

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

**CITY OF MENASHA  
ADMINISTRATION COMMITTEE  
Third Floor Council Chambers  
140 Main Street, Menasha  
November 3, 2014  
6:30 PM  
or immediately following Common Council  
AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
  - 1. [Administration Committee, 10/20/14](#)
- D. COMMUNICATIONS
  - 1. [Cities and Villages Mutual Insurance Company \(CVMIC\), 10/15/14; Notice of Changes to Public Entity Liability Insurance Policy](#)
  - 2. [Cities and Villages Mutual Insurance Company \(CVMIC\), 10/15/14; Notice of Termination of Liability Insurance Coverage Program Agreement](#)
- E. DISCUSSION/ACTION ITEMS
  - 1. [Amendment to Special Event Policy \(Ald. Englebert\)](#)
- F. ADJOURNMENT

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

CITY OF MENASHA  
ADMINISTRATION COMMITTEE  
Third Floor Council Chambers  
140 Main Street, Menasha  
October 20, 2014  
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Nichols at 8:15 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Nichols, Taylor, Sevenich, Langdon, Keehan, Zelinski, Englebert

EXCUSED: Alderman Benner

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, DPW Radtke, CDD Keil, ASD Steeno, PHD McKenney, LD Lenz, Rae Anne Beaudry (Horton Group), Clerk Galeazzi

C. MINUTES TO APPROVE

1. [Administration Committee, 10/6/14](#)

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

Motion carried on voice vote.

D. DISCUSSION/ACTION ITEMS

1. [2015-2016 Health, Dental, Vision Insurance](#)

ASD Steeno explained the proposals received for health insurance. Based on the proposals provided, staff is recommending going with Wisconsin Counties Association/Group Health Trust (WCA/GHT).

Rae Anne Beaudry from The Horton Group answered questions on health insurance coverage.

CA/HRD Captain explained the information received from the City's insurance administrator on dental and vision insurance. Based on the information provided staff is recommending no premium change for 2015. No action is required since there is no change in premium.

Moved by Ald. Sevenich, seconded by Ald. Englebert to recommend to Common Council Wisconsin Counties Association/Group Health Trust (WCA/GHT) as the medical insurance carrier for the calendar years of 2015 and 2016.

Motion carried on roll call 7-0.

2. [R-25-14 A Resolution Providing for the Method of Amending and Approving the 2015 City of Menasha Operating Budget and Capital Improvement Plan](#)

Moved by Ald. Zelinski, seconded by Ald. Langdon to deny R-25-14 A Resolution Providing for the Method of Amending and Approving the 2015 City of Menasha Operating Budget and Capital Improvement Plan.

General discussion ensued on procedure for the budget review sessions.

With the consent of the Committee, Ald. Zelinski and Ald. Langdon withdrew their motion.

Moved by Ald. Englebert, seconded by Ald. Keehan to adopt R-25-14 A Resolution Providing for the Method of Amending and Approving the 2015 City of Menasha Operating Budget and Capital Improvement Plan.

Motion failed on roll call 3-4.

Ald. Nichols, Keehan, Englebert voted yes. Ald. Taylor, Sevenich, Langdon, Zelinski voted no.

E. ADJOURNMENT

Moved by Ald. Sevenich, seconded by Ald. Keehan to adjourn at 9:05 p.m.

Motion carried on voice vote.

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



October 15, 2014

Ms. Pamela Captain  
City of Menasha  
430 First Street  
Menasha, WI 54952

**RE: Cities and Villages Mutual Insurance Company – Notice of Changes to Public Entity Liability Insurance Policy**

Dear Pamela,

At the summer membership meeting on July 17, 2014, and the annual membership meeting on October 4, 2014, the Cities and Villages Mutual Insurance Company (CVMIC) management team provided information to the members regarding changes to the Public Entity Liability Insurance policy for 2015. These changes have been approved by the Board of Directors and will go into effect on January 1, 2015. Most of the changes are cosmetic in nature. There is one change that enhances coverage and one change that will reduce current coverage, as explained below. Below are the approved changes for the 2015 Public Entity Liability policy:

**Section I-Coverages:**

Added Language-“The Mutual makes no warranty or representation, express or implied, as to the adequacy of coverage provided for in this policy for the needs of the INSURED”.

**Section IV-Insured’s Retained Limit and the MUTUAL’s Limit of Liability:**

Deleted Language- “as the result of any one OCCURRENCE”.

**Section VIII-Conditions Item E: provides an enhancement of coverage when there is other insurance available.**

Added Language-“with the written consent of the MUTUAL ... purchased with the written consent of the MUTUAL”...

**Section VIII-Conditions Item E:**

Added Language-“then amounts paid by said insurance for such loss, and amounts paid by the INSURED for such loss pursuant to any retained liability under said insurance shall...for such loss”.

**Section VIII-Conditions Item H:**

Added Language-"The INSURED shall not withhold all or any portion of the INSURED'S premiums pending resolution of a dispute".

**Section VIII-Conditions Item M:**

Deleted Language-"failure to comply with the Liability Risk Management Guidelines".

Added Language-"the INSURED has materially failed to comply with rules or policies governing the rights and responsibilities of members that have been duly adopted by the MUTUAL's Board of Directors".

**Section VIII-Conditions Item P:**

Change heading for Item P from Surplus Dividends to Policy Dividends.

Added Language- "The....pay dividends on this policy". "The MUTUAL shall send a.....dividend...FIRST NAMED".

**Endorsement No. XX – This change reduces coverage in the area of cyber liability. Currently, the policy is silent on cyber liability and this endorsement would exclude coverage. The reason for the exclusion is CVMIC is looking at a separate group purchase that would provide coverage for cyber liability and first party coverage for damages resulting from cyber-attack. If this group purchase program is not implemented, the exclusion for cyber liability will not be added to the policy.**

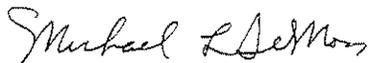
Added Language-"The CVMIC policy does not provide coverage for any claim, liability or loss arising out of a SECURITY FAILURE of a COMPUTER SYSTEM that is used, accessed, owned, operated, maintained or controlled by a MEMBER". In addition, six new definitions were added for this endorsement.

As the Board approved the changes at the September 10, 2014, Board of Director's meeting and as there was no discussion related to these changes at the Annual Meeting, the policy has been filed with the Office of the Commissioner of Insurance of the State of Wisconsin and will become effective January 1, 2015.

If you have any questions regarding the changes of the Public Entity Liability Insurance Policy, please feel free to contact Tom Mann (email: [tem@cvmic.com](mailto:tem@cvmic.com), phone: 414-831-5988).

Sincerely,

**CITIES AND VILLAGES MUTUAL INSURANCE COMPANY**



Michael L. DeMoss  
Executive Director

MLD:scp

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October 15, 2014

Ms. Pamela Captain  
City of Menasha  
430 First Street  
Menasha, WI 54952

**Re: Cities and Villages Mutual Insurance Company – Notice of Termination of Liability Insurance Coverage Program Agreement**

Dear Pamela,

As you may know, the Liability Insurance Coverage Program Agreement (the “Program Agreement”), which governs many aspects of your relationship with Cities and Villages Mutual Insurance Company (“CVMIC”), was developed in connection with the formation of CVMIC in the mid-1980s, and was focused primarily on issues surrounding the bonds issued to capitalize CVMIC. Since those bonds were paid off in 2007, and because there have been many other changes over the past 26 years or so, we determined to evaluate the continuing relevance of the Program Agreement. As part of this evaluation, the CVMIC Board of Directors initiated discussions with legal counsel and with the Wisconsin Office of the Commissioner of Insurance (“OCI”). During these discussions, it became apparent that certain provisions of the Program Agreement are no longer in compliance with current Wisconsin law.

After discussing several options with legal counsel and OCI, CVMIC has determined that the most desirable solution is to eliminate the Program Agreement in its entirety, and to transfer many of the provisions that continue to have relevance today to more appropriate documents, such as CVMIC’s Articles of Incorporation or By-Laws. As you know, the Board and Members have approved the applicable transfers. Under Section 4.1 of the Program Agreement, CVMIC may take the next step and terminate the Program Agreement effective January 1 of any year by providing each Member Municipality with a notice of termination by no later than the preceding November 15. Accordingly, please take notice that CVMIC is hereby terminating the Program Agreement effective January 1, 2015.

If you have any questions regarding the termination of the Program Agreement, please feel free to contact Ken Horner (phone: 414-831-6000, email: kah@cvmic.com) or me (phone: 414-831-5999, email: mld@cvmic.com).

Sincerely,

Michael L. DeMoss  
Executive Director

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# City of Menasha Special Event Policy

**SPECIAL EVENT** is defined as any planned occurrence on the public right-of-way or public premises including, but not limited to; parades, gatherings, festivals and athletic events. By nature these events have a greater impact on City services and resources than would have occurred had the event not taken place. Special events require multiple department involvement. Persons desiring to conduct, maintain, undertake, promote, organize or manage a special event in the City of Menasha shall be subject to the requirements of this policy.

The City of Menasha wants any Special Event to be a success for organizers and participants alike. By providing for an organized application process, we hope to provide for the safety and well being of all community members.

**APPLICATION** Complete Special Event Agreement Packet must be returned to City Hall, 2<sup>nd</sup> Floor, Public Works/Park & Recreation Departments at least 60 days prior to the event. This will allow time for all pertinent departments to review your event needs. A non – refundable fee of \$25 is due at the time your application is submitted. Please note that if you are holding an event in a park you will need to reserve the park prior to turning in your Special Events Application.

**REVIEW OF APPLICATION** Once your application is received and reviewed, someone from your group will be required to attend a meeting with the Special Events Committee. You will be advised of the date and time. The appropriate departments will review the individual worksheets included in your Special Events Packet to ensure that all considerations have been identified and contingencies planned for.

**APPROVAL OF APPLICATION** Once your application has been reviewed and approved you will receive a Special Event Permit.

**CERTIFICATE OF INSURANCE AND ENDORSEMENT** Proof of insurance is required for all special events and must be provided by the event sponsor. The City of Menasha needs to be named as additional insured on both the Certificate of Insurance and the Endorsement. The sponsor shall hold the City, any of its employees and agents and facilities harmless against all claims, liability, loss, damage or expense incurred by the City for any damage or injury to person or property caused by or resulting from activities arising from the special event. The Certificate of Insurance and the Endorsement must be submitted with the Special Events packet.

**SPONSOR ADDITIONAL RESPONSIBILITIES** If your event requires street closure, it is the event holder's responsibility to contact the bus line, Valley Transit at 920-832-5200 and Gold Cross Ambulance 920-967-6077 to alert them to the street closure. It is also the event holder's responsibility to notify to the property occupants affected by a street closure exceeding 30 minutes. Included in this packet is a form that can be used for notification.

**FEES** For all events a non-refundable deposit of \$25 is required at the time the application is submitted. Charges for park facilities, food sales permits, tent permit fees, firework fees, etc. are to be paid *IN ADDITION* to the Special Events application fee. **Except for the \$25 Special Events application fee, the Memorial Day Parade is exempt from additional fees.** Submittal of an event application does **NOT** reserve a park. The applicable fees due prior to your event are: temporary food service permits, temporary beer sales permit, carnival permit, tent fee inspection and fireworks permits. At the completion of your event, charges must be paid no more than 60 days after the last date of your event. If this requirement is not met, further charges may be incurred.

**NON-PROFIT ORGANIZATIONS AS EVENT HOLDERS** Non-Profits hosting an event that is free and open to the public **may** receive up to a 50% discount on the total Special Event bill. By definition the Non-Profit group must be a registered 501(c)(3) or (4) organization and proof of this designation is required.

**TERMINATION OF EVENT** The City and its representative reserve the right to shut down a special event that is in progress if it is determined to be a safety hazard by the Police and/or Fire Departments and/or there is a violation of City Ordinances, State Statute, or the terms of the approved application have not been met. The Mayor and /or their designee may revoke an approved Special Event Permit if the applicant fails to comply in good faith with the provisions of the permit prior to the event date.