

It is expected that a Quorum of the Personnel Committee, Administration Committee, 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**  
**Board of Public Works**  
**Third Floor Council Chambers**  
**140 Main Street, Menasha**  
**June 16, 2014**  
**6:30 PM**  
**or immediately following the Common Council**

**AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
  - 1. [June 2, 2014](#)
- D. DISCUSSION / ACTION ITEMS
  - 1. [Street Use Application – Race the Lake; Sunday, August 17, 2014; 7:00 AM – 9:30 AM \(DuTriRun/ARC of Menasha\)](#)
  - 2. [Street Use Application – Frehley Gilmore Birthday Party; Saturday, July 12, 2014; 10:00 AM – 10:00 PM \(Boys & Girls Brigade\)](#)
  - 3. [Street Use Application – Two Wheel Tuesday; July 22, 2014, 2014; 6:00 PM – 9:00 PM \(The Locker Room\)](#)
  - 4. [Request to Allow Overnight Parking on the West Side of Elm Street from Nicolet Boulevard to Keyes Street During the Period of April 1 through October 31](#)
  - 5. [Recommendation to Submit Ballot Requesting Winnebago County to Refund the Recycling Revenue Surplus of \\$77,384.00 to Signing Municipalities Based Upon each Municipality's Actual Tonnage Processed and Sold for Year 2013](#)
  - 6. [Resolution R -18 -14 Acknowledging Review of City of Menasha 2013 Compliance Maintenance Annual Report Under Wisconsin Administrative Code NR 208](#)
  - 7. [Recommendation to Develop an Intergovernmental Agreement with Calumet County for the Reconstruction and Jurisdictional Transfer of Cty Trunk LP](#)
  - 8. Discussion Regarding the Planted Terrace Area along Racine Street from Main Street to Third Street (Ald. Taylor)
  - 9. Discussion Regarding the Necessity for the Continuation of the City of Menasha Parking Committee (Ald. Sevenich)
- E. 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  
Board of Public Works  
Third Floor Council Chambers  
140 Main Street, Menasha  
June 2, 2014  
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Sevenich at 9:37 p.m.

B. ROLL CALL/EXCUSED ABSENCES

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

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, DPW Radtke, CDD Keil, ASD Steeno, Tim Gosz (Water Plant Supervisor), Clerk Galeazzi

C. MINUTES TO APPROVE

1. [May 19, 2014](#)

Moved by Ald. Taylor, seconded by Ald. Englebert to approve minutes.

Motion carried on voice vote.

D. DISCUSSION / ACTION ITEMS

1. [Authorization to Execute WisDOT Bridge Operation Agreement for Fiscal Year 2015](#)

DPW Radtke explained the agreement is for the Department of Transportation to fund the operation of the Racine Street and Tayco Street lift bridges. The DOT reimburses the City to staff and operate the bridges. The terms and conditions are the same as previous years. The proposed agreement references the position of Street Superintendent in two sections. These sections should be revised by substituting Public Works Superintendent for Street Superintendent to accurately reflect the current title of the position responsible for City oversight.

Moved by Ald. Taylor, seconded by Ald. Keehan to recommend to Common Council Authorization to Execute WisDOT Bridge Operation Agreement for Fiscal Year 2015.  
Motion carried on voice vote.

2. [Recommendation to Award; Water Treatment Facility Low Lift Pump Modifications Project M0002-930724; J.F. Ahern Company; \\$429,900.00 \(Menasha Utilities\)](#)

Tim Gosz, Water Plant Supervisor, explained the project is for replacement and relocation of the low lift raw water pump and raw water line at the Water Treatment Facility.

Moved by Ald. Taylor, seconded by Ald. Keehan to recommend to Common Council Recommendation to Award, Water Treatment Facility Low Lift Pump Modifications Project M0002-930724 to J.F. Ahern Company for \$429,900.00 (Menasha Utilities)  
Motion carried on roll call 8-0.

E. ADJOURNMENT

Moved by Ald. Taylor, seconded by Ald. Langdon to adjourn at 9:46 p.m.

Motion carried on voice vote.

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



### STREET USE APPLICATION

Event: Race the Lake

Sponsored by: DuTri Run/ARC of Menasha

Responsible Person: Ben West

Address: 1170 N. Perkins  
Appleton WI 54914

Email Address: ben@dutrirun.com Phone: 920 544 2414

Street Route: see map

Description of Use (attach map) \_\_\_\_\_

Street Use Date:	<u>Aug 17</u>
Start Time:	<u>7 AM</u>
End Time:	<u>9:30 AM</u>
Number of Units:	<u>—</u>
(Parades)	

**Liability Insurance has been secured in the amount of \$ 2,000,000 with the City of Menasha named as the additional insured. This is primary insurance.**

Insurance Company Paroubek Insurance Agency Policy No. CAP3214611  
(Attached are samples of the certificate of insurance and endorsement; each naming the City of Menasha as additional insured)

*pd #276  
CS*

Date: 3-20-14 Applicant's Signature: [Signature]

**Permit Fee:** Each application for a Street Use Permit shall be accompanied by a fee of \$25.00 along with a Special Event Fee of \$25.00. Please make checks payable to City of Menasha.

**Note to events planning to use City Parks and/or greenspace:** Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

**TO BE COMPLETED BY CITY STAFF** (Revised February 4, 2013)

Scheduled Park & Recreation Board Review Date: \_\_\_\_\_

Not Required:  Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Scheduled Common Council Review Date: 6/16/2014

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

**APPROVAL:**

Police Dept. [Signature] Fire Dept. [Signature] Public Works Dept. MR City Attorney [Signature]





SECURA INSURANCE, A Mutual Company

P. O. BOX 819 APPLETON, WI 54912-0819

COMMON POLICY DECLARATIONS

DECLARATION

COPY

POLICY NO. 20-CP-003214611-3/000

ACCOUNT NUMBER: 00007279904

NAMED INSURED AND MAILING ADDRESS

AGENCY AND MAILING ADDRESS 484330 0.

DUTRIRUN LLC
1170 N PERKINS ST
APPLETON WI 54914

PAROUBEK INS AGY INC
STE 206
301 N BROADWAY
DE PERE WI 54115

POLICY PERIOD: From 11/04/2013 to 11/04/2014 AT 12:01 A.M. STANDARD TIME AT YOUR MAILING ADDRESS SHOWN ABOVE.

PROGRAM: SPORTS AND RECREATION

THE NAMED INSURED IS : LIMITED LIAB COMPANY BUSINESS DESC : RUNNING, BIKING AND SWIMMING EVENTS

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE INSURANCE AS STATED IN THIS POLICY.

THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM IS INDICATED. THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.

Table with 2 columns: Coverage Part and Premium. Rows include Commercial Property (225), Commercial General Liability (5,994), Commercial Crime (NOT COVERED), Commercial Inland Marine (NOT COVERED), and Estimated Total Premium (\$6,219).

This is not a bill - Invoice to follow. Total premium is payable in monthly installments.

FORMS AND ENDORSEMENTS APPLICABLE TO ALL COVERAGE PARTS

PLI4001 0801 IL0017 (11-98) IL0283 (09-07) IL0283 (07-02) ALD9999 0711 ILE0020 0304 ILE7000 0301

THESE DECLARATIONS AND THE COMMON POLICY DECLARATIONS, IF APPLICABLE, TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE FORM(S) AND FORMS AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.

COUNTERSIGNED AT: \_\_\_\_\_ DATE: \_\_\_\_\_ BY: \_\_\_\_\_

AUTHORIZED REPRESENTATIVE



SECURA INSURANCE, A Mutual Company

P. O. BOX 819 APPLETON, WI 54912-0819

COMMERCIAL PROPERTY

DECLARATION

POLICY NO. 20-CP-003214611-3/000

ACCOUNT NUMBER: 00007279904

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BUILDING - 1

PREM. NO. 1 BLDG. NO. 1
1170 N PERKINS ST, APPLETON WI 54914
COVERAGES PROVIDED
INSURANCE AT THE DESCRIBED PREMISES APPLIES ONLY FOR COVERAGES FOR WHICH A LIMIT OF INSURANCE IS SHOWN
COVERAGE CAUSE OF LOSS DED \$ COINSURANCE LIMIT OF INSURANCE \$
BUSINESS PERSONAL PROPERTY
SPECIAL-Incl theft 500 80% 5,000
OPTIONAL COVERAGES
PERSONAL PROPERTY: REPLACEMENT COST
TENANTS GLASS COVERAGE INCLUDED

MANUSCRIPT FORMS:
HSB 2000 1001 - CAUSES OF LOSS - BREAKDOWN BASIC
EQUIPMENT BREAKDOWN LIMIT INCLUDED
BUSINESS INCOME AND EXTRA EXPENSE INCLUDED WHEN SELECTED
DEDUCTIBLE: AS SHOWN ON THE COVERED PROPERTY AND INCOME COVERAGES

TERRORISM RISK INSURANCE ACT (ANNUAL) CHARGE IS \$25

TOTAL PROPERTY PREMIUM \$225



SECURA INSURANCE, A Mutual Company

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COMMERCIAL PROPERTY

DECLARATION

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FORMS AND ENDORSEMENTS
APPLYING TO COMMERCIAL PROPERTY COVERAGE PART AND MADE PART OF THIS POLICY AT TIME OF ISSUE:
CP0090 (07-88) CP0113 (10-02) CP0140 (07-06) CP1032 (08-08) CP1030 (06-07) CP0010 (06-07)
HSB 2000 1001 ILE0666 9806 IL0952 (03-08) IL0030 (01-06) IL0995 (01-07)

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COUNTERSIGNED AT: \_\_\_\_\_ DATE: \_\_\_\_\_ BY: \_\_\_\_\_

AUTHORIZED REPRESENTATIVE



**SECURA INSURANCE, A Mutual Company**

P. O. BOX 819 APPLETON, WI 54912-0819

**COMMERCIAL GENERAL LIABILITY  
DECLARATION**

**POLICY NO. 20-CP-003214611-3/000**

**ACCOUNT NUMBER: 00007279904**

**NAMED INSURED AND MAILING ADDRESS**

**AGENCY AND MAILING ADDRESS 484330 04**

DUTRIRUN LLC  
1170 N PERKINS ST  
APPLETON WI 54914

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**LIMITS OF INSURANCE**

GENERAL AGGREGATE	\$	2,000,000	
PRODUCTS-COMPLETED OPERATIONS AGGREGATE	\$	2,000,000	
PERSONAL INJURY & ADVERTISING INJURY	\$	1,000,000	
EACH OCCURRENCE	\$	1,000,000	
DAMAGE TO PREMISES RENTED TO YOU	\$	100,000	ANY ONE PREMISES
MEDICAL EXPENSE	\$	EXCLUDED	ANY ONE PERSON

**STATE - 1**

**LOCATION OF ALL PREMISES YOU OWN, RENT OR OCCUPY:**

LOC # 1: 1170 N PERKINS ST, APPLETON WI 54914

LOC CLASSIFICATION	CODE	PREMIUM BASIS	PMS RATE	PDTS RATE
1 EXHIBITIONS - OUTSIDE - NO STADIUMS OR GRANDSTANDS PRODUCTS-COMPLETED OPERATIONS ARE SUBJECT TO THE GENERAL AGGREGATE LIMIT	43424	GROSS SALES 370,000	.026	INCL
<b>LIQUOR LIABILITY</b>				
AGGREGATE LIMIT: \$1,000,000 DEDUCTIBLE: NONE				
EACH COMMON CAUSE LIMIT: \$1,000,000				
CLUBS	70412	GROSS SALES 5,000	4.911	
<b>SPECIAL EVENT LIABILITY</b>				
VALENTINE'S RUN/WALK SPECIAL EVENT GROUP II 501 TO 1500	20028	EACH		
<b>SPECIAL EVENT LIABILITY</b>				
OSHKOSH HALF MARATHON SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		

Original



**SECURA INSURANCE, A Mutual Company**  
 P. O. BOX 819 APPLETON, WI 54912-0819  
**COMMERCIAL GENERAL LIABILITY**  
 DECLARATION

**POLICY NO. 20-CP-003214611-3/000**

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**AGENCY AND MAILING ADDRESS 484330 0**

DUTRIRUN LLC  
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 APPLETON WI 54914

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 STE 206  
 301 N BROADWAY  
 DE PERE WI 54115

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LOC CLASSIFICATION	CODE	PREMIUM BASIS	PMS RATE	PDTS RATE
<b>SPECIAL EVENT LIABILITY</b> PAPER DISCOVERY DUATHLON SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> GREEN BAY TRIATHLON SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> HIGH CLIFF TRIATHLON SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> CHISAGO LAKES TRIATHLON SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> RACE THE LAKE SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> LAKE COUNTRY HALF MARATHON SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> DOUSMAN DUATHLON SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> GREEN BAY DUATHLON SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		



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LOC CLASSIFICATION	CODE	PREMIUM BASIS	PMS RATE	PDTS RATE
<b>SPECIAL EVENT LIABILITY</b> NOODLEINI RUN/WALK SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> RESOLUTION RUN SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> ST PAT'S DAY RUN SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> EDGE THE LEDGE SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		
<b>SPECIAL EVENT LIABILITY</b> OSHKOSH TRIATHLON SPECIAL EVENT GROUP II 501 TO 1500	20028	OTHER		



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ACCOUNT NUMBER: 00007279904  
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AGENCY AND MAILING ADDRESS 484330 0

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 1170 N PERKINS ST  
 APPLETON WI 54914

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 DE PERE WI 54115

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ADDITIONAL INSURED(S)	
VILLAGE OF ASHWAUBENON 2155 HOLMGREN WAY GREEN BAY WI 54304	PER FORM: CG2026 (07-04)
HIGH CLIFF STATE PARK N7630 STATE PARK RD SHERWOOD WI 54169	PER FORM: CG2026 (07-04)
VILLAGE OF LAC DE BELLE PO BOX 443 OCONOMOWOC WI 53066	PER FORM: CG2026 (07-04)
YMCA AT PABST FARMS 1750 E VALLEY RD OCONOMOWOC WI 53066	PER FORM: CG2026 (07-04)
FAMILY PATHWAYS 1575 1ST AVE E CAMBRIDGE MN 55008	PER FORM: CG2026 (07-04)
CHISAGO LAKES AREA SCHOOL 13750 LAKE BLDG LINDSTROM MN 55045	PER FORM: CG2026 (07-04)
UNIVERSITY OF WISCONSIN FOX VALLEY 1478 MIDWAY RD MENASHA WI 54952	PER FORM: CG2026 (07-04)
CITY OF APPLETON 100 N APPLETON ST APPLETON WI 54911	PER FORM: CG2026 (07-04)
CITY OF MENASHA 140 Main St	PER FORM: CG2026 (07-04)



SECURA INSURANCE, A Mutual Company  
 P. O. BOX 819 APPLETON, WI 54912-0819  
**COMMERCIAL GENERAL LIABILITY**  
 DECLARATION

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ACCOUNT NUMBER: 00007279904  
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AGENCY AND MAILING ADDRESS 484330 04

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 301 N BROADWAY  
 DE PERE WI 54115

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ADDITIONAL INSURED(S)		
MENASHA WI 54952		
SEROOGY'S PO BOX 143 DE PERE WI 54115	144 N WISCONSIN ST	PER FORM: CG2026 (07-04)
CHISAGO CO SHERIFFS OFFICE; ATTN MARY MCCARTHY 313 N MAIN ST CENTER CITY MN 55012		PER FORM: CG2026 (07-04)
GREEN BAY MARATHON 1265 LOMBARDI AVE GREEN BAY WI 54307		PER FORM: CG2026 (07-04)
CITY OF GREEN BAY 100 N JEFFERSON ST, ROOM 500 GREEN BAY WI 54301		PER FORM: CG2026 (07-04)
BROWN COUNTY FACILITY & PARK MANAGEMENT 325 E WALNUT ST GREEN BAY WI 54301		PER FORM: CG2026 (07-04)
TOWN OF TAYCHEEDAH W4295 KIEKHAEFER PKWY FOND DU LAC, WI 54935		PER FORM: CG2026 (07-04)
CITY OF OSHKOSH 215 CHURCH ST OSHKOSH WI 54903		PER FORM: CG2026 (07-04)
STATE OF WISCONSIN, DEPT OF NATURAL RESOURCES 101 S WEBSTER ST MADISON WI 53703		PER FORM: CG2026 (07-04)
THE CITY OF GREEN BAY		PER FORM: CG2026 (07-04)



SECURA INSURANCE, A Mutual Company

P. O. BOX 819 APPLETON, WI 54912-0819

COMMERCIAL GENERAL LIABILITY

DECLARATION

POLICY NO. 20-CP-003214611-3/000

ACCOUNT NUMBER: 00007279904
NAMED INSURED AND MAILING ADDRESS

AGENCY AND MAILING ADDRESS 484330 04

DUTRIRUN LLC
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ADDITIONAL INSURED(S)
100 N JEFFERSON ST
GREEN BAY WI 54301
WEST DE PERE HIGH SCHOOL
665 GRANT ST
DE PERE WI 54115
COMMUNITY FIRST FOX CITIES MARATHON
PO BOX 1315
APPLETON WI 54915
HEALTH FITNESS
1650 W 82ND ST STE 1100
PER FORM: CG2026 (07-04)
PER FORM: CG2026 (07-04)
PER FORM: CG2026 (07-04)

MANUSCRIPT FORMS:

CG2101 (11-85) : EXCLUSION - ATHLETIC OR SPORTS PARTICIPANTS
ANY AND ALL ATHLETIC AND SPORTING EVENTS

CGT1000 1001 : GENERAL LIABILITY WRAP

CG2135 (10-01) : EXCLUSION - COVERAGE C - MEDICAL PAYMENTS
DESCRIPTION AND LOCATION OF PREMISES:
ALL PREMISES AND ALL PARTICIPANTS

TERRORISM RISK INSURANCE ACT (ANNUAL) CHARGE IS

\$118

SECURA INSURANCE, A Mutual Company  
P. O. BOX 819 APPLETON, WI 54912-0819  
COMMERCIAL GENERAL LIABILITY  
DECLARATION

POLICY NO. 20-CP-003214611-3/000

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AGENCY AND MAILING ADDRESS 484330 04

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GENERAL LIABILITY ADVANCE PREMIUM \$5,994

**FORMS AND ENDORSEMENTS**  
APPLYING TO COMMERCIAL GENERAL LIABILITY COVERAGE PART AND MADE PART OF THIS POLICY AT TIME OF ISSUE:  
CG2135 (10-01) IL0021 (07-02) CG0067 (03-05) CG0001 (10-01) CG2147 (07-98) CG0033 (10-01)  
CG0124 (01-93) ILE0196 9309 ILE0195 9812 CG2026 (07-04) CG2101 (11-85) CG2146 (07-98)  
CG2139 (10-93) CG2167 (04-02) CG2426 (07-04) CGT1000 1001 CG2162 (09-98) ILE 0465 1009  
SGE 2104 1001 SGE 2105 1001 SGE 2106 1001 SGE 2107 1001 SGE 2108 1001 SGE 2132 1001  
SGE 2134 1001 SGE 2135 1001 SGE 2202 1001 SGE 2203 1001 SGE 2401 1001 CG2170 (01-08)  
CG2169 (01-02) CG2187 (01-07)

THESE DECLARATIONS AND THE COMMON POLICY DECLARATIONS, IF APPLICABLE, TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE FORM(S) AND FORMS AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.

COUNTERSIGNED AT: \_\_\_\_\_ DATE: \_\_\_\_\_ BY: \_\_\_\_\_

AUTHORIZED REPRESENTATIVE

Original

# GANTHER RACE THE LAKE

**2014 COURSE MAP Key**

- Course
- Course Direction
- Rest Stop
- Porta-Potty
- Relay Switch

**Enlarged View Menasha Neenah**

3rd St  
Keys  
9th/Naymut  
Forest  
1st  
Wisconsin  
Park Ave

**Enlarged View High Cliff**

King of the Hill  
Spring Hill  
High Cliff Rd  
Relay Switch  
Rest Stop  
PP

**Enlarged View Oshkosh**

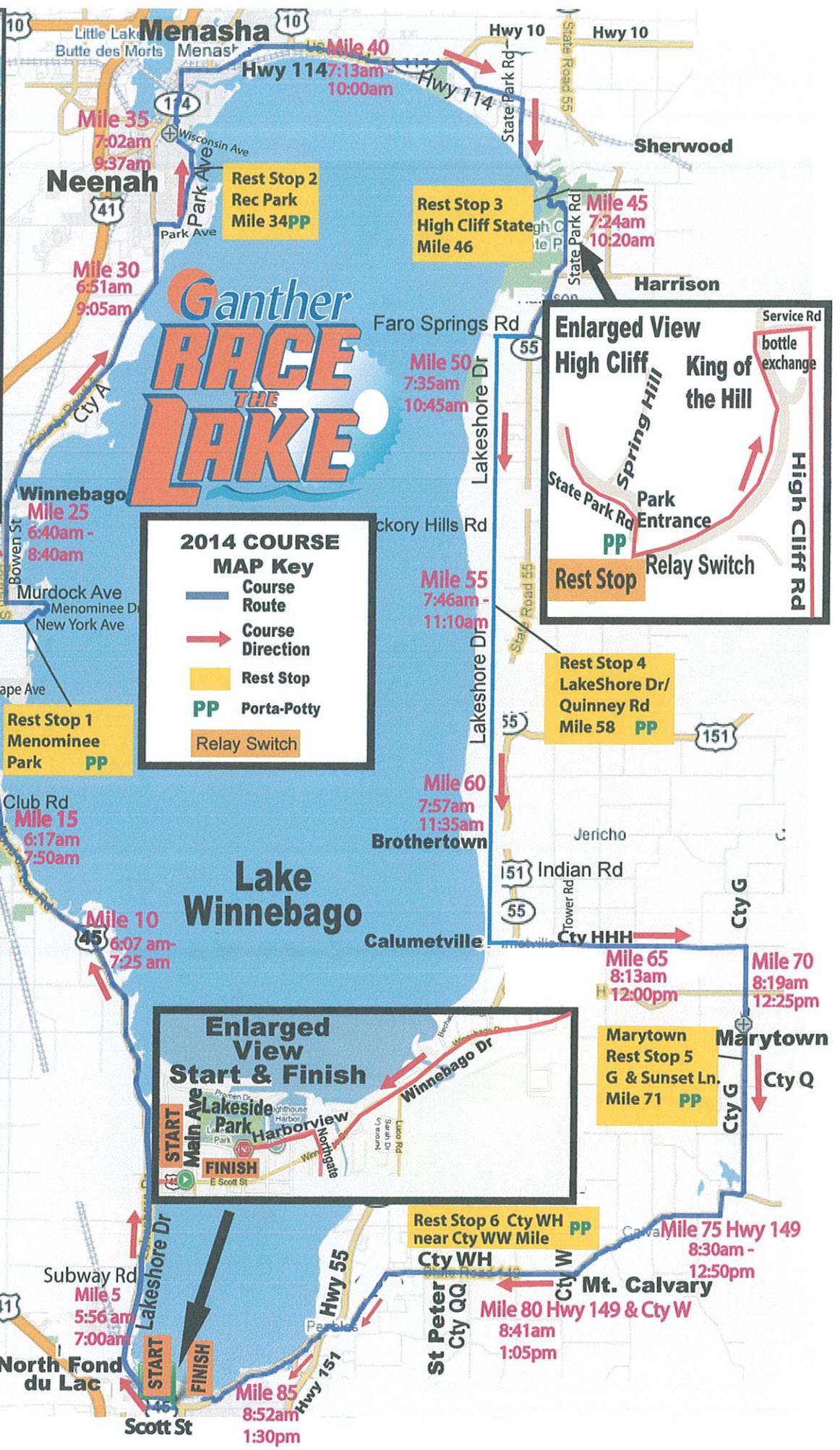
Main St  
New York Ave.  
Menominee Dr.  
Bowen St  
E. Murdock Ave.

**Enlarged View Start & Finish**

START  
FINISH  
Lakeside Park  
Harborview  
Winnepago Dr

**START**  
7 Scott Street  
Fond du Lac, WI 54935  
1 block from Lakeside Park

**FINISH**  
Harborview Drive  
Fond du Lac, WI 54935  
Lakeside Park





### STREET USE APPLICATION

Event: Fredley Gilmore Birthday Party  
 Sponsored by: Boys & Girls Brigade  
 Responsible Person: Andrew Gilmore  
 Address: 709 Elizabeth Ct  
Menasha WI 54952  
 Email Address: Capt. onaway@yahoo.com

Street Use Date: 7-12-14  
 Start Time: 10:00 AM  
 End Time: 10:00 PM  
 Number of Units: 7  
 (Parades)

Phone: 920-428-3296  
 Street Route: Entire Elizabeth Ct. (cul de sac)  
 Description of Use (attach map)

**Liability Insurance has been secured in the amount of \$ \_\_\_\_\_ with the City of Menasha named as the additional insured. This is primary insurance.**  
 Insurance Company \_\_\_\_\_ Policy No. \_\_\_\_\_  
 (Attached are samples of the certificate of insurance and endorsement; each naming the City of Menasha as additional insured)

Date: 6-6-14 Applicant's Signature: [Signature]

*Pat Carroll*

**Permit Fee:** Each application for a Street Use Permit shall be accompanied by a fee of \$25.00 along with a Special Event Fee of \$25.00. Please make checks payable to City of Menasha.

**Note to events planning to use City Parks and/or greenspace:** Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

**TO BE COMPLETED BY CITY STAFF** (Revised February 4, 2013)

Scheduled Park & Recreation Board Review Date: \_\_\_\_\_  
 Not Required:  Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Scheduled Common Council Review Date: 7/7/14  
 Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

**APPROVAL:**  
 Police Dept. [Signature] Fire Dept. \_\_\_\_\_ Public Works Dept. \_\_\_\_\_ City Attorney \_\_\_\_\_



## Markel Insurance Company

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

### COMMERCIAL GENERAL LIABILITY PLUS EXTENSION ENDORSEMENT

Various provisions in this endorsement modify coverage. Read the entire policy carefully to determine rights, duties and what is and is not covered.

Throughout this endorsement the words "you" and "your" refer to the Named Insured shown in the declarations. The words "we," "us" and "our" refer to the company providing this insurance.

This endorsement modifies insurance provided under the following:

#### COMMERCIAL GENERAL LIABILITY COVERAGE PART

Unless specifically stated in this endorsement, all other terms, conditions and exclusions of the policy remain unchanged.

The following is a summary of the limits, additional coverages and extensions provided by this endorsement. For complete details on specific coverages, consult the policy contract wording. As respects any coverage provided by this endorsement, if higher limits are provided on any other schedule, declarations, or endorsement attached to this policy, then the limits and coverage provided by this endorsement would not apply for that coverage.

#### SCHEDULE

Medical Payments	Increased to \$10,000 per person (unless excluded)
Supplementary Payments	
Bail Bonds	Up to \$5000
Loss of Earnings	Up to \$500 a day
Damage to Premises Rented to You	Up to the General Liability Each Occurrence Limit
Non-Owned Watercraft	Increased to 51 feet long
Non-Owned Aircraft	If rented or loaned with a paid crew
Property Damage from Elevator Use	Included
Broadened Definition of Insured	Included
Mental Anguish Resulting from Bodily Injury	Included
Advertising Injury from Televised or Videotaped Material	Included
Broadened Definition of Mobile Equipment	Included
Per Location and Per Project Aggregates	Included
Additional Insured - Managers or Lessors of Premises	Included
Additional Insured - Vendors (Limited)	Included
Additional Insured-By Written Contract, Agreement or Permit	Included
Additional Insured-Mortgagee, Assignee, or Receiver	Included
Extended "Property Damage" - Expected or Intended Injury	Included
Property Damage to Borrowed Equipment	Up to \$10,000 per "occurrence"
Property Damage to "Customers' Goods"	Up to \$10,000 per "occurrence"
Medical Personnel Coverage	Up to \$100,000 per "occurrence" if no other coverage form applies
Limited "Product Withdrawal" Expense Coverage	\$10,000 per "Product Withdrawal"
Waiver of Transfer of Rights of Recovery	Included
Duties in the Event of "Occurrence", Claim or "Suit"	Included
Unintentional Failure to Disclose Hazards	Included
Liberalization	Included

**I. Medical Payments**

The following applies only if Medical Payments Coverage is not excluded from the policy to which this endorsement is attached:

**SECTION III - LIMITS OF INSURANCE**, paragraph 7. is deleted in its entirety and replaced by the following:

7. Subject to paragraph 5., **Section III - Limits of Insurance**, the Medical Expense Limit is equal to the Medical Expense Limit stated in the Declarations subject to a minimum of \$10,000 and is the most we will pay under Coverage C for all medical expenses because of "bodily injury" sustained by any one person.

**II. SUPPLEMENTARY PAYMENTS - BAIL BONDS AND LOSS OF EARNINGS**

**SUPPLEMENTARY PAYMENTS - COVERAGES A AND B**, paragraphs 1.b. and 1.d. are deleted in their entirety and replaced by the following:

- b. Up to \$5000 for cost of bail bonds required because of accidents or traffic law violations arising out of the use of any vehicle to which Bodily Injury Liability Coverage applies. We do not have to furnish these bonds;
- d. All reasonable expenses incurred by the insured at our request to assist us in the investigation or defense of the claim or "suit", including actual loss of earnings up to \$500 a day because of time off from work;

**III. DAMAGE TO PREMISES RENTED TO YOU**

- A. When Damage To Premises Rented To You Limit is shown in the Declarations, Exclusion j. of Coverage A, **Section I** is replaced by the following:

**j. Damage To Property**

"Property damage" to:

- (1) Property you own, rent, or occupy, including any costs or expenses incurred by you, or any other person, organization or entity, for repair, replacement, enhancement, restoration or maintenance of such property for any reason, including prevention of injury to a person or damage to another's property;
- (2) Premises you sell, give away or abandon, if the "property damage" arises out of any part of those premises;
- (3) Property loaned to you;
- (4) Personal property in the care, custody or control of the insured;
- (5) That particular part of real property on which you or any contractors or subcontractors working directly or indirectly on your behalf are performing operations, if the "property damage" arises out of those operations; or
- (6) That particular part of any property that must be restored, repaired or replaced because "your work" was incorrectly performed on it.

Paragraphs (1), (3) and (4) of this exclusion do not apply to "property damage" (other than damage by fire) to premises, including the contents of such premises, rented to you. A separate limit of insurance applies to Damage To Premises Rented To You as described in Section III - Limits of Insurance.

Paragraph (2) of this exclusion does not apply if the premises are "your work" and were never occupied, rented or held for rental by you.

Paragraphs (3), (4), (5) and (6) of this exclusion do not apply to liability assumed under a sidetrack agreement.

Paragraph (6) of this exclusion does not apply to "property damage" included in the "products-completed operations hazard".

- B. SECTION I - COVERAGE A.2.** Exclusions is amended to delete the last paragraph and is replaced by the following:

Exclusions c. through n. do not apply to damage by fire, lightning, explosion, smoke or sprinkler leakage damage to premises while rented to you or temporarily occupied by you with permission of the owner. A separate limit of insurance applies to this coverage as described in **Section III - Limits of Insurance**.

- C. SECTION III - LIMITS OF INSURANCE**, Paragraph 6. is replaced by the following:

6. Subject to 5. above, the Damage To Premises Rented To You Limit is the most we will pay under Coverage A for damages because of "property damage" to any one premises while rented to you, or, in case of damage by fire, lightning, explosion, smoke, or sprinkler leakage while rented to you or temporarily occupied by you with permission of the owner.

The Damage To Premises Rented To You limit is the Each Occurrence Limit shown in the General Liability Declarations.

- D. COMMERCIAL GENERAL LIABILITY CONDITIONS SECTION**, paragraph 4.b.(1)(a)(ii) or paragraph 4.b.(1)(a)(iii) is deleted and replaced by the following:

That is fire, lightning, explosion, smoke or sprinkler leakage insurance for premises rented to you or temporarily occupied by you with permission of the owner; or

- E. DEFINITIONS SECTION** , paragraph 9.a. is deleted and replaced by the following:

a. A contract for a lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damage by fire, lightning, explosion, smoke or sprinkler leakage to premises while rented to you or temporarily occupied by you with permission of the owner is not an "insured contract";

#### **IV. NON-OWNED WATERCRAFT AND NON-OWNED AIRCRAFT RENTED OR LOANED TO YOU WITH A CREW**

**SECTION I - COVERAGES, COVERAGE A. BODILY INJURY AND PROPERTY DAMAGE LIABILITY**, Exclusion g. - Aircraft, Auto or Watercraft, paragraph (2), is deleted in its entirety and replaced with the following:

(2) A watercraft you do not own that is:

- (a) Less than 51 feet long; and
- (b) Not being used to carry persons or property for a charge.

The following is added to g.

(6) An aircraft not owned by any insured that is rented or loaned to you with a paid crew.

If other insurance applies to a loss because of "property damage" to non-owned watercraft or aircraft as described in (2)(a) and (b) or (6) above, the insurance provided by this Coverage Form does not apply whether the other insurance is primary, excess, contingent, or issued on any other basis.

#### **V. PROPERTY DAMAGE COVERAGE ARISING OUT OF ELEVATOR USE**

**SECTION I - COVERAGES, COVERAGE A. BODILY INJURY AND PROPERTY DAMAGE LIABILITY**, Exclusion j. is amended to include the following:

Paragraphs (3), (4) and (6) shall not apply to liability arising out of the use of elevators.

If other valid and collectible insurance applies to a loss because of "property damage" arising out of the use of elevators, this Coverage Form shall apply excess of the other insurance, whether this other insurance is primary, excess, contingent, or issued on any other basis.

## VI. WHO IS AN INSURED

**SECTION II - WHO IS AN INSURED**, is amended by the following:

A. Paragraph 2. is amended to include the following as insureds:

- e. Any legally incorporated entity of which you own at least 51% of the voting stock on the inception date of this Coverage Form and on the date of any covered "occurrence", claim or "suit".

This insurance shall not apply to any entity that is already an insured under any other insurance provided by any company or that would be an insured but for the exhaustion of its limits of insurance.

B. Newly Acquired or Formed Organizations

Paragraph 3.a. is deleted in its entirety and replaced with:

- a. Coverage for your newly acquired or formed organization shall be:
  - 1. Effective on the date of acquisition or affirmation; and
  - 2. Afforded until the end of the policy period of this Coverage Form.

C. The following is added to Paragraph 2.a.:

Paragraph (1) does not apply to executive officers, or to managers at the supervisory level or above.

## VII. MENTAL ANGUISH COVERAGE THAT RESULTS FROM BODILY INJURY

**DEFINITIONS SECTION**, Item 3., Bodily Injury, is deleted in its entirety and replaced with the following:

3. "Bodily injury" means:

- a. Bodily injury, sickness or disease sustained by a person, and also includes mental anguish or emotional distress provided such mental anguish or emotional distress results from any of these; and
- b. Death resulting from bodily injury, sickness or disease.

## VIII. ADVERTISING INJURY

A. **DEFINITIONS SECTION**, Item 14, Personal and Advertising Injury, paragraphs d. and e. are deleted in their entirety and replaced with the following:

- d. Oral, written or professionally produced televised or videotaped publication of material in any manner that slanders or libels a person or organization, or disparages a person's or organization's goods, products or services;
- e. Oral, written or professionally produced televised or videotaped publication of material in any manner that violates a person's right to privacy;

B. **SECTION I - COVERAGES, COVERAGE B. PERSONAL AND ADVERTISING INJURY LIABILITY**, Exclusions b. and c. are deleted in their entirety and replaced with the following:

- b. "Personal and advertising injury" arising out of oral, written or professionally produced televised or videotaped publication of material in any manner, if done by you or at your direction with knowledge of its falsity;



### STREET USE APPLICATION

Event: Two Wheel Tuesday  
 Sponsored by: The Locker Room  
 Responsible Person: FREDERICK SCHROEDER  
 Address: 800 Plank Rd.  
Menasha, WI - 54952

Street Use Date: 7/22/14  
 Start Time: 6:00 P.M.  
 End Time: 9:00 P.M.  
 Number of Units: \_\_\_\_\_  
 (Parades)

Email Address: theLockerRoomBar@hotmail.com Phone: \_\_\_\_\_

Street Route: 300 Block of Manitowoc St.  
 Description of Use (attach map)

**Liability Insurance has been secured in the amount of \$ 1,000,000.00 with the City of Menasha named as the additional insured. This is primary insurance.**  
 Insurance Company SOCIETY INSURANCE Policy No. 15261  
 (Attached are samples of the certificate of insurance and endorsement; each naming the City of Menasha as additional insured)

*pd ct #7911*

Date: July 22nd, 2014 Applicant's Signature: [Signature]

**Permit Fee: Each application for a Street Use Permit shall be accompanied by a fee of \$25.00 along with a Special Event Fee of \$25.00. Please make checks payable to City of Menasha.**

**Note to events planning to use City Parks and/or greenspace:** Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

**TO BE COMPLETED BY CITY STAFF** (Revised February 4, 2013)

Scheduled Park & Recreation Board Review Date: \_\_\_\_\_  
 Not Required:  Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Scheduled Common Council Review Date: 7/7/2014  
 Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

**APPROVAL:**

Police Dept. \_\_\_\_\_ Fire Dept. [Signature] Public Works Dept. MR City Attorney [Signature]



MIDTERM CHANGE DOCUMENT

POLICY NO. TRM 529484

99205

SOCIETY INSURANCE, a mutual company | ADEMINO & ASSOCIATES INS AGENCY INC

NAMED INSURED HOT BRASS LLC DBA  
THE LOCKER ROOM

MAILING ADDRESS 800 PLANK RD  
MENASHA WI 54952-2024

POLICY PERIOD: FROM 08/13/2013 TO 06/18/2014 at  
12:01 A.M. Standard Time at your mailing address shown above

CHANGE EFFECTIVE 05/13/2014 CHANGE # 2

DESCRIPTION

FORM BP0407, ADDITIONAL INSURED - STATE OR POLITICAL SUBDIVISIONS PERMITS RELATING TO PREMISES, IN FAVOR OF CITY OF MENASHA IS DELETED.  
FORM SA1-44, ADDITIONAL INSURED-PRIMARY NON CONTRIBUTORY LIMITED FORM, IS ADDED IN FAVOR OF CITY OF MENASHA.  
REVISED ADDITIONAL INSURED LIABILITY SCHEDULE IS ATTACHED.  
ADDITIONAL PREMIUM WILL BE REFLECTED IN FUTURE INSTALLMENTS.

Original Premium \$	3,605	New Premium \$	3,848	Total Add'l/Return Premium \$	11
Original Fire Surcharge \$		New Fire Surcharge \$		Add'l/Return Fire Surcharge (included in above Premium) \$	NO CHANGE

COUNTERSIGNED 06/04/2014 BY  
(Date) (Authorized Representative)  
015 83  
06/04/2014

SOCIETY INSURANCE, a mutual company

ADDITIONAL INSURED - LIABILITY

POLICY # TRM 529484  
HOT BRASS LLC DBA  
THE LOCKER ROOM  
800 PLANK RD  
MENASHA WI 54952-3924

AGENT ADEMINO & ASSOCIATES INS AGENCY INC.  
00203

GOOSE DREAMS LLC  
800 PLANK RD  
MENASHA, WI 54952

SPECIMEN

TBP-18 - WI - Loc #1

CITY OF MENASHA  
140 MAIN ST  
MENASHA, WI 54952-3153

SAI44 - WI - Loc #1

NOTE TO ADDITIONAL INSURED: YOUR RIGHT TO COVERAGE UNDER THIS  
POLICY IS LIMITED. READ SPECIFIC TERMS AND CONDITIONS RELATING  
TO YOUR INTEREST FOR DETAILS.

SAI-44 (9-02)

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**ADDITIONAL INSURED - PRIMARY NONCONTRIBUTORY -  
LIMITED FORM**

This endorsement modifies insurance provided under the following:

BUSINESSOWNERS LIABILITY COVERAGE FORM  
COMMERCIAL GENERAL LIABILITY COVERAGE PART

**SCHEDULE**

**Name of Person or Organization (Additional Insured):**

CITY OF MENASHA  
140 MAIN ST  
MENASHA WI 54952

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED is amended to include as an additional insured any person or organization shown in the Schedule as an additional insured. That entity shall be covered only for liability for bodily injury or property damage that is imputed to it as a result of your actions or conduct. In no event shall the additional insured receive any greater or additional coverage, or any greater or additional limits of liability than you receive under this policy.

If the name of the person or organization stated above includes any architect, engineer or surveyor, the following applies:

The insurance with respect to such architects, engineers or surveyors does not apply to "bodily injury", "property damage", "personal injury" or "advertising injury" arising out of the rendering of or the failure to render any professional services by or for you, including:

- a. The preparing, approving or failing to prepare or approve amps, drawings, opinions, reports, surveys, change orders, designs or specifications; and

SAI-44 (9-02)

b. Supervisory inspection or engineering services.

If a written contract between you and the additional insured specifically requires that this insurance be primary, then the insurance afforded by this endorsement is primary insurance and we will not seek contribution from any other insurance available to the additional insured named in this schedule unless the other insurance is provided by a contractor other than the named insured. Then we will share with that other insurance by the method described below.

If all of the other insurance permits contribution by equal shares, we will follow this method also. Under this approach each insurer contributes equal amounts until it has paid its applicable limit of insurance or none of the loss remains, whichever comes first.

If any of the other insurance does not permit contribution by equal shares, we will contribute by limits. Under this method, each insurer's share is based on the ratio of its applicable limit of insurance to the total applicable limits of insurance of all insurers.

If no contract between you and the additional insured requires that this insurance be primary, then the coverage granted to the additional insured under this endorsement shall be excess over any other valid and collectible insurance.

This endorsement provides no coverage to the additional insured for any liabilities arising out of the claimed negligence of the additional insured, or out of the claimed negligence of any entities other than the Named Insured.

SAI-44 (9-02)

## Sue Schroeder

---

**From:** Sue Schroeder [sschroeder19@new.rr.com]

**Sent:** Thursday, May 29, 2014 3:14 PM

**To:** 'mradtke@ci.menasha.wi.us'; 'Don Merkes'

**Subject:** Overnight Parking on Elm Street Petition

H Mark and Don:

I have compiled the petition to allow parking during the period of April 1 through October 31 on the west side of Elm Street from Nicolet Boulevard to Keyes Street irrespective of the odd-even parking program. I will be dropping it off at city hall today.

Thank you! Please confirm that you received it and what the next steps are.

5/29/2014

**From:** Mark Radtke [mradtke@ci.menasha.wi.us]  
**Sent:** Tuesday, June 26, 2012 3:17 PM  
**To:** 'Sue Schroeder'  
**Cc:** Don Merkes  
**Subject:** RE: Question on Summer Parking  
 Sue,

You need to create your own petition. The petition should state something similar to this:

I, the undersigned, currently reside at the address listed next to my name below and request that overnight parking be allowed during the period of April 1 through October 31 on the west side of Elm Street from Nicolet Boulevard to Keyes Street, irrespective of the odd-even parking program.

You would then have lines on the petition for the name, address and signature of the petitioners, something similar to this:

<u>Name</u>	<u>Address</u>	<u>Signature with date</u>
WALT LONKOWSKI	350 ELM ST	Walt Lonkowski 5-27-14
DAVID HANSEN	318 ELM ST	David Hansen 5-27-14
Patricia Heckman	314 Elm St.	Patricia Heckman 5-27-14
Stephanie Hansen	318 Elm St	Stephanie Hansen 5-27-14
Madeleine Heckman	314 Elm St	Madeleine Heckman 5/27/14
Greg Heckman	314 Elm St	Greg Heckman 5-27-14
Becky Kinney	308 Elm St	Becky Kinney 5/27/14
Phil Kinney	308 Elm St	Phil Kinney 5/27/14
Don Barber	515 Keyes	Don Barber 5-27-14
Karl Hald	306 Elm	Karl Hald 5-27-14
Tyler Enger	306 Elm	Tyler Enger 5-27-14
Penny Schenke	323 Elm	Penny Schenke 5-27-14
Brad Ackley	327 Elm	Brad Ackley 5-27-14

**From:** Mark Radtke [mradtke@ci.menasha.wi.us]  
**Sent:** Tuesday, June 26, 2012 3:17 PM  
**To:** 'Sue Schroeder'  
**Cc:** Don Merkes  
**Subject:** RE: Question on Summer Parking  
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You would then have lines on the petition for the name, address and signature of the petitioners, something similar to this:

<u>Name</u>	<u>Address</u>	<u>Signature with date</u>
Cathy Brooks	305 Elm	Cathy Brooks 5-26-14
Pat Brooks	" "	Pat Brooks 5-26-14
PIERRETTE AGNEW		Pierrette Agnew
Hannah Heckman	314 Elm	Hannah Heckman
Amy Simon	311 Elm St	Amy Simon
Ric Simon	311 Elm St	Ric Simon
Nick Washatka	310 Elm St	Nick Washatka 5/26/14
Jean Mough	326 Elm St	Jean Mough 5/26/14
Cris Gordon	322 Elm St	Cristina Gordon 5/26/14
Betty Kanaman	326 Elm St	Betty Kanaman 5-26-14
Linda Stephens	346 Elm St	Linda Stephens - 5-26-14
<del>Don Merkes</del>	<del>342 Elm St</del>	<del>Don Merkes</del>
David Schuch	345 ELM ST	David Schuch 5/26/14

**From:** Mark Radtke [mradtke@ci.menasha.wi.us]  
**Sent:** Tuesday, June 26, 2012 3:17 PM  
**To:** 'Sue Schroeder'  
**Cc:** Don Merkes  
**Subject:** RE: Question on Summer Parking  
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I, the undersigned, currently reside at the address listed next to my name below and request that overnight parking be allowed during the period of April 1 through October 31 on the west side of Elm Street from Nicolet Boulevard to Keyes Street, irrespective of the odd-even parking program.

You would then have lines on the petition for the name, address and signature of the petitioners, something similar to this:

<u>Name</u>	<u>Address</u>	<u>Signature with date</u>
Rebecca Fikals	402 Elm St.	Rebecca Fikals 5/26/14
Janet Herrero	406 Elm	Janet Herrero 5/22/14
Shavick Smith	397 Elm St	Shavick Smith 5/26/14
Jerry Korn	395 1/2 Elm St	Jerry Korn 5/26/14
Paul Stank	373 Elm St	Paul Stank 5/26/14
Heather Weinbauer	373 Elm St.	Heather Weinbauer 5/26/14
Jonathan Foster	358 Elm St	Jonathan Foster 5/26/14
Liane Schroeder	345 Elm St.	Liane Schroeder 5-26-14
Melissa Lee	341 Elm St	Menasha 5/26/14
Bryce Brumby	333 Elm St	Menasha 5-26-14
Janet Schuch	333 Elm St	Menasha 5-26-14
Alice Marie Healy	334 Elm St	Menasha 5/26/14
Susan Matschke	315 Elm St.	Menasha 5-26-14

**From:** Mark Radtke [mradtke@ci.menasha.wi.us]  
**Sent:** Tuesday, June 26, 2012 3:17 PM  
**To:** 'Sue Schroeder'  
**Cc:** Don Merkes  
**Subject:** RE: Question on Summer Parking  
 Sue,

You need to create your own petition. The petition should state something similar to this:

I, the undersigned, currently reside at the address listed next to my name below and request that overnight parking be allowed during the period of April 1 through October 31 on the west side of Elm Street from Nicolet Boulevard to Keyes Street, irrespective of the odd-even parking program.

You would then have lines on the petition for the name, address and signature of the petitioners, something similar to this:

<u>Name</u>	<u>Address</u>	<u>Signature with date</u>
Susan Schroeder	395 Elm St	Susan Schroeder 5/26/14
Michelle Knox	353 Elm	[Signature] 5/26/14
Diane Schmidt	354 Elm	Diane Schmidt 5/26/14
Pete DeWolf	349 Elm	Pete DeWolf 5-26-14
Pam DeWolf	349 Elm	Pam DeWolf 5/26/14
Judy Finck	337 Elm	Judy Finck 5-26-14
Jeff Ann Lynn	361 Elm	[Signature] 5-26-14
Joe Kasarek	282 Elm	[Signature] 5-26-14
Scott Kibbe	377 Elm	[Signature] 5/26/14
Erin J. Kibbe	377 Elm	Erin J. Kibbe
Carrin Wagon	386 Elm	Carrin Wagon 5/26/14
Tracey Gallagher	390 Elm	Tracey Gallagher 5/26/14
Alta Platt	398 Elm	[Signature] 5/26/14



- (a) The north side of Second Street from a point one hundred ninety-five (195) feet west of Appleton Street to a point two hundred eighty-five (285) feet west of Appleton Street.
- (b) The east side of Ida Street from the intersection of Ninth Street to a point Three hundred and fifty (350) feet north of Ninth Street.
- (c) The south side of Sixth Street from a point Fifteen (15) feet east of Tayco Street to a point Two Hundred Twenty (220) feet east of Tayco Street.
- (d) The north side of Sixth Street from a point Fifty (50) feet east of Walbrun Street to a point One Hundred Forty (140) feet east of Walbrun Street.
- (e) The east side of Ice Street from a point Thirty (30) feet north of First Street to a point One Hundred Twenty (120) feet north of First Street.
- (f) The north side of 5th Street from a point One Hundred Forty (140) feet west of DePere Street to a point Two Hundred Seventy-five (275) feet west of DePere Street.
- (g) The east side of Appleton Road from a point Ninety (90) feet south of Jefferson Street to a point Two Hundred Twenty (220) feet south of Jefferson Street.
- (h) The east side of Milwaukee Street from a point twenty (20) feet north of the curb line of Seventh Street, to a point three hundred ten (310) feet north between the hours of 7am and 3:30pm, on school days when properly posted.
- (i) The east side of Nassau Street from a point Ninety (90) feet south of Ahnaip Street to a point Two Hundred Sixty (260) feet south of Ahnaip Street.
- (j) The north side of Broad Street from a point One Hundred Thirty-one (131) feet east of Tayco Street to a point Two Hundred Thirty-eight (238) feet east of Tayco Street.
- (k) The north side of Nicolet Blvd. From a point Seventy-five (75) feet east of Washington Street to a point One Hundred Sixty-five (165) feet east of Washington Street.

#### **SEC. 10-1-29 ALL NIGHT PARKING REGULATED.**

NIGHT PARKING RESTRICTED. When signs have been erected at or reasonably near the corporate limits of the City as provided in Sec. 349.13, Wis. Stats., no vehicle shall be parked upon any street, avenue, boulevard, or park thereof, in the City between the hours of 2:00 a.m. and 6:00 a.m. without express permission from the Police Department, except as follows:

- (1) Overnight parking will be allowed during the period of April 1 through October 31 on an even-odd basis with the even side parking on even numbered days and the odd side parking on the odd numbered days.
- (2) All current restrictions on streets remain in place; that is, if there is no parking on the even number side of the street now, overnight parking would not be allowed on that side.
- (3) Even-odd shall be construed as the date prior to 12:00 a.m.
- (4) Overnight parking will be allowed during the period of April 1 through October 31 on the south side of Roosevelt Street from Manitowoc Street to London Street, the west and north sides of River Way from Keyes Street to Cleveland Street, the east side of Nassau Street, the west side of Oak Street, the south side of Center Street from the cul du sac to 420 feet east, and the west side of Winnebago Avenue from Nicolet Boulevard to Keyes Street.
- (5) The even-odd exception shall not apply to the Broad Street cul-de-sac.
- (6) All vehicles parked on City streets must be moved at least once every 72 hours.
- (7) The prohibition against overnight parking shall expire at 5:00 am on the following streets:
  - a. The North side of Water Street from 85 feet West of Tayco Street to Lush Street.
  - b. High Street
  - c. Kaukauna Street from Tayco Street to 180 feet West of High Street

#### **SEC. 10-1-30 PUBLIC PARKING AREAS; PERMITTED PARKING AREAS.**



June 11, 2014

Board of Public Works  
City of Menasha  
Menasha, WI 54952

RE: Winnebago County Recycling Surplus Commodity Revenue Ballots for 2013 Funds

Members of the Board:

Winnebago County has established the surplus commodity revenue amounts for the 2013 operating year. For 2013, there is surplus revenue of \$189,649 to the Signing Municipalities and a deficit of \$112,265 to Winnebago County (see attached Winnebago County memo).

The City of Menasha and other Winnebago County participating municipalities are governed by an agreement with Winnebago County relative to the use of surplus revenue from its recycling operations. The decision whether, and how, the surplus revenue should be rebated to the signing municipalities is made by the municipalities representing 70% of the total population of the signing municipalities.

As the attached memo indicates, Winnebago County realized a deficit of \$112,265 in 2013 because the County is totally responsible for debt service. This year's ballot is asking the Signing Municipalities whether their entire surplus should be rebated to them, or if the amount should be reduced to cover the County deficit. The rebate amount would be reduced by \$112,265 to \$77,384 if the ballot results allow the Board to use rebated funds to cover the deficit. If the deficit is not covered by the reduced rebates, the likely result would be an increase in landfill tipping fees to cover the County deficit.

Using the reduced rebate amount of \$77,384 for all the Signing Municipalities, the City of Menasha's portion would be \$7,737. If the original rebate amount of \$189,649 is used, the City's portion would be \$18,965; however, we could expect increases to our landfill tipping fees in future years under this scenario.

Winnebago County Solid Waste and Recycling staff has been very helpful to the City in several ways in recent years:

1. Through coordination of the Recycling Consolidation Grant for a number of years which directs grant funds to the City and other smaller Signing Municipalities,
2. Providing a \$3.00/ton rebate to the City for solid waste tipping fees starting approximately in 2000 and continuing today, and

3. Recommending and participating in the Tri-County consortium (Brown, Outagamie, and Winnebago) which has saved the City significant dollars through higher commodity market values resulting in lower recycling tipping fees.

In order to help stabilize the landfill tipping fees, and to truly be a partner with Winnebago County, I recommend the City cast a ballot to refund the recycling revenue surplus of \$77,384 to Signing Municipalities based upon each municipality's actual tonnage processed and sold for year 2013 while allowing Winnebago County to retain \$112,265 of the surplus recycling revenue to avoid a 2013 County recycling deficit. Be mindful that the ultimate decision is controlled by the prevailing ballot representing 70% of the total population of the signing municipalities.

Sincerely,

A handwritten signature in black ink that reads "Mark Radtke". The signature is written in a cursive style with a large, stylized "R" and a long horizontal stroke extending to the right.

Mark Radtke  
Director of Public Works

Enclosures

LANDFILL/ADMINISTRATION  
(920) 232-1800  
FOX CITIES  
(920) 727-2884  
FAX (920) 424-1189

100 W. COUNTY RD. Y  
OSHKOSH, WI 54901  
www.co.winnebago.wi.us



## Winnebago County

### Solid Waste Management Board

*The Wave of the Future*

SOLID WASTE/RECYCLING  
TRANSFER STATION  
(920) 232-1850  
FOX CITIES  
(920) 727-2896  
FAX (920) 424-4955

LANDFILL GAS FACILITY  
(920) 232-1800  
FAX (920) 424-7761

### MEMORANDUM

**DATE:** May 30, 2014  
**TO:** Contracted Responsible Units  
**FROM:** Jennifer Semrau - Recycling Specialist  
**RE:** 2013 Surplus Commodity Revenue Ballot

Enclosed is the Signing Municipality Recycling Surplus Revenue Ballot for 2013 Funds. Please consider the options carefully and **return the ballot by August 1, 2014** with a copy of your city, town or village resolution or copy of the municipal board minutes authorizing this vote.

Those of you who attended the Annual Financial and Informational Meeting on April 17<sup>th</sup> will recall the discussion on the 2013 Financial Report. A copy of the report is enclosed. The report revealed a surplus to the Signing Municipalities of \$189,649 and a deficit to the County of \$112,265. The primary reason behind this is that the Winnebago County Solid Waste Management Board (Winnebago County or County) assumes the entire responsibility of the debt service on the Tri-County Single Stream Recycling Facility. You will see on the enclosed Financial Report in the Debt Service line, the amount of \$322,790 is in the County column only, with no portion of this passed to the Municipalities. The original 1993 County/Municipal Recycling Agreement shared debt service on the Winnebago County Material Recovery Facility with the Municipalities. When the Tri-County Single Stream Recycling Facility was constructed in 2008/2009, Winnebago County did not seek an Amendment to the 1993 County/Municipal Recycling Agreement to share the debt service. As a result, the debt service is shown only as an expense to the County and results in a deficit in 2013.

You will also likely recall, Winnebago County experienced a similar deficit in 2011 and 2012. However the Tri-County program made significant strides in increasing non-BOW (Brown, Outagamie, Winnebago) County tonnage in 2013. This resulted in the County's share of non-BOW revenue increasing from only \$12,275 in 2011 to \$103,595 in 2012 to \$157,420 in 2013. Despite commodity markets being lower in 2013 versus 2012, Winnebago County was actually able to reduce its deficit, not increase it. The County hopes that further expansion of non-BOW tonnage and improved commodity markets will further decrease or eliminate our deficit situation in future years.

It is also important to remember that as an Enterprise Fund, Winnebago County receives no 'tax levy' funds and charges user fees or tip fees to cover the expenses of the operation. A deficit in the recycling program, therefore, would need to be covered by revenues from other areas of the operation, such as landfill tip fees. Winnebago

County strives to keep landfill tip fees as low as possible for our Municipalities and customers. The alternative to looking at landfill tip fees to cover the recycling deficit would be to reduce the recycling revenue rebate to the Signing Municipalities. The enclosed ballot provides our Municipalities the ability to consider this option. In so doing, the Signing Municipalities would still receive surplus revenue in the amount of \$77,384 and allow the County to 'break even' on the recycling program. I have enclosed a spreadsheet which provides the dollar amounts each Signing Municipality could expect to receive if the ballot results allow the County to rebate \$77,384.

Winnebago County appreciates the support and the partnership we have with our municipalities in our solid waste and recycling programs. This was demonstrated last year when the majority of our municipalities (representing 94% of the signing municipality population) voted to allow the County to cover its recycling deficit.

Thank you for carefully considering the enclosed ballot. Please feel free to contact me at (920) 232-1853 or [jsemrau@co.winnebago.wi.us](mailto:jsemrau@co.winnebago.wi.us) with any questions or clarifications on the ballot or financial report.

**WINNEBAGO COUNTY SOLID WASTE MANAGEMENT BOARD  
SIGNING MUNICIPALITY RECYCLING SURPLUS REVENUE BALLOT FOR 2013 FUNDS  
MAY 30, 2014**

**ARTICLE IX  
FURTHER AMENDMENTS**

The Winnebago County Solid Waste Management Board (Winnebago County or County) and the Signing Municipalities agree that this initial Agreement may be further amended and/or supplemented by written agreement of both the County and Signing Municipalities representing 70% of the total population of Signing Municipalities.

**ARTICLE VI  
FUNDING**

- B. The County shall have the right to collect any and all revenues from the sale of recycled materials processed by the County under this Agreement.
1. From the time of the County MRF's opening until December 31, 1994, said revenues from Signing Municipalities shall be applied to the cost of construction, purchase and operation for all structures, equipment and personnel required by the County to perform its obligations under the Agreement. In the event that revenues from Signing Municipality processing fees and material sales exceed the cost of program operation, the net profit shall be rebated after year's end to Municipalities signing this Agreement. Rebates shall be based upon each Municipality's actual tonnage processed during that calendar year.
  2. After January 1, 1995 the processing fee per ton shall be set to reflect the anticipated cost of services provided. The County shall maintain revenue rebates from Signing Municipality material sold during the year 2013 in the amount of one hundred twelve thousand, two hundred and sixty-five dollars (\$112,265.00) to avoid a 2013 recycling deficit and rebate seventy-seven thousand, three hundred and eighty-four dollars (\$77,384.00) to the Signing Municipalities.

**Please check the appropriate box for your municipality's choice, sign and indicate individual title, date and return this ballot on or before August 1, 2014 (include a copy of your city, town or village resolution or a copy of the municipal board meeting minutes authorizing this vote).**

Winnebago County shall maintain \$112,265.00 of the surplus recycling revenue to avoid a 2013 County recycling deficit and rebate \$77,384.00 to the Signing Municipalities based on the Municipality's actual tonnage processed and sold for year 2013.

Winnebago County shall refund the recycling revenue surplus of \$189,649.00 to Signing Municipalities based upon each Municipality's actual tonnage processed and sold for year 2013.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Municipality

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date Signed

Tonnage Thru December 2013

	Actual	Budget
Signing Municipalities	11,985	12,000
County	1,671	1,000
<b>Total</b>	<b>13,656</b>	<b>13,000</b>

Winneshago County Solid Waste Management  
Material Recovery Facility  
Unaudited Income Statement December 31, 2013

Revenue	Budget Per Ton	Total	Actual Total	Per Ton	Signing Municipalities	County
Commodity Revenue	53.85	700,000	375,662	27.51	329,694	45,967
Commodity Revenue (Non BOW)	-	-	157,420	11.53	-	157,420
Tire Revenue	0.87	11,250	10,765	0.79	-	10,765
Appliance Revenue	1.54	20,000	15,606	1.14	-	15,606
Electronics Revenue	0.92	12,000	13,193	0.97	-	13,193
Signing Municipality Revenue	4.62	60,000	58,042	4.25	50,940	7,102
Cost Share (Outagamie County) SS Hauling	13.46	175,000	179,975	13.18	157,952	22,022
Sale of Scrap/Misc	1.15	15,000	12,669	0.93	-	12,669
<b>Total Revenue</b>	<b>76.40</b>	<b>993,250</b>	<b>823,331</b>	<b>60.29</b>	<b>538,586</b>	<b>284,745</b>

Expenses

Labor Costs	12.30	167,999	148,528	10.88	130,354	18,174
Travel	0.15	2,010	1,237	0.09	1,085	151
Office	0.36	4,850	1,332	0.10	1,169	163
Operating Expenses	0.40	5,440	18,541	1.36	16,272	2,269
Education/Advertising	0.73	10,000	10,789	0.79	9,469	1,320
Repairs	0.20	2,730	1,914	0.14	1,680	234
Utilities	0.61	8,280	9,315	0.68	8,175	1,140
Contracts	16.69	227,970	224,730	16.46	174,790	49,940
Miscellaneous	0.10	1,384	1,380	0.10	1,211	169
Debt Service	23.64	322,790	322,790	23.64	-	322,790
Depreciation	1.57	21,407	5,392	0.39	4,732	660
<b>Total Expenses</b>	<b>56.74</b>	<b>774,860</b>	<b>745,947</b>	<b>54.62</b>	<b>348,937</b>	<b>397,011</b>
<b>Net Surplus/(Deficit)</b>	<b>19.66</b>	<b>218,390</b>	<b>77,384</b>	<b>5.67</b>	<b>189,649</b>	<b>(112,265)</b>

Tonnage Thru December 2013

	Actual	Budget
Signing Municipalities	11,985	12,000
County	1,671	1,000
<b>Total</b>	<b>13,656</b>	<b>13,000</b>

Winnepago County Solid Waste Management  
Material Recovery Facility  
Unaudited

Year	Net Surplus/(Deficit)		
	Total	County	Signing Munis
1995	891,709	254,209	637,500 (1)
1996	(106,122)	(63,612)	(52,510) (1)
Reduce Debt Funding	(584,990)	-	(584,990)
1997	66,362	6,808	61,554 (2)
1998	47,847	(33,250)	81,097 (2)
1999	(114,586)	(44,747)	(69,839) (2)
2000	234,571	30,246	204,325 (2)
2001	(93,822)	(26,249)	(67,574)
2002	37,144	(31,004)	68,149 (2)
Reduce Debt Funding	(158,469)	-	(158,469) (3)
2003	63,099	13,199	49,900 (2)
2004	471,432	85,786	385,646 (2)
2005	389,568	41,489	348,079
2006	238,580	55,643	182,937
Refund Portion of Surplus	(523,047)	-	(523,047) (4)
2007	252,971	49,451	203,520
Refund Surplus	(766,278)	-	(766,278) (5)
2008	469,656	44,236	425,420 (6)
2009	(28,459)	(142,690)	114,231
Refund Surplus	(539,651)	-	(539,651) (6)
2010	109,394	(221,493)	330,887 (7)
Refund Surplus	(330,887)	-	(330,887)
2011	780,911	(171,470)	952,381
Refund Surplus	(780,911)	-	(780,911) (8)
Signing Munis Vote to Offset County 2011 Deficit	-	171,470	(171,470) (9)
2012	194,445	(160,614)	355,059 (10)
Signing Munis Vote to Offset County 2012 Deficit	-	160,614	(160,614) (11)
2013	77,384	(112,265)	189,648 (12)
<b>Total Net Surplus/(Deficit)</b>	<b>299,851</b>	<b>(84,243)</b>	<b>384,094</b>

- (1) Used to reduce debt funding for second expansion in 1996 as authorized.
- (2) Excess commodity revenue was reserved for tipping fee stabilization as authorized.
- (3) Used to pay off all remaining debt.
- (4) 2005 - 2006 Refunded surplus \$523,047.
- (5) 1997 - 2004 and 2007 Refunded surplus 766,278.
- (6) 2008 - 2009 Refunded surplus \$539,651.
- (7) 2010 - Refunded surplus \$330,887.
- (8) 2011 - Refunded surplus \$780,911.
- (9) 2011 - County maintain \$171,470 to cover deficit.
- (10) 2012 - Surplus revenues \$355,059.
- (11) 2012 - County maintain \$160,614 to cover deficit.
- (12) 2013 - Surplus revenues \$189,648.

## 2013 Surplus Commodity Revenue Distribution Based on Tonnage

Municipality	2013 SS Tonnage	% of Refund	\$ Refund
Town of Algoma	663.3	5.53%	\$ 4,282.83
Town of Black Wolf	264.3	2.21%	\$ 1,706.54
Town of Clayton	433.1	3.61%	\$ 2,796.46
Town of Menasha	1,439.2	12.01%	\$ 9,292.69
Town of Neenah	382.2	3.19%	\$ 2,467.81
Town of Nekimi	132.4	1.10%	\$ 854.89
Town of Omro	115.0	0.96%	\$ 742.54
Town of Vinland	224.8	1.88%	\$ 1,451.50
Town of Winneconne	225.3	1.88%	\$ 1,454.73
Town of Wolf River	75.1	0.63%	\$ 484.91
Village of Winneconne	194.0	1.62%	\$ 1,252.63
City of Menasha	1,198.2	10.00%	\$ 7,736.59
City of Neenah	2,064.0	17.22%	\$ 13,326.93
City of Omro	256.9	2.14%	\$ 1,658.76
City of Oshkosh	4,317.0	36.02%	\$ 27,874.20
Total Tonnage	11,984.8		\$ 77,384.00
Total Refunded		\$ 77,384.00	

## **RESOLUTION R-18-14**

### **A RESOLUTION ACKNOWLEDGING REVIEW OF CITY OF MENASHA 2013 COMPLIANCE MAINTENANCE ANNUAL REPORT UNDER WISCONSIN ADMINISTRATIVE CODE NR 208**

*Introduced by Ald. Sevenich*

WHEREAS, it is a requirement under a Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources to file Compliance Maintenance Annual Report (CMAR) for its wastewater collection system under Wisconsin Administrative Code NR 208; and

WHEREAS, it is necessary to acknowledge that the governing body has reviewed the Compliance Maintenance Annual Report (CMAR); and

WHEREAS, it is necessary to provide recommendations or an action response plan for all individual CMAR section grades of "C" or less and/or an overall grade point average <3.00;

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Menasha concurring, that no recommendations or corrective actions are necessary at this time because the City has achieved CMAR grades of "A" for its individual sections for its 2013 CMAR reporting year.

*Passed and approved this \_\_\_\_ day of July 2014.*

\_\_\_\_\_  
*Donald J. Merkes, Mayor*

ATTEST: \_\_\_\_\_  
*Deborah A. Galeazzi, City Clerk*

# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:  
6/12/2014

Reporting Year: 2013

## Financial Management

	Questions	Points						
<b>1.</b>	Person Providing This Financial Information							
	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Name:</td> <td style="border: 1px solid black; padding: 2px;">Jennifer Sassman</td> </tr> <tr> <td>Telephone:</td> <td style="border: 1px solid black; padding: 2px;">(920) 967-3620</td> </tr> <tr> <td>E-Mail Address(optional):</td> <td style="border: 1px solid black; padding: 2px;">jsassman@ci.menasha.wi.us</td> </tr> </table>	Name:	Jennifer Sassman	Telephone:	(920) 967-3620	E-Mail Address(optional):	jsassman@ci.menasha.wi.us	
Name:	Jennifer Sassman							
Telephone:	(920) 967-3620							
E-Mail Address(optional):	jsassman@ci.menasha.wi.us							
<b>2.</b>	Are User Charge or other Revenues sufficient to cover O&M Expenses for your wastewater treatment plant AND/OR collection system ?	0						
	<p> <input checked="" type="radio"/> Yes (0 points)  <input type="radio"/> No (40 points)                 </p> <p>If No, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 60%; margin-left: 20px;"></div>							
<b>3.</b>	When was the User Charge System or other revenue source(s) last reviewed and/or revised? Year: 2013	0						
	<p> <input checked="" type="radio"/> 0-2 years ago (0 points)  <input type="radio"/> 3 or more years ago (20 points)  <input type="radio"/> Not Applicable (Private Facility)                 </p>							
<b>4.</b>	Did you have a special account (e.g., CWFP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system?	0						
	<p> <input checked="" type="radio"/> Yes  <input type="radio"/> No (40 points)                 </p>							
<b>REPLACEMENT FUNDS(PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 5)</b>								
<b>5.</b>	Equipment Replacement Funds							
	5.1 When was the Equipment Replacement Fund last reviewed and/or revised? Year: 2013	0						
	<p> <input checked="" type="radio"/> 1-2 years ago (0 points)  <input type="radio"/> 3 or more years ago (20 points)  <input type="radio"/> Not Applicable Explain:                 </p> <div style="border: 1px solid black; height: 20px; width: 60%; margin-left: 20px;"></div>							
	5.2 What amount is in your Replacement Fund?							
	<b>Equipment Replacement Fund Activity</b>							
	<b>5.2.1 Ending Balance Reported on Last Year's CMAR:</b>	\$80000						

# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:  
6/12/2014

Reporting Year: 2013

Financial Management (Continued)

<p><b>5.2.2 Adjustments</b></p>	<p>if necessary (e.g., earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)</p>	<p>+</p>	<p>\$0.00</p>
<p><b>5.2.3 Adjusted January 1st Beginning Balance</b></p>			<p>\$80,000.00</p>
<p><b>5.2.4 Additions to Fund</b> (e.g., portion of User Fee, earned interest, etc.)</p>		<p>+</p>	<p>\$10,000.00</p>
<p><b>5.2.5 Subtractions from Fund</b> (e.g., equipment replacement, major repairs - use description box 5.2.5.1 below*.)</p>		<p>-</p>	<p>\$0.00</p>
<p><b>5.2.6 Ending Balance as of December 31st for CMAR Reporting Year</b></p>			<p>\$90,000.00</p>
<p>(All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.)</p> <p>*5.2.5.1. Indicate adjustments, equipment purchases and/or major repairs from 5.2.5 above</p> <div style="border: 1px solid black; height: 20px; width: 60%; margin-left: 20px;"></div>			

<p><b>5.3 What amount should be in your replacement fund?</b></p>			<p>\$90,000.00</p>
<p>(If you had a CWFP loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the HELP option button.)</p>			

<p><b>5.3.1</b> Is the Dec. 31 Ending Balance in your Replacement Fund above (#5.2.6) equal to or greater than the amount that should be in it(#5.3)?</p>	
	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No Explain:</p>
	<div style="border: 1px solid black; height: 20px; width: 60%;"></div>

**6. Future Planning**

<p><b>6.1</b> During the next ten years, will you be involved in formal planning for upgrading, rehabilitating or new construction of your treatment facility or collection system?</p>							
	<p><input type="radio"/> Yes (If yes, please provide major project information, if not already listed below)</p> <p><input checked="" type="radio"/> No</p>						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;">Project Description</th> <th style="width: 20%;">Estimated Cost</th> <th style="width: 20%;">Approximate Construction Year</th> </tr> </thead> <tbody> <tr> <td style="height: 30px;"></td> <td></td> <td></td> </tr> </tbody> </table>	Project Description	Estimated Cost	Approximate Construction Year			
Project Description	Estimated Cost	Approximate Construction Year					

**7. Financial Management General Comments:**

	<div style="border: 1px solid black; padding: 5px;"> <p>The City has a CWFP recommendation of \$10,000 deposits to our replacement fund. These payments started in 2005 and reflect funds necessary to replace, or make major repairs to, our four lift stations in the system. Also, we are awaiting verification of a judicial disposition of the Fox River PCB lawsuit. There is the potential for the outcome to render our current user charge insufficient to cover possible additional costs assessed via the judgement.</p> </div>
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# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:  
6/12/2014

Reporting Year: 2013

Financial Management (Continued)

# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:  
6/12/2014

Reporting Year: 2013

Financial Management (Continued)

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:  
6/12/2014

Reporting Year: 2013

## Sanitary Sewer Collection Systems

	Questions	Points
<b>1.</b>	<p>Do you have a Capacity, Management, Operation &amp; Maintenance(CMOM) requirement in your WPDES permit?</p> <p style="margin-left: 40px;"> <input type="radio"/> Yes  <input checked="" type="radio"/> No                 </p>	
<b>2.</b>	<p>Did you have a <u>documented</u> (written records/files, computer files, video tapes, etc.) sanitary sewer collection system operation &amp; maintenance or CMOM program last calendar year?</p> <p style="margin-left: 40px;"> <input checked="" type="radio"/> Yes (go to question 3)  <input type="radio"/> No (30 points) (go to question 4)                 </p>	0
<b>3.</b>	<p>Check the elements listed below that are included in your Operation and Maintenance (O&amp;M) or CMOM program.:</p> <p><input type="checkbox"/> <b>Goals:</b> Describe the specific goals you have for your collection system:</p> <p><input checked="" type="checkbox"/> <b>Organization:</b> Do you have the following written organizational elements (check only those that you have):</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Ownership and governing body description</li> <li><input checked="" type="checkbox"/> Organizational chart</li> <li><input checked="" type="checkbox"/> Personnel and position descriptions</li> <li><input type="checkbox"/> Internal communication procedures</li> <li><input type="checkbox"/> Public information and education program</li> </ul> <p><input checked="" type="checkbox"/> <b>Legal Authority:</b> Do you have the legal authority for the following (check only those that apply):</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Sewer use ordinance Last Revised MM/DD/YYYY <span style="border: 1px solid black; padding: 2px;">11/01/2004</span></li> <li><input type="checkbox"/> Pretreatment/Industrial control Programs</li> <li><input checked="" type="checkbox"/> Fat, Oil and Grease control</li> <li><input checked="" type="checkbox"/> Illicit discharges (commercial, industrial)</li> <li><input checked="" type="checkbox"/> Private property clear water (sump pumps, roof or foundation drains, etc)</li> <li><input type="checkbox"/> Private lateral inspections/repairs</li> <li><input type="checkbox"/> Service and management agreements</li> </ul> <p><input checked="" type="checkbox"/> <b>Maintenance Activities: details in Question 4</b></p> <p><input checked="" type="checkbox"/> <b>Design and Performance Provisions:</b> How do you ensure that your sewer system is designed and constructed properly?</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> State plumbing code</li> <li><input checked="" type="checkbox"/> DNR NR 110 standards</li> <li><input checked="" type="checkbox"/> Local municipal code requirements</li> <li><input checked="" type="checkbox"/> Construction, inspection and testing</li> <li><input type="checkbox"/> Others:</li> </ul>	

# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:  
6/12/2014

Reporting Year: 2013

Sanitary Sewer Collection Systems (Continued)

	<p><input checked="" type="checkbox"/> <b>Overflow Emergency Response Plan:</b> Does your emergency response capability include (check only those that you have):</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Alarm system and routine testing</li> <li><input checked="" type="checkbox"/> Emergency equipment</li> <li><input checked="" type="checkbox"/> Emergency procedures</li> <li><input checked="" type="checkbox"/> Communications/Notifications (DNR, Internal, Public, Media etc)</li> </ul> <p><input checked="" type="checkbox"/> <b>Capacity Assurance:</b> How well do you know your sewer system? Do you have the following?</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Current and up-to-date sewer map</li> <li><input checked="" type="checkbox"/> Sewer system plans and specifications</li> <li><input checked="" type="checkbox"/> Manhole location map</li> <li><input checked="" type="checkbox"/> Lift station pump and wet well capacity information</li> <li><input checked="" type="checkbox"/> Lift station O&amp;M manuals</li> </ul> <p>Within your sewer system have you identified the following?</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Areas with flat sewers</li> <li><input checked="" type="checkbox"/> Areas with surcharging</li> <li><input checked="" type="checkbox"/> Areas with bottlenecks or constrictions</li> <li><input checked="" type="checkbox"/> Areas with chronic basement backups or SSO's</li> <li><input checked="" type="checkbox"/> Areas with excess debris, solids or grease accumulation</li> <li><input type="checkbox"/> Areas with heavy root growth</li> <li><input checked="" type="checkbox"/> Areas with excessive infiltration/inflow (I/I)</li> <li><input checked="" type="checkbox"/> Sewers with severe defects that affect flow capacity</li> <li><input checked="" type="checkbox"/> Adequacy of capacity for new connections</li> <li><input checked="" type="checkbox"/> Lift station capacity and/or pumping problems</li> </ul> <p><input type="checkbox"/> <b>Annual Self-Auditing of your O&amp;M/CMOM Program</b> to ensure above components are being implemented, evaluated, and re-prioritized as needed.</p> <p><input checked="" type="checkbox"/> <b>Special Studies Last Year (check only if applicable):</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Infiltration/Inflow (I/I) Analysis</li> <li><input checked="" type="checkbox"/> Sewer System Evaluation Survey (SSES)</li> <li><input type="checkbox"/> Sewer Evaluation and Capacity Management Plan (SECAP)</li> <li><input checked="" type="checkbox"/> Lift Station Evaluation Report</li> <li><input checked="" type="checkbox"/> Others:</li> </ul> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>We continued with Phase 4 (of 4) of our citywide SSES program and performed flow monitoring in Phases 1 and 2 to identify I/I sources.</p> </div>																
<b>4.</b>	<p>Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Cleaning</td> <td style="width: 10%; text-align: center; border: 1px solid black;">75</td> <td style="width: 30%;">% of system/year</td> </tr> <tr> <td>Root Removal</td> <td style="text-align: center; border: 1px solid black;">0</td> <td>% of system/year</td> </tr> <tr> <td>Flow Monitoring</td> <td style="text-align: center; border: 1px solid black;">1</td> <td>% of system/year</td> </tr> <tr> <td>Smoke Testing</td> <td style="text-align: center; border: 1px solid black;">0</td> <td>% of system/year</td> </tr> <tr> <td>Sewer Line Televising</td> <td style="text-align: center; border: 1px solid black;">4</td> <td>% of system/year</td> </tr> </table>	Cleaning	75	% of system/year	Root Removal	0	% of system/year	Flow Monitoring	1	% of system/year	Smoke Testing	0	% of system/year	Sewer Line Televising	4	% of system/year	
Cleaning	75	% of system/year															
Root Removal	0	% of system/year															
Flow Monitoring	1	% of system/year															
Smoke Testing	0	% of system/year															
Sewer Line Televising	4	% of system/year															

# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:  
6/12/2014

Reporting Year: 2013

## Sanitary Sewer Collection Systems (Continued)

Manhole Inspections	<input type="text" value="2"/>	% of system/year
Lift Station O&M	<input type="text" value="1"/>	# per L.S./year
Manhole Rehabilitation	<input type="text" value="1"/>	% of manholes rehabed
Mainline Rehabilitation	<input type="text" value="1"/>	% of sewer lines rehabed
Private Sewer Inspections	<input type="text" value="1"/>	% of system/year
Private Sewer I/I Removal	<input type="text" value="1"/>	% of private services
Please include additional comments about your sanitary sewer collection system below:		
We completed the replacement of the Ninth Street Lift Station and force main.		

**5.** Provide the following collection system and flow information for the past year:

35.56	Total Actual Amount of Precipitation Last Year
31	Annual Average Precipitation (for your location)
54.3	Miles of Sanitary Sewer
4	Number of Lift Stations
0	Number of Lift Station Failure
0	Number of Sewer Pipe Failures
0	Number of Basement Backup Occurrences
0	Number of Complaints
2.61	Average Daily Flow in MGD
5.58	Peak Monthly Flow in MGD(if available)
<input type="text"/>	Peak Hourly Flow in MGD(if available)

# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:  
6/12/2014

Reporting Year: 2013

## Sanitary Sewer Collection Systems (Continued)

LIST OF SANITARY SEWER OVERFLOWS (SSO) REPORTED			
Date	Location	Cause	Estimated Volume (MG)
NONE REPORTED			

**\*\* If there were any SSO's that are not listed above, please contact the DNR and stop work on this section until corrected.**

What actions were taken, or are underway, to reduce or eliminate SSO occurrences in the future?

### PERFORMANCE INDICATORS

0.00	Lift Station Failures(failures/ps/year)
0.00	Sewer Pipe Failures(pipe failures/sewer mile/yr)
0.00	Sanitary Sewer Overflows (number/sewer mile/yr)
0.00	Basement Backups(number/sewer mile)
0.00	Complaints (number/sewer mile)
2.1	Peaking Factor Ratio (Peak Monthly:Annual Daily Average)
0.0	Peaking Factor Ratio(Peak Hourly:Annual daily Average)

**6.** Was infiltration/inflow(I/I) significant in your community last year?

- Yes  
 No

If Yes, please describe:

Until we address private sewer lateral leaks, I/I will continue to be significant in our system. The City intends to target private sewer lateral defects through adoption of an ordinance in 2014.

**7.** Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?

- Yes  
 No

If Yes, please describe:

**8.** Explain any infiltration/inflow(I/I) changes this year from previous years?

2013 was 15% wetter than 2012 which is reflected in our higher annual flow and peaking factor ratio.

**9.** What is being done to address infiltration/inflow in your collection system?

# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:  
6/12/2014

Reporting Year: 2013

Sanitary Sewer Collection Systems (Continued)

	We continue to address defects in our public sewer system through manhole and sewer improvements. We anticipate starting a private sewer lateral inspection and correction program this year, pending Council approval.	
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Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

# COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Menasha City

Last Updated:

Reporting Year: 2013

WPDES No.0047341

GRADING SUMMARY				
SECTION	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Financial Management	A	4.0	1	4
Collection Systems	A	4.0	3	12
<b>TOTALS</b>			<b>4</b>	<b>16</b>
<b>GRADE POINT AVERAGE(GPA)=4.00</b>		<b>4.00</b>		

Notes:

A = Voluntary Range

B = Voluntary Range

C = Recommendation Range (Response Required)

D = Action Range (Response Required)

F = Action Range (Response Required)



## MEMORANDUM

To: City of Menasha Board of Public Works  
From: Donald Merkes, Mayor  
Mark Radtke, Director of Public Works *DM MR*  
Date: 12 June 2014  
RE: Lake Park Road Reconstruction and Jurisdictional Transfer

### BACKGROUND

Lake Park Road, running through the Cities of Menasha and Appleton, the Village of Harrison, and the Town of Harrison, carries significant regional traffic at 5000-7000 vehicles per day. The road which was originally designed to carry rural traffic was not designed to carry the traffic volume, nor handle the turning movements that it now does. Furthermore, the road not only is deteriorating but also lacks bike and pedestrian facilities necessary for the urban environment in which it is now located.

Last year Calumet County was successful in securing nearly \$5.5 million dollars to reconstruct Lake Park Road from Highway 10-114 to Midway Road. The reconstruction would include: a three lane concrete road with curb and gutter, a roundabout at the Manitowoc Road intersection, sidewalks on the east side of the road, and a bike-pedestrian trail on the west side of the roadway. Funding for the project was to be split 80% federal and 20% local. Calumet County proposed splitting the local share with the municipalities 10% local and 10% county, with the local municipalities sharing their 10% based on road frontage in each community. The county would fund all design costs and right of way acquisition costs. When complete the county would release the jurisdiction of the roadway to the adjoining municipality.

The City of Menasha's share would have been approximately \$161,957.

Unfortunately, the Town/Village of Harrison went on record refusing to fund any cost share of the project jeopardizing the entire project.

Mayor Merkes attended the June 6<sup>th</sup> meeting of the Calumet County Highway Committee where they discussed options as related to the SMA (State Municipal Agreement) and IGA (Intergovernmental Agreement) for the Lake Park Road project. A listing of the options discussed is attached. Consensus with the committee members was that if the adjoining municipalities agreed to accept jurisdiction of the roadway following reconstruction the County would consider funding the entire project cost. Along with this there would be further discussion of changing County policy in which the county could choose to fund up to 100% of projects with at least 60% federal funding and which would be turned over to local jurisdiction upon completion.

Calumet County is seeking conceptual approval of the jurisdictional transfer based on total reconstruction costs being paid by the county. If conceptually approved by the three parties an IGA will be forwarded to the communities for final approval of the project.

### **ANALYSIS**

Preceding the federally funded option Calumet County along with the Town of Harrison was asking the City of Menasha to fund 33% of the entire cost of the project. This cost sharing scenario would have been considerably more than the \$161,957 more recently requested or the offer for reconstruction without cost now on the table.

Lake Park Road is in need of reconstruction to remedy functional obsolescence, provide safe multi-modal access, and address deteriorating pavement.

The reconstruction and jurisdictional transfer will also allow the City additional access points to Lake Park Square as originally designed which will make the property more valuable and desirable.

### **FISCAL IMPACT**

Acceptance of the roadway will nominally increase road maintenance and plowing costs, however, it will also increase state road aids to the community. Upon need for future reconstruction the road would still be eligible for federal funding. Rejection of federal funding could lead to higher shared costs for all municipalities.

### **RECOMMENDATION**

Staff recommends that the Board of Public Works direct staff to develop an IGA with Calumet County in which; the County assumes the 20% local share of the project as well as any design and ROW acquisition costs, and the City agrees to accept jurisdictional transfer upon completion with the ability to determine access control immediately and that remnant parcels within the City's growth area be transferred upon completion of the project.

## County Options for CTH LP

### 1) Pulverize and Pave

- \$700,000 total estimated cost
- \$400,000 is in the 2014 budget and the remaining \$300,000 is planned for the 2015 budget (estimated)

County Fiscal Impact: Estimated \$700,000 on the levy and ongoing maintenance

### 2) Pay for the entire local cost share under the federal grant

- a. And, Turn the road over to municipalities

County Fiscal Impact 2a: Estimated \$1,169,800 on the levy

- b. Or, and Retain LP as a county road

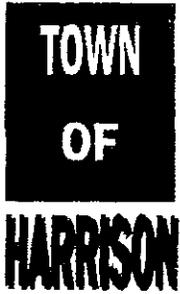
County Fiscal Impact 2b: Estimated \$1,169,800 on the levy and ongoing maintenance

NOTE: We would need to waive department policy on local cost sharing and/or modify the existing department policy to allow for this option.

### 3) **Modify amount for cost share and enter into Intergovernmental Agreement (IGA) with federal funds. Currently, by department policy, the municipality share is generally based on front footage.**

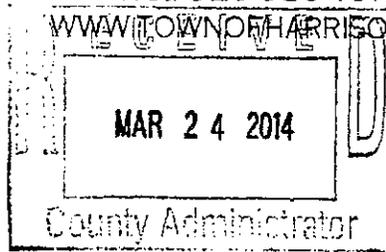
County Fiscal Impact: Minimum \$683,983 and remaining is undeterminable until new methodology is agreed upon

NOTE: What would we do with LP until 2019?



W5298 HWY 114 • MENASHA, WI 54952  
TOWN HALL: 920-989-1062 • TOWN GARAGE: 920-989-1139  
FAX: 920-989-1077

WWW.TOWNOFHARRISON.ORG



March 14, 2014

Dear County Board Members, Highway Committee Members, and Administrator Shambeau;

Recently, the Town and Village of Harrison was asked to enter into an intergovernmental agreement to help pay for a portion of the County Trunk Highway LP upgrade. The estimated cost of the proposed upgrade is \$5,449,000.00. Calumet County has applied for a grant to pay for 80% of this cost. The other 20% is to be funded by a local(s) match. The 20% match would be approximately \$1,089,800.00.

Calumet County has proposed that it would pay approximately \$683,983.00 towards the project with the City of Menasha paying \$161,957, the Town of Harrison paying \$161,957 and the Village of Harrison paying \$161,957. The proposal also included a jurisdictional transfer of CTH LP to the local municipalities.

The Town of Harrison and the Village of Harrison held a joint meeting to discuss this item. They felt that they would not be willing to participate in a cost share agreement on CTH LP for the following reasons:

- 1) CTH LP is a county road.
- 2) Calumet County is responsible for maintaining county roads.
- 3) Calumet County has been collecting state road aids to maintain CTH LP.
- 4) Paying for road improvements would leave less money for Town and Village road improvement projects.

Both the Village and the Town would, however, be willing to discuss a jurisdictional transfer of CTH LP once upgrades have been completed, as was done on CTH S.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Parish".

Travis Parish  
Town/Village Administrator  
Town/Village of Harrison

**EXHIBIT B**

**COST ESTIMATE AND PARTICIPATION**

PHASE	Total Estimated Cost	FEDERAL FUNDS	%	City Menasha Share	%	Calumet County Share	%	Town of Harrison Share	%	Village of Harrison Share	%
<u>Design Engineering</u>	\$490,325	\$392,260	80	\$0	0	\$98,065	20	\$0	0	\$0	0
<u>Right-of-Way</u>	\$100,000	0		\$0	0	\$100,000	100	\$0	0	\$0	0
<u>Construction</u>	\$4,457,500	\$3,566,000	80	\$148,584	3.33	\$445,750	10	\$148,583	3.33	\$148,583	3.33
<u>State Review for Construction</u>	\$401,175	\$320,940	80	\$13,373	3.33	\$40,118	10	\$13,372	3.33	\$13,372	3.33
<b>Total Estimate</b>	<b>\$5,449,000</b>	<b>\$4,279,200</b>		<b>\$161,957</b>		<b>\$683,983</b>		<b>\$161,955</b>		<b>\$161,955</b>	