

CITY OF MENASHA
Special Common Council
Third Floor Council Chambers
140 Main Street, Menasha
March 24, 2011
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 5:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Hendricks, Zelinski, Englebert, Benner, Roush, Taylor, Wisneski, Langdon
ALSO PRESENT: Mayor Merkes, CA/HRD Captain (via telephone), C/T Stoffel,
CDD Keil, Menasha Utility GM Melanie Krause and Dick Sturm, Clerk Galeazzi, and
the Press.

D. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

(five (5) minutes time limit for each person)
No one spoke.

E. ACTION ITEMS

1. [Financial Advisory Agreement with Wisconsin Public Finance Professionals, LLC.](#)

Moved by Ald. Taylor, seconded by Ald. Englebert to approve Financial Advisory Agreement
with Wisconsin Public Finance Professionals, LLC

Discussion: C/T Stoffel explained the agreement will give Wisconsin Public Finance
Professionals, LLC the authority to act on the City's behalf to complete the necessary financial
matters in regard to the State Trust Fund Loan, for the purchase of State and Local Government
Series Bonds, and to defease the City's 2005 Combined Utility Revenue Bonds.

Motion carried on roll call 8-0.

2. [R-11-11 Resolution Amending Resolutions No. R-20-06, R-8-07 and R-9-09 to Remove
Pledge of Electric Utility Revenues from Safe Drinking Water Loan Bonds.](#)

Moved by Ald. Hendricks, seconded by Ald. Roush to adopt R-11-11

Discussion: CA/HRD Captain and GM Krause explained the purpose to separate the electric
utility from the Safe Drinking Water Loan Bonds. The electric utility needs to be remove for the
sale of the electric utility assets to WPPI Energy to move forward.

Motion carried on roll call 8-0.

3. [R-12-11 Resolution Authorizing the Transfer of Funds, the establishment of an Escrow
Account with Respect to and the Defeasance of the Combined Utility Revenue Refunding
Bonds, Series 2005, Dated December 28, 2005.](#)

Moved by Ald. Hendricks, seconded by Ald. Wisneski to adopt R-12-11

Discussion: C/T Stoffel explained this will establish the escrow account to hold the funds for
water utility debt that is not due until 2017.

Motion carried on roll call 8-0.

4. [R-13-11 Resolution Approving Application to Board of Commissioners of Public Lands to Borrow \\$3,500,000 from the State Trust Funds, Authorizing the Borrowing and the Issuance of Certificates of Indebtedness and Levying a Tax in Connection Therewith.](#)

Moved by Ald. Roush, seconded by Ald. Wisneski to adopt R-13-11

Discussion: C/T Stoffel explained the purpose of the loan is for financing advance refunding of utility revenue bond.

Motion carried on roll call 8-0.

5. Closed Session

Moved by Ald. Wisneski, seconded by Ald. Hendricks to adjourn into Closed Session pursuant to sec. 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Development Agreement with The Ponds of Menasha LLC and Cypress Homes and Realty, Inc.)

Motion carried on roll call 8-0.

6. Open Session

Moved by Ald. Hendricks, seconded by Ald. Roush to go back into Open Session immediately following the Closed Session to take action on matters discussed in Closed Session.

Motion carried on voice vote.

7. [Motion to Remove from the Table the Development Agreement between City of Menasha and The Ponds of Menasha LLC](#)

Moved by Ald. Hendricks, seconded by Ald. Wisneski to remove from the table the Development Agreement between City of Menasha and The Ponds of Menasha LLC

Motion carried on roll call 8-0.

Moved by Ald. Hendricks, seconded by Ald. Englebert to approve the Development Agreement between City of Menasha and The Ponds on Menasha LLC contingent upon all the items recommended by staff as listed in memo dated [3/24/2011](#) be satisfied.

Motion carried on roll call 7-1. Ald. Zelinski – no.

8. [Motion to Remove from the Table the Development Agreement between City of Menasha and Cypress Homes and Realty, Inc.](#)

Moved by Ald. Hendricks, seconded by Ald. Englebert to remove from the table the Development Agreement between City of Menasha and Cypress Homes and Realty, Inc.

Motion carried on roll call 8-0.

Moved by Ald. Hendricks, seconded by Ald. Englebert to approve the Development Agreement between City of Menasha and Cypress Homes and Realty, Inc. contingent upon all the items recommended by staff as listed in memo dated 3/24/2011 be satisfied.

Moved by Ald. Taylor, seconded by Ald. Hendricks to amend Section 3.01.1 of the Cypress Homes and Realty Inc agreement to include language similar to the agreement with The Ponds of Menasha LLC on the terms of the Promissory Note.

Motion on amendment carried on roll call 7-1. Ald. Zelinski – no.

Motion as amended carried on roll 7-1. Ald. Zelinski – no.

- F. ADJOURNMENT

Moved by Ald. Wisneski, seconded by Ald. Hendricks to adjourn at 6:46 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC