

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, May 19, 2014
6:00 PM
AGENDA**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
- D. PUBLIC HEARING
1. [Application for a Special Use Permit for 205 Milwaukee Street.](#)
 2. [Proposed Amendments to Shoreland Use and Development.](#)
- E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
- F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
1. [Chief Styka- Annual Report and Police Week Recognition Awards.](#)
 2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
Minutes to receive:
 - a. [Board of Public Works, 5/5/14](#)
 - b. [IT Steering Committee, 4/30/14](#)
 - c. [Landmarks Commission, 5/14/14](#)
 - d. [Menasha Police Commission, 4/16/14](#)
 - e. [Plan Commission, 5/6/14](#)
 - f. [Water & Light Commission, 4/23/14](#)Communications:
 - g. [2013 Wisconsin Act 222](#)
 - h. [Mark Harris, Winnebago County Executive, to Mayor Merkes, 5/7/14, Appointment of Don Merkes to East Central Wisconsin Regional Planning Commission.](#)
 - i. [CC Galeazzi, 5/9/14, Ribble Property Letter.](#)
 - j. [CA/HRD Captain, 5/13/14, Correction of RESOLUTION R-8-14.](#)
 - k. [Chief Auxier, 5/13/14, 2014 Firefighter of the Year.](#)
 - l. [PWD Radtke, 5/14/14, Midway Road Safety-Sight Distance Improvements.](#)
 - m. [Tayco Street Bridge Museum Grand Re-Opening, May 19, 2014.](#)
 - n. [Jennifer Semrau, Winnebago County Recycling Specialist, 5/14/14, Recent Reader Question/Post Crescent Article on Plastics Recycling.](#)
 - o. [CA/HRD Captain, 5/15/14, Update United States of America and The State of Wisconsin v. NCR Corporation et al., Case No. 10-C-910, U.S. District Court, Eastern District.](#)
 - p. [Back Draft Bike Tour 2014, June 8, 2014.](#)
 - q. [National Public Works Week Proclamation.](#)
- G. CONSENT AGENDA
- (Prior to voting on the Consent Agenda, items on the Consent Agenda may be removed at the request of any Alderman and place immediately following action on the Consent Agenda. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)
- Minutes to approve:
1. [Common Council, 5/5/14.](#)
 2. [Board of Public Works, 5/5/14 - Recommends the Approval of:](#)
 1. [Street Use Application – Diablo Cycling Criterium; Sunday, June 8, 2014; 7:00 AM – 7:00 PM \(Diablo Cycling\).](#)

Plan Commission, 5/6/14 – Recommends the Approval of:

3. The Special Use Permit for 205 Milwaukee Street with the following conditions:

1. Final landscaping plan to include the following:

- Additional landscaping west of the parking lot to properly screen the parking areas per 13-1-12(g)(5)(a)
- 1 additional canopy tree and modification of understory planting, such that they are between 25 and 75% percent evergreens, in northern perimeter area planting, per 13-1-12(4)
- Area extending north from dumpster enclosure to driveway opening on Third St. to be landscaped and protected by curbing.

2. Final monument sign location to be determined through sign permitting process, to include determination of vision control area by DPW.

3. All mechanical equipment & dumpster enclosure to be fully enclosed per 13-1-12(f)(5-6) and 13-1-2(e)(5). Final detail of all dumpster and mechanical equipment enclosures to be included on detail sheet.

4. Cross access easement to be drafted and recorded between 205 Milwaukee St and 405 Third St.

5. Final lighting plan, to include relocating lighting pole to not impede parking access; final height of light poles not to exceed building height, as per 13-1-12(g).

6. Final plans containing all above mentioned conditions to be submitted to and approved by Community Development staff.

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 5/8/14 to 5/15/14 in the amount of \$1,025,723.76.
2. Menasha Senior Center Addition Agreement Between Owner and Architect. McMahon Group.
3. Beverage Operators License Applications for the 2013-2015 licensing period.
4. Purchase and Development Agreement for Sale of 198 River Street Power Plant (Steam Plant).
5. John Hogerty II, Bergstrom Corporation, 5/15/14, Appeal the Decision of the Landmarks Commission.

J. ORDINANCES AND RESOLUTIONS

K. APPOINTMENTS

L. HELD OVER BUSINESS

M. CLAIMS AGAINST THE CITY

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

O. RECESS TO COMMITTEES AND THE CLOSED SESSION.

P. ACTION ITEMS

1. Adjourn into Closed Session pursuant to Wis. Stats. §19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (City of Menasha vs. Waverly Sanitary District et al. Calumet County Case No. 13-CV-189).
2. May reconvene into Open Session to act on what was discussed in Closed Session.

Q. ADJOURNMENT

MEETING NOTICE
Monday, June 2, 2014 – 6:00 p.m.
Committee Meetings to Follow

**City of Menasha
Public Hearings**

NOTICE IS HEREBY GIVEN that public hearings will be held by the Menasha Plan Commission and Common Council on an application for a Special Use Permit by Keller, Inc., agent for Community First Credit Union, owner, to establish a grocery store on a property with a non-conforming structure in the C-1 General Commercial District, as required by Sec. 13-1-44(b)(2) of the City of Menasha Municipal Code. The proposed use is to take place on a parcel located at 205 Milwaukee Street (Parcel Number 1-00196-00), City of Menasha, Winnebago County, Wisconsin. The Plan Commission will hold its informal public hearing on Tuesday, May 6, 2014 at 3:30 PM, or shortly thereafter, in the Council Chambers of Menasha City Hall located at 140 Main Street, Menasha, WI 54952. The Common Council will hold its formal public hearing on this matter at 6:00 PM, or shortly thereafter, on Monday, May 19, 2014 at the same location. All persons interested in commenting on the application for this Special Use Permit are invited to attend.

Deborah A. Galeazzi, WCMC
City Clerk

Run: May 4 & May 12, 2014

**City of Menasha
Public Hearings**

NOTICE IS HEREBY GIVEN that public hearings will be held by the Menasha Plan Commission and Common Council on the proposed amendments to Title 13 of the Menasha Code of Ordinances pertaining to shoreland use and development; Menasha Ordinance 13-1-13. The Plan Commission will hold its public hearing on Tuesday, May 6, 2014 at 3:30 PM, or shortly thereafter, in the Council Chambers of Menasha City Hall located at 140 Main Street, Menasha, WI. The Common Council will hold its formal public hearing on this matter at 6:00 PM, or shortly thereafter, on Monday, May 19, 2014 at the same location. All persons interested in commenting on the proposed amendment are invited to attend.

Deborah A. Galeazzi, WCMC
City Clerk

Run: May 4 & May 12, 2014

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
May 5, 2014
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Sevenich at 7:30 p.m.

B. ROLL CALL/EXCUSED ABSENCES

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

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil, ASD Steeno, PHD Nett, Clerk Galeazzi

C. MINUTES TO APPROVE

1. [April 21, 2014](#)

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

Motion carried on voice vote.

D. DISCUSSION / ACTION ITEMS

1. [Street Use Application – Diablo Cycling Criterium; Sunday, June 8, 2014; 7:00 AM – 7:00 PM \(Diablo Cycling\)](#)

DPW Radtke explained all required documents are in order and all departments have approved the application.

Moved by Ald. Taylor, seconded by Ald. Langdon to recommend to Common Council Street Use Application for Diablo Cycling Criterium, Sunday June 8, 2014, 7:00AM-7:00PM (Diablo Cycling).

Motion carried on voice vote.

2. [Authorization for No Parking on the West Side of Racine Street from Seventh Street to 350 Feet North of Racine Street Intersection for a Period of One Year](#)

PC Styka explained for safety reasons this will allow an area for construction vehicles to maneuver during the construction period at Menasha High School. The ordinance allows the Board of Public Works to approve temporary parking restrictions for a period not exceeding one year.

Moved by Ald. Taylor, seconded by Ald. Keehan to approve authorization for no parking on the west side of Racine Street from Seventh Street to 350 feet north of Racine Street intersection for a period of one year.

Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Taylor, seconded by Ald. Langdon to adjourn at 7:40 p.m.

Motion carried on voice vote.

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

**CITY OF MENASHA
IT STEERING COMMITTEE
April 30, 2014
MINUTES**

A. CALL TO ORDER

Styka called the meeting to order.

B. ROLL CALL/EXCUSED ABSENCES

Committee members Ald. Nichols, Director Captain, Director Keil, Director Nett, Director Steeno and Chief Styka were present. IT Supervisor Patrick James was excused. Also present was John Teale, Menasha Utilities.

C. MINUTES TO APPROVE

Motion to approve the February 19, 2014 minutes was made and seconded by Nichols and Captain, respectively. There was no discussion. Motion carried.

D. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THIS AGENDA

None

E. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. [Recent Accomplishments](#). Director Steeno shared accomplishments to April 30, 2014. A question arose about cloud storage relative to the SAN (Storage Area Network) issue and Director Steeno reported that cloud storage was looked at but unaffordable at this time. General discussion occurred.
2. [Current Status of IT Operations/Support Items/Workload](#). Director Steeno provided a handout and reported to the Committee.
3. **Document Imaging Project**. The Committee was updated by Director Steeno that request for quotes will be prepared and sent out. Document imaging is needed per State of Wisconsin.
4. **Progress on 2014 Projects**. Director Steeno handed out and provided summary of two documents she prepared – [2014 Projects & Initiatives and Timeline for Completion](#) and [Resources/Staffing Plan For 2014](#). With respect to the website project Ald. Nichols inquired about how to incorporate public feedback. General discussion occurred about how to include the public in the website development.

F. ACTION ITEMS

1. Committee discussion and action on next IT Steering Committee Meeting date.

August 6, 2014 at 9:30 a.m. Items to include on next agenda: Captain handed out copies of Electronic Communication & Information Technology Policy, Social Network Policy and Code of Conduct.

G. ADJOURNMENT

Meeting adjourned by motion made and seconded by Keil and Nett, respectively. Motion carried.

These minutes have NOT been approved.

CITY OF MENASHA
Landmarks Commission
Council Chambers, 3rd Floor, City Hall – 140 Main Street
May 14, 2014
DRAFT MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Grade at 4:30 PM.

B. ROLL CALL/EXCUSED ABSENCES

LANDMARKS MEMBERS PRESENT: Ald. James Taylor and Commissioners Peg Docter, Paul Brunette and Tom Grade.

LANDMARKS MEMBERS EXCUSED:

LANDMARKS MEMBERS ABSENT: Commissioner Kristi Lynch.

OTHERS PRESENT: CDD Keil, PP Homan, and Kim Vanderhyden, Ald. Stan Sevenich, Steve Krueger, Jean Chew, Mayor Donald Merkes, Jeffry Maroszek, Nicholas Jevne, Kevin Englebert, and Steve Jamroz (via conference call).

C. MINUTES TO APPROVE

1. Minutes of the March 27, 2014 Landmarks Commission Meeting

Motion by Ald. Taylor, seconded by Comm. Docter to approve the March 27, 2014 Landmarks Commission meeting minutes. The motion carried.

D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA OR ANY ITEM RELATED TO THE RESPONSIBILITIES OF THE LANDMARKS COMMISSION

Kim Vanderhyden, 334 Park St, representing Menasha Downtown Development, LLC. Mr. Vanderhyden's comments included:

- Redevelopment plans are being developed for the Hotel site but have not been finalized. The desire is to put in a mix of retail, office and residential, with a goal of creating a new landmark building.
- The current building is obsolete and the economics don't work for saving the building.
- The goal for the redevelopment is to bring people downtown, and create a downtown where people can live, work, and embrace the waterfront.

Ald. Stan Sevenich, 645 Ninth St, indicated he is a former Landmarks Commission member and member of the National Trust. Ald. Sevenich comments included:

- His appreciation that the new building has the potential to be a new landmark.
- Questioning why they would buy a building that the costs couldn't be recouped through renovation.
- Discussion on former Landmarks Commissioner Bill Herzinger and his advocacy for saving historic structures.
- His desire to do everything he can to save the building.

Steve Krueger, 943 Clovis Ave. Mr. Krueger's comments included:

- The building is within the Upper Main Street Historic District, which is included in the National Register.
- The "Queen Ann/Romanesque Vernacular" architecture of the hotel. The only other structure built in this style was the library, which was demolished.
- The historical marker was removed from the building, and that it belongs to the person who purchased it, which was Mr. Banta.

Jean Chew, 241 Sunset Dr, representing Menasha Historical Society. Ms. Chew stated that the Historical Society was concerned about losing a landmark.

Jeffry Maroszek, 120 N. Lake St, Neenah. Mr. Maroszek's comments included:

- His belief that Menasha has a history that needs to change.
- The hotel has been a cornerstone problem, and desires a revamp of Menasha to make it something to be proud of.

E. COMMUNICATIONS

1. Wisconsin Landmarks Newsletter – April 2014

F. ACTION ITEMS

1. **Facade Alteration – 192 Main Street – Lemon Loves Lime**

Steve Jamroz, Blue Design Group, presented via conference call the final design proposal for the Lemon Loves Lime (192 Main) Facade alterations. He provided a description of the new windows, doors, awning, and cornice. He noted EFIS will only be used on the upper part of the building. Final colors are to be selected from the approved by the approved color palette. He noted the existing footprint of the facade foundation would remain.

Motion by Comm. Docter, seconded by Ald. Taylor to approve the facade alteration for 192 Main St - Lemon Loves Lime, as presented.

The motion carried.

2. **Sign Application – 192 Main Street – Lemon Loves Lime**

Mr. Jamroz indicated the proposed sign would constructed of wood and be hung by a decorative iron bracket as illustrated in the submitted plan.

Motion by Comm. Docter, seconded by Ald. Taylor, to approve the sign permit application for 192 Main Street - Lemon Loves Lime, as presented.

The motion carried.

3. **Consideration of Certificate of Appropriateness Demolition of Menasha Hotel – 177 Main Street**

Chairman Grade gave an overview of William Waters, the architect for the Menasha Hotel, which included showing pictures of buildings he designed that were constructed throughout the Fox Valley.

A video was presented that had been prepared by Commissioners. The video illustrated past landmarks that have been torn down, and gave examples of how to preserve buildings and architectural elements.

Discussion on the merits of the application ensued. General issues preventing their ability to approve the proposal included:

- The potential for preserving the building facades.
- The difficulty in approving the proposed demolition without a plan proposing what will go in its place.
- The purpose of the Landmarks Commission is to preserve historic structures.

Motion by Comm. Brunette, seconded by Comm. Docter, to deny Menasha Downtown Development, LLC's request for a Certificate of Appropriateness for the demolition of the Menasha Hotel - 177 Main St. The motion carried 4-0.

G. DISCUSSION ITEMS

1. **Facade Improvement Program Grant/Loan Balance**

PP Homan stated that the balance stands at just over \$27,000, which accounts for the grant that has been obligated to Club Liquor, but not yet reimbursed.

2. **Future Landmarks Commission Activities/Projects**

No discussion occurred on Future Landmarks Commission Activities/Projects.

3. **Update on Bridge Tower Museum**

PP Homan stated the ribbon cutting is scheduled for Monday, May 19, to begin at 4:45 pm. The

technology has been completed, and the plaque ordered, and will be cleaned yet this week.

4. **Update on Photo Contest**

The photo contest flyers have been distributed, and Intertape Polymer Group has agreed to serve as the contest sponsor. Commissioners determined that two prizes would be awarded this year.

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

1. No one spoke.

I. ADJOURNMENT

Motion by Comm. Docter, seconded by Ald. Taylor to adjourn at 5:35 PM. The motion carried.

Respectfully submitted by PP Homan.



**MENASHA POLICE COMMISSION MEETING MINUTES
DRAFT**

President Ron Duuck called the meeting to order on April 16th, 2014 at 4:34 PM, Menasha Safety Building, 430 First Street, Menasha, Wisconsin

Present: Ron Duuck, Terri Reuss, Chief Styka, Marshall Spencer

Absent: Jason Dionne, Tony Gutierrez

Minutes to Approve: Marshall Spencer moved to approve February 20th 2014 meeting minutes. Terri Reuss seconded the motion. The Commission unanimously approved the minutes.

Communication to Receive: None

Discussion: None

Correspondence: None

New Business: None

Chief Styka Report

Training:

- Legal Update - Ongoing: All Sworn Personnel (8hrs)
- Supervisor Resources & Tools – CVMIC: Nick Thorn (16hrs)
- Intoximeter Update: Adam Miller (2hrs)
- Heroin Training: Pete Sawyer (16 hrs)
- WI Association of Women Police Conference: Angie Hanchek & Sara Swenson (16hrs)
- 2014 WAI Conference: Ann Gollner & Sara Swenson (24hrs)
- Forensic Experiential Trauma Interviews: Ron Bouchard (1.5hrs)
- Mobile Device Examiner Course: Jamal Kwar (64hrs)
- Advanced Roadside Impaired Driving Enforcement: Josh Gallagher (16 hrs)
- Predictive Policing & Integration of Crime Analysis: Nick Oleszak (8hrs)
- WI Problem Oriented Policing Conference: Aaron Zemlock (12hrs)
- Homicide Conference: Ron Bouchard & Stephanie Gruss (20 hrs)
- Policy Development – CVMIC: Matt Albrecht (7hrs)
- SWAT Basic: Matt Spiegel (40hrs)
- Contemporary Issues in Tactical Leadership: Matt Albrecht & Matt Lenss (24hrs)
- Munchausen Syndrome by Proxy Training: Stephanie Gruss (1.5hrs)
- Evidenced Based Decision Making: Tim Styka

Department Updates:

- Hiring Process Continues – Currently 2 positions remain open.
- Beginning process of laying out foundation for a regional response plan similar to SMART in the Milwaukee area. Meeting next week with representatives from Winnebago & Outagamie County.
- Online briefing program is in training phase. Lt. Kavar is project lead and we are still planning on a spring roll out.
- New CAD system is now live. Working through some computer issues.
- Working with new policy manual system. Some issues at rollout with the vendor, Lexipol, but capabilities are slowly coming on line.
- Begun the process of an online reporting module. We hope to have the system in place by mid-summer.
- Officer Spiegel & K-9 Athos: Training is complete and they are now working the road. Later this year they will go through the tracking training.

Closed Session: Terri Reuss moved to enter closed session. Marshall Spencer seconded the motion. The motion was unanimously supported.

Adjourn: Terri Reuss moved to adjourn. Marshall Spencer seconded the motion at 7:05 pm. The motion was unanimously supported.

The next bi-monthly meeting will be held Thursday June 19th 2014 at 4:30pm Menasha Safety Building, 430 First Street, Menasha, Wisconsin.

Menasha alderpersons occasionally attend meetings of this body. It is possible that a quorum of Common Council, Board of Public Works, Administration Committee, Personnel Committee, may be attending; however no official Action of any of these bodies will be taken.

Menasha is committed to its diverse population. Our non- English speaking population or those with disabilities are invited to contact the acting Chief of Police at 967-3500 at least 24-hours in advance to ensure special accommodations can be made.

Respectfully submitted,
Theresa Reuss
Commissioner, Secretary

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
May 6, 2014
DRAFT MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:30 PM by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Ald. Zelinski (Alternate for Ald. Benner, DPW Radtke and Commissioners Sturm, Schmidt and DeCoster.

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Cruickshank, Ald. Benner.

PLAN COMMISSION MEMBERS ABSENT: None.

OTHERS PRESENT: CDD Keil, PP Homan, Brian Moore of Menasha Utilities, Dennis Jochman- Bechard Group, Mark Nysted - Keller Structures , Ald. James Taylor, Mike Maas, Gary F. Bath, Barb Bath, Ellen Maxymek and Tom Maxymek

3:30 PM – Public Hearing Regarding the Special Use Permit Application for 205 Milwaukee Street

Mayor Merkes opened the public hearing at 3:30 PM.

No one spoke.

The hearing was closed at 3:31 PM.

3:32 PM – Proposed amendments to Title 13 of the Menasha Code of Ordinances pertaining to Shoreland Use and Development; Menasha Ordinance 13-1-13

Mayor Merkes opened the informal public hearing at 3:32 PM.

No one Spoke.

The hearing was closed at 3:33 PM

C. MINUTES TO APPROVE

1. **Minutes of the March 18, 2014 Plan Commission Meeting**

Motion by Comm. Sturm, seconded by Ald. Zelinski to approve the March 10, 2014 Plan Commission meeting minutes. The motion carried.

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

1. No one spoke.

E. DISCUSSION

1. **Requirements for Garages for Newly Constructed Dwelling Units**

CDD Keil reviewed the provisions of the proposed ordinance which would require garages to be built in conjunction with the construction of new dwelling units. Commissioners discussed:

- Conducting an inventory of non-conforming residential lots.
- Criteria for scaling the size of garage to the size of a lot.
- The impact of garage requirements on housing affordability.

Staff is to prepare an inventory of non-conforming residential lots and to prepare options for adjusting the garage size requirements based on the size/configuration of lots for the next Plan Commission meeting.

F. ACTION ITEMS

1. **Special Use Permit – 205 Milwaukee Street – Third Street Market**

PP Homan presented an overview of the proposed building renovation and site improvements that are planned for the proposed grocery store. Mark Nysted from Keller Structures reviewed the building materials and colors, parking and loading considerations, site lighting and landscaping. Commissioners discussed:

- The extent of the corbelling and EFIS banding around the top of the structure.
- Signage placement.
- Site drainage.
- Transformer location.
- Size, placement and screening of dumpsters and exterior chilling units.
- Landscaping and transitional areas.

Motion by Ald. Zelinski, seconded by Comm. DeCoster to recommend approval of the Special Use Permit for 205 Milwaukee Street with the following conditions:

1. Final landscaping plan to include the following:
 - Additional landscaping west of the parking lot to properly screen the parking areas per 13-1-12(g)(5)(a)
 - 1 additional canopy tree and modification of understory planting, such that they are between 25 and 75% percent evergreens, in northern perimeter area planting, per 13-1-12(4)
 - Area extending north from dumpster enclosure to driveway opening on Third St. to be landscaped and protected by curbing.
2. Final monument sign location to be determined through sign permitting process, to include determination of vision control area by DPW.
3. All mechanical equipment & dumpster enclosure to be fully enclosed per 13-1-12(f)(5-6) and 13-1-12(e)(5). Final detail of all dumpster and mechanical equipment enclosures to be included on detail sheet.
4. Cross access easement to be drafted and recorded between 205 Milwaukee St and 405 Third St.
5. Final lighting plan, to include relocating lighting pole to not impede parking access; final height of light poles not to exceed building height, as per 13-1-12(g)
6. Final plans containing all above mentioned conditions to be submitted to and approved by Community Development staff.

The motion carried.

2. **Proposed Amendments to Title 13 of the Menasha Code of Ordinances pertaining to Shoreland Use and Development; Menasha Ordinance 13-1-13**

CDD Keil reported that the proposed amendments were necessitated by statutory amendments to shoreland zoning attributable to Wisconsin Act 80. Significant changes in the proposed ordinance are the reduction in the required shoreland setback from 75 feet to 50 feet for portions of the city that were annexed after May 7, 1982, and the establishment of requirements for maintenance of shoreland vegetation along the shoreline and extending 35 feet inland from the ordinary high water mark. Commissioners discussed:

- The applicability of the maintenance of shoreland vegetation in existing developed areas and the enforcement of those requirements.
- The impact the reduction of shoreland setbacks would have on development.
- The applicability of the requirements to areas that were in the city prior to May 8, 1982.

Motion by DPW Radtke, seconded by Comm. Schmidt to recommend approval of the proposed amendments to Title 13 of the Menasha Code of Ordinances pertaining to shoreland use and development. The motion carried.

3. **Re-plat of Ponds of Menasha**

CDD Keil stated that the replat of the lots adjoining Outlot 2 of CSM 3277 is proposed as a means for the Redevelopment Authority of the City of Menasha to divest itself of property that serves no interest of the RDA. He went on to review the history and current status of the pond that is located in the outlot. The outlot is owned by RDA and is abutted by nine lots in the Ponds of Menasha plat and two lots in the Lake Park Villas plat. Options that have been explored include creating a separate HOA comprised of abutting lots to manage the pond, transferring the outlot to the Lake Park Villas Homeowners Association to manage, dividing the

outlot among the adjoining lots and transferring ownership to the lot owners either with the pond intact or filling the pond in. The owners of the Ponds of Menasha plat are opposed to creating a separate HOA that would impact the lots in that plat.

Residents of the Lake Park Villas plat residing in proximity to the pond expressed a strong desire to keep the pond more or less as-is, and cited its aesthetic and wildlife values. They also stated that they paid a premium price for their lots due to proximity to the ponds and that their property values would be adversely impacted if the pond is filled in.

Plan Commissioners were supportive of retaining the pond with the consensus being that the homeowners should work with the RDA and the owners of the Ponds of Menasha plat to come to an acceptable solution.

H. ADJOURNMENT

Motion by Comm. Decoster, seconded by DPW Radtke to adjourn at 5:35 PM. The motion carried.

Minutes respectfully submitted by CDD Keil.

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

April 23, 2014

Draft

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 8:02 a.m., with Commissioners Roy Kordus, Don Merkes, Joanne Roush, and Dan Zelinski present on roll call. Also present were Melanie Krause, General Manager; Steve Grenell, Project Engineer; Kristin Hubertus, Business Operations Accountant; Paula Maurer, Customer Services Manager; and Lonnie Pichler, Distribution & Utility Services Manager.

Those absent were Tim Gosz, Water Plant Supervisor and John Teale, Technical Services Engineer.

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

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

- A. Minutes of the Regular Meeting of February 26, 2014
- B. Minutes of the Special Joint Commission/Common Council Meeting of February 27, 2014
- C. Minutes of the Closed Sessions of December 18, 2013, January 29, February 7, and February 26, 2014
- D. Approve and warrant payments summarized by checks dated March 6-26, 2014, which includes Net Payroll Voucher Checks and Operation and Maintenance Voucher Checks for a total of \$802,368.44, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call
- E. Approve and warrant payments summarized by checks dated April 3-23, 2014, which includes Net Payroll Voucher Checks; Void O & M Checks #046828-046829, and Operation and Maintenance Voucher Checks for a total of \$762,628.05, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call
- F. Correspondence March as listed:
 - Copy of letter from WPPI Energy dated January 31 RE: Selection of Technical Services Engineer Teale for a 3 year term on the Information Technology Advisory Group (ITAG).
 - Copy of letter from WPPI Energy dated January 31 RE: Selection of Customer Services Manager Maurer for a 3 year term on the Energy Services Advisory Group (ESAG).
 - Copy of Invitation from WPPI Energy RE: 2014 Regional Power Dinner date and locations.
 - Copy of letter from Donald Merkes, Mayor dated March 17 RE: APPA Legislative Rally.
 - Copy of letter from Arbor Day Foundation dated March 25 RE: Menasha Utilities recognition as a Tree Line USA for the second year in a row.
- G. Correspondence April as listed:
 - Correspondence Summary for the Meeting of April 23, 2014

Copy of letter dated April 7 to the Public Service Commission of Wisconsin Re: Filing of the Wisconsin Electric Boundary Agreement.

Copy of News Release submitted to the Post Crescent RE: Recognition of Menasha Utilities receiving first place for its outstanding safety record during National Lineman Appreciation Day.

Copy of News Release submitted to the Post Crescent RE: Menasha Utilities earning the American Public Power Association's Safety Award of Excellence in 2013.

Copy of News Release submitted to the Post Crescent RE: Menasha Utilities receiving the Reliable Public Power Provider (RP₃) designation from the American Public Power Association.

Copy of letter dated March 2014 from WPPI Energy RE: Member Dividend Report.

Copy of MEUW 85th Annual Conference agenda and registration materials.

Copy of email dated April 10 from Mayor Don Merkes RE: Registration for Municipal Sustainability Event with Torbjorn Lahti on April 29, 2014.

Commissioners congratulated the linemen, on receiving recognition during National Lineman Appreciation Day. Congratulation was also given to the entire Utility for receiving the American Public Power Association's Safety Award of Excellence and the Reliable Public Power Provider designation from the American Public Power Association.

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

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

The motion by Comm. Roush, Seconded by Comm. Kordus was unanimous on roll call to approve the purchase orders as presented, which include PO #7851 to Don Heitpas & Sons in the amount of \$24,122.88 for emergency main break and drilling work for February.

Item VI. Unfinished Business, Source Water Study Update – An outline of communication between Gary Rosenbeck, of McMahan, and Larry Landness, of the DNR, regarding parameter testing changes and method of analysis was discussed. A report from the University of Wisconsin-Milwaukee on the analysis of water samples collected was included. The Source Water Study will continue through May.

UW Milwaukee Invoice – Invoice #3310 from the University of Wisconsin–Milwaukee, in the amount of \$27,899.00, will be adjusted to reflect the amount on the purchase order.

Performance Evaluations/Merit Pay –Modifications to the Performance Evaluation form along with a proposed Merit Based Pay System was presented. A timeline was included which will allow the setting of goals and objectives to be tied to budgeted projects.

Commissioners requested that management monitor the process in order to make modifications if needed.

The motion by Comm. Roush, Seconded by Comm. Allwardt was passed on roll call (3 – 2), to approve the Performance Evaluation and Merit Based Pay System as presented. Commissioners Kordus, Roush, Allwardt voted yes, Commissioners Zelinski, Merkes voted no.

Milsoft Training Update – Project Engineer Grenell reported on Milsoft’s Windmill software training he attended in March. Windmill is an electric distribution modeling software that will be used to do a variety of tasks such as short-circuit calculations, fault currents, arc flash, and relay fuse coordination.

Item VII. New Business, 2013 Audit – The Utilities received a clean opinion with no reported instances of non-compliance on its financial statements.

The largest change noted was the decrease of \$10,408,416 in the property held for sale because of the Steam Plant value being lowered to a more realizable value which was based off the RFP process.

The motion by Comm. Allwardt, seconded by Comm. Zelinski was unanimous to accept the 2013 audit.

Year-End Reliability Report – A total of 29 outages occurred in 2013 as compared to 35 for 2012. Although the number of outages dropped for the year, an outage that accounted for 61% or the total customer minutes decreased our reliability index percentage by .001. Menasha Utilities still comes in above the National and Regional averages provided by APPA.

APPA Engineering & Operations Conference – Distribution & Utility Services Manager Pichler reported on the APPA Engineering & Operations Conference he attended in April through a scholarship from WPPI.

Item VIII. Strategic Reports, February Monthly Strategic Objective Update – The capped Marquette St. water main, damaged from freezing, is being scheduled for replacement.

March Monthly Strategic Objective Update – Due to weather related water emergencies, there were no water disconnections done in March.

February Financial and Project Status Reports – Electric consumption increased 4.7% compared to budget, however, revenues are down because of the DCA & ECA negative rates. Cost of power was \$5.66/MWh less than budget.

Water usage increased 7.5% overall compared to budget. Distribution expenses are higher than budget due to additional hours charged for repairing mains and valves damaged by freezing; an outside contractor was used to assist with repairs.

Steam Utility administrative expenses are for showing the facility to outside parties. The Steam Plant cash reserves are depleted and will be assessed.

March Financial and Project Status Reports – Electric consumption increased 3.65% compared to budget, however, revenues continue to be down because of the DCA & ECA negative rates. Cost of power was \$4.44/MWh less than budget. Distribution expenses are less than budget due to timing issues with tree trimming expenses but will increase in the coming months as the expenses are recognized.

Water usage increased by 5.91% compared to budget mainly due to the Resale customer class consuming more water. Distribution expenses continue to be higher because of additional labor hours and outside contractor expense charged to repairing mains and valves damaged by freezing.

Energy Services budgeted amount reflects bulb replacement expenses that have been carried forward for several years. Staff is looking for a vendor that can supply the bulbs required to complete the project.

Steam Utility administrative expenses are for showing the facility to outside parties. Supplies expenses are for boiler chemicals purchased for heating the plant.

After discussion, the Commission accepted the February & March Financial and Project Status Reports as presented.

C. Project Reports, Water Plant Projects – Vibrations were noticed when the number 4 High Lift Pump was started; staff is working on resolving the issue. The Ethernet interface, which is needed for the SCADA upgrade, is complete along with the Alum Pump upgrade. Low lift Pump design specs are expected to be sent to the DNR in April and bidding for the project is expected to begin in May. Frontrange is scheduled to finish the west wall of the high lift station; quotes for the east wall of the high lift station will begin in May.

Metering Practice & Plan – Additional meter testing with Chapman is scheduled for May; staff is working on plans for changing out meters; and there were no material findings on the PSC electric billing audit.

Steam Plant RFP – On April 21 the City Council approved an agreement on the sale of the Steam Plant. The agreement has now been sent to the City of Menasha's legal department.

Water Distribution Update – During the 1st quarter of the year, there were 30 main breaks and 43 customer freeze ups due to the weather; costs incurred thus far come to approximately \$187,000. Documentation will be sent to Emergency Management for potential funding.

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

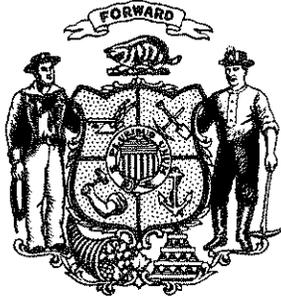
A. Item X. The motion by Comm. Merkes, seconded by Comm. Zelinski, was unanimously approved on roll call to convene into Closed Session pursuant to Section 19.85 (1) (e), of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and (f) of the Wisconsin Statutes for the purpose of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. RE: Delinquent Accounts

By: MARK L. ALLWARDT
President

DAN ZELINSKI
Secretary

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

State of Wisconsin



2013 Assembly Bill 598

Date of enactment: April 8, 2014
Date of publication*: April 9, 2014

2013 WISCONSIN ACT 222

AN ACT to amend 66.0715 (3) (b); and to create 66.0602 (3) (d) 6. of the statutes; relating to: changing the method for charging interest that may be charged on special assessments and creating an exception for local levy limits.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 66.0602 (3) (d) 6. of the statutes is created to read:

66.0602 (3) (d) 6. The limit otherwise applicable under this section does not apply to the amount that a political subdivision levies to make up any revenue shortfall for the debt service on a special assessment B bond issued under s. 66.0713 (4).

SECTION 2. 66.0715 (3) (b) of the statutes is amended to read:

66.0715 (3) (b) ~~The first installment shall include a proportionate part of the installment payments of principal of the special assessment, determined by the number of installments, together with and interest on the whole assessment from a date, not before the date of the notice under par. (e), and to that date, not later than Decem-~~

~~ber 31, in the year in which the installment is to be collected as determined shall be structured by the governing body. Each subsequent installment shall include the same proportion of the principal and one year's interest on the unpaid portion of the assessment. The interest rate shall be set by the governing body, and may include an administrative fee of not more than 2 percent. The interest rate set under this paragraph may not be changed during the course of the installment payments for a particular special assessment.~~

SECTION 4. Initial applicability.

(1) The treatment of section 66.0715 (3) (b) of the statutes first applies to a special assessment that is imposed on the effective date of this subsection.

(2) The treatment of section 66.0602 (3) (d) 6. of the statutes first applies to the levy that is imposed in December 2013.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

MARK L. HARRIS
County Executive

112 OTTER AVE., P. O. BOX 2808
OSHKOSH, WISCONSIN 54903-2808



OSHKOSH (920) 232-3450
FOX CITIES (920) 727-2880
FAX (920) 232-3429

Winnebago County
Office of the County Executive

May 7, 2014

Mayor Don Merkes
City of Menasha
140 Main St.
Menasha, WI.54952

Dear Don:

The County Board at its meeting on May 6, 2014 approved your appointment to the East Central Wisconsin Regional Planning Commission.

A copy of my appointment letter is enclosed.

Thank you for your interest in serving Winnebago County.

Sincerely

A handwritten signature in black ink that reads "Mark L. Harris". The signature is written in a cursive, flowing style.

Mark L. Harris
MLH/jpf

CC: East Central Wisconsin Regional Planning Commission

MARK L. HARRIS
County Executive

112 OTTER AVE., P. O. BOX 2808
OSHKOSH, WISCONSIN 54903-2808



OSHKOSH (920) 232-3450
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FAX (920) 232-3429

Winnebago County
Office of the County Executive

TO: Members of the Winnebago County Board
FROM: Mark L. Harris
DATE: May 6, 2014
SUBJECT: Appointments to the **EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION.**

Subject to your approval, I am hereby making the following appointments to the **EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION.**

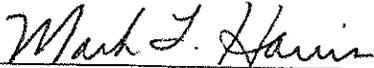
Mayor Don Merkes
City of Menasha
140 Main St.
Menasha, WI. 54952

Ken Robl
379 Foster Street
Oshkosh, WI. 54902

Mayor Merkes will replace Jim Erdman who term has expired.

These are two (2) year terms which will expire April 30, 2016.

Thank you in advance for your favorable consideration of these appointments.


Mark L. Harris, County Executive

MLH/jpf
CC: County Clerk
East Central Wisconsin Regional Planning Commission

May 9, 2014

Brendon Ribble
1308 Oneida Road
Menasha, WI 54952

Dear Mr. Ribble:

At its May 5, 2014 meeting the Menasha Common Council directed city staff to invite parties who would potentially be involved with or impacted by the development of the Ribble property to a workshop session on Monday, May 19, 2014 at 5:15 p.m. in the Council Chambers of City Hall located at 140 Main Street. The purpose of this workshop is to provide a forum for interaction amongst the parties and to inform the Common Council of issues and concerns relating to the development of the individual properties. The desired outcome is to identify a mutually agreeable approach to the platting and development of the land. In furtherance of this objective, it will be necessary to identify specific undertakings by the respective parties to achieve the efficient and timely development of the properties.

Please confirm your intentions to participate by contacting City Clerk Deborah Galeazzi via phone at 920-967-3603 or via email dgaleazzi@ci.menasha.wi.us by 4:00 PM on Wednesday, May 14.

Thank you for your attention to this matter.

Sincerely,

Deborah A. Galeazzi
Clerk

C: Common Council



MEMORANDUM

DATE: May 13, 2014

TO: Common Council

PA

FROM: Pamela A. Captain, City Attorney

RE: Correction of RESOLUTION R-8-14

Please be advised of the discovery of a scrivener's error in the "NOW THEREFORE, BE IT RESOLVED" paragraph of RESOLUTION R-8-14, RESOLUTION VACATING A PORTION OF GEORGETOWN PLACE adopted by the Common Council at its May 5, 2014 meeting. A copy of the Resolution along with the correction is attached. The item was properly noticed on the May 5th agenda and the legal description within the Resolution is correct.

An amendment to the May 5, 2014 minutes is requested acknowledging the error and subsequent correction to RESOLUTION R-8-14 that a portion of Georgetown Place was discontinued.

RESOLUTION R-8-14

RESOLUTION VACATING A PORTION OF GEORGETOWN PLACE

Introduced by Ald. Englebert

WHEREAS, the Common Council of the City of Menasha has approve The Ponds of Menasha plat; and,

WHEREAS, that plat includes dedicated street right of way designating Fox Tail Lane that provides access from the Lake Park Villas plat to the west; and,

WHEREAS, the access to the west associated with the extension of Georgetown Place is no longer necessary; and,

WHEREAS, a public hearing was held on May 5, 2014;

NOW THEREFORE, BE IT RESOLVED pursuant to Wisconsin Statute 66.1003(4)(a) that the Common Council with the Mayor concurring finds and determines that it is in the public interest to discontinue that portion of the ~~Canal Street~~ Georgetown Place right of way described as follows:

Located in part of the Southwest 1/4 of the Northeast 1/4 of Section 17, T20N, R18E, City of Menasha, Calumet County, Wisconsin, more particularly described as follows:

Commencing at the North 1/4 Corner of said Section 17; thence, along the East line of the Northeast 1/4 of said Section; S00°20'02"W 1343.16 feet; thence S89°39'58"E 725.34 feet to the Northwest corner of Lot 54 of Lake Park Villas, the point of beginning; thence N29°45'29"E 50.00 feet to a point on the Northerly right of way line of Georgetown Place; thence, 52.80 feet along an arc of a curve to the right, with a radius of 475.00 feet and a chord of 52.77 feet which bears S57°03'28"E; thence continuing along said Northerly right of way line, 45.55 feet along an arc of a curve to the left, with a radius of 30.00 feet and a chord of 41.30 feet which bears N82°37'48"E to a point on the Westerly right of way line of Fountain Way; thence, 124.52 feet along an arc of a curve to the left, with a radius of 80.00 feet and a chord of 112.32 feet which bears S05°57'16"E to a point on the Southerly right of way line of Georgetown Place; thence along said Southerly right of way line, 7.06 feet along the arc of a curve to the right, with a radius of 450.00 feet and a chord of 7.06 feet which bears N50°05'32"W; thence continuing along said Southerly line, 18.17 feet along the arc of a curve to the left, with a radius of 24.00 feet and a chord of 17.74 feet which bears N71°19'54"W; thence continuing along said Southerly line, 67.19 feet along the arc of a curve to the right, with a radius of 46.00 feet and a chord of 61.37 feet which bears N51°10'39"W; thence continuing along said Southerly line, 18.47 feet along the arc of a curve to the left, with a radius of 24.00 feet and a chord of 18.02 feet which bears N31°22'48"W; thence continuing along said Southerly line, 50.56 feet along the arc of a curve to the left, with a radius of 425.00 feet and a chord of 50.53 feet which bears N56°50'01"W to the point of beginning.

BE IT FURTHER RESOLVED that these described lands are vacated and discontinued.

Passed and approved this 5th day of May, 2014.

ATTEST:

Donald Merkes, Mayor

Deborah A. Galeazzi, Clerk



Memorandum

TO: Mayor Don Merkes
Menasha Common Council

FROM: Al Auxier, Chief

DATE: May 13, 2014

RE: 2014 Firefighter of the Year Award

I am pleased to announce the Fraternal Order of Eagles, Wisconsin State Aerie, has selected one of our Firefighters, Tim Patterson, as the Wisconsin State Aerie Firefighter of the Year. Tim has proven to be an extremely valuable asset to NMFR in many different ways. He is a member of our Fire Prevention/Public Education Bureau and is one of six highly skilled individuals that complete our fire inspections of buildings in the Cities of Neenah and Menasha. He also assists, and helps lead, our Fire Investigation Team. The skill and knowledge that he possesses has earned him the trust and respect from not only myself but also everyone at NMFR.

Although committed to our Department, Tim's talents do not stop there. He has dedicated much of his time and energy to charity fundraising over the last several years. His interest in bicycling, and passion for promoting health/wellness, led him to develop the Backdraft Bike Tour. With proceeds from this event being donated to Wisconsin Alliance for Fire Safety's Summer Camp for burn injured youth.

Tim will receive the award, and formal recognition, at their annual meeting on June 21, 2014. Please join me in congratulating Tim as being selected by the Fraternal Order of Eagles, Wisconsin State Aerie as their Wisconsin State Aerie Firefighter of the Year for 2014.



Memorandum

DATE: May 14, 2014

TO: Menasha Common Council

FROM: Mark Radtke, Public Works Director *MR*

RE: Midway Road Safety – Sight Distance Improvements

The City of Appleton Traffic Engineering Section completed a safety review of Midway Road from Oneida Street to Plank Road in 2013 in response to a City resolution identifying several safety concerns along this corridor. Attached is a copy of the original report dated December 3, 2013 and an updated report in the form of a letter to me dated April 18, 2014. The Calumet County Highway Commissioner also received a copy of the April 18th letter.

The traffic study recommends sight line improvements through the clearing of obstructions at several intersections, including the intersection with Southfield Drive in Menasha. There also is a recommendation for adding pedestrian refuge islands at several locations, including both sides of Midway Road at Southfield Drive.

Appleton is proposing a 75%/25% local/County cost share for the recommended improvements along Midway Road. Calumet County Highway Committee has recommended approval of the County's share for this work, scheduled for 2015 or 2016. The City of Menasha's share would be half of the local cost for the improvements at the Southfield Drive/Hemlock Lane intersection with Midway Road. This is estimated to be \$51,562. I will be placing this in the draft Five Year Capital Improvement Plan which will be submitted to the Common Council for its review and consideration later this year.

Enclosures



"... meeting community needs ... enhancing quality of life."

DEPARTMENT OF PUBLIC WORKS
Engineering Division – Traffic Section
 2625 E. Glendale Avenue
 Appleton, WI 54911
 TEL (920) 832-5580
 FAX (920) 832-5570

April 18, 2014

Mr. Mark Radtke
 City of Menasha – Dept. of Public Works
 140 Main Street
 Menasha, WI 54952

Dear Mark:

Please consider this as a follow-up to our meeting earlier this week. As we discussed, my office recently completed a safety/operations review of the Midway Road (CTH AP) corridor between Oneida St (USH 10) and Plank Road (see Figure 1), with particular attention paid to pedestrian safety concerns. This review ultimately identified problems at three intersections (Southfield, Woodcrest & Barker).

Our proposed improvements (see attached) would bring these intersections up to current design standards by improving driver and pedestrian sight lines and by the addition of pedestrian refuge islands. The total estimated cost for the project is \$275,000. We would seek to complete the project during the summer of 2015 so as to avoid traffic conflicts with other nearby construction projects in 2016 and 2017.

While our intention would be for Appleton to be the lead agency and to provide the necessary engineering and construction oversight, we respectfully request that the City of Menasha contribute 37.5% of the overall actual construction cost at the Southfield intersection as noted in the table below. We will also be seeking to partner with the Calumet County on the project.

Proposed Overall Cost Sharing

Agency	Southfield/Hemlock Intersection (Total Est Cost = \$137,500)		Barker Intersection (Total Est Cost = \$137,500)	
	Share (%)	Cost (\$)	Share (%)	Cost (\$)
City of Appleton	37.5	51,563	75.0	103,125
Calumet County	25.0	34,375	25.0	34,375
City of Menasha	37.5	51,562	0	0
TOTAL	100.0	137,500	100.0	137,500

I look forward to your response. Please feel free to contact me with any questions or concerns you may have.

Sincerely,

ERIC S. LOM, P.E.
 City Traffic Engineer
 eric.lom@appleton.org

Enclosures

FIGURE 4a

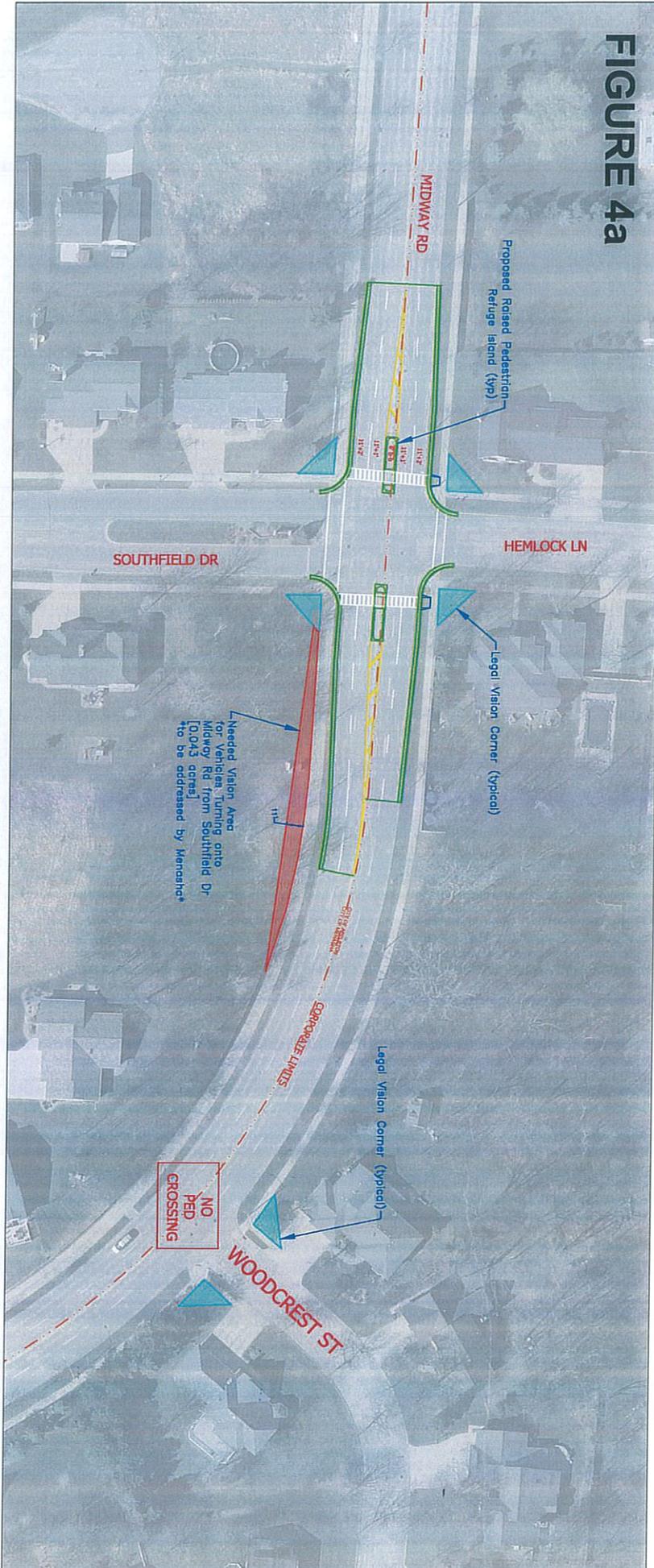
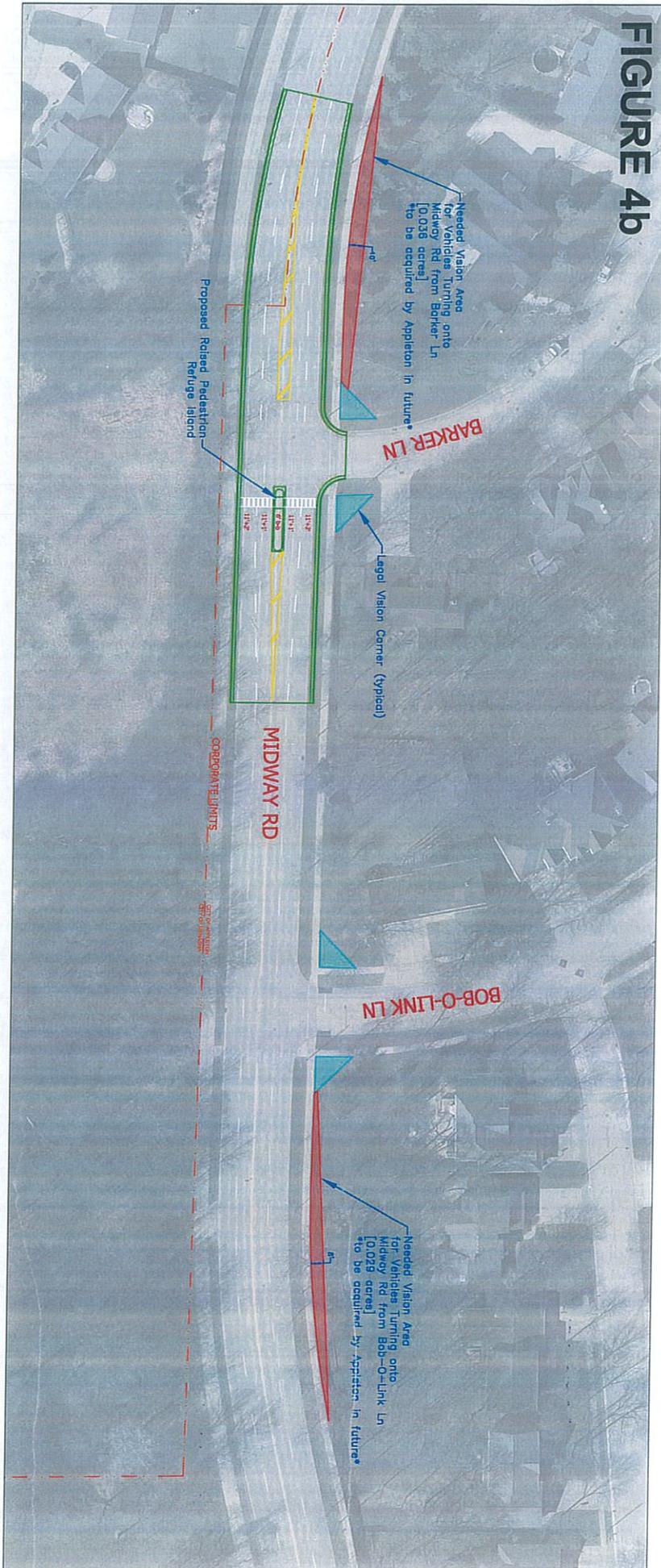


FIGURE 4b





"... meeting community needs ... enhancing quality of life."

DEPARTMENT OF PUBLIC WORKS
Engineering Division – Traffic Section
2625 E. Glendale Avenue
Appleton, WI 54911
TEL (920) 832-5580
FAX (920) 832-5570

To: Municipal Services Committee
From: Eric S. Lom, City Traffic Engineer
Date: December 3, 2013
Re: Midway Road Safety Review (*Resolution #16-R-13/Jirschele*)

This memo is in response to Resolution #16-R-13/Jirschele: "Whereas Midway Road from Oneida Street to Lake Park Road has become a major and highly trafficked thoroughfare for Appleton, Menasha and Calumet County, and winds through residential areas, and Whereas Residents are concerned about vehicle speeds, pedestrian safety and property configurations along this route, and Whereas Ordinance design and application may not have kept pace with the growth of residential areas, traffic volume and type, and pedestrian uses, Be It Resolved That the City of Appleton lead a comprehensive review of the Midway Road corridor, to be accomplished by ~~September 1~~ December 10, 2013, and suspend property-related, roadway-ordinance enforcement along the corridor pending the results of the review"

General

In response to the resolution, the Traffic Section initiated a safety/operations review of the Midway Road (CTH AP) corridor between Oneida St (USH 10) and Plank Road (see Figure 1), with particular attention paid to pedestrian safety concerns.

This portion of Midway Road (CTH AP) is a critical link in the region's transportation infrastructure. It is located within the City of Appleton and the City of Menasha, but is under the jurisdictional control of Calumet County because of its county highway designation. While it currently handles 7,000 to 9,000 vehicles per day, Midway Road is designed to handle over 20,000 vehicles per day. Incremental increases in traffic volume are anticipated over time as development occurs in the region.

Sight Line Issues

The horizontal alignment of the roadway includes a number of curves which, in combination with adjacent development (including vegetation, fences and berms), creates a number of challenges for pedestrians and motorists as they attempt to turn onto and/or cross Midway Road. Specifically, our analysis identified the following concerns (see Figure 2):

1. Intersection Sight Lines (aka Vision Triangles)

Drivers and pedestrians have inadequate lines of sight in order to safely interact with each other at intersections: In many cases, these issues could be corrected by enforcement of the City's existing vision corner ordinance (Section 10-10 of the City's Municipal Code), which limits the types of vegetation and structures that can be located within the established 25' x 25' vision triangle at intersections (see Figure 3).

2. Pedestrian Sight Lines at Intersections

Based on a particular roadway's characteristics (such as width and prevailing traffic speed), pedestrians require a certain gap in traffic in order to safely cross. In order for this to be possible, pedestrians must be able to spot oncoming traffic from a certain minimum distance (referred to as their "line of sight"). Some pedestrian sight lines at three of the Midway Road intersections are far below minimum standards. There are several techniques that could be used to improve the pedestrian sight lines at these locations, including: 1)

removal of vegetation and improvements in the vision areas, 2) reduction of prevailing vehicle speeds (we believe this to be impractical based on the results of speed studies that have been conducted), 3) elimination of certain pedestrian crossings, and/or 4) reducing the length of the pedestrian crossing.

3. Sight Lines for Drivers Crossing or Turning onto Midway Road

Based on a particular roadway's characteristics, drivers on side streets require a certain gap in traffic in order to safely cross or turn onto the main street. In order for this to be possible, drivers must be able to spot oncoming traffic from a certain minimum distance (referred to as their "line of sight"). Some Midway Road side street sight lines are slightly below minimum standards. There are two primary techniques that could be used to improve driver sight lines at these locations, including: 1) removal of vegetation and improvements in the vision areas, or 2) reduction of prevailing vehicle speeds (again, we believe this to be impractical based on the results of speed studies that have been conducted).

Recommendation

Our review identified a number of deficiencies that should eventually be addressed in an effort to improve safety and walkability. They are as follows:

1. Enforce the City's existing vision corner ordinance (Section 10-10 of the City's Municipal Code) at all intersections along the corridor as a means of providing a minimal sight distance for drivers and bikers/pedestrians to safely interact with one another. In addition, work with the City of Menasha to address vision corner obstructions within their corporate limits as necessary.
2. Narrow the Midway Road traffic lanes and install raised pedestrian refuge islands at the Hemlock/Southfield and Barker intersections. This improvement would provide pedestrians with adequate sight lines by reducing the effective crossing widths. The cost associated with this work would range from \$150k to 250k and could be coordinated with upcoming projects in the area. We would anticipate working with Calumet County and the City of Menasha to develop a cost sharing agreement.
3. Prohibit Midway Road pedestrian crossings at the Woodcrest Dr intersection. While little benefit is gained by allowing pedestrians to cross at this intersection (pedestrians can easily cross at nearby intersections without going much out of their way), the costs associated with up fitting this intersection with pedestrian refuge islands would be extremely high due to its proximity to adjacent intersections (in effect, a raised median island would need to be installed along the entire length of Midway Road from Hemlock/Southfield to Barker).
4. While intersection crash rates are currently at acceptable levels in the area in question, we recommend the City consider purchasing a small amount of right-of-way in certain areas in order to allow for adequate sight distances (these areas are identified in red on Figure 4) in anticipation of increased traffic volumes in the future. Once purchased, any fences or other obstructions within the areas in question would need to be removed or relocated.

Figure 1
Study Area



Figure 3

City of Appleton Vision Corner Requirements (Residential Zoning)

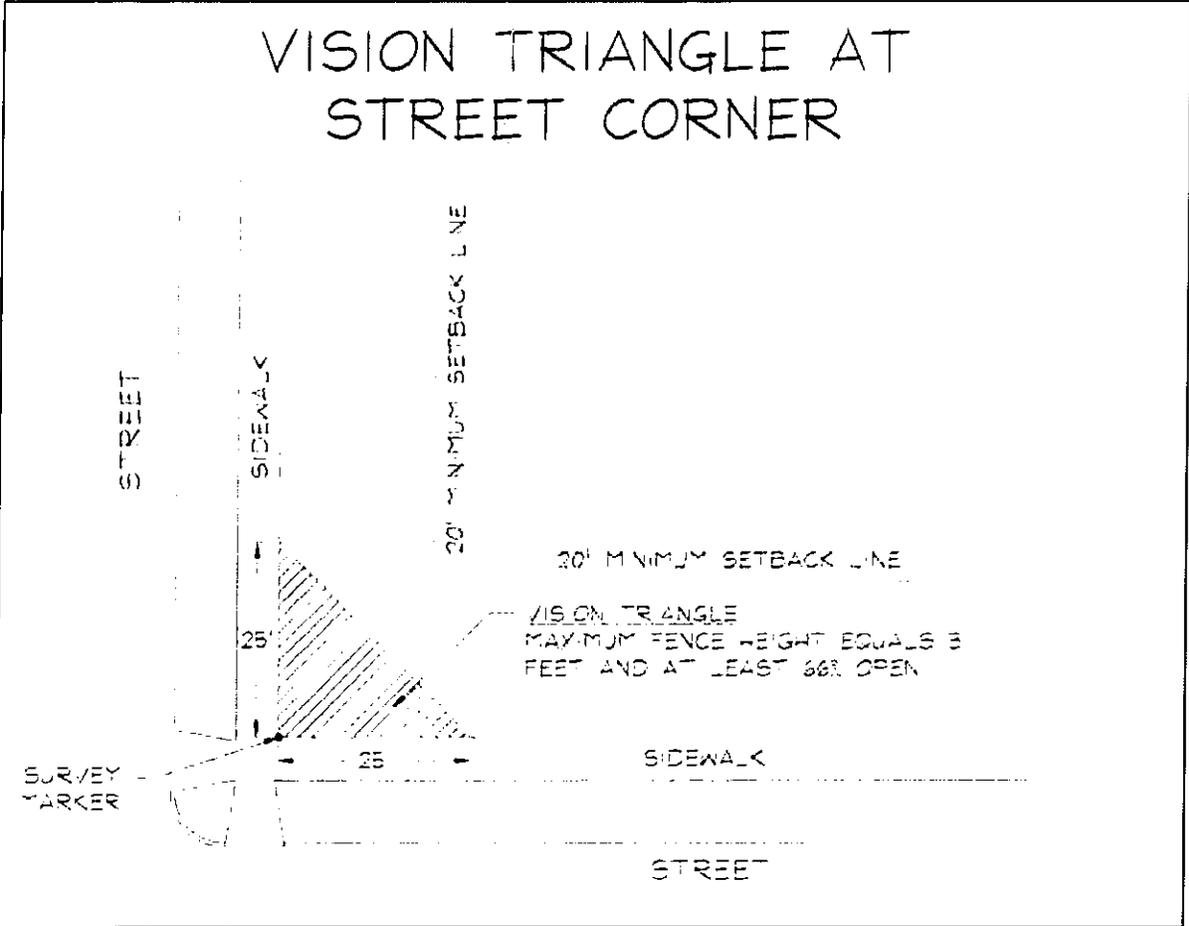


FIGURE 4

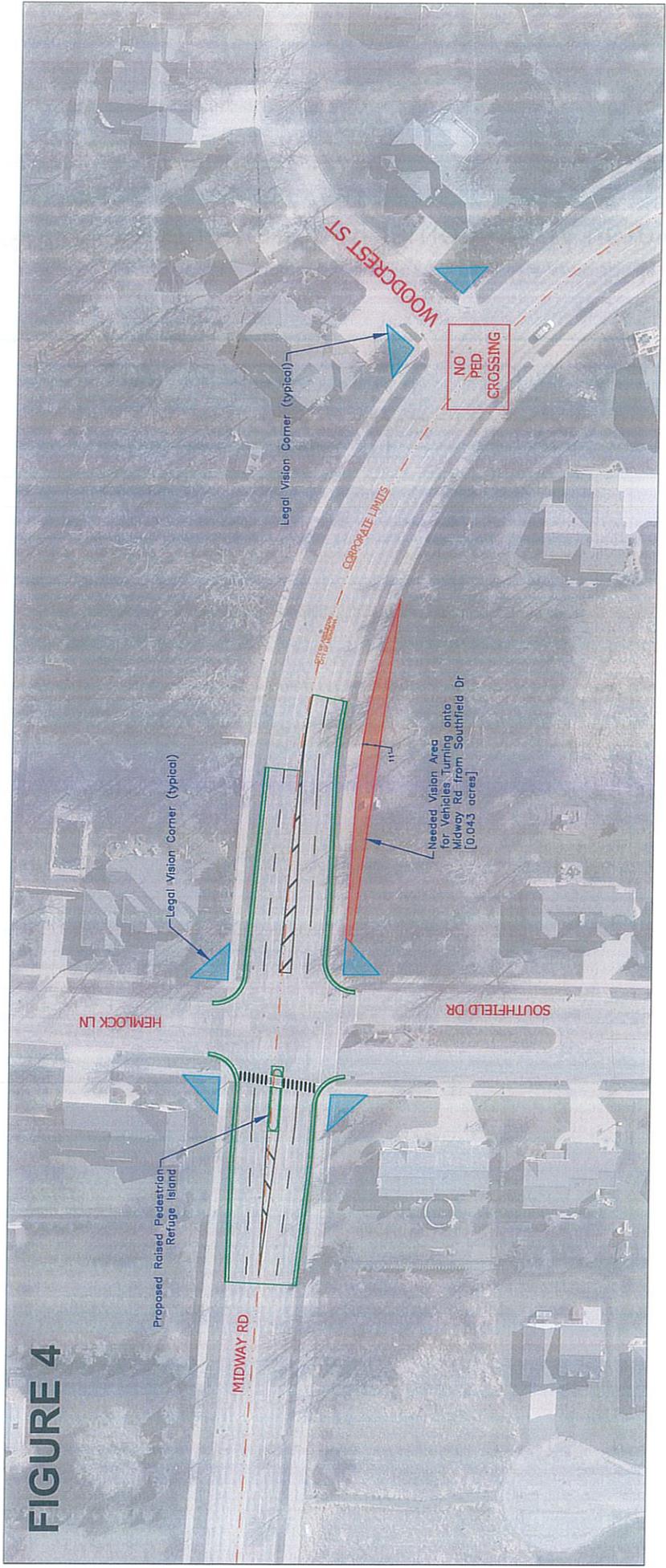
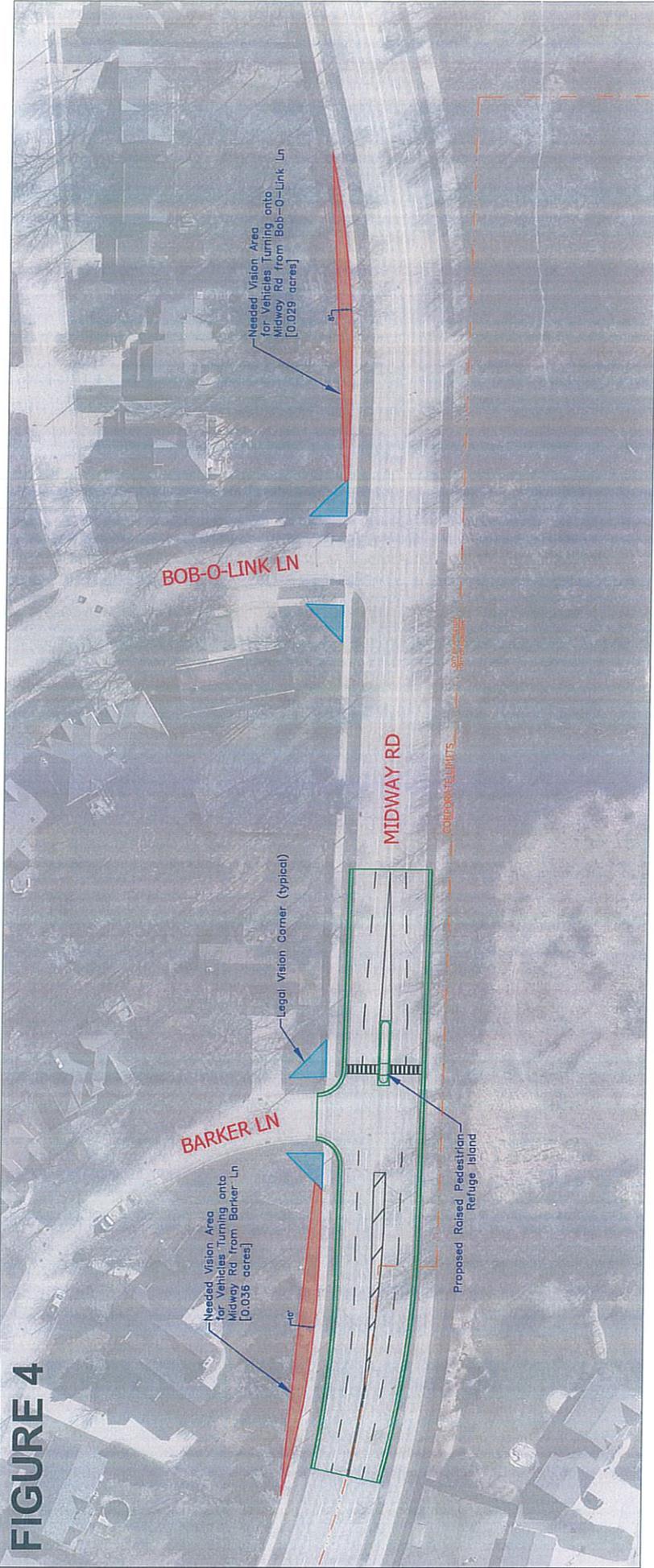


FIGURE 4



Menasha Tayco Street Bridge Museum Grand Re-Opening

Monday, May 19th:
4:45 Meet and Greet
5:00 Ribbon Cutting
Ceremony



City of Menasha
Community
Development
Department and
Menasha Landmarks
Commission

Phone:
920-967-3656
E-mail:
kenglebert@ci.menasha.wi.us



Come celebrate the grand re-opening of the historic Tayco Street Bridge Museum! Constructed in 1929, the four towers have served as an integral part of Menasha's Fox River land and water transportation systems. The museum was originally opened in 1995 and details much of the early history of Menasha's waterfront area.

Special Thanks To:
Menasha Landmarks Commission
Alderman Stan Sevenich
Reboot & R3NEW Recycling
Appleton Makerspace
UW Fox Valley



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

DATE: May 14, 2014
TO: Mayor Don Merkes and City of Menasha Common Council
FROM: Jennifer Semrau, Recycling Specialist JS.
RE: Recent Reader Question/*Post Crescent* Article on Plastics Recycling

The purpose of this correspondence is to clarify the recent reader question/*Post Crescent* article related to plastics recycling (copy enclosed). As you know, the Tri-County Single Stream Recycling Facility (jointly owned/operated by Brown, Outagamie and Winnebago Counties) is currently expanding its processing capabilities to add new materials. This expansion is made possible by the regional growth of the facility, from accepting approximately 52,000 tons of recyclables in 2011 to over 82,000 tons in 2013. With that growth has come more efficient use of the original capital investment and greater economies of scale necessary to invest in additional sorting and baling equipment for added materials. The project should be completed by late summer, with an educational campaign this fall to inform residents of the new materials they can recycle. The educational campaign on the new materials will include:

- Cartons (Milk, juice, soup, wine, etc.)
- Dairy Containers (Yogurt, sour cream, margarine, cottage cheese, etc.)
- Produce, Bakery and Deli Containers (Berry, donut, potato salad, etc.)
- Lids from Above Containers

However, on May 7th I was contacted by Duke Behnke, Watchdog Q&A Reporter for the *Post Crescent* with a reader question: "I've been saving those thin plastic strawberry and blueberry containers. Any chance they will be recyclable in the near future?" Most of the new materials identified above require new equipment (yet to be installed) in order to accept and process them. However, one exception to that is #1 PETE plastic clamshell containers (berry containers). The current optical sorter at the Facility is designed to identify and sort #1 PETE plastics, and recently our #1 PETE market has begun accepting clamshells with the bottles. This market shift essentially enables the Facility to recycle the berry containers now. As a result, in consultation with the staff at the Tri-County Recycling Facility, we decided to publically accept berry containers now, in advance of the other materials.

We hope this deviation from the plan does not create public confusion, and Mr. Behnke's article does a good job of explaining that other new materials cannot be recycled yet. The Tri-County Recycling Facility still plans to do full educational campaign in the fall with ALL the new materials, and I hope the City will aid us with your existing channels to get the word out. If you have any questions, please feel free to contact me at (920) 232-1853 or jsemrau@co.winnebago.wi.us. I also invite you to follow us on Facebook at www.facebook.com/WinnebagoCountySolidWaste.

Residents now can recycle all No. 1 plastics

Written by Duke Behnke Post-Crescent Media

May. 12

postcrescent.com

Q I've been saving those plastic strawberry and blueberry containers with the holes in them. Any chance they will be recyclable in the near future

☑ ?

A Though it hasn't been publicized, the clear-plastic, clamshell produce containers can be recycled now and should be placed with other recyclable containers for curbside collection in Outagamie, Winnebago and Brown counties.

That hasn't always been the case.

The three counties long have accepted No. 1 and No. 2 plastic narrow-neck containers, but until recently they didn't accept other No. 1 plastics like the produce containers.

“Our technology

☑ has changed and our markets have changed so we actually are able to capture berry containers,” said Jennifer Semrau, recycling specialist for Winnebago County.

More good news is on the way. The Tri-County Recycling Facility in Appleton is adding equipment to process No. 4 and No. 5 plastics in the near future. No. 4 and No. 5 plastics typically are dairy and deli tubs and lids — margarine or sour cream containers, yogurt cups and ice cream pails.

The No. 4 and No. 5 plastics cannot be recycled yet, so don't put them with your recyclables until further notice. Semrau said the counties will launch an informational campaign later this summer to tell residents exactly when they can begin to recycle No. 4 and No. 5 plastics.

The recent acceptance of all No. 1 plastics into the recycling stream will be part of the informational campaign. It wasn't announced earlier, Semrau said, because the counties plan to do only one media campaign, not two.



MEMORANDUM

Date: May 15, 2014

To: Common Council

From: Pamela A. Captain, City Attorney

RE: Update United States of America and The State of Wisconsin v. NCR Corporation et al., Case No. 10-C-910, U.S. District Court, Eastern District

STATUS OF PROPOSED CONSENT DECREE

You may recall that the Notice of Lodging of Three Proposed Consent Decrees Under the Comprehensive Environmental Response, Compensation, and Liability Act involving defendants in this case including Neenah-Menasha Sewerage Commission (NMSC), City of Appleton, CBC Coating, Inc., Menasha Corporation, U.S. Paper Mills Corporation and WTM I Company, was published in the Federal Register on April 1, 2014, Vol. 79, No. 62. The last day for comment on the proposed consent decree to be made to the U.S. Department of Justice was May 1, 2014. The following entities submitted comments: P.H. Glatfelter Co., Appvion, Inc., formerly known as Appleton Papers Inc. and NCR Corporation. We are awaiting word with respect to whether the Consent Decree associated with NMSC will be entered by the district court.

Five of the "Little Six" settling defendants, who were required by the Consent Decree to deposit their respective shares of the settlement amount into the Court Registry account, have done so. The sixth defendant requires bankruptcy court approval in order to participate in the settlement which matter is scheduled for hearing on May 27, 2014.

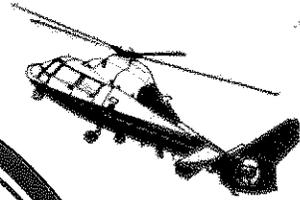
THE HOME INSURANCE COMPANY PROOF OF CLAIM

The Neenah-Menasha Sewerage Commission ("NMSC") purchased general liability insurance with policy limits of \$500,000 from the Home Insurance Company ("Home") from 1979 through 1985 under policies IST 8519251 (11/26/1979-82) and IST P195812 (11/26/1982-85). NMSC has not located copies of the Home policies. However, Risk Enterprise Management ("REM"), as manager for Home, acknowledged in a September 10, 1998 letter the existence of the policies. In follow-up to NMSC's participation in the consent decree, a Proof of Claim form was filed with The Home Insurance Company in Liquidation on or about April 18, 2014. You may recall that the company is subject to an Order of Liquidation in the Superior Court of Merrimack County, New Hampshire. After the filing of the proof of claim, The Home Insurance Company in Liquidation requested additional information with respect to the timing of the filing. NMSW responded to the inquiry and is awaiting a response.

A Bicycle Ride for Burn Injured Youth



All Riders
Receive a Free
Root Beer!
Redeem at the
Stone Cellar Tent



THE DASH STAR
Helicopter Lands
at 8:00 a.m.!

All You Can Eat
Spaghetti for all
Riders! Culvers
Ice Cream Treat
for Desert!



First 300
Registered
Riders Receive a
Water Bottle!



June 8, 2014 ~ Jefferson Park ~ Menasha

Neenah-Menasha Firefighters L-275 & Area Sponsors
Ride to Benefit Wisconsin Alliance for Fire Safety's
Summer Camp for Burn Injured Youth
100, 75, 50, 25 & 15 Mile Family Route



333A FIRST ST.
MENASHA, WI 54952



Make sure you check out the Diablo's Cycling Criterium Race going on right next to the tour's start/finish area!
Races start at 9:30 a.m. and continue until the Pros race at 5:30 p.m.! The Diablos are also a sponsor of the
Backdraft Bike Tour! www.diabloscycling.com

nmfire.org ~ active.com ~ (920) 886-6200





PROCLAMATION

National Public Works Week

May 18th - 24th 2014

WHEREAS, Public Works infrastructure, facilities and services are of vital importance to the health, safety, and well being of the people of this community; and the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs ; and

WHEREAS, the quality and effectiveness of these facilities and services, as well as their planning, design, and construction, are vitally dependent upon the efforts and skills of public works employees; and

WHEREAS, the efficiency of the qualified and dedicated employees who staff public works departments is materially influenced by the citizens' attitude and understanding of the importance of the work they perform; and

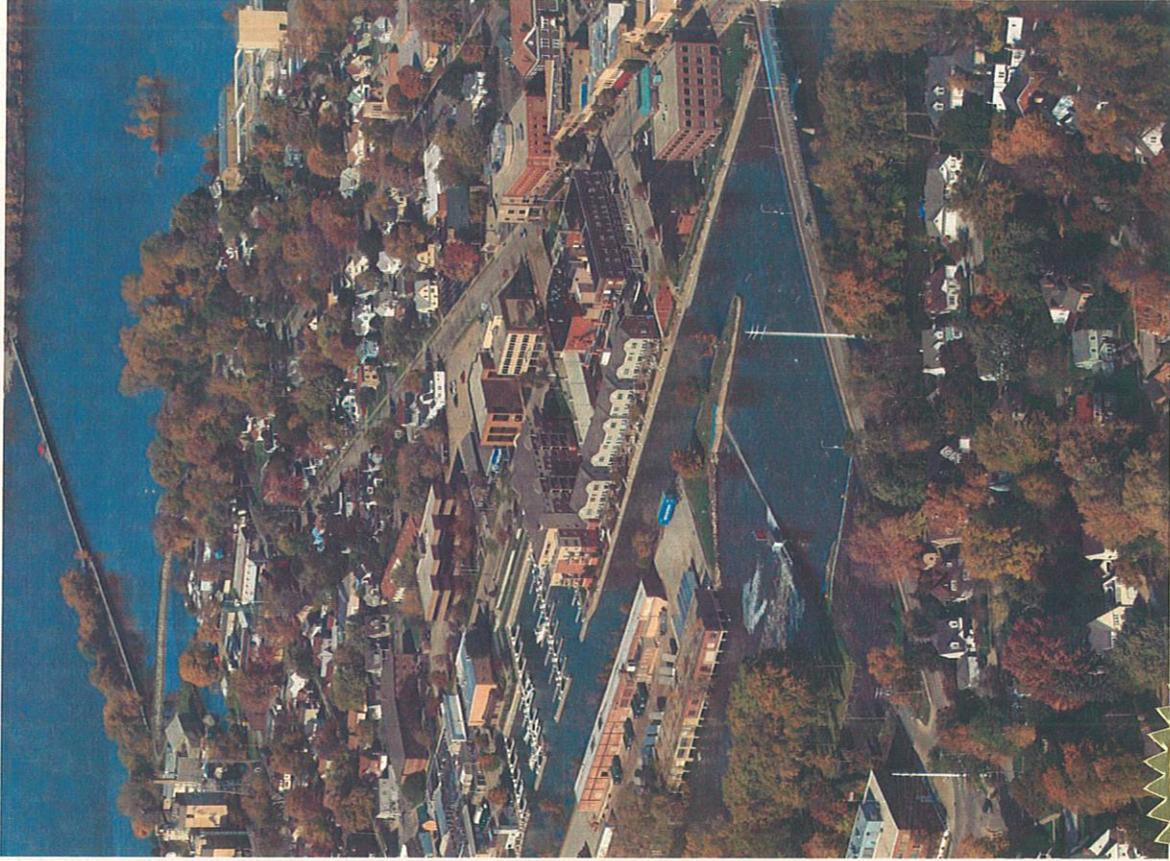
WHEREAS, it is important that our young people know that public works has rewarding careers; from the professionals who envision future communities, to the engineers who design them, to operation and maintenance the facilities, infrastructure, and systems that protect and enhance our quality of life every day; and

WHEREAS, this year's theme "Building for today, Planning for tomorrow" recognizes that what we do today is vital to a sustainable and vibrant tomorrow. Public works plays a key role in the planning, building and maintenance of infrastructure projects in their communities that will allow future generations to enjoy a higher quality of life.

NOW, THEREFORE, BE IT PROCLAIMED, that I Donald Merkes, Mayor of the City of Menasha, do hereby proclaim the week of May 18th - 24th, 2014 to be

National Public Works Week

in the City of Menasha, and call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing public services and to recognize the contributions which public works employees make every day to our health, safety, comfort, and quality of life.



Dated this 19th day of May, 2013

Donald Merkes, Mayor

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, May 5, 2014
MINUTES**

DRAFT

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Sevenich, Langdon, Keehan, Zelinski, Englebert, Benner, Nichols, Taylor
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil,
ASD Steeno, PHD Nett, PRD Tungate, LD Lenz, Clerk Galeazzi

D. PUBLIC HEARING

1. [Proposed Resolution Vacating a Portion of Georgetown Place.](#)

DPW Radtke and CDD Keil explained the reason for the vacating of a portion of Georgetown Place.

No one spoke.

Mayor closed public hearing.

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

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

Brendon Ribble, 1308 Oneida Street, Menasha. Development Agreement between City of Menasha and Ribble Trust.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

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

Minutes to receive:

- a. [Board of Health, 3/12/14.](#)
- b. [Board of Public Works, 4/21/14](#)
- c. [City Hall Safety Committee, 3/6/14.](#)
- d. [Committee on Aging, 3/13/14.](#)
- e. [Library Board of Trustees, 4/17/14.](#)
- f. [NMFR Joint Finance & Personnel Committee, 4/22/14.](#)
- g. [Personnel Committee, 4/21/14.](#)
- h. [Public Works/Parks Safety Committee, 3/27/14.](#)

Communications:

- i. [Mayor Merkes, 5/1/14, Appointment of the Weed Commissioner.](#)
- j. [ASD Steeno, 5/1/14, Public Health Director Salary Range.](#)
- k. [Proclamation - National Police Week, 5/1/14.](#)
- l. [City Clerk Galeazzi, 5/1/14, City Business Cards.](#)
- m. [Fox Cities Regional Partnership, April 2014, Investor Relations Council Quarterly Update, First Quarter, 2014.](#)
- n. [Department of Transportation, 4/23/14, Racine Street Bridge.](#)
- o. [Menasha Historical Society News, April 2014.](#)
- p. [Spring Recycling Event Results, May 2014.](#)
- q. [Tri-County Expansion Business Meeting, April 2014.](#)
- r. [League of Wisconsin Municipalities, April 2014. New Officials Workshops.](#)
- s. [Valley Transit Onboard Survey 2014.](#)
- t. [WPPI Energy Member Dividend Report, March 2014.](#)

- u. [APPA - Menasha Utilities presented the Safety Award of Excellence for 2013.](#)
- v. [APPA – Menasha Utilities earned the Reliable Public Power Provider \(RP₃\) designation.](#)

Moved by Ald. Benner, seconded by Ald. Keehan to receive Minutes and Communications A-V.
Motion carried on voice vote.

G. CONSENT AGENDA

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

Minutes to approve:

1. [Common Council, 4/21/14.](#)

Board of Public Works, 4/21/14 - Recommends the Approval of:

2. [Street Use Application – Memorial Day Parade; Monday, May 26, 2014; 8:00 AM – 10:45 AM \(Twin City Vets\).](#)
3. [Recommendation to Award – Contract Unit No. 2014-01; New Street Construction; Gamsky Grove \(Harold Drive\) and First Addition to Southfield; Northeast Asphalt; \\$381,135.20.](#)
4. [Recommendation to Defer Special Assessment for Out Lot 3, Gamsky Grove Due to Unbuildable Status.](#)

Neenah-Menasha Fire Rescue, Joint Finance & Personnel, 4/22/14 – Recommends the Approval of:

5. [The City of Menasha Common Council formally recognizes funding for potential future liability claims for Neenah-Menasha Fire Rescue would be processed through the City of Neenah’s Liability carrier, and once the claim has been finalized, the City of Menasha would pay their portion of the claim, as outlined in the current cost-sharing formula.](#)

Moved by Ald. Benner, seconded by Ald. Keehan to approve Consent Agenda Items 1-5.
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 4/23/14 to 5/1/14 in the amount of \\$808,014.56.](#)

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

General discussion ensued on expenditures.

Motion carried on roll call 8-0.

2. [Class “B” Liquor License Application of Menasha Athletic Association \(MAC\) to sell fermented malt beverages, Koslo Park Concession, May 6, 2014-October 31, 2014, Paul S. Johnson, agent.](#)

Moved by Ald. Nichols, seconded by Ald. Langdon to approve Class “B” Liquor License Application of Menasha Athletic Association (MAC) to sell fermented malt beverages at Koslo Park Concession, May 6 to October 31, 2014, Paul S. Johnson, agent.

Motion carried on roll call 8-0.

3. [Beverage Operators License Applications for the 2013-2015 licensing period.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve Beverage Operators License Applications as per memo of April 30, 2014.

Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. [R-8-14 Resolution Vacating a Portion of Georgetown Place. \(Introduced by Alderman Englebert\).](#)

Moved by Ald. Englebert, seconded by Ald. Benner to adopt R-8-14 Resolution Vacating a Portion of Georgetown Place.

Motion carried on roll call 8-0.

2. [R-13-14 Resolution Continuing Appropriations \(2013 Fund Balance Reservations\) \(Introduced by Alderman Nichols\).](#)

Moved by Ald. Nichols, seconded by Ald. Englebert to adopt R-13-14 Resolution Continuing Appropriations. (2013 Fund Balance Reservations).
Motion carried on roll call 8-0.

3. [R-14-14 Resolution Transferring/Appropriating 2013 Budget Funds. \(Introduced by Alderman Nichols\).](#)

Moved by Ald. Nichols, seconded by Ald. Englebert to adopt R-14-14 Resolution Transferring/Appropriating 2013 Budget Funds
ASD Steeno explained the timing and purpose of the resolution.
Motion carried on roll call 8-0.

4. [R-15-14 All City Track and Field Wellness Day. \(Introduced by Alderman Keehan and Alderman Sevenich\).](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to adopt R-15-14 All City Track and Field Wellness Day. John Breaker addressed the Council on the All City Track and Field event. Mr. Breaker thanked the City for its cooperation with the school district to keep the event going for 40 years.
Motion carried on roll call 8-0.

K. APPOINTMENTS

1. Reappointment of Marshall Spencer, 1237 Apple Court, Menasha, to Police Commission, for the term of May 2014-May 2019.

Moved by Ald. Benner, seconded by Ald. Englebert to approve reappointment of Marshall Spencer to Police Commission.
Motion carried on voice vote.

2. Appointment of Alison Fiebig, 400 ½ Broad Street, Menasha, to Landmarks Commission, for the term of May 2014-March 2017.

Moved by Ald. Benner, seconded by Ald. Taylor to approve appointment of Alison Fiebig to Landmarks Commission
Motion carried on voice vote.

L. HELD OVER BUSINESS

1. [Parks and Recreation Board, 4/14/14, Recommends the Approval of:](#)

a. [Planting approximately 50 trees along sections of five new city streets \(Harold Drive, Grassy Plains Drive, Grassy Meadow Lane, Prairie View Court and Ridgecrest Lane\) per the city's existing terrace tree planting policy.](#)

Moved by Ald. Benner, seconded by Ald. Englebert to approve planting approximately 50 trees along section of five new City streets (Harold Dr, Grassy Plains Dr, Grassy Meadow Ln, Prairie View Ct & Ridgecrest Ln) per the City's existing terrace tree planting policy.
General discussion ensued on the funding for the trees.
Motion carried on roll call 7-1. Ald. Zelinski voted no.

2. [Authorization to send correspondence to Brendon Ribble regarding Development Agreement Between the City of Menasha and Ralph R. Ribble and Ruth L. Ribble Revocable Trust, dated April 18, 2000.](#)

Moved by Ald. Benner, seconded by Ald. Keehan to approve authorization to send correspondence to Brendon Ribble regarding Development Agreement between the City of Menasha and Ralph R. Ribble And Ruth L. Ribble Revocable Trust, dated April 18, 2000.

General discussion ensued on the request of Brendon Ribble, responsibility of City and property owners, contacting adjacent property owners, schedule workshop with Council and property owners.

Moved by Ald. Zelinski, seconded by Ald. Langdon to amend correspondence to Brendon Ribble to include:
1) Mr. Ribble contact adjacent property owners to see if they are interested in selling; 2) All property owners interested in meeting; 3) Schedule workshop with Council and property owners.

General discussion ensued on amending correspondence to Mr. Ribble.
Ald. Zelinski and Langdon withdrew their amendment.
Original motion carried on roll call 8-0.

M. CLAIMS AGAINST THE CITY

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
(five (5) minute time limit for each person)
No one spoke.

O. ADJOURNMENT

Moved by Ald. Englebert, seconded by Ald. Benner to adjourn at 7:25 p.m.
Motion carried on voice vote.

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

City of Menasha
SPECIAL ZONING APPROVAL

Owner Community First Credit Union Case or Plan No. _____
Address P.O. Box 1487, Appleton WI 54912-1487 Fee _____
Applicant (if different than Owner) Keller, Inc. (Third Street Market)
Address 1220 South Webster Avenue, Green Bay, WI 54301
Zoning C-1 Parcel Number(s) 710019600

PLEASE INDICATE WHICH REQUEST IS BEING MADE

- Rezoning Special Use Flood Plain Map Amendment
 Appeal or Variance PUD Plan Approval

Description of Request: Property has been vacant for several years. Future owner of site would like to remodel existing structure and open a 20,000 square foot grocery store. Face lift exterior, update parking lot, update landscape and complete renovation of interior.

Owner/Agent *[Signature]* SOP BUSINESS SERVICES
Kim E. Signature VANOSDOL

(If applicable) Formal Hearing _____
Informal Hearing _____ Notice Mailed _____
Notice Mailed _____ Notice Mailed _____
Action Taken: _____ 20__

APPROVED DENIED

Conditions (if any): _____



April 29, 2014

RE: Special Use Permit Application for 205 Milwaukee Street

Dear Property Owner:

Keller, Inc., Agent for Community First Credit Union, Owner, has applied for a Special Use Permit for parcel number 1-00196-00 located at 205 Milwaukee Street. The applicant has requested a Special Use Permit to establish a grocery store at the site. The subject site is zoned C-1 General Commercial District and requires a Special Use Permit due to a non-conforming structure on the property, per Sec. 13-1-44(b)(2) of the City of Menasha Municipal Code.

The City of Menasha Plan Commission will be considering this request at an informal public hearing on Tuesday, May 6, 2014 at 3:30 p.m. or shortly thereafter in the City Hall Council Chambers at 140 Main Street, Menasha.

The City of Menasha Common Council will also be considering this request at a formal public hearing scheduled for Monday, May 19 at 6:00 p.m. or shortly thereafter in the City Hall Council Chambers, 140 Main Street, Menasha. A copy of the notice of the Common Council hearing on this proposal is attached along with an area map identifying the location of the property.

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

Sincerely,

Kristi Heim
Community Development Coordinator

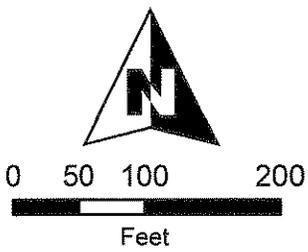
C: Plan Commission
City Clerk Galeazzi

**City of Menasha
Public Hearings**

NOTICE IS HEREBY GIVEN that public hearings will be held by the Menasha Plan Commission and Common Council on an application for a Special Use Permit by Keller, Inc., agent for Community First Credit Union, owner, to establish a grocery store on a property with a non-conforming structure in the C-1 General Commercial District, as required by Sec. 13-1-44(b)(2) of the City of Menasha Municipal Code. The proposed use is to take place on a parcel located at 205 Milwaukee Street (Parcel Number 1-00196-00), City of Menasha, Winnebago County, Wisconsin. The Plan Commission will hold its informal public hearing on Tuesday, May 6, 2014 at 3:30 PM, or shortly thereafter, in the Council Chambers of Menasha City Hall located at 140 Main Street, Menasha, WI 54952. The Common Council will hold its formal public hearing on this matter at 6:00 PM, or shortly thereafter, on Monday, May 19, 2014 at the same location. All persons interested in commenting on the application for this Special Use Permit are invited to attend.

Deborah A. Galeazzi, WCMC
City Clerk

Run: May 4 & May 12, 2014



**Special Use Permit Location
Proposed Grocery Store
205 Milwaukee Street**

Parcel Number: 1-00196-00

SHEET INDEX

- A2.1 3D
- A2.2 3D PLAN
- A2.3 FLOOR PLAN
- A2.4 ELEVATION

PROJECT INFORMATION

APPLICABLE BUILDING CODE
 2009 INTERNATIONAL BUILDING CODE (WITH WISCONSIN AMENDMENTS)
 AS REVISED BY LAW

BUILDING CONTENT
 EXISTING BUILDING 300,000 S.F.
 PROPOSED BUILDING 300,000 S.F.
 TOTAL FLOOR AREA 600,000 S.F.
 TOTAL BUILDING FOOTPRINT 300,000 S.F.

OCCUPANCY

R2 RECREATION

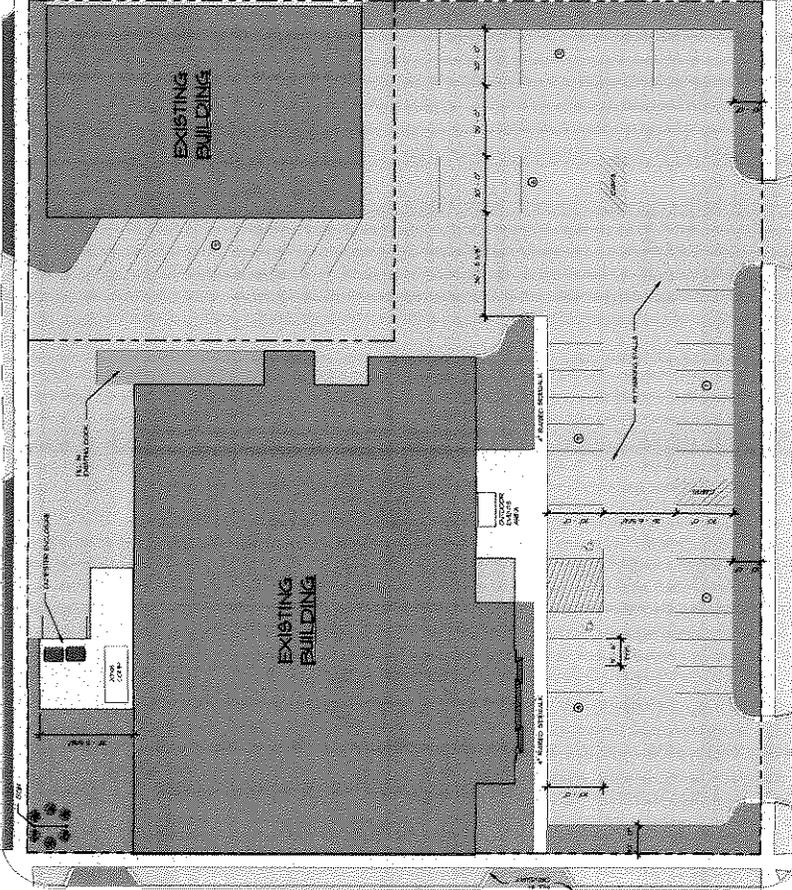
CONSTRUCTION CLASSIFICATION

TYPE III CONSTRUCTION
 NOT REINFORCED CONCRETE

Site Address: 205 Milwaukee Street, Menasha, WI 54952
 Parcel #: 10014600
 Name of Building: Third Street Market
 Name of Building Owner: Third Street Market, LLC
 Address: 205 Milwaukee Street, Menasha, WI 54952
 Phone: 920.735.2700
 Fax: 920.735.2004
 Applicant (if different than owner):
 Name: James W. Wynn
 Address: 205 Milwaukee Street, Menasha, WI 54952
 Phone: 920.735.2700
 Fax: 920.735.2004
 Site Plan Preparer:
 Name: J.W. Keller
 Address: 205 Milwaukee Street, Menasha, WI 54952
 Phone: 920.735.2700
 Fax: 920.735.2004

Drawings for proposed project developed under seal of architect.
 I hereby certify that I am a duly licensed architect in the State of Wisconsin and that I am the author of these drawings.

3RD STREET



2ND STREET



THE LOT DIMENSIONS AND WARNINGS SHOWN ON THIS PLAN ARE INTERPRETED VALUES. NO CLAIM OF INSURANCE OR OTHER LIABILITY IS MADE BY THE ARCHITECT FOR ANY ERRORS OR OMISSIONS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED AND DOES NOT INCLUDE ANY OTHER LIABILITY.

PROPOSED REMODEL FOR:

THIRD STREET MARKET

MENASHA,

WISCONSIN



Keller
 ARCHITECTS INC.

PLANNING ARCHITECTURE INTERIORS
 205 MILWAUKEE STREET
 MENASHA, WI 54952
 PHONE: 920.735.2700
 FAX: 920.735.2004
 WWW.KELLERARCHITECTS.COM

PROPOSED REMODEL FOR:
THIRD STREET MARKET
 WISCONSIN

MENASHA, WISCONSIN

PROJECT MANAGER: H. HERR
 DESIGNER: J. STORKE
 ARCHITECT: J. STORKE
 PROJECT NO.: 10330
 CONTRACT NO.:
 DATE: 03/20/2013
 SHEET: C1.0

REVISIONS:
 1. 02.23.2013
 2. 03.05.2013
 3. 03.07.2013
 4. 03.07.2013
 5. 03.07.2013
 6. 03.07.2013

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PRELIMINARY - NOT FOR CONSTRUCTION



Keller
PLANNERS (ARCHITECTS) INCORPORATED

1000 W. WISCONSIN AVENUE
MENASHA, WI 53051-1400
TEL: 920-754-1000
FAX: 920-754-1001
WWW.KELLERADVISORS.COM

PROJECT: THIRD STREET MARKET
DATE: 04.2014

WISCONSIN
MENASHA, WI 53051-1400
TEL: 920-754-1000
FAX: 920-754-1001
WWW.KELLERADVISORS.COM

PROPOSED REMODEL FOR:
THIRD STREET MARKET
MENASHA, WISCONSIN

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REVISIONS:

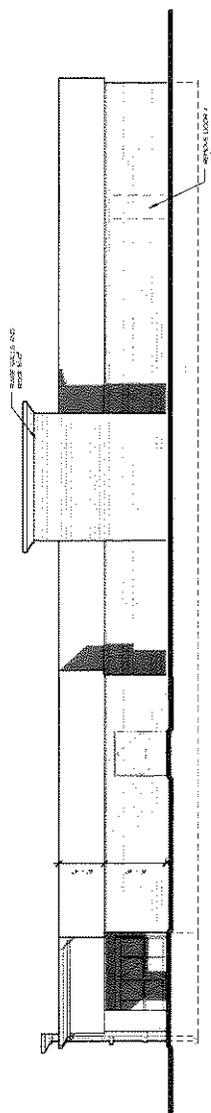
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2	04.2014	REVISED
3	04.2014	REVISED
4	04.2014	REVISED
5	04.2014	REVISED
6	04.2014	REVISED
7	04.2014	REVISED
8	04.2014	REVISED
9	04.2014	REVISED
10	04.2014	REVISED

PROJECT MANAGER: N. HESTED
DESIGNER: J. STORPE
CHECKED BY: AJP
EXPIRED: 04.2014
DATE: 04.2014

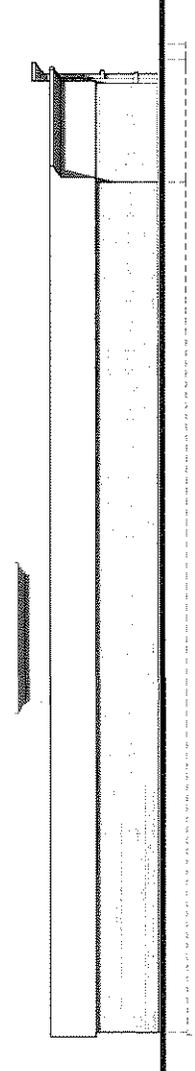
PRELIMINARY NO. P1000
CONTRACT NO. _____
DATE: 04.2014

SHEET: **A2.0**

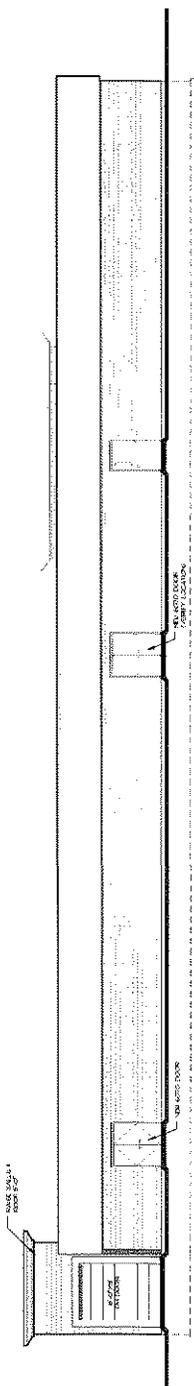
PRELIMINARY - NOT FOR CONSTRUCTION



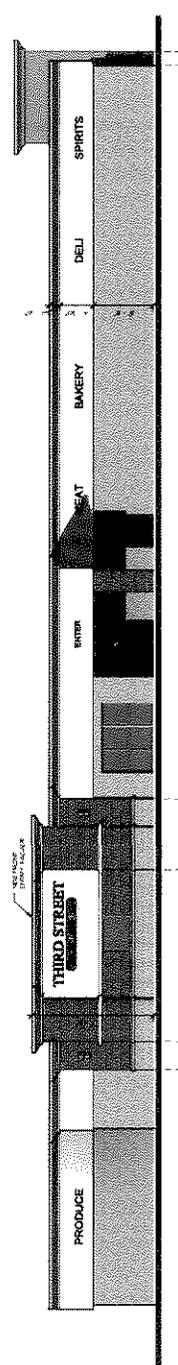
EAST ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"



PLANNERS | ARCHITECTS | BUILDERS
Keller
 1111 N. Kinnickinnick Ave.
 Milwaukee, WI 53233
 PHONE: 414.224.8274 FAX: 414.224.8274
 WWW.KELLERBUILD.COM

PROJECT: Third Street Market
CLIENT: J. Sroka
DATE: 02/25/14

PROJECT MANAGER: K. Nysted
DESIGNER: J. Sroka
DRAWN BY: ABS
EXPLORER:
APPROVER:

PRELIMINARY NO:
CONTRACT NO:
DATE: 02/25/14
SHEET: A2.1

PROPOSED REMODEL FOR:
THIRD STREET MARKET
 WISCONSIN
 MENASHA, WI

REVISIONS:
 1. 03.2013
 2. 05.2013
 3. 07.2013
 4. 08.2013
 5. 09.2013

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PRELIMINARY - NOT FOR CONSTRUCTION

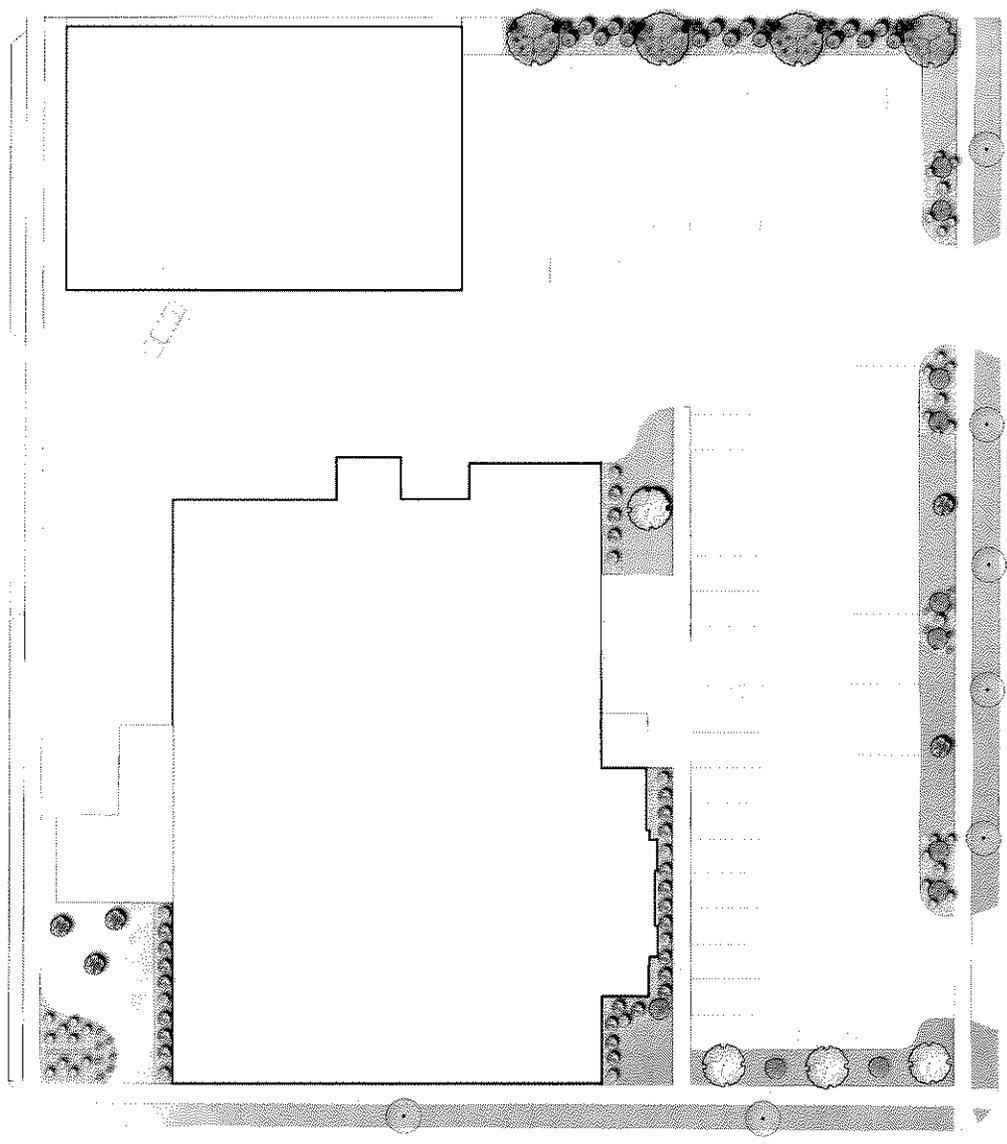


Site Plan

Item	Quantity	Notes
1. 10' x 10' Concrete Pad	1	For utility equipment
2. 4" x 8" Joists	120	For deck structure
3. 2x6 Decking	1200	For deck surface
4. 2x4 Posts	12	For deck support
5. 4x4 Posts	4	For deck support
6. 2x6 Posts	8	For deck support
7. 2x4 Posts	16	For deck support
8. 2x6 Posts	8	For deck support
9. 2x4 Posts	16	For deck support
10. 2x6 Posts	8	For deck support
11. 2x4 Posts	16	For deck support
12. 2x6 Posts	8	For deck support
13. 2x4 Posts	16	For deck support
14. 2x6 Posts	8	For deck support
15. 2x4 Posts	16	For deck support
16. 2x6 Posts	8	For deck support
17. 2x4 Posts	16	For deck support
18. 2x6 Posts	8	For deck support
19. 2x4 Posts	16	For deck support
20. 2x6 Posts	8	For deck support
21. 2x4 Posts	16	For deck support
22. 2x6 Posts	8	For deck support
23. 2x4 Posts	16	For deck support
24. 2x6 Posts	8	For deck support
25. 2x4 Posts	16	For deck support
26. 2x6 Posts	8	For deck support
27. 2x4 Posts	16	For deck support
28. 2x6 Posts	8	For deck support
29. 2x4 Posts	16	For deck support
30. 2x6 Posts	8	For deck support
31. 2x4 Posts	16	For deck support
32. 2x6 Posts	8	For deck support
33. 2x4 Posts	16	For deck support
34. 2x6 Posts	8	For deck support
35. 2x4 Posts	16	For deck support
36. 2x6 Posts	8	For deck support
37. 2x4 Posts	16	For deck support
38. 2x6 Posts	8	For deck support
39. 2x4 Posts	16	For deck support
40. 2x6 Posts	8	For deck support
41. 2x4 Posts	16	For deck support
42. 2x6 Posts	8	For deck support
43. 2x4 Posts	16	For deck support
44. 2x6 Posts	8	For deck support
45. 2x4 Posts	16	For deck support
46. 2x6 Posts	8	For deck support
47. 2x4 Posts	16	For deck support
48. 2x6 Posts	8	For deck support
49. 2x4 Posts	16	For deck support
50. 2x6 Posts	8	For deck support
51. 2x4 Posts	16	For deck support
52. 2x6 Posts	8	For deck support
53. 2x4 Posts	16	For deck support
54. 2x6 Posts	8	For deck support
55. 2x4 Posts	16	For deck support
56. 2x6 Posts	8	For deck support
57. 2x4 Posts	16	For deck support
58. 2x6 Posts	8	For deck support
59. 2x4 Posts	16	For deck support
60. 2x6 Posts	8	For deck support
61. 2x4 Posts	16	For deck support
62. 2x6 Posts	8	For deck support
63. 2x4 Posts	16	For deck support
64. 2x6 Posts	8	For deck support
65. 2x4 Posts	16	For deck support
66. 2x6 Posts	8	For deck support
67. 2x4 Posts	16	For deck support
68. 2x6 Posts	8	For deck support
69. 2x4 Posts	16	For deck support
70. 2x6 Posts	8	For deck support
71. 2x4 Posts	16	For deck support
72. 2x6 Posts	8	For deck support
73. 2x4 Posts	16	For deck support
74. 2x6 Posts	8	For deck support
75. 2x4 Posts	16	For deck support
76. 2x6 Posts	8	For deck support
77. 2x4 Posts	16	For deck support
78. 2x6 Posts	8	For deck support
79. 2x4 Posts	16	For deck support
80. 2x6 Posts	8	For deck support
81. 2x4 Posts	16	For deck support
82. 2x6 Posts	8	For deck support
83. 2x4 Posts	16	For deck support
84. 2x6 Posts	8	For deck support
85. 2x4 Posts	16	For deck support
86. 2x6 Posts	8	For deck support
87. 2x4 Posts	16	For deck support
88. 2x6 Posts	8	For deck support
89. 2x4 Posts	16	For deck support
90. 2x6 Posts	8	For deck support
91. 2x4 Posts	16	For deck support
92. 2x6 Posts	8	For deck support
93. 2x4 Posts	16	For deck support
94. 2x6 Posts	8	For deck support
95. 2x4 Posts	16	For deck support
96. 2x6 Posts	8	For deck support
97. 2x4 Posts	16	For deck support
98. 2x6 Posts	8	For deck support
99. 2x4 Posts	16	For deck support
100. 2x6 Posts	8	For deck support



1. 10' x 10' Concrete Pad
 2. 4" x 8" Joists
 3. 2x6 Decking
 4. 2x4 Posts
 5. 4x4 Posts
 6. 2x6 Posts
 7. 2x4 Posts
 8. 2x6 Posts
 9. 2x4 Posts
 10. 2x6 Posts
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 90. 2x6 Posts
 91. 2x4 Posts
 92. 2x6 Posts
 93. 2x4 Posts
 94. 2x6 Posts
 95. 2x4 Posts
 96. 2x6 Posts
 97. 2x4 Posts
 98. 2x6 Posts
 99. 2x4 Posts
 100. 2x6 Posts



City of Menasha Disbursements

Weekly Accounts Payable	5/8/14-5/15/14 Checks # 46090-46218	\$ 484,437.47
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Bi-Weekly Payroll	5/15/14	\$ 179,792.41
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Additional Regular Cycle Accounts Payables -Paid Electronically

Clean Water Fund Loan Payment	5/1/14	\$ 266,847.65
BMO Harris-Flex Spending	5/2/14	\$ 3,790.74
Nationwide-Deferred Compensation	5/2/14	\$ 11,206.50
Delta Dental	5/7/14	\$ 3,003.04
Federal Tax Withholding	5/7/14	\$ 66,988.05
BMO Harris-Flex Spending	5/13/14	\$ 2,000.00
Delta Dental	5/14/14	\$ 2,217.16
BMO Harris-Flex Spending	5/14/14	\$ 3,790.74
TID Annual Fee	5/14/14	\$ 1,650.00
		<u>\$ 361,493.88</u>

Total	<u><u>\$ 1,025,723.76</u></u>
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Items included on this list have been properly audited and certified by the City Comptroller and are being presented for approval by the Common Council.

Peggy Steeno
Peggy Steeno
Administrative Services Director

5/15/14
Date

Notes:

- Medical Expense Reimbursement Trust-Retirement Pay Out
- Community First Credit Union-Employee Deductions
- United Way-Employee Donations
- Wisconsin Support Collections-Child/Spousal Support
- WI SCTF-Child Support Annual Fee
- Gaps in check numbers indicate that more invoices being paid than fit on one check stub
(The last check stub used is the check number that will appear on the check register)

AP Check Register
Check Date: 5/8/2014

Date: 5/14/2014

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
ACCURATE	46090	5/8/2014	1405300	100-1016-543.30-15	114.80	Primer/Gloss
		5/8/2014	1405303	731-1022-541.30-18	34.44	Primer
		5/8/2014	1405471	731-1022-541.30-18	117.16	Drills/Ties
	Total for check: 46090				266.40	
ALL-SPORT TROPHY	46091	5/8/2014	48269	100-0408-552.30-16	59.00	Plaque for Mike Taylor
	Total for check: 46091				59.00	
APPLETON AWNING SHOP	46092	5/8/2014	31632	100-0703-553.24-02	197.40	Tennis Nets Repair
	Total for check: 46092				197.40	
ARING EQUIPMENT EXCHANGE	46093	5/8/2014	309861	731-1022-541.38-03	1,718.80	Brackets & Mudguards
	Total for check: 46093				1,718.80	
BAHCALL RUBBER CO INC	46094	5/8/2014	652528-001	731-1022-541.38-03	267.00	
		5/8/2014	653439-001	731-1022-541.38-03	103.89	
		5/8/2014	653587-001	731-1022-541.38-03	48.76	
		5/8/2014	653917-001	731-1022-541.38-01	414.31	
	Total for check: 46094				833.96	
BERGSTROM	46095	5/8/2014	141491	100-0801-521.29-04	114.45	Brake Repair
	Total for check: 46095				114.45	
BMO HARRIS BANK NA	46096	5/8/2014	4041983	100-0202-512.21-06	260.00	Monthly Fees
	Total for check: 46096				260.00	
BOARDMAN & CLARK LAW FIRM LLP	46097	5/8/2014	35353	100-0201-512.21-01	758.50	Sanitary Dist Agreement
	Total for check: 46097				758.50	

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BRAZEE ACE HARDWARE	46098	5/8/2014	025827	100-0703-553.24-03	20.98	Valves
			Total for check: 46098		20.98	
BROCK WHITE COMPANY	46099	5/8/2014	12407560-00	625-1010-541.30-18	70.77	Drain Tube
				266-1028-543.30-18	55.60	Drain Tube
		5/8/2014	12408291-00	625-1010-541.30-18	364.94	Drain Tube
			Total for check: 46099		491.31	
CAREW CONCRETE & SUPPLY CO INC	46100	5/8/2014	960016	625-1010-541.30-18	79.00	Bag
		5/8/2014	960017	625-1010-541.30-18	79.00	Bag
		5/8/2014	960384	625-1010-541.30-18	83.00	Concrete/Ninth St
		5/8/2014	960534	625-1010-541.30-18	83.00	6th/Racine & 8th/Racine
			Total for check: 46100		324.00	
CARGILL INCORPORATED	46101	5/8/2014	2901687190	100-1006-541.30-18	28,365.92	Salt
			Total for check: 46101		28,365.92	
CDW GOVERNMENT INC	46102	5/8/2014	LF47289	100-0202-512.30-10	11.21	Labels
			Total for check: 46102		11.21	
COMMUNITY HOUSING COORDINATOR	46103	5/8/2014	185	100-0304-562.21-06	1,800.00	2014 Housing Plan
			Total for check: 46103		1,800.00	
CRESCENT ELECTRIC SUPPLY COMPANY	46104	5/8/2014	087-494580-00	100-0703-553.24-03	70.50	Photo Control
			Total for check: 46104		70.50	
FABCO EQUIPMENT INC	46105	5/8/2014	C177825	731-1022-541.38-03	77.23	Shaft/Bearing
			Total for check: 46105		77.23	

AP Check Register

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FACTORY MOTOR PARTS CO	46106	5/8/2014	18-1308549	731-1022-541.38-03	88.80	Cleaner
		5/8/2014	18-1311624	731-1022-541.38-03	94.00	Drum
		5/8/2014	18-1312164	731-1022-541.38-03	(15.00)	Core Credit
		5/8/2014	18-Z00614	731-1022-541.38-03	58.99	Battery Core
		5/8/2014	18-Z00616	731-1022-541.38-03	284.49	Pro Batt PP54
			Total for check: 46106		511.28	
FASTSIGNS OF APPLETON	46107	5/8/2014	A78221	100-0801-521.29-04	900.00	Graphics/Squad 21 & 23
			Total for check: 46107		900.00	
FERGUSON ENTERPRISES #448	46108	5/8/2014	1040212	100-0703-553.24-03	404.18	Bowls/Tail Assy
			Total for check: 46108		404.18	
FERGUSON WATERWORKS #1476	46109	5/8/2014	0146652	100-1008-541.24-03	114.50	Pipe
		5/8/2014	0146763	625-1010-541.30-18	139.26	Baldwin Street
		5/8/2014	0147173	625-1010-541.30-18	197.45	Bio Filters - St 36
		Total for check: 46109		451.21		
FOX CITIES GREENWAYS	46110	5/8/2014		100-0702-552.34-02	25.00	Trails Workshop
			Total for check: 46110		25.00	
FOX VALLEY TRUCK	46111	5/8/2014	508384	731-1022-541.38-03	70.28	Lamp
			Total for check: 46111		70.28	
KORTNEY GONNERING	46112	5/8/2014		100-0903-531.33-01	62.65	April Expenses
				100-0903-531.34-03	22.41	April Expenses
			Total for check: 46112		85.06	

AP Check Register
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Date: 5/14/2014

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
GRAY'S INC	46113	5/8/2014	31741	100-1006-541.30-15	4,240.00	Blade
			Total for check: 46113		4,240.00	
GUSTMAN CHEVROLET SALES INC	46114	5/8/2014	31629	731-1022-541.38-03	30.92	Hex Thread
			Total for check: 46114		30.92	
HOME DEPOT CREDIT SERVICES	46115	5/8/2014	2030910	100-0703-553.24-03	155.94	Fan Heater/Utility 1/3
			Total for check: 46115		155.94	
INFINITY TECHNOLOGY INC	46116	5/8/2014	501498	743-0403-513.21-04	33.95	One-Year Maint Agreement
			Total for check: 46116		33.95	
INTERSTATE BATTERIES	46117	5/8/2014	188361	100-1003-541.30-15	91.90	Hand Power Tool Batteries
				100-1009-541.30-15	45.95	Hand Power Tool Batteries
				601-1020-543.30-15	45.95	Hand Power Tool Batteries
				625-1010-541.30-15	45.95	Hand Power Tool Batteries
			Total for check: 46117		229.75	
JOHN'S SAW SERVICE	46118	5/8/2014	9619	731-1022-541.38-03	167.92	Ignition Module/Filter Conversion Kit
		5/8/2014	9627	731-1022-541.38-03	157.90	Cylinder/Gasket Kit
			Total for check: 46118		325.82	
KUNDINGER FLUID POWER INC	46119	5/8/2014	50280324	731-1022-541.38-03	17.24	Clamp Kit
			Total for check: 46119		17.24	
LEVENHAGEN CORPORATION	46120	5/8/2014	052910A-IN	100-0000-131.00-00	18,698.55	Fuel
		5/8/2014	052913A-IN	100-0000-131.00-00	8,490.90	Fuel
			Total for check: 46120		27,189.45	

AP Check Register

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<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
MCCLONE INSURANCE GROUP	46121	5/8/2014		100-0601-551.32-01	30.00	Notary Bond/HANNAH
			Total for check: 46121		30.00	
MCKAY NURSERY COMPANY	46122	5/8/2014	04-25-1439392	826-0706-561.30-18	150.00	Freight Charges/Plantings
			Total for check: 46122		150.00	
MCNEILUS TRUCK & MFG COMPANY	46123	5/8/2014	2487392	731-1022-541.38-03	68.74	Bumper
			Total for check: 46123		68.74	
MENARDS-APPLETON EAST	46124	5/8/2014	44440	731-1022-541.24-03	10.74	Roller Frame/Tray
			Total for check: 46124		10.74	
MENASHA UTILITIES	46125	5/8/2014		100-1008-541.22-03	195.89	Electric
				100-0703-553.22-03	469.82	Electric
				100-0703-553.22-05	205.24	Water
				100-0703-553.22-06	132.51	Storm
				100-0903-531.22-03	154.93	Electric
				100-0903-531.22-05	45.42	Water
				100-0000-123.00-00	7.95	Electric
				100-0305-562.22-06	7.50	Storm
				601-1020-543.22-03	144.57	Electric
				267-0102-581.22-05	189.46	198 River Street Water/Sewer
		5/8/2014	4251	625-0401-513.25-01	1,872.82	Storm Water March 2014
		5/8/2014	4252	601-0401-513.25-02	16,682.65	Sewer Charge March 2014
			Total for check: 46125		20,108.76	
N&M AUTO SUPPLY	46127	5/8/2014	478238	731-1022-541.38-03	(1.65)	Credit
		5/8/2014	478497	731-1022-541.38-03	8.88	Spark Plug
		5/8/2014	478801	731-1022-541.38-03	103.62	Battery
		5/8/2014	478855	731-1022-541.38-03	(5.00)	Core Deposit/CREDIT
		5/8/2014	479464	731-1022-541.38-03	23.00	Oil Filter

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N&M AUTO SUPPLY...	46127...	5/8/2014	480057	731-1022-541.38-03	25.81	Filter
		5/8/2014	480186	731-1022-541.38-03	16.73	Filter/Socket
		5/8/2014	480354	731-1022-541.30-18	21.49	Thinner
		5/8/2014	480400	731-1022-541.38-03	23.00	Filter
		5/8/2014	480401	731-1022-541.38-03	22.85	Air Filter
		5/8/2014	480455	731-1022-541.38-03	105.77	Filter/Bulb/Mirror
		5/8/2014	480788	731-1022-541.38-03	15.00	Fuel Filter
		5/8/2014	480811	100-1008-541.30-18	20.95	Socket
		5/8/2014	480867	731-1022-541.38-03	12.24	Spark Plugs
		5/8/2014	480939	731-1022-541.38-03	30.88	Serpentine Belt
		5/8/2014	480977	731-1022-541.38-03	13.32	Spark Plugs
		5/8/2014	481172	731-1022-541.38-03	22.92	Spark Plugs
		5/8/2014	481597	731-1022-541.38-03	600.61	Water Pump/Axle Shafts
		5/8/2014	481688	731-1022-541.38-03	19.19	Floodlamp
		5/8/2014	481709	731-1022-541.38-03	39.78	Wheel Bearing
		5/8/2014	481804	731-1022-541.38-03	34.44	Drivebelt Tensioner Assy
			Total for check: 46127		1,153.83	
NEENAH-MENASHA SEWERAGE COMMISSION	46128	5/8/2014	2014-086	601-1021-543.25-01	64,129.33	March 2014 Wastewater Treatment
		5/8/2014	2014-092	601-1021-543.25-01	23,303.00	May 2014 Interest & Debt
			Total for check: 46128		87,432.33	
NORTHEAST ASPHALT INC	46129	5/8/2014	1266332	100-1003-541.30-18	149.49	Cold Mix
		5/8/2014	1267725	100-1003-541.30-18	151.00	Cold Mix
			Total for check: 46129		300.49	
PACKER CITY INTERNATIONAL	46130	5/8/2014	3-240910064	731-1022-541.38-03	46.36	Air Filter
		5/8/2014	3-240920057	731-1022-541.38-03	137.26	Air & Lube Filters
		5/8/2014	3-240940010	731-1022-541.38-03	22.45	Bolt
		5/8/2014	3-240940037	731-1022-541.38-03	99.90	Air & Lube Filters
		5/8/2014	3-240980052	731-1022-541.38-03	11.71	Air Filters
		5/8/2014	3-241000029	731-1022-541.38-03	16.36	Air Filters
		5/8/2014	3-241060031	731-1022-541.38-03	9.30	

AP Check Register

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<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
PACKER CITY INTERNATIONAL...	46130...	5/8/2014	3-241070064	731-1022-541.38-03	12.59	Air Filter
		5/8/2014	3-241190101	731-1022-541.38-03	5.11	Fuel Filter
		5/8/2014	3-241200042	731-1022-541.38-03	640.93	Pan & Gasket
		5/8/2014	3-241200068	731-1022-541.38-03	16.24	Bolts
		5/8/2014	CREDIT	731-1022-541.38-03	(87.58)	Credit
				731-1022-541.38-03	(16.50)	Credit
			731-1022-541.38-03	(2.11)	Credit	
			Total for check: 46130		912.02	
ROLAND MACHINERY EXCHANGE	46131	5/8/2014	566677	731-1022-541.38-03	686.81	Hopper Flashing/Breaker
			Total for check: 46131		686.81	
SCHICHEL'S NURSERY INC	46132	5/8/2014	1598301	625-0706-561.30-18	6,500.00	
			Total for check: 46132		6,500.00	
VICKI SCHULTZ	46133	5/8/2014		100-0903-531.34-03	37.36	April Expenses
			Total for check: 46133		37.36	
STAPLES ADVANTAGE	46134	5/8/2014	3228479992	100-0801-521.30-10	340.89	Supplies
			Total for check: 46134		340.89	
UNIFIRST CORPORATION	46135	5/8/2014	097 0161745	731-1022-541.20-01	120.56	Coveralls/Shirts/Towels
			Total for check: 46135		120.56	
UNITEL INC	46136	5/8/2014	38338	743-0403-513.24-04	244.75	Phone System Maintenance
			Total for check: 46136		244.75	
VAN ZEELAND'S AUTO CARE CENTER	46137	5/8/2014	2033761	100-0801-521.29-04	329.08	Labor/Parts

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VAN ZEELAND'S AUTO CARE CENTER...	46137...	5/8/2014	2033792	100-0801-521.29-04	329.08	Labor/Parts
			Total for check: 46137		658.16	
WATSON, CARLA	46138	5/8/2014	WATSON	100-0000-441.13-00	45.00	Dumpster Rental Refund
			Total for check: 46138		45.00	
WE ENERGIES	46139	5/8/2014		100-1012-541.22-03	2,249.32	Street Lights
			Total for check: 46139		2,249.32	
WIL-KIL PEST CONTROL	46140	5/8/2014	2434655	731-1022-541.20-07	66.50	PWF Contract
			Total for check: 46140		66.50	
WINNEBAGO COUNTY TREASURER	46141	5/8/2014	RF101042	266-1029-543.25-01	2,847.00	219 Appliances
			Total for check: 46141		2,847.00	
WISCONSIN DEPT OF FINANCIAL	46142	5/8/2014		100-0601-551.32-01	20.00	Notary Application/HANNAH
			Total for check: 46142		20.00	
WISCONSIN DEPT OF JUSTICE-TIME	46143	5/8/2014	T17091	100-0801-521.22-01	475.50	TIME System Access
			Total for check: 46143		475.50	
WISCONSIN HISTORICAL FOUNDATION	46144	5/8/2014		100-0304-562.33-02	65.00	Membership
			Total for check: 46144		65.00	

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WISCONSIN TAXPAYERS ALLIANCE	46145	5/8/2014		100-0401-513.32-02	21.95	2014 Municipal Facts Book
			Total for check: 46145		<u>21.95</u>	
					<u>194,585.45</u>	

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ACCURATE	46146	5/15/2014	1405833	731-1022-541.30-18	10.92	Bolts
		5/15/2014	1405973	731-1022-541.30-18	28.73	Supplies
	Total for check: 46146				39.65	
CITY OF APPLETON	46147	5/15/2014	218931	100-0302-542.25-01	13,459.00	Valley Transit May 2014
	Total for check: 46147				13,459.00	
BAHCALL RUBBER CO INC	46148	5/15/2014	654384-001	731-1022-541.38-03	67.33	
	Total for check: 46148				67.33	
BERGSTROM FORD OF NEENAH	46149	5/15/2014	28772	731-1022-541.38-03	40.16	Clip
	Total for check: 46149				40.16	
BRAZEE ACE HARDWARE	46150	5/15/2014	25963	207-0707-552.24-03	15.48	Pin Lynch
		5/15/2014	25973	207-0707-552.24-03	17.48	Thermocouple Well Packing Sheet
	Total for check: 46150				32.96	
BRUCE MUNICIPAL EQUIPMENT INC	46151	5/15/2014	5141553	731-1022-541.38-03	367.04	Flange/Collar
		5/15/2014	5141595	731-1022-541.38-03	374.44	Flange & Clamp
	Total for check: 46151				741.48	
CDW GOVERNMENT INC	46152	5/15/2014	LG85287	743-0403-513.30-15	67.40	Replacement Parts
	Total for check: 46152				67.40	
COMMUNITY FIRST CREDIT UNION	46153	5/15/2014	20140515	100-0000-202.05-00	7,586.00	PAYROLL SUMMARY
	Total for check: 46153				7,586.00	

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CRI RECYCLING SERVICE INC	46154	5/15/2014	35870	731-1022-541.21-06	153.00	Drums/Bags
			Total for check: 46154		153.00	
D&M INTERIORS	46155	5/15/2014	CG400593	731-1022-541.24-03	220.35	PWF Breakroom Floor
			Total for check: 46155		220.35	
UNEMPLOYMENT INSURANCE	46156	5/15/2014		100-0801-521.15-09	288.00	April Benefit Charges
				100-0703-553.15-09	858.00	April Benefit Charges
			Total for check: 46156		1,146.00	
DIGIPRINT	46157	5/15/2014	141740	266-1027-543.30-11	4,674.27	Horizon Newsletter
		5/15/2014	141949	731-1022-541.29-01	164.50	Letterhead
				100-0000-134.00-00	(78.50)	Letterhead
		5/15/2014	141958	731-1022-541.29-01	77.85	Business Cards
				100-0703-553.29-01	77.85	Business Cards
				100-0000-134.00-00	(23.70)	Business Cards
			Total for check: 46157		4,892.27	
EAGLE SUPPLY & PLASTICS INC	46158	5/15/2014	2137680-IN	100-0704-552.24-04	135.60	Lid
			Total for check: 46158		135.60	
EARTHLINK BUSINESS	46160	5/15/2014		100-0402-513.22-01	7.34	Telephone/Assessor
				100-0201-512.22-01	7.14	Telephone/Attorney
				100-0000-123.00-00	16.30	Telephone/Bldg Inspector
				100-0203-512.22-01	14.84	Telephone/Clerk
				100-0304-562.22-01	26.71	Telephone/Comm Dev
				100-1001-514.22-01	80.88	Telephone/City Hall
				100-0401-513.22-01	36.04	Telephone/Finance
				731-1022-541.22-01	29.00	Telephone/Garage
				100-0903-531.22-01	54.79	Telephone/Health
				743-0403-513.22-01	17.14	Telephone/IT

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EARTHLINK BUSINESS...	46160...	5/15/2014...	...	100-0601-551.22-01	189.91	Telephone/Library
				100-0101-511.22-01	11.26	Telephone/Mayor
				100-0702-552.22-01	30.21	Telephone/Recreation
				100-0703-553.22-01	50.75	Telephone/Parks
				100-0202-512.22-01	18.04	Telephone/Personnel
				100-0801-521.22-01	280.03	Telephone/Police
				100-1002-541.22-01	47.06	Telephone/Engineering
				100-0920-531.22-01	14.73	Telephone/Senior
				100-1008-541.22-01	4.25	Telephone/Sign Shop
				100-0502-522.22-01	44.73	Telephone/EOC
				207-0000-123.00-00	30.00	Telephone/Marina
			100-0000-123.00-00	335.71	Phone/Menasha Utilities	
			Total for check: 46160	1,346.86		
FLEETSOFT LLC	46161	5/15/2014	102016	731-1022-541.29-07	6,439.60	Truck Tracker
				Total for check: 46161	6,439.60	
FORCE AMERICA DISTRIBUTING LLC	46162	5/15/2014	02124930	731-1022-541.38-03	117.75	Glass Element/Gauges
				Total for check: 46162	117.75	
FOX VALLEY HUMANE ASSOCIATION	46163	5/15/2014		100-0806-532.25-01	1,305.88	March, 2014
				Total for check: 46163	1,305.88	
FOX VALLEY TECHNICAL COLLEGE	46164	5/15/2014		100-0901-515.34-02	121.58	Training
				Total for check: 46164	121.58	
GANNETT WISCONSIN MEDIA	46165	5/15/2014	0008014113	100-0405-513.29-02	784.10	3/31-5/4/14 Legals
				100-0203-512.29-02	44.49	3/31-5/4/14 Legals
				Total for check: 46165	828.59	

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GREEN BAY HIGHWAY PRODUCTS LLC	46166	5/15/2014	24136	625-1010-541.30-18	384.00	Under Drain Fabric
			Total for check: 46166		384.00	
GUNDERSON CLEANERS	46167	5/15/2014	171984	100-0801-521.30-13	34.66	Towels/Mats
			Total for check: 46167		34.66	
GUSTMAN CHEVROLET SALES INC	46168	5/15/2014	31723	731-1022-541.38-03	29.66	Handle
			Total for check: 46168		29.66	
HELMER INC	46169	5/15/2014	0000182172	100-0903-531.30-18	76.65	Chart
			Total for check: 46169		76.65	
HORST DISTRIBUTING INC	46170	5/15/2014	36934-000	100-0703-553.30-18	77.50	Promound Clay
		5/15/2014	37235-000	731-1022-541.38-03	126.89	Relay, Time Delay
			Total for check: 46170		204.39	
INDEPENDENT INSPECTIONS LTD	46171	5/15/2014	308347	100-0301-523.21-06	55,259.68	April Permits
		5/15/2014	308348	100-0301-523.21-06	315.00	April Permits
			Total for check: 46171		55,574.68	
INFINITY TECHNOLOGY INC	46172	5/15/2014	502095	743-0403-513.21-04	1,050.00	Managed IT Services
			Total for check: 46172		1,050.00	
KITZ & PFEIL INC	46175	5/15/2014	032114-0023	100-0703-553.30-18	29.66	Vandalism Repair
		5/15/2014	032414-0048	100-0304-562.21-06	3.77	Bridge Museum
		5/15/2014	032414-0071	100-0703-553.30-18	17.18	Shop
		5/15/2014	032509-0014	100-0703-553.30-18	264.26	Flag Poles
		5/15/2014	032614-0002	731-1022-541.30-18	8.62	Battery
		5/15/2014	032614-0021	100-0204-512.30-18	4.48	Election Supplies
		5/15/2014	032714-0010	731-1022-541.30-18	24.27	Tape

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KITZ & PFEIL INC...	46175...	5/15/2014	032814-0089	100-0703-553.30-18	49.11	Flags	
		5/15/2014	032814-0092	100-1001-514.24-03	8.08	City Hall Stairs	
		5/15/2014	040114-0021	100-1016-543.30-18	20.73	Paint Hardener	
		5/15/2014	040214-0008	100-0703-553.30-18	6.74	Cable Tie	
		5/15/2014	040214-0015	601-1020-543.30-18	9.48	Hardware Misc	
		5/15/2014	040214-0080	100-0703-553.24-03	16.63	Connector/Valve	
		5/15/2014	040214-0114	100-0703-553.24-03	6.65	HInge/Hardware Misc	
		5/15/2014	040314-0089	100-0703-553.30-18	3.14	Seal	
		5/15/2014	040414-0005	100-0903-531.30-13	12.59	Towel Holder	
		5/15/2014	040414-0077	207-0707-552.24-03	2.70	Hardware Misc	Marina
		5/15/2014	040714-0039	100-0304-562.21-06	9.65	Bridge Bench	
		5/15/2014	040714-0073	100-0703-553.24-03	7.18	Enamel	
		5/15/2014	040814-0101	100-0703-553.30-18	14.89	Bolt Snap/Turnbuckle	
		5/15/2014	040814-0117	100-0703-553.24-03	7.45	Keys	
		5/15/2014	040914-0074	731-1022-541.38-03	4.45	Part	
		5/15/2014	041014-0017	100-0703-553.30-18	13.64	Door Pull	
		5/15/2014	041014-0063	100-0304-562.21-06	8.36	Flange	
		5/15/2014	041114-0005	100-0703-553.30-18	5.47	Cap/Caulk	
		5/15/2014	041114-0049	601-1020-543.30-18	10.33	Tape/Gauge	
		5/15/2014	041114-0056	100-0703-553.30-18	13.45	Link	
		5/15/2014	041514-0005	100-0801-521.24-03	16.18	Switch/Connector	
		5/15/2014	041514-0082	731-1022-541.24-03	7.19	Breakroom Cap	
		5/15/2014	041614-0007	100-0304-562.21-06	22.41	Hardware Misc	
		5/15/2014	041614-0015	100-0703-553.30-18	15.84	Hardware Misc	RPZ River Walk
		5/15/2014	041614-0028	100-0704-552.24-03	18.11	Nipples/Valve/Adapter	
		5/15/2014	041614-0074	100-0704-552.24-03	3.72	Hardware Misc	
		5/15/2014	041703-0008	100-0703-553.30-18	59.95	Vacuum Kit	
	5/15/2014	041714-0118	100-1008-541.30-18	5.96	Standard Key		
	5/15/2014	041814-0045	100-0703-553.24-03	3.43	Hardware Misc		
			Total for check: 46175		735.75		
KUNDINGER FLUID POWER INC	46176	5/15/2014	50280652	731-1022-541.38-03	50.53	Female Swivel	
		5/15/2014	50280653	731-1022-541.38-03	96.77	43 Series	

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KUNDINGER FLUID POWER INC...	46176...	5/15/2014	50280654	731-1022-541.38-03	91.35	Elbow
			Total for check: 46176		238.65	
KWIK TRIP INC	46177	5/15/2014		100-0801-521.38-01	138.36	April Fuel
			Total for check: 46177		138.36	
L&S TRUCK CENTER	46178	5/15/2014	260200	731-1022-541.29-04	685.29	Electrical Maintenance
			Total for check: 46178		685.29	
LEAGUE OF WISCONSIN MUNICIPALITIES	46179	5/15/2014		100-0201-512.34-03	275.00	Conference
			Total for check: 46179		275.00	
LUNIAK PAINT & SUPPLY INC	46180	5/15/2014	6676	100-1016-543.30-15	51.00	Bags of Sand
			Total for check: 46180		51.00	
MCHUGH CONSTRUCTION INC	46181	5/15/2014	1401	731-1022-541.24-03	4,724.00	Flooring/PFW
			Total for check: 46181		4,724.00	
MCKAY NURSERY COMPANY	46182	5/15/2014	04-08-1438613	826-0706-561.30-18	1,426.65	Plantings
			Total for check: 46182		1,426.65	
MENARDS-APPLETON WEST	46183	5/15/2014	58454	100-1001-514.24-03	112.47	City Hall Elevator Sump
			Total for check: 46183		112.47	
MENASHA NEENAH MUNICIPAL COURT	46184	5/15/2014	OATES	100-0000-201.03-00	328.00	Bond/MEPD 14-118
			Total for check: 46184		328.00	
MENASHA TREASURER	46185	5/15/2014	HEALTH DEPT	100-0909-531.30-18	5.11	Petty Cash
				100-0916-531.24-04	1.33	Petty Cash

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MENASHA TREASURER...	46185...	5/15/2014...	HEALTH DEPT...	100-0905-531.30-18	14.13	Petty Cash
				100-0918-531.34-02	28.00	Petty Cash
				100-0903-531.33-02	14.00	Petty Cash
				100-0903-531.33-01	24.60	Petty Cash
				100-0914-531.34-04	0.75	Petty Cash
				Total for check: 46185		
MENASHA UTILITIES	46188	5/15/2014		100-1008-541.22-03	246.16	Electric
				100-1008-541.22-05	45.42	Water/Sewer
				601-1020-543.22-03	153.74	Electric
				100-0704-552.22-03	309.89	Electric
				100-0704-552.22-05	434.60	Water/Sewer
				731-1022-541.22-03	1,521.85	Electric
				731-1022-541.22-05	913.30	Water/Sewer
				731-1022-541.22-06	965.01	Storm
				266-1028-543.22-06	73.13	Storm
				100-0801-521.22-03	1,502.51	Electric
				100-0801-521.22-05	332.11	Water/Sewer
				100-0801-521.22-06	62.72	Storm
				100-0000-123.00-00	1,088.03	Electric
				100-0000-123.00-00	240.49	Water/Sewer
				100-0000-123.00-00	45.41	Storm
				100-0801-521.22-03	96.24	Electric
				100-0601-551.22-03	3,396.05	Electric
				100-0601-551.22-05	478.32	Water/Sewer
				100-0601-551.22-06	103.75	Storm
				100-1019-552.22-03	340.62	Electric
				100-1019-552.22-05	12.38	Water/Sewer
				100-0000-123.00-00	9.26	Electric
				100-1001-514.22-05	12.38	Water/Sewer
	100-1001-514.22-06	2.50	Storm			
	100-0703-553.22-03	1,813.05	Electric			
	100-0703-553.22-05	20.65	Water/Sewer			
	100-0703-553.22-06	700.63	Storm			

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MENASHA UTILITIES...	46188...	5/15/2014...	...	485-0304-562.22-06	33.13	Storm
				457-0304-562.22-06	2.50	Storm
				485-0304-562.22-06	15.00	Storm
				457-0304-562.21-10	33.47	Electric
				100-0305-562.22-06	5.00	Storm
				501-0304-562.22-06	280.01	Storm
				267-0102-581.22-03	2,091.47	Electric/198 River Street
				Total for check: 46188	17,380.78	
TOWN OF MENASHA UTILITY DISTRICT	46189	5/15/2014	4162	100-0703-553.22-06	26.25	Storm Water
				Total for check: 46189	26.25	
MEYER INC, LW	46190	5/15/2014	590923	100-1008-541.30-15	554.00	Drill Kit/Wrench
				Total for check: 46190	554.00	
MINNESOTA LIFE INSURANCE COMPANY	46191	5/15/2014		100-0000-204.07-00	2,467.50	June Life Insurance
				Total for check: 46191	2,467.50	
NEENAH-MENASHA SEWERAGE COMMISSION	46192	5/15/2014	2014-084	601-1021-543.21-01	23,710.50	Legal Reimbursement Fox River Cleanup
				Total for check: 46192	23,710.50	
REDI-WELDING CO	46193	5/15/2014	14674	100-1016-543.30-15	1,639.66	Dumpster Pockets/Bottoms
				Total for check: 46193	1,639.66	
RIESTERER & SCHNELL INC	46194	5/15/2014	634559	731-1022-541.38-03	80.94	Blade
				Total for check: 46194	80.94	
LIZ ROSIN	46195	5/15/2014		100-0903-531.33-01	12.25	April Expenses

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LIZ ROSIN...	46195...	5/15/2014...	...	100-0903-531.34-01	11.70	April Expenses
				Total for check: 46195	23.95	
SERVICEMASTER BUILDING MAINTENANCE	46196	5/15/2014	12214	100-0801-521.20-01	50.00	PD Garage/Janitorial
		5/15/2014	12221	100-0801-521.20-01	1,460.00	PD/Janitorial
				Total for check: 46196	1,510.00	
J A SEXAUER	46197	5/15/2014	309667509	731-1022-541.30-18	384.35	Key Blanks
				100-0703-553.24-03	187.50	Key Blanks
				Total for check: 46197	571.85	
SHERWIN WILLIAMS CO	46198	5/15/2014	3768-8	100-0304-562.21-06	55.78	
		5/15/2014	3995-7	731-1022-541.24-03	153.16	Paint
		5/15/2014	4085-6	100-1016-543.30-15	301.25	Paint
		5/15/2014	4265-4	100-1008-541.30-18	3,462.50	Paint
				Total for check: 46198	3,972.69	
JOHN SHIER RN PHD	46199	5/15/2014	167	100-0202-512.30-16	541.48	Presentation
				Total for check: 46199	541.48	
SHOPKO STORES OPERATING CO LLC	46200	5/15/2014	90000014390018	100-0801-521.30-18	9.88	USB Portable Drive
				Total for check: 46200	9.88	
R A SMITH NATIONAL INC	46201	5/15/2014	113001	489-0304-562.21-02	1,607.50	Gilbert Waterfront Trail March Services
				Total for check: 46201	1,607.50	
SMT MANUFACTURING & SUPPLY	46202	5/15/2014	0027315-IN	731-1022-541.38-03	6.40	Belt

AP Check Register
Check Date: 5/15/2014

Date: 5/15/2014

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
SMT MANUFACTURING & SUPPLY...	46202...	5/15/2014	0027398-IN	731-1022-541.38-03	12.70	Belts
			Total for check: 46202		19.10	
SPEEDY CLEAN DRAIN & SEWER INC	46203	5/15/2014	56760	601-1020-543.82-02	1,917.00	Jefferson Telewise/Repair
			Total for check: 46203		1,917.00	
STAPLES ADVANTAGE	46204	5/15/2014	8029549335	100-0702-552.30-10	38.95	Supplies
			Total for check: 46204		38.95	
STREICHER'S INC	46205	5/15/2014	11089038	100-0801-521.30-15	747.20	Ammunition
		5/15/2014	11089098	100-0801-521.30-15	400.00	Ammunition
			Total for check: 46205		1,147.20	
TAPCO	46206	5/15/2014	1451768	100-0802-521.30-18	88.47	Cones for Crossing Guards
			Total for check: 46206		88.47	
UNIFIRST CORPORATION	46207	5/15/2014	097 0162230	731-1022-541.20-01	103.36	Mat/Mop/Clothing Service
			Total for check: 46207		103.36	
UNITED PAPER CORPORATION	46208	5/15/2014	77299	100-0000-132.00-00	2,231.28	Towels/Soap
			Total for check: 46208		2,231.28	
UNITED WAY FOX CITIES	46209	5/15/2014	20140515	100-0000-202.09-00	31.75	PAYROLL SUMMARY
			Total for check: 46209		31.75	
WAVERLY SANITARY DISTRICT	46210	5/15/2014		100-0703-553.22-05	48.69	2170 Plank Road
			Total for check: 46210		48.69	
WE ENERGIES	46211	5/15/2014		100-0703-553.22-03	38.72	Conservancy

AP Check Register

Check Date: 5/15/2014

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
WE ENERGIES...	46211...	5/15/2014...	...	100-0903-531.22-04 267-0102-581.22-04	44.84 496.02	Health Department 198 River St/Gas Service
				Total for check: 46211	579.58	
WEA INSURANCE TRUST	46212	5/15/2014		100-0000-204.11-00 100-0000-204.08-00	9,235.40 113,412.08	June Health Insurance June Health Insurance
				Total for check: 46212	122,647.48	
WEHA	46213	5/15/2014	WEHA	100-0904-531.34-02	140.00	2014 Educational Conf
				Total for check: 46213	140.00	
WI SCTF	46214	5/15/2014	20140515	100-0000-202.03-00	130.00	PAYROLL SUMMARY
				Total for check: 46214	130.00	
WINNEBAGO COUNTY CLERK OF COURTS	46215	5/15/2014 5/15/2014	CARLSON GARCIA	100-0000-201.03-00 100-0000-201.03-00	150.00 285.00	Bond/MEPD 14-100452 Bond/MEPD 14-100510
				Total for check: 46215	435.00	
WISCONSIN DEPT OF JUSTICE	46216	5/15/2014	G3228	100-0202-512.32-02	20.00	March Transactions
				Total for check: 46216	20.00	
WISCONSIN SUPPORT COLLECTIONS	46217	5/15/2014	20140515	100-0000-202.03-00	955.49	PAYROLL SUMMARY
				Total for check: 46217	955.49	
ZARNOTH BRUSH WORKS INC	46218	5/15/2014	0149135-IN	731-1022-541.38-03	323.10	Flange Weldment/Collar
				Total for check: 46218	323.10	
					289,852.02	

 **AIA**® Document B105™ – 2007

Standard Form of Agreement Between Owner and Architect for a Residential or Small Commercial Project

AGREEMENT made as of the 9th day of May in the year 2014
(In words, indicate day, month and year.)

BETWEEN the Owner:
(Name, legal status, address and other information)

City of Menasha
140 Main Street
Menasha, WI 54952-3190

and the Architect:
(Name, legal status, address and other information)

McMAHON Associates, Inc.
1445 McMahan Drive
Neenah, WI 54956

for the following Project:
(Name, location and detailed description)

Menasha Senior Center Addition
116 Main Street
Menasha, WI54952-3190

The project includes a 1442 S.F. addition to the existing Senior Center, with the associated site work along with minor modifications to the existing building interior as indicated on preliminary design drawings by McMAHON Dated 7-9-13

The Owner and Architect agree as follows.

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

State or local law may impose requirements on contracts for home improvements. If this document will be used for Work on the Owner's residence, the Owner should consult local authorities or an attorney to verify requirements applicable to this Agreement.

Init.

ARTICLE 1 ARCHITECT'S RESPONSIBILITIES

The Architect shall provide architectural services for the Project as described in this Agreement in a manner consistent with locally accepted standards for professional skill and care. The Architect shall assist the Owner in determining consulting services required for the Project. The Architect's services include the following consulting services, if any:

| See Exhibit A "Project Approach"

During the Design Phase, the Architect shall review the Owner's scope of work, budget and schedule and reach an understanding with the Owner of the Project requirements. Based on the approved Project requirements, the Architect shall develop a design. Upon the Owner's approval of the design, the Architect shall prepare Construction Documents indicating requirements for construction of the Project and shall coordinate its services with any consulting services the Owner provides. The Architect shall assist the Owner in filing documents required for the approval of governmental authorities, in obtaining proposals and in awarding contracts for construction.

| During the Construction Phase, the Architect shall provide one site visit to author the "Compliance Statement" as required by the State of Wisconsin.

ARTICLE 2 OWNER'S RESPONSIBILITIES

The Owner shall provide full information about the objectives, schedule, constraints and existing conditions of the Project, and shall establish a budget that includes reasonable contingencies and meets the Project requirements. The Owner shall provide decisions and furnish required information as expeditiously as necessary for the orderly progress of the Project. The Architect shall be entitled to rely on the accuracy and completeness of the Owner's information. The Owner shall furnish consulting services not provided by the Architect, but required for the Project, such as surveying, which shall include property boundaries, topography, utilities, and wetlands information; geotechnical engineering; and environmental testing services. The Owner shall employ a Contractor, experienced in the type of Project to be constructed, to perform the construction Work and to provide price information.

ARTICLE 3 USE OF DOCUMENTS

| Drawings, specifications and other documents prepared by the Architect are instruments of the Architect's service and are for the Owner's use solely with respect to this Project. The Architect shall retain all common law, statutory and other reserved rights, including the copyright. Upon completion of the Project or termination of this Agreement, the Owner's right to use the instruments of service shall cease, with the exception that for compliance with requirements of open records laws, the owner may share copies of the documents.

ARTICLE 4 TERMINATION, SUSPENSION OR ABANDONMENT

In the event of termination, suspension or abandonment of the Project by the Owner, the Architect shall be compensated for services performed. The Owner's failure to make payments in accordance with this Agreement shall be considered substantial nonperformance and sufficient cause for the Architect to suspend or terminate services. Either the Architect or the Owner may terminate this Agreement after giving no less than seven days' written notice if the Project is suspended for more than 90 days, or if the other party substantially fails to perform in accordance with the terms of this Agreement.

ARTICLE 5 MISCELLANEOUS PROVISIONS

This Agreement shall be governed by the law of the place where the Project is located. Terms in this Agreement shall have the same meaning as those in AIA Document A105-2007, Standard Form of Agreement Between Owner and Contractor for a Residential or Small Commercial Project. Neither party to this Agreement shall assign the contract as a whole without written consent of the other.

Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Owner or the Architect.

The Architect and Architect's consultants shall have no responsibility for the identification, discovery, presence, handling, removal or disposal of, or exposure of persons to, hazardous materials in any form at the Project site.

ARTICLE 6 PAYMENTS AND COMPENSATION TO THE ARCHITECT

The Architect's Compensation shall be:

| Sixteen Thousand Seven Hundred Fifty Dollars (\$16,750.00)

The Owner shall pay the Architect an initial payment of zero (\$ 0) as a minimum payment under this Agreement. The initial payment shall be credited to the final invoice.

Payments are due and payable upon receipt of the Architect's monthly invoice. Amounts unpaid thirty (30) days after the invoice date shall bear interest from the date payment is due at the rate of one percent (1.0 %) per month , or in the absence thereof, at the legal rate prevailing at the principal place of business of the Architect.

At the request of the Owner, the Architect shall provide services not included in Article 1 for additional compensation. Such services may include providing or coordinating services of consultants not identified in Article 1; revisions due to changes in the scope, quality or budget; evaluating changes in the Work and Contractors' requests for substitutions of materials or systems; and services not completed within twelve (12) months of the date of this Agreement through no fault of the Architect.

ARTICLE 7 OTHER PROVISIONS

(Insert descriptions of other services and modifications to the terms of this Agreement.)

See Exhibit B "Proposed Fee" for further fee description and McMAHON "General Terms & Conditions" included as part of this Agreement.

This Agreement entered into as of the day and year first written above.

OWNER – CITY OF MENASHA

ARCHITECT – McMAHON ASSOCIATES, INC.

(Signature)

(Signature)

(Printed name and title)

)
Michael J. McMahon, A.I.A., NCARB
Vice President

(Row deleted)

w:\Agree\A&E Owner\McMahon\M0032-640008\Menasha Senior Center-MJM (tlw)

Exhibit A - Project Approach

The project scope is to develop architectural plans and budget for the Menasha Senior Center per the McMAHON concept from last year.

Scope of Services:

- Site Plan
 - Site plans will be prepared in conformance with Section 13-1-12 of the City of Menasha Municipal Code which includes but is not limited to:
 - Property boundaries using site information provided by City of Menasha
 - Location of building footprint and driveways.
 - Location of existing and proposed sidewalks and bike rack.
 - Locate trash and recycling enclosure.
 - Develop drainage plan – our assumption is that storm water management is not going to be required.
 - Lighting and landscaping for City of Menasha requirements.

- Architectural Plans
 - Construction documents including, to scale: floor plans, elevations, wall sections, roof plan, door and finish schedule and critical details.
 - State of Wisconsin submittal.

- Structural Plans
 - Framing plans, foundation plan and details.

- Mechanical Plans
 - HVAC plans with duct work locations and plant modifications/enhancement.

- Electrical Plans
 - Electrical plans indicating outlet locations, lighting and circuits.
 - We do not anticipate data or phone as part of Scope of Services.

- Budget Estimate
 - Provide construction estimate broken down by division of work.

- Project Manual
 - Specifications for each area of work and Instruction to Bidders. Specifications anticipated to include applicable sections of the following divisions of work:
 - Division 0 – Procurement and Contracting requirements
 - Division I – General Requirements

Project Approach (continued)

- Division 2 – Existing Conditions
- Division 3 – Concrete
- Division 4 – Masonry
- Division 5 – Metals
- Division 6 – Wood, Plastics and Composites
- Division 7 – Thermal and Moisture Protection
- Division 8 – Openings
- Division 9 – Finishes
- Division 10 – Specialties
- Division 22 – Plumbing
- Division 23 – Heating, Ventilating and Air Conditioning
- Division 26 – Electrical
- Division 31 – Earthwork
- Division 32 – Exterior Improvements
- Division 33 – Utilities

Tasks:

Task #1

Architect to meeting with committee to review concept and scope.

Task #2

Design team to tour building and document existing conditions.

Task #3

Review construction drawings with design team and have recommendations for finish materials. This is at 50% completion.

Task #4

Review final construction documents with committee. Final material selections will be completed at this time. Review final estimate with committee.

Task #5

Present final documents to common council

NOTE: Scope of Services based on affected areas of work only.



Exhibit B - Proposed Fee

Basic Services:

McMAHON proposes to provide the scope of services represented in the response for the following fee:

Design Services: Lump Sum	\$16,000.00
Reimbursable Expenses: Lump Sum	\$750.00
<hr/>	
Total Lump Sum Fee:	\$16,750.00

Reimbursables:

Reimbursables expenses are included in the above lump sum fee and include State submittal fees, mileage, copies, photographs and production of final report. Reproduction expenses for construction documents (drawings and specifications) are not included and are customarily a direct expense to the owner and contractors.

Scope of Services Not Included:

- 3-D Rendering
- Overall Building Analysis including HVAC, Plumbing and Electrical Systems
- Site Survey
- Subsurface Investigation
- Material and/or Invasive Testing
- GIS Mapping
- Construction Services (required one (1) site visit during construction; included in fee)
- On-line Surveys
- Bidding services. The construction documents will be turned over to the city, who will be responsible to issue the documents for bidding, respond to contractor questions during the bid phase via addenda, receive bids, review and negotiate final bids, and author contracts for the construction.

NOTE: In the event the City of Menasha is interested in services not included in the Scope of Services, McMAHON will be glad to provide a fee proposal for those services.

McMAHON McMAHON

ENGINEERS ARCHITECTS GENERAL TERMS & CONDITIONS

1. McMAHON will bill the Owner monthly with net payment due in 30-days. Past due balances shall be subject to a service charge at a rate of 1.0% per month. In addition, McMAHON may, after giving 48-hours notice, suspend service under any Agreement until the Owner has paid in full all amounts due for services rendered and expenses incurred. These expenses include service charges on past due invoices, collection agency fees and attorney fees incurred by McMAHON to collect all monies due McMAHON. McMAHON and Owner hereby acknowledge that McMAHON has and may exercise lien rights on subject property.
 2. The stated fees and Scope Of Services constitute our best estimate of the fees and tasks required to perform the services as defined. This Agreement, upon execution by both parties hereto, can be amended only by written instrument signed by both parties. For those projects involving conceptual or process development services, activities often cannot be fully defined during initial planning. As the project progresses, facts uncovered may reveal a change in direction, which may alter the Scope. McMAHON will promptly inform the Owner in writing of such situations so changes in this Agreement can be negotiated, as required.
 3. The stipulated fee is firm for acceptance by the Owner for 60-days from date of Agreement publication.
 4. Costs and schedule commitments shall be subject to re-negotiation for delays caused by the Owner's failure to provide specified facilities or information, or for delays caused by unpredictable occurrences, including without limitation, fires, floods, riots, strikes, unavailability of labor or materials, delays or defaults by suppliers of materials or services, process shutdowns, acts of God or the public enemy, or acts or regulations of any governmental agency. Temporary delay of services caused by any of the above, which results in additional costs beyond those outlined, may require re-negotiation of this Agreement.
 5. Reimbursable expenses incurred by McMAHON in the interest of the project including, but not limited to, equipment rental will be billed to the Owner at cost plus 10% and sub-consultants at cost plus 12%. When McMAHON, subsequent to execution of an Agreement, finds that specialized equipment must be purchased to provide special services, the cost of such equipment will be added to the agreed fee for professional services only after the Owner has been notified and agrees to these costs.
 6. McMAHON will maintain insurance coverage in the following amounts:

Worker's Compensation	Statutory
General Liability	
Bodily Injury - Per Incident / Annual Aggregate	\$1,000,000 / \$2,000,000
Automobile Liability	
Bodily Injury	\$1,000,000
Property Damage	\$1,000,000
Professional Liability Coverage	\$2,000,000
- If the Owner requires coverage or limits in addition to the above stated amounts, premiums for additional insurance shall be paid by the Owner. McMAHON's liability to Owner for any indemnity commitments, reimbursement of legal fees, or for any damages arising in any way out of performance of our contract is limited to \$1,000,000.
7. The Owner agrees to provide such legal, accounting and insurance counseling services as may be required for the project for the Owner's purpose. All unresolved claims, disputes and other matters in question between the Owner and McMAHON shall be submitted to mediation, if an agreement cannot be reached by Owner and McMAHON.
 8. Termination of this Agreement by the Owner or McMAHON shall be effective upon 7-days written notice to the other party. The written notice shall include the reasons and details for termination; payment is due as stated in paragraph 1. If the Owner defaults in any of the Agreements entered into between McMAHON and the Owner, or if the Owner fails to carry out any of the duties contained in these terms and conditions, McMAHON may, upon 7-days written notice, suspend its services without further obligation or liability to the Owner unless, within such 7-day period, the Owner remedies such violation to the reasonable satisfaction of McMAHON.
 9. Re-use of any documents or AutoCAD representations pertaining to this project by the Owner for extensions of this project or on any other project shall be at the Owner's risk and the Owner agrees to defend, indemnify and hold harmless McMAHON from all claims, damages and expenses, including attorneys' fees arising out of such re-use of the documents or AutoCAD representations by the Owner or by others acting through the Owner.
 10. Purchase Orders - In the event the Owner issues a purchase order or other instrument related to the Engineer's services, it is understood and agreed that such document is for Owner's internal accounting purposes only and shall in no way modify, add to or delete any of the terms and conditions of this Agreement. If the Owner does issue a purchase order, or other similar instrument, it is understood and agreed that the Engineer shall indicate the purchase order number on the invoice(s) sent to the Owner.
 11. McMAHON will provide all services in accordance with generally accepted professional practices. McMAHON will not provide or offer to provide services inconsistent with or contrary to such practices nor make any other warranty or guarantee, expressed or implied, nor to have any Agreement or contract for services subject to the provisions of any uniform commercial code. Similarly, McMAHON will not accept those terms and conditions offered by the Owner in its purchase order, requisition or notice of authorization to proceed, except as set forth herein or expressly accepted in writing. Written acknowledgment of receipt, or the actual performance of services subsequent to receipt, of any such purchase order, requisition or notice of authorization to proceed is specifically deemed not to constitute acceptance of any terms or conditions contrary to those set forth herein.
 12. McMAHON intends to serve as the Owner's professional representative for those services, as defined in this Agreement, and to provide advice and consultation to the Owner as a professional. Any opinions of probable project costs, approvals and other decisions made by McMAHON for the Owner are rendered on the basis of experience and qualifications, and represent our professional judgment.
 13. This Agreement shall not be construed as giving McMAHON the responsibility or authority to direct or supervise construction means, methods, techniques, sequence or procedures of construction selected by Contractors or Subcontractors, or the safety precautions and programs incident to the work of the Contractors or Subcontractors.
 14. The Owner shall be responsible for maintenance of the structure, or portions of the structure, which have been completed and have been accepted for its intended use by the Owner. All structures are subject to wear and tear, and environmental and man-made exposures. As a result, all structures require regular and frequent monitoring and maintenance to prevent damage and deterioration. Such monitoring and maintenance is the sole responsibility of the Owner. McMAHON shall have no responsibility for such issues or resulting damages.



To: Menasha Common Council
From: Jenny Groeschel and Ginger Tralongo, Police Records
RE: Beverage Operator License (Bartender) Applicants
Date: May 15, 2014

The below individuals have applied for a bartender license to serve, dispense and/or sell alcohol at a licensed establishment within the City. They have all met the criteria under the "Guidelines for Operator Licenses" approved by the Common Council. Therefore, staff is recommending the following people be **APPROVED** for an Operator's License for the 2013-2015 licensing period:

Michael Wolff
Courtney Liesch
Kailey Novak
Matthew Mussatti

The following individual has applied for a bartender license to serve, dispense and/or sell alcohol at a licensed establishment in the City. They have not met the criteria under the "Guidelines for Operator Licenses" approved by the Common Council. Therefore, staff is recommending the following person be **DENIED** an Operator's License:

Kristen Cendejas



May 12, 2014

Kristen G Cendejas
235 W Calumet St
Appleton, WI 54915

Re: City of Menasha Alcohol Operators License Application

Dear Ms. Cendejas

In conducting a background investigation in relationship to your alcohol operator's license application the following information was determined.

The following offenses resulted in convictions in Outagamie County.

On August 12, 2009 you were convicted of Underage Drinking.

On August 24, 2009 you were convicted of Manufacturing/Delivery of a non-narcotic drugs, a class H felony along with Possession of THC.

On May 3, 2010 you were convicted of a misdemeanor count of Theft.

On January 4, 2012 you were convicted of Underage Alcohol Violation.

On June 9, 2012 you were convicted of Underage Alcohol Violation.

On July 14, 2012 you were convicted of Operating while Suspended.

On November 22, 2012 you were convicted of 1st offense Operating While Intoxicated and 3rd offense Operating while Suspended.

On January 9, 2013 you were convicted of Operating While Suspended.

On March 27, 2013 you were convicted of Operating While Suspended a 4th Offense.

In Calumet County on August 16, 2010 you were convicted of a Class A misdemeanor of Credit Card Fraud

Based on your background investigation I will be recommending that the Menasha Common Council deny your request for an Operator's License in the City of Menasha, because under guideline #3 you are considered a habitual law offender.

Engaging in bartending involves the purchase and sale of a closely regulated substance/alcohol, individuals granted an Operator's License must act in cooperation with law enforcement to enforce the alcohol beverage laws, drunk driving laws and assist with minimizing disturbances of the peace and maintaining the safety of the community. The incidents that you have been convicted of substantially relate to the license for which you have applied, arouse out of separate incidents which occurred within a short period of time within the last 5 years.

The Police Department is recommending to the Common Council that they deny your application for an Alcohol Operator's License within the City of Menasha. The recommendation will be given to the Common Council at its next meeting on May 19, 2014 at 6:00 pm or shortly thereafter. Should you wish to provide comment to the common council on your application you may do so during the public participation portion of meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Lt. Ron Bouchard". The signature is stylized and cursive.

Lt. Ron Bouchard
Investigative Services
Menasha Police Department

John J. Hogerty, II
Executive Vice President
General Counsel & Secretary

Bergstrom Corporation

May 15, 2014

City of Menasha Common Council
140 Main Street
Menasha, WI 54952

Re: Appeal the Decision of the Landmarks Commission

Dear Menasha Common Council:

On May 14, 2014, the Menasha Landmarks Commission denied Menasha Downtown Development, LLC's application for a certificate of appropriateness for the demolition of the Menasha Hotel (177 Main St). Per Section 2-4-8(j)(3) of the Municipal Code, we hereby appeal the Landmarks Commission's decision to the Common Council.

The Menasha Hotel is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore. We propose to replace the current building with a new structure that will be harmonious with the Downtown Menasha streetscape. The exact use has yet to be determined and is predicated upon finding an economically sustaining project that will add to the growth and health of Downtown Menasha. We anticipate the project will include some, and perhaps a combination of all, of the following uses: residential, retail, and office space.

In summary, we respectfully request that the Common Council overturn the Landmarks Commission's decision and allow a certificate of appropriateness for demolition of the Menasha Hotel, which will allow us to obtain a demolition permit. Thank you.

Very truly yours,



John J. Hogerty, II
Registered Agent
Menasha Downtown Development, LLC

JJH:cah

One Neenah Center, 7th Floor
Post Office Box 549
Neenah, Wisconsin 54957-0549
920-725-4444
Fax 920-729-4034
jhogerty@bergstromauto.com



City of Menasha
Application for Building Alterations
Within Historic Districts

177 Main Street
Property Address

Owner Information:

Menasha Downtown Development, LLC
Owner Name
One Neenah Center
Address
Neenah, WI 54956
City, State, Zip
(920) 725-4444
Phone Number

Applicant Information (if different)

ANY ONE OF:
Applicant 1. JOHN F. BERGSTROM
2. JOHN T. HOBERTY, II
3. KIM VANDERHEYDEN
Address Mr. VANDERHEYDEN will
serve as Agent for this Application
City, State, Zip
Phone Number

Contractor Information:

Name: Statewide Razing
Address: 103 Vosters Vista
Combined Locks, WI
Phone: (920) 766-7778
Glen Martin, owner
Lic. #: _____
Federal ID or SSN: _____

Name: Eagle Environmental Testing
Address: W 6674 Green Willow Ct
Greenville, WI 54952
Phone: (920) 915-2821
Brad Wolko, owner
Lic. #: _____
Federal ID or SSN: _____

Project Description: - Please see attached

A complete description of the proposed work is required including dimensioned drawings, color samples, architectural plans, or manufacturer's specification sheets. Other information may be required as requested. Any proposals to paint or stain the building exterior shall be accompanied by a sample of the paint color(s).

Office Use Only
Date Approved: _____ Estimated Start Date: _____
Estimated Completion Date: _____

Notes: _____

**MENASHA LANDMARKS COMMISSION
APPLICATION FOR BUILDING ALTERATIONS
177 MAIN STREET
MAY 8, 2014**

PROJECT DESCRIPTION:

Applicant proposes to demolish the Menasha Hotel building located at 177 Main Street, Menasha, as the building is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it.

Applicant proposes to replace the current building with a new structure that will be harmonious with the Downtown Menasha streetscape. The exact use has yet to be determined, but will include some, and perhaps a combination of all, of the following:

1. Residential
2. Retail
3. Office Space

Contractors listed in the application are for the demolition part of this project only.

(j) **REGULATION OF CONSTRUCTION, RECONSTRUCTION, AND EXTERIOR ALTERATION.**

- (1) Certificate of Appropriateness. A Certificate of Appropriateness is required before a building permit can be issued for the demolition, new construction, exterior alteration, modification or addition to a designated historic property. Any building permit not issued in conformity with this ordinance shall be considered void. Acceptable exterior alterations include, but are not limited to, the construction of additions, the installation of siding, windows, doors, awnings, and signage, or the application of paint or other exterior coatings.
- a. Such application shall contain a description and sketch of the proposed changes.
 - b. A copy of the procedures for Landmarks Commission review shall be provided in writing to each applicant.
 - c. Within ten (10) days of the referral from the Director of Community Development, the Landmarks Commission shall schedule a meeting to review said application. The Landmarks Commission shall utilize the following criteria to evaluate the appropriateness of the proposed change.
 1. In the case of a designated historic district, structure or site, the proposed work should not detrimentally change, destroy or adversely affect any exterior architectural feature of the improvement upon which said work is to be done; and,
 2. In the case of the construction of a new structure upon a historic site, the exterior of such improvement should not adversely affect the external appearance of other neighboring improvements. Such improvement shall also harmonize with the external appearance of other neighboring improvements on such site; and,
 3. In the case of any property located in a designated historic district the proposed construction, reconstruction, or exterior alteration shall conform to the objectives and design criteria of the Historic Preservation Plan.
- (2) If the Landmarks Commission determines the landmark, landmark site, or property within a historic district would be adversely affected by the proposed change or if for any other reason the Commission rejects the request, the Commission shall state in writing the reasons.
- (3) **Should the Landmarks Commission fail to act within the specified time period or refuse to issue a certificate of appropriateness due to the failure of the proposal to meet the guidelines, the applicant may appeal to the Common Council.**



MEMORANDUM

Date: May 15, 2014

To: Common Council

From: Pamela A. Captain, City Attorney

RE: City of Menasha v. Waverly Sanitary District et al.
Calumet County Case No. 2013CV189

The parties agreed to stage briefing in this matter limiting initial briefing to a few dispositive issues and depending on how the court ruled, move into subsequent briefing as needed.

The City of Menasha and Waverly Sanitary District submitted briefs for the court's consideration with the primary initial issue brought up by Waverly Sanitary District being whether the parties' 1999 Intermunicipal Agreement among the Town of Harrison, Waverly Sanitary District and City of Menasha prevented the City of Menasha from filing this declaratory judgment action. After hearing last week, Judge Peter L. Grimm (Fond du Lac County), the presiding judge, dismissed the case that the City of Menasha filed. A written order was prepared by Waverly Sanitary District's attorney and filed with the court for its signature.

When a circuit court makes a decision with which a party disagrees, if there are legal grounds to do so, the decision can be appealed to a higher court. In this case, an appeal would be made to the Wisconsin Court of Appeals. Beyond that an appeal is made to the Wisconsin Supreme Court. Upon entry of the order, the City of Menasha will have 30 days within which to appeal the decision.

It is my opinion that there are grounds for an appeal. If desired, further discussion with respect to an appeal is recommended to occur in closed session.

Keep in mind that throughout any litigation process, including an appeal, the parties can continue talking in an effort to reach an amicable resolution to the dispute and end the litigation.

RECOMMENDATION: Motion authorizing the city attorney to proceed with an appeal of the court's decision in Calumet County Case No. 2013CV 189, City of Menasha v. Waverly Sanitary District et al.