINUTES TO APPROVE

1. September 6, 2011

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. Recommendation to Award – Menasha Utilities Sedimentation Basin Scraper Modifications; Head Shaft Replacement Project; Contract M0002-910184; August Winter & Sons, Inc.; \$68,100.00

MUGM Sturm explained this is the labor portion of the contract of the Sedimentation Basin Scraper for the Water Treatment Facility. The equipment portion of the contract was already approved by the Common Council.

MUGM Krause explained the funding for this project will come from the Safe Drinking Water Loan Program.

Moved by Ald. Sevenich, seconded by Krueger to recommend approval to Common Council.

Motion carried on roll call 7-0.

2. Change Order - Menasha Utilities Sedimentation Basin Scraper Modifications; Head Shaft Replacement Project; Contract M0002-910184; August Winter & Sons, Inc.; Change Order No. 1; DEDUCT: \$5,600.00

Moved by Ald. Krueger, seconded by Ald. Zelinski to recommend approval to Common Council.

Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Krueger, seconded by Ald. Langdon to adjourn at 5:59 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  
8-10-11**

- A. Meeting called to order at 8:10 AM by Chairman C. Rusin.
- B. Present: Candyce Rusin, Lori Asmus, Dr. Teresa Rudolph, Susan Nett  
Excused: Dorothy Jankowski
- C. MINUTES TO APPROVE
  - 1. Motion to approve the minutes from July 25, 2011 meeting made by T. Rudolph and seconded by L. Asmus. Motion carried.
- D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
  - 1. July 2011 Communicable Disease Report distributed and discussed.
  - 2. Preparedness Grant Funding 8-2011 through 8-2012. S. Nett explained the grant timeline has changed from a calendar year to the federal year. There are no consortia in existence for this grant funding period so the money that would have gone to the consortia was given to the local health departments. \$32703 is the grant amount for Menasha.
  - 3. Foot Care Training – 60+ Program—the grant funded nurse will be taking the foot care training this fall. Once completed, she will be able to do foot care at the senior center for low income individuals.
  - 4. Prevention Grant Funding – 2011. The state has notified us the prevention grant contract will be modified for the remainder of 2011 due to a 25% decrease in funding. The prevention grant helps fund the fluoride varnish program. Monies from the MA billings will replace the loss in funds for the remainder of the year.
  - 5. Strong Bones Program – Senior Center. The Winnebago County ADRC was looking for a place to hold a Strong Bones Program (part of the Strong Women Program). There was a volunteer instructor but no place to hold the class. A pilot class is going to be held at the senior center and if successful there are options to continue the class.
  - 6. Health Department Budget – 2012. S. Nett informed board members about the budget process for 2012. More information will be available at the next meeting.
- E. ACTION ITEMS
  - 1. Review and Approval of Asbestos Compliance Inspection Contract Agreement between the Wis. Dept. of Natural Resources and the Menasha Health Department. July 1, 2011 through June 30, 2012. S. Nett explained the asbestos inspection program contract requirements. Motion to approve made by L. Asmus and seconded by T. Rudolph. Motion carried.
  - 2. Review and Approval of Seal-A-Smile School Based/School-Linked Dental Sealant Program Contract with the Menasha Health Department. July 1, 2011 through

"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."

Board of Health Members: Dorothy Jankowski, Lori Asmus, Susan Nett, Candyce Rusin, Theresa Shoberg

June 30, 2012. S. Nett explained the dental sealant program. This grant funding is an increase over last year's funding.

3. Establishment of fee for adult influenza vaccine for influenza season September 2011 through June 2012. S. Nett explained the cost for the flu vaccine and supplies per dose is \$7.94. This is an increase of approximately \$1 over last year. Discussion ensued as to whether or not to increase the cost from last year's \$10 to \$11. Keeping it at \$10 would mean a \$2 administration fee versus the \$3 received last flu season. S. Nett told board members that due to the economic hard times and Menasha's high incidence of poverty the cost should stay the same as last year. Motion to set the cost of adult influenza vaccine at \$10 per dose made by L. Asmus and seconded by T. Rudolph. Motion carried. C. Rusin requested information on the availability of flu shots at the health department be put in the next issue of the Horizon.

#### F. HELD OVER BUSINESS

1. None

#### G. ADJOURNMENT

1. Motion to adjourn at 9:15 AM made by L. Asmus and seconded by R. Rudolph. Motion carried. Next meeting September 14, 2011.

Submitted by Susan Nett

Neenah-Menasha Fire Rescue  
Joint Finance & Personnel Committee Meeting Minutes  
September 20, 2011 – 5:30 p.m.  
Hauser Room – City of Neenah

Present: Ald. Klein, Krueger, Ahles, Stevenson and Sevenich.

Excused: Ald. Ramos

Also Present: Chief Auxier, Director Stoffel and Office Manager Theisen

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

Public Forum: There were no members of the public present.

Approval of minutes: The Committee reviewed the meeting minutes from August 30, 2011. **MSC Krueger/Stevenson to approve the meeting minutes of August 30, 2011, all voting aye.**

Budget Report: The Committee reviewed the August 2011 budget report. Ald. Ahles asked about gas and oil and noted we are almost over the budgeted amount. Chief Auxier said we may go over this due to increased run volumes and an adjustment will be made to increase this in the 2012 budget. He also stated we are trying to adjust how we do our training and also mentioned that the Neenah IS Department is looking at video conferencing equipment so we could use this for training versus moving engine companies around for training. **MSC Ahles/Stevenson to approve the August 2011 budget report and place on file, all voting aye.**

Monthly Activity Report: The Committee reviewed the August 2011 Activity Report. **MSC Stevenson/Krueger to approve the August 2011 activity report and place on file, all voting aye.**

NMFR Proposed 2012 Budget: The Committee reviewed the proposed 2012 budget. Chief Auxier did state that there is a majority of the budget that we do not have control over and noted that our only increase in the budget is due to things we do not have control over such as salaries, benefits, health insurance, etc. Ald. Stevenson asked if this was the budget submitted to the Mayors. Chief Auxier said that both Mayors have received our budget and at this time have not made any changes. Chief Auxier has met with Mayor Scherck and is working on scheduling a meeting with Mayor Merkes. Ald. Krueger asked what is done with the old thermal imaging cameras. Chief Auxier said in most cases the cameras are beyond repair and are not able to be traded in or re-sold. We have budgeted to replace these but try to extend the life of these much of these as we can to save budget dollars. Ald. Klein asked about the Menasha only expenses. He asked about the concrete replacement at Station 35. Chief Auxier said this was supposed to be replaced this year and it was budgeted for \$31,000. However, this was delayed due to budget issues in 2011. Ald. Sevenich asked if we have worked with Public Works. Chief

Auxier did state that he has met with Director Radtke and Tim Jacobson and have agreed on some changes that need to be made to try to expand the life expectancy. It was also noted that in 2010 & 2011 we did try to make some minor repairs to see if we could make it last longer but nothing that we tried worked. Ald. Klein asked about the landscaping at Station 36 and he asked if any funds for this was part of the grant. Chief Auxier noted that the grant excluded landscaping for the new station. He is working with the City of Menasha to come up with a landscaping plan for the new station. He is working on obtaining quotes right now and feels he can reduce the costs by having on duty personnel help put the landscaping in. Ald. Sevenich stated we need to set an example and budget money for this since we expect this of developers within the City. The Committee asked that we have a meeting before the budgets are presented to the Common Council. He said he would work with both Mayors to see if they can work on this before our next meeting.

Chief Auxier noted that Winnebago County has now agreed to pay for all of the portable radios with the new radio system. This does reduce our budgeted costs for radio replacement. However, there are still items that need to be upgraded in order to work with the new system and these costs are not going to be covered by the County. This includes headsets.

Ald. Stevenson commented on gasoline and oil. He thinks this account may be inflated a bit. Chief Auxier did note that these figures are given to us by the Neenah Finance Department to use for budgets and that we also increased this due to the increase in the runs that we have had.

6:00 p.m. Ald. Ahles left the meeting.

**MSC Krueger/Stevenson to accept the NMFR Proposed 2012 budget, all voting aye.**

Review of 2012 Cost Distribution Formula: The 2012 cost distribution formula was reviewed. Director Stoffel stated this formula has been used since consolidation and it remains consistent. This has not varied over 1% since the 2003 merger agreement. The factors that determine the formula remain the same and when this was determined he stated they wanted consistent factors so that there were not major increases and/or decrease each year for one City or the other. Ald. Stevenson asked about the equalized value. Director Stoffel said this is based on the value of service the Department provides for each Community. Ald. Sevenich asked if vacant buildings are taken into consideration. Director Stoffel stated that this is taken into account. Ald. Stevenson said history has shown that the Fire Department has had more activity with vacant buildings due to fires than when they were occupied. Ald. Krueger asked what is included in the square miles and if the lake area is included. Director Stoffel stated this was. Ald. Sevenich asked Director Stoffel if he reviewed the formula and asked if it was fair. Director Stoffel said this was a fair formula and since there are not a lot of consolidated departments within the State to compare ours to they had to develop something that both Cities felt was fair when it was developed at the time of consolidation. **MSC**

**Stevenson/Krueger to accept the cost distribution formula as of December 31, 2010 and that it be recognized and placed on file, all voting aye.**

Next Meeting: City Attorney Godlewski asked for a meeting earlier than the next scheduled one in October. Chief Auxier obtained some dates that members are available and will work on scheduling this.

**MSC Krueger/Stevenson to adjourn at 6:10 p.m., all voting aye.**

Respectfully Submitted,

Al Auxier  
Chief

AA/tt

# NEENAH-MENASHA SEWERAGE COMMISSION

## Regular Meeting

Tuesday July 26, 2011

Meeting was called to order by Commission President William Zelinski at 8:03 a.m.

**Present:** Commissioners Dale Youngquist, Tim Hamblin, Gordon Falck, Mike Sams, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

**Excused:** Commissioners Kathy Bauer, Raymond Zielinski.

**Also Present:** Tom Kispert, Chad Olsen (McMAHON); Carol Wirth (Wisconsin Public Finance Professionals - WPPF), Paul Much (MCO).

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to approve the minutes of the Regular Meeting of June 28, 2011 and Special Meeting of June 29, 2011. Motion carried unanimously.

### Correspondence

The following correspondence was discussed:

- A. July 7, 2011 letter from Thomas Muga, DNR to William Zelinski, President Neenah-Menasha Sewerage Commission.  
RE: Approval of Sodium Hypochlorite Generator Replacement.

### Budget, Finance, Personnel

Accountant Voigt presented the financial statements for the month of June 2011. The Operations Income is \$300,000 at the end of June; the Operations Income by the end of July is anticipated to be \$400,000. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Mike Sams to accept the financial statements for the month of June and place it on file. Motion carried unanimously.

Manager Much addressed the Commission on the request for a special meeting to install an algae pilot plant at the wastewater treatment facility. It is the recommendation of Randy to allow the installation of the algae pilot plant – this pilot unit will attempt to grow mass amounts of algae in a small area. Possible benefits of this system would be the use of phosphorous in the influent flow as a limiting factor to get the algae to grow; if successful, this could result in a reduction of chemicals currently used to remove phosphorous from the waste stream. Approximately 20% of our sludge is from chemical; by reducing the chemicals we would reduce the amount of sludge to press and haul; the oil would be extracted from the algae and the phosphorous would remain in the algae. This pilot system would use current available space in the blower building. Randy

indicated he feels this system has a reasonable potential to work and it costs the commission nothing. Laboratory testing indicates this process will work; this pilot testing is the next step in progression to see if the process works in a larger setting. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Mike Sams to allow McMahon to run the algae vessel pilot study on-site at no cost to the Commission. Motion carried unanimously.

Attorney John Thiel discussed the engagement letter from Godfrey & Kahn s.c. to serve as bond counsel for the \$4,500,000 Sewerage Commission Revenue Bond Anticipation Notes. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to accept the engagement letter from Godfrey & Kahn s.c. to serve as bond counsel for the Neenah-Menasha Sewerage Commission for the issuance of \$4,500,000 Sewerage Commission Revenue Bond Anticipation Notes. Motion carried unanimously.

Attorney John Thiel briefly reported to the Commission on the conceal carry firearms law; 2011 Wisconsin Act 35. The law takes effect November 1, 2011. The Commission will need to determine if to allow on the premises. No decision needs to be made at this time; Attorney John Thiel recommends watching this subject to see what others are doing and make any decisions later as more information and regulations come out.

Attorney John Thiel discussed issues, the decision making process and the memo received from Neenah Mayor George Scherck and John Ahles regarding the Capital Improvement Project at the NMSC. Commissioner Dale Youngquist indicated his original desire in having this agenda item was to set a date for the communities to commit to the NMSC if they would participate in borrowing through the Clean Water Fund for this project. Discussion on the Neenah memo ensued; the Commission has already addressed most of the items listed as Neenah priorities. Carol Wirth (WPPF) discussed her handout provided to the Commission and referenced page 8 of the report which suggests three options on how to handle the current 2003 NMSC Revenue Bonds to reduce the large spike in NMSC capital costs for two years. The Commission could call these bonds and pay them off by: borrow from a local bank to refinance these bonds; or they could roll these bonds into a new Revenue Bond issue; or do a cash defeasance such as demonstrated on page 9 of the report. The Commission further discussed giving a deadline; however it was pointed out that they will need to provide the communities additional information for them to proceed. Carol Wirth reported on the four items on page 5 of her report that need to be provided to the communities. Additional discussion centered on not all of the communities needing to commit in borrowing from the Clean Water Fund; if one or more communities do not borrow, then we would need one or more of the remaining communities to pick up that share or the NMSC could issue Revenue Bonds for that portion. The Commission funding for this project can vary from receiving all the funds through the Clean Water Fund to receiving all the funds through NMSC Revenue Bonds to any combination between these two options. The Commission further discussed if Revenue Bonds are issued to cover any community not borrowing from the Clean Water Fund, would all the communities pay a blended rate based on the total borrowing costs, or could the Commission add a surcharge to that community for the additional interest costs incurred by the issuance of NMSC Revenue Bonds. Manager Much discussed the storage building and the increase in hauling costs by delaying this project; costs for hauling will double when the biosolids will be hauled to the landfill until the storage building is completed. Tim Hamblin reported talking with Mike Easker with the City of Neenah; he reported

the landfill is looking for sludge as a cover product. Commissioner Dale Youngquist discussed Sonoco and borrowing for Sonoco portion of the project. Attorney John Thiel further discussed this topic; the Commission was reminded that Sonoco is a customer of the Commission. An agreement with Sonoco for guaranteeing funding for the project will be attempted in negotiations. The Commission discussed issuing a letter to the contract municipalities responding to the City of Neenah concerns. After discussion, motion made by Commissioner Gordon Falck, seconded by Commissioner Tim Hamblin to authorize Attorney John Thiel and Carol Wirth to draft a letter to the communities to provide a response to the concerns in the memo from the City of Neenah, to provide additional information to the communities on the project, and to set a date for the communities to indicate their intent to borrow from the Clean Water Fund for the project with a response to be received in 30-days from the date of the letter. Motion carried unanimously. Commissioners Tim Hamblin and Dale Youngquist indicated they would like to be emailed a copy of this draft letter.

Attorney John Thiel reported the previous discussions on actions and decision-making process also included the topic of legal counsel update as to communications and no further action is needed on this agenda item.

Accountant Voigt presented MCO Invoices #15649, #15685 and #15682 in the amounts of \$118,202.79, \$687.65 and \$33.60. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to approve for payment MCO Invoices #15649, #15685 and #15682 and to pay the invoices after August 1, 2011. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of June. Accountant Voigt reported on the interest rates received on the checking and money market accounts. The Commission has a certificate of deposit (CD) with Anchor Bank that allows the CD to be closed every 6-months; the 6-month date will be July 29 and the CD will be closed with the funds to be deposited into the ICS CDARS account to have these funds available for the project expenses. MCO generated \$8,700 in income to the Commission in June. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to accept the Accountants Report.

Accountant Voigt discussed the cash flow projection worksheet. The worksheet was updated to include the latest activity.

Accountant Voigt presented for payment McMAHON invoices #45626, #45629, #45796 and #45795 in the amounts of \$4,600.00, \$88,000.00, \$20,413.95, and \$1,718.40. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to approve for payment invoices #45626, #45629, #45796, and #45795. Motion carried unanimously.

### Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of June 2011. There are no issues with the operations. Manager Much reported letters will be issued to two Menasha

businesses requiring them to have grease traps installed. Manager Much further discussed the Menasha loadings; the increase in April can be attributed to the spring rains, the current loading increase appears to be from the water plant based on the consistency of the material. This increase in loadings normally appears this time of the year when the algae in the lake water increases. Tom Kispert (McMahon) reported receiving a request by the Menasha consultant to review the NMSC sampling setup. One option suggested for the plant sampling by the consultant would add a subtraction method. Tom reported that other communities have spent millions of dollars to eliminate any subtraction method; this method would only expand any problems that could exist now. Commissioner Tim Hamblin questioned the status of the methane engine. Manager Much reported we had it running for ½ day; we are getting alarms and the engine is shutting down. No one is able to explain what is causing the alarms or what the alarms are for; the issue appears to be in the controls. It was questioned if micro turbines would be able to use the methane gas to operate; Tom indicated they would burn the methane. We currently need to expand the gas cleaning of the methane for use in the boilers. Because of these problems, options for use of the methane gas will be further examined. After discussion, motion made by Commissioner Gordon Falck, seconded by Commissioner Tim Hamblin to accept the operating report for the month of June 2011. Motion carried unanimously.

Manager Much presented the sewer extension request from Davel Engineering for The Ponds of Menasha located in the City of Menasha, Waverly Sanitary District. After discussion, motion by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to approve the sewer extension request for The Ponds of Menasha located in the City of Menasha, Waverly Sanitary District. Motion carried unanimously.

Manager Much presented the sewer extension request from Schuler & Associates for The Cottages at Lake Park in Villa Way located in the City of Menasha, Waverly Sanitary District. After discussion, motion by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to approve the sewer extension request for The Cottages at Lake Park in Villa Way located in the City of Menasha, Waverly Sanitary District. Motion carried unanimously.

Manager Much discussed establishing a committee for the plant upgrade project. When the Commission is in construction this committee would meet to make decisions that will not wait until the next meeting. The committee would then report to the Commission for subsequent approval of actions taken. This would also apply for financing issues and taking care of politics with the communities. Commissioner Dale Youngquist volunteered to help on the financial and political area. Attorney John Thiel further discussed; it was felt that this group (Communications/Financial Ad Hoc Committee) should consist of Commissioner Dale Youngquist, Carol Wirth, Attorney John Thiel, Manager Much and a McMahon representative when needed to be these ambassadors. Commissioner Gordon Falck suggested Commission President Bill Zelinski should be included. The Commission further discussed the expansion committee; Commissioner Dale Youngquist indicated he felt that Gordon Falck and Tim Hamblin should be on this committee. Commissioner Mike Sambs was asked if he would consider being on this committee; he indicated he would. Commission President Bill Zelinski appointed Commissioners Gordon Falck, Tim Hamblin, and Mike Sambs to be on the ad hoc committee (Plant Upgrade) to deal with plant construction matters.

Manager Much discussed the request for a new Connection Point in the Town of Neenah. The Town of Neenah and City of Neenah have negotiated an agreement for this to happen. Manager Much reported this request can be approved pending the receipt of a signed agreement between the City and Town. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Tim Hamblin to approve the new Connection Point at the Town of Neenah Lift Station 7 subject to the NMSC receiving a written agreement between these two parties. Motion carried unanimously.

Tom Kispert reported to the Commission the status on Facility Upgrade activities. The sodium hypochlorite generation system is on site with installation to begin in August; the DNR letter received is for the installation of the unit, a pre-construction conference will be held as required by the DNR. Commissioner Tim Hamblin questioned oversizing the unit for our needs. Tom responded this will allow for quicker storage tank refills and cut down on equipment run time as the unit can be shut down when the storage tanks are filled.

Other – Facility Plan Amendment. Tom reported the amendment for the Facilities Plan needs to be submitted to include any changes in the original plan submitted to the DNR. The first item is the change in the biosolids storage building. If we are reasonably confident in the Greenville site and Steinacker Farms then this needs to be changed; the Facilities Plan submitted to the DNR listed the biosolids building to be built in the Black Creek area. Attorney John Thiel reported we have a lease and there are some Clean Water Fund issues and Bond Counsel has some tax exempt concerns with the current lease. The Lease has been drafted to meet the tax issues. The Commission consensus is they are confident that the Steinacker site is the plan to now use for the Facilities Plan. The next item is the standby generator – the commission has two options they discussed; a new 2010 engine that meets tier 2 regulations or a new 2011 engine that meets tier 4 regulations. As of last Thursday there were 4 units available in the United States, this is the same number reported 1-month ago. The opinion of probable cost for the 2010 engine is \$560,000 and for the 2011 engine is \$1,100,000, installed. This engine is not part of the Facilities Plan and if the Commission wants to add one of these engines to the Facilities Plan it also needs to be included in the Plan amendment. Commissioner Mike Samsb questioned if we would need to meet the tier 4 requirements if we purchase the 2010 unit. Tom responded nobody knows at this time when or if the standards will change. After discussion, it was the consensus to include the 2010 engine in the Plan amendment. The last item to consider is a digester gas engine to replace the current engine that is not able to be kept running. Some options available were discussed with no known costs available. The high cost option will be used in the Plan amendment; the options available will be discussed at the next meeting. It was questioned what the project cost will be for reporting to the communities. The total is not known, but will be calculated and the number provided to Carol Wirth and Attorney John Thiel for the letter to the communities. Tom also brought up another issue related to items for equipment purchase for the Commission to consider: bid bonds, performance bonds, payment bonds, lien waivers. As part of this discussion, Attorney John Thiel questioned the process of how the equipment is bid. Tom provided additional information on how the equipment is bid, reviewed, and rated with a comparative evaluation to meet best overall value to owner while meeting requirements of the specifications before a piece of equipment is recommended. The Commission consensus for the equipment bidding process is: no bid bond would be needed, no performance bond, no payment bond, yes for lien waivers. The equipment warranty was

questioned; Tom responded the equipment warranty begins after the equipment is installed, tested, and then accepted by the Commission.

Equipment Bidding. Tom reported there currently is no bid date set for equipment bidding.

Controls/SCADA. Components are being matched to insure a match for seamless integration. They are comfortable with the changes and the quality of the equipment.

GIS Work Order. They are nearing the end of completion of the system development. They will begin adding current equipment information and test unit to verify it properly works. There should be a demo available after this testing.

### **Old Business**

Biosolids. Chad Olsen discussed the Geotechnical Engineering Services (soil boring) quotes received. After discussion, motion made by Commissioner Dale Youngquist, seconded by Tim Hamblin to accept the Geotechnical Engineering Services quote received from Midwest Engineering Services, Inc. in the amount of \$2,985. Motion carried unanimously. Chad discussed updated biosolids storage building costs. The \$3.5 million cost previously reported was a quick cost estimate. He has met with staff at Miron Construction to review the plan designs and to provide an estimate for building costs and recommendations to reduce building costs. The updated opinion of probable cost for the biosolids building is \$2,720,000. If a pre-engineered building is used the cost could drop to \$2,600,000. They will still look at options to reduce the costs for the building. Attorney John Thiel reminded the Commissioners that a conditional use permit in the Town of Greenville will not be needed for the building, however we will need to have a site plan review hearing by the Town.

Interceptor ownership. No new information to report.

### **Other Business to Come Before the Commission**

Attorney John Thiel addressed the Commission concerning the Fox River litigation. NCR and Appleton Paper have a ruling they don't have to remediate this year; other litigation issues are still pending; under the freedom of information act, Menasha Corporation has requested documents from the Federal Government that were withheld during litigation. Attorney John Thiel also reported on the billing issues with the insurance carriers. Davis & Kuelthau will go to a third party arbitrator over new billing rates; looking to arbitrate for money owed by the insurance companies that would come back to the NMSC and the Cities of Neenah and Menasha; Davis & Kuelthau would like to be paid for unpaid bills from November.

There are no items for discussion in closed session

July 26, 2011  
Regular Meeting  
Page 7

**Vouchers**

Motion made by Commissioner Dale Youngquist, seconded by Commissioner Mike Sams to approve operating and payroll fund vouchers #132405 through #132465 in the amount of \$627,934.83 for the month of June 2011. Motion carried unanimously.

Motion made by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 11:20 a.m.

  
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President

  
\_\_\_\_\_  
Secretary

**THE NEXT REGULAR MEETING IS SCHEDULED FOR TUESDAY August 23<sup>rd</sup>, 2011.**

# NEENAH-MENASHA SEWERAGE COMMISSION

## Regular Meeting

Tuesday August 23, 2011

Meeting was called to order by Commission President William Zelinski at 8:03 a.m.

**Present:** Commissioners Dale Youngquist, Tim Hamblin, Kathy Bauer, Raymond Zielinski, Gordon Falck, Mike Sambs, William Zelinski; Manager Randall Much, Attorney John Thiel, Accountant Roger Voigt.

**Also Present:** Tom Kispert, Chad Olsen, Sam Pociask (McMAHON); Rob Franck, Paul Much (MCO); Mike King (Post Crescent).

Commissioners discussed the minutes from the Regular Meeting of July 26. Commissioner Raymond Zielinski questioned the algae pilot plant special meeting on page 1; the biosolids building in the Black Creek area on page 5; and the site plan review in the Town of Greenville on page 6. These items were further explained to the Commission. Commissioner Gordon Falck requested the minutes should be amended on page 4 to include the name of the ad hoc committees that were appointed (Plant Upgrade & Communications/Financial). The names of these ad hoc committees will be added to the minutes. After discussion, motion made by Commissioner Gordon Falck, seconded by Commissioner Dale Youngquist to approve the minutes of the Regular Meeting of July 26, 2011 as amended. Motion carried unanimously.

To accommodate those in attendance, President William Zelinski moved to Agenda item 6B-(3) – GIS Web Based Work Order System/Operations/Maintenance Manual.

Sam Pociask (McMahon) presented a demonstration of the work order management system to the Commission. After the demonstration, Sam reported the work order portion of this system should be running by October. Commissioners questioned who would input the data and make necessary changes. On the work order side of the program this will be performed by the Commission staff; on the GIS side of the program McMahon will make the changes.

President William Zelinski returned to the Agenda as published.

## Correspondence

The following correspondence was discussed:

- A. August 1, 2011 letter from Randall Much, NMSC Manager to Don Verbrick, President Town of Neenah S.D. 2.  
RE: Approval of connection point contingent on meeting requirement of Ordinance-Contract.

Manager Much reported that in discussions with Sanitary District #2, they may reconsider their request for the new connection point at Lift Station #7.

- B. August 16, 2011 letter from William Zelinski, NMSC President to Local Elected Officials (Mayors Scherck & Merkes, S.D. Presidents Verbrick & Helein, Town Chairman Youngquist).  
RE: NMSC Building Project.

The following items were distributed to the Commission during the meeting:

- C. August 22, 2011 letter from Roger Voigt, NMSC Accountant to Local Elected Officials.  
RE: Correction to Page 6 of August 16, 2011 on NMSC Building Project.

Attorney John Thiel reported on the error found in the letter to the elected officials. Corrections were both emailed and mailed to the officials. Commissioner Dale Youngquist updated the Commission on the Town of Menasha status. The Town met Monday and had lots of questions by the Town Commissioners. The Town will pursue the Clean Water Fund; it is not determined if they will borrow the full amount request by the NMSC or if they will borrow an amount for the Town portion only. The Town borrowing will be done as a General Obligation debt. Attorney John Thiel indicated he was the primary drafter of the letter; he tried to tie the letter to facts. Commissioner Dale Youngquist reported the Town Commissioners have concerns regarding Sonoco. Attorney John Thiel reported a letter is being drafted to Sonoco. He further reported on the meeting with the Sonoco Plant Manager and the positive feeling leaving the meeting.

- D. August 17, 2011 memorandum from Neenah Mayor Scherck to Neenah Council Members.  
RE: Scheduling NMSC Communications Committee to meet with the Council.

The Commissioners were informed the initial request was for the Communications Committee to meet before the Council on September 7 at the Council meeting. A request by the Commission was made to meet prior to the Council meeting. A date of August 29 was proposed by Mayor Scherck. Commissioner Dale Youngquist reported he would have a conflict with that date and requested if possibly August 30<sup>th</sup> or 31<sup>st</sup> could be arranged. Accountant Voigt reported he will contact Mayor Scherck to see if either of these days would work for the City.

### **Budget, Finance, Personnel**

Accountant Voigt presented the financial statements for the month of July 2011. The Operations Income is \$347,000 at the end of July. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the financial statements for the month of July and place it on file. Motion carried unanimously.

Commissioners discussed the memo from Accountant Voigt regarding setting a Public Hearing for the 2012 NMSC Budget. After discussion, motion by Commissioner Dale Youngquist, seconded by Commissioner Gordon Falck to schedule a Public Hearing at 8:00 am on Tuesday

September 27, 2011 prior to the Regular Meeting to receive comment on the Proposed 2012 NMSC Budget. Motion carried unanimously.

Commissioners reviewed and discussed the draft 2012 NMSC Budget. Commissioners questioned the sludge hauling and storage building, electricity charges, salt used for the generation of chlorine, and contract management fee. Accountant Voigt reported on the Capital Budget and discussions with Carol Wirth (Wisconsin Public Finance Professionals) on the dollar amount needed for interest on the Clean Water Fund loan. This number needs to be further discussed between Accountant Voigt and Carol Wirth to fund the appropriate amount for 2012. Accountant Voigt reminded the Commissioners the amount in the Capital Budget for the plant upgrade is based on the entire project being funded through the Clean Water Fund. If the project funding is not fully funded by the Clean Water Fund, the Commission will need to hold another Public Hearing later in the year to amend the 2012 Budget for the additional interest costs that could be expected for 2012.

Accountant Voigt reported he received word from Carol Wirth yesterday (Monday, August 22) that First National Bank – Fox Valley reported they have the additional commitment from another bank for the \$500,000 in funds needed for the short-term borrowing. We now have the \$4,500,000 in borrowing available. Attorney John Thiel reported on discussions with Attorney Tom Griggs (Bond Counsel – Godfrey & Kahn); the loan paperwork is ready but we will hold off on signing the paperwork until we have further indication from the communities for the long-term loan commitment.

Accountant Voigt reported our insurance agent has begun the process for the renewal of the Commission business insurance renewals. Accountant Voigt further reported receiving an inquiry from Ademino & Associates in Kimberly to also quote the Commission business insurance. The Commissioners further discussed; after discussion it was the consensus of the Commission to decline the offer from Ademino & Associates to provide a quote to the NMSC for the business insurance.

Accountant Voigt presented MCO Invoices #15734, #15770 and #15767 in the amounts of \$118,202.80, \$535.60 and \$157.69. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to approve for payment MCO Invoices #15734, #15770 and #15767 and to pay the invoices after September 1, 2011. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of July. Accountant Voigt reported the certificate of deposit (CD) with Anchor Bank was closed with the funds deposited into the ICS CDARS account to have these funds available for the project expenses. MCO generated \$9,000 in income to the Commission in July. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Tim Hamblin to accept the Accountants Report.

Accountant Voigt presented for payment McMAHON invoices #46025, #46024, #46084, #46075 and #46076 in the amounts of \$2,200.00, \$45,600.00, \$84.45, \$3,462.75 and \$14,056.76. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale

Youngquist to approve for payment invoices #46025, #46024, #46084, #46075 and #46076. Motion carried unanimously.

### Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of July 2011. There are no issues with the operations. Manager Much reported there are issues with the methane engine. We cannot keep the engine running; we receive a ferment alarm and the engine shuts down. Rob Franck (MCO) reported that efforts to contact representatives in Germany have not been successful due to employees off from work due to vacations. Attempts will be made to reach the representative in Germany once they return to work. After discussion, motion made by Commissioner Dale Youngquist, seconded by Commissioner Raymond Zielinski to accept the operating report for the month of July 2011. Motion carried unanimously.

Tom Kispert reported to the Commission the status on Facility Upgrade activities. The 2010 Genset is in the works; the boiler, heater, gas conditioning system bid documents are almost ready. These will be sent to Attorney John Thiel for review. Commissioner Tim Hamblin questioned if this project is a design/build project. Tom responded it absolutely is not a design/build project. This project is equipment procurement, design, and construct project. Tom further explained the difference between a design/build project and how this project is being handled.

Commissioner Gordon Falck excused from the meeting to attend to personal matters (9:37 am).

Other – Facility Plan Amendment. Tom reported the amendment for the Facilities Plan is going to be wrapped up and sent to the DNR. We will need to set a bid date for the equipment; equipment specs will be going to the DNR when they are pulled together. Tom further discussed the engineering report provided to the Commissioners. Alternatives were looked at to use methane gas; they looked at engines, micro turbines, and service providers. A lot of the gas production data is sketchy; it is mostly theoretical data. Attempts will be made to repair the current methane engine and obtain additional methane gas data over the next couple years. The new boilers and heat exchangers in the Facilities Plan will be kept in the Facilities Plan; any decision on the alternatives for using the excess methane gas will wait until we know the actual gas production with the upgraded facility. We don't want to stick large amounts of money into a project that we don't know will work.

### Old Business

Biosolids. Chad Olsen discussed the site plan that will go to the Town of Greenville staff for storm water and drainage review. The original storage building design was to incorporate the building into the side of a hill located on the property; Steinacker has begun hauling Grand Chute Menasha West biosolids and they now have concerns if the original building design will work for the Neenah-Menasha biosolids. Discussions on building design has us now looking at a flat building. This design will require a change in the size of the building from 180' x 230' to a new size of 210' x 240' due to lower wall height. The estimated building cost for this size building is

\$2.9M. A front end loader will also be needed for handling the biosolids. We may also be looking at contract price adjustments. Commissioner Dale Youngquist questioned at what point do we keep making changes for them at our expense? The Commission expressed to Chad that we cannot keep making changes to the design at our expense for their purposes. Commissioner Raymond Zielinski questioned why there is no public hearing. It was explained there is no change in the use of the land and no conditional use permit is needed. The land is zoned agricultural use and the building is for agricultural purposes. The site plan and storm water management plan does not need a public hearing; only a staff review of the site plan and storm water plan is needed. Manager Much reported meeting with landfill staff to discuss and obtain additional information on the NMSC hauling to the landfill. The NMSC needs to complete some additional testing of the biosolids; the landfill wants a truckload of the biosolids brought in. Within 6-months the landfill will start the closure of the landfill. There is a cell in the landfill and this cell is contractually obligated to another company and is not available for the Sewerage Commission. Chad will contact the current hauler to see if he would be willing to offer a price to haul to the landfill and if they would be willing to rent space in the current storage building until the new building is completed. Chad asked how aggressive should he be in pursuing the storage building; he would be able to submit to the DNR and have bid documents ready by September 9. Commissioner Kathy Bauer questioned bidding without having funding available. Attorney John Thiel indicated we have the short-term funding lined up. Chad indicated it will take a couple weeks for the DNR approval; construction could start by mid-October to avoid the extra expense of winter construction. The building construction would be pre-engineered metal stick building. Attorney John Thiel reminded the Commissioners that this method is looking at the best cost savings for the Commission and communities. The Commission further discussed when there should be a bid opening and the award of the contract. After discussion it was the consensus of the Commission that by September 9<sup>th</sup> the DNR should receive the plans and specs and the Town of Greenville should receive site and drainage plans; the bid documents should be available to prospective bidders by September 9<sup>th</sup> with a bid opening by September 30<sup>th</sup>. Any contract award would be contingent on regulatory approvals and financing available.

Interceptor ownership. No new information to report.

Motion made by Commissioner Tim Hamblin, seconded by Commissioner Raymond Zielinski to convene into closed session pursuant to Wis. Stats. § 19.85(1)(g) to confer and review written and/or oral legal advice by legal counsel to the Commission as to litigation strategy and status of matters concerning the lawsuit(s) commonly referred to as the Fox River litigation. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Kathy Bauer, Tim Hamblin, Mike Sambs. Meeting convened into closed session at 10:09 am.

After discussions, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to adjourn the closed session and return in regular open session. Motion carried unanimously by Commissioners Raymond Zielinski, Dale Youngquist, Kathy Bauer, Tim Hamblin, Mike Sambs. The Commission returned to Regular open session at 10:30 am.

Vouchers

Commissioner Tim Hamblin questioned the invoice for Centerline, Inc. This invoice was for shims to align motors. After discussion, motion made by Commissioner Raymond Zielinski, seconded by Commissioner Dale Youngquist to approve operating and payroll fund vouchers #132466 through #132521 in the amount of \$426,540.86 for the month of July 2011. Motion carried unanimously.

Motion made by Commissioner Tim Hamblin, seconded by Commissioner Dale Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:32 a.m.

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President

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Secretary

**THE NEXT REGULAR MEETING IS SCHEDULED FOR TUESDAY September 27<sup>th</sup>, 2011.**



## City Hall Safety Committee Meeting

August 4, 2011  
Minutes

Meeting called to order at 1:30 PM.

Present: Adam Alix, Tom Stoffel, Kate Clausing, Vicki Lenz, Pam Captain, Sue Nett  
Absent: Todd Drew, Kristi Heim

- A. Motion to approve minutes as corrected made by K. Clausing and seconded by T. Stoffel.  
Motion carried.

### B. Old Business

1. **Sunscreen / PPE** - Clarification given from CVMIC that employer is not responsible for providing sunscreen for employees as sunscreen is not considered personal protective equipment (PPE).
2. **Library Reception Desk** – Floor depression has been assessed by A. Alix and he will be working to address the situation.

### C. New Business

1. **Monthly Safety Topic** distributed. August topic is on the safe backing up of a vehicle. The information is pertinent for both on the job and personal vehicle use.
2. **Injury Review** One incident reviewed. Employee entered a home to do a health hazard assessment. Home was infested with fleas. Employee sustained multiple bug bites and was treated. Discussed appropriate use of PPE (tyvek suit and shoe covers in this case) and the need to maybe have a change of clothes in the office available if needs to remove contaminated clothing quickly.
3. **Review Library Emergency Drill**—V. Lenz reviewed the steps taken on 7-18-11 when the severe weather warning was issued and the corrective steps taken to address problems noted during the emergency evacuation to the basement. There was also discussion on having signage on the city hall door to the basement reminding employees to keep the door open when evacuating to the basement and for non-employees to know that is the route to follow for safety. A. Alix and S. Nett to work on the message for the signage.
4. **Other new items for discussion**—The IT Department researched methods on how to notify employees quickly of an

emergency and have suggested sending a message to everyone's computer in that area (such as city hall). There were questions on whether or not the message would appear if the person's screen saver were on and how that person would be alerted. P. Captain questioned if the message would appear on the blackberry phones. S. Nett will check into this and report back at the next meeting.

#### D. Training

1. **Severe Weather Training / Drills** The severe weather on 7-18-11 in the morning provided the opportunity for both city hall and the library to respond to the warning sirens. The major problem noted by both was how they were going to be alerted to the all clear message so they could leave the evacuation shelter. The library does have a TV they hooked up and then watched for updates. City hall need to have a radio available to them. A. Alix to check into the availability of a radio for the basement of city hall.
2. **Bloodborne pathogen training availability to library employees** – V. Lenz unsure of who needed to complete the training. T. Drew will email the list of those completing to V. Lenz.
2. **Annual training items** – T. Drew will be working on the computer updates and will notify employees when the program will be available.
3. **Fire Extinguisher Training (live)** – schedule late September, early October. No definitive dates to report.
4. **Additional Training items for discussion**---T. Stoffel discussed the CVMIC training in September on Health and Safety designed for safety committee members etc. An email will be sent to all safety committee members on this and each member can register if interested.

Motion to adjourn at 2:14 PM by P. Captain and seconded by K. Clausing. Motion carried.



**PUBLIC WORKS / PARKS DEPARTMENT SAFETY COMMITTEE**  
**August 23, 2011**  
**MINUTES**

Meeting called to order at 9:05 AM

Present: Adam Alix, Todd Drew, Mark Radtke, Jim Julius, Vince Maas, Pamela Captain, Sue Nett, Kevin Schmahl

Absent: Jeff Nieland, Ken Popelka, Adam Alix

**Approval of Minutes** – Motion to approve minutes from the July 26, 2011 meeting made by P. Captain second M. Radtke.

**A. Old Business**

1. **EOEP Maps** – Jefferson Park Bathhouse – Maps have been completed – pending completion of final markings related to exits, etc.
2. **Maintenance Shop Ventilation Issue** – A. Alix stated the hood is in place, hoses are being fit into the floor ports and side curtains have been ordered.
3. **Jefferson Park Pool Walk Thru**- Only electrical issues in locker rooms remain which will be addressed by Beck Electric. New door frames will be budgeted in both locker rooms.
4. **Severe Weather Response** – reinforce procedure with all staff to call in with locations and shelter, not all employees / crews checked in during last actual severe weather event which did involve sirens.
5. **Smith and Jefferson Park Recycle Cans** – Lifting issue. Issue resolved – per J. Nieland DPW will provide assistance with automated trucks to pick up more frequently as needed.
6. **Maintenance of Eyewash Stations and Fire Extinguishers** – T. Jacobson will assign responsibility to do periodic checks / and document.

**B. New Business**

1. **Monthly Safety Topic – “It’s Perverse to Drive Blind in Reverse...”**  
Discussed importance of being absolutely sure of what is behind equipment / vehicles prior to backing up.
2. **Injury Review** – Two injuries reported:  
**First Injury**- Parks - Employee suffered an abrasion to the eye from sawdust while cutting trees. Employee was wearing safety glasses at the time of the issue. Employee did receive medical attention for injury – no loss time. Recommendation was to use safety glasses/ goggles with side shields should be used and also to work upwind if possible.

**Second Injury** – Parks Life Guard – Employee was stung in the finger by a bee while emptying garbage. Area swelled which was thought to be a possible allergic reaction to the sting. Employee received medical attention and missed the remainder of that day and one additional day due to issue. Employee was not aware of any prior allergy. Recommendation was depending upon the issue send employee to Health Department for a consult prior to sending employee to emergency room, wear gloves or take some other precautions such as long sleeves and gloves when removing garbage due to the likelihood of bees to be present.

3. **Grave Excavation Requirements** – T. Drew provided information/sample policy to V. Maas on the requirement for a competent person to be present on grave excavations in certain circumstances. Employees will be attending Excavation / Trenching Training and will receive additional information.
4. **Additional Items** – T. Drew cited an issue of a patron accident at the pool and the necessity to immediately complete the non-employee injury report form and potentially the State DHS Injury forms. Forms should be completed immediately and provided with 24 hours if possible.

#### C. Training

1. **Fire Extinguisher Training** – Fire extinguisher training to be pushed to October due to DPW work load and confined space training on the October 10.
2. **CVMIC Excavation and Trench Training** – Training Review
3. **Rigging Training Review** – Attendees thought training was very good – issues related to equipment needs and techniques such as specific knots related to tree rigging was thought to be very valuable.
4. **Confined Space Training** – Confined space training to be conducted at the Neenah training facility on October 10. Number of attendees ~12??
5. **Other training suggestions** – Hearing screening coming up – information will be provided.

D. **Adjourn:** Motion V. Maas second P. Captain - Meeting adjourned at 10:05a

**CITY OF MENASHA**  
**Redevelopment Authority**  
**Council Chambers, City Hall – 140 Main Street**  
September 26, 2011  
**DRAFT MINUTES**

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**A. CALL TO ORDER**

The meeting was called to order at 7:35 a.m. by Vice Chair Bob Stevens.

**B. ROLL CALL/EXCUSED ABSENCES**

REDEVELOPMENT AUTHORITY MEMBERS PRESENT: Kip Golden, Dave Wuestenberg, Bob Stevens and Ald. Jim Englebert

REDEVELOPMENT AUTHORITY MEMBERS EXCUSED: Linda Kennedy and Kim Vanderhyden

OTHERS PRESENT: Mayor Merkes, CDD Keil, CA Captain, and Comptroller Stoffel

**C. MINUTES TO APPROVE**

**1. Minutes of the May 25, 2011 Redevelopment Authority Meeting**

Motion by Ald. Jim Englebert, seconded by Dave Wuestenberg to approve the May 25, 2011 Redevelopment Authority meeting minutes.

The motion carried.

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

1. None

**F. DISCUSSION**

1. None

**G. ACTION ITEMS**

**1. Persons Acting in Advisory Capacity to the Redevelopment Authority**

Greg Keil reported that Dave Wuestenberg will be tendering his resignation from the RDA as he is moving out of the City of Menasha. Statutes specify that RDA members are to be residents of the city. Greg went on to explain that Dave's economic development position at Fox Valley Technical College puts him in close contact with employers throughout the Fox Cities, and Dave can provide valuable insight to the RDA as it pursues its economic development initiative. Greg asked board members whether they would consider retaining Dave as an advisor to the committee.

Motion by Kip Golden, seconded by Ald. Jim Englebert to designate Dave Wuestenberg as an advisor to the committee.

The motion carried.

**2. Consideration of Preliminary Determination of Blight – Lake Park Villas (STH 10/CTH LP) Staff Memorandum**

Greg Keil reviewed the contents of his memorandum outlining the basis for the proposed blight designation and the procedures that would follow a preliminary determination of blight by the RDA. Board members discussed:

- The status of properties to be designated as blighted. These are to include the vacant land and unimproved lots owned by the city and three other unimproved lots owned by others.
- The implications of the blight designation on the commercial Lot 16, which per the

- development agreement with the Ponds of Menasha is to be reacquired by the city.
- The potential short term and long term effect of a blight designation on property values.
  - The procedure for notification of the blight determination.
  - The relation of the blight designation to the future marketing and development of Lake Park Villas.
  - The responsibilities and liabilities of the RDA should the land be transferred to it.

Motion by Ald. Jim Englebert, seconded by Kip Golden that the Redevelopment Authority make a preliminary determination of blight for the vacant land and unimproved lots in Lake Park Villas and vicinity, and to direct staff to create the proper notice to property owners regarding the public hearing on the blight designation.

The motion carried.

3. **Set Next Meeting Date**

Motion by Kip Golden, seconded by Ald. Jim Englebert to set the next meeting date for Monday, October 17, 2011 at 4:30 p.m.

The motion carried.

**H. ADJOURNMENT**

Motion by Kip Golden, seconded by Ald. Jim Englebert to adjourn at 8:25 a.m.

The motion carried.

*Minutes respectfully submitted by Greg Keil, Community Development Director.*



September 16, 2011

Thomas G. Schanke  
W245 S6020  
Red Wing Drive  
Waukesha, WI 53189

RE: NOTICE OF EXERCISE OF RIGHT TO REPURCHASE Parcel #2 (LOT 16)  
Menasha, WI

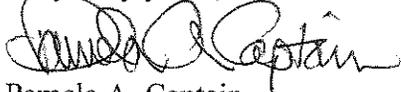
Dear Mr. Schanke:

On March 24, 2011, the Common Council approved the City entering into a Development Agreement with The Ponds of Menasha, LLC. On September 7, 2011, the Development Agreement was executed. As you are aware The Ponds of Menasha, LLC has agreed to develop Parcel #2 (LOT 16) as referenced in the agreement between the City and you dated May 30, 2002.

In accordance with paragraph 12, B, in Section D of the agreement between you and the City of Menasha, you were to have commenced construction on LOT 16 within five (5) years from the transfer of the parcel to you. The parcel was transferred to you in June 2003. More than five years has past and construction has not commenced. The City is ready to proceed with the reacquisition of LOT 16 in order to ensure development of the parcel. Therefore, the City is hereby exercising its right to repurchase LOT 16 for a total purchase price of \$165,000, plus associated transfer costs. Our target date to complete this transaction is before the end of this year.

Please contact me at your earliest convenience to discuss this matter.

Very truly yours,

  
Pamela A. Captain

Cc: Common Council & Mayor  
Attorney Timothy B. Anderson

# PUBLIC HEARING NOTICE

## CALUMET COUNTY PLANNING, ZONING AND FARMLAND PRESERVATION COMMITTEE

The Calumet County Planning, Zoning and Farmland Preservation Committee will hold a public hearing during their regular meeting beginning at 9:00 on October 5, 2011 in Conference Room 017 of the Calumet County Courthouse. Use Courthouse Entrance B and follow the signs.

Individuals interested in the following issues are encouraged to attend and/or submit their oral and/or written testimony in person at the hearing or the day prior to the hearing to the Planning Department, 206 Court Street, Chilton, WI 53014, (920) 849-1442 or 989-2700.

### PETITIONS

1. Jennifer Bott petitions Calumet County to amend Section 82-43(f)(1)G of Chapter 82 (Zoning) of the County Code of Ordinances to allow boathouses to be 12 feet in height (current code limits them to ten feet).
2. Rodney Schmitz is requesting a Conditional Use Permit as required by Sec. 82-24(c) and 82-113 of the Zoning Code for a Trade and Contractor Establishment, and the expansion of that Trade and Contractor Establishment. Mr. Schmitz operates a building maintenance and construction business from his property at N828 Dorn Rd, Town of New Holstein. The expansion will include the construction of a 1,728 sq. ft. accessory building that will be used as a workshop and for equipment storage. The 10 acre property is zoned General Agricultural (GA).
3. Calumet County proposes to amend Chapter 62 (Land Division) of the County Code of Ordinances to reflect new definitions and address soil and well test matters, base development yield, acceleration and deceleration lanes, public road access, and changes to the *Growth Management Map* and *Density Map*.
4. Calumet County proposes to amend the *Calumet County Farmland Preservation Plan, 2010, Map 1, Current Growth Management Areas*, to be consistent with the map approved in Petition 3 above.

The above proposed map amendments can be viewed at [www.co.calumet.wi.us](http://www.co.calumet.wi.us), click on 'calendar', the hearing date, and 'attachments'. A hard copy of the proposed amendments can also be viewed at the Planning Department during normal business hours.

### DELIBERATION

The Committee will accept and review all pertinent information relative to the above-listed items. The Committee may, if deemed necessary, recess into executive session to deliberate upon the proposed petitions pursuant to Chapter 19.85(1)(a) of the Wisconsin Statutes.

### DECISION

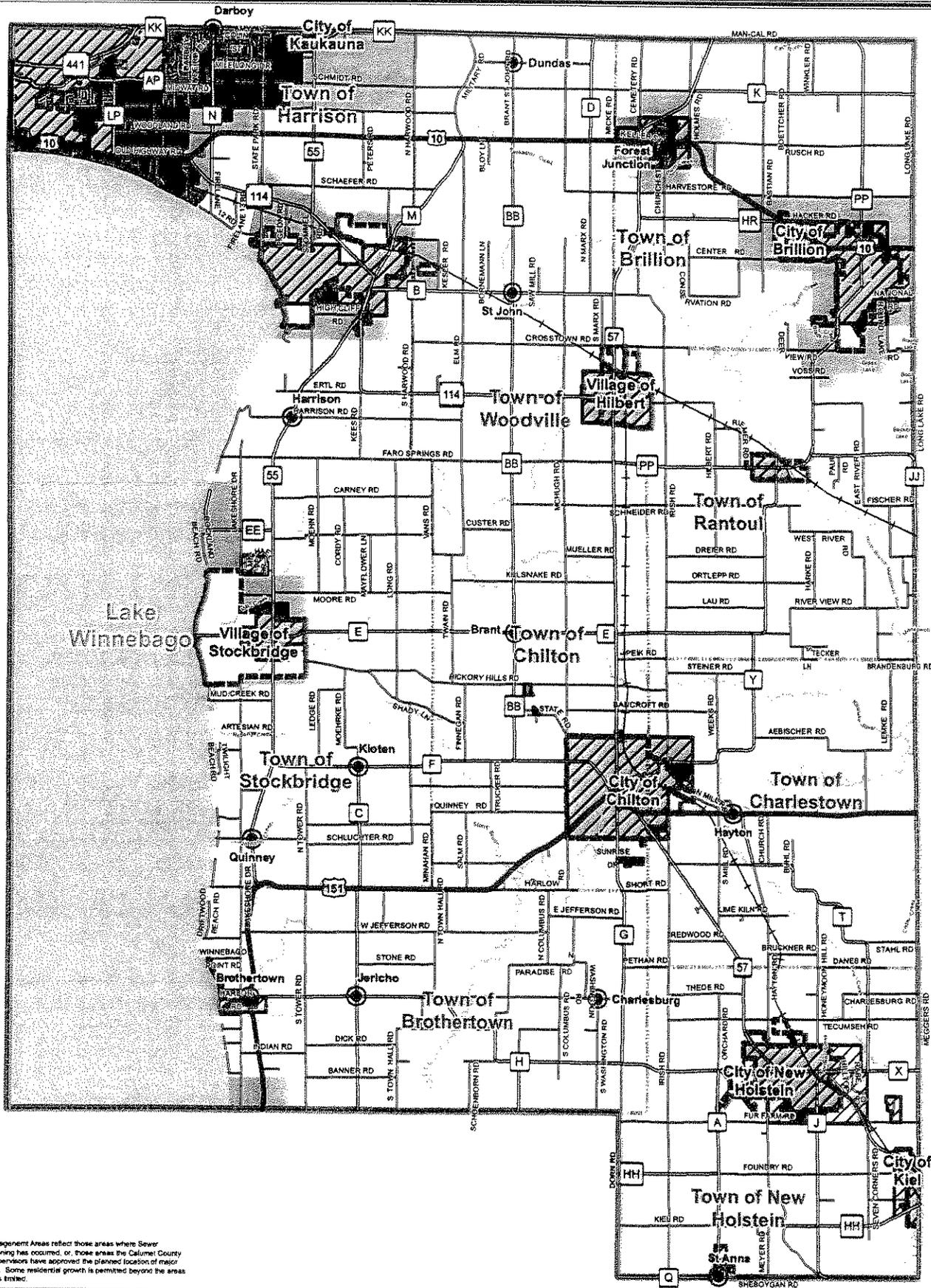
The Committee will make their decision in open session providing all appropriate information is available.

Respectfully submitted:  
Alice Connors, Chair  
Planning, Zoning and Farmland Preservation Committee

RECEIVED

SEP 20 2011

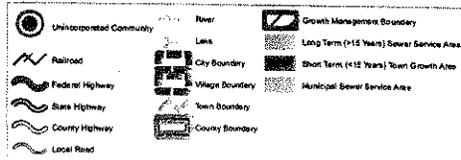
CITY OF MENASHA  
BY dg



Growth Management Areas reflect those areas where Sewer Service Planning has occurred, or those areas the Calumet County Board of Supervisors have approved the planned location of major subdivisions. Some residential growth is permitted beyond the areas shown, but is limited.

# Current Growth Management Areas

Calumet County, Wisconsin



Calumet County LID  
306 Court St  
Chilton WI, 53014  
920-649-1442



Map Date: September 2011



Map 1



### Memorandum

TO: Common Council  
From: Greg Keil, CDD *gk*  
Date: September 29, 2011  
RE: Transfer of Vacant Land and Lots in Lake Park Villas to the Redevelopment Authority

On September 26, 2011, the Menasha Redevelopment Authority made a preliminary determination of blight with respect to the vacant land and unimproved lots in Lake Park Villas. The basis for this determination was presented in the attached memorandum to the RDA dated September 23, 2011. The blight determination is an essential first step for the RDA to acquire property.

The owners whose property was included in the preliminary determination of blight were sent notice of such determination. A public hearing will be held by the RDA at 4:30 PM on October 17, 2011 to consider their comments. Following the hearing, the RDA will consider making a final determination of blight. Should the RDA act in that manner, a resolution will be presented to the Common Council to authorize the acquisition of properties by the RDA. A development agreement and other documents will be created for consideration by the Common Council and RDA to describe the procedures under which the land transaction will take place and to outline how subsequent financial obligations will be met.



## Memorandum

To: Redevelopment Authority  
From: Greg Keil, CDD *GR*  
Date: September 23, 2011  
RE: Conditions Precedent to Preliminary Determination of Blight

A determination of blight is an essential first step for the acquisition of property by a redevelopment authority. It is now proposed that the Menasha Redevelopment Authority make such a determination with regard to the vacant land and unimproved residential and commercial lots in Lake Park Villas (see attached drawing).

The City of Menasha initiated the Lake Park Villas development in 2001 via a development agreement with Johnson Properties Services, LLC for real estate services, and granted them an exclusive option to purchase city-owned land. This agreement was subsequently assigned to WISCO Enterprises, LLP. Under this agreement, the city held the land costs and paid for the installation of infrastructure and amenities. The city received reimbursement for these expenses plus a percentage of the land sale price as lots were sold to third parties. The development plan called for the development to take place in four phases. Only the first two phases were completed, consisting of 16 commercial lots along Lake Park Road, and 116 residential lots.

Despite initial success in developing and marketing the property, the Lake Park Villas development has come to a standstill. The developer, WISCO fell into receivership as the result of internal conflicts and a softening housing market. The city has since engaged other real estate brokers to sell the city owned properties, but these efforts have met with little success as no lots have been sold since 2007.

Staff is proposing that the RDA make a preliminary determination of blight on the vacant lands and unimproved residential and commercial lots in Lake Park Villas. The basis for such a determination is under Sec. 66.1333, Wis. Stats. The definition of "blighted property" means "any property within a city, whether residential or nonresidential, which by reason of...obsolescence..., or the existence of conditions which endanger life or property by fire or other causes, or any combination of such factors, ...and is detrimental to the public health, safety, morals and welfare, or any property which by reason of faulty lot layout, in relation to size, adequacy, accessibility, usefulness, ...deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title,...or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use, or any property which is predominantly open

and which because of obsolete platting...deterioration of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community”.

Facts in support of this determination are as follows:

- Predominance of Open Land and Obsolete Platting
  - 20.4 Acres of the area included in TID #12 is part of the city owned area commonly referred to as Lake Park Villas. This area is not platted and cannot be developed unless it is platted.
  - 24.7 Acres within the Lake Park Villas Plat are contained within a single parcel. This area needs to be further subdivided in order to be developable for residential purposes.
  - 10.04 Acres within the Lake Park Villas Plat are contained within a single parcel. This area needs to be further subdivided in order to be developable for residential purposes.
- Faulty Lot Layout
  - The original plat of Lake Park Villas created lots that were not compatible with the market demand for home designs prospective purchasers were most interested in building. There were numerous certified survey maps and a replat of a portion of Lake Park Villas to reconfigure lots in an attempt to correct the platting deficiencies.
- Economic Liability
  - There are 16 Commercial Lots within Lake Park Villas, 10 of which are unimproved. Of the 10, 9 are owned by the city. The last time a vacant commercial lot was sold was over 6 years ago.
  - There are 112 residential lots within Lake Park Villas. Of this number, 66 are undeveloped, and 64 of them are owned by the city. The last time a vacant residential lot was sold was over 4 years ago.
  - The value of residential properties declined by \$1,773,600 from 2007 to 2011, a decrease of 12 percent.
  - The value of commercial properties declined by \$1,578,000 from 2007 to 2011, a decrease of 25 percent.
  - Approximately \$750,000 per year is placed on the general property tax levy to pay debt associated with the Lake Park Villas Development.
- Deterioration of Site Improvements
  - There has been substantial deterioration of site and other improvements. Most notably the pavement surface and curbing in the existing roundabouts, failure of pumps and electrical components in ponds, and deterioration of site landscaping and other amenities.
- Obsolescence
  - The presence of obsolescence is apparent in the two silos from long-discontinued agricultural use of the property, and a garage that formerly housed equipment used to maintain the property by a former developer.
- Defective or Unusual Conditions of Title
  - There are at least two parcels where there is dispute regarding conditions of title.

In my opinion, these factors when taken together provide substantial documentation for a determination of blight. If the RDA concurs with this finding, a process will be initiated to inform the owners of the vacant land and unimproved residential and commercial lots relative to the preliminary determination of blight. A public hearing will be held 20 days after notice of the hearing is sent, and persons will be provided an opportunity to present their comments on the preliminary determination of

blight. The RDA will then take action either to assert or set aside the blight determination. If the RDA asserts the determination of blight, a resolution will be advanced to the Common Council indicating the intended acquisition of the blighted area by the RDA. A 2/3 vote of the Common Council is required to approve such acquisition.





IN REPLY REFER TO

DEPARTMENT OF THE ARMY  
DETROIT DISTRICT, CORPS OF ENGINEERS  
477 MICHIGAN AVENUE  
DETROIT, MICHIGAN 48226

September 7, 2011

Engineering and Technical Services Division  
Great Lakes Hydraulics and Hydrology Office

To Our Lake Winnebago Partners:

You are invited to attend the interagency coordination meeting concerning the regulation of the outflows from Lake Winnebago into the lower Fox River. The meeting will be held at Radisson Paper Valley Hotel on 333 West College Avenue, Appleton, WI on Tuesday, October 25, 2011 at 3:00 PM (C.S.T). A map of the hotel location is enclosed.

This is an interagency meeting that will be open to the public. It is being conducted to exchange information between the Corps of Engineers and representatives of other groups that have expressed an interest in the water resources management of the Lake Winnebago Basin.

The meeting agenda is as follows:

- a. Regulation Actions, October 2010- September 2011
- b. Regulation Strategy, October 2011- September 2012
- c. Other Items of Concern

We look forward to your participation. If you have any questions, please contact Mr. John Allis at (313) 226-2137.

Sincerely,

A handwritten signature in cursive script that reads "Michael K. O'Bryan".

Michael K. O'Bryan, P.E.  
Chief, Engineering and Technical  
Services Division

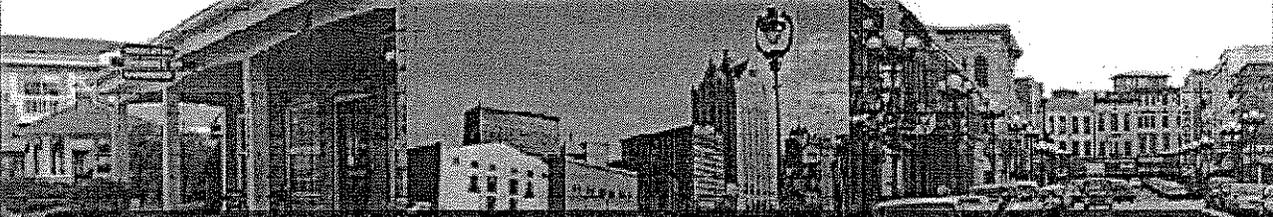
Enclosure

Copies Furnished:

Kewaunee Sub-Ofc.  
Fox River Proj. Ofc.  
GLH&H Ofc.



You may unsubscribe if you no longer wish to receive our emails.



**League of Wisconsin Municipalities - League Letter**



**September 20, 2011 No.  
9**

**Attorney General to Host  
Public Records and Open  
Meeting Laws Seminars  
Training Opportunities**

**League of Wisconsin  
Municipalities**

*122 W. Washington Ave.  
Suite 300  
Madison, WI 53703*

Phone:  
(608) 267-2380

**Attorney General to Host Public Records and  
Open Meeting Laws Seminars**

Attorney General J.B. Van Hollen invites the public and government officials to attend upcoming Department of Justice seminars on the public records and open meetings laws.

"Access to open meetings and public records is an essential component of effective citizen oversight of the workings of our democratic government," Van Hollen says, "Raising awareness, sharing information, and promoting compliance with the open meetings and public records laws is part of the ongoing mission of the Department of Justice."

Online registration began at the Department of Justice website (<http://www.doj.state.wi.us/>) September 6th, 2011. It's recommended anyone who is interested in the free seminars with assistant attorneys general. Register early because space is limited.

The live programs will be held October 3rd (Pewaukee) and October 10th (Madison), and a webinar is scheduled for October 20th.

A webinar is an interactive audio-visual presentation viewed live over the Internet from the participant's personal computer.

NOTICE

PLEASE TAKE NOTICE:

Not less than ten (10) days nor more than twenty (20) days from the date this notice is published, the undersigned intends to circulate a petition for the incorporation of portions of the Towns of Harrison and Buchanan to a village. The territory to be incorporated is all of Section 2 and Part of Sections 1, 3, 9, 10, 15 & 16, Township 20 North, Range 18 East, Town of Harrison, Calumet County, and Part of Sections 32, 33, 34 & 35, Township 21 North, Range 18 East, Town of Buchanan, Outagamie County, Wisconsin and legally described in **Exhibit 1**, available at the Harrison Town Hall along with a scaled map.

By order of the Town Board:

Celine Romenesko  
N9598 County N  
Appleton, WI 54915

Resident and Freeholder

Date: September 1, 2011

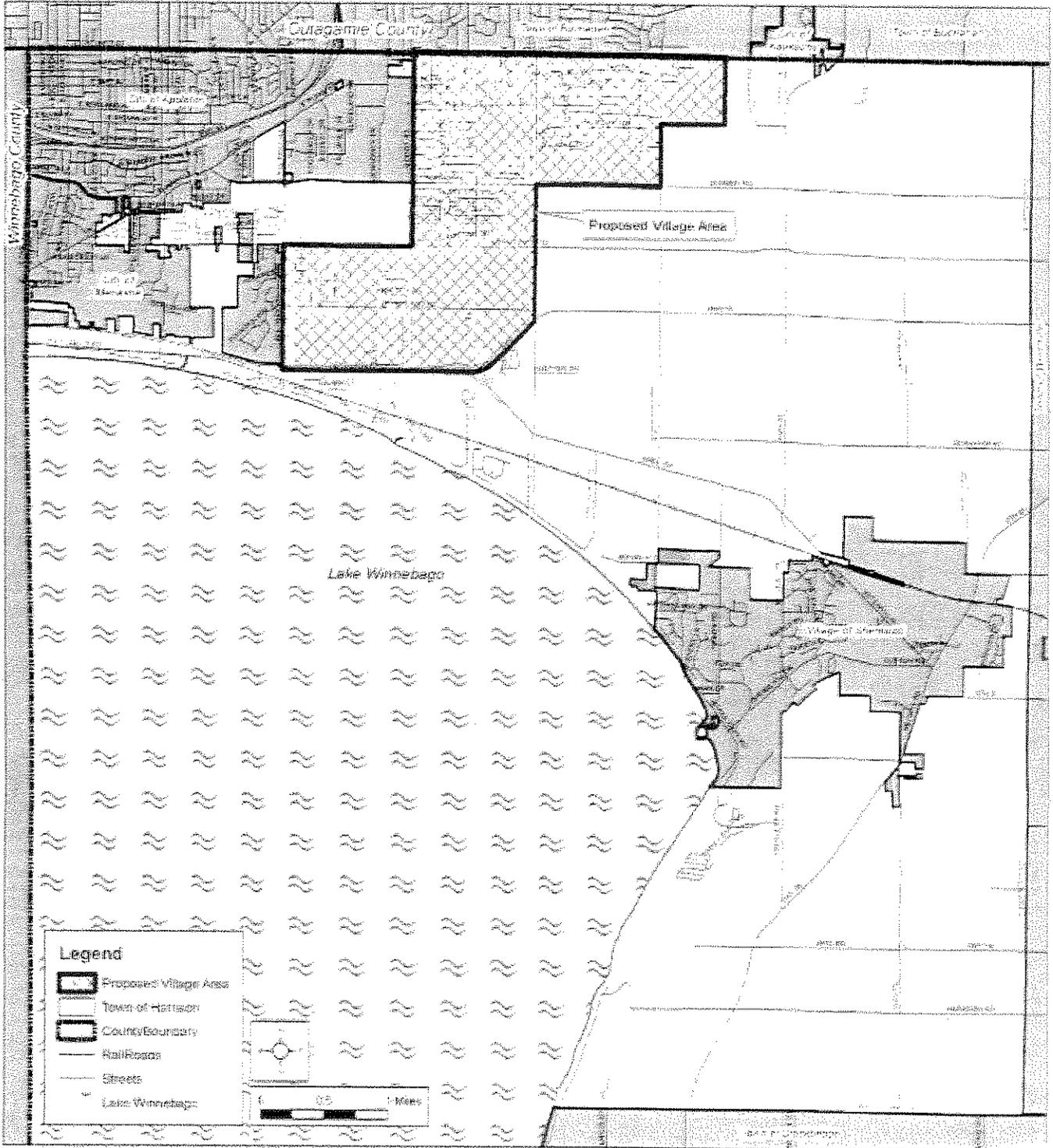
RECEIVED  
SEP 20 2011  
CITY OF MENASHA  
BY                     dg

## EXHIBIT 1

All of Section 2 and Part of Sections 1, 3, 9, 10, 15 & 16, Township 20 North, Range 18 East, Town of Harrison, Calumet County, and Part of Sections 32, 33, 34 & 35, Township 21 North, Range 18 East, Town of Buchanan, Outagamie County, Wisconsin and described as follows:

Beginning at the Intersection of the North line of the Northeast 1/4 said Section 1 and the Northerly extension of the East right-of-way line of Prosperity Drive; Thence S00°06'12"E, 1,430.04 feet along the extended East right-of-way line of Prosperity Drive; Thence S14°24'54"W, 159.56 feet; Thence S00°06'12"E, 1198.88 feet along the extended East right-of-way line of Prosperity Drive to the South line of Northeast 1/4 of said Section 1; Thence N89°36'44"W, 40.00 feet along the South line of Northeast 1/4 of said Section 1 to the Center 1/4 corner of said Section 1; Thence N89°47'05"W, 2,610.34 feet along the South line of the Northwest 1/4 of said Section 1 to the West 1/4 corner of said Section 1; Thence S00°21'02"W, 2,619.04 feet along the West line of the Southwest 1/4 of said Section 1 to the Southwest corner of said Section 1; Thence N88°21'50"W, 2,621.64 feet along the South line of the Southeast 1/4 of said Section 2 to the South 1/4 corner of said Section 2; Thence S89°16'59"W, 2,598.23 feet along the South line of the Southwest 1/4 of said Section 2 to the Southwest corner of said Section 2; Thence S00°00'43"E, 2,629.36 feet along the West line of the Northeast 1/4 of said Section 10 to the East 1/4 corner of said Section 10; Thence S00°38'14"W, 2,624.20 feet along the West line of the Southeast 1/4 of said Section 10 to the Southeast corner of said Section 10; Thence S00°48'35"W, 455.07 feet along the East line of the Northeast 1/4 of said Section 15 to the Centerline of U.S. Highway 10; Thence 3,460.26 feet along the centerline of said U.S. Highway 10 to the Center 1/4 corner of Section 15; Thence N89°11'31"W, 2,624.13 feet along the South line of the Northwest 1/4 of said Section 15 to the West 1/4 corner of said Section 15; Thence N89°46'10"W, 2,614.42 feet along the South line of the Northeast 1/4 of said Section 16 to the Center 1/4 corner of said Section 16; Thence N89°49'56"W, 2,636.03 feet along the South line of the Northwest 1/4 of said Section 16 to the West 1/4 corner of said Section 16 and the Southerly Extension of the City of Menasha Corporate Boundary; Thence N00°36'55"E, 2,634.16 feet along the City of Menasha Corporate Boundary, its Southerly Extension and the West line of the Northwest 1/4 of said Section 16 to the Northwest corner of said Section 16; Thence N00°38'30"E, 2,595.58 feet along the City of Menasha Corporate Boundary and the West line of the Southwest 1/4 of said Section 9 to the Westerly extension of the South right-of-way line of Manitowoc Road (mapped 80 foot right-of-way); Thence Easterly, 2,620.66 feet along the South right-of-way line of Manitowoc Road and its Westerly extension to the East line of the Southwest 1/4 of said Section 9; Thence Easterly, 2,659.35 feet along the South right-of-way line of Manitowoc Road and its Easterly extension to the East right-of-way line of Coop Road (66 foot wide road per City of Appleton Corporate Boundary) Thence N00°25'44"E, 40.00 feet along the East right-of-way line of Coop Road to the centerline of said Coop Road; Thence N00°30'00"E, 2,626.90 feet along the East right-of-way line of Coop Road to the North line of the Northwest 1/4 of said Section 10; Thence N00°22'54"E, 5,078.87 feet along the City of Appleton Corporate Boundary, its Northerly extension and along the East right-of-way line of Coop Road to the Easterly extension of the South line of Lorna Lane; Thence N00°31'53"E, 32.95 feet along the City of Appleton Corporate Boundary and the East right-of-way line of Coop Road; Thence S89°15'59"E, 7.00 feet along the City of Appleton Corporate Boundary and the East right-of-way line of Coop Road; Thence N00°31'53"E, 203.05 feet along the City of Appleton Corporate Boundary and the East right-of-way line of Coop Road to a vision corner in the Southeast corner of Calumet Street and Coop Road; Thence N45°38'06"E, 70.56 feet along the City of Appleton Corporate Boundary and said vision corner to the South right-of-way line of Calumet Street; Thence N08°58'34"W, 133.89 feet along the City of Appleton Corporate Boundary to the North right-of-way line of Calumet Street; Thence Easterly, 13,029 feet more or less along the North right-of-way line of Calumet Street (C.T.H. KK) through the intersecting Streets to the Northerly extension of the East line of the Northwest 1/4 of said Section 1; Thence South, 50.00 feet to the North 1/4 corner of said Section 1 and the Point of Beginning.

Total area of described parcel is 3,003 acres more or less.



# PROCLAMATION

Congratulating the "What do you love about Miller Park?" contest winner

WHEREAS, The Milwaukee Brewers have had a very exciting season, with the clinching of their first National League Central Division Championship title in 29 years, setting a new club record; and

WHEREAS, The Milwaukee Brewers have had a record breaking season, with a new club record of 55 home wins in a season and a new single season franchise attendance record; and

WHEREAS, The Milwaukee Brewers beat 2008's attendance record by selling 3,068,781 tickets this season; and

WHEREAS, The Milwaukee Brewers' attendance record proves that there is incredible support in the stands at Miller Park; and

WHEREAS, The "What Do You Love About Miller Park" contest asked Brewer fans to share their favorite story or memory about Miller Park; and

WHEREAS, The "What Do You Love About Miller Park" contest had hundreds of entries from all over the state, with the grand prize being a pair of 20-Game ticket packages for the 2012 season ; and

WHEREAS, The "What Do You Love About Miller Park" contest winner, "Maggie's first Miller Park hot dog experience," was submitted by Bridget Balogh, of Menasha.

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Donald Merkes, Mayor of the City of Menasha, do hereby congratulate Bridget & Maggie Balogh, winners of the grand prize in the "What Do You Love About Miller Park" contest.



Dated this 27th day of September, 2011

Donald Merkes, Mayor



# PROCLAMATION

## Wisconsin Disability Employment Awareness Month

Whereas, each October has been designated as National Disability Employment Awareness Month by the Congress of the United States of America since 1988, and;

Whereas, the 2011 theme is "Profit by Investing in Workers with Disabilities," and;

Whereas, of the working age Wisconsin residents who have disabilities, the labor pool of potential employees remains largely untapped, and;

Whereas, the contributions that people with disabilities bring to the workforce and the advantages of recruiting and hiring qualified candidates with disabilities are clearly documented, and;

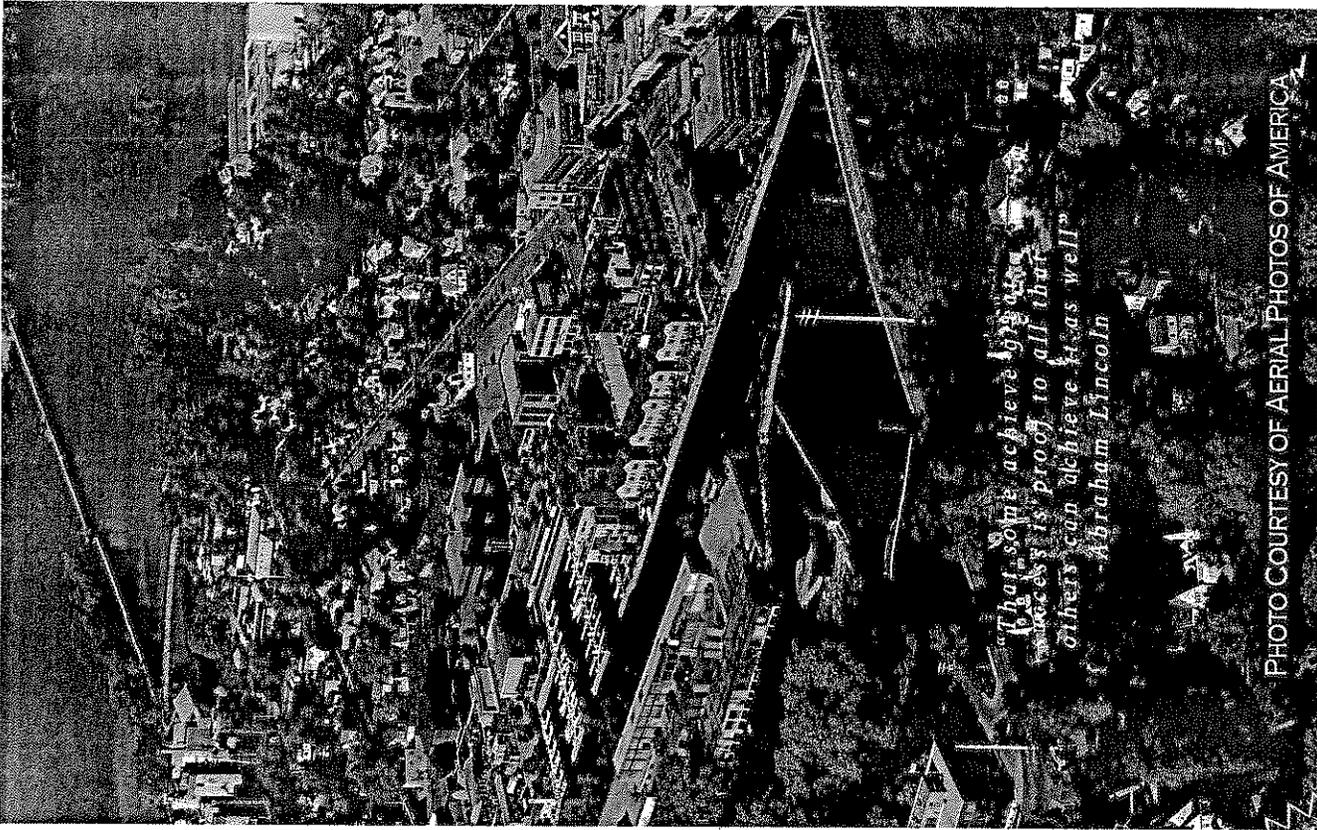
Whereas, NEW Partnerships for Employment has officially launched their Annual Public Awareness Campaign Project associated with Wisconsin Disability Employment Awareness Month in conjunction with National Disability Employment Awareness Month.

Now, Therefore, I, Donald Merkes, Mayor, do hereby proclaim the month of October

## WISCONSIN DISABILITY EMPLOYMENT AWARENESS MONTH

in the City of Menasha, and encourage individuals and organizations throughout Northeast Wisconsin to join us in recognizing the talents and contributions that people with disabilities bring to the workforce.

In Witness Whereof, I, Donald Merkes, have hereunto set my hand and caused to be affixed the Great Seal of the City of Menasha in the State of Wisconsin, this 1st day of October, 2011.



*"That some achieve greatness and others... success is proof to all that others can achieve it as well!"*  
- Abraham Lincoln

PHOTO COURTESY OF AERIAL PHOTOS OF AMERICA

Donald Merkes, Mayor

Mayor - FYI



475 L'ENFANT PLAZA SW  
WASHINGTON, DC 20260-5600  
202-268-6566  
FAX: 202-268-4263  
WWW.USPS.COM

SEPTEMBER 15, 2011

SEP 19 2011  
BY dg



MENASHA, CITY OF  
POSTAL CUSTOMER.  
140 MAIN ST  
MENASHA WI 54952-3151

Dear POSTAL CUSTOMER

This letter is an informational notice of the U.S. Postal Service's intent to conduct an Area Mail Processing (AMP) study of mail processing facilities to determine whether consolidation of some operations is appropriate.

The Postal Service is facing some of the most difficult challenges in its history. The current economic downturn and continued diversion of mail to the Internet has led to a dramatic 20 percent decline in mail volume since 2007. The decline in mail volume has also meant a decline in postal revenue. As a result, today the Postal Service has not only more equipment, personnel and facilities than it needs to process a decreasing amount of mail, but also less revenue than it needs to cover the costs of that large processing and delivery network.

The economic reality demands that the Postal Service reduce its network. Aligning postal facilities and resources with the demand for postal services by consolidating postal operations and placing equipment and employees where needed makes sound business sense. To do otherwise would be fiscally irresponsible.

Information about the AMP study process and the facilities that will be studied is available on [www.USPS.com](http://www.USPS.com). Public input is being solicited as part of the study process and will be considered in the decision-making process. In communities where the Postal Service's initial review supports the business case for changing mail processing operations, public meetings will be held. Additional information will be shared by the Postal Service, and members of the community will be invited to ask questions and provide feedback. Information about additional opportunities to comment on the AMP studies is available at: <http://about.USPS.com/news/facility-studies/welcome.htm>



On behalf of the Postal Service, thank you for the trust you have placed in us over the years to deliver your mail. We appreciate your business, and are working harder than ever to position the Postal Service so that we can continue to serve you for many yearsto come.

Sincerely,

Susan M. LaChance  
Vice President  
Consumer & Industry Affairs

Dear President Sevenich,

Attached is the letter our office recently received regarding the changes in Menasha delivery service. We appreciate you raising these concerns with our office by contacting our regional representative, Marlene Mielke. She forwarded your packet to me and I will certainly be following up on these items.

As you know, the USPS faces severe financial straits in the long term. Use of the mail has declined as alternatives such as e-mail and faxes have gained popularity. Costs have increased, however, as a result of gas prices, labor, and increased obligations to retirees. Due to these revenue losses and mandatory contributions to the pension program USPS is expecting a \$238 billion shortfall by the year 2020. We have heard frequently from Postal administrators, employees, and customers about their concerns about possible cuts in service. Senator Kohl is working in Congress to address this issue in a way that maintains regular and universal service.

In addition to proposals to move to a 5 day service, USPS is also conducting a study on the viability of its facilities around the country.

As information becomes available, I'll be sure to share it with you.

Regards,

JoAnne Anton

State Director

Office of US Senator Herb Kohl

414.297.4451



September 13, 2011

The Honorable Herb Kohl  
310 W Wisconsin Ave Ste 950E  
Milwaukee WI 53203-2205

Dear Senator Kohl:

In order to keep you informed of changes within the United States Postal Service, I am providing this notification letter regarding modifications in delivery operations in Menasha, Wisconsin, 54952.

Beginning November 5, 2011, letter carriers currently working out of Menasha will begin working out of Neenah, Wisconsin, 54956. Menasha is located approximately 1.8 miles from Neenah.

This change will be transparent to our customers and will in no way impact either delivery or retail service. Occasionally, we interchange staff, equipment and other resources in order to improve efficiencies, reduce operation costs and make better use of our resources. Continuous improvement in our postal operations enables the Postal Service to fulfill its mission of providing our nation with universal service to every home and business address at affordable prices.

We will continue to provide customers in Menasha with retail, Post Office box and mail acceptance services. Customers can mail letters and packages, purchase stamps, ship items via Express Mail or Priority Mail, purchase special services and deposit bulk mailings. The current retail operation is under review and may be optimized.

Customers will likely notice little or no change in their home or business delivery service. Although most customers will receive their mail at approximately the same time each day, some customers' mail may be delivered earlier in the day and others could receive mail slightly later. If a customer has a "notice left" article (a certified letter or package that must be signed for) they can still retrieve that item at their local Post Office/Station/Branch.

The Postal Service is following all applicable collective bargaining procedures regarding employee changes and we are communicating regularly with our unions and management associations.

This operational change is just one more way the Postal Service continues to become more efficient, while delivering excellent service to our customers. Our goal is to keep the mail relevant, affordable and growing.

If you have questions regarding this initiative, please contact our local Congressional liaison LaVerne Morgan-Hill at 414-287-2530.

Sincerely,

  
Charles J. Miller  
District Manager

CJM/srs

PO Box 5000  
Milwaukee WI 53201-5000

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, September 19, 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 Krueger, Zelinski, Englebert, Klein Taylor, Sevenich, Langdon

EXCUSED: Alderman Benner

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, Acting PC Brunn, DPW Radtke, CDD Keil,  
C/T Stoffel, PRD Tungate, LD Lenz, Clerk Galeazzi and the Press

DEPT. HEADS EXCUSED: PHD Nett

D. PUBLIC HEARING

None

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

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

Janet Haufe, Mihms Restaurant, 342 Chute Street. Comments on mobile restaurants in the City.

Renee & Rick Brey, Nauts Landing, 124 Main Street. Comments on mobile restaurants in the City.

Jim Longo, 1064 Kernan Street. Opposed to street trees in Woodland Hills & Ribblesdale Subdivisions.

Paul Eisen, Winnebago County Supervisor, 1807 Brighton Beach. Urge Council to approve recycling grant agreement; Upcoming County Board of Supervisors meeting.

Mark Allwardt, 1401 Jennie Street. Urge Council to approve reappointment of Bob Fahrbach to Water & Light Commission

Jay Barnes, owner of Kangaroostaurant Comments on mobile restaurants.

John VanAble, 2483 Whistling Swan. Comments on street trees in Woodland Hills & Ribblesdale Subd.

Cecilia Kwasny, 2381 Woodland Hills Dr. Opposed to street trees in Woodland Hills & Ribblesdale Subd.

Mary Scoon, AFSCME Council 40 Representative. Comments on Discipline and Grievance Procedure and Impartial Hearing Officers Agreement.

Paul Ziemer, 2449 Whistling Swan Court. Opposed to street trees in Woodland Hills & Ribblesdale Subd.

Rebecca Nichols, 402 Elm Street. Comments on Counter-Offer to Purchase for Racine/Broad St. lots.

Mary Nebel, 713 First Street. Recommend approval of reappointment of Bob Fahrbach to Water & Light Commission.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Landmarks Committee Recognition

Mayor Merkes presented Jeff Buser, Paul Brunette and Nick Jevne from Otter Creek/Wreath Factory with a plaque acknowledging the renovation done to the buildings at 220 & 226 Main Street. Members of the Grade Family were present as the building was originally built as a clothing store owned by the Grade Family.

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F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS, Cont'd.

2. CDD Keil – Transfer of City owned land and lots to the Redevelopment Authority

CDD Keil explained the transfer of the City owned land in Lake Park Villas Subdivision to the RDA as part of the project plan of TID #12. Staff has been working with the City's bond counsel and auditors drafting the proper documents and agreements. Council will be asked to act on the agreements in the next few weeks.

Mayor Merkes announced the development agreement with The Ponds of Menasha was signed.

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

Minutes to receive:

- a. Administration Committee, 9/6/11
- b. Board of Public Works, 9/6/11
- c. Parks and Recreation Board, 9/12/11
- d. Personnel Committee, 9/6/11
- e. Police Commission, 8/30/11
- f. Sustainability Board, 8/16/11
- g. Water & Light Commission, 8/24/11

Communications:

- h. Clerk Galeazzi, 9/15/11; Redistricting Ordinance
- i. Customers First! Newsletter *The Wire*, September 2011
- j. Public Works Facility, 9/5/11; August 2011 Disposal Violations
- k. Winnebago County, 9/7/11; Notice of foreclosures

Moved by Ald. Sevenich, seconded by Ald. Langdon to receive Minutes and Communications A-K.

**Motion carried on voice vote.**

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, 9/6/11

Board of Public Works, 9/6/11; recommends approval of:

2. Street Use Application – Menasha High Homecoming Parade; Friday, September 30, 2011; 5:30 – 6:15
3. Payment – Van Straten Construction Co., Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project; Sanitary Sewer Replacement; Contract E145-11-01B; \$102,824.47 (Payment No. 2)
4. Request Authorization to Execute Intergovernmental Agreement to Satisfy Eligibility for Recycling Consolidation Grant for Calendar Year 2012

Board of Public Works, 9/19/11; recommends approval of:

5. Recommendation to Award – Menasha Utilities Sedimentation Basin Scraper Modifications; Head Shaft Replacement Project; Contract M0002-910184; August Winter & Sons, Inc.; \$68,100.00
6. Change Order - Menasha Utilities Sedimentation Basin Scraper Modifications; Head Shaft Replacement Project; Contract M0002-910184; August Winter & Sons, Inc.; Change Order No. 1; DEDUCT: \$5,600.00

Personnel Committee, 9/6/11; recommends approval of:

7. City of Menasha Discipline and Grievance Procedure
8. Intergovernmental Cooperation Agreement Impartial Hearing Officers between the Cities of Appleton, Menasha, Neenah, Oshkosh and Fond du Lac

Parks and Recreation Board, 9/12/11 recommends approval of:

9. Raising the Marina seasonal slip rental rate from \$37.50 to 37.75 per foot for 2012

Ald. Sevenich requested items 7 & 8 be removed from the Consent Agenda.

Ald. Zelinski requested items 5, 6, & 9 be removed from the Consent Agenda.

Ald. Krueger requested item 1 be removed from the Consent Agenda.

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve Consent Agenda items 2, 3, 4.

**Motion carried on roll call 7-0.**

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H. ITEMS REMOVED FROM CONSENT AGENDA

1. Moved by Ald. Krueger, seconded by Ald. Sevenich to approve Common Council minutes of 9/6/11.  
**Motion carried on roll call 7-0.**
2. Moved by Ald. Zelinski, seconded by Ald. Langdon to approve recommendation to award Menasha Utilities Sedimentation Basin Scraper Modification, Head Shaft Replacement Project Contract #M0002-910184 to August Winter & Sons, Inc. in the amount of \$68,100.00  
General discussion on deprecation fund and the amount set aside for replacing equipment.  
**Motion carried on roll call 7-0.**
3. Moved by Ald. Zelinski, seconded by Ald. Langdon to approve Change Order No. 1 for Menasha Utilities Sedimentation Basin Scraper Modification, Head Shaft Replacement Project Contract #M0002-910184 to August Winter & Sons, Inc., deduct of \$5,600.00  
**Motion carried on roll call 7-0.**
4. Moved by Ald. Sevenich, seconded by Ald. Krueger to refer City of Menasha Discipline and Grievance Procedure Policy back to Personnel Committee.  
**Motion carried on roll call 7-0.**
5. Moved by Ald. Sevenich, seconded by Ald. Krueger to refer Intergovernmental Cooperation Agreement Impartial Hearing Officers back to Personnel Committee.  
**Motion carried on roll call 7-0.**
6. Moved by Ald. Zelinski, seconded by Ald. Langdon to approve raising the Marina seasonal slip rental rate from \$37.50 to \$37.75 per foot for 2012.  
General discussion on annual revenue from slip rentals and rental rates at other area marinas.  
**Motion carried on roll call 7-0.**

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 9/8/11 to 9/15/11 in the amount of \$515,616.00  
Moved by Ald. Klein, seconded by Ald. Langdon to approve accounts payable and payroll.  
**Motion carried on roll call 7-0.**
2. Approval of City of Menasha participation in Neenah-Menasha Sewerage Commission building project  
Moved by Ald. Englebert, seconded by Ald. Langdon to approve financing for the City of Menasha portion of the Neenah-Menasha Sewerage Plant Upgrade/Improvements Project utilizing Clean Water Fund Loans (CWF) in an amount not to exceed \$5.5 million dollars contingent on a guarantee from Sonoco for debt service payment and a hold harmless guarantee for subsidy payment and if there is a cost increase in the project the City of Menasha would be given the option to obtain Clean Water Funds to cover the increase. General discussion on the funding procedure. Tom Kispert from McMahan Engineers/Architects answered questions.  
**Motion carried on roll call 7-0.**
3. Counter-Offer to Purchase, Riverside Building, Inc. (Dr. Larsen) 81 & 87 Racine St. and 504 Broad St. lots (Update)  
CA/HRD Captain explained the broker submitted the counter-offer to Dr. Larsen. Dr. Larsen had been out of the area, so he was not able to respond by the deadline date. A provision was included in the counter-offer that the Council must review any counter-offer from Dr. Larsen.

J. ORDINANCES AND RESOLUTIONS

1. O-10-11 – An Ordinance relating to bicycles on sidewalks (Introduced by Ald. Sevenich)(2<sup>nd</sup> Introduction)  
Moved by Ald. Sevenich, seconded by Ald. Langdon to adopt O-10-11.  
Moved by Ald. Sevenich, seconded by Ald. Langdon to amend to wording of proposed substitute amendment #1 to O-10-11.  
Moved by Ald. Krueger, seconded by Ald. Sevenich to amend to include “No person shall ride a bicycle upon a sidewalk along the west side of Racine Street from Third Street to Main Street.”  
**Motion on second amendment carried on roll call 7-0.**  
**Motion on first amendment carried on roll call 6-1. Ald. Zelinski – no**  
**Motion to adopt O-10-11 as amended carried on roll call 6-1. Ald. Zelinski – no.**

J. ORDINANCES AND RESOLUTIONS, Cont'd.

2. Proposed substitute amendment #1 to O-10-11  
Refer to item J1

3. O-9-11 An Ordinance relating to riding bicycles on sidewalks (Introduced by Ald. Taylor, recommended by Board of Public Works)(2<sup>nd</sup> introduction)  
Ald. Taylor removed O-9-11. (not necessary)

4. O-11-11 – An Ordinance amending title 13 by making certain changes in the district (Lake Park Road and STH 114 Vicinity) (Ponds of Menasha)(Introduced by Ald. Benner)(Recommended by Plan Commission)  
(Held 9/6/11)

Moved by Ald. Sevenich, seconded by Ald. Englebert to adopt O-11-11

General discussion on the difference between R-1 and PUD zoning their uses.

**Motion carried on roll call 4-3.**

**Ald. Taylor, Sevenich, Langdon, Englebert – yes**

**Ald. Klein, Krueger, Zelinski – no**

5. R-33-11 – A resolution authorizing public improvements and levying special assessments against benefited property (Woodland Hills)(Held 9/6/11)

Moved by Ald. Sevenich, seconded by Ald. Taylor to adopt R-33-11.

Moved by Ald. Sevenich, seconded by Ald. Langdon to amend to remove improvement for street trees from special assessments.

**Motion on amendment carried on roll call 7-0.**

**Motion to adopt R-33-11 as amended carried on roll call 7-0.**

6. R-34-11 – Authorized Representative to File Application for Financial Assistance from State of Wisconsin Environmental Improvement Fund

Moved by Ald. Sevenich, seconded by Ald. Langdon to adopt R-34-11.

**Motion carried on roll call 7-0.**

K. APPOINTMENTS

1. Mayor's appointment of the Menasha Joint School District Representative to the Library Board  
a. School Superintendent Dr. Robert Kobylski

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve appointment of Dr. Robert Kobylski.

**Motion carried on voice vote.**

2. Common Council appointment to the Water and Light Commission

a. Reappointment of Robert Fahrback for the term of October 1, 2011 – October 1, 2016

CA/HRD Captain explained this is a Common Council appointment, so the floor was open for nominations.

Ald. Englebert nominated Robert Fahrback; Ald. Klein nominated Dan Zelinski.

Having no other nominations, Mayor Merkes closed the nominations.

General discussion on the appointment procedure; having an alderman on the Commission; qualification of Commission members.

**Voting for Dan Zelinski – Ald. Krueger, Zelinski, Klein, Taylor, Sevenich, Langdon**

**Voting for Robert Fahrback – Ald. Englebert.**

**Dan Zelinski was appointed to the Water and Light Commission, 6-1.**

L. HELD OVER BUSINESS

None

M. CLAIMS AGAINST THE CITY

None

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

Rebecca Nichols, 402 Elm Street. Comments on open government and appointment to Water & Light Commission.

Ty Thompson, 1230 Darlene Drive. Thanked Council for changes to bicycle ordinance.

O. ADJOURNMENT

Moved by Ald. Langdon, seconded by Ald. Krueger to adjourn at 7:50 p.m.

**Motion carried on voice vote.**

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

## CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 9/21/11-9/29/11 Checks # 30992-31142	\$ 722,424.74
Payroll Checks for 9/22/11-9/29/11	<u>158,492.73</u>
Total	\$ 880,917.47

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: 9/21/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
ACC PLANNED SERVICE INC	30992	9/21/2011	5955	100-0601-551.24-03	221.50	BLDG REPAIR & MAINTENANCE
			Total for check: 30992		221.50	
AMAZON	30995	9/21/2011	023281275833	100-0601-551.30-14	28.96	LIBRARY MATERIALS
		9/21/2011	023281651526	100-0601-551.30-14	17.98	LIBRARY MATERIALS
		9/21/2011	023650804026	100-0601-551.30-14	(0.50)	CREDIT
		9/21/2011	023650958353	100-0601-551.30-14	75.98	LIBRARY MATERIALS
		9/21/2011	023651070108	100-0601-551.30-14	(2.00)	CREDIT
		9/21/2011	023655544213	100-0601-551.30-14	88.84	LIBRARY MATERIALS
		9/21/2011	023655667788	100-0601-551.30-14	(2.00)	CREDIT
		9/21/2011	023656198017	100-0601-551.30-14	(0.50)	CREDIT
		9/21/2011	023656600907	100-0601-551.30-14	(3.00)	CREDIT
		9/21/2011	023656956260	100-0601-551.30-14	70.97	LIBRARY MATERIALS
		9/21/2011	023657421532	100-0601-551.30-14	36.99	LIBRARY MATERIALS
		9/21/2011	023659228126	100-0601-551.30-14	(0.90)	CREDIT
		9/21/2011	032572962870	100-0601-551.30-14	34.99	LIBRARY MATERIALS
		9/21/2011	057270946135	100-0601-551.30-14	21.92	LIBRARY MATERIALS
		9/21/2011	057271493457	100-0601-551.30-14	36.61	LIBRARY MATERIALS
		9/21/2011	057274669414	100-0601-551.30-14	11.55	LIBRARY MATERIALS
		9/21/2011	057275842975	100-0601-551.30-14	38.68	LIBRARY MATERIALS
		9/21/2011	057279042416	100-0601-551.30-14	50.97	LIBRARY MATERIALS
		9/21/2011	057279412199	100-0601-551.30-14	230.72	LIBRARY MATERIALS
		9/21/2011	081577828711	100-0601-551.30-14	16.99	LIBRARY MATERIALS
		9/21/2011	130471386954	100-0601-551.30-14	27.99	LIBRARY MATERIALS
		9/21/2011	130474876589	100-0601-551.30-14	10.95	LIBRARY MATERIALS
		9/21/2011	130475889733	100-0601-551.30-14	(0.11)	CREDIT
		9/21/2011	151541201364	100-0601-551.30-14	236.76	LIBRARY MATERIALS
		9/21/2011	151546043651	100-0601-551.30-14	91.65	LIBRARY MATERIALS
		9/21/2011	151549478110	100-0601-551.30-14	7.65	LIBRARY MATERIALS
		9/21/2011	157395036738	100-0601-551.30-14	29.99	LIBRARY MATERIALS
		9/21/2011	157395690566	100-0601-551.30-14	29.99	LIBRARY MATERIALS
		9/21/2011	245264758411	100-0601-551.30-14	74.96	LIBRARY MATERIALS
		9/21/2011	272964229588	100-0601-551.30-14	87.49	LIBRARY MATERIALS
		9/21/2011	272966145841	100-0601-551.30-14	52.46	LIBRARY MATERIALS

**AP Check Register**  
**Check Date: 9/21/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
AMAZON...	30995...	9/21/2011	272967161241	100-0601-551.30-14	676.70	LIBRARY MATERIALS
			<b>Total for check: 30995</b>		<b>2,079.73</b>	
AUDIOGO	30996	9/21/2011	428232	100-0601-551.30-14	206.18	LIBRARY MATERIALS
			<b>Total for check: 30996</b>		<b>206.18</b>	
BAKER & TAYLOR INC	30999	9/21/2011	2026100604	100-0601-551.30-14	35.22	LIBRARY MATERIALS
		9/21/2011	2026102498	100-0601-551.30-14	478.64	LIBRARY MATERIALS
		9/21/2011	2026105085	100-0601-551.30-14	571.14	LIBRARY MATERIALS
		9/21/2011	2026109064	100-0601-551.30-14	337.08	LIBRARY MATERIALS
		9/21/2011	2026121296	100-0601-551.30-14	34.27	LIBRARY MATERIALS
		9/21/2011	2026121304	100-0601-551.30-14	300.99	LIBRARY MATERIALS
		9/21/2011	2026127072	100-0601-551.30-14	13.43	LIBRARY MATERIALS
		9/21/2011	2026134871	100-0601-551.30-14	228.03	LIBRARY MATERIALS
		9/21/2011	2026137305	100-0601-551.30-14	29.67	LIBRARY MATERIALS
		9/21/2011	2026138880	100-0601-551.30-14	30.23	LIBRARY MATERIALS
		9/21/2011	2026145708	100-0601-551.30-14	31.34	LIBRARY MATERIALS
		9/21/2011	2026149268	100-0601-551.30-14	203.79	LIBRARY MATERIALS
		9/21/2011	2026151598	100-0601-551.30-14	263.18	LIBRARY MATERIALS
		9/21/2011	2026153291	100-0601-551.30-14	32.43	LIBRARY MATERIALS
		9/21/2011	2026155672	100-0601-551.30-14	344.15	LIBRARY MATERIALS
		9/21/2011	2026157505	100-0601-551.30-14	87.30	LIBRARY MATERIALS
		9/21/2011	2026159650	100-0601-551.30-14	105.07	LIBRARY MATERIALS
		9/21/2011	2026164897	100-0601-551.30-14	125.23	LIBRARY MATERIALS
		9/21/2011	2026168374	100-0601-551.30-14	17.04	LIBRARY MATERIALS
		9/21/2011	2026172710	100-0601-551.30-14	193.94	LIBRARY MATERIALS
		9/21/2011	2026175138	100-0601-551.30-14	194.92	LIBRARY MATERIALS
		9/21/2011	2026179544	100-0601-551.30-14	63.81	LIBRARY MATERIALS
		9/21/2011	2026185322	100-0601-551.30-14	86.77	LIBRARY MATERIALS
		9/21/2011	2026188537	100-0601-551.30-14	82.58	LIBRARY MATERIALS
		9/21/2011	2026191561	100-0601-551.30-14	94.95	LIBRARY MATERIALS
		9/21/2011	2026191672	100-0601-551.30-14	15.65	LIBRARY MATERIALS
		9/21/2011	2026193848	100-0601-551.30-14	549.16	LIBRARY MATERIALS

**AP Check Register**  
**Check Date: 9/21/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
BAKER & TAYLOR INC...	30999...	9/21/2011	5011579126	100-0601-551.30-14	23.40	LIBRARY MATERIALS
		9/21/2011	5011602921	100-0601-551.30-14	49.57	LIBRARY MATERIALS
		9/21/2011	162218380	100-0601-551.30-14	53.97	LIBRARY MATERIALS
		9/21/2011	162328680	100-0601-551.30-14	10.18	LIBRARY MATERIALS
		9/21/2011	162795570	100-0601-551.30-14	19.40	LIBRARY MATERIALS
		9/21/2011	162795571	100-0601-551.30-14	73.39	LIBRARY MATERIALS
		9/21/2011	163238190	100-0601-551.30-14	17.96	LIBRARY MATERIALS
		9/21/2011	163238191	100-0601-551.30-14	19.43	LIBRARY MATERIALS
		9/21/2011	163740850	100-0601-551.30-14	10.76	LIBRARY MATERIALS
		9/21/2011	164092190	100-0601-551.30-14	20.15	LIBRARY MATERIALS
		9/21/2011	164092191	100-0601-551.30-14	20.12	LIBRARY MATERIALS
		9/21/2011	V61311550	100-0601-551.30-14	19.43	LIBRARY MATERIALS
		9/21/2011	V61311551	100-0601-551.30-14	35.98	LIBRARY MATERIALS
				<b>Total for check: 30999</b>		<b>4,923.75</b>
BECK ELECTRIC INC	31000	9/21/2011	H97	100-0601-551.24-03	302.44	BLDG REPAIR & MAINTENANCE
			<b>Total for check: 31000</b>		<b>302.44</b>	
THOMAS BOUREGY & CO INC	31001	9/21/2011	65680A	100-0601-551.30-14	139.50	LIBRARY MATERIALS
			<b>Total for check: 31001</b>		<b>139.50</b>	
BRILLIANCE AUDIO INC	31002	9/21/2011	IN0617830	100-0601-551.30-14	258.93	LIBRARY MATERIALS
		9/21/2011	IN0619890	100-0601-551.30-14	268.22	LIBRARY MATERIALS
			<b>Total for check: 31002</b>		<b>527.15</b>	
CDW GOVERNMENT INC	31003	9/21/2011	ZHB9807	100-0601-551.30-10	125.45	OFFICE SUPPLIES
		9/21/2011	ZJH8935	100-0601-551.30-10	67.91	OFFICE SUPPLIES
		9/21/2011	ZKR7293	100-0601-551.30-10	67.91	OFFICE SUPPLIES
			<b>Total for check: 31003</b>		<b>261.27</b>	
GALE	31004	9/21/2011	17273604	100-0601-551.30-14	171.14	LIBRARY MATERIALS

**AP Check Register**  
**Check Date: 9/21/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
GALE...	31004...	9/21/2011	17291573	100-0601-551.30-14	38.93	LIBRARY MATERIALS
		9/21/2011	17292279	100-0601-551.30-14	28.79	LIBRARY MATERIALS
			<b>Total for check: 31004</b>		<b>238.86</b>	
GANNETT WISCONSIN MEDIA	31005	9/21/2011	09202011	100-0601-551.30-14	223.59	LIBRARY MATERIALS
			<b>Total for check: 31005</b>		<b>223.59</b>	
HIGHSMITH	31006	9/21/2011	4312799	100-0601-551.30-18	271.00	DEPT SUPPLIES
			<b>Total for check: 31006</b>		<b>271.00</b>	
KITZ & PFEIL INC	31007	9/21/2011	0805140141	100-0601-551.24-03	7.90	BLDG REPAIR & MAINTENANCE
		9/21/2011	0809140047	100-0601-551.30-13	14.33	HOUSEKEEPING SUPPLIES
		9/21/2011	0810140093	100-0601-551.24-03	9.85	BLDG REPAIR & MAINTENANCE
			<b>Total for check: 31007</b>		<b>32.08</b>	
LEARNING OPPORTUNITIES INC	31008	9/21/2011	16759	100-0601-551.30-14	124.79	LIBRARY MATERIALS
			<b>Total for check: 31008</b>		<b>124.79</b>	
MARSHALL CAVENDISH CORP	31009	9/21/2011	R877130	100-0601-551.30-14	118.53	LIBRARY MATERIALS
			<b>Total for check: 31009</b>		<b>118.53</b>	
MIDWEST TAPE	31010	9/21/2011	2586082	100-0601-551.30-14	9.99	LIBRARY MATERIALS
		9/21/2011	2591671	100-0601-551.30-14	12.99	LIBRARY MATERIALS
			<b>Total for check: 31010</b>		<b>22.98</b>	
MINITEX	31011	9/21/2011	74153	100-0601-551.30-18	1,464.00	DEPT SUPPLIES
			<b>Total for check: 31011</b>		<b>1,464.00</b>	

**AP Check Register**  
**Check Date: 9/21/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
MOTION PICTURE LICENSING CORP	31012	9/21/2011	503736773	100-0601-551.32-01	165.36	LICENSE
			Total for check: 31012		<u>165.36</u>	
OFFICE DEPOT CREDIT PLAN	31013	9/21/2011	11080300102942	100-0601-551.30-10	21.68	OFFICE SUPPLIES
			Total for check: 31013		<u>21.68</u>	
PENWORTHY COMPANY	31014	9/21/2011	X508643	100-0601-551.30-14	220.70	LIBRARY MATERIALS
			Total for check: 31014		<u>220.70</u>	
RANDOM HOUSE INC	31015	9/21/2011	1082162819	100-0601-551.30-14	127.50	LIBRARY MATERIALS
		9/21/2011	1082172658	100-0601-551.30-14	18.00	LIBRARY MATERIALS
			Total for check: 31015		<u>145.50</u>	
SHOWCASES	31016	9/21/2011	251633	100-0601-551.30-18	319.14	DEPT SUPPLIES
			Total for check: 31016		<u>319.14</u>	
MICHELLE SMRECEK	31017	9/21/2011	09202011	100-0601-551.30-14	18.99	LIBRARY MATERIALS
			Total for check: 31017		<u>18.99</u>	
STAPLES ADVANTAGE	31018	9/21/2011	8019485339	100-0601-551.30-10	429.75	OFFICE SUPPLIES
			Total for check: 31018		<u>429.75</u>	
UNIQUE BOOKS INC	31019	9/21/2011	355830.2	100-0601-551.30-14	23.58	LIBRARY MATERIALS
		9/21/2011	355832.2	100-0601-551.30-14	51.50	LIBRARY MATERIALS
			Total for check: 31019		<u>75.08</u>	
UNIQUE MANAGEMENT SERVICES INC	31020	9/21/2011	214285	100-0000-441.19-00	358.00	COLLECTION AGENCY FEE
			Total for check: 31020		<u>358.00</u>	

**AP Check Register**  
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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
US POSTAL SERVICE	31021	9/21/2011	09202011	100-0601-551.30-11	405.00	POSTAGE SUPPLIES
			Total for check: 31021		405.00	
WERNER ELECTRIC SUPPLY CO	31022	9/21/2011	S3349837.001	100-0601-551.30-13	99.00	HOUSEKEEPING SUPPLIES
			Total for check: 31022		99.00	
WINNEFOX LIBRARY SYSTEM	31023	9/21/2011	4195	100-0601-551.30-14	3,091.11	LIBRARY MATERIALS
		9/21/2011	4217	100-0601-551.30-18	449.90	DEPT SUPPLIES
		9/21/2011	4217DUP	100-0601-551.30-14	50.50	LIBRARY MATERIALS
		9/21/2011	4230	100-0601-551.32-01	221.00	LICENSE
			Total for check: 31023		3,812.51	
					<b>17,228.06</b>	

**AP Check Register**  
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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
ACCENT FLORAL & GIFTS LLC	31024	9/22/2011	30524	100-0408-552.30-16	40.00	Sympathy Plant
	<b>Total for check: 31024</b>				<b>40.00</b>	
ACCURATE	31025	9/22/2011	1113406	731-1022-541.38-03	82.53	Tensioner Dayco
		9/22/2011	1113428	731-1022-541.38-03	77.06	Winter Blades
	<b>Total for check: 31025</b>				<b>159.59</b>	
AIRGAS NORTH CENTRAL	31026	9/22/2011	105632796	731-1022-541.30-18	209.72	Acetylene/Argon
		9/22/2011	105656466	731-1022-541.21-06	70.49	Acetylene/Argon/Oxygen
	<b>Total for check: 31026</b>				<b>280.21</b>	
APPLETON AWNING SHOP	31027	9/22/2011	24518	100-0704-552.24-02	101.75	Repair
	<b>Total for check: 31027</b>				<b>101.75</b>	
CITY OF APPLETON	31028	9/22/2011	200892	100-0302-542.25-01	15,683.00	Valley Transit September 2011
	<b>Total for check: 31028</b>				<b>15,683.00</b>	
ARING EQUIPMENT CO INC	31029	9/22/2011	390494	731-1022-541.38-03	45.72	Bulb
	<b>Total for check: 31029</b>				<b>45.72</b>	
AT&T	31030	9/22/2011	920R09453009	100-1001-514.22-01	113.90	
				601-1020-543.22-01	292.50	
	<b>Total for check: 31030</b>				<b>406.40</b>	
AT&T ADVERTISING SOLUTIONS	31031	9/22/2011		100-1001-514.29-03	420.00	Directory
	<b>Total for check: 31031</b>				<b>420.00</b>	
BADGER HIGHWAYS CO INC	31032	9/22/2011	154759	100-0703-553.30-18	302.94	FOB Menasha Clear Cleveland

**AP Check Register**  
**Check Date: 9/22/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
BADGER HIGHWAYS CO INC...	31032...	9/22/2011	154760	100-0703-553.30-18	88.50	FOB Menasha Screenings Jefferson
			<b>Total for check: 31032</b>		<b>391.44</b>	
BECK ELECTRIC INC	31033	9/22/2011	H104	100-1008-541.24-04	130.00	Nicolet School Crossing
		9/22/2011	H105	100-1012-541.24-04	97.50	Reimbursable Accident #2011-11
			<b>Total for check: 31033</b>		<b>227.50</b>	
BEST EXPRESSION	31034	9/22/2011	021124	100-0801-521.29-01	69.90	Great Name Tents
			<b>Total for check: 31034</b>		<b>69.90</b>	
BLACKBURN MFG CO	31035	9/22/2011	0400657-IN	100-1002-541.30-18	238.82	Pink Whiskers Screen
				625-1010-541.30-18	79.60	Pink Whiskers Screen
			<b>Total for check: 31035</b>		<b>318.42</b>	
BRAZEE ACE HARDWARE	31036	9/22/2011	014903	100-1001-514.30-13	4.99	Smart Straw
			<b>Total for check: 31036</b>		<b>4.99</b>	
BUBRICK'S	31037	9/22/2011	493754	100-0801-521.30-10	105.64	Office Supplies
			<b>Total for check: 31037</b>		<b>105.64</b>	
CALUMET COUNTY CLERK OF COURTS	31038	9/22/2011		100-0000-201.03-00	80.00	Dog Lic #5111-5130
			<b>Total for check: 31038</b>		<b>80.00</b>	
CEC	31039	9/22/2011	BILL104393	100-0501-522.24-03	28.00	Fire Alarm System Battery
				100-0801-521.24-03	28.00	Fire Alarm System Battery
			<b>Total for check: 31039</b>		<b>56.00</b>	

**AP Check Register**  
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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
CONTRACTOR'S SUPPLY & EQUIPMENT INC	31040	9/22/2011	2003770IN	731-1022-541.38-03	150.42	Rear Wheel
					<u>150.42</u>	Front Wheel
				<b>Total for check: 31040</b>		
CULLIGAN WATERCARE SERVICES	31041	9/22/2011		100-1001-514.20-01	17.85	Rental
				731-1022-541.30-13	6.79	Rental
				<b>Total for check: 31041</b>	<u>24.64</u>	
DIGICORPORATION	31042	9/22/2011	115163	100-0000-134.00-00	(34.00)	Finance Envelopes
				100-0401-513.29-01	86.00	Finance Envelopes
				<b>Total for check: 31042</b>	<u>52.00</u>	
DRAINAGE INDUSTRIES	31043	9/22/2011	212147-00	625-1010-541.30-18	49.20	Perforated tubing
				<b>Total for check: 31043</b>	<u>49.20</u>	
FAHRNER ASPHALT SEALERS LLC	31044	9/22/2011	18288	100-1003-541.20-10	35,763.20	1022 Chip Seal Program
				<b>Total for check: 31044</b>	<u>35,763.20</u>	
FOX STAMP SIGN & SPECIALTY	31045	9/22/2011	201141	100-0000-201.14-00	366.88	Banner/Sign
				100-0501-522.29-01	41.12	Banner/Sign
				<b>Total for check: 31045</b>	<u>408.00</u>	
GALLS	31046	9/22/2011	511582771	100-0801-521.29-05	137.48	Mx7000 Center Option
				<b>Total for check: 31046</b>	<u>137.48</u>	
GERDAU AMERISTEEL	31047	9/22/2011	4712032564	100-1003-541.30-18	1,242.48	Epoxy Rebar
				<b>Total for check: 31047</b>	<u>1,242.48</u>	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
GRAINGER INC	31048	9/22/2011	9623916369	731-1022-541.30-18	74.62	Slings
			<b>Total for check: 31048</b>		<b>74.62</b>	
GRAYBAR	31049	9/22/2011	955782568	100-0703-553.30-18	1,154.83	Lamp/Heckrodt Trail
			<b>Total for check: 31049</b>		<b>1,154.83</b>	
INTERSTATE BATTERY OF GREEN BAY	31050	9/22/2011	40012667	731-1022-541.38-03	99.95	
			<b>Total for check: 31050</b>		<b>99.95</b>	
KRUEGER TRUE VALUE	31051	9/22/2011	959200	100-0920-531.24-03	10.76	Bingo
			<b>Total for check: 31051</b>		<b>10.76</b>	
KUNDINGER FLUID POWER INC	31052	9/22/2011	50151575	731-1022-541.38-03	25.27	Suction Hose
			<b>Total for check: 31052</b>		<b>25.27</b>	
MARTENSON & EISELE INC	31053	9/22/2011	OVERPAY	100-0000-441.23-00	26.00	Overpay park rental
			<b>Total for check: 31053</b>		<b>26.00</b>	
MATTHEWS TIRE & SERVICE CENTER	31054	9/22/2011	214890	731-1022-541.38-02	24.54	Check loose flat
		9/22/2011	214932	731-1022-541.38-02	21.36	Tire Labor
		9/22/2011	39668	731-1022-541.38-02	62.99	Flat Repair
		9/22/2011	39767	731-1022-541.38-02	561.50	Replace Tire
		9/22/2011	39793	731-1022-541.38-02	423.00	Replace Tires
		9/22/2011	39867	731-1022-541.38-02	64.01	Repair Flat
		<b>Total for check: 31054</b>		<b>1,157.40</b>		
MCKENZIE SUPPLY & EQUIPMENT	31055	9/22/2011	23649	731-1022-541.38-03	241.10	Blade Clevis/Knife
			<b>Total for check: 31055</b>		<b>241.10</b>	

**AP Check Register**  
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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
MEMORIAL FLORISTS INC	31056	9/22/2011	2654379	100-0703-553.30-18	112.86	Menasha Parks Addt
			Total for check: 31056		<u>112.86</u>	
MENARDS-APPLETON EAST	31057	9/22/2011	54980	100-0703-553.30-15	59.78	Wet/Dry Vac
		9/22/2011	55710	100-0703-553.30-18	195.18	AC2 Treated Ag
		9/22/2011	55724	100-0703-553.30-18	(4.81)	AC2 Treated Ag
			Total for check: 31057		<u>250.15</u>	
MENASHA EMPLOYEES CREDIT UNION	31058	9/22/2011	20110922	100-0000-202.05-00	14,704.00	PAYROLL SUMMARY
			Total for check: 31058		<u>14,704.00</u>	
MENASHA JOINT SCHOOL DISTRICT	31059	9/22/2011		100-0000-412.00-00	6,309.53	September Mobile Home
			Total for check: 31059		<u>6,309.53</u>	
MENASHA UTILITIES	31061	9/22/2011		100-1008-541.22-03	180.67	Electric
				100-1008-541.22-05	68.87	Water
				601-1020-543.22-03	23.42	Electric
				100-0704-552.22-03	3,166.15	Electric
				100-0704-552.22-05	3,121.34	Water
				731-1022-541.22-03	1,005.76	Electric
				731-1022-541.22-05	410.08	Water
				731-1022-541.22-06	767.50	Storm
				266-1028-543.22-06	73.12	Storm
				100-0801-521.22-03	1,819.58	Electric
				100-0801-521.22-05	247.98	Water
				100-0801-521.22-06	62.71	Storm
				100-0000-123.00-00	1,317.63	Electric
				100-0000-123.00-00	179.58	Water
			100-0000-123.00-00	45.41	Storm	
			100-0601-551.22-03	4,298.23	Electric	
			100-0601-551.22-05	741.08	Water	
			100-0601-551.22-06	103.75	Storm	

**AP Check Register**  
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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
MENASHA UTILITIES...	31061...	9/22/2011...	...	100-1019-552.22-03	184.72	Electric
				100-1019-552.22-05	12.11	Water
				207-0707-552.22-05	256.09	Water
				100-0000-123.00-00	6.85	Electric
				100-0703-553.22-03	1,835.35	Electric
				100-0703-553.22-05	40.70	Water
				100-0703-553.22-06	280.61	Storm
				100-0305-562.22-06	7.50	Storm
				731-1022-541.22-06	62.50	981 Plank Road
				100-1001-514.22-03	27.22	901 Airport Road
100-1001-514.22-05	16.76	901 Airport Road				
				<b>Total for check: 31061</b>	<b>20,363.27</b>	
MODERN DAIRY INC	31062	9/22/2011	196167	100-0704-552.30-17	240.95	Concessions
				100-0704-552.30-17	506.80	Concessions
				<b>Total for check: 31062</b>	<b>747.75</b>	
MONOPRICE INC	31063	9/22/2011	4998481	743-0403-513.21-04	224.01	Ethernet Cables
				<b>Total for check: 31063</b>	<b>224.01</b>	
JOSEPH NEMECEK	31064	9/22/2011	203-0306-562.70-01		2,500.00	Facade Improvement Grant
				<b>Total for check: 31064</b>	<b>2,500.00</b>	
OFFICE DEPOT	31065	9/22/2011	2030105	100-0101-511.30-10	18.96	Office Supplies
				100-0203-512.30-10	7.35	Office Supplies
				100-0202-512.30-10	40.32	Office Supplies
				100-0201-512.30-10	2.33	Office Supplies
				100-0405-513.30-10	7.05	Office Supplies
			<b>Total for check: 31065</b>	<b>76.01</b>		

**AP Check Register**  
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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
PAVEMENT MAINTENANCE INC	31066	9/22/2011	7714B	100-1003-541.20-10	3,069.36	Pulverizing Winnebago/Cleveland
				<b>Total for check: 31066</b>	<b>3,069.36</b>	
PROTANIC INC	31067	9/22/2011	26886	207-0707-552.24-04	480.00	ATG Cert/Leak Test
				<b>Total for check: 31067</b>	<b>480.00</b>	
REINDERS INC	31068	9/22/2011	909596-00	100-0703-553.30-18	68.34	Fertilizer
				<b>Total for check: 31068</b>	<b>68.34</b>	
ROAD EQUIPMENT	31069	9/22/2011	WA534979	731-1022-541.38-03	301.15	Axle/Spring/Plate
				<b>Total for check: 31069</b>	<b>301.15</b>	
SAGE SECURITY SOLUTIONS	31070	9/22/2011	217713	100-0703-553.24-03	90.00	Padlocks
				<b>Total for check: 31070</b>	<b>90.00</b>	
SHERWIN INDUSTRIES INC	31071	9/22/2011	SS043160	100-1008-541.30-18	553.50	Glass Beads
				<b>Total for check: 31071</b>	<b>553.50</b>	
ROBERT STANKE	31072	9/22/2011		100-0801-521.21-06	3,900.00	Consultant Fee August 2011
				<b>Total for check: 31072</b>	<b>3,900.00</b>	
STAPLES ADVANTAGE	31073	9/22/2011	8019485340	731-1022-541.30-10	42.36	Supplies
				100-0703-553.30-10	34.79	Supplies
<b>Total for check: 31073</b>				<b>77.15</b>		
STEEP EQUIPMENT COMPANY	31074	9/22/2011	730199	731-1022-541.38-03	183.86	Rubber Pad
				<b>Total for check: 31074</b>	<b>183.86</b>	

**AP Check Register**  
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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
STRAIGHT EDGE AUTO	31075	9/22/2011	10000	100-0801-521.29-05	2,351.00	Squad Equipment
			<b>Total for check: 31075</b>		<b>2,351.00</b>	
STREICHER'S INC	31076	9/22/2011	1865889	100-0801-521.19-03	166.00	Holster/Jacket
		9/22/2011	1866098	100-0801-521.30-15	924.87	Mask/Throat Protector
		9/22/2011	1866282	100-0801-521.30-15	1,105.00	Training Ammo
			<b>Total for check: 31076</b>		<b>2,195.87</b>	
TREEO'S TREE SERVICE INC	31077	9/22/2011	2467	100-0706-561.20-06	2,419.00	Grind Tree Stumps
			<b>Total for check: 31077</b>		<b>2,419.00</b>	
BRIAN TUNGATE	31078	9/22/2011		100-0702-552.20-05	71.50	Vehicle Rental Reimbursement
UNIFIRST CORPORATION	31079	9/22/2011	0970094597	731-1022-541.20-01	108.97	Mats/Mops/Towels Coveralls
			<b>Total for check: 31079</b>		<b>108.97</b>	
UNITED WAY FOX CITIES	31080	9/22/2011	20110922	100-0000-202.09-00	113.16	PAYROLL SUMMARY
			<b>Total for check: 31080</b>		<b>113.16</b>	
WALMART COMMUNITY	31081	9/22/2011		100-0702-552.30-18	4.26	Program Supplies
			<b>Total for check: 31081</b>		<b>4.26</b>	
WCPPA	31082	9/22/2011	2011-120	100-0801-521.34-02	220.00	Training Symposium Aaron Zemlock
			<b>Total for check: 31082</b>		<b>220.00</b>	
WE ENERGIES	31083	9/22/2011		100-0703-553.22-04	8.70	2170 Plank Road
			<b>Total for check: 31083</b>		<b>8.70</b>	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
WERNER ELECTRIC SUPPLY CO	31084	9/22/2011	S3360832.001	100-0801-521.24-03	19.90	Copy Room
				100-0000-132.00-00	19.90	Copy Room
				<b>Total for check: 31084</b>	<b>39.80</b>	
WIL-KIL PEST CONTROL	31085	9/22/2011	1895334	100-1019-552.21-06	26.00	Rat/Mouse/Spiders
				<b>Total for check: 31085</b>	<b>26.00</b>	
WINNEBAGO COUNTY CLERK OF COURTS	31086	9/22/2011		100-0000-201.03-00	150.00	Bond Report #11-2897
				100-0000-201.03-00	185.00	Bond Report #11-3018
				<b>Total for check: 31086</b>	<b>335.00</b>	
WINNEBAGO COUNTY TREASURER	31087	9/22/2011	LF117653	100-1016-543.25-01	13,022.83	Landfill
				100-1017-543.25-01	3,013.47	Landfill
				266-1027-543.25-01	183.00	Landfill
				266-1027-543.25-01	30.00	Landfill
			<b>Total for check: 31087</b>	<b>16,249.30</b>		
WISCONSIN COUNCIL 40 PER CAPITA TAX	31088	9/22/2011	20110922	100-0000-202.06-00	260.00	PAYROLL SUMMARY
				<b>Total for check: 31088</b>	<b>260.00</b>	
WISCONSIN COUNCIL 40 PER CAPITA TAX	31089	9/22/2011	20110922	100-0000-202.07-00	271.05	PAYROLL SUMMARY
				<b>Total for check: 31089</b>	<b>271.05</b>	
WISCONSIN DEPT OF JUSTICE	31090	9/22/2011	L7101T	100-0801-521.21-06	224.00	Name Searches
				<b>Total for check: 31090</b>	<b>224.00</b>	
WISCONSIN SUPPORT COLLECTIONS	31091	9/22/2011	20110922	100-0000-202.03-00	1,317.32	PAYROLL SUMMARY
				<b>Total for check: 31091</b>	<b>1,317.32</b>	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
WMCA	31092	9/22/2011		100-0203-512.34-02	40.00	District Meeting Clerk/Deputy Clerk
			Total for check: 31092		<u>40.00</u>	
ZEP MANUFACTURING CO	31093	9/22/2011	30464523	731-1022-541.30-18	217.23	Zep Cherry Bomb
			Total for check: 31093		<u>217.23</u>	
1ST AYD CORPORATION	31094	9/22/2011	495730	731-1022-541.30-18	125.93	Cleaner
			Total for check: 31094		<u>125.93</u>	
					<u>139,616.94</u>	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
ACCURATE	31095	9/29/2011	1113544	731-1022-541.38-03	24.62	Lamps
			Total for check: 31095		24.62	
	31096	9/29/2011	105675160	731-1022-541.30-18	26.64	Lens Cover
			Total for check: 31096		26.64	
ASSOCIATION OF SWAT PERSONNEL-WI	31097	9/29/2011		100-0801-521.32-01	250.00	2011 ASP
			Total for check: 31097		250.00	Membership Dues
	31098	9/29/2011	154828	100-1003-541.30-18	332.00	FOB Menasha Run
			Total for check: 31098		332.00	
BADGER LAB & ENGINEERING INC	31099	9/29/2011	INV000046323	601-1020-543.21-02	956.00	Report #1108000
		9/29/2011	INV000046324	601-1020-543.21-02	766.00	Report #1108001
		9/29/2011	INV000046325	601-1020-543.21-02	766.00	Report #1108002
		9/29/2011	INV000046326	601-1020-543.21-02	301.00	Report #1107998
			Total for check: 31099		2,789.00	
CULLIGAN WATERCAPE SERVICES	31100	9/29/2011	ACCT 718387	100-0704-552.30-18	59.30	Balance owing
			Total for check: 31100		59.30	
DIGICORPORATION	31101	9/29/2011	115384	100-0702-552.29-01	1,560.00	Fall/Winter Guide
			Total for check: 31101		1,560.00	
DUMKE & ASSOCIATES &	31102	9/29/2011		100-0903-531.29-06	2,077.50	316 Racine Street
			Total for check: 31102		2,077.50	Rental

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**Check Date: 9/29/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
FERRELLGAS	31103	9/29/2011	1045130619	266-1027-543.21-06	57.94	
	Total for check: 31103				<u>57.94</u>	
FOX STAMP SIGN & SPECIALTY	31104	9/29/2011	201508	100-0401-513.30-10	30.20	Ink Pads
	Total for check: 31104				<u>30.20</u>	
GLAXOSMITHKLINE PHARMACEUTICALS	31105	9/29/2011	30241831	100-0903-531.30-18	1,271.91	Flulaval
	Total for check: 31105				<u>1,271.91</u>	
GUNTA & REAK SC	31106	9/29/2011	GUETHS/PR043667	733-0206-512.21-01	881.75	Daniel Gueths Claim #PR043667
	Total for check: 31106				<u>881.75</u>	
HORN PRECAST	31107	9/29/2011	3919	625-1010-541.30-18	47.00	
	Total for check: 31107				<u>47.00</u>	
HORST DISTRIBUTING INC	31108	9/29/2011	15157-000	731-1022-541.38-03	191.93	Blades
	Total for check: 31108				<u>191.93</u>	
INTERSTATE BATTERY OF GREEN BAY	31109	9/29/2011	GD4713	100-0801-521.30-18	339.50	
	Total for check: 31109				<u>339.50</u>	
TEAGAN JANNNESS-JORDING	31110	9/29/2011	HATTIEMINER	822-0413-554.30-16	250.00	Hattie Miner Scholarship
	Total for check: 31110				<u>250.00</u>	
LEVENHAGEN CORPORATION	31111	9/29/2011	75996	207-0707-552.38-01	3,948.91	Fuel
	9/29/2011	75998	207-0707-552.38-01	2,360.40	Fuel	
	9/29/2011	76019	207-0707-552.38-01	4,451.96	Fuel	
	Total for check: 31111				<u>10,761.27</u>	

**AP Check Register**  
**Check Date: 9/29/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
MENASHA EMPLOYEES CREDIT UNION	31112	9/29/2011	20110929	100-0000-202.05-00	1,607.00	PAYROLL SUMMARY
			<b>Total for check: 31112</b>			<b>1,607.00</b>
MENASHA UTILITIES	31114	9/29/2011		100-1008-541.22-03	295.66	Electric
				100-0000-123.00-00	14.59	Electric
				100-1012-541.22-03	82.14	Electric
				100-0305-562.22-03	19.37	Electric
				100-0305-562.22-06	15.00	Storm
				100-0304-562.22-03	24.07	Electric
				100-1013-541.22-03	48.10	Electric
				100-1013-541.22-06	187.49	Storm
				207-0707-552.22-03	1,273.33	Electric
				207-0707-552.22-05	81.40	Water
				207-0707-552.22-06	31.87	Storm
				100-0703-553.22-03	1,416.13	Electric
				100-0703-553.22-05	1,683.20	Water
				100-0703-553.22-06	200.61	Storm
				100-1001-514.22-03	1,600.51	Electric
				100-1001-514.22-05	436.95	Water
				743-0403-513.21-04	3,061.36	Outside Services
	100-1014-543.22-06	12.50	Storm			
	100-1019-552.22-03	189.41	Electric			
	100-1019-552.22-05	86.59	Water			
	601-1020-543.22-03	25.05	Electric			
<b>Total for check: 31114</b>				<b>10,785.33</b>		
MIRON CONSTRUCTION CO INC	31115	9/29/2011		472-0501-522.82-01	6,310.00	N-M Fire
			<b>Total for check: 31115</b>			<b>6,310.00</b>
MODERN BUSINESS MACHINES	31116	9/29/2011	26259711	100-1001-514.24-04	280.50	Base
			<b>Total for check: 31116</b>			<b>280.50</b>

**AP Check Register**  
**Check Date: 9/29/2011**

<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>
NEENAH-MENASHA MUNICIPAL COURT	31117	9/29/2011		100-0000-201.03-00	113.80	Bond Report #MP11-000208
				<b>Total for check: 31117</b>	<b>113.80</b>	
NEENAH-MENASHA SEWERAGE COMMISSION	31118	9/29/2011		2011-125	7,899.00	Legal Fox River Cleanup
				<b>Total for check: 31118</b>	<b>7,899.00</b>	
CITY OF NEENAH	31119	9/29/2011		100-0501-522.25-01	257,692.00	Fire/Rescue Services
				<b>Total for check: 31119</b>	<b>257,692.00</b>	
NETWORK HEALTH PLAN	31120	9/29/2011		00475695	124,664.29	Employees
				<b>Total for check: 31120</b>	<b>138,994.80</b>	14,330.51 Retirees/Cobra
OUTAGAMIE COUNTY CLERK OF COURTS	31121	9/29/2011		100-0000-201.03-00	100.00	Bond Report #11-3064
				<b>Total for check: 31121</b>	<b>100.00</b>	
PACKER CITY INTERNATIONAL	31122	9/29/2011		3-212440053	228.63	Filters/Tubes
				<b>Total for check: 31122</b>	<b>228.63</b>	
PITNEY BOWES	31123	9/29/2011		4842044-SP11	316.47	Rental Charges
				<b>Total for check: 31123</b>	<b>316.47</b>	
BRADLEY QUIMBY	31124	9/29/2011		100-0000-201.10-00	100.00	Return deposit Exc Permit #10582
				<b>Total for check: 31124</b>	<b>100.00</b>	
REINDERS INC	31125	9/29/2011		1358018-00	122.64	Blade
				<b>Total for check: 31125</b>	<b>122.64</b>	

**AP Check Register**  
**Check Date: 9/29/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
DR TERESA RUDOLPH	31126	9/29/2011		100-0903-531.21-05	150.00	September 2011
				<b>Total for check: 31126</b>	<b>150.00</b>	
SAGE SECURITY SOLUTIONS	31127	9/29/2011		100-0703-553.24-03	105.00	Padlock
				<b>Total for check: 31127</b>	<b>105.00</b>	
SPORTS GRAPHICS	31128	9/29/2011		100-0702-552.30-18	322.20	Rec Shirts
				100-0702-552.30-18	62.70	Rec Staff Shirts
				100-0704-552.30-10	240.80	Pool T-shirts
				100-0704-552.30-10	69.65	Pool Staff T-shirts
	<b>Total for check: 31128</b>			<b>695.35</b>		
SUNGARD PUBLIC SECTOR INC	31129	9/29/2011		743-0403-513.24-04	2,678.00	Contract
				<b>Total for check: 31129</b>	<b>2,678.00</b>	
THEDACARE	31130	9/29/2011		100-0801-521.21-05	224.00	Venipuncture
				<b>Total for check: 31130</b>	<b>224.00</b>	
TIMMER'S LANDSCAPING LLC	31131	9/29/2011		625-1010-541.82-02	4,395.00	817 John Street Drain System
				625-1010-541.82-02	4,470.00	732 Arthur Street Drain System
				<b>Total for check: 31131</b>	<b>8,860.00</b>	
UNIFIRST CORPORATION	31132	9/29/2011		731-1022-541.20-01	108.97	Mats/Mops/Towels Coveralls
				<b>Total for check: 31132</b>	<b>108.97</b>	
VAN STRATEN CONSTRUCTION CO INC	31133	9/29/2011		601-0000-196.00-00	102,824.47	Wastewater Collection Phase 4
				<b>Total for check: 31133</b>	<b>102,824.47</b>	

**AP Check Register**  
**Check Date: 9/29/2011**

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
VERIZON WIRELESS	31134	9/29/2011	2623564810	100-0702-552.22-01	7.32	Telephone
				<b>Total for check: 31134</b>	<b>7.32</b>	
VISION INSURANCE PLAN OF AMERICA	31135	9/29/2011	103428	100-0000-204.10-00	994.70	Employees
				100-0000-204.10-00	18.80	Cobra
				<b>Total for check: 31135</b>	<b>1,013.50</b>	
WE ENERGIES	31136	9/29/2011	0000-310-958	100-1001-514.22-04	77.35	901 E Airport Road
				100-0000-123.00-00	21.56	
				100-1001-514.22-04	59.17	City Hall
				100-0801-521.22-04	29.77	Police
				100-0920-531.22-04	8.70	Senior Center
				100-0601-551.22-04	40.49	Library
				100-0703-553.22-04	56.55	Parks
				100-0704-552.22-04	1,354.61	Pool
				207-0707-552.22-04	27.48	Marina
				731-1022-541.22-04	77.49	Garage
<b>Total for check: 31136</b>	<b>1,753.17</b>					
EMILY WICHMAN	31137	9/29/2011	HATTIEMINER	822-0413-554.30-16	250.00	Hattie Miner Scholarship
				<b>Total for check: 31137</b>	<b>250.00</b>	
WISCONSIN COUNCIL 40 PER CAPITA TAX	31138	9/29/2011	20110929	100-0000-202.06-00	260.00	PAYROLL SUMMARY
				<b>Total for check: 31138</b>	<b>260.00</b>	
WISCONSIN PARK & RECREATION ASSN	31139	9/29/2011		100-0703-553.34-02	565.00	Playground Safety Institute
				<b>Total for check: 31139</b>	<b>565.00</b>	

**AP Check Register**  
**Check Date: 9/29/2011**

<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>
WISCONSIN SUPPORT COLLECTIONS	31140	9/29/2011	20110929	100-0000-202.03-00	440.23	PAYROLL SUMMARY
			<b>Total for check: 31140</b>		<b>440.23</b>	
WISLINE REGISTRATION	31141	9/29/2011		100-0203-512.34-02	80.00	Clerk/Deputy Clerk Training
			<b>Total for check: 31141</b>		<b>80.00</b>	
LAURA ZIEGLER	31142	9/29/2011		100-0000-201.15-00	64.00	Refund
			<b>Total for check: 31142</b>		<b>64.00</b>	
					<b>565,579.74</b>	

ORDINANCE O-14-11

AN ORDINANCE RELATING TO REGULATION OF FIREARMS AND EXPLOSIVES

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

SECTION 1: Amend Title 11, Chapter 2, SEC.11-2-1 of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

**CHAPTER 2**

Offenses Against Public Safety and Peace

**SEC. 11-2-1 REGULATION OF FIREARMS AND EXPLOSIVES.**

- (a) **DISCHARGE AND POSSESSION OF FIREARMS REGULATED.** No person, except a police officer or other law enforcement officer in the performance of an official duty, shall fire or discharge any firearm, rifle, spring gun, air gun or pneumatic pellet gun of any description, or bow and arrow, within the City. This Section does not apply and may not be enforced if the person's conduct is justified or, had it been subject to a criminal penalty would have been subject to a defense described in §939.45, Wis. Stats. or have any firearm, rifle, spring gun, air gun or pneumatic pellet gun or bow and arrow, in his possession or under his control unless it is unloaded and enclosed or encased within a carrying case or other suitable container pursuant to State law.
- (b) **SHOOTING INTO CITY LIMITS.** No person shall in the territory adjacent to the City discharge any firearm in such manner that the discharge shall enter or fall within the City.
- (c) **SHOOTING RANGES.** This section shall not prevent the maintenance and use of duly supervised rifle or pistol ranges or shooting galleries approved by the Common Council, after an advisory recommendation from the Chief of Police, where proper safety precautions are taken.
- (d) **EXPLOSIVE DEVICES.** No person shall discharge or detonate any dynamite, nitroglycerin or other explosive within the City without first obtaining a permit to do so from the Chief of Police.
- (e) **SHOOTING PROHIBITED.** Shooting is banned on the Fox River within the corporate limits of the City of Menasha.
- (f) **DEFINITIONS.** For purposes of this Section, a firearm is defined as any instrumentality from or with which a shot, bullet or pellet may be discharged or expelled, regardless of whether the propelling force is provided by air, spring or other similar mechanical device, or gun powder.

SECTION 2: This amending Ordinance shall take effect on November 1, 2011.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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

ATTEST:

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

ORDINANCE O-15-11

AN ORDINANCE RELATING TO CARRYING CONCEALED WEAPONS

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

SECTION 1: Amend Title 11, Chapter 2, SEC.11-2-2 of the Code of Ordinances of the City of Menasha, Wisconsin by repealing paragraphs (b) and (c) as follows:

**CHAPTER 2**

Offenses Against Public Safety and Peace

**SEC. 11-2-2 CARRYING CONCEALED WEAPONS PROHIBITED; CERTAIN WEAPONS PROHIBITED.**

(a) **CONCEALED WEAPONS PROHIBITED.**

(1) No person shall within the City wear or in any manner carry under his clothes or conceal upon or about his person any deadly or dangerous weapon, provided this Subsection shall not apply to a peace officer or such persons as may be authorized to carry such weapons.

(2) "Dangerous weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

~~(b) **CONCEALED WEAPONS IN PUBLIC ESTABLISHMENTS.** No person shall carry or be possessed of a dangerous weapon in any public building or business establishment open to the public except a bona fide weapons repair, display or sales establishment, unless such dangerous weapon is so stored and concealed (other than on the person) so as not to be readily accessible to any person or patron. This Subsection shall not apply to peace officers or others duly authorized by law acting within the scope of their duties. This Subsection shall not be construed to prohibit the sale, purchase, repair or trade of firearms by a retail business establishment doing so in the course of its regular business in accord with state and federal law, nor to hinder a prospective customer from attempting to buy, sell or trade firearms to or from a retailer.~~

~~(c) **SPECIFIC CONCEALED WEAPONS PROHIBITED.** No person, except a sheriff, constable, police officer or other law enforcement officer acting within the scope of their duties, shall carry or wear concealed about his person any pistol, revolver, firearm, sling shot, crossknuckle of lead, brass or other materials, bowie knife, switchblade, dirk or dagger or any other dangerous or deadly weapon within the City.~~

(d) **POSSESSION, SALE AND MANUFACTURE OF CERTAIN WEAPONS PROHIBITED.**

(1) No person shall sell, manufacture, purchase, possess or carry a "Numchuk" (also called a "Nunchaku") or a "Churkin" or a "Sucbai" or similar weapon within the City of Menasha.

(2) For the purpose of this Section, the following definitions shall apply:

a. "Numchuk" or "Nunchaku." An instrument consisting of two (2) or more sticks, clubs or rods connected by a rope, cord, wire or chain.

b. "Churkin." A round throwing knife consisting of several sharp points protruding from a rounded disc.

c. "Sucbai." A short length of wood or metal or similar material which when gripped in the hand protrudes on either side of the fist. Such prohibited instrument may or may not have spikes or short pointed protrusions from either end.

(3) Any such device shall be seized by a law enforcement officer and destroyed or turned over to the State of Wisconsin Crime Laboratory for destruction.

SECTION 2: This amending Ordinance shall take effect on November 1, 2011.

Passed and approved this            day of            , 2011.

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

ATTEST:

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

SUBSTITUTE AMENDMENT #1 TO ORDINANCE O-15-11

AN ORDINANCE RELATING TO CARRYING CONCEALED WEAPONS

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

SECTION 1: Amend Title 11, Chapter 2, SEC.11-2-2 of the Code of Ordinances of the City of Menasha, Wisconsin by creating paragraph (a) (2) and repealing paragraphs (b) and (c) as follows:

**CHAPTER 2**

Offenses Against Public Safety and Peace

**SEC. 11-2-2 CARRYING CONCEALED WEAPONS PROHIBITED; CERTAIN WEAPONS PROHIBITED.**

**(a) CONCEALED WEAPONS PROHIBITED.**

- (1) No person shall within the City wear or in any manner carry under his clothes or conceal upon or about his person any deadly or dangerous weapon, provided this Subsection shall not apply to a peace officer or such persons as may be authorized to carry such weapons.
- (2) Notwithstanding (a)(1) above, no person shall carry a concealed weapon into or within any building owned or occupied by the City, except law enforcement officers acting within the scope of their duties.
- (3) "Dangerous weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

~~(b) **CONCEALED WEAPONS IN PUBLIC ESTABLISHMENTS.** No person shall carry or be possessed of a dangerous weapon in any public building or business establishment open to the public except a bona fide weapons repair, display or sales establishment, unless such dangerous weapon is so stored and concealed (other than on the person) so as not to be readily accessible to any person or patron. This Subsection shall not apply to peace officers or others duly authorized by law acting within the scope of their duties. This Subsection shall not be construed to prohibit the sale, purchase, repair or trade of firearms by a retail business establishment doing so in the course of its regular business in accord with state and federal law, nor to hinder a prospective customer from attempting to buy, sell or trade firearms to or from a retailer.~~

~~(c) **SPECIFIC CONCEALED WEAPONS PROHIBITED.** No person, except a sheriff, constable, police officer or other law enforcement officer acting within the scope of their duties, shall carry or wear concealed about his person any pistol, revolver, firearm, sling shot, crossknuckle of lead, brass or other materials, bowie knife, switchblade, dirk or dagger or any other dangerous or deadly weapon within the City.~~

**(d) POSSESSION, SALE AND MANUFACTURE OF CERTAIN WEAPONS PROHIBITED.**

- (1) No person shall sell, manufacture, purchase, possess or carry a "Numchuk" (also called a "Nunchaku") or a "Churkin" or a "Sucbai" or similar weapon within the City of Menasha.
- (2) For the purpose of this Section, the following definitions shall apply:
  - a. "Numchuk" or "Nunchaku." An instrument consisting of two (2) or more sticks, clubs or rods connected by a rope, cord, wire or chain.
  - b. "Churkin." A round throwing knife consisting of several sharp points protruding from a rounded disc.
  - c. "Sucbai." A short length of wood or metal or similar material which when gripped in the hand protrudes on either side of the fist. Such prohibited

instrument may or may not have spikes or short pointed protrusions from either end.

- (3) Any such device shall be seized by a law enforcement officer and destroyed or turned over to the State of Wisconsin Crime Laboratory for destruction.

SECTION 2: This amending Ordinance shall take effect on November 1, 2011.

Passed and approved this            day of            , 2011.

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

ATTEST:

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

ORDINANCE O-16-11

AN ORDINANCE RELATING TO DISORDELY CONDUCT

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

SECTION 1: Amend Title 11, Chapter 2, SEC.11-2-8 of the Code of Ordinances of the City of Menasha, Wisconsin by creating paragraph (a)(3) as follows:

**CHAPTER 2**

Offenses Against Public Safety and Peace

**SEC. 11-2-8 DISORDERLY CONDUCT.**

- (a) **DISORDERLY CONDUCT PROHIBITED.** No person within the City of Menasha shall:
  - (1) In any public or private place engage in violent, noisy, riotous, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct which tends to cause or provoke an immediate disturbance of public order or tends to annoy or disturb any other person.
  - (2) Intentionally cause, provoke or engage in any fight, brawl, riot or noisy altercation other than a bona fide athletic contest.
  - (3) Unless other facts and circumstances that indicate a criminal or malicious intent on the part of a person apply, no person may be in violation of disorderly conduct under this section for loading, carrying, or going armed with a firearm, without regard to whether the firearm is loaded or is concealed or openly carried.

SECTION 2: This amending Ordinance shall take effect on November 1, 2011.

Passed and approved this            day of            , 2011.

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

ATTEST:

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

ORDINANCE O-17-11

AN ORDINANCE RELATING TO COUNCIL PROCEDURES

INTRODUCED BY ALDERMAN TAYLOR

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

SECTION 1: Amend Title 2, Chapter 2, SEC.2-2-16(d)(2)b of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

**Title 2 – Government and Administration**

**CHAPTER 2**

Mayor, Council

.....

**SEC. 2-2-16 INTRODUCTION OF BUSINESS, RESOLUTIONS AND ORDINANCES;  
DISPOSITION OF COMMUNICATIONS.**

(d) NOTICE.

.....

- (2) a. No ordinance may be passed by the Common Council until the next Council meeting following its introduction at either a Committee or Council level. When said ordinance on its face does not adequately advise the public of its contents, the City Attorney shall add a brief note of explanation.
- b. Any Alderman may request that any issue be held for two weeks in addition to the requirements of sec. 2-2-16 (d)(2)a. When so requested, the Mayor or Chair of a Committee shall inquire as to whether another Alderman also wished the hold. If another Alderman does so request, the issue shall be placed on the agenda of the next regularly scheduled meeting. Once invoked, no other Alderman may attempt to use this procedure to delay any action. Any further delay requires a majority vote of the Common Council or Committee. An issue held in Committee may not be held in the Common Council, an item held in the Common Council may not be held in Committee. Any request to hold must be made before the beginning of debate on the issue. Once the motion to hold is made and seconded it is no longer debatable.

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

Passed and approved this            day of            , 2011.

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

ATTEST:

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



## Memorandum

To: Mayor Merkes and Common Council

Date: September 28, 2011

From: Vince Maas, Superintendent of Parks

Subject: 2012 Urban Forestry Grant

As you may recall in 2010 the Parks Department received an urban forestry grant from the Wisconsin Department of Natural Resources to develop an Emerald Ash Borer (EAB) Management Plan and tree inventory/condition evaluation of the city's trees. We have completed the inventory/condition evaluation portion of that program and the EAB management plan. This year 2011 the Parks Department received another urban forestry grant to starting the implementation of our EAB management plan.

The Parks Department will again be applying for another urban forestry grant in 2012. This grant will focus on the implementation of our EAB Management Plan. The scope of our grant proposal will be pre-emptive removals of some ash trees and other species that are in very poor condition. In addition, this grant would go towards re-planting a diverse number of species based on our existing inventory.

This is a 50/50 matching grant. The deadline for the application is October 3. Normal Forestry operating budget funds will be used. Our 2012 budget request will not increase based on this grant. The city's share of the grant is estimated to be around \$9,000.

We appreciate your past support of the city's urban forest, including our status as a Tree City, USA. Your positive consideration of our current request would be appreciated.

RESOLUTION R-35-11

A RESOLUTION SUPPORTING APPLICATION OF A 2012 WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES – URBAN FORESTRY GRANT FOR  
EMERALD ASH BORER IMPLEMENTATION PLAN AND TREE PLANTING

Introduced by Mayor Merkes

WHEREAS, The Emerald Ash Borer (EAB) has been found in Wisconsin; and,

WHEREAS, EAB preparedness remains a top funding priority for the Wisconsin  
Department of Natural Resources; and,

WHEREAS, The City of Menasha desires to take a proactive approach in  
preparing for the arrival of EAB; and,

WHEREAS, City of Menasha preparedness planning for EAB includes  
implementation of pre-emptive removal of Ash trees, replanting a diversity of species in  
our urban forest, and proper trimming of existing mature trees.

WHEREAS, The City of Menasha hereby requests financial assistance under s.  
20.370, Wis. Stats., and Chapter NR 47, Wis. Admin. Code, for the purpose of funding  
urban and community forestry projects or urban forestry catastrophic storm projects  
specified in s. 20.370(5)(bw) and (1)(mv), Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Menasha authorizes the  
Superintendent of Parks, Forestry and Cemeteries to act on the City's behalf to:

- Submit an application to the Department of Natural Resources for financial  
assistance under s. 20.370, Wis. Stats., and Chapter NR 47, Wis. Admin. Code;
- Sign necessary documents; and
- Submit a final report.

Passed and approved this     day of October, 2011

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Donald Merkes, Mayor

ATTEST:

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Deborah A. Galeazzi, City Clerk

**RESOLUTION R-36-11**

**Opposing USPS transfer of carrier routes from Menasha Post Office to Neenah Post Office**

Introduced by Alderman Sevenich

**Whereas**, the USPS is a self sufficient entity receiving no taxpayer subsidy, and;

**Whereas**, the USPS is currently facing a deficit due to federally mandated overpayments to the CSRS Pension Fund and FERS Retirement Fund, and declining first class mail volume, and;

**Whereas**, the USPS has given notice to carriers that Menasha city letter carrier routes will be transferred to the Neenah Post Office, and;

**Whereas**, the USPS has not shared information regarding potential cost savings through this transfer, and;

**Whereas**, USPS employees have identified areas where the cost of service is likely to increase due to the transfer including mileage and loading time, and;

**Whereas**, building facilities and parking may be insufficient for the added staffing at the Neenah location requiring additional renovation costs, and;

**Whereas**, the Menasha Post Office is owned by the USPS where the Neenah facility is leased, and;

**Whereas**, the Menasha Post Office is a community landmark listed on the National Register of Historic Places, and;

**Whereas**, the Menasha Post Office is larger than the Neenah facility and has the ability to bring in additional revenue through rental income, and;

**Whereas**, the Menasha Post Office houses an extremely lucrative bulk mail operation that could be jeopardized, and;

**Whereas**, the loss of a fully functioning post office in Menasha is detrimental to economic development and business retention

**Whereas**, the loss of jobs at the Menasha Post Office will be detrimental to existing businesses in our downtown and efforts to attract additional businesses

**Now Therefore Be It Resolved**, that the Menasha City Council opposes the transfer of carrier routes to the Neenah facility due to the detrimental effects to the business community, community image, and lack of demonstrated financial savings.

Passed and approved this     day of October, 2011

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

ATTEST

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Deborah A. Galeazzi, City Clerk